



City of San Leandro

Meeting Date: September 3, 2019

Minutes

File Number: 19-471

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 July 15, 2019



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

Monday, July 15, 2019

7:00 PM

City Council Chambers

1. CALL TO ORDER

The meeting was called to order at 7:12 p.m.

1.A. PLEDGE OF ALLEGIANCE TO THE FLAG

The Haystack family led the Pledge of Allegiance to the Flag.

1.B. ROLL CALL

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

1.C. ANNOUNCEMENTS

None.

2. RECOGNITIONS

- 2.A. [19-413](#) Recognition of the Employee of the Quarter, George Garcia, Supervising Engineering Inspector, Engineering & Transportation Department

Presented.

3. PUBLIC COMMENTS

Public Comments was received by Mr. Kenneth W. Fox and Ms. Sally Barros.

4. PRESENTATIONS

- 4.A. [19-419](#) Presentation by the Alameda County Fire Department on the Recent Fire Responses

Public Comment was received from Mr. Mike Katz-Lacabe, Ms. Peggy Hynd Combs, Mr. George Jones, and Mr. Graig Arant.

Presented.

5. PUBLIC HEARINGS

- 5.A. [19-082](#) Staff Report for City of San Leandro City Council Approval of Resolutions Regarding the Matter of Imposing Liens for Non-payment of Delinquent 2019 Business License Tax, Solid Waste Service Charges, Certified Unified Program Agency Fees, Code Compliance Administrative Penalties and Charges and Sidewalk Repairs.

Mayor Cutter opened the public testimony portion of the public hearing. There was no public comment.

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

Received and Filed.

- [19-347](#) RESOLUTION of the City of San Leandro City Council to Impose Liens for Non-Payment of Delinquent 2019 Business License Tax, Solid Waste Service Charges, Certified Unified Program Agency (CUPA) Fees, Code Compliance Administrative Penalties and Charges and Sidewalk Repairs.

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

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

Enactment No: Reso 2019-120

- [19-408](#) RESOLUTION of the City of San Leandro City Council Overruling Protests (2019 Business License Tax, Solid Waste Service Charges, Certified Unified Program Agency Fees, Code Compliance Administrative Penalties and Charges and Sidewalk Repairs)

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

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

Enactment No: Reso 2019-121

- 5.B. [19-378](#) Staff Report for a City Council Resolution to Approve Tentative Tract Map 8476 for condominium purposes (PLN18-0045) to accommodate a subdivision of airspace for 26-residential units, ground floor commercial space and a parking garage, zoned DA-1 (Downtown Area 1). Alameda County Assessor's Parcel Numbers 075-0005-012-00 (268 Parrott St) & 075-0005-011-01 (1595 Washington Ave.); David Langon (applicant) and David Langon Construction (property owner).

Mayor Cutter opened the public testimony portion of the public hearing. There was no public comment.

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

Received and Filed.

[19-395](#)

RESOLUTION of the City Council of the City of San Leandro, approving a Tentative Tract Map for Condominium Purposes for a ±44,789 square foot mixed-use development with 26 residential units and commercial space located at 268 Parrott St. (PLN18-0045).

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

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

Recused: 1 - Ballew

Enactment No: Reso 2019-122

5.C. [19-368](#)

Staff Report for a City of San Leandro City Council Resolution to Amend the City of San Leandro Administrative Code Title 6, Chapter 4, Section 6.4.110 to Adjust Sewer Service Rates

Mayor Cutter opened the public testimony portion of the public hearing. There was no public comment.

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

The City Council Meeting recessed at 9:05 p.m. and reconvened at 9:26 p.m.

Received and Filed.

[19-369](#)

RESOLUTION of the City of San Leandro City Council to Amend Title 6, Chapter 4, Section 6.4.110 of the City of San Leandro Administrative Code Relating to Fees and Charges for Services Provided by City Departments to Adjust Fees in the "Public Works Service Department -- Waste Water Discharge Fees" Section

A motion was made by Councilmember Ballew, 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 2019-123

[19-370](#)

Staff Report for a City of San Leandro City Council Resolution to Receive a Report on Wastewater Utility Capacity Charges and to Amend the City of San Leandro Administrative Code Title 6, Chapter 4, Section 6.4.110 to Reflect Connection Fees Recommended by the Report

Received and Filed.

[19-371](#)

RESOLUTION of the City of San Leandro City Council to Accept the Report on Wastewater Utility Capacity Charges and Amend Title 6,

Chapter 4, Section 6.4.110 of the San Leandro Administrative Code Relating to Fees and Charges for Services Provided by City Departments to Adjusts Fees in "Public Works Service Department -- Waste Water Discharge Fees" Section

A motion was made by Councilmember Ballew, 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 2019-124

[19-372](#)

Staff Report for a City of San Leandro City Council Resolution to Amend Title 12, Chapter 5, Section 12.5.115 of the City of San Leandro Administrative Code to Clarify When and How Capacity Fees May Change

Received and Filed.

