



# City of San Leandro

Civic Center  
835 East 14th Street  
San Leandro, California

## Minutes

### City Council

*Welcome to your City of San Leandro City Council meeting.*

*Your City Councilmembers are:*

*Mayor Pauline Russo Cutter*

*Deborah Cox, District 1*

*Bryan Azevedo, District 2*

*Victor Aguilar, Jr., District 3*

*Fred Simon, District 4*

*Corina N. Lopez, District 5*

*Pete Ballew, District 6*

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Tuesday, January 18, 2022

6:30 PM

Access the meeting remotely by using this URL

<https://zoom.us/j/506831637>

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San Leandro City Council conducted this meeting in accordance with the State Emergency Services Act, the Governor's Emergency Declaration related to COVID-19, and AB 361, under which a resolution was approved by the City Council on October 4, 2021.

#### 1. CALL TO ORDER

*The meeting was called to order at 6:45 p.m.*

##### 1.a. PLEDGE OF ALLEGIANCE TO THE FLAG

*Public Comment was received by Douglas Spalding.*

##### 1.b. ROLL CALL

**Present** 7 - Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Cutter

#### 2. RECOGNITIONS

2.A. [22-027](#) Mayor's Award for Kindness for Jorge Monzon

**Presented.**

2.B. [22-026](#) Recognition of the Employee of the Quarter, Susan Criswell, Recreation Supervisor, Recreation & Human Services

**Presented.**

2.C. [22-022](#) RESOLUTION Appointing Moira Fry as District 1 Representative to the Human Services Commission for Term Ending December 31, 2022

**A motion was made by Councilmember Cox, seconded by Councilmember Lopez, that this Resolution be Adopted. The motion carried by the following vote.**

**Aye:** 7 - Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Cutter

Enactment No: Reso 2022-012

**2.b. ANNOUNCEMENTS**

**12.A. [22-021](#)**

Staff Report for an Ordinance of the City of San Leandro Amending Chapter 4.36 of the San Leandro Municipal Code to prohibit the sale of menthol cigarettes in San Leandro, effective January 1, 2023

*There were approximately 40 public speakers.*

*Comments were made by the following individuals:*

*Douglas Spalding, Roberto Hernandez, Paul, Denise Ducey, John Minot, Phillip Gardiner, Jim Prola, Alix, Amaya Wooding, Teresa Yang Lam, Jan Othen, Emily Griego, Alharbi Almekdad, Monesh, Alme Alharbi, Blythe Young, Brian Vu, Bernard Ashcraft, Lee Thomas, Rosalyn Moya, Nicole Turkson, Haley Watkins, Jaime Rojas Jr., Stephen Michael Tow, Yeri Shon, Mike Katz-Lacabe, Jade Beatrice Cardenas-Duncan, Aglaia Panos, Ralph, Christopher Bammer, Jen Grand-Lejano, Bob Gordon, Juan Gonzalez, Miami Yousif, Jason Cross, Sandra Macias, Leo T. West, Ayah Abushi, and Reeon*

**Received and Filed**

**[22-023](#)**

ORDINANCE Amending Chapter 4.36 of the San Leandro Municipal Code Prohibiting the Sale of Menthol Cigarettes in San Leandro, effective January 1, 2023

**A motion was made by Councilmember Cox, seconded by Vice Mayor Ballew, that this Ordinance be Passed to Print. The motion carried by the following vote.**

**Aye:** 7 - Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Cutter

Enactment No: Ordinance 2022-002

**3. REPORT ON CLOSED SESSION ACTIONS TAKEN**

**4. CITY MANAGER AND CITY ATTORNEY REPORTS AND COMMENTS**

**5. PUBLIC COMMENTS**

*There were approximately 7 public speakers.*

*Comments were made by the following individuals:*

*Douglas Spalding, Stephen Michael Tow, Whitney Walker, Addie Kitchen, Pam Wool, Joel Baum, and Leo T. West*

**6. CITY COUNCIL CALENDAR AND ANNOUNCEMENTS****7. PRESENTATIONS**

- 7.A. [22-036](#) Update on Sesquicentennial Event Planning

*Public Comment was received by Douglas Spalding and Emily Griego.*

**Presented.**

The City Council Meeting recessed at 9:39 p.m. and reconvened at 9:46 p.m.

**8. AMENDMENT OF CONSENT CALENDAR****9. CONSENT CALENDAR****Approval of the Consent Calendar**

**A motion was made by Councilmember Ballew, seconded by Councilmember Aguilar, to Approve the Consent Calendar. The motion carried by the following vote.**

**Aye:** 7 - Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Cutter

- 9.A. [22-011](#) Minutes of the Regular City Council Meeting of January 4, 2022

- 9.B. [21-768](#) Minutes of the Disaster Council Meeting of October 21, 2021

**Approved as Submitted on the Consent Calendar.**

- 9.C. [21-727](#) Staff report for a City of San Leandro City Council Resolution to Authorize the City Manager to Execute a \$59,600 Consulting Services Agreement with Freyer and Laureta, Inc. for Design of a Sanitary Sewer Force Main and Valve Vault Covers; and to Authorize the City Manager to Negotiate and Approve Contract Amendments Up to 15% (or \$8,940) of the Original Contract Amount.

