

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

**TUESDAY, MAY 22, 2007
7:00 P.M.**

**COUNCIL CHAMBERS
34009 ALVARADO NILES ROAD**

I. CALL TO ORDER

Mayor Green stated there was no information to report out as a result of the closed session held earlier this evening.

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

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

I.b Roll Call

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

Absent: None

II. UNFINISHED BUSINESS - None

III. PROCLAMATIONS AND PRESENTATIONS

3.a Resolution Honoring Sergeant Gloria Lopez-Vaughan as Police Officer of the Year 2006

Mayor Green read the resolution aloud and presented it to Police Sergeant Gloria Lopez-Vaughan, who expressed her appreciation for the recognition.

3.b Proclamation Recognizing May 20-26, 2007 as National Public Works Week

Mayor Green read the proclamation aloud and presented it to Public Works Superintendent Richard Sealana, who expressed his appreciation on behalf of the Public Works Department and described various upcoming activities planned by the department.

3.c Proclamation Recognizing May 22, 2007 as Arbor Day in Union City

Mayor Green read the proclamation aloud and presented it to John Melvin, Urban Forester with the State of California Department of Forestry and Fire Protection. Mr. Melvin expressed his appreciation for the proclamation, and presented a National Arbor Day Foundation plaque to Mayor Green, recognizing Union City as a Tree City USA 2006. Grounds Supervisor Nelson Kirk expressed his appreciation to the City Council for their support, and introduced City Arborist Michael Williams.

3.d Proclamation Recognizing May 28, 2007 as Azerbaijan Day in Union City

Mayor Green read the proclamation aloud and presented it to Rahim Salayev, who expressed his gratitude for the recognition.

IV. ORAL COMMUNICATIONS

Judy Zlatnik, President of Life Elder Care, spoke about the need for continued and increased funding for programs (such as Meals-On-Wheels) which benefit Tri-City Elders, and over 20,000 Union City residents.

Victor Benavidez expressed concern about a zoning regulation prohibiting expansion options for certain dwellings. Mayor Green encouraged Mr. Benavidez to speak with Economic and Community Development Director Leonard regarding the issues.

V. CONSENT CALENDAR

Items 5.d, 5.e, 5.f and 5.i 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, 5.c, 5.g, and 5.h, as recommended by staff. Motion carried unanimously.

- 5.a Motion to Waive 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 Special and Regular Meetings of May 8, 2007
- 5.c Rejected Claim No. 697, filed by Khoury Alternative Claims Management (representing Fox Rental Car) and Tan Chun Kwang, as Recommended by the City's Claims Administrator
- 5.g Adopted **Resolution No. 3363-07** Establishing Authorizations for the Management of Cash on Deposit with Bank of the West
- 5.h Adopted **Resolution No. 3364-07** Authorizing an Agreement with the Alameda County Library for Additional Service Hours at the Union City Branch Library during Fiscal Year 2007-08 in the Amount of \$262,252 and Providing \$12,748 for the Purchase of Additional Circulation Materials

Consideration of Items 5.d, 5.e, 5.f, and 5.i removed from the Consent Calendar:

Mayor Green recused himself and exited the Council Chambers at 7:42 p.m.

- 5.d Adopt a Resolution of the City of Union City Supporting SB 840 (Kuehl) Establishing Single Payer Health Care Coverage for all Californians

League of Women Voter's representative Syeda Yunus spoke about the benefits of supporting the *One Care Now* campaign.

It was moved by Councilmember Fernandez, seconded by Councilmember Valle, to adopt **Resolution No. 3365-07** supporting SB 840 (Kuehl) establishing Single Payer Health Care Coverage for all Californians.

Ayes: Councilmembers Dutra-Vernaci, Fernandez, Valle, Vice Mayor Navarro
Noes: None
Abstain: None
Absent: Mayor Green (recused)

Mayor Green returned to the Council Chambers at 7:44 p.m.

Councilmember Valle recused himself and exited the Council Chambers at 7:44 p.m.

