

**MINUTES
CITY OF UNION CITY
CITY COUNCIL/REDEVELOPMENT AGENCY MEETING
September 13, 2005**

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

I. PLEDGE OF ALLEGIANCE: Boy Scout Troop No. 448 presented the colors and 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 Minutes of August 9, 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

Community Development Director Leonard introduced Administrative Assistant Maynard Estrellado and Planning Intern Colin Clark. Laura Mapes introduced recently promoted Fire Captains Chris Bland and Sean Burrows.

B. Adopt a Resolution recognizing the 3rd Annual Public Safety Appreciation Day, presented by the Human Relations Commission

Motion: It was m/s Dutra-Vernaci/Fernandez to adopt **Resolution No. 3044-05** recognizing the 3rd Annual Public Safety Appreciation Day. Motion passed by the following vote:

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

HRC Member Phyllis Gray led a moment of silence for the victims of September 11, 2001. She spoke on behalf of the Commission and expressed sincerely appreciation to the honorees, Fire Captain John Stanchina and members of the Union City Police Dispatch team. She introduced the SCHOLA Quartet who sang America Let There be Peace.

C. Presentation by the Rental Housing Owners Association of Southern Alameda County regarding AB 438 (Parra)

Andrew Humber summarized AB 438 that would allow rental-housing providers to use the Megan's Law information, posted on the government's website without being subject to penalties. State law currently prohibits rental-housing providers from

notifying tenants if there is a serious or high-risk sex offender residing in the rental community. He presented Council with a sample resolution and requested their support for the Bill.

VI. ORAL COMMUNICATIONS

Ron Mickle spoke of the Olympian Clinic conducted by Coach Webb at Logan High School and the fund raising efforts for the program. He noted that the 2006 clinic will be followed by an "Evening of Champions" dinner to be held at the Crown Plaza.

Paddy Iyer, of Paddy's Coffeehouse announced that he would be holding a Hurricane Relief Day tomorrow for the victims of Katrina with 100% of sales going to the American Red Cross Hurricane Katrina Fund. He also spoke of the It's a Braid-A-Thon sponsored by Braids by Darlene's Salon and the Jazz for Jazzland benefits to be held on the weekend for hurricane relief.

Hugh McNamara thanked staff and Allied Waste for getting the totes replaced with the correct size. He spoke of the tall weeds on Dyer Street near the apartments.

Sara Dahdouh, Miss California spoke of her campaign to raise funds by recycling unwanted cell phone in bins located in various locations throughout the city.

Kay Emanuele of the Tri-Valley League of Women Voters announced that they would be sponsoring a forum on Saturday, September 24 at the Fremont Main Library concerning "Reforming the California Environmental Quality Act (CEQA); How has it worked? Does it need to be changed?"

John Haley addressed the issue of potholes west of Whipple near the Target store.

VII. HEARINGS – None

VIII. REPORTS FROM CITY MANAGER

A. Ordinance establishing the Union City Youth Commission, and report and recommendations regarding implementation of the Commission

Deputy City Manager Acosta introduced the staff report, outlined the proposed ordinance and presented the Commission's Mission Statement and Bylaws as drafted by members of the current Youth Committee.

Council suggested modifications to sections of the ordinance concerning appointments to subcommittees, membership age, private schools, use of Roberts Rules of Order, a quorum of the commission, and the terms of office.

Motion: It was m/s by Valle/Navarro to introduce and waive first reading of **Ordinance No. 657-05** amending Title 2 of the Municipal Code establishing a Youth Commission as modified by Council and appoint Councilmember Navarro as the Council's nominating representative. Motion passed by the following vote:

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

- B. Resolution appropriating funds from the Import Mitigation Fee Fund for an Educational Center to be constructed at the Tri-CED Recycling Center, and for various other recycling enhancement programs

Councilmember Valle recused himself from this item due to his employment with Tri-CED and left the Council Chamber.

Deputy City Manager Acosta presented the staff report, outlined the guidelines for use of the funds and presented the alternatives for Council to consider.

Mayor Green questioned how this program would help with the City waste diversion.

Vice Mayor Dutra-Vernaci questioned the accumulation of funds in the Import Mitigation Fee Fund.

Mr. Acosta advised the funds are for the pilot program, when staff finds something that works the specific program will be expanded. Each year staff will review and develop an expenditure plan.

Councilmember Fernandez asked how the business would be selected. He felt a representative sample of the different business types was needed.

Councilmember Navarro encouraged the use of E-recycling.

John Haley asked how this program would be monitored and budgeted for future years.

Hugh McNamara felt the automated equipment was a disadvantage. He expressed the need to get the word out about food scrap recycling.

Motion: It was m/s Green/Navarro to adopt **Resolution No. 3045-05** appropriating funds from the Import Mitigation Fee Fund for an Educational Center to be constructed at the Tri-CED Economic Development Corporation Recycling Center, and for various other recycling enhancement programs and awarding a sole source contract to Hilton, Farnkopf & Hobson, LLC for said program services. Motion passed by the following vote:

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

Noes: None

Absent: Councilmember Valle

Councilmember Valle rejoined the meeting.

- C. Report on Fremont City Council meeting concerning the potential Expenditure Plan Amendment for Measure B Funds

City Manager Cheeves provided a recent chronological history of the developments concerning the Route 84 project.

Mayor Green noted that Art Dao of ACTA was working on drafting a four-party agreement with the Cities of Union City, Fremont, Caltrans and ACTA on how monies from the sale of State surplus property will be distributed.

