



City of San Leandro

Meeting Date: July 20, 2020

Minutes

File Number: 20-306

Agenda Section: CONSENT CALENDAR

Agenda Number: 8.A.

TO: City Council

FROM: Jeff Kay
City Manager

BY: Leticia Miguel
City Clerk

FINANCE REVIEW: Not Applicable

TITLE: Minutes of the City Council Meeting of July 06, 2020



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 6, 2020

7:00 PM

Access the meeting remotely by using this URL

<https://zoom.us/j/506831637>

**Joint Meeting of the City Council and the Successor Agency to the San Leandro
Redevelopment Agency of the City of San Leandro, and the San Leandro Public
Financing Authority**

San Leandro City Council conducted this meeting in accordance with the State Emergency Services Act, the Governor's Emergency Declaration related to COVID-19, and the Governor's Executive Order N-29-20 issued on March 17, 2020.

1. CALL TO ORDER

The meeting was called to order at 7:02 p.m.

1.A. PLEDGE OF ALLEGIANCE TO THE FLAG

1.B. ROLL CALL

Councilmembers Aguilar, Ballew, Cox, Hernandez, Lee, Lopez, and Mayor Cutter participated in the meeting via telephone conference call.

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

1.C. ANNOUNCEMENTS

The City Clerk reported there would be an update under Item 8. Consent Calendar, Item 8.A. Minutes of June 1, 2020, under Item 14. the word resend would be updated to note rescind.

2. RECOGNITIONS

None.

3. PUBLIC COMMENTS

There were approximately 29 public speakers.

Comments were made by the following individuals:

Celina Reynes, Joel Baum, Melisa Di Tano, Rebecca, Robert Bailey, Whitney Walker, Mitch Huitema, Douglas Spalding, Cynthia Chandler, Mike Katz-Lacabe, Nathasa Fernandez, Maria Magallon, Leo T. West, Buddy Roark, Jessica Barcello, Ho Nguyen, Pam Wall, Addie Kitchen, Mary Tieh, Kaitlin, Lawrence, Zachary Borja, Jim Prola, Derick Lee, Erina Kim-Eubanks, Selina McManus, Anna E. Edwards, Blue Arris Team, and Jay Lyn

4. PRESENTATIONS

4.A. [20-315](#) Presentation from Godbe Research Regarding Community Survey and Polling Results

There were approximately 9 public speakers.

Comments were made by the following individuals:

Cynthia Chandler, Stephen Cassidy, Celina Reynes, Eric, Brian Stewart, Jim Prola, Pam Wall, Buddy Roark and Garrett Crougar

Presented.

4.B. [20-237](#) Presentation on Multi-Family Development Standards Project Introduction (SB2 Funded)

There were approximately 3 public speakers.

Comments were made by the following individuals:

Celina Reynes, Brian Vuong, and Regine Shambrook

Presented.

The City Council Meeting recessed at 10:39 p.m. and reconvened at 10:50 p.m.

4.C. [20-322](#) City Council Discussion of Budget Re-Allocations for Fiscal Year 2020-21

There were approximately 16 public speakers.

Comments were made by the following individuals:

Mitch Huitema, Douglas Spalding, Rebecca Day-Rodriguez, Garrett Crougar, Buddy Roark, Mary Tieh, Allan Guskin, Celina Reynes, Cynthia Chandler, Lawrence, Abby, Erin, Martina McCormick, Yvonne Day-Rodriguez, Stephen Michael Tow, and Leo Sheridan

Presented.

5. PUBLIC HEARINGS

None.

6. CITY MANAGER AND CITY ATTORNEY REPORTS AND COMMENTS

None.

7. AMENDMENT OF CONSENT CALENDAR

Items 8.E., and 8.H. 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 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. [20-259](#)

Minutes of the City Council Meeting of June 01, 2020

Approved as Submitted on the Consent Calendar.