**Received and Filed on the Consent Calendar.**

[21-728](#) RESOLUTION of the City of San Leandro City Council to Approve and Authorize the City Manager to Execute a \$59,600 Consulting Services Agreement with Freyer and Laureta, Inc. for Design of a Sanitary Sewer Force Main and Valve Vault Covers; and to Authorize the City Manager to Negotiate and Approve Contract Amendments Up to 15% (or \$8,940) of the Original Contract Amount; (provides for the design of certain sanitary sewer improvements)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2022-013

- 9.D. [21-755](#) Staff Report for a City of San Leandro City Council Resolution to Accept the Work for the Curb Ramp Upgrades 2021 Project, Project No. 2021.0070

**Received and Filed on the Consent Calendar.**

[21-756](#) RESOLUTION of the City of San Leandro City Council to Accept the Work for the Curb Ramp Upgrades 2021 Project, Project No. 2021.0070 (provides for acceptance of the work performed by Spenco Construction, Inc., Filing the Notice of Completion, Releasing the Performance and Payment Bonds, and Releasing the Maintenance Bond Upon Successful Completion of the One-Year Maintenance Period)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2022-014

- 9.E. [21-771](#) Staff Report for a City of San Leandro City Council Resolution to Award an \$807,055 Construction Contract to Insituform Technologies, LLC. for the Water Pollution Control Plant 36" Secondary Effluent Line Rehabilitation Project, Project No. 2018.6000; to Authorize the City Manager to Negotiate and Approve Individual Change Orders Up to 10% (or \$80,705) of the Original Contract Amount; to Authorize the City Manager to Negotiate and Approve Change Orders up to a Cumulative Value not to Exceed 34% (or \$274,399) of the Original Contract Amount; and to Appropriate \$784,454 from the Water Pollution Control Plant Enterprise Funds' fund balance

**Received and Filed on the Consent Calendar.**

[21-772](#) RESOLUTION of the City of San Leandro City Council to Award an \$807,055 Construction Contract to Insituform Technologies, LLC for the Water Pollution Control Plant (WPCP) 36" Secondary Effluent Line Rehabilitation Project, Project No. 2018.6000; to Authorize the City Manager to Negotiate and Approve Individual Change Orders Up to 10% (or \$80,705) of the Original Contract Amount; to Authorize the City Manager to Negotiate and Approve Change Orders up to a Cumulative Value not to Exceed 34% (or \$274,399) of the Original Contract Amount; and to Appropriate \$784,454 from the Water Pollution Control Plant Enterprise Funds. (provides for the award of construction contract for the repair and upgrade of the SE Line at WPCP)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2022-015

- 9.F. [21-779](#) Staff Report for a City of San Leandro City Council Resolution to Approve and Authorize the City Manager to Purchase One Multi-Purpose Sweeper from Municipal Maintenance Equipment for \$178,692.81 through Sourcewell, a Cooperative Contract Purchasing Agency

**Received and Filed on the Consent Calendar.**

[21-787](#)

RESOLUTION of the City of San Leandro City Council to Approve and Authorize the City Manager to Purchase One Multi-Purpose Sweeper from Municipal Maintenance Equipment for \$178,692.81 through Sourcewell, a Cooperative Contract Purchasing Agency

**Adopted on the Consent Calendar.**

Enactment No: Reso 2022-016

- 9.G. [22-004](#) Staff Report for a City of San Leandro City Council Resolution Approving the Updated City of San Leandro Sewer System Management Plan

**Received and Filed on the Consent Calendar.**

[22-005](#)

RESOLUTION of the City of San Leandro City Council Approving the Updated City of San Leandro Sewer System Management Plan

**Adopted on the Consent Calendar.**

Enactment No: Reso 2022-017

- 9.H. [22-009](#) Staff Report for a City of San Leandro City Council Resolution to Approve and Authorize the City Manager to Execute an Animal Shelter Services Agreement with the East Bay SPCA

**Received and Filed on the Consent Calendar.**

[22-010](#)

RESOLUTION of the City of San Leandro City Council to Approve and Authorize the City Manager to Execute an Animal Shelter Services Agreement between the City of San Leandro and the East Bay SPCA and Increasing General Fund Appropriations for an 18-month contract for the amount of \$435,000 to the Police Department.

