

**MINUTES FOR THE ADJOURNED  
REGULAR CITY COUNCIL MEETING  
CITY OF UNION CITY  
MARCH 25, 2003, 6:00 P.M.  
COUNCIL CONFERENCE ROOM  
34009 ALVARADO-NILES ROAD  
UNION CITY, CALIFORNIA**

Mayor Green called the meeting to order at 6:14 p.m.

**ROLL CALL:** Present: Councilmembers Dutra-Vernaci, Fernandez, Valle, Mayor Green  
Absent: Vice Mayor Elias

Vice Mayor Elias arrived at the meeting at 6:30 p.m.

Mayor and Council met in closed session on the following:

**A. PUBLIC EMPLOYMENT**  
(Pursuant to Section 54957)

**Position to be filled: Interim City Manager**

**Position to be filled: Administrative Services Director**

**B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9  
Potential Case: One

Meeting adjourned at 7:00 p.m.

**MINUTES FOR THE REGULAR  
CITY COUNCIL MEETING OF  
THE CITY OF UNION CITY  
TUESDAY, MARCH 25, 2003, 7:00 P.M.  
COUNCIL CHAMBERS  
34009 ALVARADO-NILES ROAD  
UNION CITY, CALIFORNIA**

Mayor Green called the meeting to order at 7:17 p.m.

**ROLL CALL:** Present: Councilmembers Dutra-Vernaci, Fernandez, Valle, Vice Mayor Elias, Mayor Green  
Absent: None

City Attorney Michael Riback reported the Council in closed session unanimously approved appointment of Larry Cheeves as Interim City Manager. Council also unanimously authorized recruitment for Administrative Services Director.

Mayor Green read the rules for conduct of the meeting.

**UNFINISHED BUSINESS - NONE**

**APPROVAL OF MINUTES**

- A. Approval of minutes of the Regular City Council meeting of Tuesday, March 11, 2003

Vice Mayor Elias moved, seconded by Councilmember Fernandez to approve minutes as submitted.

AYES: 5                      NOES: 0                      ABSENT: 0

**PROCLAMATIONS/PRESENTATIONS**

- A. Proclamation proclaiming March 23-March 29, 2003 as Knights of Columbus Week

Proclamation was read in its entirety and presented to representative of Knights of Columbus who thanked the Council for the recognition.

- B. Presentation by Washington Township Hospital

*Nancy Farber, Chief Executive Officer of Washington Township Health Care District, will present information to the Council regarding the efforts of the District and their plans for a potential clinic in Union City.*

Nancy Farber, Chief Executive Officer, presented information to the Council about Washington Township District and the services provided to the City.

John Haley stated there needs to be a physical presence by the District in our City, commented on the claim by PSSC, and the need for the District to establish a strong relationship with Tiburcio Vasquez.

Nancy Jewell Cross expressed concerns about location and operation of the District, access to board meetings and community library.

Barry Ferrier commented on selection process for boardmember and suggested an annual presentation by the District to the City.

### **ORAL COMMUNICATIONS**

Farida Fazal, 5<sup>th</sup> Street, commented on an inspection that took place on her property.

John Haley spoke about the resignation of David Berger.

Tevita Faasisila, Tartarian Way, commented on complaints he's received on the fence on his property.

Mayor Green director Mr. Faasisila to work with staff on this issue.

Leisa Port, UCPD Dispatcher, invited Council to attend the April 11<sup>th</sup> Annual Dispatcher Banquet where Union City Police and Hayward Police and Fire are co-hosting this event.

### **HEARINGS - NONE**

### **REPORTS FROM CITY MANAGER**

#### **A. Award of Bus Advertising Contract to Orion Outdoor Media (Resolution)**

*Staff is seeking Council approval for award of a five year bus advertising contract with Orion Outdoor Media.*

Valerie Crawford, Leisure Services Director, introduced Wilson Lee, Transit Manager, who gave the staff report.

Charles Beck, Orion Outdoor Media, responded to questions regarding time frame for City to realize revenue.

Vice Mayor Elias moved, seconded by Mayor Green to approve resolution, numbered appropriately.

AYES: 5

NOES: 0

ABSENT: 0

ADOPT  
RESO. NO. 2372-03

The title of the resolution adopted by this motion is as follows:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY  
AUTHORIZING THE CITY MANAGER TO EXECUTE A BUS ADVERTISING  
CONTRACT WITH ORION OUTDOOR MEDIA

B. Report on Fremont Animal Control Shelter

*This item is brought forth to provide information regarding the impacts the reduction of service at the Tri-City Animal Shelter will have on the City of Union City.*

Police Chief Randy Ulibarri gave the report.

