

**MINUTES  
CITY OF UNION CITY  
CITY COUNCIL/REDEVELOPMENT AGENCY MEETING**

**TUESDAY, NOVEMBER 14, 2006  
7:00 P.M.**

**COUNCIL CHAMBERS  
34009 ALVARADO NILES ROAD**

**I. CALL TO ORDER**

Mayor Green called the meeting to order at 7:05 p.m.

- a. Pledge of Allegiance – Mayor Green led the salute to the flag.
- b. Roll Call

Present: Councilmembers Dutra-Vernaci, Fernandez, Navarro, Vice Mayor Valle,  
Mayor Green  
Absent: None

Mayor Green read aloud the rules of proper conduct.

**II. UNFINISHED BUSINESS – None**

**III. PROCLAMATIONS AND PRESENTATIONS**

- 3.a Resolution thanking Rosemary Savage for her service on the Planning Commission

Ms. Savage was not present to accept the Resolution.

- 3.b Presentation of Resolutions Honoring Supporters of the *Make A Difference Day* Event

Mayor Green expressed the Council's appreciation for the efforts of everyone who participated on October 28, 2006, and read aloud a resolution especially acknowledging the efforts of the following supporters of the 2006 Make A Difference Day event:

Balch Enterprises, Inc.	Home Depot
Krispy Kreme Donuts	*Lowe's
Masonic Homes of California	*Paddy's Coffee House
*Roma Design	Starbucks
Tylin International	

\*Representative present to accept Resolution presented by Mayor Green and Councilmembers.

- 3.c Presentation from the Union City 50th Anniversary Celebration Committee on Planning Efforts to Date for Union City's 50th Anniversary in 2009

Interim Chairperson Helen Kennedy presented an update on the Committee's planning efforts, including an overview of the 50<sup>th</sup> Anniversary Celebration Committee's organization, structure and leadership team; a review of the ten sanctioned events planned for 2009, plus affiliated events and fundraising and marketing plans; an introduction of the event logo; a review of the plans for a historical view of the last 50 years; an outline of celebration events including plans for the opening gala; and, a request for additional resources to assist the Celebration Committee with planning activities, including \$20,000 for start-up funding.

Councilmembers provided comment and expressed appreciation for the Committee's work thus far. City Manager Cheeves stated staff would return on November 28, 2006, with a report and recommendation regarding the Committee's request for start-up funding.

#### IV. ORAL COMMUNICATIONS

Irene Wolfe spoke regarding a Tri City Seniors Night Out event which included 130 seniors from the Tri City area, 15 of which were seniors from Union City. Ms. Wolfe suggested the low turnout rate for Union City seniors might indicate a need for Union City to host a local event which could draw more participation, a suggestion she is willing to take to the Senior Commission if Council supports the idea.

John Haley spoke about a recent newspaper article regarding the potential for developing the hill area, and the difficulties and expense of hillside development. Mr. Haley suggested a public study group be formed if hillside development is considered in the future.

Miles Price spoke about a book he has written regarding the history of Union City since its incorporation.

#### V. CONSENT CALENDAR

It was moved by Mayor Green, seconded by councilmember Dutra-Vernaci, to approve Consent items 5.a through and including 5.k as recommended by staff. Motion carried unanimously.

- 5.a Waived Further Reading of Proposed Ordinances (This permits reading the title only in lieu of reciting the entire text of any proposed Ordinance)
- 5.b Approved Minutes for the Special Meetings of October 23, 2006 and October 24, 2006, and Regular Meeting of October 24, 2006
- 5.c Adopted **Ordinance No. 680-06** Amending Chapters 2.20 (PARK AND RECREATION COMMISSION), 2.24 (PLANNING COMMISSION), 2.25 (HUMAN RELATIONS COMMISSION), and 2.26 (SENIOR CITIZENS COMMISSION) of the Union City Municipal Code authorizing the Appointment of Alternate Members to said Commissions (Introduced October 24, 2006)
- 5.d Adopted **Ordinance No. 681-06** Regulating the Parking of Large Vehicles and Non-Motorized Vehicle (Introduced October 24, 2006)

