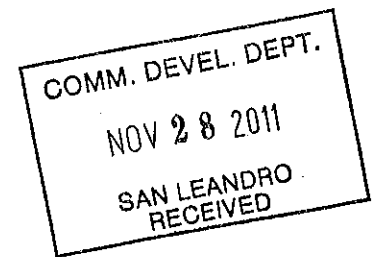


2661 ALVARADO, LLC

**1401 Griffith Street
San Francisco, CA 94124
(415) 822-8255**



November 23, 2011

Luke Sims
Community Development Director
City of San Leandro
835 E. 14th Street
San Leandro, CA 94577

Dear Mr Sims,

I am writing on behalf of Damon McKinney of C&M Trailer Rental regarding the city's intent to revoke the Conditional Use Permit at 2661 Alvarado Street. As we are all aware, a shooting occurred on the premises' parking lot during the early morning hours of Sunday, October 2, 2011 which resulted in the tragic loss of three lives. I urgently and passionately implore the City to consider the circumstances and subsequent cooperative spirit of Damon (and myself) before unequivocally revoking the Conditional Use Permit.

There is no disputing a tattoo event occurred in unit 22 on the evening of October 1 which violated the Conditional Use Permit. Damon freely admits he was aware of the event but has sincerely stated it was nothing more than an innocent mistake to allow it to take place. He did not consider notifying me (the building manager), the city nor adjoining businesses as the event was anticipated to be lightly attended where drop in guests would obtain small, inexpensive tattoos over the course of a few hours. The exposure via social media caused the unanticipated large gathering and truly caught Damon off guard. In hindsight, the use of social media was a critical mistake. However, a reasonable person would never anticipate the outbreak of violence in the parking lot after the event had ended.

From the moment Sgt. Calcagno contacted me early on Sunday morning, I fully cooperated in providing names, contact numbers and anything else requested to facilitate the investigation. More importantly, Damon did the same freely and just as promptly to ensure the investigation proceeded unimpeded. Later Sgt Calcagno complimented both of us for our efforts and we believe our cooperation enhanced the investigation. Yes, the unauthorized use of the space necessitated the investigation. Damon's full accountability and cooperation illustrates his shock and dismay at how such a seemingly innocent use of the space had taken such a turn for the worse. He truly had no idea of what was in store that evening.

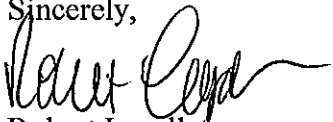
Damon is a sole proprietor who has worked hard over the past two years to establish a small business enterprise renting small trailers from unit 22. He has done his best to learn and comply with complex business and zoning regulations. He freely admits he made a mistake in allowing the unit to be used for something other than his business on a quiet Saturday night in an otherwise unoccupied business complex. There is no doubt in my mind that he will never, ever repeat this mistake. In all likelihood his unfortunate plight will serve as a lesson for many small businesses in San Leandro and surrounding cities.

I implore the City to consider these facts when pondering the revocation of the Conditional Use Permit. Were it a long running or repetitive disregard for zoning and business regulations, I would be equally passionate to call for revocation of the Permit with full punitive legal measures as well. But that is not the case here. Perhaps a mechanism similar to probation or a suspended sentence can be imposed that acknowledges a grave mistake occurred but it was a one time, random occasion. Perhaps the City could provide Damon a legal stipulation whereby he acknowledges the imposition of agreed upon penalties and punishments in the extremely unlikely event anything remotely similar were to occur.

Unfortunately I will be unable to personally appear at the hearing on December 1 due to surgery earlier in the week. However, please feel free to contact me on my cell at (415) 516-8255 to discuss this matter further. I'd also like to impose in asking for your assistance to distribute this letter to the distribution list contained in your letter of November 3. Please also forward a copy to the Board of Zoning Adjustment in advance of the hearing date.

On behalf of Damon and the ownership of 2661 Alvarado Street, we sincerely appreciate your attention to our plea and hope you appreciate the sincere nature of our apology for the tragedy that took place on October 2.

Sincerely,



Robert Legallet

Manager, 2661 Alvarado LLC

Cc: Damon McKinney, C&M Trailer Rental