



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

Vice Mayor Pete Ballew, District 6

Deborah Cox, District 1

Bryan Azevedo, District 2

Victor Aguilar, Jr., District 3

Fred Simon, District 4

Corina N. Lopez, District 5

Monday, December 6, 2021

6:30 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 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 6:36 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. [21-717](#) Mayor's Award for Kindness for Terri Kasweka

Presented.

2.B. [21-706](#) Proclamation Recognizing Keith Cooke, Director of the Engineering and Transportation Department, for his Years of Service to the City of San Leandro

Presented.

- 2.C.** [21-707](#) Proclamation Recognizing Danny Gutierrez, Engineering Inspector, for his Years of Service to the City of San Leandro

Presented.

- 2.D.** [21-651](#) Presentation of the 2021 Service Awards
Claudia McHenry, 5 years
Isabel Polvorosa, 5 years
Diana Prola, 5 years
Allen Schoenfeld, 5 years
Darlene Cozzette-Daevu, 10 years
James Andrew Brown, 10 years
Ed Shapiro, 25 years
Orval Badger, 25 years

Presented.

- 2.E.** [21-652](#) Presentation of the 2021 City Council District Leadership Awards and Mayor's Awards of Excellence
District 1 - Kim Pace
District 2 - Steve Kahn
District 3 - Carol Habercross
District 4 - Anthony Tejada
District 5 - Cynthia Chandler
District 6 - Dylan Boldt
Mayor's Award of Excellence, Small Business - Rocky's Charcoal Grill
Mayor's Award of Excellence, Medium Business - Inner Athlete
Mayor's Award of Excellence, Large Business - MedShare
Mayor's Award of Excellence, Innovation and Entrepreneurship - Lee Thomas
"A City Where Kindness Matters" - Lt. Matt Barajas, Detective Joanna Villa, Detective Maria Faumuina, Officer Jenene James

Presented.

3. PUBLIC COMMENTS

There were approximately 10 public speakers.

Comments were made by the following individuals:

Jim Prola, Jan Othen, Mike Katz-Lacabe, Pam Wool, Emily Griego, John Minot, Douglas Spalding, Ginny Madsen, Maureen Forney, and Leo T. West.

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.

4. PRESENTATIONS

None.

5. PUBLIC HEARINGS

None.

6. CITY MANAGER AND CITY ATTORNEY REPORTS AND COMMENTS**7. AMENDMENT OF CONSENT CALENDAR**

Items 8.F., 8.G., and 8.J. were removed from the Consent Calendar to Item 9, Items Removed from Consent Calendar

8. CONSENT CALENDAR**Approval of the Consent Calendar**

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

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

- 8.A.** [21-653](#) MOTION Approving the Public Posting of the 2022 Local Appointments List of Board and Commission Vacancies to the Bulletin Boards Outside the City Council Chambers and at the Main Library, and on the City Website

Adopted on the Consent Calendar.

Enactment No: Min Order 2021-028

- 8.B.** [21-713](#) MOTION Appointing City Councilmembers to Serve on the Following Intergovernmental Agencies Until Replaced, as Follows:

Alameda County Fire Department, Alameda County Fire Advisory Commission (appointment of 2 representatives)

Representative: Councilmember Lopez

Representative: Councilmember Simon

Alameda County Housing Authority, Board of Directors (nomination of 1 representative)

Representative: Councilmember Ballew

Alameda County Mosquito Abatement District, Board of Trustees

(appointment of 1 Trustee)
Trustee: Vice Mayor Aguilar

Alameda County Transit Bus Rapid Transit (BRT) (appointment of 2 representatives)
Representative: Mayor Cutter
Representative: Councilmember Cox

Alameda County Transportation Commission, Board of Directors
(appointment of 1 representative and 1 alternate)
Representative: Mayor Cutter
Alternate: Councilmember Simon

Alameda County Waste Management Authority, Board of Directors
(appointment of 1 representative and 1 alternate)
Representative: Councilmember Cox
Alternate: Councilmember Azevedo

Association of Bay Area Governments (ABAG), General Assembly
(appointment of 1 representative and 1 alternate)
Representative: Councilmember Azevedo
Alternate: Vice Mayor Aguilar

East Bay Community Energy (EBCE) (appointment of 1 representative and 1 alternate)
Representative: Councilmember Lopez
Alternate: Councilmember Simon

East Bay Dischargers Authority (EBDA), Commission (appointment of 1 representative and 1 alternate)
Representative: Mayor Cutter
Alternate: Councilmember Ballew

League of California Cities, East Bay Division, Board of Directors
(appointment of 1 representative and 1 alternate)
Representative: Councilmember Azevedo
Alternate: Vice Mayor Aguilar

Port of Oakland, Oakland Airport Community Noise Management Forum
(appointment of 1 representative)
Representative: Councilmember Simon

San Leandro Improvement Association, Board of Directors (appointment of 1 representative and 1 alternate)
Representative: Councilmember Cox
Alternate: Councilmember Ballew

Adopted on the Consent Calendar.

