



# City of San Leandro

Meeting Date: October 16, 2017

## Minutes

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**File Number:** 17-600

**Agenda Section:** CONSENT CALENDAR

**Agenda Number:** 8.A.

**TO:** City Council

**FROM:** Chris Zapata  
City Manager

**BY:** Jeff Kay  
Assistant City Manager

**FINANCE REVIEW:** Not Applicable

**TITLE:** Minutes of October 2, 2017 Meeting

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# City of San Leandro

Civic Center  
835 East 14th Street  
San Leandro, California

## Draft 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*

*Lee Thomas, District 3*

*Benny Lee, District 4*

*Corina N. Lopez, District 5*

*Pete Ballew, District 6*

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Monday, October 2, 2017

7:00 PM

City Council Chambers

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#### 1. CALL TO ORDER

*The meeting was called to order at 7:01 p.m.*

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

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

#### 1.B. ROLL CALL

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

#### 1.C. ANNOUNCEMENTS

*The Mayor moved item 10A before presentations*

#### 2. RECOGNITIONS

2.A. [17-538](#) RESOLUTION Appointing Brian Copeland as District 1 Member to the Arts Commission for Term Ending December 31, 2018

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

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

Enactment No: Reso 2017-133

#### 3. PUBLIC COMMENTS

*There were four public comments:*

*Larry Arnold, Helen Straughter, Wafaa Aborashed, Chris Ronan*

**4. PRESENTATIONS**

- 4.A. [17-454](#) Presentation on Pavement Maintenance Program and Street Selection Process

**5. PUBLIC HEARINGS**

*None.*

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

**7. AMENDMENT OF CONSENT CALENDAR**

*None.*

**8. CONSENT CALENDAR**

**Approval of the Consent Agenda**

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

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

- 8.A. [17-566](#) Minutes for September 18, 2017 Meeting

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

- 8.B. [17-495](#) Staff Report for a Resolution Approving a Cooperative Agreement Between San Leandro and AC Transit for Design, Construction, Operation, and Maintenance of the South Alameda County Major Corridors Travel Time Improvement Project (AC Transit Line 97 TPI) in Unincorporated Alameda County, San Leandro, Hayward, and Union City

**Received and Filed**

[17-496](#) RESOLUTION Approving a Cooperative Agreement between San Leandro and AC Transit for Design, Construction, Operation, and Maintenance of the South Alameda County Major Corridors Travel Time Improvement Project (AC Transit Line 97 TPI) in Unincorporated Alameda County, San Leandro, Hayward, and Union City (provides for the continued maintenance and operation of the City’s traffic signals on Hesperian Boulevard after improvements by AC Transit)

**Adopted**

Enactment No: Reso 2017-134

- 8.C. [17-509](#) Staff Report for a Resolution to Increase Contract Change Order Authorization from 15% to 20% (from \$359,409 to \$479,212; an Increase of \$119,803) for a Construction Contract with DeSilva Gates Construction, L.P. for the Annual Overlay / Rehabilitation 2015-16 Project, Project No. 2016.0050; and City Council Approval to Appropriate an Additional \$65,000 from the Measure B Local Streets and Roads Fund Balance for the Project

**Received and Filed**

- [17-373](#) RESOLUTION to Increase Contract Change Order Authorization from 15% to 20% (from \$359,409 to \$479,212; an Increase of \$119,803) for a Construction Contract with DeSilva Gates Construction, L.P. for the Annual Overlay / Rehabilitation 2015-16 Project, Project No. 2016.0050.; and City Council Approval to Appropriate an Additional \$65,000 from the Measure B Local Streets and Roads Fund Balance for the Project (provides for additional change order authorization and Measure B Local Streets and Roads funding in order to complete the project)