**Adopted on the Consent Calendar.**

Enactment No: Reso 2022-018

- 9.I. [22-013](#) Staff Report for a Resolution of the City of San Leandro City Council Approving and Authorizing the City Manager to Execute a Consultant Services Agreement with CSG Consultants, Inc. for Scoreboard Design Services in an Amount Not-to-Exceed \$62,446

**Received and Filed on the Consent Calendar.**

[22-012](#)

RESOLUTION of the City of San Leandro City Council Approving and

Authorizing the City Manager to a Execute a Consultant Services Agreement with CSG Consultants, Inc. for Scoreboard Design Services in an Amount Not-to-Exceed \$62,446

**Adopted on the Consent Calendar.**

Enactment No: Reso 2022-019

**9.J. [22-014](#)**

Staff Report for a City of San Leandro City Council Resolution to Approve a Legal Services Agreement Between The City Of San Leandro And Allen, Glaessner, Hazelwood, & Werth for Tort Litigation Services, Authorize the City Manager to Negotiate and Approve Contract Amendments Up to 20% (or \$50,000) of the Original Contract Amount, and Appropriate Funds from the Self-Insurance Unrestricted Fund Balance (Fund 689).

**Received and Filed on the Consent Calendar.**

**[22-015](#)**

RESOLUTION of the City of San Leandro City Council to Approve and Authorize the City Manager to Execute a Legal Services Agreement with Allen, Glaessner, Hazelwood, and Werth for Legal Representation Associated with Tort Liability Claims and Litigation for a Not to Exceed Value of \$250,000 and set to expire June 30, 2023; to Negotiate and Approve Change Orders Up to a Cumulative Value not to Exceed 20% (\$50,000) of the Original Contract Amount; and to Appropriate Funds from the Self-Insurance Unrestricted Fund Balance (Fund 689).

**Adopted on the Consent Calendar.**

Enactment No: Reso 2022-020

**9.K. [22-035](#)**

RESOLUTION of the City of San Leandro City Council finding that there is a proclaimed State of Emergency and urging that all City employees, contractors and sub- contractors receive an approved COVID-19 Vaccination if they are able.

**Adopted on the Consent Calendar.**

Enactment No: Reso 2022-021

**9.L. [22-033](#)**

Staff Report for a City of San Leandro City Council Resolution to Accept the Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2021

**Received and Filed on the Consent Calendar.**

**[22-034](#)**

RESOLUTION of the City of San Leandro City Council Accepting the Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2021

**Adopted on the Consent Calendar.**

Enactment No: Reso 2022-022

- 9.M.** [22-016](#) Staff Report for a City of San Leandro City Council Resolution Approving the Annual Maintenance Agreement with Tyler Technologies for Eden Financial System and Payment in the amount of \$72,180.94.

**Received and Filed on the Consent Calendar.**

- [22-017](#) RESOLUTION of the City of San Leandro City Council Approving and Authorizing the City Manager to Execute the Annual Maintenance and Support Renewal with Tyler Technologies, Inc. for the Eden Financial System (for the amount of \$72,180.94)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2022-023

- 9.N.** [21-759](#) ORDINANCE of the City of San Leandro City Council Adopting Zoning Code Section 4.04.336, Multi-family and Mixed-Use Residential Development, and Miscellaneous Zoning Code Amendments Related to Objective Development Standards for Multi-Family and Mixed-Use Residential Development Citywide

**Adopted on the Consent Calendar.**

Enactment No: Ordinance 2022-001

## **10. ITEMS REMOVED FROM CONSENT CALENDAR**

## **11. PUBLIC HEARINGS**

## **12. ACTION ITEMS**

Item 12.A. was moved up in the Agenda, after Item 2.b. ANNOUNCEMENTS

- 12.B.** [22-045](#) Staffing Reorganization and Enhancements  
Staff Report for a City of San Leandro City Council Resolution to Authorize appropriations and budget adjustments for staffing reorganization and enhancements to ensure adequate levels of service delivery to the community.

*Public Comment was received by Douglas Spalding, Juan Gonzalez, Robert Bailey, and Emily Griego*

**Received and Filed.**

- [22-046](#) City of San Leandro City Council Resolution to Approve the City Manager's Re-Organization Plan and Budget Adjustments for Fiscal Years 2021-2022 and 2022-2023

A motion was made by Councilmember Lopez, seconded by Councilmember Aguilar, that this Resolution be Adopted. The motion carried by the following vote.

**Aye:** 7 - Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Cutter

Enactment No: Reso 2022-024

**13. COUNCIL REQUESTS TO SCHEDULE AGENDA ITEMS**

*City Councilmembers announced calendar of upcoming events and coordinated attendance; reported on local events attended since the last meeting; and made brief comments on issues of concern.*

**14. CITY COUNCIL REPORTS**

*City Councilmembers reported on attendance at intergovernmental agency meetings, conferences, and seminars since the last meeting.*

**15. ADJOURN**

*The meeting was adjourned at 10:48 p.m.*

**RESPECTFULLY SUBMITTED:**

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**LETICIA I. MIGUEL**  
**City Clerk of the City of San Leandro**