

SUMMARY ACTION MINUTES



**BOARD OF SUPERVISORS**  
**Planning Meeting**  
**1:00PM**

**Regular Meeting**

**TUESDAY, OCTOBER 14, 2008**

COUNTY ADMINISTRATION BUILDING  
SUPERVISORS' CHAMBERS  
1221 OAK STREET  
FIFTH FLOOR, ROOM 512  
OAKLAND, CALIFORNIA

SCOTT HAGGERTY, PRESIDENT	DISTRICT 1
GAIL STEELE	DISTRICT 2
ALICE LAI-BITKER, VICE-PRESIDENT	DISTRICT 3
NATE MILEY	DISTRICT 4
KEITH CARSON	DISTRICT 5

CHRIS BAZAR  
COMMUNITY DEVELOPMENT DIRECTOR

RICHARD E. WINNIE  
COUNTY COUNSEL

SUSAN S. MURANISHI  
COUNTY ADMINISTRATOR

ALBERT LOPEZ  
PLANNING DIRECTOR

BRIAN E. WASHINGTON  
ASSISTANT COUNTY COUNSEL

**MISSION**

*TO ENRICH THE LIVES OF ALAMEDA COUNTY RESIDENTS THROUGH VISIONARY POLICIES AND  
ACCESSIBLE, RESPONSIVE, AND EFFECTIVE SERVICES.*

**VISION**

*ALAMEDA COUNTY IS RECOGNIZED AS ONE OF THE BEST COUNTIES IN WHICH TO LIVE, WORK AND DO BUSINESS.*

The Board of Supervisors welcomes you to its meetings and your interest is appreciated. If you wish to speak on a matter on the agenda or during public input, please fill out a speaker slip at the front of the Chambers and turn it in to the Clerk as soon as possible. When addressing the Board, please give your name for the record prior to your presentation. If you wish to speak on a matter **not** on the agenda, please wait until the President calls for public input at the end of the Regular Calendar. **NOTE:** Only matters within the Board of Supervisors' jurisdiction may be addressed. Time limitations shall be at the discretion of the President of the Board.

Pursuant to Board Policy: (1) Signs or demonstrations are prohibited during Board meetings; (2) Any Board Member may request a **two-week** continuance on any item appearing for the first time; (3) All agenda items shall be received by the County Administrator prior to 3 p.m. on Tuesday **two** weeks before the meeting date or earlier when a Holiday intervenes.

Hearing difficulty? Please ask the Clerk for use of a personal sound receiver. The Board of Supervisors' meetings are wheelchair accessible. Call (510) 208-4949 (voice) or (510) 834-6754 (TDD) to request a sign-language interpreter. Five working days' notice is required. If you have questions regarding the agenda, please call (510) 208-4949.

**Attention:** The Alameda County internet address is [www.acgov.org](http://www.acgov.org). All regular Board of Supervisors' meetings held in the Board Chamber can be heard live on the Board's web page. In order to log on, please do the following: click on the County's homepage as noted above and click on the "[Board of Supervisors Meeting - LIVE! Broadcast](#)" link. You may also access archived audio recordings, meeting agenda and minutes, as well as meeting dates on the Board's web page <http://www.acgov.org/board/index.htm>. All documents are archived on the web page for a period of 6 months.

SUMMARY ACTION MINUTES

**1:00 P.M.**

**CALL TO ORDER AND SALUTE TO FLAG**

**CLOSED SESSION**

**CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION**

Significant exposure to litigation pursuant to Subdivision (b) of Government Code § 54956.9: (two)

**SITTING AS THE REDEVELOPMENT AGENCY**

**CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

Properties and Owners:

084A-0228-002-07 and 084A-0224-004-08, approximately 54,565 square feet, located at 20630 and 20642 John Drive, Castro Valley, owned by Young Ho Kim and Donna Kim,

