



City of San Leandro

Meeting Date: December 7, 2020

Minutes

File Number: 20-570

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 16, 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, November 16, 2020

7:00 PM

Access the meeting remotely by using this URL

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

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 7:08 p.m.

1.A. PLEDGE OF ALLEGIANCE TO THE FLAG

1.B. ROLL CALL

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

Present 6 - Aguilar, Ballew, Hernandez, Lee, Lopez, Cutter

Excused 1 - Cox

1.C. ANNOUNCEMENTS

2. RECOGNITIONS

2.A. [20-524](#) Proclamation Declaring Monday, November 16, 2020 as Bob Glotch Day in San Leandro

Public Comment was received by Kimberly Pace.

Presented.

3. PUBLIC COMMENTS

There were approximately 6 public speakers.

Comments were made by the following individuals:

Joel Baum, Douglas Spalding, Celina Reynes, Mitch Huitema, Leo T. West, and Addie Kitchen.

4. PRESENTATIONS

- 4.A. [20-483](#) Presentation from Alameda County Local Agency Formation Committee (LAFCo) Regarding the Countywide Municipal Service Review

Presented.

5. PUBLIC HEARINGS

- 5.A. [20-470](#) Staff Report for the City of San Leandro City Council to Hold a Public Hearing on the FY 2019-2020 Consolidated Annual Performance and Evaluation Report (CAPER); Adopt a Resolution to Approve the FY 2019-2020 CAPER; and Authorize the City Manager To Execute All Related Documents And Submit The CAPER to The U.S. Department of Housing And Urban Development (HUD)

Mayor Cutter opened the public testimony portion of the public hearing at approximately 8:46 p.m.

There were approximately 2 public speakers.

Comments were made by the following individuals:

Douglas Spalding and Celina Reynes

The public testimony portion of the public hearing was closed at approximately 8:50 p.m.

Received and Filed.

[20-471](#)

RESOLUTION of the City of San Leandro City Council to Approve the Fiscal Year 2019-2020 Consolidated Annual Performance and Evaluation Report (CAPER) (approves the CAPER for submission to the U.S. Department of Housing and Urban Development)

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

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

Excused: 1 - Cox

Enactment No: Reso 2020-140

6. CITY MANAGER AND CITY ATTORNEY REPORTS AND COMMENTS

City Manager, Jeff Kay provided an update to Alameda County's Purple Tier status.

Public Comment was received by Douglas Spalding, Addie Kitchen, Leo T. West, and

Celina Reynes.

7. AMENDMENT OF CONSENT CALENDAR

Items 8.B., 8.C., 8.D., 8.E., 8.G., 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 Lopez, seconded by Councilmember Lee, to Approve the Consent Calendar. The motion carried by the following vote.

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

Excused: 1 - Cox

8.A. [20-523](#) Minutes of the City Council Meeting of November 02, 2020

Approved as Submitted on the Consent Calendar.

Items 8.B., 8.C., 8.D., and 8.E. were removed from the Consent Calendar to Item 9, Items Removed from Consent Calendar

8.F. [20-482](#) MOTION Approving the 2021 City Council Meeting Calendar

Adopted on the Consent Calendar.

Enactment No: Min Order 2020-010

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

8.I. [20-488](#) Staff Report for a City Council Resolution to Approve a 3-Year Maintenance Agreement with ConvergeOne for Cisco Network and Phone Equipment for the Total Amount of \$175,892.30

Received and Filed on the Consent Calendar.

[20-489](#) RESOLUTION of the City of San Leandro City Council to Approve a 3-Year Maintenance Agreement with ConvergeOne for Cisco Network and Phone Equipment for the Total Amount of \$175,892.30; and Authorizing the Appropriation of \$175,892.30 from the 688 Fund Balance (approves one agreement totaling \$175,892.30 and authorizes appropriation in the amount of \$175,892.30).

Adopted on the Consent Calendar.