There was no action on this item.

C. Update on Library Grant (Resolution)

*This report provides an update on the presentation made at the New Haven Unified School District Board meeting and provides recommendations for the preferred site for the Library which will allow the process to acquire funding for the library to proceed.*

Valerie Crawford, Leisure Services/Transit Director, gave the staff report.

Hugh McNamara stated financial consideration for this project should be on RePAC agenda.

Barry Ferrier stated he prefers the second option of the existing library and extending it over the current patio area.

John Haley stated consideration should be made to an arts center; commented on parking issue; shouldn't do a patch.

Nancy Jewell Cross commented on bicycle space at the library.

There was Council concurrence to present to NHUSD the Logan parking lot as the preferred site; making a good presentation with a schematic of the Logan site, as well as City Hall site; and authorizing an additional \$10,000 for the schematic.



1. RESOLUTION AUTHORIZING THE INTERIM EXECUTIVE DIRECTOR TO EXECUTE A PURCHASE AGREEMENT FOR PROPERTY AT WHIPPLE ROAD AND 5<sup>TH</sup> STREET, APN 486-0015-022.

Clay Martinez, property owner, commented on fees paid on this property.

Barry Ferrier questioned the cost of eminent domain.

Charles Guerrero stated he previously wanted to purchase this property and he doesn't think the suggested action of the Council is fair.

Mayor Green moved, seconded by Agencymember Valle to return this item to Council at the April 8 meeting.

AYES: 5                      NOES: 0                      ABSENT: 0

2. RESOLUTION CREATING A NO PARKING AREA AND AUTHORIZING THE POSTING OF NO PARKING SIGNS ON WHIPPLE ROAD PARCEL.

There was no action on this item.

**B. AWARDING OF CONTRACT TO PURCHASE SIX MODULAR HOMES FROM ADVANTAGE HOMES**

*Required Action: Motion (Requires four affirmative votes for approval)*

*This resolution awards contract to purchase six modular homes from Advantage Homes for interim housing at Mission/D/Second Street and for one affordable housing unit at the Tropics Mobile Home Park. These units will be used as interim housing for about 24 months for the selected frail and elderly residents who will be relocating to Mission Gateway when completed.*

Mark Evanoff, Redevelopment Agency Manager, gave the staff report.

Vice Mayor Elias moved, seconded by Councilmember Dutra-Vernaci to adopt resolution, numbered appropriately.

AYES: 5                      NOES: 0                      ABSENT: 0                      ADOPT RDA  
RESO. NO. 2374-03

The title of the resolution adopted by this motion is as follows:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY AWARDING A CONTRACT TO ADVANTAGE HOMES TO PROVIDE SIX HANDICAPPED ACCESSIBLE MODULAR HOMES FOR FRAIL EL ARROYO RESIDENTS AND CARETAKERS AND THE TROPICS

The following item was added to the agenda by an addendum.

- C. RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF UNION CITY AUTHORIZING ACTIONS TO APPLY FOR AND OBTAIN A LOAN FROM THE CALIFORNIA HOUSING FINANCE AGENCY HOUSING ENABLED BY LOCAL PARTNERSHIPS (HELP) PROGRAM TO FACILITATE FUNDING OF THE UNION CITY SENIOR VILLAGE ASSISTED LIVING DEVELOPMENT.

Vern Smith, Housing Coordinator, gave the staff report.

Hugh McNamara voiced his approval of this project.

Agencymember Valle moved, seconded by Agencymember Fernandez to adopt resolution, numbered appropriately.

AYES: 5                      NOES: 0                      ABSENT: 0                      ADOPT RDA  
RESO. NO. 274-03

**AUTHORITIES/AGENCIES - NONE**

**CONSENT CALENDAR/RESOLUTIONS**

Mayor Green requested Item D removed from the consent calendar.

Councilmember Valle moved, seconded by Councilmember Fernandez to approve Items A-C, numbered appropriately.

