



# City of San Leandro

Meeting Date: June 21, 2021

## Minutes

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**File Number:** 21-344

**Agenda Section:** CONSENT CALENDAR

**Agenda Number:** 8.C.

**TO:** City Council

**FROM:** Fran Robustelli  
City Manager

**BY:**

**FINANCE REVIEW:** Not Applicable

**TITLE:** Minutes of the City Council Meeting of May 17, 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, May 17, 2021

7:00 PM

Access the meeting remotely by using this URL

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

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### Revised Meeting

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

*Public Comment was received by Selina McManus*

#### 1.B. ROLL CALL

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

#### 1.C. ANNOUNCEMENTS

#### 2. RECOGNITIONS

2.A. [21-301](#) Proclamation Honoring Ms. Daisy Murray

**Presented.**

2.B. [21-304](#) Proclamation Declaring May 22nd as Harvey Milk Day in San Leandro

**Presented.**

2.C. [21-303](#) Proclamation Declaring May as Jewish Heritage Month in San Leandro

*Public Comment was received by Leo T. West.*

**Presented.**

2.D. [21-300](#) Proclamation Honoring Older Americans Month

**Presented.**

2.E. [21-307](#) Proclamation Honoring Elder Abuse Awareness Month

**Presented.**

2.F. [21-315](#) Proclamation Declaring the month of May 2021 as Mental Health Awareness Month

*There were approximately 5 public speakers.*

*Comments were made by the following individuals:*

*Ms. Hewitt King, Stephen Michael Tow, Selina McManus, Lawrence, Jay Bartell*

**Presented.**

### 3. PUBLIC COMMENTS

*There were approximately 27 public speakers.*

*Comments were made by the following individuals:*

*Ms. Navarro, Stephen Michael Tow, Ted Demos, Mitch Huitema, Celina Reynes, Mark Kamakea, Douglas Spalding, Ms. Hewitt King, Jay Bartell, Randy Waggle, Leo T. West, Pam Wool, Mike Katz-Lacabe, Selina McManus, Barbara, Lawrence, Robert DeCoitto, Jade, Stephen Cassidy, Molly Almeida, Joel Baum, Whitney Walker, Ed Hernandez, Jacqueline Props, Shayda Shahfari, and Addie Kitchen*

The City Council Meeting recessed at 9:00 p.m. and reconvened at 9:12 p.m.

### 4. PRESENTATIONS

4.A. [21-290](#) Presentation from East Bay Community Energy on a Proposed Partnership with the City of San Leandro for Solar and Battery Energy Storage Systems at Various City Facilities

*There were approximately 6 public speakers.*

*Comments were made by the following individuals:*

*Douglas Spalding, Leo T. West, Juan Gonzalez, Mitch Huitema, Lawrence, and Jim Prola*

**Presented.**

8.K. [21-291](#) RESOLUTION of the City of San Leandro City Council Authorizing the

City Manager to Pursue Widespread Deployment of Solar and Battery Energy Systems at Critical Municipal Facilities in Partnership with the City's Public Power Provider, East Bay Community Energy (EBCE), and to Commit to Installations of Systems Through a Standard Power Purchase Agreement with EBCE

**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 2021-071

**4.B. [21-329](#)**

SEED Collaborative Project Update

*There were approximately 5 public speakers.*

*Comments were made by the following individuals:*

*Celina Reynes, Stephen Michael Tow, Douglas Spalding, Surlene Grant, and Leo T. West*

**Presented.**

-A motion was made by Councilmember Ballew, seconded by Councilmember Azevedo, with a friendly amendment by Councilmember Simon, not accepted. A substitute motion was made by Councilmember Lopez, seconded by Vice Mayor Aguilar, with a friendly amendment by Mayor Cutter to adjourn the meeting, Items 10.A., 11, 12, and 14 were not heard and adjourned to the Adjourned Meeting of Monday, May 24, 2021.

