

**MINUTES
CITY OF UNION CITY
CITY COUNCIL/REDEVELOPMENT AGENCY MEETING
April 26, 2005**

Mayor Green called the meeting to order at 7:04 p.m.

I. PLEDGE OF ALLEGIANCE: Mayor Green led the flag salute

II. ROLL CALL: Present: Councilmembers Fernandez, Navarro, Valle, Vice Mayor Dutra-Vernaci, Mayor Green

III. UNFINISHED BUSINESS – None

IV. APPROVAL OF MINUTES

A. Special and Regular meeting held April 12, 2005

It was m/s by Navarro/Fernandez to approve the minutes as submitted. Motion carried unanimously.

V. PROCLAMATIONS/PRESENTATIONS

A. Presentation of a Proclamation recognizing Union City Community Volunteers for their service and contributions to the City

Mayor Green presented the Proclamation and Certificates of Recognition to the following Community Volunteers:

Gail Smith, Business License Unit; Sidhi Narula, Accounting; Bonnie Nelson, Kristine Santos and Maria Dellafosse, Fire Department Clerical; Dan Sarka; Police Department Traffic Unit; Robert Gordon, Police Department Investigations Unit; Merlin Stewart, Police Department Patrol and Investigations Units; Laura Bautista, Ashley Bragg, Emily Ho, Stephanie Port, Pragya Saxena, Samathama Garcia, Adri Shelton and Dalton Chavez, Leisure Services Aquatics Program; Minh Lee and JoAnn Lew, Leisure Services Sports Program; Mary Kong and Raja Narayan, Leisure Services Youth Committee; Jack Sands, Leisure Services Seniors Program; Eddy Seetho, Leisure Services Fee Classes Program; Dominique Valrey, Leisure Services Special Olympics Program; and John Haley, Leisure Services Community Garden Program.

VI. ORAL COMMUNICATIONS

Mattie Frances Rousseau said she was on the committee that bought the fire department back to Union City and expressed her desire to have some of the cost savings returned to the citizens to offset the fees charged for 9-1-1 calls.

John Haley spoke of the recent symphony and the need for more publicity for these types of events.

George Adas suggested enforcement of loitering and noted the need for additional youth activities.

VII. HEARINGS – None

VIII. REPORT FROM CITY MANAGER

- A. Report on the implementation of the Curbside Single Stream Recycling Program beginning the week of May 23

Councilmember Valle advised of his conflict as an employee of Tri-Ced, recused himself from this item and left the Council Chamber.

Roberto Muñoz, Solid Waste & Recycling Coordinator, provided a visual presentation introducing the Curbside Single Stream Recycling Program, which will begin the Week of May 23.

Wendy Peterson, Tri-Ced Recycling, outlined the program and the efforts being made by Tri-Ced, which included public education, training for the drivers and the introduction of new CNG trucks to the fleet.

Hugh McNamara spoke to single stream recycling in town home communities.

John Haley asked if motor oil recycling will continue. Mr. Muñoz advised that it would.

A Union City resident expressed her concern about parking on Decoto with the number of totes that will be placed on the street.

Councilmember Valle returned to his seat at the dais.

IX. REDEVELOPMENT AGENCY

- A. Report and Council direction on modified design of Intermodal Station

Mark Evanoff, Redevelopment Agency Manager, introduced the staff report

The Council recessed to a break at 8:06 p.m. and reconvened at 8:15 p.m. with all members present.

Boris Dramov, ROMA Design Group, provided a detailed presentation of conceptual plan of the Union City Intermodal Station that included the concourse level, Capitol Corridor, AC Transit, Union City Buses, Dumbarton Rail and BART, commuter rail; and revised concepts for streets and blocks.

Berry Luboviski, representing the Laborers Union, spoke in support of the project.

Berry Ferrier, resident, spoke of his participation in the early stages of this project and his support of the plan. He also supported the need to create jobs in the immediate area.

John Haley, resident, suggested that the city explore other cities that have transportation hubs to find out the qualities and the failures concerning the surrounding uses.

Dick Wenzel, BART Group Meeting Station Capital Program, spoke of the unique opportunity this project possesses and the challenges ahead in securing funds to build the project.

Val Menotti, BART Planner addressed replacement parking and the need for establishing this as a priority. He noted that revisions as being a cost saving and safety minded for the rider-ship.

Gene Skoropowski, Capitol Corridor, stated the Corridors support for the project, and spoke of the land acquisition needed to construct the project. He felt this is one the most exciting projects and one of the best plans he has seen in the country.

After discussion, Council spoke of the need to have the project completely laid out, from A-Z, who needs to be involved, the project cost and the difference stages when funding would occur.

B. Report and Council direction on cost of constructing and operating a Performing Arts Center at Intermodal Station

Steve Sprotte, Management Analyst, introduced the staff report and highlighted the theaters he visited and their funding mechanisms.

