



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 Stephen H. Cassidy
Michael Gregory, District 1
Ursula Reed, District 2
Diana Souza, District 3
Joyce Starosciak, District 4
Pauline Russo Cutter, District 5
Jim Prola, District 6*

Monday, March 5, 2012

7:00 PM

City Council Chambers

1. CALL TO ORDER

The meeting was called to order at 7:11 p.m.

1.A. PLEDGE OF ALLEGIANCE

Mayor Cassidy led the Pledge of Allegiance to the Flag.

1.B. ROLL CALL

Present 7 - Cassidy, Cutter, Gregory, Prola, Reed, Souza, Starosciak

1.C. ANNOUNCEMENTS

None.

2. PRESENTATIONS/ RECOGNITIONS

- 2.A. [12-036](#) Proclamation Declaring March 2012 as "American Red Cross Month" in San Leandro
- 2.B. [12-081](#) Presentation by Library Services Director David Bohne on Upcoming Library Events: The Big Read and Topaz Exhibit
- 2.C. [12-018](#) Presentation by Alameda County Transportation Commission on the New Transportation Expenditure Plan (TEP)

3. PUBLIC HEARINGS – CITY COUNCIL

- 3.A. [12-099](#) Staff Report for the Matter of Appeal by D. McKinney, Appellant, of the Decision of the Board of Zoning Adjustment's Revocation of PLN2011-00021; Conditional Use Permit (CUP) to Operate a Trailer

Rental and Sales Business at 2661 Alvarado Street, Unit 22. The property referenced in the CUP was used for an unauthorized activity other than the operation of the trailer rental business through rental to an entity that conducted a public assembly in the trailer business location. The unauthorized occupancy violated the PLN2011-00021 Conditions of Approval. Assessor's Parcel Number 77A-648-3-11; R. Legallet, 2661 Alvarado LLC (property owner); IG Industrial General District.

[12-106](#)

MOTION: Motion Continuing the Matter of Appeal by D. McKinney, Appellant, of the Decision of the Board of Zoning Adjustments' Revocation of PLN2011-00021; Conditional Use Permit (CUP) to Operate a Trailer Rental and Sales Business at 2661 Alvarado Street, Unit 22; Assessor's Parcel Number 77A-648-3-11; R. Legallet, 2661 Alvarado LLC (Property Owner) to the April 16, 2012 City Council Meeting

A motion was made by Councilmember Reed, seconded by Councilmember Prola, that this Minute Order be Adopted. The motion carried by the following vote.

Aye: 7 - Cassidy, Cutter, Gregory, Prola, Reed, Souza, Starosciak

Enactment No: Min Order 2012-008

3.B. [12-062](#)

Staff Report for the City of San Leandro U.S. Department of Housing and Urban Development (HUD) Draft FY 2012-2013 Annual Action Plan

The Hearing was opened to the public.

PATRICIA BIDER, Building Futures with Women and Children, read a letter to the Council from Liz Varela, Executive Director of BFWC. She thanked the Council for consideration of a \$50,000 contribution to rehab their Safe House, and requested that the Council consider finding other funding sources to replace lost CDBG funding for the San Leandro Shelter and other San Leandro nonprofit service providers.

There being no public comments, and without objection, the Public Hearing was closed.

[12-090](#)

MOTION: Motion Directing Staff to Hold a Public Hearing, Publish the Proposed FY 2012-2013 Annual Action Plan for a 30-Day Comment Period (March 16 - April 16, 2012), and Set a Public Hearing for April 16, 2012 to Consider Final Approval of the FY 2012-2013 Annual Action Plan

A motion was made by Councilmember Prola, seconded by Councilmember Reed, that this Minute Order be Adopted. The motion carried by the following vote.

Aye: 6 - Cutter, Gregory, Prola, Reed, Souza, Starosciak

Nay: 1 - Cassidy

Enactment No: Min Order 2012-009

4. PUBLIC HEARINGS – OTHER

5. PUBLIC COMMENTS

DAVE CAMPBELL, East Bay Bicycle Coalition, invited everyone to participate in Bike To Work Day on Thursday, May 10, 2012, and thanked the City of San Leandro for being an official sponsor of the event.

6. CITY MANAGER AND CITY ATTORNEY REPORTS AND COMMENTS

6.A. [12-095](#) Follow-Up on City Council Retreat of February 25, 2012

Mr. Zapata reported that there was record-breaking attendance at the City Council Retreat on February 25, 2012. He expressed appreciation for the gracious welcome to San Leandro that he has received.

