



# 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*

*Ed Hernandez, District 2*

*Victor Aguilar, Jr., District 3*

*Benny Lee, District 4*

*Corina N. Lopez, District 5*

*Pete Ballew, District 6*

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Monday, June 17, 2019

7:00 PM

City Council Chambers

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#### 1. CALL TO ORDER

*The meeting was called to order at 7:07 p.m.*

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

*Mayor Cutter led the Pledge of Allegiance to the Flag.*

#### 1.B. ROLL CALL

**Councilmember Ballew participated in the meeting via telephone conference call.**

**Present** 7 - Aguilar, Ballew, Cox, Hernandez, Lee, Lopez, Cutter

#### 1.C. ANNOUNCEMENTS

#### 2. RECOGNITIONS

**2.A. [19-245](#)** Proclamation Declaring June as Elder Abuse Awareness Month

**Presented.**

**2.B. [19-362](#)** Proclamation Declaring June 27, 2019 as Posttraumatic Stress Disorder (PTSD) Awareness Day

**Presented.**

#### 3. PUBLIC COMMENTS

*Public Comment was received from Mr. Kenneth W. Fox.*

**4. PRESENTATIONS**

*None.*

**5. PUBLIC HEARINGS**

*None.*

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

*None.*

**7. AMENDMENT OF CONSENT CALENDAR**

**Items 8.B., 8.D., 8.E, and 8.K. were 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 Councilmember Aguilar, to Approve the Consent Calendar. The motion carried by the following vote.**

**Aye:** 7 - Aguilar, Ballew, Cox, Hernandez, Lee, Lopez, Cutter

**8.A. [19-356](#) Minutes of the City Council Meeting of June 3, 2019**

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

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

**8.C. [19-341](#) Staff Report for a City of San Leandro City Council Resolution Establishing the City's Appropriation Limit for Fiscal Year 2019-20  
Received and Filed on the Consent Calendar.**

**[19-342](#) RESOLUTION of the City of San Leandro City Council to Establish the City's Appropriation Limit for Fiscal Year 2019-20  
Adopted on the Consent Calendar.**

Enactment No: Reso 2019-100

Items 8.D. and 8.E. were removed from the Consent Calendar to Item 9, Items Removed from the Consent Calendar

- 8.F. [19-312](#) Staff Report for a City of San Leandro City Council Resolution to Approve the City of San Leandro Human Services Commission's Recommendations for the Community Assistance Program (CAP) Grants for 2019-20 and to Approve Additional Appropriations of \$28,355 from the General Fund Unrestricted Reserves to Operating Account 010-61-014-8513 in Fiscal Year 2019-20 to restore the CAP to Full Funding of \$150,000.

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

[19-313](#) RESOLUTION of the City of San Leandro City Council to Approve the City of San Leandro Human Services Commission's Recommendations for the Community Assistance Program (CAP) Grants for Fiscal Year 2019-20 and to Approve Additional Appropriations of \$28,355 from the General Fund Unrestricted Reserves to Operating Account 010-61-014-8513 to restore the CAP to Full Funding of \$150,000.

**Adopted on the Consent Calendar.**

Enactment No: Reso 2019-101

- 8.G. [19-335](#) Staff Report for a City Council Resolution to Approve Community Development Block Grant (CDBG) Agreements for Fiscal Year 2019-2020 Between the City of San Leandro and CDBG Sub-Recipients for Public Services Grants to the Child Abuse Listening, Interviewing, and Coordination Center (CALICO) for \$22,000; Davis Street Family Resource Center for \$42,941; Service Opportunities for Seniors, Inc. (SOS/Meals On Wheels) for \$29,000; Spectrum Community Services (San Leandro Senior Nutrition Program) for \$17,500; and Eden Council for Hope and Opportunity (ECHO Housing) for \$10,000 (Approves 5 Agreements Totaling \$121,441)

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

[19-330](#) RESOLUTION of the City of San Leandro City Council to Approve the Community Development Block Grant (CDBG) Agreements for Fiscal Year 2019-2020 Between the City of San Leandro and CDBG Sub-Recipients for Public Services Grants to the Child Abuse Listening, Interviewing, and Coordination Center (CALICO) for \$22,000; Davis Street Family Resource Center for \$42,941; Service Opportunities for Seniors, Inc. (SOS/Meals On Wheels) for \$29,000; Spectrum Community Services (San Leandro Senior Nutrition Program) for \$17,500; and Eden Council for Hope and Opportunity (ECHO Housing) for \$10,000 (Approves 5 Agreements Totaling \$121,441)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2019-102

- 8.H. [19-343](#) Staff Report for a Resolution of the City of San Leandro City Council to Approve a Consulting Services Agreement for \$100,000 of Community Development Block Grant (CDBG) Fiscal Year 2019-20 Funds Between the City of San Leandro and Rebuilding Together Oakland-East Bay for the Provision of Housing Rehabilitation Grants.

