



City of San Leandro

Meeting Date: November 18, 2019

Minutes

File Number: 19-605 **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 November 4, 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, November 4, 2019

7:00 PM

City Council Chambers

1. CALL TO ORDER

The meeting was called to order at 7:03 p.m.

1.A. PLEDGE OF ALLEGIANCE TO THE FLAG

Lieutenant Benabou and 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

An announcement was made for the Minutes of September 21, 2019, the wording for Item 10.A. will be replaced as follows:

A motion was made by Councilmember Ballew, seconded by Vice Mayor Lopez, that this Resolution be Adopted as Amended, to include granting Tony Santos the title of "Mayor Emeritus". The motion carried by the following vote.

Mayor Cutter acknowledged and thanked all staff who participated in the emergency power outages.

2. RECOGNITIONS

2.A. [19-547](#) Law Enforcement Records and Support Personnel Day Proclamation

Presented.

3. PUBLIC COMMENTS

There were approximately 6 public speakers.

Comments were made by the following individuals:

*Mr. Daniel Paiva commented on teen bikes.
Mr. Adrian Blumberg commented on the effects of fair rent ordinance.
Mr. Kenneth W. Fox commented on new covenant.
Mr. Don Adkinson commented on teens on bikes.
Ms. Shirley Mendez commented on Ignacio Peralta Historical Home.
Rev. Silvia Perez commented on evictions and gentrification.*

4. PRESENTATIONS

4.A. [19-591](#) San Leandro Police Department Annual Report

Public Comment was received by Mr. Leo West.

Presented.

The City Council Meeting recessed at 9:29 p.m. and reconvened at 9:42 p.m.

5. PUBLIC HEARINGS

5.A. [19-560](#) Staff Report for PLN17-0069; Zoning Amendment, Planned Development, Site Plan Review and Tentative Map to rezone from RS Residential Single-Family to RM-3000(PD) Residential Multi-Family, Planned Development Overlay District to construct a six-unit, two- and three-story townhome condominium development on a 0.48 acre site at 874 Lewelling Boulevard; Assessor's Parcel Number 80G-1114-3-2; GKW Architects, Inc. (applicant) and Bucheng Li and Zhu Yurong (property owners).

Mayor Cutter opened the public testimony portion of the public hearing.

Public Comment was received by Mr. Chris Bammer and Ms. Maria Magallon.

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

Received and Filed.

[19-561](#) RESOLUTION of the City Council of the City of San Leandro Approving a Planned Development and Site Plan Review for 874 Lewelling Boulevard (PLN17-0069).

A motion was made by Councilmember Lee, 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 2019-179

[19-563](#) RESOLUTION of the City of San Leandro City Council to Approve a Tentative Tract map for condominium purposes for a six-unit townhome

development on a 0.48 acre site located at 874 Lewelling Boulevard (PLN17-0069).

A motion was made by Councilmember Lee, 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 2019-180

[19-562](#)

ORDINANCE of the City of San Leandro City Council to approve a Zoning Amendment and Planned Development at 874 Lewelling Boulevard, the subject property, from RS Residential Single-Family to RM-3000(PD) Residential Multi-Family, Planned Development Overlay District. Alameda County Assessor's Parcel Number 80G-1114-3-2 (PLN17-0069)

A motion was made by Councilmember Lee, seconded by Councilmember Ballew, 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 2019-019

6. CITY MANAGER AND CITY ATTORNEY REPORTS AND COMMENTS

None.

7. AMENDMENT OF CONSENT CALENDAR

Items 8.B. and 8.E. 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 Councilmember Cox, seconded by Councilmember Aguilar, to Approve the Consent Calendar. The motion carried by the following vote.

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

8.A. [19-590](#)

Minutes of the City Council Meeting of October 21, 2019

Approved as Submitted on the Consent Calendar.

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

- 8.C. [19-558](#) Staff Report for a City of San Leandro City Council Resolution to Renew Appropriations of Capital Funds for Existing Projects in Accordance with the City Charter

Received and Filed on the Consent Calendar.

- [19-559](#) RESOLUTION of the City of San Leandro City Council to Renew Appropriations of Capital Funds for Existing Projects in Accordance with the City Charter
(appropriates funding for existing projects)

Adopted on the Consent Calendar.

Enactment No: Reso 2019-181

- 8.D. [19-564](#) Staff Report for a Resolution of the City of San Leandro City Council to Approve and Authorize the City Manager to Execute a Non-Professional Services Agreement with Solenis, LLC for \$760,000 Over Five Years for Polymer Selection and Supply Services for the Water Pollution Control Plant, and to Authorize Purchasing Up To \$100,000 of Polymer from SNF Polydyne.

Received and Filed on the Consent Calendar.

- [19-565](#) RESOLUTION of the City of San Leandro City Council to Authorize the City Manager to Execute a Non-Professional Services Agreement with Solenis, LLC, in the Amount Not to Exceed \$760,000 Over Five Years for Polymer Selection and Supply Services at the Water Pollution Control Plant; And to Authorize Purchasing Up To \$100,000 of Polymer from SNF Polydyne

Adopted on the Consent Calendar.