084A-0040-022-00 approximately 7,200 square feet located at 20853 Wilbeam Avenue, Castro Valley, owned by Kenny Y & Wendy W Fong & Jeff Y and Yuen S Fong Trustees,

084A-0040-020-00 approximately 13,125 square feet located at 3335 Castro Valley Blvd, Castro Valley, owned by Kenny Y & Wendy W Fong & Jeff Y and Yuen S Fong Trustees,

414-0021-078-00, 414-0021-079-00, and 414-0021-080-00, approximately 59,027 square feet located at 20499 Mission Boulevard, Cherryland, owned by Said Barzegar and Kathleen O. Lyons-Barzegar

414-0021-060-00, 414-0021-061-00, approximately 55,730 square feet located at 20095 and 20097 Mission Boulevard, Cherryland, owned by Jack W. O'Connor and Arlene O'Connor and Beatrice O. Banchero and John Steven Banchero.

0413-0035-010-00 approximately 39,750 square feet located at 278 Hampton Road, Cherryland, owned by Sherry and Zhao Chen.

080C-0479-006-08, approximately 5,929 square feet, located at 16343 East 14<sup>th</sup> Street, Ashland, owned by Maria Valencia

080C-0479-006-09, approximately 9,729 square feet, located at 16349 East 14<sup>th</sup> Street, Ashland, owned by Oscar Neira

080C-0479-022-00, 080C-0479-023-01, 080C-0479-023-02, approximately 82,080 square feet, located at 16309, 16325, 16331 Kent Avenue, Ashland, owned by Tomas & Ella Eplin

0411-0063-017-00 approximately 31,819 square feet, located at 1233 Bockman Rd, San Lorenzo, owned by George & Jenny Chang Trustees,

0413-0083-065-00 approximately 6,523 square feet, located at 18651 Via Toledo, San Lorenzo, owned by Protestant Episcopal Bishops

0412-0039-025-00 approximately 13,500 square feet, located at 16080 Hesperian Blvd, San Lorenzo, owned by Dharam & Vijay Salwan

Negotiating Parties: Chris Bazar, Director, Community Development Agency  
Eileen Dalton, Director, Alameda County Redevelopment Agency  
Owners of above listed properties

Under Negotiation: Price and terms of payment

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**CONSENT CALENDAR**

2431 5 **Approved as recommended**

X

1. Approve record of cost of abatement and authorize assessment liens on properties in violation of abatement orders under the Neighborhood Preservation Ordinance  
**Approved as recommended** **FILE 23307**
  
2. **LAND CONSERVATION WILLIAMSON ACT PRESERVE CONTRACT – Foscalina** – An application to:  
Re-establish an Agricultural Preserve (Williamson Act) Contract for two parcels containing approximately 160 acres in an “A” (Agricultural) District (County General Plan designation of Large Parcel Agriculture, as amended by Measure D), located adjacent to Cross Road, west side, approximately 0.3 miles south of Patterson Pass Road, Livermore area of unincorporated Alameda County, bearing Assessor’s Parcel Number: 099B-7650-011-00.  
**Planning Staff recommendation:**
  - a) Adopt the attached resolution to make the findings required by Section 51257 of the Williamson Act for the Boundary Adjustment for the two subject parcels; and
  - b) Adopt the attached resolution to rescind the existing agricultural and open space preserves for the subject properties and re-establish an Agricultural Preserve (Williamson Act) Contract with the legal descriptions for the new parcels created by the Boundary Adjustment.**Approved as recommended** **FILE 24019**  
**R-2008-336**  
**R-2008-337**  
**C-2008-**

**REGULAR CALENDAR**

3. **REDEVELOPMENT AGENCY REAL ESTATE ACQUISITION UPDATE** - Update from the Redevelopment Agency on real estate acquisition status and strategies for project implementation.  
**Report received** **FILE 24020**
  