Roll call was taken as follows:

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

Nay: None

Absent: None

Abstain: None

**5. PUBLIC HEARINGS**

*None.*

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

*Public Comment was received by Douglas Spalding.*

**7. AMENDMENT OF CONSENT CALENDAR**

*None.*

**8. CONSENT CALENDAR**

## Approval of the Consent Calendar

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

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

**8.A.** [21-234](#)

Minutes of the Disaster Council Meeting of March 18, 2021

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

**8.B.** [21-233](#)

Minutes of the Disaster Council Meeting of March 4, 2021

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

**8.C.** [21-229](#)

Staff Report for a City of San Leandro City Council Resolution to Authorize the City Manager to Execute and Pay \$87,000 for a Public Highway and Pedestrian At-Grade Crossing Agreement with Union Pacific Railroad Company; Appropriate Additional Grant Funding of \$493,738; and to Approve Amendment No. 2 to a Consulting Services Agreement with Harrison Engineering, Inc. for an Increase of \$11,000 for a Total Contract Amount of \$60,900 and to Extend the Term of the Contract to December 31, 2022; all for the Washington/Chapman Railroad Crossing Improvements Project; Project No. 2016.0320 (Agreement with Union Pacific Railroad Company (UPRR) to allow improvements at the Washington/Chapman Railroad Crossing and approve and appropriate grant funds for the project.)

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

[21-230](#)

RESOLUTION of the City of San Leandro City Council to Authorize the City Manager to Execute and Pay \$87,000 for a Public Highway and Pedestrian At-Grade Crossing Agreement with Union Pacific Railroad Company; and Appropriate Additional Grant Funding of \$493,738 for the Washington/Chapman Railroad Crossing Improvements Project; Project No. 2016.0320 (provides for an agreement that will allow City to make pedestrian safety enhancements at the subject railroad crossing)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2021-072

[21-231](#)

RESOLUTION of the City of San Leandro City Council to Approve Amendment No. 2 to a Consulting Services Agreement with Harrison Engineering, Inc. for an Increase of \$11,000 for a Total Contract Amount of \$60,900 and to Extend the Term of the Contract to December 31, 2022 for Design Services for the Washington/Chapman Railroad Crossing Improvements Project; Project No. 2016.0320 (provides for additional design services for the subject project)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2021-073

- 8.D. [21-246](#) Staff Report for a City of San Leandro City Council Resolution to Accept the Work for the Bicycle Network West, Project No. 2014.0340

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

[21-247](#) RESOLUTION of the City of San Leandro City Council to Accept the Work for the Bicycle Network West, Project No. 2014.0430 (provides for acceptance of the work performed by the Chrisp Company, filing the Notice of Completion, releasing the Performance and Payment Bonds, and releasing of Maintenance Bond upon 1-year completion of maintenance period)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2021-074

- 8.E. [21-263](#) Staff Report for a City of San Leandro City Council Resolution to Authorize the City Manager to Enter into a \$14 Million Project Funding Agreement with the Alameda County Transportation Commission for Discretionary Funding Provided by the Measure BB Transportation Sales Tax Revenue

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

[21-264](#) RESOLUTION of the City of San Leandro City Council to Authorize the City Manager to Enter into a \$14 Million Project Funding Agreement with the Alameda County Transportation Commission for Discretionary Funding Provided by the Measure BB Transportation Sales Tax Revenue (Provides for an agreement with the Alameda County Transportation Commission for Measure BB grant funds to rehabilitate City streets)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2021-075

- 8.F. [21-278](#) Staff Report for a City of San Leandro City Council Resolution to Authorize the City Manager to Execute Amendment No. 4 to a Consulting Services Agreement with Bertrand, Fox, Elliot, Osman & Wenzel for Legal Representation Associated with Tort Liability Claims and Litigation, increasing the contract by \$972,279