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

- [19-344](#) RESOLUTION of the City of San Leandro City Council to Approve a Consulting Services Agreement for \$100,000 of Community Development Block Grant (CDBG) Fiscal Year 2019-20 Funds Between the City of San Leandro and Rebuilding Together Oakland East Bay for the Provision of Housing Rehabilitation Grants.

**Adopted on the Consent Calendar.**

Enactment No: Reso 2019-103

- 8.I. [19-333](#) Staff Report for a City of San Leandro City Council Resolution Authorizing the City Manager to Execute an Amendment to the Consulting Services Agreement with Townsend Public Affairs for State Legislative Advocacy Services, to Extend the Term of the Agreement through June 30, 2020 at the Same Rate, in an Amount Not to Exceed \$60,000 Annually

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

- [19-334](#) RESOLUTION of the City of San Leandro City Council to Authorize the City Manager to Execute an Amendment to the Consulting Services Agreement with Townsend Public Affairs for State Legislative Advocacy Services, to Extend the Term of the Agreement through June 30, 2020 at the Same Rate, in an Amount Not to Exceed \$60,000 Annually

**Adopted on the Consent Calendar.**

Enactment No: Reso 2019-104

- 8.J. [19-345](#) Staff Report for a Resolution of the City Council for the City of San Leandro to Approve Amendment No. 1 to Extend the Term for the Contractual Services Agreement with MV Transportation for Paratransit Services from June 30, 2019 to December 30, 2019

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

- [19-346](#) RESOLUTION of the City of San Leandro City Council to Approve Amendment No. 1 to the Contractual Services Agreement with MV Transportation for Paratransit Services to Extend the Term to December 30, 2019

**Adopted on the Consent Calendar.**

Enactment No: Reso 2019-105

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

## 9. ITEMS REMOVED FROM CONSENT CALENDAR

- 8.B. [19-081](#) Staff Report for a Resolution of the City of San Leandro City Council to Approve the City of San Leandro's Investment Policy for Fiscal Year 2019-20

*Public Comment was received from Ms. Deborah Hirsh and Ms. Maureen Forney.*

**Received and Filed.**

[19-325](#) RESOLUTION of the City of San Leandro City Council to Approve the City of San Leandro's Investment Policy for Fiscal Year 2019-20 (provides for annual review and approval of the City's Investment Policy as required by California Government Code Section 53600 et seq., and Section VIII of the San Leandro Investment Policy)

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

**Aye:** 7 - Aguilar, Ballew, Cox, Hernandez, Lee, Lopez, Cutter

Enactment No: Reso 2019-106

- 8.D. [19-287](#) Staff Report for a Resolution of the City of San Leandro City Council to Approve Two Consultant Services Agreements for Third Party Plan Check Services Between the City of San Leandro and CSG Consultants, Inc. for \$200,000 and TRB+Associates for \$200,000 (or a Total Amount Not to Exceed \$400,000 Per Fiscal Year During the FY 2019-21 Contract Period)

**Received and Filed.**

[19-286](#) RESOLUTION of the City of San Leandro City Council to Approve Two Consulting Services Agreements for Third Party Plan Check Services, One Agreement Between the City of San Leandro and CSG Consultants, Inc. for \$200,000 and One Agreement Between the City of San Leandro and TRB+Associates for \$200,000 (or an Amount Not to Exceed \$400,000 Per Fiscal Year During the FY 2019-21 Contract Period)

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

**Aye:** 7 - Aguilar, Ballew, Cox, Hernandez, Lee, Lopez, Cutter

Enactment No: Reso 2019-107

- 8.E. [19-299](#) Staff Report for a City of San Leandro City Council Resolution to Authorize the City Purchasing Agent to Donate a Surplus City Vehicle to All Saints Episcopal Church for Use in its Social Ministries Programs  
**Received and Filed.**

[19-311](#) RESOLUTION of the City of San Leandro City Council to Authorize the City Purchasing Agent to Donate a Surplus City Vehicle to All Saints Episcopal Church for Use in its Social Ministries Programs

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

**Aye:** 7 - Aguilar, Ballew, Cox, Hernandez, Lee, Lopez, Cutter

Enactment No: Reso 2019-108

- 8.K. [19-360](#) Staff Report for the City of San Leandro City Council to Adopt a City of San Leandro City Council Urgency Ordinance to Immediately Enact Regulations Applicable to Polychlorinated Biphenyls (PCBs) During Building Demolition Projects and to Introduce For First Reading a City Of San Leandro City Council Ordinance to Enact Regulations Applicable to Polychlorinated Biphenyls (PCBs) During Building Demolition Projects  
**Received and Filed.**