8.B. [20-294](#)

Minutes of the City Council Meeting of June 15, 2020

Approved as Submitted on the Consent Calendar.

8.C. [20-241](#)

Minutes of the Facilities and Transportation Committee Meeting of May 6, 2020

Approved as Submitted on the Consent Calendar.

8.D. [20-022](#)

Staff Report for a City of San Leandro City Council Resolution to Approve a Consulting Services Agreement with Denalect Alarm Company for the Design and Installation of Fire and Security Alarm Systems for the Farrelly Pool Replacement, Project No. 2018.3420 for an Amount Not to Exceed \$51,849; to Authorize the City Manager to Negotiate and Approve Individual Amendments up to 10% (or \$5,185) of the Original Contract Amount; and to Authorize the City Manager to Negotiate and Approve Cumulative Amendments up to 15% (or \$7,777) of the Original Contract Amount

Received and Filed on the Consent Calendar.

[20-023](#)

RESOLUTION of the City of San Leandro City Council to Approve a Consulting Services Agreement with Denalect Alarm Company for the Design and Installation of Fire and Security Alarm Systems for the Farrelly Pool Replacement, Project No. 2018.3420 for an Amount Not to Exceed \$51,849; to Authorize the City Manager to Negotiate and Approve Individual Amendments up to 10% (or \$5,185); and to Authorize the City Manager to Negotiate and Approve Cumulative Amendments up to 15% (or \$7,777) of the Original Contract Amount (provides for the installation of fire and security alarm systems for the new Farrelly Pool facility)

Adopted on the Consent Calendar.

Enactment No: Reso 2020-072

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

8.F. [20-230](#)

Staff Report for the City of San Leandro City Council Resolution, Calling and Giving Notice of the Holding of the November 3, 2020 General Municipal Election for the City of San Leandro

Received and Filed on the Consent Calendar.

[20-231](#)

RESOLUTION of the City of San Leandro City Council, Calling for the Holding of a General Municipal Election to Be Held on Tuesday, November 3, 2020, for the Election of Three City Councilmembers; Requesting the Board of Supervisors to Consolidate the Election with the Statewide General Election; and Adopting Regulations for Candidate Statements (provides for conducting the November 2020 General Municipal Election for Council Districts 2, 4, and 6, at an estimated cost of \$450,800 from the General Fund)

Adopted on the Consent Calendar.

Enactment No: Reso 2020-073

[20-268](#)

ORDINANCE of the City of San Leandro City Council to Establish Election and Nomination Procedures for the November 3, 2020 City of San Leandro General Municipal Election

Passed to Print on the Consent Calendar.

Enactment No: Ordinance 2020-007

8.G. [20-245](#)

Staff Report for a City of San Leandro City Council Resolution to Approve Parcel Map 10843 for Assessor's Parcel Number 075-0036-064-00; Owner, Subdivider and Applicant: Creekside Partners Parking, LLC

Received and Filed on the Consent Calendar.

[20-246](#) RESOLUTION of the City of San Leandro City Council to Approve Parcel Map 10843 for Assessor's Parcel Number 075-0036-064-00; Owner, Subdivider and Applicant: Creekside Partners Parking, LLC (provides for the subdivision of the Creekside Office property to accommodate the financing of an additional building)

Adopted on the Consent Calendar.

Enactment No: Reso 2020-074

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

8.I. [20-281](#) Staff Report for a Resolution of the City of San Leandro City Council to Approve a Consulting Services Agreement for \$150,000 of Community Development Block Grant (CDBG) Fiscal Year 2020-2021 Funds Between the City of San Leandro and Rebuilding Together Oakland-East Bay for the Provision of Housing Rehabilitation Grants.

Received and Filed on the Consent Calendar.

[20-282](#) RESOLUTION of the City of San Leandro City Council to Approve a Consulting Services Agreement for \$150,000 of Community Development Block Grant (CDBG) Fiscal Year 2020-2021 Funds Between the City of San Leandro and Rebuilding Together Oakland East Bay for the Provision of Housing Rehabilitation Grants.

