



# City of San Leandro

Meeting Date: June 21, 2021

## Minutes

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**File Number:** 21-394

**Agenda Section:** CONSENT CALENDAR

**Agenda Number:** 8.A.

**TO:** City Council

**FROM:** Fran Robustelli  
City Manager

**BY:**

**FINANCE REVIEW:** Not Applicable

**TITLE:** Minutes of the City Council Meeting of June 7, 2021

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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*

*Bryan Azevedo, District 2*

*Victor Aguilar, Jr., District 3*

*Fred Simon, District 4*

*Corina N. Lopez, District 5*

*Pete Ballew, District 6*

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Monday, June 7, 2021

6:30 PM

Access the meeting remotely by using this URL

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

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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 6:33 p.m.*

#### 1.A. PLEDGE OF ALLEGIANCE TO THE FLAG

*Public Comment was received by Stephen Michael Tow.*

#### 1.B. ROLL CALL

**Present** 7 - Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Cutter

#### 1.C. ANNOUNCEMENTS

#### 2. RECOGNITIONS

2.A. [21-343](#) Proclamation Declaring June 2021 as Pride Month

*Public Comment was received by Susan, Celina Reynes, and Barbara.*

**Presented.**

2.B. [21-345](#) Proclamation Honoring Gari Laranang for His Service to the City of San Leandro

**Presented.**

### 3. PUBLIC COMMENTS

*There were approximately 7 public speakers.*

*Comments were made by the following individuals:*

*Celina Reynes, Stephen Michael Tow, Douglas Spalding, Rob Rich, Joel Baum, Mike Katz-Lacabe, and Leo T. West*

### 4. PRESENTATIONS

- 4.A. [21-312](#) Introduction to Sogorea Te' Land Trust and Corrina Gould, Tribal Spokesperson for the Confederated Villages of Lisjan/Ohlone

*There were approximately 8 public speakers.*

*Comments were made by the following individuals:*

*Barbara, Douglas Spalding, Leo T. West, Stephen Michael Tow, Maureen Forney, Whitney, Pam Wool, Mitch Huitema*

**Presented.**

### 5. PUBLIC HEARINGS

- 5.A. [21-327](#) Staff Report for a City of San Leandro City Council Resolution Approving Adjustments to Environmental Services Fees, Including Fees for Certified Unified Program Agency (CUPA) and Pretreatment Services, for Fiscal Year 2021-2022.

*Mayor Cutter opened the public testimony portion of the public hearing. No Public Comment was received. The public testimony portion of the public hearing was closed.*

**Received and Filed.**

- [21-328](#) RESOLUTION of the City of San Leandro City Council Amending Title 6, Chapter 4 of the San Leandro Administrative Code Relating to Fees and Charges for Services Provided by City Departments (adjusts Environmental Services Section fees, effective July 1, 2021)

**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, Azevedo, Ballew, Cox, Lopez, Simon, Cutter

Enactment No: Reso 2021-081

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

### 7. AMENDMENT OF CONSENT CALENDAR

Item 8.B. was 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 Azevedo, seconded by Councilmember Aguilar, to Approve the Consent Calendar. The motion carried by the following vote.

**Aye:** 7 - Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Cutter

- 8.A. [21-222](#) Minutes of the Finance Committee of February 2, 2021

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

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

- 8.C. [21-322](#) Staff Report for a City of San Leandro City Council Resolution for the Approval of Fiscal Year 2022 Proposed Projects Paid from the State's Road Maintenance and Rehabilitation Account to City's Gas Tax Fund (140-31-057) for Streets Maintenance

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

- [21-321](#) RESOLUTION of the City of San Leandro City Council to Approve Fiscal Year 2022 Proposed Projects Paid from the State's Road Maintenance and Rehabilitation Account to City's Gas Tax Fund (140-31-057) for Streets and Roads Maintenance

**Adopted on the Consent Calendar.**

Enactment No: Reso 2021-082

- 8.D. [21-325](#) Staff Report for a City of San Leandro City Council Resolution to Approve Recommendations from the City of San Leandro Human Services Commission for Community Assistance Program Grants for Fiscal Years 2021-2022 and 2022-2023

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

- [21-326](#) RESOLUTION of the City of San Leandro City Council to Approve Recommendations from the City of San Leandro Human Services Commission for Community Assistance Program (CAP) Grants for Fiscal Years 2021-2022 and 2022-2023 (authorizes the City Manager to enter into CAP Grant agreements as recommended by the Human Services Commission of \$150,000 per fiscal year in account 010-61-014-8513 in the Fiscal Years 2021-2022 and 2022-2023 proposed budget)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2021-083

- 8.E. [21-357](#) Staff Report for a City of San Leandro City Council Resolution Approving the Agreement between the City of San Leandro and Chandler Asset Management for Investment Services effective July 1, 2021

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

- [21-358](#) RESOLUTION of the City of San Leandro City Council Approving the Agreement between the City of San Leandro and Chandler Asset Management for Investment Services effective July 1, 2021.