Enactment No: Reso 2020-141

- 8.J. [20-509](#) Staff Report for a City of San Leandro City Council Resolution Approving Amendment No. 1 to the Declaration of the Director of Emergency Services of the City of San Leandro Establishing a Temporary Limit of 15% on Fees Charged by Third Party Food Delivery Companies to Support Restaurants in San Leandro During the COVID-19 Pandemic
Received and Filed on the Consent Calendar.

[20-512](#) RESOLUTION of the City of San Leandro City Council Approving Amendment No. 1 to the Declaration of the Director of Emergency Services of the City of San Leandro Establishing a Temporary Limit of 15% on Fees Charged by Third Party Food Delivery Companies to Support Restaurants in San Leandro During the COVID-19 Pandemic
Adopted on the Consent Calendar.

Enactment No: Reso 2020-142

- 8.K. [20-513](#) Staff Report for a City of San Leandro City Council Resolution to Approve a Five-Year Renewal Agreement with Accela, Inc for Citizen Access and Platform Automation Systems for Permitting for a total amount of \$567,946.42

Public Comment was received by Douglas Spalding.

Received and Filed on the Consent Calendar.

[20-514](#) RESOLUTION of the City of San Leandro City Council to Approve a Five-Year Renewal Agreement with Accela, Inc. for Citizen Access and Platform Automation Systems for Permitting for a Total Amount of \$567,946.42 (Approves One Agreement to be Paid Annually for Five Years).

Adopted on the Consent Calendar.

Enactment No: Reso 2020-143

9. ITEMS REMOVED FROM CONSENT CALENDAR

- 8.B. [20-522](#) Minutes of the Disaster Council Meeting of May 28, 2020

A motion was made by Councilmember Lopez, seconded by Vice Mayor Ballew, that this Minutes be Approved as Amended. The motion carried by the following vote.

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

Excused: 1 - Cox

- 8.C. [20-521](#) Minutes of the Disaster Council Meeting of May 21, 2020

A motion was made by Councilmember Lopez, seconded by Vice Mayor Ballew, that this Minutes be Approved as Amended. The motion carried by the following vote.

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

Excused: 1 - Cox

8.D. [20-510](#)

Minutes of the Disaster Council Meeting of May 14, 2020

A motion was made by Councilmember Lopez, seconded by Vice Mayor Ballew, that this Minutes be Approved as Amended. The motion carried by the following vote.

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

Excused: 1 - Cox

8.E. [20-501](#)

Minutes of the Disaster Council Meeting of May 7, 2020

A motion was made by Councilmember Lopez, seconded by Vice Mayor Ballew, that this Minutes be Approved as Amended. The motion carried by the following vote.

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

Excused: 1 - Cox

8.G. [20-476](#)

Staff report for a City of San Leandro City Council Resolution to Approve a Consulting Services Agreement with Griffin Structures, Inc. for Project Management of the Shoreline Park at the Marina Project No. 2020.3080 for an Amount not to Exceed \$586,248; to Authorize Individual Agreement Amendments up to 5% (\$29,312) and to Authorize Cumulative Agreement Amendments up to 15% (\$87,937)

Received and Filed.

[20-475](#)

RESOLUTION of the City of San Leandro City Council to Approve a Consulting Services Agreement with Griffin Structures, Inc. for Project Management of the Shoreline Park at the Marina Project No. 2020.3080 for an Amount Not to Exceed \$586,248; to Authorize Individual Agreement Amendments up to 5% (\$29,312) and to Authorize Cumulative Agreement Amendments up to 15% (\$87,937) (provides for management of consultants, budget, and schedule)

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

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

Excused: 1 - Cox

Enactment No: Reso 2020-144

- 8.H. [20-462](#) Staff report for a City of San Leandro City Council Resolution to Approve a Consulting Services Agreement with BKF Engineers, Inc. for Conceptual Design of Shoreline Park at the Marina Project No. 2020.3080 for an Amount Not to Exceed \$597,190; to Authorize Individual Agreement Amendments Up to 5% of the Contract and to Authorize Cumulative Agreement Amendments Up to 15% of the Contract

Public Comment was received by Douglas Spalding.

