



# City of San Leandro

Meeting Date: October 21, 2019

## Minutes

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**File Number:** 19-567

**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 October 7, 2019

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# 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*

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Monday, October 7, 2019

7:00 PM

City Council Chambers

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#### 1. CALL TO ORDER

*The meeting was called to order at 7:11 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 - Aguilar, Ballew, Cox, Hernandez, Lee, Lopez, Cutter

#### 1.C. ANNOUNCEMENTS

*Under Item 8. Consent Calendar, for Item 8.H. in regards to the Staff Report, for attachment No. 3 CC&Rs, Page 41 and 42 of the CC&Rs attachment will be included in the final copy for execution of recording. Pages 41 and 42 were available to the public.*

#### 2. RECOGNITIONS

- 2.A. [19-534](#) Proclamation Declaring the Month of October as Crime Prevention Month

**Presented.**

- 2.B. [19-537](#) Proclamation Declaring October 2019 as National Domestic Violence Awareness Month

**Presented.**

#### 3. PUBLIC COMMENTS

*Public Comment was received by Mr. Kenneth W. Fox.*

#### **4. PRESENTATIONS**

**4.A. [19-541](#)** Presentation on Cyber Security

**Presented.**

**4.B. [19-527](#)** Update on 2020 National Census and Related Public Outreach and Engagement Efforts

**Presented.**

The City Council Meeting recessed at 8:53 p.m. and reconvened at 9:09 p.m.

Item 10.A under 10. Action Items was moved up to be heard after 4.B.

**10.A. [19-507](#)** Staff Report for a Resolution of the City of San Leandro City Council to Approve and Authorize the City Manager to Execute a Consulting Services Agreement with Terraphase Engineering, Inc. for \$789,036 for Design and Permitting Services for a New Treatment Wetland at the Water Pollution Control Plant; to Authorize the City Manager to Negotiate Contract Amendments up to 20% (or \$157,807); and to Appropriate \$501,917 from the Water Pollution Control Plant Enterprise Fund Balance Reserve for the Project in Fiscal Year 2019-20

**Received and Filed.**

**[19-508](#)** RESOLUTION of the City of San Leandro City Council to Approve and Authorize the City Manager to Execute a Consulting Services Agreement with Terraphase Engineering, Inc., in the amount not to exceed \$789,036 for Design and Permitting Services of a New Treatment Wetland at the Water Pollution Control Plant; Authorize the City Manager to Execute Contract Amendments Up to 20% (or \$157,807) and an Appropriation of the Water Pollution Control Plant Enterprise Fund Balance in the Amount of \$501,917 for Fiscal Year 2019-20

**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 2019-160

#### **5. PUBLIC HEARINGS**

*None.*

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

*City Manager, Jeff Kay, announced that PG&E was looking at implementing, for the first time their safety power shutoff program in the next couple of days.*

## 7. AMENDMENT OF CONSENT CALENDAR

## 8. CONSENT CALENDAR

### Approval of the Consent Calendar

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

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

**8.A. [19-536](#)** Minutes of the City Council Meeting of September 16, 2019

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

**8.B. [19-486](#)** Minutes of the Rules Committee Meeting of July 11, 2019

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

**8.C. [19-479](#)** Staff Report for a City of San Leandro City Council Resolution Authorizing the City Manager to Appropriate up to \$415,000 from the City Affordable Housing Assets Fund Balance to Purchase a Below Market Rate Housing Unit at 713 Bloom Street for Resale to an Income Eligible Homebuyer and to Execute a Purchase and Sale Agreement with an Income Eligible First Time Homebuyer, which would be subject to an updated Property Value Restrictions, Resale Agreement, and Option to Purchase

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

[19-480](#) RESOLUTION of the City of San Leandro City Council to Authorize the City Manager to Appropriate up to \$415,000 from the City Affordable Housing Asset Fund Balance to Purchase a Below Market Rate Housing Unit at 713 Bloom Street for Resale to an Income Eligible Homebuyer and to Execute a Purchase and Sale Agreement with an Income Eligible First Time Homebuyer, which would be subject to an updated Property Value Restrictions, Resale Agreement, and Option to Purchase

**Adopted on the Consent Calendar.**

Enactment No: Reso 2019-161

**8.D. [19-517](#)** Staff Report for City of San Leandro City Council Adopt a Resolution to Amend the San Leandro Management Organization (SLMO) Salary Schedule to Adjust the Salary Range for the Classification of Deputy City Manager and to Appropriate from the General Fund Unrestricted

Reserves \$32,400 for 2019-20 and \$34,000 for 2020-21

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

[19-518](#)

RESOLUTION of the City of San Leandro City Council to Amend the San Leandro Management Organization Salary Schedule to Adjust the Salary Range for the Classification of Deputy City Manager and to Appropriate from the General Fund Unrestricted Reserves \$32,400 for 2019-20 and \$34,000 for 2020-21

**Adopted on the Consent Calendar.**

Enactment No: Reso 2019-162

8.E. [19-523](#)

Staff Report for City of San Leandro City Council Resolution to Approve Amendment No. 1 to Consulting Services Agreement with Francis Ngure for Audit and Finance Assistance and Appropriate \$100,000 from General Fund Unrestricted Fund Balance

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

[19-524](#)

RESOLUTION of the City of San Leandro City Council Approving Amendment No. 1 to Increase the Not to Exceed Amount in the Consulting Services Agreement with Francis Ngure for Audit and Finance Assistance by up to \$100,000

**Adopted on the Consent Calendar.**

Enactment No: Reso 2019-163

8.H. [19-469](#)

Staff Report for a City of San Leandro City Council Resolution to Approve Parcel Map 10574 for 2101 and 2109 West Avenue 136th, Assessor's Parcel Number 079A-0508-007; Owners, Subdividers and Applicants: Kingkeo Samreuang and Samone Samreuang

