

**MINUTES  
CITY OF UNION CITY  
CITY COUNCIL/REDEVELOPMENT AGENCY MEETING  
October 25, 2005**

Mayor Green called the meeting to order at 7:11 p.m.

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

**II. ROLL CALL** – Present: Councilmembers Dutra-Vernaci, Fernandez, Navarro, Valle,  
Mayor Green  
Absent: None

**III. UNFINISHED BUSINESS** – None

**IV. APPROVAL OF MINUTES**

A. Minutes of October 11, 2005

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

**V. PROCLAMATIONS/PRESENTATIONS**

A. Proclamation in recognition of the visit of an official delegation of public officials from the Republic of the Philippines, Province of Isabela

Mayor Green presented a Proclamation, Keys to the City and a framed picture to Governor Grace Cielo M. Padaca and the delegation of public officials from the Republic of the Philippines, Province of Isabela.

Governor Padaca acknowledged the City Council, presented gifts and thanked the City Council for being an inspiration and a home to the people of Isabela.

Congressman Edwin Uy wished Governor Padaca a happy birthday as its being celebrated in Union City and expressed gratitude to the City Council for their warm reception and looks forward to stronger ties to benefit both countries.

At 7:25 pm, Mayor Green recessed the meeting to a reception in honor of the visiting guests. The meeting reconvened at 7:45 pm with all members present.

**VI. ORAL COMMUNICATIONS**

Hugh McNamara commented on telephone scams and warns the seniors and other residents of Union City of identity theft.

Mayor Green requested Council's concurrence to move ahead to Section IX, Redevelopment Agency.

Motion: It was m/s by Fernandez/Valle to move Section IX before Section VII. Motion carried unanimously.

## IX. REDEVELOPMENT AGENCY

- A. Report on TMG Partners proposed land use plan for the Intermodal Station, and adopt a resolution authorizing staff to proceed with negotiating a Disposition and Development Agreement.

Redevelopment Manager, Mark Evanoff presented the staff report and outlined the proposed land use plan.

Margaret Edgelow felt this project could add definition to the City as being a place to live and a destination for people to work.

Ken Ryan addressed the number of housing units and the timing of MTC money. He felt the project should not be approved just because the Council was afraid of the numbers.

Barry Ferrier expressed his feeling of not trying to force visions on Council and not just trying to satisfy MTC but get more jobs for the citizens.

Ken Dupee of TMG Partners explained the concept of putting a restaurant on the Plaza and discussed pedestrian walkways and parking issues.

Ken Ryan requested Council to refer to the definition of retail in the document and how it should be changed or removed. He also urged Council to ask TMG to come back through the Planning Commission on plans 3 & 4 in the way of housing.

Barry Ferrier expressed concern about the amount of funding required for acquiring the right of way.

Motion: It was m/s by Green/Fernandez to adopt Community Redevelopment Agency **Resolution No. 319-05** to approve the Land Use Plan prepared by TMG Partners for the former PG&E Site, and future Intermodal Station, and authorizing staff to proceed with negotiating a Disposition and Development Agreement. Motion passed by the following vote:

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

The Council recessed to a break at 9:05 p.m. and reconvened at 9:15 p.m. with Councilmember Valle absent.

## VII. HEARINGS

- A. Zoning Text Amendment, AT-02-05, Citywide, to amend Chapter 18.40, Industrial Districts to eliminate Recycling Facilities as a permitted use and allow Recycling Facilities as a conditionally permitted use in all industrial zones

Economic and Community Development Director Leonard introduced the staff report and said the Planning Commission recommended both indoor and outdoor recycling facilities be classified as a conditionally permitted use.

Mayor Green opened the Public Hearing. There being no one wishing to speak, he closed the hearing.

It was m/s by Fernandez/Dutra-Vernaci to introduce and waive first reading of Ordinance No. 660-05 amending Chapter 18.40, Industrial Districts to eliminate Recycling Facilities as a permitted use and allow Recycling Facilities as a conditionally permitted use in all industrial zones. Motion passed by the following vote:

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

#### **VIII. REPORTS FROM CITY MANAGER**

- A. Report and recommendations regarding repair or replacement of the Electronic Reader Board at Union Landing.

Assistant to the City Manager, Rick LaForce introduced the staff report and outlined the following options: (1) Repair the reader board, (2) Replace the reader board with a new reader board or (3) Replace the reader board with a static sign panel.

Barry Ferrier suggested going with Option 3.

Motion: It was m/s by Green/Dutra-Vernaci to proceed with Option 3 to replace the reader board with a static sign panel along with a parallel study. Motion carried unanimously with Councilmember Valle absent.

- B. Report and recommendations on AB 438 (Parra), a Bill dealing with sex offenders and rental housing.