[19-373](#)

RESOLUTION of the City of San Leandro City Council to Amend Title 12, Chapter 5, Section 12.5.115 of the City of San Leandro Administrative Code to Clarify When and How Capacity Fees May Change

A motion was made by Councilmember Ballew, 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 2019-125

[19-374](#)

Staff Report for Ordinance to Amend City of San Leandro Municipal Code Title 3, Chapter 14, Section 3-14-800 to Reflect Current Residential Wastewater Characteristics

Received and Filed.

[19-375](#)

ORDINANCE of the City of San Leandro to Amend Title 3, Chapter 3, Section 3-14-800 of the City of San Leandro Municipal Code Relating to Wastewater Charges and Fees

A motion was made by Councilmember Ballew, seconded by Councilmember Cox, 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 2019-013

6. CITY MANAGER AND CITY ATTORNEY REPORTS AND COMMENTS

None.

7. AMENDMENT OF CONSENT CALENDAR

Items 8.C.,8.D., 8.E.,8.K., and 8.M. 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 Aguilar, seconded by Councilmember Lee, to Approve the Consent Calendar. The motion carried by the following vote.

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

- 8.A.** [19-415](#) Minutes of the City Council Meeting of July 01, 2019
- 8.B.** [19-221](#) Staff Report for a City of San Leandro City Council Resolution to Authorize the City Manager to Execute a Consulting Services Agreement with CSG Consultants, Inc. for \$300,000 for Inspection Services on the Police Building and South Offices Modification Project, Project Number 2014.0481
- Received and Filed on the Consent Calendar.**
- [19-222](#) RESOLUTION of the City of San Leandro City Council to Authorize the City Manager to Execute a Consulting Services Agreement with CSG Consultants, Inc. for \$300,000 for Inspection Services (provides for work related to the Police Building and South Offices Modification Project)
- Adopted on the Consent Calendar.**
- Enactment No: Reso 2019-126
- 8.F.** [19-391](#) Staff Report for a City of San Leandro City Council Resolution to Approve and Authorize the City Manager to Execute a Consulting Services Agreement with Lee & Ro, Inc. for Staff Augmentation Services Related to Capital Improvement Program Project Management for Measure B/BB Funded Street Rehabilitation Work in an Amount Not-to-Exceed \$314,844
- Received and Filed on the Consent Calendar.**
- [19-392](#) RESOLUTION of the City of San Leandro City Council to Approve and Authorize the City Manager to Execute a Consulting Services Agreement with Lee & Ro, Inc. for Staff Augmentation Services Related to Capital Improvement Projects Management for Measure B/BB Funded Street Rehabilitation Work in an Amount Not-to-Exceed \$314,844
- Adopted on the Consent Calendar.**
- Enactment No: Reso 2019-127

- 8.G. [19-398](#) Staff Report for a City of San Leandro City Council Resolution to Approve and Authorize the City Manager to Execute a Consulting Services Agreement with CSG Consultants, Inc. for Inspection Services for the Annual Street Overlay/Rehabilitation 2017-18, Project No. 2018.0050

Received and Filed on the Consent Calendar.

- [19-399](#) RESOLUTION of the City of San Leandro City Council to Approve and Authorize the City Manager to Execute a Consulting Services Agreement with CSG Consultants, Inc. for Inspection Services for the Annual Street Overlay/Rehabilitation 2017-18, Project No. 2018.0050

Adopted on the Consent Calendar.

Enactment No: Reso 2019-128

- 8.H. [19-380](#) Staff Report for a City of San Leandro City Council Resolution to Authorize the City Manager to Execute a Non-Professional Services Agreement with Matrix HG, Inc. for Pool Boiler Replacement at the San Leandro Family Aquatic Center (Washington Manor Park) in the Amount of \$66,296, and Authorization for the City Manager or his designee to Negotiate and Approve Cumulative Change Orders up to 25% of the Original Contract Amount

Received and Filed on the Consent Calendar.

- [19-379](#) RESOLUTION of the City of San Leandro City Council to Authorize the City Manager to Execute a Non-Professional Services Agreement with Matrix HG, Inc. for Pool Boiler Replacement at the San Leandro Family Aquatic Center (Washington Manor Park) in the Amount of \$66,296, and to Negotiate and Approve Cumulative Change Orders up to 25% of the Original Contract Amount

Adopted on the Consent Calendar.