Enactment No: Min Order 2021-029

8.C. [21-601](#)

Staff Report for a City of San Leandro City Council Resolution to Approve a Consulting Services Agreement with CSG Consultants, Inc. for Engineering Plan Checking Services for the San Leandro Shoreline Development for an Amount Not-to-Exceed \$78,689

Received and Filed on the Consent Calendar.**[21-603](#)**

RESOLUTION of the City of San Leandro City Council to Approve a Consulting Services Agreement with CSG Consultants, Inc. for Engineering Plan Checking Services for the San Leandro Shoreline Development in an Amount Not-to-Exceed \$78,689

Adopted on the Consent Calendar.

Enactment No: Reso 2021-165

8.D. [21-627](#)

Staff Report for a City of San Leandro City Council Resolution to Accept the Work for the Boys and Girls Club Pool Resurfacing Project, Project No. 2018.3400

Received and Filed on the Consent Calendar.**[21-629](#)**

RESOLUTION of the City of San Leandro City Council to Accept the Work for the Boys and Girls Club Pool Resurfacing Project, Project No. 2018.3400 (provides for the acceptance of work performed by McNely Construction, filing of the Notice of Completion, releasing of the Performance and Payment Bonds, and releasing of Maintenance Bond upon 1-year completion of maintenance period)

Adopted on the Consent Calendar.

Enactment No: Reso 2021-166

[21-708](#)

RESOLUTION of the City of San Leandro City Council to Approve and Authorize the City's Application for Per Capita Grant Funds

Adopted on the Consent Calendar.

Enactment No: Reso 2021-167

8.E. [21-684](#)

Staff Report for a City of San Leandro City Council Resolution to Approve an Appropriation of \$260,834.19 from the Shoreline Enterprise Golf Course Fund (596); and to Approve a \$360,234.19 Disbursement for Fiscal Year 2020-2021 for American Golf Corporation's Incentive Management Fee for the Management of Monarch Bay Golf Club

Received and Filed on the Consent Calendar.

[21-685](#)

RESOLUTION of the City of San Leandro City Council Approving an Appropriation of \$260,834.19 from the Shoreline Enterprise Golf Course Fund (596); and to Approve a \$360,234.19 Disbursement for Fiscal Year 2020-2021 for American Golf Corporation's Incentive Management Fee for the Management of Monarch Bay Golf Club

Adopted on the Consent Calendar.

Enactment No: Reso 2021-168

Items 8.F. and 8.G. were removed from the Consent Calendar to Item 9, Items Removed from Consent Calendar

8.H. [21-695](#)

Staff Report for a City of San Leandro City Council Resolution Declaring Twenty-Three (23) Vehicles, Two (2) Pieces of Equipment, and Other Miscellaneous Items as Surplus and Authorizing the Sale of Said Surplus Assets at Public Auction

Received and Filed on the Consent Calendar.

[21-696](#)

RESOLUTION of the City of San Leandro City Council Declaring Twenty-Three (23) Vehicles, Two (2) Pieces of Equipment, and Other Miscellaneous Items as Surplus and Authorizing the Sale of Said Surplus Assets at Public Auction

Adopted on the Consent Calendar.

Enactment No: Reso 2021-169

8.I. [21-697](#)

Staff Report for a City of San Leandro City Council Resolution to Approve Amendment No. 1 to the Fiscal Year 2021-2022 Contract Between the City of San Leandro and Centro Legal de la Raza for an Amount Not to Exceed \$65,000 to Administer the City's Tenant/Landlord Counseling (increases FY2021-2022 Agreement by an additional \$20,000)

Received and Filed on the Consent Calendar.

[21-698](#)

RESOLUTION of the City of San Leandro City Council to Approve Amendment No. 1 to the Fiscal Year 2021-2022 Consulting Services Agreement Between the City of San Leandro and Centro Legal de la Raza for an Amount Not to Exceed \$65,000 to Administer the City's Tenant/Landlord Counseling Program (increases FY2021-2022 Agreement by an additional \$20,000)

Adopted on the Consent Calendar.

