



# City of San Leandro

Meeting Date: April 15, 2019

## Minutes

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**File Number:** 19-200

**Agenda Section:** CONSENT CALENDAR

**Agenda Number:** 8.A.

**TO:** City Council

**FROM:** Jeff Kay  
City Manager

**BY:** Liz Warmerdam  
Assistant City Manager

**FINANCE REVIEW:** Not Applicable

**TITLE:** Minutes of the City Council Meeting of April 1, 2019

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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*

*Victor Aguilar, Jr., District 3*

*Benny Lee, District 4*

*Corina N. Lopez, District 5*

*Pete Ballew, District 6*

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Monday, April 1, 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

*Captain Knox led the Pledge of Allegiance to the Flag.*

#### 1.B. ROLL CALL

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

#### 1.C. ANNOUNCEMENTS

*Under Item 8 Consent Calendar, Item 8.F. was moved under Item 10 Action Items. The item was heard first as Item 10.A. Items 10.A. and 10.B. were renumbered accordingly to 10.B. and 10.C.*

#### 2. RECOGNITIONS

2.A. [19-147](#) Proclamation Declaring April 14-20, 2019 as National Public Safety Telecommunications Week

**Presented.**

2.B. [19-146](#) Proclamation Declaring April 2019 as Autism Awareness Month

**Presented.**

2.C. [19-187](#) Proclamation Declaring April 7-13, 2019 as National Crime Victims' Rights Week

Presented.

### 3. PUBLIC COMMENTS

*There were was 1 public speaker.  
Mr. Charles Gilcrest commented on Mayor Emeritus.*

### 4. PRESENTATIONS

*None.*

### 5. PUBLIC HEARINGS

- 5.A. [19-175](#) Staff Report for the Public Hearing for the City of San Leandro U.S. Department of Housing and Urban Development (HUD) Draft Fiscal Year 2019-2020 Annual Action Plan

*Public comment was received from Mr. Leo T. West.*

**Received and Filed.**

- [19-176](#) MOTION to Publish the Draft Fiscal Year 2019-2020 Annual Action Plan for a 30-Day Comment Period (April 2 - May 1, 2019), and Set a Public Hearing for May 6, 2019, or As Soon Thereafter as the Hearing May Be Held Pending Final Approval of the Federal Budget, to Consider Final Approval of the Fiscal Year 2019-2020 Annual Action Plan

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

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

Enactment No: Min Order 2019-011

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

*None.*

### 7. AMENDMENT OF CONSENT CALENDAR

**Items 8.H. and 8.I. were removed from the Consent Calendar to Item 9, Items Removed**

### 8. CONSENT CALENDAR

**Approval of the Consent Calendar**

**A motion was made by Councilmember Cox, seconded by Councilmember**

**Ballew, to Approve the Consent Calendar. The motion carried by the following vote.**

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

- 8.A.** [19-180](#) Minutes of the City Council Meeting of March 18, 2019  
**Approved as Submitted on the Consent Calendar.**
- 8.B.** [19-003](#) Highlights of the Facilities and Transportation Committee Meeting of January 9, 2019  
**Approved as Submitted on the Consent Calendar.**
- 8.C.** [19-022](#) Highlights of the Facilities and Transportation Committee Meeting of February 6, 2019  
**Approved as Submitted on the Consent Calendar.**
- 8.D.** [19-159](#) MOTION for an Amendment to Resolutions NO. 2019-015 and 2019-026, Adopted on February 4, 2019. Term Ending date to be amended to coincide with District 2 and District 6 City Council member terms and reflect the term date of December 31, 2020.  
**Adopted on the Consent Calendar.**  
Enactment No: Min Order 2019-012
- 8.E.** [19-182](#) MOTION Nominating Zachary Borja as District 6 Representative to the Human Services Commission  
**Adopted on the Consent Calendar.**  
Enactment No: Min Order 2019-013
- Item 8.F. was moved to Item 10, Action Items. The Item was renumbered to be Item 10.A.
- 8.G.** [19-149](#) Staff Report for the Approval of Fiscal Year 2020 Proposed Projects Anticipated for Payment from the State's Road Maintenance and Rehabilitation Account to City's Gas Tax Fund (140-31-057) for Streets Maintenance  
**Received and Filed on the Consent Calendar.**
- [19-150](#) RESOLUTION of the City of San Leandro City Council to Approve Fiscal Year 2020 Proposed Projects Anticipated for Payment from the State's Road Maintenance and Rehabilitation Account to City's Gas Tax Fund (140-31-057) for Streets and Roads Maintenance  
**Adopted on the Consent Calendar.**  
Enactment No: Reso 2019-064

Items 8.H.and 8.I. were removed from the Consent Calendar to Item 9, Items Removed from Consent Calendar.