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

Enactment No: Reso 2021-084

## 9. ITEMS REMOVED FROM CONSENT CALENDAR

- 8.B. [21-293](#) Staff Report for a City of San Leandro City Council Resolution to Award a \$3,656,891 Construction Contract to American Pavement Systems, Inc. for the Annual Street Sealing 2019-2021 Project, Project No. 2021.0070; to Authorize the City Manager to Negotiate and Approve Individual Change Orders Up to 10% (\$365,690) of the Original Contract Amount; and to Authorize the City Manager to Negotiate and Approve Change Orders up to a Cumulative Value not to Exceed 20% (\$731,380) of the Original Contract Amount

**Received and Filed.**

- [21-294](#) RESOLUTION of the City of San Leandro City Council to Award a \$3,656,891 Construction Contract to American Pavement Systems, Inc. for the Annual Street Sealing 2019-2021 Project, Project No. 2021.0070; to Authorize the City Manager to Negotiate and Approve Individual Change Orders Up to 10% (\$365,690) of the Original Contract Amount; and to Authorize the City Manager to Negotiate and Approve Change Orders up to a Cumulative Value not to Exceed 20% (\$731,380) of the Original Contract Amount. (Provides for the application of preventive maintenance treatments on City street segments in the 2020 and 2021 Asphalt Maintenance Zones and authorization for the City Manager to negotiate and execute contract change orders up to 20% of the contract amount)

**A motion was made by Councilmember Cox, seconded by Councilmember Azevedo, that this Resolution be Adopted. The motion carried by the following vote.**

**Aye:** 7 - Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Cutter

Enactment No: Reso 2021-085

**10. ACTION ITEMS**

- 10.A.** [21-346](#) Staff Report for the San Leandro City Council to Approve the Naming of the Existing Police Administration Building to the “Robert J. P. Maginnis Police Administration Building” According to the Guidelines Outlined in Title 1 Chapter 10 of the San Leandro Administrative Code
- Received and Filed.**

The City Council Meeting recessed at 9:19 p.m. and reconvened at 9:25 p.m.

- 10.B.** [21-359](#) Staff Report for a City of San Leandro City Council Resolution Approving and Authorizing the City Manager to Execute all Documents and Take All Actions to Establish a Section 115 Pension Trust with the Public Agency Retirement Services (PARS)
- Public Comment was received by Celina Reynes and Douglas Spalding.*
- Received and Filed.**

[21-360](#) RESOLUTION of the City of San Leandro City Council Approving and Adopting the Public Agencies Post-Employment Benefits Trust Administered by Public Agency Retirement Services (PARS) for Pre-funding Pension Liabilities (Program), Appointing the City Manager as the Plan's Administrator for the Program, and Authorizing the City Manager as the Plan Administrator for the Program to Execute the PARS Agreement and Other Administrative Documents and to Take Other Additional Actions

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

**Aye:** 7 - Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Cutter

Enactment No: Reso 2021-086

[21-361](#) RESOLUTION of the City of San Leandro City Council Adopting the Investment Guidelines for the City's Section 115 Pension Trust, Authorizing the Transfer of \$750,000 to PARS to Establish the Pension Trust, and Appropriating the \$750,000 OPEB Allocation in the Self Insurance Fund (Fund 689) from Fiscal Year 2020-2021 to the Fiscal Year 2021-2022 Budget

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

**Aye:** 7 - Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Cutter

Enactment No: Reso 2021-087

**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**

*-A motion was made by Councilmember Ballew, seconded by Councilmember Lopez, to schedule on the next available Facilities and Transportation Committee agenda, a discussion related to adopting a military banner program to honor those who have served or are serving.*

*Roll call was taken as follows:*

*Aye: Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Mayor Cutter*

*Nay: None*

*Absent: None*

*Abstain: None*

*-A motion was made by Councilmember Lopez, seconded by Councilmember Simon, to schedule on the next available Rules Committee agenda, a discussion to research the naming of Mayor David Karp and consider removing his name from the Public Library room and any facility named after him. .*

*Roll call was taken as follows:*

*Aye: Aguilar, Azevedo, Ballew, Cox, Lopez, Simon*

*Nay: Mayor Cutter*

*Absent: None*

*Abstain: None*

*-A motion was made by Councilmember Azevedo, seconded by Councilmember Simon, to schedule on the next available Rules Committee agenda, a discussion to related to translation services for city Council meetings. This includes providing agendas in multiple languages and have public comment translators and advertise it.*

*Roll call was taken as follows:*

*Aye: Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Mayor Cutter*

*Nay: None*

*Absent: None*

*Abstain: None*

*-A motion was made by Vice Mayor Aguilar, seconded by Councilmember Azevedo, to schedule on the next available Rules Committee agenda, a discussion to adopt a soft*

*story construction ordinance update.*

*Roll call was taken as follows:*

*Aye: Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Mayor Cutter*

*Nay: None*

*Absent: None*

*Abstain: None*

*-A motion was made by Vice Mayor Aguilar, seconded by Councilmember Azevedo, to schedule on the next available Rules Committee agenda, a discussion to adopt a soft story construction ordinance update.*

*Roll call was taken as follows:*

*Aye: Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Mayor Cutter*

*Nay: None*

*Absent: None*

*Abstain: None*

*-A motion was made by Councilmember Simon, seconded by Councilmember Lopez, to bring back to a discussion on June 21, 2021 to allow 10 seconds prior to public comment.*

*Roll call was taken as follows:*

*Aye: Aguilar, Azevedo, Lopez, Simon,*

*Nay: Ballew, Cox, Mayor Cutter*

*Absent: None*

*Abstain: None*

**15. ADJOURN**

*The meeting was adjourned at 10:35 p.m.*

*In memory of Gari Laranang.*

**RESPECTFULLY SUBMITTED:**

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