



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*

Tuesday, February 21, 2012

7:00 PM

City Council Chambers

1. CALL TO ORDER

The meeting was called to order at 7:08 p.m.

1.A. PLEDGE OF ALLEGIANCE

Uche Udemezue, Engineering and Transportation Director, 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. [12-029](#) Presentation by Alameda County Transportation Commission and Caltrans Staff on the I-880 Southbound High Occupancy Vehicle (HOV) Project

3. PUBLIC HEARINGS – CITY COUNCIL

With the consensus of the Council, Item 3.B. was moved to this point on the agenda.

- 3.B. [12-056](#) Staff Report for Consideration of Zoning Amendments Pertaining to Miscellaneous Changes to the NA-2, SA-2, DA-3, IL, IG and IP Zoning Districts and Creation of IL (AU), IG (AU), and IP (AU) Zoning Districts Related to Assembly Uses, Commercial Recreation, Cultural

Institutions and Entertainment Activities

The Hearing was opened to the public.

MARGARITA LACABE, San Leandro resident, commented on the International Church of the Foursquare Gospel's (ICFG) lawsuit against the City, and called the City's Zoning Code unconstitutional. Ms. Lacabe stated that entertainment and recreational activities in the industrial areas would make those areas more attractive to employers.

CHRIS CROW, San Leandro resident, commented that he raised the issue of the relationship between the proposed Zoning Code amendments and the ICFG lawsuit as a Planning Commissioner. Mr. Crow stated that he hoped the City Council would side with the Planning Commission, and that the Council could have an honest conversation on this issue.

DAN DILLMAN, Xzault, commented that the proposed ordinance lacked the Board of Zoning Adjustments' and Planning Commission's recommendations, and he asked the Council to make the right decision for the residents of San Leandro.

DAVID JOHNSON, San Leandro Chamber of Commerce, read a message that he sent to the City Council today, and commented that the proposed amendments be a disincentive to businesses that want an inviting, adaptive community and amenities for its employees. Mr. Johnson suggested that the Council refer the matter to the Business and Housing Development Committee.

MIKE KATZ-LACABE, San Leandro resident, commented that he felt the Zoning Code amendments would unnecessarily limit the uses of the industrial area.

DARLENE EVANS, San Leandro resident, commented on assembly uses.

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

The City Council recessed from 8:55 p.m. to 9:05 p.m.

[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

A motion was made by Mayor Cassidy, seconded by Vice Mayor Gregory, that this Ordinance be Passed to Print with Amendment; that discussion of the proposed changes to Industrial Districts be referred to the City Council Rules and Communicatons Committee; and that the Public Hearing be continued to March 19, 2012. The motion carried by the following vote.

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

Enactment No: Ordinance 2012-002

3.A. [12-033](#)

Staff Report for Consideration of Amendments to the City's Zoning Code Related to Large Family Day Care, Accessory Structures, Paving in Residential Front Yards in Residential Districts, and Fences in the Residential Single-Family View Preservation Overlay District

Mayor Cassidy stated that he had a conflict of interest, as his home was within one of the affected zones. Mayor Cassidy recused himself, and left the Chamber. Vice Mayor Gregory presided over the public hearing.

The Hearing was opened to the public.

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

[12-034](#)

PASS TO PRINT: 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 Souza, seconded by Councilmember Prola, that this Ordinance be Passed to Print. The motion carried by the following vote.

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

Recused: 1 - Cassidy

Enactment No: Ordinance 2012-001

Item 3.B. was considered earlier in the agenda.

4. PUBLIC HEARINGS – OTHER

None.

5. PUBLIC COMMENTS

CHRIS CROW, San Leandro resident, commented on the Zoning Code matter discussed earlier in the meeting.

6. CITY MANAGER AND CITY ATTORNEY REPORTS AND COMMENTS

6.A. [12-067](#) City Manager Report on Budget Calendar and City Council Retreat

City Manager Zapata announced that a City Council retreat would be held this Saturday, February 25, 2012, and members of the public and business community are invited to attend. The Council will have a presentation and discussion on the City's budget, and members of the public will have an opportunity to give input to the Council.

7. AMENDMENT OF CONSENT CALENDAR

Item Number 8.F. 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 Cutter, seconded by Councilmember Starosciak, to Approve the Consent Calendar. The motion carried by the following vote.

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

- 8.A.** [12-066](#) APPROVE: Minutes of the Meeting of February 6, 2012
Approved as Amended on the Consent Calendar.
- 8.B.** [12-058](#) ACCEPT: Disaster Council Meeting Highlights of January 27, 2012
Approved as Submitted on the Consent Calendar.
- 8.C.** [12-055](#) ACCEPT: Finance Committee Meeting Highlights of January 20, 2012

COMMITTEE RECOMMENDATION: Schedule adoption of the mid-year budget amendment for Fiscal Year 2011-2012
Approved as Submitted on the Consent Calendar.
- 8.D.** [12-070](#) ACCEPT: Finance Committee Meeting Highlights February 3, 2012
Approved as Submitted on the Consent Calendar.
- 8.E.** [12-041](#) Staff Report for Resolution Establishing Standard Components for the City's Traffic Signal System to Ensure Compatibility

[12-042](#) ADOPT: Resolution Establishing Standard Components for the City's Traffic Signal System to Ensure Compatibility
Adopted on the Consent Calendar.

Enactment No: Reso 2012-016

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

9. ITEMS REMOVED FROM CONSENT CALENDAR

- 8.F.** [12-071](#) MOTION: Motion Ratifying the Mayor's Appointments of John Jermanis and Luke Sims to the Oversight Board for the Successor Agency to the Former San Leandro Redevelopment Agency

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: 5 - Cassidy, Cutter, Gregory, Prola, Reed

Abstain: 2 - Souza, Starosciak

Enactment No: Min Order 2012-005

10. ACTION ITEMS

10.A. [12-037](#) Staff Report for Resolution Authorizing the City Manager to Forward the City's Selected and Approved Aesthetic Features as Shown in Attachments 2A and 2B for the Marina Boulevard and Davis Street (State Route (SR) 112)/I-880 Interchanges in San Leandro for the I-880 Southbound HOV Project

[12-040](#) ADOPT: Resolution Authorizing the City Manager to Forward the City's Selected and Approved Aesthetic Features as Shown in Attachments 2A and 2B for the Marina Boulevard and Davis Street (State Route (SR) 112)/I-880 Interchanges in San Leandro for the I-880 Southbound HOV Project

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

Aye: 5 - Gregory, Prola, Reed, Souza, Starosciak

Nay: 2 - Cassidy, Cutter

Enactment No: Reso 2012-017

10.B. [12-021](#) MOTION: Motion Appointing City Councilmembers to Intergovernmental Agencies as Outlined in File 12-021

A motion was made by Councilmember Prola, seconded by Councilmember Souza, 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 2012-006

10.C. [12-073](#) City Council Consideration of Creating an Ad-Hoc Committee to Review San Leandro Hospital's Future and Community Health Care

[12-112](#) MOTION: Creating an Ad-Hoc Committee to Review San Leandro Hospital's Future and Community Health Care

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

Aye: 5 - Cassidy, Cutter, Gregory, Prola, Reed

Nay: 1 - Starosciak

Abstain: 1 - Souza

Enactment No: Min Order 2012-007

10.D. 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 11:10 p.m.

RESPECTFULLY SUBMITTED:

MARIAN HANDA
City Clerk of the City of San Leandro