



# City of San Leandro

Civic Center  
835 East 14th Street  
San Leandro, California

## Minutes - Draft 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*

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Monday, November 21, 2011

7:00 PM

City Council Chambers

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### Joint Meeting with Redevelopment Agency

#### DINNER/MIXER 6:00 PM Sister Cities Gallery

#### 1. CALL TO ORDER

*The meeting was called to order at 7:09 p.m. by Vice Mayor Gregory.*

#### 1.A PLEDGE OF ALLEGIANCE

#### 1.B ROLL CALL

**Present** 6 - Pauline Russo Cutter; Jim Prola; Ursula Reed; Diana M. Souza; Joyce R. Starosciak and Vice Mayor Michael Gregory

**Absent** 1 - Mayor Stephen H. Cassidy

#### 1.C ANNOUNCEMENTS

*Vice Mayor Gregory announced that Mayor Cassidy was out of town.*

#### 2. PRESENTATIONS/ RECOGNITIONS

2.A. 11-337 ADOPT: Resolution Appointing Robert Schwartz as Non-Resident Landlord Member to Rent Review Board

*(Nominated by Minute Order 2011-090 on November 7, 2011)*

**A motion was made by Council Member Starosciak, seconded by Council Member Cutter, that this Resolution be Adopted. The motion carried by the following vote.**

**Aye:** 6 - Council Member Pauline Russo Cutter; Council Member Jim Prola; Council Member Ursula Reed; Council Member Diana Souza; Council Member Joyce Starosciak and Vice Mayor Michael Gregory

Enactment No: Reso 2011-190

*Newly appointed Rent Review Board member Robert Schwartz took his Oath of Office administered by the City Clerk.*

### 3. PUBLIC HEARINGS – CITY COUNCIL

- 3.A. 11-350 Staff Report for Matter of Protest Ballots Regarding Change in Purpose of Previously Approved Wastewater Rate Increases and Consideration of Ordinance and Code Changes

**Attachments:** [legal notice\\_9-6-11 Final rotated.pdf](#)

*The Hearing was opened to the public.*

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

- 11-416 MOTION: Motion Accepting the Protest Ballot Results

*The City Clerk reported that 14,580 properties were eligible to participate in the election. Of the 14,580 ballots that were mailed, 327 valid protest ballots were returned. The percentage of the protest vote was 2.24%.*

**A motion was made by Council Member Prola, seconded by Council Member Cutter, to accept the results of the protest ballots. The motion carried by the following vote.**

**Aye:** 6 - Council Member Pauline Russo Cutter; Council Member Jim Prola; Council Member Ursula Reed; Council Member Diana Souza; Council Member Joyce Starosciak and Vice Mayor Michael Gregory

Enactment No: Min Order 2011-091

- 11-368 PASS TO PRINT: An Ordinance Amending Title 3, Chapter 14, Article 6 of the San Leandro Municipal Code Relating to the Reimbursement of Costs to Reconnect Private Sewer Laterals to the City's Sewerage System

**A motion was made by Council Member Prola, seconded by Council Member Cutter, that this Ordinance be Passed to print. The motion carried by the following vote.**

**Aye:** 6 - Council Member Pauline Russo Cutter; Council Member Jim Prola; Council Member Ursula Reed; Council Member Diana Souza; Council Member Joyce Starosciak and Vice Mayor Michael Gregory

Enactment No: Ordinance 2011-012

- 11-367 ADOPT: Resolution Amending the Title of Chapter 11 of Title 8, and Sections 8.11.100, 8.11.200, 8.11.350, 8.11.400 and 8.11.450 of the City of San Leandro Administrative Code Related to the City's Procedure to Reimburse Costs a Property

Owner Incurs to Reconnect the Private Sewer Lateral to the City's Sewerage System

**Attachments:** [Admin Code 8 11 Proposed Revision 10 21 11-A.DOCX](#)

**A motion was made by Council Member Prola, seconded by Council Member Cutter, that this Resolution be Adopted. The motion carried by the following vote.**

**Aye:** 6 - Council Member Pauline Russo Cutter; Council Member Jim Prola; Council Member Ursula Reed; Council Member Diana Souza; Council Member Joyce Starosciak and Vice Mayor Michael Gregory