John Haley asked what would happen if Union City decided not to support Option 2.

J.J. Amaya said he was in favor of the Historical alignment. He felt the City should lay back and wait until the pressure mounts on Fremont.

Council recessed to a break at 9:14 p.m. The meeting reconvened at 9:33 p.m. with all members present.

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 authorizing funds to install a signal system at Hartnell Street and Alvarado-Niles Road, City Project No. 05-56
- B. Adopted **Resolution No. 3046-05** confirming the appointment of Atul Mitra to the Human Relation Commission
- C. Pulled for discussion – Adopt a Resolution designating the City's Official Voting Delegate and Alternate to the 2005 League of California Cities Annual Conference
- D. Adopted **Resolution No. 3047-05** approving the Fourth Amendment to the Memorandum of Understanding with the Professional Employees Group, and amending the Compensation Plan
- E. Adopted City Council **Resolution No. 3048-05** and Community Redevelopment Agency **Resolution No. 318-05** approving an Amended and Restated Agency/City Access Agreement and Authorizing Acceptance of an Easement and Access Rights for Public Improvements in the vicinity of the Pacific States Steel Plant Site
- F. Adopted **Resolution No. 3049-05** accepting Final Tract Map No. 7310, Railroad Avenue at Dry Creek; KB Home South Bay Inc.; Trestle Glen Subdivision
- G. Adopted **Resolution No. 3050-05** accepting Final Tract Map. No 7393, 7th Street; Braddock & Logan; Wildrose Subdivision
- H. Adopted **Resolution No. 3051-05** approving Final Map 8482; Pacific States Steel Corporation Site; KB South Bay Inc.; Pacific Pointe Subdivision
- I. Pulled for discussion – Adopt a Resolution approving revisions to the Memorandum of Understanding with the Police Management Association, and amending the Compensation Plan
- J. Pulled from the agenda – Adopt a Resolution amending the Compensation Plan for Department Heads
- K. Introduced and waived first reading of **Ordinance No. 658-05** amending Sections 2.06.020, 2.06.030, and 2.06.080 of the Municipal Code relating to Campaign Contribution Limitations in Municipal Elections

Motion: It was m/s by Fernandez/Navarro to approve Consent Items B, D, E, F, G, H, & K as recommended by staff. Motion carried unanimously.

Item A – Public Works Director Cheng described the project, its timeline and noted that the turn pocket would allow stacking for up to 10 cars.

J.J Amaya asked if the signal would be synchronized. He was concerned that the light would increase the emergency response time.

City Manager Cheeves advised that signal light would help to relieve traffic on H Street.

Motion: It was m/s by Dutra-Vernaci/Fernandez to adopt **Resolution No. 3052-05** authorizing funds to install a signal system at Hartnell Street and Alvarado-Niles Road, City Project No. 05-56. Motion carried unanimously.

Item No. C – Vice Mayor Dutra-Vernaci said she would be the delegate and that Councilmember Navarro has agreed to be the alternate.

Motion: It was m/s by Valle/Fernandez to adopt **Resolution No. 3053-05** designating the City's Official Voting Delegate and Alternate to the 2005 League of California Cities Annual Conference. Motion carried unanimously.

Item No. I – In answer to Mr. Amaya's question, Deputy City Manager advised that this item did not include police officers.

Motion: It was m/s by Green/Fernandez to adopt **Resolution No. 3054-05** approving revisions to the Memorandum of Understanding with the Police Management Association, and amending the Compensation Plan

XIII. ORAL COMMUNICATIONS

J.J. Amaya addressed the Council with his concerns that he and his family are being discriminated against by the Council and city staff. He requested to be agendized under schedule oral communications at the September 27 meeting to address the need for specific policy changes in several areas overseen by the City Council.

Atul Mitra thanked Council for confirming his appointment to the Human Relations Commission. He expressed concern with the red signal light on Dyer at the railroad crossing.

XIV. CORRESPONDENCE – None

XV. APPROVAL OF BILLS

A. Approve August 2005 Disbursement List

Motion: It was m/s by Valle/Fernandez 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

Vice Mayor Dutra-Vernaci noted that recruitment for a new CEO of the Alameda County Housing Authority is under way.

Councilmember Valle advised that the new Union City Librarian is on board.

- B. Discussion regarding Honoring Union City Veterans (Navarro)

Councilmember Navarro requested Council support in developing a program to recognize veterans living in Union City. He presented a sample informational packet he obtained from the Town of Danville.

Council supported the request.

XVIII. GOOD OF THE ORDER

Councilmember Navarro commented on the condition of the property at the corner of Dyer and Santa Susanna.

Councilmembers Fernandez and Navarro announced that a delegation of officials from Isabella in the Philippines would be present at the October 25th meeting.

Councilmember Valle requested that staff contact PG&E concerning the unsafe condition of their pole at H Street and Decoto Road.

Vice Mayor Dutra-Vernaci spoke of the CERT (Community Emergency Response Team) program and encouraged citizens to take advantage of the training offered by the Fire Department.

Mayor Green noted that staff is working on updating the City's emergency plan.

Deputy City Manager spoke of the Make A Difference Day program and noted the four major project that include Dry Creek Park, the Community Garden, the Mission Blvd/Tamarack area, and the Contempo area.

- XIX. ADJOURNMENT** – Mayor Green adjourned the meeting at 10:20 p.m.

Respectfully submitted,

Karen Diaz, CMC
City Clerk