

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

**TUESDAY, JANUARY 23, 2007
7:00 P.M.**

**COUNCIL CHAMBERS
34009 ALVARADO NILES ROAD**

I. CALL TO ORDER

Mayor Green called the meeting to order at 7:15 p.m.

I.a Pledge of Allegiance – Mayor Green led the salute to the flag.

I.b Roll Call

Present: Councilmembers Fernandez and Valle, Vice Mayor Navarro, Mayor Green
Absent: Councilmember Dutra-Vernaci (joined the meeting in progress at 7:35 p.m.)

II. UNFINISHED BUSINESS - None

III. PROCLAMATIONS AND PRESENTATIONS

3.a Resolution Honoring Office Specialist III Teresa Medeiros Upon Her Retirement

Mayor Green read the resolution aloud prior to presenting it to retired staff member Teresa Medeiros, who expressed her appreciation to the City of Union City. The Mayor and Councilmembers extended their personal thanks to Ms. Medeiros for her years of faithful service and, particularly, for her reliable delivery of Council packets and mail.

IV. ORAL COMMUNICATIONS

George Harris expressed his appreciation of Police command staff members Chief Stewart and Captain Foley for their handling of Mr. Harris' complaint regarding a traffic incident.

V. CONSENT CALENDAR

Items 5.c and 5.g were removed from the Consent Calendar for separate consideration.

It was moved by Councilmember Fernandez, seconded by Vice Mayor Navarro, to approve Consent items 5.a, 5.b, and 5.d through 5.f, as recommended by staff.

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

- 5.a Waived Further Reading of Proposed Ordinance (This permits reading the title only in lieu of reciting the entire text of any proposed Ordinance)
- 5.b Approved Minutes for the Regular Meeting of January 9, 2007
- 5.d Adopted **Resolution No. 3305-07** Authorizing the Creation of the Facility Maintenance Attendant Classification and Amending the Classification Plan, Compensation Plan and Authorized Position List
- 5.e Adopted **Resolution No. 3306-07** Approving a Contract Amendment to Extend Operations and Maintenance Agreement with MV Transportation for FY 2007-2008 and FY 2008-2009
- 5.f Adopted **Resolution No. 3307-07** Accepting the Hazardous Materials Emergency Preparedness (HMEP) Grant to Update the City's Hazardous Materials Area Plan and Authorize Use of the City's Funds from General Fund Program 02591

Consideration of items 5.c and 5.g removed from the Consent Calendar:

- 5.c Adopt a Resolution of Intent to Establish Community Facilities District 2006-1 to include the Avalon Bay residential development at Union Square (APNs 87-19-1-25 and 87-19-1-26), and set the time and place of the Public Hearing

Mayor Green read aloud the following revision to Exhibit B of the Resolution of Intent:

To address the Petitioner's (Avalon Bay Communities) concern that the special tax could be levied before units are available for occupancy, the Base Year for commencement of the special tax has been changed to Fiscal Year 2009-2010 at the following maximum rates:

<i>Land Use Class</i>	<i>Description</i>	<i>Maximum Special Tax Per Unit*</i>
1	<i>Single-Family Residential</i>	<i>\$523 per Unit</i>
2	<i>Duplex</i>	<i>\$367 per Unit</i>
3	<i>Low Density Multi-Family Residential</i>	<i>\$262 per Unit</i>
4	<i>High Density Multi-Family Residential</i>	<i>\$200 per Unit</i>

**Maximum Special Tax includes the costs for Administrative Expenses*

There were no speakers on the matter. It was moved by Mayor Green, seconded by Councilmember Valle, to adopt **Resolution No. 3308-07** declaring the Council's Intention to Establish Community Facilities District 2006-1 (Public Services) and to Authorize the Levy of a Special Tax Therein to Finance Certain Services, to include the Avalon Bay residential development at Union Square (APNs 87-19-1-25 and 87-19-1-26), and set the time and place of the Public Hearing; to adopt **Resolution No. 3309-07** adopting a boundary map showing the boundaries of the territory proposed for the including in proposed Community Facilities District No. 2006-01 (Public Services; and, to adopt **Resolution No. 3310-07** ordering and directing the preparation of a Community Facilities District Report for proposed Community Facilities District No. 2006-01 (Public Services).

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

5.g Set Public Hearing to Remove Existing Stop Signs at the Intersection of Royal Ann Drive and Rainier Court

Vice Mayor Navarro expressed his appreciation for staff's efforts to bring the issue back for Council's consideration with supporting information. Staff noted that interested parties in the neighborhood will receive notice during the public notification process. There were no speakers on the matter.

It was moved by Councilmember Valle, seconded by Vice Mayor Navarro, to adopt **Resolution No. 3311-07** setting a Public Hearing on February 13, 2007, 7:00 p.m., regarding the removal of existing stop signs on Royal Ann Drive at the intersection of Royal Ann Drive and Rainier Court.

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

VI. PUBLIC HEARINGS - None

VII. CITY MANAGER REPORTS

7.a Introduce an Ordinance Amending Chapters 2.20 (Park and Recreation Commission), 2.21 (Youth Commission), 2.24 (Planning Commission), 2.25 (Human Relations Commission), and 2.26 (Senior Commission) to Provide for Commissioner Attendance Standards

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

(Councilmember Dutra-Vernaci arrived at 7:35 p.m. during Mr. Acosta's presentation.)