- 5.e Adopted **Resolution No. 3275-06** Appointing David Epps to serve on the Public Art Review Board
- 5.f Adopted **Resolution No. 3276-06** Reappointing Ronald Quinn to serve on the Alameda County Mosquito Abatement Board
- 5.g Adopted **Resolution No. 3277-06** appointing Rahul Saini to serve as an alternate on the Planning Commission; adopted **Resolution No. 3278-06** appointing Chaitali Nadig to serve as an alternate on the Human Relations Commission; and, adopted **Resolution No. 3279-06** appointing Shawna Curtin to serve as an Alternate on the Parks and Recreation Commission
- 5.h Adopted **Resolution No. 3280-06** amending the City's authorization, compensation and classification plans creating the positions of Street Supervisor and Grounds Supervisor
- 5.i Adopted **Resolution No. 3281-06** adopting Investment Policy for Public Funds to incorporate changes enacted by the State Legislature
- 5.j Adopted **Resolution No. 3282-06** Authorizing a Joint Application with the New Haven Unified School District Under State Proposition 49 for After-School Program Funding at Alvarado, Barnard-White, and Cesar Chavez Middle Schools for 2006-07 through 2008-09, and Authorizing a Local Match of up to \$75,000 per year for said programs
- 5.k Overview of the BART Site and Station Improvements  
Adopted **Agency Resolution No. 344-06** authorizing the Disbursement of a combination of Agency and Outside Source funds for BART Phase 1A Site Improvements

## VI. PUBLIC HEARINGS

- 6.a Adopt City Council Resolution Approving the Issuance of Mobile Home Revenue Refinancing Bonds by the California Mobilehome Park Authority for the Tropics Mobile Home Park; and adopt Agency Board Resolution amending the Tropics Revocable Grant Agreement between the Agency and Millenium Housing, the Regulatory Agreement and Declaration of Restrictive Covenants between the Agency and Millenium Housing, and the Subordination Agreement amended by Bond Counsel (Continued from October 24, 2006)

Redevelopment Agency Manager Evanoff presented the staff report and responded to questions from Council/Agency members. Mayor/Agency Chair Green opened the public hearing. There were no speakers on the matter. Mayor/Agency Chair Green closed the public hearing.

It was moved by Vice Mayor/Agency Vice Chair Valle, seconded by Council/Agency member Fernandez, to adopt **City Council Resolution No. 3283-06** approving the issuance of Mobile Home Park Revenue Refunding Bonds by the California Mobilehome Park Financing Authority for the Tropics Mobile Home Park, and to adopt **Agency Resolution No. 345-06** approving amendments to Agency grant documents entered into with Millenium Housing of California in connection with the acquisition and refinancing by Millenium of the Tropics Mobilehome Park and making subordination

findings pursuant to the California Community Redevelopment Law. Motion carried unanimously.

## VII. CITY MANAGER REPORTS

- 7.a Fiscal Year 2006-07 First Quarterly Report Comparing Budget to Actual Results and Disbursement Report for the same period

Administrative Services Director Digre presented the staff report, noting staff had no recommendation to adjust the budget at this time.

John Haley expressed his appreciation for the good staff work, and offered formatting suggestions for future slide presentations.

Council accepted the informational report as presented. No further action was required.

- 7.b Adopt a Resolution Amending the adopted budget for Fiscal Year 2006-07 to authorize and appropriate funds for operation of the Union City Sports Center, authorize the creation of the Senior Recreation Supervisor classification, and amending the classification plan, compensation plan, and position control list accordingly

Deputy City Manager Acosta presented the staff report and responded to questions from Council members.

Margaret Edgelow suggested more handicap parking spaces be made available, and temporary signage be posted to help control parking requirements.

John Haley asked if non-residents would pay a higher usage fee, and noted special shoes should be required to preserve flooring.

Hugh McNamara stated he hoped fees collected would be sufficient to offset administrative costs.

Hirj Virk asked about event cutoff times, and whether a defibrillator and trained staff would be available on site.

It was moved by Mayor Green, seconded by Vice Mayor Valle, to adopt **Resolution No. 3284-06** amending the adopted budget for Fiscal Year 2006-07 authorizing the appropriation of funds for the operation of the Union City Sports Center; authorizing the creation of the Senior Recreation Supervisor classification; and amending the Classification Plan, Compensation Plan, and Position Control List.

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

Noes: None

Absent: None

Abstain: None

## VIII. REDEVELOPMENT AGENCY

- 8.a Adopt Agency Resolution Designating Barry Swenson Builder as the Master Developer for Blocks 2, 3, and 4 at the Union City Transit Oriented Development Site, and Authorize Staff to Prepare an Exclusive Negotiating Agreement Based Upon the Terms in the Letter of Intent; Adopt Agency Resolution Authorizing Contract with ROMA Design Group to Prepare Design Architectural Guidelines for the Station District; Adopt Agency Resolution Authorizing Contract with ROMA Design Group to Prepare Concept Alternatives and Construction Cost Estimates for a Library and/or a Fine Arts Pavilion for the East Plaza; and Adopt Agency Board Resolution Authorizing Watry Design Services to Prepare a Public Parking Structure Analysis for the Station District

**Note: Vice Mayor Valle left the meeting at 8:45 p.m. during the staff report presentation for Item 8.a.**

Redevelopment Agency Manager Evanoff presented an overview of the staff report for the proposed transit oriented development at the Intermodal Station. Agency Manager Evanoff introduced Rob Steinberg of Steinberg Architects, and David Gibbons of Barry Swenson Builders.