City Attorney, Mike Riback presented the staff report with the analysis of AB 438 and concluded that likely AB 438 would not pass legal muster and would create several conflicts with various Civil Rights Law including the Civil Rights Act.

Motion: It was m/s by Green/Navarro to send a letter to the appropriate organization recommending that the denial language be stricken from the bill while retaining the notice and address correction provision. Motion carried unanimously.

- C. First quarter 2005-06 budget actual report

Administrative Services Director, Rich Digre introduced the staff report and provided an overview of the revenues and expenses of fiscal years 2005-06 for the first quarter.

#### **X. AUTHORITIES/AGENCIES – None**

#### **XI. REPORTS FROM CITY COMMISSIONS/COMMITTEES**

- A. Report and recommendations from the Park and Recreation Commission regarding potential names for the park located in the former Accinelli property (Summerhill Homes Subdivision)

Leisure Services Manager Stavosky reported the names submitted by the Park & Recreation Commission which include Accinelli Park, Gladiola Fields Park and Willie Wilkins Memorial Park.

John Accinelli, speaking on behalf of himself and his father requested the park be named Accinelli Park in honor of their long family history in Union City.

Myrla Raymundo supported the proposed name of Accinelli Park as Accinelli is history in itself.

It was m/s by Navarro/Fernandez to approve the name of Accinelli Park. Motion carried unanimously with Councilmember Valle absent.

- B. Report and recommendations from the Arts Council on the historical book manuscript submitted by the Union City Historical Museum for possible City funding

Leisure Services Manager Stavosky presented the staff report and informed Council of the general consensus of the Arts Council and Staff is that the draft manuscript could use more work before it's considered ready for publication.

Myrla Raymundo appreciated the comments and requested \$10,000 to publish the book. She also stated that if the draft is not approved, she would like the manuscript returned to her.

It was m/s by Dutra-Vernaci/Fernandez to return the manuscript to Myrla Raymundo. Motion carried unanimously with Councilmember Valle absent.

## **XII. CONSENT CALENDAR/RESOLUTIONS**

- A. Adopted a Community Redevelopment **Agency Resolution No. 320-05** authorizing the Housing Fund to repay the \$2,760,000 advance it received from the Redevelopment Agency Project Fund
- B. Adopted City Council **Resolution No. 3070-05** awarding contract to Municipal Maintenance Equipment, Inc. in the amount of \$152,107.53 for a new Air-Type Sweeper, City Project No. 05-59
- C. Rejected Claim No. 637 filed by Mark Nelson as recommended by the City's Insurance Adjuster
- D. Rejected Claim No. 641 filed by Abigail Singh as recommended by the City's Insurance Adjuster

Motion: It was m/s by Fernandez/Dutra-Vernaci to approve the Consent Calendar as recommended by staff. Motion carried unanimously with Councilmember Valle absent.

## **XIII. ORAL COMMUNICATIONS**

J.J. Amaya noted the minutes from the last meeting did not reflect his recommendation for a policy recognizing his sister's wrongful death. He also stated his concerns of a recent incident that occurred with the police and its inconsistencies in the story.

## **XIV. CORRESPONDENCE – None**

## **XV. APPROVAL OF BILLS – None**

## **XVI. SCHEDULED ORAL COMMUNICATIONS – None**

**XVII. ITEMS REFERRED BY COUNCIL**

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

Councilmember Dutra-Vernaci reported that a new Director for the Housing Authority should be in place within the next couple of weeks to a month. She also stated that the Regional Representative with the League of California Cities, Stacey Wells is leaving and there has been no mention of a replacement.

**XVIII. GOOD OF THE ORDER**

Councilmember Dutra-Vernaci questioned the status of nominations for the Youth Commission.

Councilmember Navarro stated the Nominating Committee will be holding their first meeting tomorrow night at the Holly Community Center at 6:00 pm.

Councilmember Dutra-Vernaci questioned staff on funeral processions that go through photo enforced intersections.

Captain Stewart indicated that at the time the picture is taken, if they clearly see funeral stickers on the windshield, no violation would be issued.

Mayor Green asked staff about "Make a Difference Day."

City Manager Cheeves reported the different locations of participation and noted the turnout.

Mayor Green mentioned he spoke to a resident regarding the idea of pavement down an easement to get almost a cul-de-sac.

City Manager Cheeves stated they have to resurrect the process of placing park entry signs at various locations when the next Capital Plan is reviewed.

Mayor Green requested information on the Pumpkin Patch event.

Leisure Services Manager Stavosky reported on the Pumpkin Patch Dash and Carnival at Ceasar Chavez, the Halloween Carnival at Holly Center and the ground breaking for the new Sports Center.

- XIX. ADJOURNMENT:** There being no further business, Mayor Green adjourned the meeting at 10:53 pm.

Respectfully submitted,

Cassie Castain  
Administrative Assistant II