

**MINTUES
CITY OF UNION CITY
CITY COUNCIL/REDEVELOPMENT AGENCY MEETING
May 10, 2005**

Mayor Green called the meeting to order at 7:00 p.m.

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

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

III. UNFINISHED BUSINESS - None

City Attorney Riback advised that the need to add a proclamation recognizing the City's Sister City, Pasay City come to the attention of staff after the posting of the agenda, and a motion is required to add this item to the agenda.

It was m/s by Navarro/Dutra-Vernaci to add a Proclamation recognizing the City's Sister City, Pasay City as Item H in Section V to the agenda. Motion carried unanimously with Councilmember Valle absent.

IV. APPROVAL OF MINUTES

A. Regular meeting of April 26, 2005

It was m/s by Dutra-Vernaci/Navarro to approve the minutes as submitted. Motion carried unanimously with Councilmember Valle absent.

V. PROCLAMATIONS/PRESENTATIONS

A. Leisure Services Summer Kickoff and Recognition of Summer Art Activity Guide Contest Winners

The Mayor and City Council recognized the following students for their winning artwork:

Tenwie Peng	Esther Liu	Tiana Cheung
Justin Hu	Emily Lin	Wesly Liang
Tulalsi Dalal	Sartaj Bhatia	Tenyie Peng
Connie Sung	Alan Huang	Kelly Onodera
Daniel Zhang	Lucia Song	Cathy Day
Gianne Ryandayan	Joey Kamley	Tom Li
Ail Hosseinpur	Krishna Dalal	Peter Huang

B. Proclamation proclaiming May 15–21 “National Public Works Week”

Public Works Director Mintze Cheng accepted the proclamation.

C. Proclamation proclaiming May 15–21 “Emergency Medical Services Week”

EMS Chief Marlene Rivers accepted the proclamation.

D. Resolution honoring Ted Duarte, Firefighter / EMT of the Year 2005

It was m/s by Fernandez/Dutra-Vernaci to adopt **Resolution No. 2976-05** honoring Ted Duarte Firefighter/EMT of the Year 2005. Motion carried unanimously with Councilmember Valle absent.

Mayor Green presented Ted Duarte with a Resolution honoring him as being selected the 2005 Firefighter/EMT by his peers.

E. Resolution honoring Paul Tappan Firefighter / Paramedic of the Year 2005

It was m/s by Fernandez/Navarro to adopt **Resolution No. 2977-05** honoring Paul Tappan Firefighter/Paramedic of the Year 2005. Motion carried unanimously with Councilmember Valle absent.

Firefighter/EMT Duarte accepted the Resolution on behalf of Paul Tappan who was unable to attend the meeting.

F. Resolution honoring Victor Derting Officer of the Year 2005

It was m/s by Fernandez/Dutra-Vernaci to adopt **Resolution No. 2978-05** honoring Victor Derting, Officer of the Year 2005. Motion carried unanimously with Councilmember Valle absent.

Mayor Green presented a Resolution to 2005 Officer of the Year Victor Derting.

G. Resolution honoring Raquel Derting, Dispatcher of the Year 2005

It was m/s by Navarro/Dutra-Vernaci to adopt **Resolution No. 2979-05** honoring Raquel Derting, Dispatcher of the Year 2005. Motion carried unanimously with Councilmember Valle absent.

Mayor Green presented a Resolution to the 2005 Dispatcher/Clerk of the Year Raquel Derting.

H. Proclamation in recognition of the visit of an Official Delegation of Public Officials from the Republic of the Philippines and our Sister City of Pasay City

Mayor Green presented a Proclamation and a Key to the City to Arvin Tolentino, Councilmember, City of Pasay City and the delegation of Public Officials from the Republic of the Philippines.

Mr. Tolentino and Julian Conseteng, Senior Board Member, City of Quezon City thanked the City Council for their warm welcome, and noted that it was Councilmember Navarro who brought to their attention that Pasay City was Union City's Sister City.

VI. ORAL COMMUNICATIONS

Leonor Amaya read a prepared statement concerning the criteria for selecting the Police Officer of the Year and presented a Public Records Request for all costs associated with Wrongful Death Case of her daughter.

Police Chief Randy Ulibarri introduced Albert Valencia who has been selected as Union City's first Police Chaplin.

Union City Police Officer, Ariel San Pedro thanked the Council for their support in the recently Tsunami Relief event.

Cathy Norvell announced that the annual American Cancer Society Relay for Life will take place June 25 and 26 at Newark Memorial High School.

Dan Henriques spoke of his recent negative experience at the Union City FedX Kinko's.

John Haley expressed concern about the deficiencies of the Council Chamber audio system.

Youth Committee Members requested that the City Council consider establishing a Youth Commission that would be representative of the entire community.

VII. HEARINGS

Councilmember Fernandez advised that he is the co-applicant on this project, recused himself from this item and left the Council Chamber.

