



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, April 16, 2012

7:00 PM

City Council Chambers

1. CALL TO ORDER

The meeting was called to order at 7:14 p.m.

1.A. PLEDGE OF ALLEGIANCE

Kathy Ornelas 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. [12-161](#) Recognition of the Employee of the Quarter, Adam Benigno, Facilities Maintenance Worker, Public Works Services Department

2.B. [12-149](#) Proclamation Declaring April 30, 2012 as "Kathy Ornelas Day" in San Leandro

2.C. [12-108](#) Proclamation Declaring April 27, 2012 as "Arbor Day" in San Leandro

3. PUBLIC HEARINGS – CITY COUNCIL

3.A. [12-079](#) Staff Report for 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. 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. (Continued from the March 5, 2012 City Council Meeting)

The Hearing was opened to the public.

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

[12-158](#)

MOTION: Motion to Deny the 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)

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: 5 - Cutter, Prola, Reed, Souza, Starosciak

Nay: 2 - Cassidy, Gregory

Enactment No: Min Order 2012-016

3.B. [12-124](#)

Staff Report for the Ordinance Amending Sections 4-1904, 4-1908 and 4-1910 in Article 19 of the City of San Leandro Zoning Code Related to Landscaping Requirements

The Hearing was opened to the public.

DARLENE EVANS, San Leandro resident, complimented the City for considering this action, and commented on landscaping and weed issues in her neighborhood.

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

[12-126](#)

PASS TO PRINT: An Ordinance Amending Sections 4-1904, 4-1908 and 4-1910 of Article 19 of the City of San Leandro Zoning Code Related to Landscaping Requirements (brings the City of San Leandro Zoning Code Article 19 into conformance with an Alameda County Waste Management Authority mandate that all applicable landscape projects be required to satisfy the Bay Friendly Basic Landscape protocols)

A motion was made by Councilmember Prola, seconded by Councilmember Reed, that this Ordinance be Passed to Print. The motion carried by the following vote.

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

Enactment No: Ordinance 2012-005

3.C. [12-167](#)

Staff Report for Resolution Approving and Authorizing the City Manager to Execute a Joint Exercise of Powers Agreement Relating to the California Municipal Finance Authority (CFMA) and Approving the Issuance of Revenue Bonds by the CFMA to Finance the Acquisition and Rehabilitation of a Multifamily Rental Housing Development to Be Owned by a Limited Partnership to Be Established by Christian Church Homes or Its Affiliate

The Hearing was opened to the public.

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

[12-168](#)

ADOPT: Resolution Approving and Authorizing the City Manager to Execute a Joint Exercise of Powers Agreement Relating to the California Municipal Finance Authority (CMFA) and Approving the Issuance of Revenue Bonds by the CMFA to Finance the Acquisition and Rehabilitation of a Multifamily Rental Housing Development to Be Owned by a Limited Partnership to Be Established by Christian Church Homes or Its Affiliate (sponsors the issuance of bonds at no cost to the City)

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

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

Enactment No: Reso 2012-035

3.D. [12-115](#)

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

The Hearing was opened to the public.

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

[12-116](#)

ADOPT: Resolution Approving the City of San Leandro U.S. Department of Housing and Urban Development (HUD) Final FY 2012-2013 Annual Action Plan (implements the Housing and Community Development Strategies of the FY 2010-2014 Consolidated Plan and authorizes the execution of all related documents by the City Manager and submission of the Action Plan to HUD)

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

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

Enactment No: Reso 2012-031

4. PUBLIC HEARINGS – OTHER

None.

5. PUBLIC COMMENTS

None.

6. CITY MANAGER AND CITY ATTORNEY REPORTS AND COMMENTS

None.

7. AMENDMENT OF CONSENT CALENDAR

There was no amendment to the Consent Calendar.

8. CONSENT CALENDAR

Approval of the Consent Calendar

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

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

8.A. [12-173](#) APPROVE: Minutes of the Meeting of April 2, 2012

Approved as Submitted on the Consent Calendar.

8.B. [12-159](#) ACCEPT: Airport Committee Meeting Highlights of March 9, 2012

Accepted as Submitted on the Consent Calendar.

8.C. [12-150](#) ACCEPT: Facilities and Transportation Committee Meeting Highlights of March 13, 2012

Accepted as Submitted on the Consent Calendar.

8.D. [12-166](#) Staff Report for Ordinance Updating Section 1-6-310 of the San Leandro Municipal Code Relating to Emergency Spending and Section 1-6-315 of the San Leandro Municipal Code Relating to Council Determination for Purchasing Without Competitive Bidding

[12-169](#) PASS TO PRINT: An Ordinance Amending Title 1, Chapter 6 of the San Leandro Municipal Code Relating to Purchasing (updates the

purchasing authority of the City Manager in an emergency and of the City Council without competitive bidding)

Passed to Print on the Consent Calendar.

Enactment No: Ordinance 2012-006

8.E. [11-308](#)

Staff Report for Resolution Accepting the Work for the Preda Street Pipe Bridges Upgrade Project, Project No. 09-593-52-121

[11-312](#)

ADOPT: Resolution Accepting the Work for the Preda Street Pipe Bridges Upgrade Project, Project No. 09-593-52-121 (provides for the acceptance of the contract work by Redwood Engineering Company, filing of the Notice of Completion, and releasing of the Maintenance Bond)

Adopted on the Consent Calendar.

Enactment No: Reso 2012-032

8.F. [11-316](#)

Staff Report for Resolution Accepting the Work for Annual Street Sealing 2010-11, Project No. 10-144-38-323

[12-145](#)

ADOPT: Resolution Accepting the Work for Annual Street Sealing 2010-11, Project No. 10-144-38-323 (provides for the acceptance of contract work by International Surfacing Systems, filing of the Notice of Completion, and releasing of the Maintenance Bond)

Adopted on the Consent Calendar.

Enactment No: Reso 2012-033

8.G. [12-061](#)

Staff Report for Resolution Rescinding a Portion of Resolution No. 2011-117 Related to Vacating Portions of Public Right-of-Way of Eden Road

[12-060](#)

ADOPT: Resolution Rescinding a Portion of Resolution No. 2011-117 Related to Vacation of Portions of the Public Right-of-Way for Eden Road (rescinds a previous Council action that vacated Eden Road due to new information contained in the title report that Eden Road need not be vacated as it is a private road)

Adopted on the Consent Calendar.

Enactment No: Reso 2012-034

8.H. [12-174](#)

MOTION: Motion Appointing William Fernandez as San Leandro's Community Representative to the Oakland Airport/Community Noise Management Forum for a 2-Year Term Commencing July 1, 2012 and Ending June 30, 2014

Adopted on the Consent Calendar.

Enactment No: Min Order 2012-017

9. ITEMS REMOVED FROM CONSENT CALENDAR

None.

10. ACTION ITEMS

10.A. 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 9:05 p.m., in memory of Marcia Karp.

RESPECTFULLY SUBMITTED:

MARIAN HANDA
City Clerk of the City of San Leandro