

**ALAMEDA COUNTY
BOARD OF SUPERVISORS'
UNINCORPORATED SERVICES COMMITTEE**

Wednesday, March 23, 2011

Supervisor Nate Miley, Chair
Supervisor Wilma Chan, excused

Location: San Lorenzo Village Homes Association
377 Paseo Grande
San Lorenzo, CA 94580

Summary Action Minutes

I. PUBLIC COMMENT

Ruth Barrata, Cherryland resident, invited everyone to an Easter Egg Hunt, sponsored by the Cherryland Association, on Saturday, April 16, 2011. Donations are welcomed.

II. Acknowledgement of Public Works Agency

Art Carrera, Principal Civil Engineer, Public Works Agency, announced that the Agency has been recognized by the American Public Works Association for several awards:

Director, Daniel Woldesenbet – Leader of the Year
Bond Ng – Engineer of the Year
Tom Gannon – Fleet Manager of the Year.
Project of the year – in Castro Valley and Oakland

These award winners and awards will be forwarded for national recognition.

III. Discussion of Current Soft Remand Policy (*items three and four taken concurrently*)

IV. Discussion of Proposed Ordinance for Redetermination of Board of Supervisors' Decisions

Brian Washington, Deputy County Counsel, provided written clarification on the Soft Remand Ordinance.

“Soft Remand” Ordinance – in 2010, the Board of Supervisors enacted this ordinance to allow the Board at its’ discretion, to remand land use appeals to the Planning Commission and/or the Board of Zoning Adjustments, when new information arises that may have affected the original decision maker’s evaluation.

Brian Washington provided written information regarding a proposed ordinance to allow the Board of Supervisors to reconsider and or make a redetermination of a Land Use Decision, after having been previously approved and or adopted. There is currently no such ordinance, however the Board could adopt an ordinance providing for a reconsideration procedure.

Mr. Washington answered questions regarding items three (3) and four (4).

Direction from Unincorporated Services Committee Chair: County Counsel will draft a Redetermination Ordinance and report back to this Committee.

V. Update on Lewelling Improvement Project

Stanley Fung, Public Works Agency, presented a PowerPoint presentation on the construction projects for Lewelling and East Lewelling Boulevards. The project is forty-two percent (42%) complete, with final completion in the summer of 2012.

Randy Franks, Project Manager, Pacific Gas and Electric (PG&E) was available to answer questions regarding PG&E's portion of the project.

Questions/Discussion

Stanley Fung and Randy Franks answered residents' questions regarding detour signs, concern for commercial business along Lewelling Boulevard, traffic calming measures, sidewalks and the length of the project.

- Detour signs will be looked at, and if not accurate they will be covered
- Redevelopment Agency is paying for utility conversion costs for businesses for the Lewelling project
- East Lewelling speed limit will be reestablished at 30 miles per hour, 25 miles per hour in school zone
- Sidewalks will be fixed once the poles are removed; one side of the sidewalk will be completed by summer 2011
- The length of the project is due to the coordination of many project partners

VI. Update on Status of Redevelopment Agency/Realignment

Eileen Dalton, Director, Redevelopment Agency, presented a status report on the Redevelopment Agency, as it relates to the Governor's plan to eliminate redevelopment agencies across the state.

Recent actions by the Board of Supervisors (BOS), pertaining to redevelopment include:

- February 22, 2011, 2/11 – BOS approved the two (2) tiers of Public Improvement Agreements
- March 8, 2010 – BOS approved two (2) tiers of Affordable Housing Projects
- Redevelopment Agency conveyed eleven (11) parcels (land acquisitions) to Alameda County – a provision of the process to eliminate the RDA's is a disposal of assets

The County will continue to try to move projects forward without the Redevelopment Agency, however, under the new provisions, property transfers and project agreements would be null and void.

The elimination of Redevelopment Agencies will be challenged in a lawsuit, under Proposition 22 if it passes. Ms. Dalton is still gathering information on the potential lawsuit, and will keep the Committee updated.

VII. Neighborhood Advisory Group Update - Representative, Neighborhood Advisory Group

a) Alcohol Conditional Use Permit (CUP)

Susan Beck, Co-Chair, reported that the unincorporated community is divided regarding the Alcohol CUP on whether it is Ashland Cherryland feel burdened with alcohol outlets in the neighborhood, however, San Lorenzo and Castro Valley are concerned that the ordinance might prohibit businesses from coming to the area.

Alcohol Conditional Use Permit (CUP) – (continued)

Ashland and Cherryland residents would like to have the ordinance amended, if possible, to only apply to their unincorporated area.

Statement from Supervisor Wilma Chan, District Three, read by staff:

Supervisor Chan applauds staff and advocates for their work, but also understands the questions raised by the Planning Commission. She has a long history of working on policies to limit the effects of alcohol, particularly on youth and minority communities, including introducing legislation to tax alcohol to pay for services for youth adversely affected by alcohol. She understands that the policy will be sent to the Transportation and Planning Committee for review. She has some concerns about how the ordinance might affect future retail development in San Lorenzo.

To Staff: With the 750 feet limit around libraries, would this affect the proposed development of the village center, hypothetically, if a new multi-purpose retail outlet center with restaurant and bar were to be part of the project?

Supervisor Chan would like to the proposed ordinance sent back to staff to exempt large businesses and restaurants that would sell alcohol, or carve out some sections of San Lorenzo.

Albert Lopez, Director, Planning Department, reported that the proposed Alcohol CUP Ordinance was heard at the Planning Commission meeting last week and they recommended that the Board of Supervisors not approve the ordinance.

There are provisions in the ordinance that allow for certain alcohol retail establishments for the purposes of economic development. In addition the ordinance provides exemptions for wineries, and restaurants with a bar with a conditional use permit process.

The proposed ordinance will be heard at the Transportation and Planning Committee on April 4, 2011.

b) Enforcement of Spray Paint Purchasing Ordinance

Susan Beck enquired of the Sheriff's Office if an ordinance existed that regulates the sale and use of spray paint. No such ordinance exists, however State Law makes it a misdemeanor to sell or furnish spray paint to minors. The Sheriff's Office does not actively monitor businesses on the sale of spray paint. If a complaint or violation occurs involving the sale or use of spray paint, the Sheriff's Office would investigate.

c) Report out on Chamber of Commerce

The Neighborhood Advisory Group would like the Chamber of Commerce to report to the wider community, instead of to the individual Citizen Advisory Committees (CAC). A monthly report of the Chamber of Commerce activities at the Unincorporated Services Committee was suggested.

A discussion ensued about having the Chamber of Commerce report to the Unincorporated Services Committee meetings in addition to the CAC meetings, as well as reporting of the Chamber of Commerce's lobbying activities.

c) Report out on Chamber of Commerce *(continued)*

Eileen Dalton stated that the Director of the Chamber of Commerce attends every CAC meeting, and thought that adding an additional monthly meeting would be excessive. If additional information is desired of the Chamber of Commerce, questions and concerns could be put in writing to the Chamber. In addition, the community could set up a meeting with the Chamber of Commerce with the Redevelopment Agency, to address concerns.

ADJOURNMENT

The meeting was adjourned to April 27, 2011.

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