AYES: 5                      NOES: 0                      ABSENT: 0

The titles of the resolutions adopted by this motion are as follows:

- A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY APPOINTING INTERIM CITY MANAGER

*The resignation of City Manager David Berger necessitates the appointing of an Interim City Manager to assure continuity of City*

*business. This resolution*

*appoints Larry Cheeves as Interim City Manager.*

ADOPT  
RESO. 2375-  
03

- B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY AUTHORIZING THE FILING OF APPLICATIONS WITH THE METROPOLITAN TRANSPORTATION COMMISSION FOR ALLOCATION OF TRANSPORTATION DEVELOPMENT ACT ARTICLE 4 AND 4.5, STATE TRANSIT ASSISTANCE FUNDS AND WITH THE ALAMEDA COUNTY TRANSPORTATION IMPROVEMENT AUTHORITY FOR ALLOCATION OF MEASURE B FUNDS FOR FY 2003-2004

ADOPT  
RESO. 2376-  
03

*Resolution authorizing City staff to file annual funding applications with the Metropolitan Transportation Commission and the Alameda County Transportation Improvement Authority (ACTIA) for the operation of Union City Transit and Union City Paratransit.*

- C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY ACCEPTING BIDS TO DEMOLISH BUILDINGS AT 33423 MISSION BOULEVARD AND 33459 MISSION BOULEVARD

ADOPT  
RESO. 2377-  
03

*Staff is requesting authorization to accept bids and enter into appropriate standard contracts to demolish the buildings located at 33423 Mission Blvd., (the former Decoto Lounge) and 33459 Mission Boulevard, (the former carpet store). Demolition of these buildings is consistent with the adoption of the Unified Redevelopment Project Area Plan.*

The title of Item D is as follows:

- D. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY AUTHORIZING STAFF TO PROCEED WITH ENGINEERING DESIGN

*This resolution authorizes staff to proceed with Project Engineering for Alvarado-Niles Road pavement repairs.*

Mayor Green removed this item to question timeframe for completion of project.

Barry Ferrier requested exact site location and expressed hope for better project.

Hugh McNamara commented on hope for a better project.

Mayor Green moved, seconded by Vice Mayor Elias to approve resolution, numbered appropriately.

AYES: 5                      NOES: 0                      ABSENT: 0                      ADOPT  
RESO. NO. 2378-03

### **ORAL COMMUNICATIONS**

Barry Ferrier commented on lobbying Barbara Boxer for funds for City projects.

### **CORRESPONDENCE - NONE**

### **APPROVAL OF BILLS - MONTHS OF JANUARY AND FEBRUARY**

A. Approval of warrants for payment for January and February 2003

Vice Mayor Elias moved, seconded by Councilmember Valle to approve warrants for payment.

AYES: 5                      NOES: 0                      ABSENT: 0

### **SCHEDULED ORAL COMMUNICATIONS - NONE**

### **ITEMS REFERRED BY COUNCIL**

A. Oral Reports by Councilmembers on Meetings of County or Regional Boards and Commissions

Councilmember Valle requested contact information regarding ACAP appointment.

Councilmember Dutra-Vernaci reported attending the East Bay Division of the League of California Cities meeting last week with Larry Cheeves and Tony Acosta where topics of discussion focused on transportation. There were also suggestions on ways for cities to support troops by displaying the names of Union City family members and friends that are currently serving the country in the military on the local cable channel or on a display board.

## **GOOD OF THE ORDER**

Councilmember Fernandez commented on speeding on Santa Maria.

Councilmember Dutra-Vernaci commented on email regarding speeding on Santa Maria.

Councilmember Valle suggested placing a stop sign on Santa Maria in response to resident's concerns.

Councilmember Valle commented on the Little League parade and cost for parade.

Councilmember Valle stated there is a press conference tomorrow at Fremont City Hall at noon regarding hate crimes.

Councilmember Valle commented on vacant property on Alvarado Niles Road needs clean up of weeds.

Mayor Green requested to agendaize EBRPD Dry Creek Cottage and Garden Interim Land Use Plan on the April 8 agenda.

Mayor Green commented on the recent awards won by Leisure Services and requested this placed on a future agenda for recognition.

Mayor Green commented regarding recent police calls.

Mayor Green announced there will be a joint meeting of Alameda County Mayors with Contra Costa Mayors on April 3 at Civic Auditorium in Richmond.

At 10:59 p.m. Councilmember Dutra-Vernaci moved, seconded by Councilmember Fernandez to Tuesday, April 8, 2003.

AYES: 5            NOES: 0            ABSENT: 0