Adopted on the Consent Calendar.

Enactment No: Reso 2020-075

8.J. [20-283](#) Staff Report for a City Council Resolution to Approve Community Development Block Grant (CDBG) Agreements Between the City of San Leandro and Two (2) CDBG Sub-Recipients for Public Services Grants to Address COVID-19 Impacts in FY2019-2021: 1) Service Opportunities for Seniors, Inc./SOS/Meals On Wheels (Amended FY2019-2020 Agreement Increased Grant Funding by \$15,000 to \$44,000) and 2) Centro Legal de la Raza for \$451,972 (New FY2020-2021 Agreement for \$451,972 in CDBB-CV to Administer a Rental Assistance Program)

Received and Filed on the Consent Calendar.

[20-284](#) RESOLUTION of the City of San Leandro to Approve Community Development Block Grant (CDBG) Agreements Between the City of San Leandro and Two (2) CDBG Sub-Recipients for Public Services Grants to Address COVID-19 Impact in Fiscal Year 2019-2021: 1) Service Opportunities for Seniors, Inc./SOS/Meals On Wheels (Amended FY2019-20 Agreement to Increase Grant Funding by \$15,000 to

\$44,000) and 2) Centro Legal de la Raza for \$451,972 (New FY2020-2021 Agreement for \$451,972 in CDBB-CV to Administer a Rental Assistance Program)

Adopted on the Consent Calendar.

Enactment No: Reso 2020-076

8.K. [20-285](#)

Staff Report for a City of San Leandro City Council Resolution to Approve a Loan totaling \$143,725 in Federal Community Development Block Grant Program Funds to Assist Building Futures for Women and Children with the Rehabilitation of the San Leandro Shelter located at 501 Davis Street.

Received and Filed on the Consent Calendar.

[20-286](#)

RESOLUTION of the City of San Leandro City Council to Approve a Loan for \$143,725 from CDBG Funds to the Building Futures for Women and Children, and to Authorize the City Manager to Execute the Loan Agreements

Adopted on the Consent Calendar.

Enactment No: Reso 2020-077

8.L. [20-274](#)

Staff Report for a City of San Leandro City Council Resolution Authorizing the City Manager to Execute Amendment No. 4 to a Non-Professional Services Agreement with Rubicon Landscape Corporation for Citywide Turf Maintenance for \$172,504.56 for Fiscal Year 2020-2021 and Approving an Appropriation of \$21,960 from the General Fund Undesignated Fund Balance Reserves to Account 010-62-001-5340

Received and Filed on the Consent Calendar.

[20-275](#)

RESOLUTION of the City of San Leandro City Council Authorizing the City Manager to Execute Amendment No. 4 to a Non-Professional Services Agreement with Rubicon Landscape Corporation for Citywide Turf Maintenance for \$172,504.56 for Fiscal Year 2020-2021 and Approving an Appropriation of \$21,960 from the General Fund Undesignated Fund Balance Reserves to Account 010-62-001-5340

Adopted on the Consent Calendar.

Enactment No: Reso 2020-078

8.M. [20-287](#)

Staff Report for a City of San Leandro City Council Resolution Authorizing the City Manager to Execute an Amendment to the Consulting Services Agreement with Townsend Public Affairs for State Legislative Advocacy Services, to Extend the Term of the Agreement through June 30, 2021 at the Same Rate, in an Amount Not to Exceed

\$60,000 Annually

Received and Filed on the Consent Calendar.

[20-288](#)

RESOLUTION of the City of San Leandro City Council to Authorize the City Manager to Execute an Amendment to the Consulting Services Agreement with Townsend Public Affairs for State Legislative Advocacy Services, to Extend the Term of the Agreement through June 30, 2021 at the Same Rate, in an Amount Not to Exceed \$60,000 Annually

Adopted on the Consent Calendar.