Enactment No: Reso 2019-182

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

- 8.F. [19-539](#) ORDINANCE of the City of San Leandro City Council to Approve a Zoning Amendment and Planned Development of 311 MacArthur Boulevard, the subject property, from CC Commercial Community and RS Residential Single-Family to CC(PD) Commercial Community and RS(PD) Residential Single-Family, Planned Development Overlay District. Alameda County Assessor's Parcel Numbers 76-311-30-1, 76-311-1-1, 76-311-3, 76-311-4, 76-311-5 (PLN17-0034)

Adopted on the Consent Calendar.

Enactment No: Ordinance 2019-016

- 8.G. [19-576](#) ORIDINANCE of the City of San Leandro City Council to Repeal and Adopt the California Building Standards Code.

Adopted on the Consent Calendar.

Enactment No: Ordinance 2019-017

- 8.H. [19-553](#) ORDINANCE of the City of San Leandro City Council to Adopt and Amend the California Fire Code

Adopted on the Consent Calendar.

Enactment No: Ordinance 2019-018

9. ITEMS REMOVED FROM CONSENT CALENDAR

- 8.B. [19-555](#) Staff Report for a City of San Leandro City Council Resolution to Award a \$670,798 Construction Contract to EIDIM Group for the Main Library and Marina Community Center Audio-Visual Equipment, Project Numbers 2016.0210 and 2016.0500; to Authorize the City Manager to Negotiate and Approve Individual Change Orders Up to 5% or \$33,540 of the Original Contract Amount; to Authorize the City Manager to Negotiate and Approve Change Orders Up to a Cumulative Value of 11.2% or \$75,000 of the Original Contract Amount; and to Appropriate \$890,000 from the Public Education and Government Fund for the Project

Received and Filed.

- [19-554](#) RESOLUTION of the City of San Leandro City Council to Award a \$670,798 Construction Contract to EIDIM Group for the Main Library and Marina Community Center Audio Visual Equipment, Project Numbers 2016.0210 and 2016.0500; to Authorize the City Manager to Negotiate and Approve Individual Change Orders Up to 5% or \$33,540 of the Original Contract Amount; to Authorize the City Manager to Negotiate and Approve Change Orders Up to a Cumulative Value of 11.2% or \$75,000 of the Original Contract Amount; and to Appropriate \$890,000 from the Public Education and Government Fund for the Project. (Provides for the replacement of audio-visual equipment in the Karp/Estudillo Rooms and Carnegie Lecture Hall in the Main Library, the Titan Auditorium in the Marina Community Center and the Surlene Grant Community Meeting Room in the South Offices)

A motion was made by Councilmember Lee, seconded by Vice Mayor 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 2019-183

- 8.E. [19-572](#) Staff Report to Adopt an Ordinance Establishing the Salary of the Mayor

Received and Filed.

[19-571](#)

ORDINANCE Establishing the Mayor's Salary

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: 6 - Aguilar, Ballew, Cox, Hernandez, Lee, Lopez

Recused: 1 - Cutter

Enactment No: Ordinance 2019-020

10. ACTION ITEMS

10.A. [19-568](#)

Staff Report for a City of San Leandro City Council Resolution to Award a \$6,222,450 Construction Contract to Tricon Construction, Inc. for the Farrelly Pool Replacement Project, Project No. 2018.3420; to Authorize the City Manager to Negotiate and Approve Individual Change Orders Up to 5% (or \$311,123) of the Original Contract Amount; to Authorize the City Manager to Negotiate and Approve Change Orders Up to a Cumulative Value of 15% (or \$933,368) of the Original Contract Amount; and to Appropriate \$3,950,000 for the Project in Fiscal Year 2019-20

Received and Filed.

[19-569](#)

RESOLUTION of the City of San Leandro City Council to Award a \$6,222,450 Construction Contract to Tricon Construction, Inc. for the Farrelly Pool Replacement Project, Project No. 2018.3420; to Authorize the City Manager to Negotiate and Approve Individual Change Orders Up to 5% (or \$311,123) of the Original Contract Amount; to Authorize the City Manager to Negotiate and Approve Change Orders Up to a Cumulative Value of 15% (or \$933,368) of the Original Contract Amount; and to Appropriate \$3,950,000 for the Project in Fiscal Year 2019-20. (Provides for construction of the new Farrelly Pool Replacement Aquatics facility)

A motion was made by Councilmember Lopez, seconded by Councilmember Cox, that this Resolution be Adopted. A Substitute motion was made by Councilmember Ballew, the motion was lost for lack of a second. The motion carried by the following vote.

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

Nay: 1 - Ballew

Enactment No: Reso 2019-184

11. REPORT ON CLOSED SESSION ACTIONS TAKEN

None.

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

None.

14. COUNCIL REQUESTS TO SCHEDULE AGENDA ITEMS

-A motion was made by Vice Mayor Lopez, seconded by Councilmember Cox, to schedule a discussion related to the Alta Mira stained glass project at the Peralta house.

Roll call was taken as follows:

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

Nay: Hernandez

Absent: None

-A motion was made by Mayor Cutter, seconded by Councilmember Cox, to schedule a discussion related to future ownership and repairs of the Peralta house.

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 11:28 p.m., in memory of Deputy Brian Ishmael.

RESPECTFULLY SUBMITTED:

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