

**MINUTES
CITY OF UNION CITY
CITY COUNCIL/REDEVELOPMENT AGENCY MEETING**

**TUESDAY, JUNE 28, 2011
7:00 PM**

**COUNCIL CHAMBERS
34009 ALVARADO NILES ROAD**

A SPECIAL MEETING CLOSED SESSION PRECEDED THE REGULAR MEETING AT 6:00 P.M.

I. CALL TO ORDER

Mayor Green called the meeting to order at 7:07 p.m.

I.a Pledge of Allegiance

I.b Roll Call

Present: Councilmembers Duncan, Ellis and Gacoscos, Vice Mayor Navarro,
Mayor Green
Absent: None

Mayor Green announced there was no reportable action from the Closed Session held earlier this evening. Mayor Green announced Item 15.a on this regular meeting agenda was considered at the 6:00 p.m. Closed Session.

II. UNFINISHED BUSINESS – None

III. PROCLAMATIONS AND PRESENTATIONS – None

IV. ORAL COMMUNICATIONS

Barry Ferrier announced an upcoming transportation forum on Thursday, July 21, 2011, at the Ruggieri Senior Center.

Hugh McNamara expressed his thanks for the Board and Commission Appreciation Event held last week.

John Sanchez distributed copies of information, and requested Council consider his request to allow Alliance Futbol Inc. to participate as a vendor of firework sales in 2011.

V. CONSENT CALENDAR

Item 5.n was removed from the Consent Calendar.

It was moved by Vice Mayor Navarro, seconded by Councilmember Duncan, to approve Consent Items 5.a through 5.m, as recommended by staff. Motion carried unanimously.

- 5.a Waived Further Reading of Proposed Ordinance (This permits reading the title only in lieu of reciting the entire text of any proposed Ordinance)
- 5.b Approved Minutes for the Special and Regular City Council Meetings of June 14, 2011
- 5.c Adopted **Resolution No. 4163-11** Authorizing a Contractual Agreement with “Deltaworks Management Consultants” to Conduct a Feasibility Study for a Consolidated Public Safety Answering Point/Dispatch (PSAP) Center with the Cities of Fremont and Newark
- 5.d Adopted **Resolution No. 4162-11** Authorizing for the Execution of a Master Agreement and Program Supplements with the California Department of Transportation for State-Funded Transit Projects
- 5.e Adopted **Resolution No. 4164-11** for the Award of a Contract to Joseph J. Albanese, Inc. of Santa Clara, California, for the Transit Oriented Development - East Plaza Improvements Project, City Project No. 10-13
- 5.f Adopted **Resolution No. 4165-11** for the Award of a Contract to Blossom Valley Construction of San Jose, California, for the Promenade and Playground Project, City Project No. 10-25
- 5.g Adopted **Resolution No. 4166-11** for the Award of a Contract to Galedridge Construction, Inc. of Alviso, California, for 2011 Pavement Repair Project, City Project No. 11-10
- 5.h Adopted **RDA Resolution No. 440-11** Approving a Second Amendment to the Grant Agreement with Millennium Housing and Allocating Additional Funds for Rent Subsidies
- 5.i Adopted **RDA Resolution No. 441-11** Authorizing a \$1,189,000 Contract Amendment with ROMA Design Group to Perform Construction Support Services for BART Phase 2
- 5.j Adopted **Resolution No. 4167-11** Authorizing the Termination of an Exclusive Negotiating Rights Agreement with Green Valley Corporation DBA Barry Swenson Builder and Adopted **RDA Resolution No. 442-11** Authorizing the Termination of an Exclusive Negotiating Rights Agreement with Green Valley Corporation DBA Barry Swenson Builder
- 5.k Adopted **Resolution No. 4168-11** Authorizing the City Manager to Execute a Contract with the County of Alameda for Housing Rehabilitation Services for a Ten-Year Period Commencing FY 2011/2012, and Adopted **RDA Resolution No. 443-11** Authorizing the City Manager to Execute a Contract with the County of Alameda for Rehabilitation Housing Services for a Ten-Year Period Commencing FY 2011/2012
- 5.l Adopted **Resolution No. 4169-11** Allocating Federal Local Highway Bridge Program Funds and State Proposition 1B Bond Funds in the amount of \$880,373 and Awarding a Contract to R.M. Harris Co. of Martinez, California, for the Whipple Road Overhead Seismic Retrofit, City Project No. 11-19, Federal Project No. STPLZ - 5353(026)
- 5.m Adopted **Resolution No. 4170-11** Authorizing Amendments to the FY 10-11 Operating and Capital Budget

Consideration of Item 5.n removed from the Consent Calendar.

- 5.n Adopt a Resolution to Enter into an Agreement with Ghirardelli Associates for Construction Management Services on the Dyer Street Pavement Rehabilitation Project, City Project No. 10-23, Federal Project No. STPL-5354(029)

Public Works Director Cheng responded to questions from Councilmembers, noting work was expected to begin in July 2011.