7. AMENDMENT OF CONSENT CALENDAR

Items 8.L. and 8.M. 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 Starosciak, seconded by Councilmember Prola, to Approve the Consent Calendar. The motion carried by the following vote.

Aye: 7 - Cassidy, Cutter, Gregory, Prola, Reed, Souza, Starosciak

8.A. [12-091](#) APPROVE: Minutes of the Meeting of February 21, 2012

Approved as Submitted on the Consent Calendar.

8.B. [12-097](#) ACCEPT: Facilities and Transportation Committee Meeting Highlights of February 14, 2012

Accepted as Submitted on the Consent Calendar.

8.C. [12-107](#) ACCEPT: City and San Leandro Unified School District Liaison Committee Meeting Highlights of February 2, 2012

COMMITTEE RECOMMENDATION: Direct the City Manager to enable City staff to work with District staff to develop estimates for maintenance and operational costs, to be brought back to the Liaison Committee for discussion

Accepted as Submitted on the Consent Calendar.

- 8.D. [12-057](#) ADOPT: Ordinance No. 2012-002, an Ordinance Amending Provisions of the San Leandro Zoning Code Relating to Miscellaneous Changes to the NA-2, SA-2, and DA-3 Zoning Districts Related to Assembly Uses and Cultural Institutions

Adopted on the Consent Calendar.

Enactment No: Ordinance 2012-002

- 8.E. [12-088](#) Staff Report for Approval of the 2012 Alameda County Transportation Expenditure Plan and Request for the Alameda County Board of Supervisors to Place an Extension and Augmentation Measure of the Existing Transportation Sales Tax on the November 6, 2012 Ballot

[12-089](#) ADOPT: Resolution for Approval of the 2012 Alameda County Transportation Expenditure Plan and Request for the Alameda County Board of Supervisors to Place an Extension and Augmentation Measure for the Existing Transportation Sales Tax on the November 6, 2012 Ballot (approves the County's plan for transportation projects and asks the County to place a measure for a half-cent sales tax increase before voters to fund the plan)

Adopted on the Consent Calendar.

Enactment No: Reso 2012-018

- 8.F. [12-074](#) Staff Report for Resolution Declaring Nine Vehicles and One Street Striper Surplus, Authorizing the Sale of Donating One Truck to the San Leandro Unified School District for \$1,000, and Selling the Remaining Vehicles and the Striper at Public Auction

[12-075](#) Resolution Declaring Nine Vehicles and One Street Striper Surplus, Authorizing the Sale Donation of One Truck to the San Leandro Unified School District for \$1,000, and Selling the Remaining Vehicles and the Striper at Public Auction

Adopted on the Consent Calendar.

Enactment No: Reso 2012-019

- 8.G. [12-087](#) Staff Report for Cleanup Resolution of the City Council of the City of San Leandro Electing to Receive Statutory Passthrough Payments with Respect to the West San Leandro/MacArthur Boulevard Redevelopment Project Area

[12-085](#) ADOPT: Cleanup Resolution of the City Council of the City of San Leandro Electing to Receive Statutory Passthrough Payments with Respect to the West San Leandro/MacArthur Boulevard Redevelopment Project Area (generates revenue of \$120,000 annually to General Fund starting in FY 2011-12)

Adopted on the Consent Calendar.

Enactment No: Reso 2012-020

- 8.H. [12-068](#) Staff Report for Authorizing the City Manager to Enter the City into a Master Programs Funding Agreement with the Alameda County Transportation Commission (Alameda CTC) for the Distribution and Receipt of Measure B Transportation Sales Tax Revenue and Vehicle Registration Fee Revenue

[12-069](#) ADOPT: Resolution Authorizing the City Manager to Enter the City into a Master Programs Funding Agreement with the Alameda County Transportation Commission (Alameda CTC) for the Distribution and Receipt of Measure B Transportation Sales Tax Revenue and Vehicle Registration Fee Revenue

Adopted on the Consent Calendar.

Enactment No: Reso 2012-021

- 8.I. [12-043](#) Staff Report for the Elimination of the Left-Turn Restrictions from Washington Avenue onto Monterey Boulevard and Anza Way When the Traffic Signal Upgrade Project Is Implemented at the Washington Avenue and Monterey Boulevard Intersection

[12-044](#) PASS TO PRINT: An Ordinance Amending the City of San Leandro Traffic Code, in Accordance with Chapter 6-1 of the San Leandro Municipal Code, to Eliminate the Left-Turn Restrictions from Washington Avenue onto Monterey Boulevard and Anza Way When the Traffic Signal Upgrade Project is Implemented at the Washington Avenue and Monterey Boulevard Intersection

Passed to Print on the Consent Calendar.