Enactment No: Reso 2011-191

**3.B. 11-343**

Staff Report for PLN2009-00006; Planned Development and a Condominium [Vesting Tentative Tract] Map; General Plan Map Amendment from Office to High Density Residential; Rezone from P(AU)-Professional with Assembly Use Overlay to RM-1800(PD)-Residential Multi-Family with Planned Development Overlay; Development Agreement (DA); and an Initial Study, a Mitigated Negative Declaration and a Mitigation Monitoring Reporting Program; to build a new residential development consisting of 66 rental apartment units: 17 one-bedroom apartments, 48 two-bedroom apartments and one manager's unit in a Recreation building with other site amenities. 2450 Washington Avenue (Assessor's Parcel Numbers 77D-1410-25 and 77-556-104; Wm. Matthews, Inc. (Applicant and Property Owner); P-Professional Zoning District.)

**Attachments:** [Vicinity Map](#)  
[Excerpt of the Draft Minutes of the October 20, 2011 Planning Commission IV Planning Commission Staff Report dated October 20, 2011 without attachments](#)  
[Planning Commission Memorandum dated October 20, 2011](#)  
[Applicant Statement](#)  
[Recommended Findings of Fact for Approval of PLN2009-00006](#)  
[Project Plans \(Exhibits A through Z\)](#)  
[Alameda County Public Works Agency letter dated October 27, 2011](#)

*The Hearing was opened to the public.*

*DAVE JOHNSON, San Leandro Chamber of Commerce, spoke in support of the project.*

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

**11-344**

ADOPT: Resolution Approving a Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program for a Two-Story, 66-Unit Residential Development Project Located at 2450 Washington Avenue (PLN2009-00006)

**Attachments:** [Exhibit A - Initial Study and Mitigated Negative Declaration for PLN2009-00006](#)  
[Exhibit B - Mitigation Monitoring and Reporting Program](#)

**A motion was made by Council Member Souza, seconded by Council Member Prola, that this Resolution be Adopted. The motion carried by the following vote.**

**Aye:** 6 - Council Member Pauline Russo Cutter; Council Member Jim Prola; Council Member Ursula Reed; Council Member Diana Souza; Council Member Joyce Starosciak and Vice Mayor Michael Gregory

Enactment No: Reso 2011-192

11-345

PASS TO PRINT: An Ordinance Making Findings and Amending the City of San Leandro Zoning Map in Order to Rezone the Parcel Located at 2450 Washington Avenue from Professional with an Assembly Use Overlay P (AU) to Residential Multi-Family with a Planned Development Overlay [RM-1800(PD)] and Adopting a Development Agreement with William Mathews, Inc. for a Two-Story 66-Unit Residential Development (PLN2009-00006)

**Attachments:** [Exhibit A Proposed Zoning Map Amendment](#)  
[Exhibit B - Development Agreement](#)

**A motion was made by Council Member Souza, seconded by Council Member Prola, that this Ordinance be passed to print. The motion carried by the following vote.**

**Aye:** 6 - Council Member Pauline Russo Cutter; Council Member Jim Prola; Council Member Ursula Reed; Council Member Diana Souza; Council Member Joyce Starosciak and Vice Mayor Michael Gregory

Enactment No: Ordinance 2011-013

11-361

ADOPT: Resolution Approving an Amendment to the City General Plan Land Use Map, a Vesting Tentative Map, and a Planned Development Entitlement for a Two-Story, 66-Unit Residential Development Project Located at 2450 Washington Avenue (PLN 2009-00006) Assessor's Parcel Numbers 77D-1410-25 and 77-556-104

**Attachments:** [Exhibit A - Proposed Amendment to General Plan Land Use Map](#)  
[Exhibit B - Conditions to Vesting Tentative Map and Proposed Planned Develo](#)

**A motion was made by Council Member Souza, seconded by Council Member Prola, that this Resolution be Adopted. The motion carried by the following vote.**

**Aye:** 6 - Council Member Pauline Russo Cutter; Council Member Jim Prola; Council Member Ursula Reed; Council Member Diana Souza; Council Member Joyce Starosciak and Vice Mayor Michael Gregory