It was moved by Mayor Green, seconded by Vice Mayor Navarro, to adopt **Resolution No. 4171-11** to Enter into an Agreement with Ghirardelli Associates for Construction Management Services on the Dyer Street Pavement Rehabilitation Project, City Project No. 10-23, Federal Project No. STPL-5354(029). Motion carried unanimously.

VI. PUBLIC HEARINGS

- 6.a Public Hearing and Adopt a Resolution for the Use of Bridge Benefit District Surplus Funds for Neighborhood Street Improvements

Public Works Director Cheng presented the staff report and responded to questions from Councilmembers.

Mayor Green opened the public hearing.

Carol Dutra-Vernaci stated she had received the public hearing notice at her Smith Street address, and expressed support for the project.

Hugh McNamara stated he had received the public hearing notice, and requested clarification regarding sidewalk repairs.

There were no other speakers on the matter. Mayor Green closed the public hearing.

It was moved by Vice Mayor Navarro, seconded by Councilmember Duncan, to adopt **Resolution No. 4172-11** authorizing the improvement of neighborhood streets in five bridge assessment districts through the use of surplus funds. Motion carried unanimously.

VII. CITY MANAGER REPORTS

- 7.a Adopt a Resolution Approving the FY 2011-12 and 2012-13 Operating Budget and the Five-Year Capital Improvement Plan for FY 2011-12 through 2015-16

City Manager Cheeves presented the staff report and responded to questions from Councilmembers.

Barry Ferrier expressed disappointment with the lack of discussion regarding the use of Measure WW funds.

Elizabeth Ames expressed concern about operating costs associated with proposed new buildings, and her preference for an agricultural preserve.

Councilmembers provided comment.

It was moved by Mayor Green, seconded by Councilmember Duncan, to adopt **RDA Resolution No. 444-11** adopting the Agency Budget for fiscal years 2011-12 through 2012-13. Motion carried unanimously.

Mayor Green provided further comment.

It was moved by Vice Mayor Navarro, seconded by Councilmember Duncan, to adopt **Resolution No. 4173-11** adopting the operating budget for fiscal years 2011-12 through 2012-13 and approving the five-year Capital Improvement Plan for fiscal years 2011-12 through 2015-16.

Ayes:	Councilmembers Duncan, Ellis, Gacoscos, Vice Mayor Navarro
Noes:	Mayor Green
Absent:	None
Abstain:	None

- 7.b [Adopt a Resolution for the] Appointment of the Remaining Two Community Members to the Measure AA Sales Tax Oversight Committee

Administrative Services Director Digre presented the staff report and responded to questions from Councilmembers.

It was moved by Mayor Green, seconded by Vice Mayor Navarro, to adopt **Resolution No. 4174-11** appointing Dave Sweilem and Anil Sika as the two additional community members to serve with Carol Dutra-Vernaci, Richard Valle, and Harpal Mann, on the Measure AA Sales Tax Oversight Committee. Motion carried unanimously.

- 7.c Adopt Resolutions Authorizing the City Council and the Community Redevelopment Agency to Adopt the Classification of the Various Components of Fund Balance as Defined in Governmental Accounting Standards Board Statement No. 54

Administrative Services Director Digre presented the staff report and responded to questions from Councilmembers.

It was moved by Councilmember Gacoscos, seconded by Councilmember Ellis, to adopt:

- **Resolution No. 4175-11** authorizing classification of the various components of fund balance as defined in Governmental Accounting Standards Board (GASB) Statement No. 54
- **RDA Resolution No. 445-11** authorizing the adoption of the classification of the various components of fund balance as defined in Governmental Accounting Standards Board (GASB) Statement No. 54

Motion carried unanimously.

- 7.d Adopt a Resolution in support of the Development, Relief and Education for Alien Minors (DREAM) Act currently being considered in the U.S. Congress

Deputy City Manager Acosta presented the staff report and responded to questions from Councilmembers.

It was moved by Councilmember Gacoscos, seconded by Vice Mayor Navarro, to adopt **Resolution No. 4176-11** in support of the Development, Relief and Education for Alien Minors (DREAM) Act currently being considered in the U.S. Congress. Motion carried unanimously.

VIII. REDEVELOPMENT AGENCY - None

IX. AUTHORITIES AND AGENCIES - None

X. CITY COMMISSION/COMMITTEE REPORTS - None

XI. SECOND ORAL COMMUNICATIONS - None

XII. SCHEDULED ORAL COMMUNICATION - None

XIII. ITEMS REFERRED BY COUNCIL

13.a Oral Reports by Mayor and Councilmembers on meetings of County or Regional Boards and Commissions

Vice Mayor Navarro stated he will attend the Associated Community Action Program meeting on June 30, 2011.

Councilmember Gacoscos stated she attended the Housing Authority of Alameda County meeting on June 15, 2011.