4. **VARIANCE, V-12117, JOE/RONALD SILVA** – Appeal of Joseph and Ronald Silva from the decision of the West Board of Zoning Adjustments to deny an application to allow construction of an attached addition with a five foot side yard where 10 feet is required, in an R-S-SU (Suburban Residential, Secondary Unit) District, located at 339 Medford Avenue, approximately 220 feet east of Lowell Avenue, and 300 feet west of Haviland Avenue, unincorporated Cherryland area of Alameda County, designated Assessor’s Parcel Number: 429-0014-010-00.  
**Board of Zoning Adjustments (West):** Deny the project.  
**Planning Staff recommendation:** Uphold the WBZA’s decision and deny the variance.  
**Continued to Tuesday, October 21, 2008** **FILE 23821**
  
5. **CONDITIONAL USE PERMIT, C-8555, TERESITA LAGUNA** – Appeal of Teresita Laguna from the decision of the West Board of Zoning Adjustments to deny the application to allow the continued operation of a 22 bed Residential Care Facility, in an R-1 (Single Family Residence) District, located at 268 Lewelling Boulevard, south side, approximately 100 feet east of Tracy Street, , unincorporated, San Lorenzo area of Alameda County, designated Assessor’s Parcel Number: 413-0093-002-00.  
**Board of Zoning Adjustments (West):** Deny the project.  
**Planning Staff recommendation:** Uphold the WBZA’s decision and deny the conditional use permit.  
**Continued for 6 months; instruct code enforcement to red tag building (no occupancy)** **FILE 24021**

4231 5  
X

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6. **WILLIAMSON ACT PROGRAM STAKEHOLDER GROUP** – Request that the President of the Board designate the Alameda County Agricultural Advisory Committee (AAC) as the County’s Stakeholders Group to review materials and provide recommendations for the revision of the County’s Williamson Act (WA) Program.

**Planning Staff recommendation:** Planning Staff recommends that your Board designate the County Agricultural Advisory Committee (AAC) as the County Stakeholders Group to review materials and provide recommendations for the revision of the County’s Williamson Act (WA) Program.

2341 5 Approved as recommended FILE 24022  
X

7. **MARINE LIFE PROTECTED AREA PLAN** – Request by the Marine Life Protection Act Blue Ribbon Task Force that the Board of Supervisors adopt a resolution supporting an Integrated Preferred Alternative Marine Protected Area Plan (IPA) which has high ecological and conservation value at low potential short-term economic impact, implementation of California’s Marine Life Protection Act. **Planning Staff recommendation:** Adopt resolution

3421 5 Approved as recommended FILE 24023  
X R-2008-335

PUBLIC INPUT (TIME LIMIT: 3 MINUTES PER SPEAKER)

None

BOARD OF SUPERVISORS’ REMARKS

None

COUNTY COUNSEL: REPORT ON ACTION TAKEN IN CLOSED SESSION

None

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**ADJOURNED**

No further business appearing, the meeting is adjourned.

REVIEWED BY: \_\_\_\_\_  
PRESIDENT, BOARD OF SUPERVISORS

REVIEWED BY: \_\_\_\_\_  
CLERK, BOARD OF SUPERVISORS

**\*\* KEY \*\***

**Left Margin Notes**

<b>1</b>	<b>President Haggerty</b>	<b>A</b>	<b>Abstained</b>
<b>2</b>	<b>Supervisor Steele</b>	<b>X</b>	<b>Excused</b>
<b>3</b>	<b>Supervisor Lai-Bitker</b>	<b>N</b>	<b>No</b>
<b>4</b>	<b>Supervisor Miley</b>	<b>BO</b>	<b>Board Order</b>
<b>5</b>	<b>Supervisor Carson</b>		

**Right Margin Notes**

<b>C</b>	<b>Contract</b>
<b>O</b>	<b>Ordinance</b>
<b>R</b>	<b>Resolution</b>
<b>LIB</b>	<b>Library</b>

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