Tony Acosta, Deputy City Manager, highlighted his conversation with a representative of Bill Graham Presents, who indicated that 9 times out of 10 performing arts theaters do not make money, although very challenging to fund they provide other benefits to the community.

Councilmember Fernandez spoke about exploring the possibility of working with our neighboring cities as a regional opportunity.

Vice Mayor Dutra-Vernaci questioned the possibility of working with the school.

Councilmember Valle asked what direction staff was looking for and questioned the timeline. He said the City is the brainstorming stage, requested the collection of more data and to explore all options available.

John Haley felt the facility needed to be a general community, multi-purpose building, which can be profitable.

Berry Ferrier supported Mr. Haley's comments and the need for the facility to support the business community.

Mayor Green felt that performing arts always needs subsidies. Construction is the key point; operations are secondary. He stressed the need to be a realist about the amount of money needed for this type of project.

Vice Mayor Dutra-Vernaci felt operations cost are also important.

Mr. Acosta advised that staff would return to Council in 90 days with a complete report.

X. AUTHORITIES/AGENCIES – None

XI. REPORTS FROM CITY COMMISSIONS/COMMITTEES – None

XII. CONSENT CALENDAR/RESOLUTIONS

- A. Adopted **Resolution No. 2974-05** approving a contract for professional services to PAR Environmental Services in the amount of \$74,500 to prepare the required NEPA/CEQA documentation for the Line M Box Culvert structure connecting PG&E and PSSC site, City Project No. 04-23
- B. Adopted **Resolution No. 2975-05** approving the grant application for the Federal Land and Water Conservation Fund Grant for the Kennedy Community Park picnic site improvements
- C. Waived second reading and adopted **Ordinance No. 653-05** adding Chapter 12.36 to the Municipal Code to provide informal bidding procedures under the Uniform Public Construction Cost Accounting Act (Section 22000, et seq. of the Public Contract Code
- D. Waived second reading and adopted **Ordinance No. 654-05** approving Zoning Map Amendment A-07-04 (Summerhill)

It was m/s by Fernandez/Valle to approve the Consent Calendar as recommended by staff. Motion carried unanimously.

XIII. ORAL COMMUNICATIONS – None

XIV. CORRESPONDENCE – None

XV. APPROVAL OF BILLS – None

XVI. SCHEDULED ORAL COMMUNICATIONS

- A. Status report by Michael Emerson on the Flight 93 Memorial and discussion concerning the maintenance bond

Mr. Emerson provided a project status report and explained the difficulties in obtaining the required \$50,000 maintenance bond. He asked that Council reconsider the bonding and insurance requirement.

Councilmember Fernandez expressed concern with eliminating the bond. He felt maintenance is quite important, and if not kept up sometimes the quality of the project suffers.

Councilmember Navarro expressed his desire for staff and Mr. Emerson to resolve the outstanding issues concerning the bond and insurance.

City Manager Cheeves advised that staff would meet with Mr. Emerson.

XVII. ITEMS REFERRED BY COUNCIL

- A. Oral reports by Councilmembers on meetings of County or Regional Board and Commissions

Councilmember Dutra-Vernaci reported on the East Bay Division meeting. She said the speaker talked about the importance of local government officials to develop relationships with the state legislator's key staff members.

Councilmember Navarro reported on his attendance at the Oakland Airport Noise Committee meeting and the April East Bay Division meeting. He noted the Town of Danville has a program that recognizes their active military staff and said he would like to do the same in Union City.

Mayor Green asked if someone would attend the ABAG meeting. The topic is Casino Gambling. Councilmember Fernandez said he would attend the meeting.

- B. Discussion of possible meeting dates for a joint meeting with the Fremont City Council concerning Route 84

Mayor Green asked that the Councilmembers provide the City Manager with possible dates for the meeting.

XVIII. GOOD OF THE ORDER – None

The meeting adjourned to closed session at 11:02 p.m. for the following purpose:

XIX. CLOSED SESSION

- A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(a):

Prentice, et al. v. City of Union City – US District Court Northern California Case No. C 03-0392

- B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Pursuant to Government Code Section 54956.8:

Property: 087-0019-012-01, 1330 Decoto Road
Negotiating parties: Mark Evanoff, Mark Leonard
Under negotiation: Price and terms of payment

Property: 087-0019-004-02, 1100 Decoto Road
Negotiating parties: Mark Evanoff, Mark Leonard
Under negotiation: Price and terms of payment

Property: 482-0020-009, 4995 Horner Street
Negotiating parties: Mark Evanoff, Mark Leonard
Under negotiation: Price and terms of payment

The meeting reconvened in open session at 1:00 a.m., with no action to report.

- XX. ADJOURNMENT:** There being no further business, Mayor Green adjourned the meeting at 1:02 a.m.

Respectfully submitted,

Karen Diaz, CMC
City Clerk