Enactment No: Reso 2021-170

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

- 8.K. [21-710](#) City of San Leandro City Council Resolution to Continue Conducting all San Leandro City Council and all Appointed Board and Commission Meetings Remotely Due to Health and Safety Concerns for the Public and Making Related Findings.

Received and Filed on the Consent Calendar.

- [21-711](#) RESOLUTION of the City of San Leandro City Council finding that there is a proclaimed State of Emergency; finding that meeting in person would present imminent risks to the health or safety of attendees as a result of the State of Emergency; and authorizing remote teleconferenced meetings of the legislative bodies of the City of San Leandro for the 30 day period beginning December 6, 2021 pursuant to AB 361

Adopted on the Consent Calendar.

Enactment No: Reso 2021-171

- 8.L. [21-712](#) RESOLUTION of the City of San Leandro City Council Extending the Confirmation of the Proclamation of the Local Emergency and State of Emergency by the City's Director of Emergency Services Pursuant to California Government Code Section 8630 and Public Contract Code Section 22050(c) because of the COVID-19 Pandemic

Adopted on the Consent Calendar.

Enactment No: Reso 2021-172

9. ITEMS REMOVED FROM CONSENT CALENDAR

- 8.F. [21-687](#) Staff Report for a City of San Leandro City Council Resolution to Approve a Partial Waiver of Park Facilities Development Impact Fees for Residential Developments at 15693 East 14th Street and 110 East 14th Street in the total amount of \$4,454,346

There were approximately 8 public speakers.

Comments were made by the following individuals:

Douglas Spalding, John Minot, Ginny Madsen, Maureen Forney, Juan Gonzalez, Jim Prola, Leo T. West, and Ed Shapiro.

Received and Filed.

- [21-688](#) RESOLUTION of the City of San Leandro City Council to Approve a Partial Waiver of Park Facilities Development Impact Fees for Residential Developments at 15693 East 14th Street and 110 East 14th Street in the Total Amount of \$4,454,346

This matter was Continued by the request of Staff.

The City Council Meeting recessed at 9:23 p.m. and reconvened at 9:32 p.m.

- 8.G. [21-692](#) Staff Report for two City of San Leandro City Council Resolutions, to 1) Accept \$2.75 Million in Grant Funding from the California Department of Parks and Recreation Towards the Renovation of Memorial Park, and B) To Seek Additional Funding from the "Per Capita Grant Program" from the Same State Agency for Other Future City-Led Projects

Received and Filed.

[21-693](#) RESOLUTION of the City of San Leandro City Council to Approve and Authorize the City Manager to Accept \$2.75 Million in Statewide Park Development and Community Revitalization Program Grant Funds Towards the Redevelopment of Memorial Park, located at 1105 Bancroft Avenue

A motion was made by Councilmember Lopez, 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 2021-173

- 8.J. [21-714](#) Staff Report for City Council appropriation for up to \$210,000 Towards Upcoming 150th Anniversary Celebrations and Potential City Council Trip to Visit Sister City Ponta Delgada, Portugal

There were approximately 5 public speakers.

Comments were made by the following individuals:

Douglas Spalding, Juan Gonzalez, Erin Elkbock, Mitch Huitema, Lisa P., and Jim Prola.

Received and Filed.

[21-716](#) RESOLUTION of the City of San Leandro City Council to Appropriate Up to \$210,000 Towards Upcoming 150th Anniversary Celebrations and a Potential City Council Trip to Visit Sister City Ponta Delgada, Portugal

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

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

Nay: 1 - Simon

Enactment No: Reso 2021-174

10. ACTION ITEMS

None.

11. REPORT ON CLOSED SESSION ACTIONS TAKEN

City Attorney Richard Pio Roda reported there was no reportable action taken and 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.

Item 13. was moved up in the Agenda, after Item 3. PUBLIC COMMENTS

14. COUNCIL REQUESTS TO SCHEDULE AGENDA ITEMS

-A motion was made by Councilmember Azevedo, seconded by Councilmember Simon for a discussion to review the possible ban of the sale of catalytic converters, to be reviewed by the city attorney department before forwarding to a committee for review.

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 Azevedo to schedule on the Rules Committee agenda, a discussion related to all meetings having an Item 13 for councilmembers to speak.

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 10:55 p.m.

RESPECTFULLY SUBMITTED:

LETICIA I. MIGUEL

City Clerk of the City of San Leandro