Enactment No: Reso 2019-129

- 8.I. [19-406](#) Staff Report for a City of San Leandro City Council Resolution Approving a Consulting Services Agreement Between the City of San Leandro and Aaron Welch Planning to Prepare Zoning Code Amendments Implementing the Bay Fair Transit Oriented Development Specific Plan and Authorizing the City Manager to Execute the Agreement in an Amount not to Exceed \$70,000

Received and Filed on the Consent Calendar.

- [19-407](#) RESOLUTION of the City of San Leandro City Council to Approve a Consulting Services Agreement Between the City of San Leandro and Aaron Welch Planning to Prepare Zoning Code Amendments to

Implement the Bay Fair Transit Oriented Development Specific Plan and Authorizing the City Manager to Execute the Agreement in an Amount not to Exceed \$70,000

Adopted on the Consent Calendar.

Enactment No: Reso 2019-130

- 8.J. 19-409** Staff Report for a City of San Leandro City Council Resolution to Approve Amendment No. 3 to the Consulting Services Agreement for Third Party Plan Check Services Between the City of San Leandro and TRB+Associates (to increase the contract by \$38,000 for an amount not to exceed \$306,000)

Received and Filed on the Consent Calendar.

[19-410](#)

RESOLUTION of the City of San Leandro City Council to Approve Amendment No. 3 to the Consulting Services Agreement for Third Party Plan Check Services Between the City of San Leandro and TRB+Associates (to increase the contract by \$38,000 for an amount not to exceed \$306,000)

Adopted on the Consent Calendar.

Enactment No: Reso 2019-131

- 8.L. [19-401](#)** Staff Report for a Motion to Approve Proposal to Pre-pay CalPERS Annual Required Contribution

Received and Filed on the Consent Calendar.

[19-422](#)

MOTION Approving the Proposal to Pre-pay CalPERS Annual Required Contribution

Adopted on the Consent Calendar.

Enactment No: Min Order 2019-015

9. ITEMS REMOVED FROM CONSENT CALENDAR

- 8.C. [19-352](#)** Staff Report for a Resolution of the City of San Leandro City Council to Approve a Non-Professional Services Agreement with Krueger International, Inc. for Procurement and Installation of Furniture in the Amount of \$211,928 for the Police Building and South Office Modifications Project, Project No. 2014.0481

Received and Filed

[19-353](#)

RESOLUTION of the City of San Leandro City Council to Approve a Non-Professional Services Agreement with Krueger International, Inc. for Procurement and Installation of Furniture in the Amount of \$211,928 for the Police Building and South Office Modifications Project, Project No.

2014.0481

A motion was made by Councilmember Hernandez, 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 2019-132

8.D. [19-257](#)

Staff Report for a City of San Leandro City Council Resolution to Approve Amendment No. 1 to an Existing Consulting Services Agreement with Glass Architects for the Preparation of Construction Ready Plans, Specifications and Estimates for the Farrelly Pool Replacement Project, Project No. 2018.3420, to Increase the Amount of Compensation by \$104,640 for a Total not to Exceed Amount of \$417,767

Received and Filed

[19-258](#)

RESOLUTION of the City of San Leandro City Council to Approve Amendment No. 1 to an Existing Consulting Services Agreement with Glass Architects for the Preparation of Construction Ready Plans, Specifications and Estimates for the Farrelly Pool Replacement Project, Project No. 2018.3420 to Increase the Amount of Compensation by \$140,640 for a Total not to Exceed Amount of \$417,767.00 (Provides for additional consulting services necessary to achieve LEED Certification)

A motion was made by Councilmember Hernandez, seconded by Councilmember Cox, 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 2019-133

8.E. [19-326](#)

Staff Report for a City of San Leandro City Council Resolution to Reject All Bids for the Farrelly Pool Replacement Project No. 2018.3420.

Received and Filed

[19-327](#)

RESOLUTION of the City of San Leandro City Council to Reject All Bids for the Farrelly Pool Replacement Project No. 2018.3420.

A motion was made by Vice Mayor Lopez, 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 2019-134

8.K. [19-402](#)

Staff Report for a City Council Resolution to Approve an Agreement with

Ojo Technology to Upgrade Eleven Traffic Observation Cameras and Implement a Video Management System in an Amount Not to Exceed \$77,256.18 with Authorization for the City Manager or his Designee to Negotiate Contract Amendments Up to 15% (\$11,588.43) of the Not to Exceed Amount and Authorizing An Appropriation of \$77,256.18 with 15% Contingency of \$11,588.43 from the Information Technology Fund; and

Resolution to Approve an Agreement with Columbia Electric, Inc. to Install Eleven Traffic Observation Cameras At Specified Locations Within the City in An Amount of Not to Exceed \$56,000.00 With Authorization for the City Manager or his Designee to Negotiate Contract Amendments Up to 15% (\$8,400.00) of the Not to Exceed Amount and Authorizing An Appropriation of \$56,000.00 with a 15% Contingency of \$8,400.00 from the Information Technology Fund.