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

[19-470](#)

RESOLUTION of the City of San Leandro City Council to Approve Parcel Map 10574 for 2101 and 2109 West Avenue 136th, Assessor's Parcel Number 079A-0508-007; Owners, Subdividers and Applicants: Kingkeo Samreuang and Samone Samreuang

**Adopted on the Consent Calendar.**

Enactment No: Reso 2019-164

8.I. [19-502](#)

Staff Report for a First Reading of a City of San Leandro City Council Ordinance to Amend Title 5, Chapter 5-2, Sections 5-2-100, 5-2-200, 5-2-210, 5-2-215, 5-2-225, and 5-2-230 of the San Leandro Municipal Code Relating to Street Trees

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

[19-503](#)

ORDINANCE of the City of San Leandro City Council to Amend Title 5, Chapter 5-2, Sections 5-2-100, 5-2-200, 5-2-215, 5-2-225, and 5-2-230 of the San Leandro Municipal Code Relating to Street Trees

**Passed to Print on the Consent Calendar.**

Enactment No: Ordinance 2019-015

8.J. [19-519](#)

Staff Report for a Resolution of the City Council of the City of San Leandro Authorizing the City Manager to Approve the Youth Reinvestment Grant (YRG) Program with the Board of State and Community Corrections (BSCC) to Provide a Total of \$985,000 from January 2019 to February 2023 in Grant Funds to the City of San Leandro and San Leandro Unified School District for Youth Services

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

[19-520](#)

RESOLUTION of the City Council of the City of San Leandro Authorizing the City Manager to Approve the Youth Reinvestment Grant (YRG) Program with the Board of State and Community Corrections (BSCC) to Provide a Total of \$985,000 from January 2019 to February 2023 in Grant Funds to the City of San Leandro and San Leandro Unified School District for Youth Services

**Adopted on the Consent Calendar.**

Enactment No: Reso 2019-165

8.K. [19-542](#)

RESOLUTION of the City of San Leandro City Council Recognizing the Importance of the 2020 Census and Encouraging All Local Residents to be Counted

**Adopted on the Consent Calendar.**

Enactment No: Reso 2019-166

8.L. [19-491](#)

ORDINANCE of the City of San Leandro City Council Repealing Title 4, Chapter 4-1, Article 9 of the San Leandro Municipal Code Pertaining to Intimidating Solicitation

**Adopted on the Consent Calendar.**

Enactment No: Ordinance 2019-014

## 9. ITEMS REMOVED FROM CONSENT CALENDAR

8.F. [19-437](#)

Staff Report for a City of San Leandro City Council Resolution to Approve a Consulting Services Agreement for \$66,047 with Kimley-Horn and Associates, Inc. for Design Services for the E. 14th Street (North Area) Pedestrian Lighting, Project 2018.5420; and to Authorize the City Manager to Execute the Agreement and Negotiate and Approve

Individual Contract Amendments up to 5% and Cumulative Contract Amendments up to 15% of the Original Contract Amount

**Received and Filed.**

[19-438](#)

RESOLUTION of the City of San Leandro City Council to Approve a Consulting Services Agreement for \$66,047 with Kimley-Horn and Associates, Inc. for Design Services for the E. 14th Street (North Area) Pedestrian Lighting, Project 2018.5420; and to Authorize the City Manager to Execute the Agreement and Negotiate and Approve Individual Contract Amendments up to 5% and Cumulative Contract Amendments up to 15% of the Original Contract Amount (provides for design services for pedestrian lighting improvements along E. 14th Street between Durant Avenue and Georgia Way)

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

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

Enactment No: Reso 2019-167

**8.G.** [19-462](#)

Staff Report for a City of San Leandro City Council Resolution to Award an \$82,420 Construction Contract to Pacific Underground Services for the Heron Bay Levee Maintenance, Project No. 2006.0111; to Authorize the City Manager to Negotiate and Approve Individual Change Orders Up to 5% (or \$4,121) of the Original Contract Amount; to Authorize the City Manager to Negotiate and Approve Change Orders Up to a Cumulative Value of 25% (or \$20,605) of the Original Contract Amount; and to Appropriate \$350,000 from the Heron Bay Maintenance Assessment District Fund Balance for the Project in Fiscal Year 2019-20

**Received and Filed.**

[19-463](#)

RESOLUTION of the City of San Leandro City Council to Award an \$82,420 Construction Contract to Pacific Underground Services for the Heron Bay Levee Maintenance, Project No. 2006.0111; to Authorize the City Manager to Negotiate and Approve Individual Change Orders Up to 5% (or \$4,121) of the Original Contract Amount; to Authorize the City Manager to Negotiate and Approve Change Orders Up to a Cumulative Value of 25% (or \$20,605) of the Original Contract Amount; and to Appropriate \$350,000 from the Heron Bay Maintenance Assessment District Fund Balance to Account 147-42-150-5240 for the 2019-20 Project (provides for levee maintenance along the Bay Trail as part of the Heron Bay Maintenance Assessment District)

**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 2019-168

[19-476](#)

RESOLUTION of the City of San Leandro City Council to Appropriate \$280,687 in Assessment District Funds for the Heron Bay Levee Maintenance, Project No. 2006.0111 (appropriates funding for construction of improvements)

**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 2019-169

## 10. ACTION ITEMS

Item 10.A. was considered earlier in the agenda, after Item 4.B.

## 11. REPORT ON CLOSED SESSION ACTIONS TAKEN

*City Attorney Richard Pio Roda reported there was no reportable action taken, direction was given 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

*None.*

## 15. ADJOURN

*The meeting was adjourned at 10:14 p.m.*

**RESPECTFULLY SUBMITTED:**

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