Enactment No: Reso 2011-193

**4. PUBLIC HEARINGS – OTHER**

*None.*

**5. PUBLIC COMMENTS**

*None.*

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

*None.*

**7. AMENDMENT OF CONSENT CALENDAR**

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

## 8. CONSENT CALENDAR

### Approval of the Consent Agenda

**A motion was made by Council Member Prola, seconded by Council Member Starosciak, to Approve the Consent Calendar. The motion carried by the following vote**

**Aye:** 6 - Council Member Pauline Russo Cutter; Council Member Jim Prola; Council Member Ursula Reed; Council Member Diana Souza; Council Member Joyce Starosciak and Vice Mayor Michael Gregory

8.A. 11-381 APPROVE: Minutes of the Meeting of November 7, 2011

Attachments: [110711 MIN Draft.pdf](#)

**The Minutes were Approved as Submitted on the Consent Calendar.**

8.B. 11-326 ACCEPT: Business and Housing Development Committee Highlights of October 13, 2011

Attachments: [Agenda.pdf](#)  
[CAP Grant Funding Spreadsheet.pdf](#)  
[Sign In Sheet.pdf](#)

**The Highlights were Accepted as Submitted on the Consent Calendar.**

8.C. 11-295 Staff Report for Accepting the Work for the Roof Replacement and Accessories (Year 3) Project, Project No. 09-687-18-104.

11-296 ADOPT: Resolution Accepting the Work for the Roof Replacement and Accessories (Year 3) Project, Project No. 09-687-18-104

**This Resolution was Adopted on the Consent Calendar.**

Enactment No: Reso 2011-194

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

## 9. ITEMS REMOVED FROM CONSENT CALENDAR

8.D. 11-303 Staff Report for Adding Title 8, Chapter 12 to the San Leandro Administrative Code, Establishing Guidelines for the Bicycle Rack Program

11-306 ADOPT: Resolution Adding Title 8, Chapter 12 to the San Leandro Administrative Code, Establishing Guidelines for the Bicycle Rack Program

**A motion was made by Council Member Starosciak, seconded by Council Member Souza, that this Resolution be Adopted. The motion carried by the**

following vote.

**Aye:** 5 - Council Member Jim Prola; Council Member Ursula Reed; Council Member Diana Souza; Council Member Joyce Starosciak and Vice Mayor Michael Gregory

**Nay:** 1 - Council Member Pauline Russo Cutter

Enactment No: Reso 2011-195

11-307

PASS TO PRINT: An Ordinance Amending Article 1, Chapter 5-1 of Title 5 of the San Leandro Municipal Code Establishing a Bicycle Rack Program

**A motion was made by Council Member Starosciak, seconded by Council Member Souza, that this Ordinance be Passed to print. The motion carried by the following vote.**

**Aye:** 5 - Council Member Jim Prola; Council Member Ursula Reed; Council Member Diana Souza; Council Member Joyce Starosciak and Vice Mayor Michael Gregory

**Nay:** 1 - Council Member Pauline Russo Cutter

Enactment No: Ordinance 2011-014

## 10. ACTION ITEMS

10.A. 11-333

Staff Report for Single Use Bag Reduction and Mandatory Recycling Ordinances Proposed by StopWaste.Org

**Attachments:** [Single Use Bag Reduction Ordinance](#)  
[Mandatory Recycling Ordinance](#)

*The Council expressed support for the two ordinances, and by consensus, provided input and direction to Councilmember Cutter, the City's representative to StopWaste.Org.*

10.B. 11-379

Staff Report for Adoption of 2012 City Council Member Districts

11-380

PASS TO PRINT: An Ordinance Amending Title I, Chapter 1 of the San Leandro Municipal Code Relating to Council Member Districts

**Attachments:** [City Council District 2012.pdf](#)

**A motion was made by Council Member Starosciak, seconded by Council Member Reed, that this Ordinance be Passed to print. The motion carried by the following vote.**

**Aye:** 6 - Council Member Pauline Russo Cutter; Council Member Jim Prola; Council Member Ursula Reed; Council Member Diana Souza; Council Member Joyce Starosciak and Vice Mayor Michael Gregory

Enactment No: Ordinance 2011-015

## 10.C. Report on Closed Session Actions Taken

*No reportable action 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 9:09 p.m., in memory of former City Councilmember Ed Suchman.*

*RESPECTFULLY SUBMITTED:*

*MARIAN HANDA  
City Clerk of the City of San Leandro*