Enactment No: Reso 2020-079

8.N. [20-298](#)

Staff Report for a City of San Leandro City Council Resolution Confirming the Declaration of the Director of Emergency Services of the City of San Leandro Suspending Enforcement of Certain Provisions in Land Use Permits and Approvals and Zoning and Encroachment Requirements in the City of San Leandro Zoning Code and Municipal Code (Allows the Use of Adjacent Outdoor Public and Private Property for the Purposes of Conducting Business Activities)

Received and Filed on the Consent Calendar.

[20-299](#)

RESOLUTION of the City of San Leandro City Council Confirming the Declaration of the City of San Leandro Director of Emergency Services Suspending Enforcement of Certain Provisions in Land Use Permits and Approvals and Zoning and Encroachment Requirements in the San Leandro Municipal and Zoning Codes

Adopted on the Consent Calendar.

Enactment No: Reso 2020-080

8.O. [20-302](#)

Staff Report for City of San Leandro City Council Resolutions Updating Designations of Persons Authorized to Make Financial Transactions and Investments of Funds

Received and Filed on the Consent Calendar.

[20-303](#)

RESOLUTION of the City of San Leandro City Council to Rescind Resolution No. 2020-011 and to Designate Signers on City Checks and Persons Authorized to Make Fund Transfers by Telephone and Wire (Updates Names of City Officials Authorized to Deposit, Withdraw, and Transfer Funds for the City Treasury)

Adopted on the Consent Calendar.

Enactment No: Reso 2020-081

[20-304](#)

RESOLUTION of the City of San Leandro City Council to Rescind Resolution No. 2020-012 and Authorizing Investment of Monies in the

Local Agency Investment Fund and Designating Certain Depositories and Further Authorizing Specified City Officials to Remit Money in the City Treasury to the State Treasury for Deposit in the Local Agency Investment Fund

Adopted on the Consent Calendar.

Enactment No: Reso 2020-082

[20-305](#)

RESOLUTION of the City of San Leandro City Council, Acting in its Capacity as the Successor Agency to the Redevelopment Agency of the City of San Leandro, Rescinding Resolution No. 2020-002 SA and Authorizing Investment of Monies by the Successor Agency to the Redevelopment Agency of the City of San Leandro in the Local Agency Investment Fund and Designating Certain Depositories and Further Authorizing Specified Officers to Remit Money in the City Treasury to the State Treasury for Deposit in the Local Agency Investment Fund (LAIF) (Updating Successor Agency to the Redevelopment Agency of the City of San Leandro Signature Authority for LAIF)

Adopted on the Consent Calendar.

Enactment No: Reso 2020-003 SA

8.P. [20-323](#)

Staff Report for a City of San Leandro City Council Resolution to Terminate the Director of Emergency Services' May 31, 2020 Proclamation of a Local Emergency Due to Civil Unrest

Received and Filed on the Consent Calendar.

[20-324](#)

RESOLUTION of the City of San Leandro City Council Terminating the Proclamation of a Local Emergency By the Director of Emergency Services Due to Civil Unrest

Adopted on the Consent Calendar.

Enactment No: Reso 2020-083

9. ITEMS REMOVED FROM CONSENT CALENDAR

8.H. [20-279](#)

Staff Report for a City Council Resolution to Approve Community Development Block Grant (CDBG) Agreements for Fiscal Year 2020-2021 Between the City of San Leandro and CDBG Sub-Recipients for Public Services Grants to the Child Abuse Listening, Interviewing, and Coordination Center (CALICO) for \$47,789; Davis Street Family Resource Center for \$89,481; Service Opportunities for Seniors, Inc. (SOS/Meals On Wheels) for \$60,040; Spectrum Community Services (San Leandro Senior Nutrition Program) for \$43,127; Building Futures for Women and Children for \$25,000; Family Violence Law Center for \$25,000; La Clinica de la Raza for \$100,000; Asian Health Services for

\$100,000; and Eden Council for Hope and Opportunity (ECHO Housing) for \$10,000 (Approves 9 Agreements Totaling \$500,437)

Received and Filed.