Mr. Gibbons greeted Councilmembers and introduced Rob Steinberg who presented information regarding the proposed transit oriented, mixed use development and responded to questions from Councilmembers.

Agency Manager Evanoff resumed his presentation, including an overview of MTC Resolution 3434; outline of the business terms of the letter of intent; and public components of the station district.

Barry Ferrier expressed his support for the builder selected; suggested a work session format be considered for future project discussions; and noted the importance of including office space in the design.

Cathi Sweeney expressed her excitement about the proposal and noted the advantages of the podium parking design and proposed high rise configuration.

Margaret Edgelow, citizens' advisory committee member, expressed her support for the proposal.

John Haley stated overall compatibility of the proposed project is positive, and noted the importance of including public participation in plan development.

Ken Ryan stated public meetings have been conducted since 2000, including two major workshops, and expressed his support for the proposed plan.

Hugh McNamara stated he was originally opposed to a high rise concept, but after seeing the proposal, can appreciate how it could work.

Mayor Green stated the project is a great step forward for the City of Union City as it offers solutions for transportation, housing, retail and office space.

It was moved by Agency member Fernandez, seconded by Agency member Dutra-Vernaci to:

- 1) Adopt **Agency Resolution No. 346-06** designating Barry Swenson Builder as the Master Developer for Blocks 2, 3 and 4;
- 2) Adopt **Agency Resolution No. 347-06** authorizing a contract with ROMA Design Group to prepare architectural design guidelines for the Station District;
- 3) Adopt **Agency Resolution No. 348-06** authorizing a contract with ROMA Design Group to prepare design concepts and construction estimates for a library at the East Plaza; and,
- 4) Adopt **Agency Resolution No. 349-06** authorizing a contract with Watry Design Inc. to prepare a parking needs assessment, construction estimates, and financing alternatives for a parking structure at the East Plaza Station District.

Ayes: Agency members Dutra-Vernaci, Fernandez, Navarro, Agency Chair Green  
 Noes: None  
 Absent: Agency Vice Chair Valle  
 Abstain: None

**IX. AUTHORITIES AND AGENCIES - None**

**X. CITY COMMISSION/COMMITTEE REPORTS - None**

**XI. ORAL COMMUNICATIONS**

Ken Ryan expressed his appreciation for Council and staff holding strong to the ideas and concepts for the Intermodal Station plan.

**XII. SCHEDULED ORAL COMMUNICATION - None**

**XIII. ITEMS REFERRED BY COUNCIL**

13.a Oral reports by Councilmembers on meetings of County or Regional Boards and Commissions – None.

**XIV. GOOD OF THE ORDER**

Councilmember Dutra-Vernaci inquired about the progress of the Flight 93 Memorial. Deputy City Manager Acosta provided an update noting memorial stones had been delivered, the flag pole area was due to be poured soon, and the last phase of construction expected to begin in the Spring of 2007, with a dedication on Memorial Day 2007.

Councilmember Dutra-Vernaci noted Vice Mayor Valle had to leave early but had requested the Annual Lions Club Thanksgiving Senior Citizens dinner event be announced for Friday, November 17, 2006.

Mayor Green stated he had been notified by a planner that Mr. Winston Yee does live in Union City.

Mayor Green adjourned the Regular meeting to Closed Session at 9:45 p.m.

**XV. CLOSED SESSION**

**CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION**

(Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9)

Number of Cases: One

(Because there was sufficient time, the Council considered the second item of potential litigation during their earlier closed session held at 6:15 p.m., November 14, 2006.)

Mayor Green convened the Closed Session at 9:55 p.m.

Present: Councilmembers Dutra-Vernaci, Fernandez, Navarro, Mayor Green.

Absent: Vice Mayor Valle

Ad Hoc committee members have concluded their review of a Police Department complaint. By the following vote, Council upheld the City Manager's denial of the complaint submitted by Mr. Jesse J. Amaya.

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

Noes: None

Absent: Vice Mayor Valle

Abstain: None

**XVI. ADJOURNMENT**

Mayor Green adjourned the closed session at 10:05 p.m.

Respectfully submitted,

Renee Elliott  
City Clerk