

**MINUTES
CITY OF UNION CITY
CITY COUNCIL/REDEVELOPMENT AGENCY
July 12, 2005**

Mayor Green called the adjourned regular meeting to order at 8:38 p.m.

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

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

III. UNFINISHED BUSINESS – None

IV. APPROVAL OF MINUTES

A. Regular Meeting of June 14, 2005

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

V. PROCLAMATIONS/PRESENTATIONS – None

VI. ORAL COMMUNICATIONS

Susie Garcia expressed concern about the scheduling problems with the new waste hauler and the size of the bins.

David Langer, Allied Waste, apologized for the inconvenience for the scheduled confusion to residents. He advised that Allied will be picking up extra bags during the transition period and that Allied will work with the City on a solution concerning the size of the bins.

VII. PUBLIC HEARINGS

A. Adopt a Resolution declaring the results of a Property Owner Protest Proceeding for the Union Landing Property and Business Improvement District (PBID) and approving certain related actions; a Resolution ordering the formation of the Union Landing PBID and the levy and collection of assessments for said District for Fiscal Year 2005/06; a Resolution to approve the Final Engineer's Report

Economic Development Manager Christine Friday introduced the staff report and recommended that the public hearing be opened and the ballots be tabulated.

Mayor Green opened the public hearing. There being no one wishing to speak, the hearing was closed.

City Clerk Karen Diaz opened and read ballots aloud. Brain Jewett of Muni-Financial tabulated the results. Results as following: Total Ballots Cast: \$387,545.97; Total Yes Votes: \$344,921.98; Total No Votes: \$42,623.99.

It was m/s by Valle/Dutra-Vernaci to adopt **Resolution No. 3017-05** declaring the results of a Property Owner Protest Proceeding for the Union Landing Property and Business Improvement District (PBID) and approving certain related actions. Motion passed by the following vote:

AYES: Councilmembers Dutra-Vernaci, Fernandez, Valle, Mayor Green
NOES: None
ABSENT: Councilmember Navarro

It was m/s by Valle/Dutra-Vernaci to adopt **Resolution No. 3018-05** ordering the formation of the Union Landing Property and Business Improvement District and the levy and collection of assessments for said District for Fiscal Year 2005/06. Motion passed by the following vote:

AYES: Councilmembers Dutra-Vernaci, Fernandez, Valle, Mayor Green
NOES: None
ABSENT: Councilmember Navarro

It was m/s by Valle/Dutra-Vernaci to adopt **Resolution No. 3019-05** to approve the Final Engineer's Report for the Union Landing Property and Business Improvement District for Fiscal Year 2005/06. Motion passed by the following vote:

AYES: Councilmembers Dutra-Vernaci, Fernandez, Valle, Mayor Green
NOES: None
ABSENT: Councilmember Navarro

VIII. REPORTS FROM CITY MANAGER

- A. Adopt a Resolution approving Plans and Specifications and authorization to solicit bids for construction of the Union City Sports Center (Gymnasium), City Project No. 02-12

Deputy City Manager Acosta introduced the staff report and advised that the 100 % plans have been delivered to the City.

It was m/s by Green/Valle to adopt **Resolution No. 3020-05** approving plans and specifications and authorizing the solicitation of bids for construction of the Union City Sports Center (Gymnasium) City Project No. 02-12. Motion passed by the following vote:

AYES: Councilmembers Dutra-Vernaci, Fernandez, Valle, Mayor Green
NOES: None
ABSENT: Councilmember Navarro

