

**MINUTES
CITY OF UNION CITY
CITY COUNCIL/REDEVELOPMENT AGENCY MEETING
August 9, 2005**

Mayor Green called the meeting to order at 7:10 p.m.

Assistant City Attorney, John Bakker reported that due to closed session discussions, Consent Item No. H was being removed from the agenda and that it would be continued to the September 13, meeting.

- I. **PLEDGE OF ALLEGIANCE:** Mayor Green led the flag salute.
- II. **ROLL CALL:** Councilmembers Fernandez, Navarro, Valle, Vice Mayor Dutra-Vernaci, Mayor Green
- III. **UNFINISHED BUSINESS** – None
- IV. **APPROVAL OF MINUTES**
 - A. Regular meeting of July 26, 2005

Motion: It was m/s by Dutra-Vernaci/Valle to approve the minutes as submitted.
Motion carried unanimously.
- V. **PROCLAMATIONS/PRESENTATIONS**
 - A. Introduction of new and promoted employees

Fire Chief Simon introduced Firefighters Cliff Sullivan and Justin Merrick, Police Chief Ulibarri introduced dispatchers Isabel Lopez and Maria Castro, and Community Development Director Leonard introduced contract planner Jene Gernigan
- VI. **ORAL COMMUNICATIONS**

Rev. Brown thanked the Police, Fire and Public Works Departments and their staff for helping to make the Union City Pastor's Alliance sponsored event "Paid in Full" presented by Hitland Productions held August 6th at Kennedy Park a successful event.

Leonor Amaya spoke on behalf of her son J.J. Amaya concerning a recent complaint he filed against the Union City Police Department.
- VII. **HEARINGS** – None
- VIII. **REPORTS FROM CITY MANAGER**
 - A. Report on the implementation of Food Scrap Recycling Program

Tri-CED Summer Youth employees presented the Organic Yard Waste Recycling program, which will include the distribution of a new kitchen pail beginning the week of August 22nd.

B. Adopt a Resolution certifying the results of the Mailed Ballot Election for City-Wide Landscape and Lighting Maintenance District No. 3

Public Works Director Cheng introduced the staff report and advised that the District passed by the following vote:

Total Assessment Amount Cast "Yes": \$413,526.72

Total Assessment Amount Cast "No": \$396,582.84

Total Assessment Amount Cast: \$810,109.56

The Assessment Amount Cast "Yes" Equal 51.0% Of The Total Assessment Amount Cast.

Barry Ferrier felt the amount of the text contained on the ballot could have been reduced.

Assistant City Attorney Bakker noted that the ballots must comply with State Law.

Mayor Green requested a vote tabulation of the public agency.

Motion: It was m/s by Valle/Dutra-Vernaci to adopt **Resolution No. 3034-05** declaring the results of balloting tabulated in accordance with Article XIIID of the California Constitution and California Government Code Section 53753, ordering improvements and confirming the diagrams and annual assessments for the City Of Union City Landscape And Lighting Maintenance District No. 3 pursuant to the Landscape and Lighting Act of 1972 for the 2005-2006 Fiscal Year. Motion passed by the following vote:

Ayes: Councilmembers Dutra-Vernaci, Fernandez, Navarro, Valle, Mayor Green

Noes: None

Absent: None

C. Adopt a Resolution approving Amendment No. 1 to the Alameda County Transportation Expenditure Plan, dated August 1986

Mayor Green introduced the staff report and summarized the project funding included in the expenditure plan.

Motion: It was m/s by Green/Fernandez to adopt **Resolution No. 3035-05** to approve Amendment No. 1 to the Alameda County Transportation Expenditure Plan, dated August 1986. Motion passed by the following vote:

Ayes: Councilmembers Dutra-Vernaci, Fernandez, Navarro, Valle, Mayor Green

Noes: None

Absent: None

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 a funding agreement with Alameda County Transportation Improvement Authority (ACTIA) for Bicycle and Pedestrian Countywide Discretionary Funds for the 11th Street Enhancement Project, City Project No. 05-09
- B. Pulled for Discussion – Adopt a Resolution of the City Council and Redevelopment Agency authorizing the City Manager/Executive Director to execute an agreement for consulting engineering services to Mark Thomas and Company, Inc. to prepare final plans, specifications and estimates for the construction of the 11th Street Enhancement Project, City Project No. 05-09
- C. Adopted **Resolution No. 3036-05** awarding a contract for 2004-05 Slurry Seal Program, City Project No. 04-20 to low bidder, Graham Contractors, Inc. in the amount of \$165,607.74
- D. Adopted **Resolution No. 3037-05** approving the purchase of three unmarked police cars from Enterprise Car Sales in an amount not to exceed \$51,000, City Project No. 05-12
- E. Pulled for Discussion – Adopt a Resolution approving an agreement with the Alameda County Waste Management Authority to qualify for a subsidy not to exceed \$130,000 to fund a residential food scrap collection program in Union City
- F. Adopted **Resolution No. 3038-05** approving revisions to the Memorandum of Understanding with the Management Employee Group, and amending the Compensation Plan
- G. Adopted **Resolution No. 3039-05** approving revisions to the Memorandum of Understanding with the Police Officers Association, and amending the Compensation Plan
- H. Pulled from the Agenda – Adopt a Resolution approving the Fourth Amendment to the Memorandum of Understanding with the Professional Employees Group, and amending the Compensation Plan
- I. Adopted **Resolution No. 3040-05** approving revisions to the Memorandum of Understanding with Local 790, SEIU, and amending the Compensation Plan

It was m/s by Navarro/Valle to approve Consent Items C, D, F, G and I as recommended by staff. Motion carried unanimously.

Item No. A & B – Mayor Green questioned the language concerning the completion deadline and suggested that it be strengthened.

Motion: It was m/s by Green/Fernandez to adopt **Resolution No. 3041-05** approving a funding agreement with Alameda County Transportation Improvement Authority (ACTIA) for Bicycle and Pedestrian Countywide Discretionary Funds for the 11th Street Enhancement Project, City Project No. 05-09. Motion passed by the following vote:

Ayes: Councilmembers Dutra-Vernaci, Fernandez, Navarro, Valle, Mayor Green
Noes: None
Absent: None

Motion: It was m/s by Green/Fernandez to adopt **City Council Resolution No. 3042-05** and **Redevelopment Agency Resolution No. 317-05** authorizing the City Manager/Executive Director to execute an agreement for consulting engineering services to Mark Thomas and Company, Inc. to prepare final plans, specifications and estimates for the construction of the 11th Street Enhancement Project, City Project No. 05-09. Motion passed by the following vote:

Ayes: Councilmembers/Agency Members Dutra-Vernaci, Fernandez, Navarro, Valle, Mayor/Chair Green
Noes: None
Absent: None

Item No. E – Councilmember Valle recused himself due to his employment with Tri-CED, and left the Council Chamber.

Hugh McNamara asked how multifamily housing would be able to recycle food scraps if they do green waste containers.

Deputy City Manager Acosta advised that there are no current provisions for residents who do not have green waste containers.

Motion: It was m/s by Green/Fernandez to adopt **Resolution No. 3043-05** approving an agreement with the Alameda County Waste Management Authority to qualify a subsidy not to exceed \$130,000 to fund a residential food scrap collection program in Union City. Motion passed by the following vote:

Ayes: Councilmembers Dutra-Vernaci, Fernandez, Navarro, Mayor Green
Noes: None
Absent: Councilmember Valle

XIII. ORAL COMMUNICATIONS – None

XIV. CORRESPONDENCE – None

XV. APPROVAL OF BILLS

A. Approve July 2005 Disbursement List

Motion: It was m/s by Dutra-Vernaci/Valle to approve the Disbursement List as submitted. Motion carried unanimously.

XVI. SCHEDULED ORAL COMMUNICATIONS – None

XVII. ITEMS REFERRED BY COUNCIL

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

B. Report and recommendation for Council direction concerning potential increase in the Campaign Contribution Limit for Municipal Elections

Mayor Green introduced the staff report and recommended that the contribution limit be increased based on the accumulative CPI increase over the past 11 years, which would increase the limit from \$500 to \$700.

Council held a brief discussion.

Motion: It was m/s by Green/Fernandez directing staff to prepare an ordinance amendment increasing the campaign contribution limit to \$600. Motion carried with Dutra-Vernaci and Navarro voting no.

XVIII. GOOD OF THE ORDER

Councilmember Navarro thanked staff for taking care of the abandoned trailer at Whipple and Ahern. He reported on a recent meeting with the business owners at Four Corners.

Vice Mayor Dutra/Vernaci advised that Ophelia Vasgal, Executive Director of the Alameda County Housing Authority resigned her position to accept a job with PG & E.

Councilmember Fernandez reported on the August 5th field trip in preparation for the 11th Street design. He also spoke about the successful Sister Cities Festival.

Councilmember Valle complimented Public Works Director Mintze Cheng on the newspaper article highlighting her career.

XIX. ADJOURNMENT: There being no further business, Mayor Green adjourned the meeting at 8:24 p.m.

Respectfully submitted,

Karen Diaz, CMC
City Clerk