**Adopted**

Enactment No: Reso 2017-135

- 8.D. [17-544](#) Staff Report for Resolution to Award a Construction Contract to Pacific States Environmental Contractors, Inc. for the Water Pollution Control Plant Dirt Removal 2017, Project No. 2015.0300; Authorization for the City Manager to Negotiate and Approve Individual Change Orders up to 5% of the Original Contract Amount; and Authorization for the City Manager to Negotiate and Approve Cumulative Change Orders up to 15% of the Original Contract Amount

**Received and Filed**

- [17-545](#) RESOLUTION to Award a Construction Contract to Pacific States Environmental Contractors, Inc. for the Water Pollution Control Plant Dirt Removal 2017, Project No. 2015.0300; Authorization for the City Manager to Negotiate and Approve Individual Change Orders up to 5% of the Original Contract Amount; and Authorization for the City Manager to Negotiate and Approve Cumulative Change Orders up to 15% of the Original Contract Amount (Provides for the Off Haul of Dirt Generated from the Construction of the Water Pollution Control Plant Rehabilitation Project)

**Adopted**

Enactment No: Reso 2017-136

- 8.E. [17-552](#) Approval of Proposed Projects Anticipated to be Paid for by the State's Road Maintenance and Rehabilitation Account to City's Gas Tax Fund

(140-31-056) for Streets Maintenance

**Received and Filed**

[17-553](#)

RESOLUTION Approving Proposed Projects Anticipated to be Paid for by the State's Road Maintenance and Rehabilitation Account to City's Gas Tax Fund (140-31-056) for Streets Maintenance

**Adopted**

Enactment No: Reso 2017-137

**8.F.** [17-554](#)

Staff Report for a Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Consultant Services Agreement with GHD Services, Inc. in the amount of \$14,430.85 for Preparation of a Decommissioning and Demolition Plan for the San Leandro Marina

**Received and Filed**

[17-555](#)

RESOLUTION Approving Amendment No. 1 to Consulting Services Agreement with GHD Services Inc. for Decommissioning and Demolition Plan for San Leandro Marina

**Adopted**

Enactment No: Reso 2017-138

**8.G.** [17-543](#)

Staff Report for a Resolution Authorizing the City Manager to Execute a Non-Professional Services Agreement in an amount not to exceed \$59,976 with Adopt a Highway Litter Removal Service of America, Inc. for Litter Removal Services on the City Adopted Section of Interstate 880

**Received and Filed**

[17-546](#)

RESOLUTION Authorizing the City Manager to Execute a Non-Professional Services Agreement in an Amount Not to Exceed \$59,976 Through June 2019 with Adopt a Highway Litter Removal Service of America, Inc. for Litter Removal Services on the City Adopted Section of Interstate 880

**Adopted**

Enactment No: Reso 2017-139

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

## **10. ACTION ITEMS**

**10.A.** [17-558](#)

Staff Report for an Ordinance of the City of San Leandro adding Chapter 4.36 "Tobacco Retailers" to the San Leandro Municipal Code to require the licensure of Tobacco Retailers and to regulate the sale of cigars,

cigarillos and electronic cigarettes

[17-559](#)

ORDINANCE of the City of San Leandro Adding Chapter 4.36 "Tobacco Retailers" to the San Leandro Municipal Code to Require the Licensure of Tobacco Retailers and to Regulate the Sale of Cigars, Cigarillos and Electronic Cigarettes

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

**Aye:** 4 - Cutter, Ballew, Hernandez, Cox

**Nay:** 3 - Lee, Lopez, Thomas

Enactment No: Ordinance 2017-017

## 11. REPORT ON CLOSED SESSION ACTIONS TAKEN

*No reportable action was taken in closed session this evening.*

## 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

*By consensus, the City Council agreed to schedule the following items:*

*Schedule a workshop to discuss policies for youth diversion (Lee) 6 Ayes, 1 No - CutterCutter*

*Schedule a future discussion of banning menthol in San Leandro (Thomas) 6 Ayes, 1 No- Cutter*

## 15. ADJOURN

*The meeting was adjourned at 11:20 p.m., in memory of the victims of the Las Vegas shooting.*

## MEETING ACCESSIBILITY