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

[21-279](#) RESOLUTION of the City of San Leandro City Council Authorizing the City Manager to Execute Amendment No. 4 to a Legal Services Agreement with Bertrand, Fox, Elliot, Osman & Wenzel for Legal Representation Associated with Tort Liability Claims and Litigation,

Increasing the Contract by \$972,279

**Adopted on the Consent Calendar.**

Enactment No: Reso 2021-076

**8.G. [21-284](#)**

Staff Report for a City of San Leandro City Council Resolution to Amend the San Leandro City Employees' Association Salary Schedule to Add Assistant Planner, Associate Planner and Senior Planner and to Delete Project Planner

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

[21-285](#)

RESOLUTION of the City of San Leandro City Council to Amend the San Leandro City Employees' Association Salary Schedule to Add Assistant Planner, Associate Planner, Senior Planner Classifications and to Delete the Project Planner Classification

**Adopted on the Consent Calendar.**

Enactment No: Reso 2021-077

**8.H. [21-286](#)**

Staff Report for a City Council Resolution to Approve a Consulting Services Agreement with ConvergeOne for a Data Center Storage Upgrade for the Amount of \$157,518.14; and Authorizing the Appropriation of \$157,518.14 from the IT Fund Balance (approves one agreement totaling \$157,518.14 and authorizes appropriation in the amount of \$157,518.14).

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

[21-287](#)

RESOLUTION of the City of San Leandro City Council to Approve a Consulting Services Agreement with ConvergeOne for a Data Center Storage Upgrade for \$157,518.14; and Authorizing the Appropriation of \$157,518.14 from the IT Fund Balance (approves one agreement totaling \$157,518.14 and authorizes appropriation in the amount of \$157,518.14).

**Adopted on the Consent Calendar.**

Enactment No: Reso 2021-078

**8.I. [21-288](#)**

Staff Report for a City of San Leandro City Council Resolution Approving the City of San Leandro's Investment Policy Statement for Fiscal Year 2021-2022

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

[21-289](#)

RESOLUTION of the City of San Leandro City Council Approving the City of San Leandro's Investment Policy Statement for Fiscal Year 2021-2022 (provides for annual review and approval of the City's Investment Policy Statement as required by California Government Code Section 53600 et

seq., and Section VIII of the San Leandro Investment Policy)

**Adopted on the Consent Calendar.**

Enactment No: Reso 2021-079

- 8.J.** [21-298](#) Staff Report for a City of San Leandro City Council Resolution Approving Amendment No. 2 to the Consultant Services Agreement between the City of San Leandro and Maze & Associates for Audit Services for the Year Ending June 30, 2021

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

- [21-299](#) RESOLUTION of the City of San Leandro City Council Approving Amendment No. 2 to Consultant Services Agreement between the City of San Leandro and Maze & Associates for Audit Services for the Year Ending June 30, 2021

**Adopted on the Consent Calendar.**

Enactment No: Reso 2021-080

Item 8.K. was moved up on the Agenda, after Item 4.A.

- 8.L.** [21-308](#) Staff Report for MOTION to Accept the Fiscal Year 2020-21 Third Quarter Financial Report as of March 31, 2021

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

- [21-309](#) MOTION to Accept the Fiscal Year 2020-21 Third Quarter Financial Report as of March 31, 2021

**Adopted on the Consent Calendar.**

Enactment No: Min Order 2021-018

## **9. ITEMS REMOVED FROM CONSENT CALENDAR**

## **10. ACTION ITEMS**

- 10.A.** [21-296](#) Staff Report for the City of San Leandro Housing Element Annual Progress Report for the 2020 Calendar Year

## **11. REPORT ON CLOSED SESSION ACTIONS TAKEN**

## **12. CITY COUNCIL REPORTS**

## **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**

**15. ADJOURN**

*The meeting was adjourned at 11:09 p.m.*

**RESPECTFULLY SUBMITTED:**

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