



# 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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Monday, May 3, 2021

7:00 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 the Governor's Executive Order N-29-20 issued on March 17, 2020.

#### 1. CALL TO ORDER

*The meeting was called to order at 7:02 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. [21-269](#) Proclamation Declaring the Month of May 2021 as Asian Pacific American Heritage Month

**Presented.**

- 2.B. [21-062](#) Proclamation Declaring May 21, 2021 as Endangered Species Day in San Leandro

**Presented.**

- 2.C. [21-184](#) Proclamation Declaring May 2021 as Affordable Housing Month

*Public Comment was received by Leo T. West.*

**Presented.**

**2.D. [21-270](#)**

Proclamation Declaring May 9-15, 2021 as National Police Week

*There were approximately 9 public speakers.*

*Comments were made by the following individuals:*

*Stephen Michael Tow, Addie Kitchen, Douglas Spalding, Ms. Hewitt King, Leo T. West, Pam Wool, Joel Baum, Celina Reynes, and Mary*

**Presented.**

**2.E. [21-275](#)**

Proclamation Declaring the Week of May 3-7, 2021 as Small Business Week

*Public Comment was received by Leo T. West.*

**Presented.**

**3. PUBLIC COMMENTS**

*There were approximately 9 public speakers.*

*Comments were made by the following individuals:*

*Ginny Madsen, Selina McManus, Douglas Spalding, Stephen Michael Tow, Blythe Young, Ms. Hewitt King, Natalie Aviles Hernandez, Leo T. West, Celina Reynes*

**4. PRESENTATIONS**

*None.*

**5. PUBLIC HEARINGS**

**5.A. [21-249](#)**

Staff Report for City of San Leandro City Council Public Hearing and Resolution to Approve the U.S. Department of Housing and Urban Development (HUD) Final FY 2021-2022 Annual Action Plan

*Mayor Cutter opened the public testimony portion of the public hearing.*

*Public Comment was received by Douglas Spalding, Celina Reynes, and Leo T. West.*

*The public testimony portion of the public hearing was closed.*

**Received and Filed.**

**[21-250](#)**

RESOLUTION of the City of San Leandro City Council Approving the City's U.S. Department of Housing and Urban Development (HUD) Final FY 2021-2022 Annual Action Plan (implements the Housing and Community Development Strategies of the FY 2020-2024 Consolidated Plan) and Authorizes the City Manager to Execute all Related Grant

Documents identified in the FY 2021-2022 Annual Action Plan.

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

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

Enactment No: Reso 2021-065

**5.B. [21-257](#)**

Staff Report for a City of San Leandro City Council Resolution Approving Adjustments to City Fees and Service Charges for 2021-2022

*Mayor Cutter opened the public testimony portion of the public hearing.*

*Public Comment was received by Leo T. West.*

*The public testimony portion of the public hearing was closed.*

**Received and Filed.**

**[21-258](#)**

RESOLUTION of the City of San Leandro City Council Amending Title 6, Chapter 4 of the San Leandro Administrative Code Relating to Fees and Charges for Services Provided by City Departments (adjusts user fees and service charges, effective July 1, 2021)

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

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

Enactment No: Reso 2021-066

**5.C. [21-259](#)**

Staff Report for the City of San Leandro City Council to Approve Ordinances Amending the San Leandro Municipal Code for Proposed Adjustments to the Business License Tax, the Emergency Medical Services Taxes, and the Emergency Communication System Access (9-1-1) Tax for Fiscal Year 2021-22

**Received and Filed.**

**[21-260](#)**

ORDINANCE of the City of San Leandro City Council Amending Section 2-2-500 of the San Leandro Municipal Code for the Annual Consumer Price Index (CPI) Adjustment to the Business License Fees (increases business license fees by CPI of 1.84%)

**A motion was made by Councilmember Cox, seconded by Councilmember Ballew, that this Ordinance be Pass to Print and Adopted. The motion carried by the following vote.**

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

Enactment No: Ordinance 2021-005

[21-261](#)

ORDINANCE of the City of San Leandro City Council Amending Section 2-13-140 of the San Leandro Municipal Code to Relating to the Annual Consumer Price Index (CPI) Adjustment of the Emergency Medical Services Tax (EMS Tax) (increases EMS tax by CPI of 1.84%)

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

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

Enactment No: Ordinance 2021-006

[21-262](#)

ORDINANCE of the City of San Leandro City Council Amending Section 2-18-210 of the San Leandro Municipal Code Relating to the Annual Consumer Price Index (CPI) Adjustment of the Emergency Communication System Access Tax (911 Tax) (increases 911 Tax by CPI of 1.84%)

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

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

Enactment No: Ordinance 2021-007

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

*Public Comment was received by Douglas Spalding.*

## **7. AMENDMENT OF CONSENT CALENDAR**

## **8. CONSENT CALENDAR**

### **Approval of the Consent Calendar**

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

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

**8.A.** [21-272](#)

Minutes of the City Council Meeting of April 19, 2021

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

**8.B.** [21-205](#)

Minutes of the Facilities and Transportation Committee Meeting of March 3, 2021

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

- 8.C. [21-204](#) Minutes of the Facilities and Transportation Committee Meeting of February 3, 2021