Councilmember Gacoscos stated she attended the Joint City Council/Human Relations Commission meeting on June 22, 2011.

Councilmember Gacoscos stated she attended the Board and Commission Appreciation Event on June 23, 2011.

Councilmember Gacoscos stated she attended the Afternoon Business Mixer at Muskaan restaurant on June 16, 2011. The event was hosted by the Union City Chamber of Commerce.

Councilmember Ellis stated he attended the Alameda County Fire Department Advisory Commission meeting on June 16, 2011, which included a presentation on strategies being evaluated to reduce spending on emergency medical services and public health service calls.

Councilmember Ellis stated he attended the Afternoon Business Mixer at Muskaan restaurant on June 16, 2011. The event was hosted by the Union City Chamber of Commerce.

Councilmember Ellis stated he attended the Joint City Council/Human Relations Commission meeting on June 22, 2011.

Councilmember Ellis stated he attended the Board and Commission Appreciation Event on June 23, 2011.

Councilmember Duncan stated she attended the Alameda County Fire Department Advisory Commission meeting on June 16, 2011. The discussion included potentially repurposing fire houses as clinics for non-critical medical assistance.

Councilmember Duncan stated she attended the Joint City Council/Human Relations Commission meeting on June 22, 2011. Councilmember Duncan expressed support for Council conducting future joint meetings with boards and commissions.

Councilmember Duncan stated she attended the Board and Commission Appreciation Event on June 23, 2011.

Mayor Green stated he recently attended a discussion in San Francisco regarding oil consumption.

Mayor Green stated he attended the Alameda County Waste Management Authority meeting on June 22, 2011. Mayor Green stated the meeting discussed the potential use of solar power in conjunction with wind power on property owned by the Alameda County Waste Management Authority.

Mayor Green stated the Association of Bay Area Governments and the Metropolitan Transportation Commission will be voting on the future location of the regional agency building.

Mayor Green stated he attended the Alameda County Transportation Commission meeting on June 23, 2011.

13.b Referral from Vice Mayor Navarro Regarding Disposition of Old Fire Station No. 3 on Tenth Street

Vice Mayor Navarro suggested consideration be given to permanent use of Fire Station No. 3 as a facility for a youth boxing program.

City Manager Cheeves responded to questions from Councilmembers.

Lilia Reynoso distributed information about, and expressed support for, creating a mural on the building.

Mary Schlarb and Enrique Romero expressed support for the mural project.

By consensus, the matter will be agendaized for consideration at the July 12, 2011, regularly scheduled City Council meeting.

XIV. GOOD OF THE ORDER

Councilmember Ellis asked if Santa Maria Drive is included as a part of the slurry seal street project. Public Works Director Cheng stated Santa Maria Drive is included in the Union City 2011-12 Citywide Overlay, City Project 11-03, and the bid opening for the project is scheduled for June 30, 2011.

Councilmember Gacoscos inquired about the status of the unfinished building at four corners, and stated the property is in disarray. City Manager Cheeves stated the building is a private

development project which has suffered numerous delays. Economic and Community Development Director Malloy stated the project periodically moves forward. City Manager Cheeves stated staff will address code enforcement issues.

Vice Mayor Navarro inquired as to the status of business licenses for vendors participating in the Food Truck Festival on June 30, 2011. City Manager Cheeves stated the City had worked with the Union City Chamber of Commerce to assist vendors in completing their application processes and that the matter has been resolved.

Vice Mayor Navarro reported gang-affiliated graffiti at the "Park and Ride" on Union City Boulevard.

Mayor Green stated Supervisor Haggerty's father-in-law passed away last week, and commended the Alameda County Fire Department for their professional assistance.

Mayor Green stated he attended the 17th Annual Thai Classical Night held at the Southern Alameda County Buddhist Church on June 25, 2011.

Mayor Green stated he attended a fundraiser for Congressman McNerny.

Mayor Green stated he attended a dinner at the San Francisco Chinese Consulate on June 27, 2011.

Mayor Green stated he received a complaint from a resident on Blossom Court regarding the reduced lighting created by the new street lights. Mayor Green urged staff to explore alternative energy saving bulbs with softer light as opposed to what he considers to be harsh white light which is currently being installed in City street lights.

XV. CLOSED SESSION (*As reported by Mayor Green at the beginning of this meeting, Item 15.a was added to the 6:00 p.m. Special Meeting agenda and considered at that time.*)

15.a CLOSED SESSION - CONFERENCE WITH LABOR NEGOTIATORS

(Pursuant to Government Code Section 54957.6)

Agency designated representatives: Larry Cheeves Tony Acosta Rich Digre

Employee organization: Union City Police Management Association (UCPMA)

XVI. ADJOURNMENT

Mayor Green adjourned the regular meeting at 8:42 p.m.

Respectfully submitted,

Renee Elliott
City Clerk