A. Vincent C. Wong and Partners, Florence Street, Tentative Tract Map TTM 7114 and Use Permit UP-01-05.

Associate Planner Aki Honda introduced the staff report. She said the applicant has submitted an appeal of the Planning Commission's action regarding TTM 7114 and UP-01-05. The Planning Commission's action was a 2-2 tie vote, resulting in no approval. The applicant is appealing this action and requesting approval of the subdivision of a 6.01 acre site located at the end of Florence Street and identified as APN: 087-0034-002-07 into six (6) single-family residential lots within the RS 6000 -H (single-family residential, hillside combining) zoning district. The City as lead agency has prepared a Negative Declaration for the property.

Mayor Green opened the public hearing.

Vincent Wong, Applicant, Developer and Architect, and Al Pascuale, Civil Engineer for the project provided an overview of the project and presented illustrations of the project.

Paul Summergren spoke in opposition to the project and noted the flooding that occurred in both 1986 and 1995.

Cathi Sweeney, Planning Commissioner, highlighted the Planning Commission's concerns over the soil and land stability, and the contradictions in the soils report and the mitigation measures.

Cathy Norvell said she lives below the proposed lot #1 and was concerned about stability of the ground when it is disturbed by construction. She noted that artesian wells are located on her property and they had to construct swales to protect the foundation of their home.

John Haley felt this project, if approved, would set a precedent for future development to occur on the hills up to Fremont.

There being no one else wishing to speak, the Mayor closed the public hearing.

Councilmember Dutra-Vernaci stated her opposition to the project and cited concerns about the public safety access, earthquake faults, and grade percentages. She felt there was no guarantee that the mitigation measure would address the impacts. She noted failed mitigation measure issues at SeaBreeze and Union Landing.

It was m/s by Green/Navarro to continue deliberation and action on this item until May 26, 2005. Motion carried with Councilmember Valle absent and Councilmember Fernandez abstaining.

Council recessed to a break at 9:44 p.m. The meeting convened at 10:04 p.m. with Councilmember Valle absent.

VIII. REPORT FROM CITY MANAGER

A. Acceptance of Third Quarter Budget to Actual Report

Administrative Service Director Digre presented the Report.

IX. REDEVELOPMENT AGENCY - None

X. AUTHORITIES/AGENCIES - None

XI. REPORTS FROM CITY COMMISSIONS/COMMITTEES - None

XII. CONSENT CALENDAR/RESOLUTIONS

A. Pulled for discussion - Adopt a Resolution approving Plans and Specifications for 2004-05 Overlay Program, City Project No. 04-05

B. Adopted Resolution No. 2980-05 approving a contract for external auditors to Maze & Associates to provide audit services for three fiscal years at a cost of \$67,168 for FY2004/05; \$68,242 for FY2005/06; and \$69,333 for FY2006/07 and authorize the City Manager to execute said contract

C. Introduced and waived first reading of Ordinance No. 655-05 amending Section 2.32.100 and 2.32.180 of the Union City Municipal Code, relating to competitive bidding thresholds for purchasing and sale of supplies, equipment and certain property

D. Rejected Claim No. 617 presented by Robert Ditmanson as recommended by the City's Claims Adjuster

E. Rejected Claim No. 624 presented by Charles Valencia as recommended by the City's Claims Adjuster

It was m/s by Fernandez/Navarro to approve the Consent Calendar Items B – E as recommended by staff. Motion carried unanimously with Councilmember Valle absent.

Item No. A – Adopt a Resolution approving Plans and Specifications for 2004-05 Overlay Program, City Project No. 04-05.

Mayor Green suggested that the staff research the pros/cons of using rubberized asphalt, made from reused tires, for City projects.

Public Works Director, Mintze Cheng said staff would provide Council with a technical memo about the issue.

It was m/s by Green/Fernandez to adopt **Resolution No. 2981-05** approving Plans and Specifications for 2004-05 Overlay Program, City Project No. 04-05. Motion carried unanimously with Councilmember Valle absent.

XIII. ORAL COMMUNICATIONS - None

Berry Ferrier complimented staff on the new and improved City Website.

XIV. CORRESPONDENCE - None

XV. APPROVAL OF BILLS

A. April 2005 Monthly Disbursements

It was m/s by Dutra-Vernaci/Navarro to approve the April 2005 Disbursements. Motion carried unanimously with Councilmember Valle absent.

XVI. SCHEDULED ORAL COMMUNICATIONS - None

XVII. ITEMS REFERRED BY COUNCIL

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

Vice Mayor Dutra-Vernaci advised that she would be attending the League sponsored Government Action Days in Sacramento.

XVIII. GOOD OF THE ORDER

XIX. ADJOURNMENT: There being no further business, Mayor Green adjourned the meeting at 10:24 p.m.

Respectfully submitted,

Karen Diaz, CMC
City Clerk