[20-280](#)

RESOLUTION of the City of San Leandro City Council to Approve Community Development Block Grant (CDBG) Agreements for FY 2020-2021 Between the City of San Leandro and CDBG Sub-Recipients for Public Services Grants to the Child Abuse Listening, Interviewing, and Coordination Center (CALICO) for \$47,789; Davis Street Family Resource Center for \$89,481; Service Opportunities for Seniors, Inc. (SOS/Meals On Wheels) for \$60,040; Spectrum Community Services (San Leandro Senior Nutrition Program) for \$43,127; Building Futures for Women and Children for \$25,000; Family Violence Law Center for \$25,000; La Clinica de la Raza for \$100,000; Asian Health Services for \$100,000; and Eden Council for Hope and Opportunity (ECHO Housing) for \$10,000 (Approves 9 Agreements Totaling \$500,437)

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

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

Enactment No: Reso 2020-084

8.E. [20-204](#)

Staff Report for a City of San Leandro City Council Resolution to Award a \$7,876,926 Construction Contract to DeSilva Gates Construction, LP for the Annual Street Overlay and Rehabilitation 2018-2020, Project No. 2019.0050; to Authorize the City Manager to Negotiate and Approve Individual Change Orders up to 5% of the Original Contract Amount; and to Authorize the City Manager to Negotiate and Approve Change Orders up to a Cumulative Value of 25% of the Original Contract Amount.

Received and Filed.

[20-205](#)

RESOLUTION of the City of San Leandro City Council to Award a \$7,876,926 Construction Contract to DeSilva Gates Construction, LP for the Annual Street Overlay and Rehabilitation 2018-2020, Project No. 2019.0050; to Authorize the City Manager to Negotiate and Approve Individual Change Orders up to 5% of the Original Contract Amount; and to Authorize the City Manager to Negotiate and Approve Change Orders up to a Cumulative Value of 25% of the Original Contract Amount (Provides for roadway repair on various streets throughout the City)

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

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

Enactment No: Reso 2020-085

10. ACTION ITEMS

- 10.A. [20-317](#)** Staff Report for Consideration of a Temporary Limit on Fees Charged by Third Party Food Delivery Companies to Support Restaurants in San Leandro during the COVID-19 Pandemic

-A motion was made by Councilmember Aguilar, seconded by Councilmember Lopez, for a temporary moratorium on third party charges for food service delivery, placing a Commission and Capita (CAP) of fifteen percent (15%) average, with enforcement at civil level until the duration of the local State of Emergency or until all restaurants are able to open for dine in services.

Roll call was taken as follows:

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

Nay: None

Absent: None

Abstain: None

Received and Filed.

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

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 Lopez, seconded by Councilmember Aguilar, to schedule a report on the use of Measure A-1 Funding for Supportive Housing.

Roll call was taken as follows:

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

Nay: None

Absent: None

Abstain: None

-A motion was made by Councilmember Aguilar, seconded by Mayor Cutter, for staff to work with the community to allow the BLM Street mural on Parrot Street.

Roll call was taken as follows:

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

Nay: None

Absent: None

Abstain: None

-A motion was made by Councilmember Aguilar, seconded by Councilmember Lee, for a resolution declaring the KKK (Ku Klux Klan) a Terrorist Organization.

Roll call was taken as follows:

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

Nay: None

Absent: None

Abstain: None

15. ADJOURN

The meeting was adjourned at 2:08 a.m., Tuesday, July 7, 2020.

In memory of James Hyde and Patricia Campe

RESPECTFULLY SUBMITTED:

LETICIA I. MIGUEL

City Clerk of the City of San Leandro