



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

Monday, April 19, 2021

7:00 PM

Access the meeting remotely by using this URL
<https://zoom.us/j/506831637>

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 the Governor's Executive Order N-29-20 issued on March 17, 2020.

1. CALL TO ORDER

The meeting was called to order at 7:15 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

1.C. ANNOUNCEMENTS

2. RECOGNITIONS

- 2.A. [21-232](#) Recognition of the Employee of the Quarter, Daniel Contreras, Park Maintenance Worker II, Public Works

Presented.

- 2.B. [21-236](#) Proclamation Declaring April 18-24, 2021 as National Crime Victims' Rights Week

Presented.

- 2.C. [21-237](#) RESOLUTION Appointing Jia Wu as District 2 Representative to the

Senior Commission for Term Ending December 31, 2024

A motion was made by Councilmember Azevedo, seconded by Mayor Cutter, that this Resolution be Adopted. The motion carried by the following vote.

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

Enactment No: Reso 2021-058

2.D. [21-238](#)

RESOLUTION Appointing Katherine Frates as an At-large Representative to the Senior Commission for Term Ending December 31, 2022

A motion was made by Councilmember Azevedo, seconded by Mayor Cutter, that this Resolution be Adopted. The motion carried by the following vote.

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

Enactment No: Reso 2021-059

2.E. [21-239](#)

RESOLUTION Appointing Marci Dillon as an At-large Representative to the Senior Commission for Term Ending December 31, 2022

A motion was made by Councilmember Azevedo, seconded by Mayor Cutter, that this Resolution be Adopted. The motion carried by the following vote.

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

Enactment No: Reso 2021-060

3. PUBLIC COMMENTS

There were approximately 10 public speakers.

Comments were made by the following individuals:

Stephen Michael Tow, Douglas Spalding, Ed Hernandez, Celina Reynes, Christopher Bammer, Mitch Huitema, Liz C., Leo T. West, Mike Katz-Lacabe, and Cherie.

4. PRESENTATIONS

4.A. [21-223](#)

Staff Report for an Update on Street Pavement Condition

Public Comment was received by Christopher Bammer and Stephen Michael Tow.

The City Council Meeting recessed at 8:55 p.m. and reconvened at 9:02 p.m.

5. PUBLIC HEARINGS

5.A. [21-227](#)

Staff Report for the City of San Leandro's U.S. Department of Housing and Urban Development (HUD) Draft Fiscal Year 2021-2022 Annual Action Plan

The Hearing was opened to the public at approximately 9:22 p.m.

*Comments were made by the following individuals:
Stephen Michael Tow, Douglas Spalding, and Leo T. West*

There being no further public comments, and without objection, the Public Hearing was closed at approximately 9:28 p.m.

[21-228](#)

MOTION to Affirm the Federally Required 30 day Public Comment Period for the Draft Fiscal Year 2021-2022 HUD Annual Action Plan from April 2 - May 3, 2021, Receive Public Comments and Set a Public Hearing for May 3, 2021 to Consider Final Approval of the Fiscal Year 2021-2022 Annual Action Plan

A motion was made by Vice Mayor Aguilar, seconded by Councilmember Cox, that this Minute Order be Adopted. The motion carried by the following vote.

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

Enactment No: Min Order 2021-016

6. CITY MANAGER AND CITY ATTORNEY REPORTS AND COMMENTS

Public Comment was received by Stephen Michael Tow and Douglas Spalding.

7. AMENDMENT OF CONSENT CALENDAR

Item 8.E. was removed from the Consent Calendar to Item 9, Items Removed from Consent Calendar

8. CONSENT CALENDAR

Approval of the Consent Agenda

A motion was made by Councilmember Cox, seconded by Vice Mayor Aguilar, to Approve the Consent Calendar. The motion carried by the following vote.

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

8.A. [21-235](#)

Minutes of the City Council Meeting of April 05, 2021

Approved as Submitted on the Consent Calendar.