IX. REDEVELOPMENT AGENCY – None

X. AUTHORITIES/AGENCIES – None

XI. REPORTS FROM CITY COMMISSIONS/COMMITTEES – None

XII. CONSENT CALENDAR/RESOLUTIONS

- A. Adopted **Resolution No. 3021-05** setting the Paramedic Special Tax for Fiscal Year 2005/2006
- B. Adopted **Resolution No. 3022-05** approving Final Parcel Map 8306, located on Decoto Road, Gerald and Nelida Gamardo
- C. Pulled for discussion – Adopt a Resolution approving the reduction of the speed limit on a portion of Seventh Street
- D. Adopted **Resolution No. 3023-05** authorizing the City Manager to execute a license agreement with MV Transportation for the use of a modular office building in the Union City Corporation Yard for Fiscal Year 2005/06 and 2006/07
- E. Adopted **Resolution No. 3024-05** authorizing the creation of the Assistant to the City Manager and Senior Planner Classification, and amending the Compensation Plan
- F. Pulled for discussion – Adopt a Resolution authorizing Amendment No. 1 to the Franchise Agreement with Tri-Cities Economic Development Corporation (Tri-CED) for Recyclable Materials Collection and Processing
- G. Pulled for discussion – Adopt a Resolution setting rates for Solid Waste, Organic Waste and Recyclable Materials Collection and the Stormwater (Clean Water Program) Surcharge for Fiscal Year 2005-06
- H. Adopted **Resolution No. 3025-05** approving an agreement with East Bay Regional Park District regarding Landscape & Lighting Maintenance District No. 3
- I. Adopted **Resolution No. 3026-05** approving an agreement with Alameda County designating the City of Union City as a Sub-Recipient of the HOME Investment Partnership ACT Funds
- J. Pulled for discussion - Adopt a Resolution canceling the August 9, 2005 City Council meeting
- K. Introduced and waived first reading of **Ordinance No. 656-05** authorizing the levy of a special tax within Community Facility District No. 2005-1 (Public Service)
- L. Accepted status report on Urgency Ordinance for Medical Marijuana Dispensaries
- M. Rejected Claim No. 627 presented by Michael Buckley as recommended by the City's Insurance Adjuster
- N. Rejected Claim No. 628 presented by Claude Balugo as recommended by the City's Insurance Adjuster
- O. Pulled for discussion – Approve Mayor's recommendation to appoint Atul Mitra to the Human Relations Commission

It was m/s by Fernandez/Dutra-Vernaci to approved Consent Items A, B, D, E, H, I, K, L, M and N as recommended by staff. Motion carried unanimously with Councilmember Navarro absent.

Items F & G – Councilmember Valle stated a Conflict of Interest due to his business relationship with Tri-CED and recused himself from these items.

It was m/s by Green/Dutra-Vernaci to adopt **Resolution No. 3027-05** authorizing Amendment No. 1 to the Franchise Agreement between the City of Union City and Tri-City Economic Development Corporation (Tri-CED) for recyclable materials collections and processing. Motion passed by the following vote:

AYES: Councilmembers Dutra-Vernaci, Fernandez, Mayor Green
NOES: None
ABSENT: Councilmember Navarro
RECUSED: Councilmember Valle

It was m/s by Fernandez/Dutra-Vernaci to adopt **Resolution No. 3028-05** establishing annual rates for Municipal Solid Waste, Organic Waste, Recycling and Strom Water Runoff Surcharge for Fiscal Year 2005-06. Motion passed by the following vote:

AYES: Councilmembers Dutra-Vernaci, Fernandez, Mayor Green
NOES: None
ABSENT: Councilmember Navarro
RECUSED: Councilmember Valle

Item C – Public Works Director Mintze Cheng introduced the staff report and noted a minor correction.

It was m/s by Green/Fernandez to adopt **Resolution No. 3029-05** approving the reduction of the speed limit on a portion of Seventh Street. Motion passed by the following vote:

AYES: Councilmembers Dutra-Vernaci, Fernandez, Valle, Mayor Green
NOES: None
ABSENT: Councilmember Navarro

Item J – Mayor Green suggested that the August 23 meeting be cancelled to allow for a longer vacation period.

It was m/s by Green/Valle to adopt **Resolution No. 3030-05** canceling the regularly scheduled City Council Meeting of August 23, 2005. Motion passed by the following vote:

AYES: Councilmembers Dutra-Vernaci, Fernandez, Valle, Mayor Green
NOES: None
ABSENT: Councilmember Navarro

Item O – Mayor Green advised that the City has several openings on various commissions that have been vacant for months. He recommended that Council support the appointment of Atul Mitra to the Human Resource Commission.

It was m/s by Green/Valle to appoint Atul Mitra to the Human Resource Commission. Motion carried unanimously with Councilmember Navarro absent.

XIII. ORAL COMMUNICATIONS

Barry Ferrier spoke about the size of the new garbage containers. He also noted his concerns about the reflective marking and lane separators on Union City Blvd.

Hugh McNamara spoke about the new waste hauler.

Atul Mitra raised concern about the new 'no left turn on red light' at the intersection of Dyer and Whipple.

XIV. CORRESPONDENCE – None

XV. APPROVAL OF BILLS

A. Disbursement List for June 2005

It was m/s by Dutra-Vernaci/Fernandez to approve the June 2005 Disbursement List as submitted. Motion carried unanimously with Councilmember Navarro 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

XVIII. GOOD OF THE ORDER

XIX. CLOSED SESSION – Pulled from the Agenda

Conference with Labor Negotiators (pursuant to Section 54957.6 of the Government Code)

City designated representatives: Larry Cheeves, Tony Acosta, Rich Digre

Employee organizations: Management
Police Management
Police Officer Association
Professionals
SEIU Local 790

XX. ADJOURNMENT – There being no further business, Mayor Green adjourned the meeting at 9:38 p.m.

Respectfully submitted,

Karen Diaz, CMC
City Clerk