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

- 8.D. [21-224](#) Staff Report for a City of San Leandro City Council Resolution to Authorize a Submission Request to the Metropolitan Transportation Commission (MTC) for the Allocation of Fiscal Year 2021-2022 Transportation Development Act (TDA) Article 3 Pedestrian/Bicycle Project Funding to Install Pedestrian Improvements in the Amount of \$105,062

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

[21-225](#) RESOLUTION of the City of San Leandro City Council to Authorize a Submission Request to the Metropolitan Transportation Commission (MTC) for the Allocation of Fiscal Year 2021-2022 Transportation Development Act (TDA) Article 3 Pedestrian/Bicycle Project Funding to Install Pedestrian Improvements in the Amount of \$105,062

**Adopted on the Consent Calendar.**

Enactment No: Reso 2021-067

- 8.E. [21-254](#) Staff Report for a City of San Leandro City Council Resolution Approving the Investment Report for the Quarter Ended March 31, 2021

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

[21-255](#) RESOLUTION of the City of San Leandro City Council Accepting the City Council Investment Report for the Quarter Ended March 31, 2021

**Adopted on the Consent Calendar.**

Enactment No: Reso 2021-068

- 8.F. [21-266](#) Staff Report for a City of San Leandro City Council Resolution Supporting the Goal of Reaching 100% Zero Emission Vehicle (ZEV) Sales in California by 2030

*Public Comment was received by Douglas Spalding.*

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

[21-267](#) RESOLUTION of the City of San Leandro City Council Supporting the Goal of Reaching 100% Zero Emission Vehicle (ZEV) Sales in California by 2030

**Adopted on the Consent Calendar.**

Enactment No: Reso 2021-069

**9. ITEMS REMOVED FROM CONSENT CALENDAR****10. ACTION ITEMS**

- 10.A.** [21-268](#) Staff Report for a City of San Leandro City Council Resolution to Approve an Employment Agreement with Frances Robustelli to Serve as the City Manager.

*Public Comment was received by Stephen Michael Tow and Leo T. West.*

**Received and Filed.**

- [21-271](#) RESOLUTION of the City of San Leandro City Council to Approve an Employment Agreement with Frances Robustelli to Serve as City Manager

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

**Aye:** 6 - Aguilar, Azevedo, Ballew, Cox, Lopez, Cutter

**Nay:** 1 - Simon

Enactment No: Reso 2021-070

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

*City Attorney Richard Pio Roda reported there was no reportable action taken however direction was provided to staff.*

**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**

*Public Comment was received by Celina Reynes and Leo T. West.*

*-A motion was made by Councilmember Cox, seconded by Councilmember Azevedo, to look into programs that San Jose and Elk Grove are doing to address litter problems and encampments - paying homeless to pick up garbage and could be paid for with COVID relief funds.*

*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 Cox, seconded by Councilmember Lopez, to schedule on the next available Rules Committee agenda, a discussion related to the total number of members appointed to serve on the Library and Historical Commission. And to consider that the Library and Historical Commission have 9 members be appointed. This will include looking at an additional two commissioners as Historical focused and the Mayor appointing three extra appointees. Historical Society could nominate the appointees.*

*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 Lopez, seconded by Councilmember Ballew, to schedule on the next City Council agenda, a proclamation recognizing Jewish American Heritage Month.*

*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 Ballew, seconded by Mayor Cutter, to bring to City Council for review if City Council wants to move forward with polling segments of public on needs and expectations and satisfaction of 1st Police and then rest of City. 1) Godbey model 2) Social Media flash; and 3) National company with all municipalities.*

*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 Mayor Cutter, seconded by Councilmember Lopez, to conduct a comprehensive audit of the Police Department of culture, policies and procedures, and progressive policing strategies, after the new Police Chief is on board.*

*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 a report on small business changes, such as new applications for*

*business licenses and closures, trend lines for groupings.*

*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 Simon, to conduct a study to reduce property crime and increase public safety with non-police alternatives, case studies, best practices 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 Lopez, to conduct a study relating to a decoy car program viability.*

*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 Simon, seconded by Vice Mayor Aguilar, to schedule on the next available Facilities and Transportation Committee agenda, a discussion related to flood protection of the Manor and bike path along the Estudillo canal.*

*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 Simon, seconded by Mayor Cutter, to schedule on the next available Facilities and Transportation Committee agenda, an update regarding Capital Corridor through San Leandro.*

*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 Simon, seconded by Councilmember Lopez, to schedule on the next available Rules Committee agenda, a discussion to what measures can be taken to stop hate speech at City Council meetings and defining the requirement for decorum and civility.*

*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 Vice Mayor Aguilar, seconded by Councilmember Azevedo, to schedule on the next City Council agenda, a proclamation proclaiming Harvey Milk Day.*

*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 Vice Mayor Aguilar, seconded by Councilmember Azevedo, to schedule on the next City Council agenda, a proclamation proclaiming declaring June as Pride Month and lighting City Hall.*

*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 Vice Mayor Aguilar, seconded by Councilmember Azevedo, to schedule on the next City Council agenda, a proclamation proclaiming declaring June as Pride Month and lighting City Hall.*

*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 Mayor Cutter, seconded by Councilmember Simon, to conduct a park study and include the review all parks.*

*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 Mayor Cutter, seconded by Councilmember Lopez, for a discussion on the status of the Police Oversight, Police Culture Audit and SEED work.*

*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 10:30 p.m. In memory of the victims of domestic violence.*

**RESPECTFULLY SUBMITTED:**

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**LETICIA I. MIGUEL**

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