- 8.J. [19-140](#) Staff Report for a City of San Leandro City Council Resolution to Appoint Members to the City of San Leandro Bicycle and Pedestrian Advisory Committee

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

- [19-141](#) RESOLUTION of the City of San Leandro City Council to Appoint Members to the Bicycle and Pedestrian Advisory Committee

**Adopted on the Consent Calendar.**

Enactment No: Reso 2019-065

- 8.K. [19-184](#) Staff Report for a Resolution of the City of San Leandro City Council authorizing the City Manager to Execute the Intergovernmental Collaboration Agreement to Fund an Analysis of Impediments to Fair Housing Choice for Jurisdictions Participating in the Alameda County HOME Consortium

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

- [19-185](#) RESOLUTION of the City of San Leandro City Council authorizing the City Manager to Execute the Intergovernmental Agreement to Fund an Analysis of Impediments to Fair Housing Choice for Jurisdictions Participating in the Alameda County HOME Consortium

**Adopted on the Consent Calendar.**

Enactment No: Reso 2019-066

## 9. ITEMS REMOVED FROM CONSENT CALENDAR

- 8.H. [19-161](#) Staff Report for a City of San Leandro City Council Resolution to Amend the Consulting Services Agreement with ConvergeOne for Cisco Next-Generation Firewall Installation to (Adds \$5,301.61 to the Original Agreement Amount of \$104,000.00 for a New Total Amount of \$109,301.61)

**Received and Filed.**

- [19-162](#) RESOLUTION of the City of San Leandro City Council to Approve an Amendment to the Consulting Services Agreement with ConvergeOne for Cisco Next-Generation Firewall Installation (Adds \$5,301.61 to the Original Agreement Amount of \$104,000.00 for a New Total Amount of \$109,301.61)

**A motion was made by Councilmember Lee, seconded by Councilmember**

**Cox, that this Resolution - Council be Adopted. The motion CARRIED by the following vote:**

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

Enactment No: Reso 2019-067

**8.I. [19-163](#)**

Staff Report for a City of San Leandro City Council Resolution to Amend the Consulting Services Agreement with Magellan Advisors for the Fiber Optics Master Plan to Add \$6,118.27 to the Original Agreement Amount of \$60,000 for a New Total Amount of \$66,118.27

**Received and Filed.**

**[19-164](#)**

RESOLUTION of the City of San Leandro City Council to Approve an Amendment to the Consulting Services Agreement with Magellan Advisors for the Fiber Optic Master Plan to Add \$6,118.27 to the Original Agreement Amount of \$60,000 for a New Total Amount of \$66,118.27

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

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

Enactment No: Reso 2019-068

**10. ACTION ITEMS**

**10.A. [19-153](#)**

ORDINANCE Amending Title 4, Chapter 4-33 and 4-38 of the San Leandro Municipal Code Pertaining to Medical Cannabis Dispensary Permits

*Public comment was received.*

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

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

**Nay:** 1 - Ballew

Enactment No: Ordinance 2019-004

**10.B. [19-173](#)**

Staff Report for the City of San Leandro City Council Adoption of an Ordinance that Amends the Contract Between the City of San Leandro and the Board of Administration of the California Public Employees' Retirement System (CalPERS) to Provide Section 20516 (Employee Cost Sharing) for the Executive Management Group in Accordance with the Approved City Manager Employment Agreement and for Local Police Members in Accordance with the San Leandro Police Officers Association Memorandum of Understanding.

**Received and Filed.**[19-110](#)

ORDINANCE of the City Council for the City of San Leandro Authorizing an Amendment to the Contract Between the City of San Leandro and the Board of Administration of the California Public Employees' Retirement System (CalPERS)

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

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

Enactment No: Ordinance 2019-003

**10.C.** [19-126](#)

Staff Report for a City of San Leandro City Council Resolution to Authorize the City Manager to Execute a Consulting Services Agreement for \$730,000 Between the City of San Leandro and SP Plus Corporation for Three Fiscal Years of Parking Enforcement Services, and to Approve an Appropriation of Funds for Fiscal Years 2019-20, 2020-21 and 2021-22 of \$243,333 per Fiscal Year, and to Approve a General Fund Transfer Out to the Parking Fund 132 of \$124,750 in Fiscal Year 2019-20.

**Received and Filed.**[19-127](#)

RESOLUTION of the City of San Leandro City Council to Authorize the City Manager to Execute a Consulting Services Agreement for \$730,000 Between the City of San Leandro and SP Plus Corporation for Three Fiscal Years of Parking Enforcement Services, and to Approve an Appropriation of Funds for Fiscal Years 2019-20, 2020-21 and 2021-22 of \$243,333 per Fiscal Year, and to Approve a General Fund Transfer to the Parking Fund 132 of \$124,750

**A motion was made by Councilmember Cox, seconded by Councilmember Hernandez, that this Resolution - Council be Adopted. The motion CARRIED by the following vote:**

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

Enactment No: Reso 2019-069

The City Council Meeting recessed at 9:25 p.m. and reconvened at 9:40 p.m.

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

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

*Closed session pursuant to California Government Code Section 54956.9:CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION, Name of case: Loudermilk, Annise v. City of San Leandro, et al., Case No.4:18-cv-03987-JSW, United States District Court, Northern District of California.*

*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**

*None.*

**15. ADJOURN**

*The meeting was adjourned at 10:00 p.m.*

**RESPECTFULLY SUBMITTED:**

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**LETICIA I. MIGUEL**  
**City Clerk of the City of San Leandro**