This matter was Received and Filed

- [20-463](#) RESOLUTION of the City of San Leandro City Council to Approve a Consulting Services Agreement with BKF Engineers, Inc. for Conceptual Design of Shoreline Park at the Marina Project No. 2020.3080 for an Amount not to Exceed \$597,190; to Authorize Individual Agreement Amendments up to 5% and to Authorize Cumulative Agreement Amendments up to 15% (provides for developing conceptual designs and obtaining design approval)

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

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

Excused: 1 - Cox

Enactment No: Reso 2020-145

The City Council Meeting recessed at 10:00 p.m. and reconvened at 10:07 p.m.

10. ACTION ITEMS

- 10.A. [20-472](#) Staff Report for City Council Approval of the City of San Leandro U.S. Department of Housing and Urban Development (HUD) Second Substantial Amendment to the U.S. Department of Housing and Urban Development (HUD) FY 2019-2020 Annual Action Plan

Received and Filed.

- [20-473](#) RESOLUTION of the City of San Leandro City Council Approving the Second Substantial Amendment to the U.S. Department of Housing and Urban Development (HUD) FY 2019-2020 Annual Action Plan and Authorizing the City Manager to Execute All Documents Related to the Submission of the Amended Plan to HUD; and Authorize the City Manager to Execute all Related Grant Documents identified in the FY 2019-2020 Annual Action Plan.

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

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

Excused: 1 - Cox

Enactment No: Reso 2020-146

10.B. [20-491](#)

Staff Report for a City of San Leandro City Council Resolution to Approve Amendment No. 1 to the Fiscal Year 2020-2021 Community Development Block Grant-Covid-19 (CDBG-CV) Contract t Between the City of San Leandro and Centro Legal de la Raza for an Amount Not to Exceed \$1,163,178 to Administer the City's Rental Assistance Program (increases FY2020-2021 Agreement by an additional \$711,206)

Received and Filed.

[20-492](#)

RESOLUTION of the City of San Leandro City Council to Approve Amendment No. 1 to the FY2020-2021 Community Development Block Grant-Covid-19 (CDBG-CV) Contract Between the City of San Leandro and Centro Legal de la Raza for an Amount Not to Exceed \$1,220,165 to Administer the City's Rental Assistance Program (increase FY2020-2021 Agreement by an additional \$768,193 in CDBG-CV funds from the U.S. Department of Housing and Urban Development)

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

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

Excused: 1 - Cox

Enactment No: Reso 2020-147

10.C. [20-540](#)

MOTION to take Item 10.C., Legistar File Numbers 20-289 and 20-390, from the table. This item was previously tabled at the City Council meeting of September 8, 2020.

-A motion was made by Mayor Cutter, seconded by Vice Mayor Ballew, to continue tabling this item.

Roll call was taken as follows:

Aye: Ballew, Mayor Cutter

Nay: Aguilar, Hernandez, Lee

Absent: Cox

Abstain: Lopez

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

Excused: 1 - Cox

Enactment No: Min Order 2020-011

[20-389](#)

Staff Report for a City of San Leandro City Council Ordinance to Add Chapter 6-10 to Title 6 of the San Leandro Municipal Code Relating to Standing or Sitting on Traffic Medians or near Curbs

There were approximately 7 public speakers.

Comments were made by the following individuals:

Erina Kim-Eubanks, Carol Habercoss, Robrich, David Hauptert, Douglas Spalding, Celina Reynes, and Martina.

Received and Filed.

[20-390](#)

ORDINANCE of the City of San Leandro City Council to Add Chapter 6-10 to Title 6 of the San Leandro Municipal Code Relating to Standing or Sitting on Traffic Medians or near Curbs.

A motion was made by Councilmember Aguilar, seconded by Councilmember Lopez, that this Ordinance be Failed. The motion carried by the following vote.

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

Excused: 1 - Cox

11. REPORT ON CLOSED SESSION ACTIONS TAKEN

City Attorney Richard Pio Roda reported there was no reportable action 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 11:04 p.m.
In memory of Forrest Wayne Rusk and Ricky Ricardo Jr.*

RESPECTFULLY SUBMITTED:

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