[19-366](#) URGENCY ORDINANCE of the City of San Leandro City Council Adding Regulations to Manage Polychlorinated Biphenyls (PCBs) During Building Demolition Projects to Become Effective Immediately

**A motion was made by Councilmember Hernandez, seconded by Councilmember Lee, that this Urgency Ordinance be Passed to Print and Adopted. The motion carried by the following vote.**

**Aye:** 7 - Aguilar, Ballew, Cox, Hernandez, Lee, Lopez, Cutter

Enactment No: Ordinance 2019-011

[19-367](#) ORDINANCE of the City of San Leandro to Enact Regulations Applicable to Polychlorinated Biphenyls (PCBs) Adding Chapter 23 to Title 3 of the City of San Leandro Municipal Code (Management of PCBs During Building Demolition Projects)

**A motion was made by Councilmember Hernandez, seconded by Councilmember Lee, that this Ordinance be Passed to Print. The motion carried by the following vote.**

**Aye:** 7 - Aguilar, Ballew, Cox, Hernandez, Lee, Lopez, Cutter

Enactment No: Ordinance 2019-012

## 10. ACTION ITEMS

- 10.A. [19-331](#) Staff Report for a City of San Leandro City Council Resolution

Maintaining the Current Cannabis Business Tax Rate at 6% of Gross Receipts Until June 30, 2020, and Increasing it to 7% of Gross Receipts on July 1, 2020 and 8% of Gross Receipts on July 1, 2022

*Public comment was received from Mr. Stephen Cassidy and Mr. Arturo Sanchez.*

**Received and Filed.**

[19-332](#)

RESOLUTION of the City of San Leandro City Council to Maintain the Current Cannabis Business Gross Receipts Tax of 6% until June 30, 2020, and to Increase it to 7% on July 1, 2020, and to Increase to 8% on July 1, 2022.

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

**Aye:** 6 - Aguilar, Cox, Hernandez, Lee, Lopez, Cutter

**Nay:** 1 - Ballew

Enactment No: Reso 2019-109

**10.B.** [19-198](#)

Staff Report for a City of San Leandro City Council RESOLUTION to Authorize the City Manager to Execute a Thirteenth Letter Amendment of the Franchise Agreement for Solid Waste, Recyclables, and Green Waste Services between the City of San Leandro and Alameda County Industries, Inc.

**Received and Filed.**

[19-197](#)

RESOLUTION of the City of San Leandro City Council to Authorize the City Manager to Execute a Thirteenth Letter Amendment of the Franchise Agreement for Solid Waste, Recyclables, and Green Waste Services between the City of San Leandro and Alameda County Industries, Inc.

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

**Aye:** 7 - Aguilar, Ballew, Cox, Hernandez, Lee, Lopez, Cutter

Enactment No: Reso 2019-110

**10.C.** [19-137](#)

Staff Report for a City of San Leandro City Council Resolution to Approve a License Agreement with Common Networks for City Facility Rooftop Access and a Resolution to Approve a License Agreement with Common Networks to Access City Infrastructure to Assist in the Development of a Residential Broadband Service

**Received and Filed.**

[19-138](#)

RESOLUTION of the City of San Leandro City Council to Approve a License Agreement with Common Networks for City Facility Rooftop

Access to Build a Residential Broadband Service in San Leandro

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

**Aye:** 7 - Aguilar, Ballew, Cox, Hernandez, Lee, Lopez, Cutter

Enactment No: Reso 2019-111

[19-139](#)

RESOLUTION of the City of San Leandro City Council to Approve a License Agreement with Common Networks to Access City Communications Infrastructure in Order to Build a Residential Broadband Service in San Leandro

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

**Aye:** 7 - Aguilar, Ballew, Cox, Hernandez, Lee, Lopez, Cutter

Enactment No: Reso 2019-112

## 11. REPORT ON CLOSED SESSION ACTIONS TAKEN

*City Attorney Mr. Richard D. Pio Roda reported actions were taken relating to Item 3. Closed Session.*

*The City Council, by unanimous vote, voted to approve the Mayor and City Attorney to sign on the amicus briefs related to the three cases that were listed in the Closed Session Agenda description.*

*No other reportable actions taken.*

## 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

*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 Councilmember Lee to schedule a monthly status report/project updates from the developer relating to the Development of the San Leandro Marina-Shoreline Project. Motion not seconded; motion failed.*

## 15. ADJOURN

*The meeting was adjourned at 10:29 p.m.*



**RESPECTFULLY SUBMITTED:**

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**LETICIA I. MIGUEL**

**City Clerk of the City of San Leandro**