Enactment No: Ordinance 2012-003

- 8.J. [12-094](#) Staff Report for Resolution Approving a Budget Amendment Reflecting Mid-Year Adjustments to the City of San Leandro Budget Fiscal Year 2011-12

[12-100](#) ADOPT: Resolution Approving a Budget Amendment Reflecting Mid-Year Adjustments to the City of San Leandro Budget Fiscal Year 2011-12 (approves a budget amendment for changes to the Adopted Budget that require additional budget appropriations or re-appropriations between budget line items for the General Fund, Special Revenue Funds, Enterprise Funds, and Internal Service Funds)

Adopted on the Consent Calendar.

Enactment No: Reso 2012-022

- 8.K. [12-096](#) Staff Report for Resolution Approving a Budget Amendment Adjusting Revenue and Expenditure Appropriations Necessary from State Actions Eliminating the San Leandro Redevelopment Agency
- [12-101](#) ADOPT: Resolution Approving a Budget Amendment Adjusting Revenue and Expenditure Appropriations Necessary from State Actions Eliminating the San Leandro Redevelopment Agency (approve budget amendment adjusting the revenue and expenditure appropriations necessary from state actions eliminating the Redevelopment Agency)
- Adopted as Amended on the Consent Calendar.**
- Enactment No: Reso 2012-023

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

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

9. ITEMS REMOVED FROM CONSENT CALENDAR

- 8.L. [12-102](#) Staff Report for Resolution Approving the Voluntary Incentive Separation Program for Eligible City Employees Affected by Lack of Redevelopment Funding
- [12-103](#) ADOPT: Resolution Approving the Voluntary Incentive Separation Program for Eligible City Employees Affected by Lack of Redevelopment Funding (provides cash incentive, up to \$15,000 from the General Fund per eligible employee, for voluntary separation)
- [12-132](#) MOTION: Motion to continue the matter; direct staff to meet with the bargaining unit as soon as possible; and return to Council with a recommendation at the next regular meeting.
- A motion was made by Councilmember Prola, seconded by Councilmember Starosciak, that this Minute Order be Adopted. The motion carried by the following vote.**
- Aye:** 7 - Cassidy, Cutter, Gregory, Prola, Reed, Souza, Starosciak
- Enactment No: Min Order 2012-010
- 8.M. [12-109](#) Staff Report for City Council Adoption of the 2012-13 Goals as Developed at the Winter 2012 City Council Retreat
- [12-110](#) MOTION: Adopt City Council 2012-13 Goals as Developed at the Winter 2012 City Council Retreat

A motion was made by Councilmember Starosciak, seconded by Councilmember Cutter, that this Minute Order be Adopted. The motion carried by the following vote.

Aye: 7 - Cassidy, Cutter, Gregory, Prola, Reed, Souza, Starosciak

Enactment No: Min Order 2012-011

10. ACTION ITEMS

- 10.A. [12-034](#)** ADOPT: Ordinance No. 2012-001, an Ordinance Amending Article 5, Sections 2-516 and 2-574 (Large Family Day Care); Article 5, Section 2-546 (Accessory Structure); Article 17, Section 4-1718 (Paving in Residential Front Yard); and Article 16, Section 4-1682 (Fences in the Residential Single-Family View Preservation Overlay District) of the San Leandro Zoning Code

A motion was made by Councilmember Starosciak, seconded by Councilmember Reed, that this Ordinance be Adopted. The motion carried by the following vote.

Aye: 6 - Cutter, Gregory, Prola, Reed, Souza, Starosciak

Recused: 1 - Cassidy

Enactment No: Ordinance 2012-001

- 10.B. [12-104](#)** Staff Report for City Council Review of Projects for Presentation to the City's Congressional Representatives and Administrative Departments During the March National League of Cities Conference in Washington D.C. for Inclusion in the Federal Fiscal Year 2013 Budget

- 10.C. Report on Closed Session Actions Taken

No reportable actions taken.

11. CITY COUNCIL CALENDAR

City Councilmembers announced upcoming events and coordinated attendance.

12. CITY COUNCIL REPORTS AND ANNOUNCEMENTS

City Councilmembers reported on meetings and other local events attended since the last meeting, reported on attendance at conferences and seminars, and made brief comments on issues of concern.

13. ADJOURN

The meeting was adjourned at 9:37 p.m.

RESPECTFULLY SUBMITTED:

MARIAN HANDA
City Clerk of the City of San Leandro