8.B. [21-187](#)

Staff Report for a City of San Leandro City Council Resolution to Approve and Authorize the City Manager to Execute a Non-Professional Services Agreement with Denali Water Solutions, LLC for \$244,250 for the Water Pollution Control Plant Biosolids Haul 2020-2021 Project and to Appropriate \$34,250 from the Water Pollution Control Plant Enterprise Fund Balance Reserve for the Purpose of Hauling Biosolids

Received and Filed on the Consent Calendar.

[21-188](#)

RESOLUTION of the City of San Leandro City Council to Approve and

Authorize the City Manager to Execute a Non-Professional Services Agreement with Denali Water Solutions, LLC in an amount not to exceed \$244,250 for the Water Pollution Control Plant Biosolids Haul 2020-2021 Project and an Appropriation of the Water Pollution Control Plant Enterprise Fund Balance in the Amount of \$34,250 for the Purpose of Hauling Biosolids

Adopted on the Consent Calendar.

Enactment No: Reso 2021-061

8.C. [21-156](#)

Staff Report for a City of San Leandro City Council Resolution to Award a Construction Contract to Columbia Electric in the Amount of \$245,442, for the Davis Street/Carpentier Street Hybrid Beacon Project, Project No. 2016.0550; to Authorize the City Manager to Negotiate and Approve Individual Change Orders Up to 5% of the Original Contract Amount; to Authorize the City Manager to Negotiate and Approve Cumulative Change Orders up to 15% of the Original Contract Amount; and to Appropriate \$110,000 from the Developer Fee for Street Improvements Fund to Complete the Project

Received and Filed on the Consent Calendar.

[21-157](#)

RESOLUTION of the City of San Leandro City Council to Award a Construction Contract to Columbia Electric in the Amount of \$245,442, for the Davis Street/Carpentier Street Hybrid Beacon Project, Project No. 2016.0550; to Authorize the City Manager to Negotiate and Approve Individual Change Orders Up to 5% of the Original Contract Amount; to Authorize the City Manager to Negotiate and Approve Cumulative Change Orders up to 15% of the Original Contract Amount; and to Appropriate \$110,000 from the Developer Fees for Street Improvement Fund Balance to Complete the Project (provides for a HAWK pedestrian signal to cross Davis Street at the Carpentier Street intersection)

Adopted on the Consent Calendar.

Enactment No: Reso 2021-062

8.D. [21-150](#)

Staff Report for a City of San Leandro City Council Resolution to Award a \$550,352 Construction Contract to Spencon Construction, Inc. for the Curb Ramp Upgrades 2021 Project, Project No. 2021.0070; to Authorize the City Manager to Negotiate and Approve Individual Change Orders Up to 5% (or \$27,518) of the Original Contract Amount; and to Authorize the City Manager to Negotiate and Approve Change Orders up to a Cumulative Value not to Exceed 15% (or \$82,553) of the Original Contract Amount

Received and Filed on the Consent Calendar.

[21-151](#)

RESOLUTION of the City of San Leandro City Council to Award a

\$550,352 Construction Contract to Spencon Construction, Inc. for the Curb Ramp Upgrades 2021 Project, Project No. 2021.0070; to Authorize the City Manager to Negotiate and Approve Individual Change Orders Up to 5% (or \$27,518) of the Original Contract Amount; and to Authorize the City Manager to Negotiate and Approve Change Orders up to a Cumulative Value not to Exceed 15% (or \$82,553) of the Original Contract Amount (Provides for the upgrade of curb ramps at locations within the work areas of the 2021 Asphalt Maintenance Zone and authorization for the City Manager to negotiate and execute contract change orders up to 15% of the contract amount)

Adopted on the Consent Calendar.

Enactment No: Reso 2021-063

Item 8.E. was removed from the Consent Calendar to Item 9, Items Removed from Consent Calendar

- 8.F. [21-202](#) An Ordinance Adding Section 1-2-111 to the San Leandro Municipal Code Relating to Electronic and Paperless Filing of Fair Political Practices Commission Campaign Disclosure Statements

Passed to Print on the Consent Calendar.