Received and Filed.

[19-403](#)

RESOLUTION of the City of San Leandro City Council to Approve an Agreement with Ojo Technology to Upgrade Eleven Traffic Observation Cameras and Implement a Video Management System in An Amount Not to Exceed \$77,256.18 With Authorization for the City Manager or his Designee to Negotiate Contract Amendments Up to 15% (\$11,588.43) of the Not to Exceed Amount and Authorizing the Appropriation of \$77,256.18 from the Information Technology Fund Balance Unrestricted Reserves to the Operating Account 688-13-121-7410

A motion was made by Councilmember Hernandez, 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 2019-135

[19-404](#)

RESOLUTION of the City of San Leandro City Council to Make a Sole Source Justification under California Public Contract Code section 3400, and Approve An Agreement with Columbia Electric to Install the Eleven Traffic Observation Cameras At Specified Locations in An Amount Not to Exceed \$56,000.00 With Authorization to the City Manager or his Designee to Negotiate Contract Amendments Up to 15% (\$8,400.00) of the Not to Exceed Amount; Authorizing the Appropriation of \$56,000.00 from the Information Technology Fund Balance Unrestricted Reserves to Operating Account 688-13-121-7410

(Approves One Agreement Totaling \$56,000.00 and Authorizes Appropriation in the Amount of \$56,000.00 including up to a 15% Contingency of \$8,400.00, if needed)

A motion was made by Councilmember Hernandez, 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 2019-136

- 8.M.** [19-414](#) Staff Report on the Independent Auditor's City of San Leandro Memorandum of Internal Control and Required Communications for the year-ended June 30, 2018

This matter was Received and Filed

- [19-424](#) MOTION Accepting the City of San Leandro Memorandum of Internal Control and Required Communications for the year-ended June 30, 2018

A motion was made by Councilmember Lee, seconded by Councilmember Cox, 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 2019-016

10. ACTION ITEMS

- 10.A.** [19-411](#) Staff Report for a Resolution of the City Council for the City of San Leandro to Authorize the City Manager to Execute a Non-Professional Services Agreement with Mildred Howard for the Purchase and Installation of a Work of Art in Front of the San Leandro Main Library for an Amount Not-to-Exceed \$135,000 Using Existing Prior Fiscal Year Appropriations that are Authorized to be Carried-forward into the Current Fiscal Year (2019-2020)

This matter was Received and Filed

- [19-412](#) RESOLUTION of the City of San Leandro City Council to Approve and Authorize the City Manager to Negotiate and Execute a Non-Professional Services Agreement with Mildred Howard for the Development, Fabrication, and Installation of a Work of Art to be Installed in Front of the San Leandro Main Library for an Amount Not-to-Exceed \$135,000

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

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

Enactment No: Reso 2019-137

- 10.B.** [19-416](#) RESOLUTION Designating the Voting Delegate and Alternate(s) for the League of California Cities 2019 Annual Conference (provides for discussion and designation of a voting delegate and alternate voting delegate[s])

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

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

Enactment No: Reso 2019-138

11. REPORT ON CLOSED SESSION ACTIONS TAKEN

City Attorney Richard Pio Roda reported that direction was given to staff and there was no reportable action.

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, seconded by Vice Mayor Lopez, to schedule on the next available City Council agenda a presentation on Cyber Security and Privacy.

Roll call was taken as follows:

Aye: Aguilar, Ballew, Cox, Hernandez, Lee, Lopez, Mayor Cutter

Nay: None

Absent: None

-A motion was made by Councilmember Lee, seconded by Vice Mayor Lopez, to schedule on the next available Rules Committee agenda a discussion on including a yearly report out from the Commissions to the City Council.

Roll call was taken as follows:

Aye: Cox, Hernandez, Lee, Lopez,

Nay: Aguilar, Ballew, Mayor Cutter

Absent: None

-A motion was made by Councilmember Hernandez, seconded by Councilmember Ballew, to schedule on the next available Facilities and Transportation Committee agenda a discussion on the LEED Policy and the policy around LEED certification and building.

Roll call was taken as follows:

Aye: Aguilar, Ballew, Cox, Hernandez, Lee, Lopez, Mayor Cutter

Nay: None

Absent: None

15. ADJOURN

*The meeting was adjourned at 11:03 p.m.
In memory of Bill Acres.*

RESPECTFULLY SUBMITTED:

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