Deputy City Manager Acosta noted that the list of valid excuses is expanded to include participation in school-related special events for Youth Commissioner's.

The City Attorney noted that, in the event a commissioner was to participate via teleconference, the commissioner's participation via teleconference must be noted on the meeting agenda.

Staff will work with the City Attorney to refine language in the ordinance relating to the requirement for giving 48-hours notice prior to an absence.

There were no speakers on the matter.

It was moved by Mayor Green, seconded by Councilmember Valle, to waive full reading and introduce an ordinance amending Chapters 2.20 (Park and Recreation Commission), 2.21 (Youth Commission), 2.24 (Planning Commission), 2.25 (Human Relations Commission), and 2.26 (Senior Commission) to Provide for Commissioner Attendance Standards. Motion carried unanimously.

VIII. REDEVELOPMENT AGENCY - None

IX. AUTHORITIES AND AGENCIES - None

X. CITY COMMISSION/COMMITTEE REPORTS - None

XI. ORAL COMMUNICATIONS - None

XII. SCHEDULED ORAL COMMUNICATION - None

XIII. ITEMS REFERRED BY COUNCIL

13.a Oral Reports by Mayor and Councilmembers on meetings of County or Regional Boards and Commissions

Vice Mayor Navarro reported attending the Airport Noise Forum and noted there will be a symposium held in March 2007.

Councilmember Valle stated the joint meeting with the school board will be rescheduled sometime within the next 30 days.

Councilmember Valle noted a library strategic planning meeting will be held on February 14.

Councilmember Dutra-Vernaci stated she missed attending a League of California Cities meeting and a Housing Commission meeting due to illness.

Mayor Green stated the ABAG Executive Board approved the methodology for a regional housing needs assessment on a 17-11 vote, Mayor Green voting no, as transit was minimized in the methodology.

Mayor Green reported the Dumbarton Rail Corridor Committee met last week and, on a 10-1 vote, agreed to look at various alternatives for funding transportation projects, and going forward with the base rail for Union City to Redwood City as well as other potential options.

XIV. GOOD OF THE ORDER

Councilmember Valle reported seeing two cars in disrepair parked in front of Mission Gateway.

Councilmember Valle requested an update on the Olson Town Homes. Economic and Community Development Director Leonard stated staff continues to work with the Olson

Company to finalize a concept for the units, and that a concept is expected within three weeks.

Councilmember Valle inquired about a recent homicide at Mission Liquors. Police Chief Stewart provided a status update and noted a number of leads were being investigated.

Councilmember Fernandez expressed appreciation for the efforts of Police Counselor Patricia Abadesco who promptly responded with assistance for a homeless individual over the weekend.

Councilmember Fernandez inquired as to the process for citing large boats parked in residential driveways where the vehicle overhangs into the public right-of-way. Economic and Community Development Director Leonard stated Neighborhood Preservation staff apply zoning standards and evaluate each case individually. Director Leonard will forward any information regarding a complaint to staff to investigate.

Vice Mayor Navarro inquired if parking at the corner of Horner and Union City Boulevard (Park and Ride Lot) could be used for gymnasium parking, and noted recent vandalism had occurred to an automobile parked in the lot.

Vice Mayor Navarro requested an update on the Memorial Park. Deputy City Manager Acosta provided a status update, noting an upcoming construction coordination meeting is scheduled for the near future. Memorial Day weekend is targeted for the opening ceremonies.

Vice Mayor Navarro requested an update on the Sentinels of Freedom Program. Deputy City Manager Acosta reported that two potential individuals had been identified thus far, and it is hoped that more people will contact the city about other deserving individuals who can be recognized upon their return from active service duty.

Councilmember Fernandez noted that, as business improves in the Four Corners area, parking becomes more limited, and the parking shortage is aggravated by cars parked in the lot with for-sale signs.

Mayor Green reported attending a seminar at the City of Oakland where presenters discussed working proactively to reduce emissions on new development by utilizing renewable resources. Economic and Community Development Director Leonard reported staff is working on proposing a broad work program pertaining to the reduction of carbons. Mayor Green spoke about the importance of encouraging the use of lower emission vehicles, and supporting the Silicon Valley leadership group by implementing green building and clean technology programs.

The meeting adjourned to closed session at 8:05 p.m.

XV. CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION
(Government Code Section 54956.9(a)):

Sanft v. Union City
Salisbury v. Union City

Tonnacliff v. Union City
Camacho v. Union City

Velarde v. Union City
Bay Area Cellular v. Union City
Martinez v. Union City

Nelsen v. Union City
Koutney v. Union City
Fairfield v. Union City

And, ANNUAL PERFORMANCE EVALUATION--CITY ATTORNEY
(Government Code Section 54957)

Mayor Green convened the Closed Session at 8:15 p.m.

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

There was no reportable action regarding existing litigation. The Annual Performance Evaluation of the City Attorney was continued to a Closed Session on February 13, 2007, at 6:00 p.m.

XVI. ADJOURNMENT

Mayor Green adjourned the closed session at 9:15 p.m.

Respectfully submitted,

Renee Elliott, City Clerk