Enactment No: Ordinance 2021-003

9. ITEMS REMOVED FROM CONSENT CALENDAR

- 8.E. [21-128](#) Staff Report for a City of San Leandro City Council Resolution to Approve Amendment No. 2 to a Consulting Services Agreement with NBS Consultants for Services Related to the Formation of a Special Financing District for the Neptune Drive Shoreline Flood Protection, Project 2016.0700; and to Transfer \$40,000 from the General Fund Unrestricted Fund Balance Reserves to the Capital Improvement Fund Balance and Appropriate \$40,000 from the Fund 210 Fund Balance to Account 210-28-200

Public Comment was received by Jim Prola.

Received and Filed.

[21-129](#) RESOLUTION of the City of San Leandro City Council to Approve Amendment No. 2 to a Consulting Services Agreement With NBS Consultants for Services Related to the Formation of a Special Financing District for the Neptune Drive Shoreline Flood Protection Project ; and to Transfer \$40,000 from the General Fund to the Capital Improvement Fund and Appropriate \$40,000 from Fund 210 to Account 210-28-200

A motion was made by Councilmember Ballew, seconded by Mayor Cutter, that this Resolution be Adopted. The motion carried by the following vote.

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

Enactment No: Reso 2021-064

10. ACTION ITEMS

10.A. [21-208](#)

ORDINANCE of the City of San Leandro City Council to Amend City of San Leandro Municipal Code Section 1-1-200 to Change the Start Time for Regular City Council Meetings from 7:00 p.m. to 6:30 p.m. and to Add an End Time of 10:00 p.m.

Public Comment was received by Leo T. West, Christopher Bammer, Stephen Michael Tow, Douglas Spalding, and Emily Griego.

A motion was made by Councilmember Lopez, seconded by Mayor Cutter, that this Ordinance be Adopted. The motion carried by the following vote.

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

Enactment No: Ordinance 2021-004

10.B. [21-240](#)

Staff Report for a Motion to Rename the Baseball Field within the Existing San Leandro Ball Park to the “Lou Profumo Field”, According to the Guidelines in Title 1 Chapter 10 of the San Leandro Administrative Code, and to Install a Plaque in Recognition of Mr. Profumo’s Service to the Community

Public Comment was received by Emily Griego and Stephen Michael Tow.

Received and Filed.

[21-248](#)

MOTION to Rename the Baseball Field within the Existing San Leandro Ball Park to the “Lou Profumo Field”, According to the Guidelines in Title 1 Chapter 10 of the San Leandro Administrative Code, and to Install a Plaque in Recognition of Mr. Profumo’s Service to the Community

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

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

Enactment No: Min Order 2021-017

11. REPORT ON CLOSED SESSION ACTIONS TAKEN

City Attorney Richard Pio Roda reported on actions taken in Closed Session.

12. CITY COUNCIL REPORTS

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

13. CITY COUNCIL CALENDAR AND ANNOUNCEMENTS

Public Comment was received by Christopher Bammer, Emily Griego, and Stephen Michael Tow.

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. COUNCIL REQUESTS TO SCHEDULE AGENDA ITEMS

-A motion was made by Vice Mayor Aguilar, seconded by Councilmember Simon, for the City Attorney to research the banning of Council and Staff wearing or displaying offensive apparel, pins, flags, etc.

Roll call was taken as follows:

Aye: Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Mayor Cutter

Nay: None

Absent: None

Abstain: None

-A motion was made by Councilmember Azevedo, seconded by Councilmember Ballew, to schedule on the next available Facilities and Transportation Committee agenda, a discussion on renaming Shoreline peninsula after Ohlone tribe or Indigenous People with input from Indigenous People.

Roll call was taken as follows:

Aye: Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Mayor Cutter

Nay: None

Absent: None

Abstain: None

15. ADJOURN

The meeting was adjourned at 11:49 p.m.

In memory of Marie Watson

RESPECTFULLY SUBMITTED:

LETICIA I. MIGUEL

City Clerk of the City of San Leandro