- 5.e Adopt a Resolution Authorizing the Application for Grant Funds from the Used Oil Recycling Fund Under the California Oil Recycling Enhancement Act and Participation in a Cooperative Project

It was moved by Councilmember Fernandez, seconded by Councilmember Dutra-Vernaci, to adopt **Resolution No. 3366-07** authorizing the application for grant funds from the used oil recycling fund under the California oil recycling enhancement act and participation in a cooperative project.

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

- 5.i Adopt a Resolution of the City of Union City Establishing a Goal of 75% Reduction of Waste Going to Landfills by 2010 for the City of Union City in Accordance with the Countywide 75% Waste Reduction Goal

It was moved by Vice Mayor Navarro, seconded by Councilmember Fernandez, to adopt **Resolution No. 3367-07** establishing a goal of 75% reduction of waste going to landfills by 2010 in accordance with the countywide 75% waste reduction goal.

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

Councilmember Valle returned to the Council Chambers at 7:46 p.m.

- 5.f Adopt a Resolution Adopt a Resolution for Review and Approval of the Architectural Design for the New Fire Station No.3

Public Works Director Cheng introduced project manager Sachs who presented a brief overview of the project. Fire Chief Rodriguez stated the new fire station was expected to meet current and future facility needs. Eric Glass, Glass Architects, reviewed design highlights. Councilmembers provided feedback.

It was moved by Mayor Green, seconded by Vice Mayor Navarro, to continue the matter until after discussion and consideration of the five year capital improvement plan at a special meeting scheduled for June 5, 2007. Motion carried unanimously.

VI. PUBLIC HEARINGS - None

VII. CITY MANAGER REPORTS

- 7.a Adopt a Resolution Accepting Union City Sports Center, City Project No. 02-12, and Appropriating Supplemental Funds from the Special Parks Fund in the Amount of \$625,000 for the Union City Sports Center Project

Public Works Director Cheng presented the staff report. Staff responded to questions from Councilmembers.

It was moved by Mayor Green, seconded by Vice Mayor Navarro, to adopt **Resolution No. 3368-07** accepting the Union City Sports Center, City Project No. 2-12, and appropriating supplemental funds from the Special Parks Fund in the amount of \$625,000 for the Union City Sports Center Project. Motion carried unanimously.

- 7.b Fiscal Year 2006-07 Third Quarterly Report Comparing Budget to Actual Results and Disbursement Report for the Same Period

Administrative Services Director Digre presented the staff report and responded to questions from Councilmembers.

It was moved by Councilmember Valle, seconded by Councilmember Dutra-Vernaci, to accept the informational report and adopt **Resolution No. 3369-07** amending the General Fund (1000) Operating Budget for Fiscal Year 2006/2007. 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

Councilmember Fernandez reported attending an annual GIS JPA meeting with Fremont, Newark, Alameda County Water District, and Union Sanitary District.

Councilmember Dutra-Vernaci reported attending a Housing Authority meeting.

Mayor Green reported ABAG had released a draft Regional Housing Needs Allocation report for comment.

Mayor Green reported he was the newly elected President of the Mayor's Conference of Alameda County, and Union City is scheduled to host the February 2008 meeting.

Vice Mayor Navarro reported he plans to attend the Alameda County Public Health Department community forum in Hayward on May 31, 2008, and a Memorial Day celebration at the Chapel of the Chimes on May 28, 2007.

XIV. GOOD OF THE ORDER

Councilmember Dutra-Vernaci complemented staff on the installation of larger, easier to read street signs.

Councilmember Dutra-Vernaci inquired as to the relocation of a CERT container, moved from the Fire Station on Central to the Corporation Yard. Public Works Director Cheng stated it was only a temporary relocation due to resurfacing being completed at the rear of Fire Station No. 1.

Councilmember Valle stated he would be walking with USD representative Livingston to attempt to pin point the origin of the odors complained about by residents.

Councilmember Valle stated the directional sign for 880 Oakland had been installed on the wrong side of the overpass coming from Union Landing, traveling east on Alvarado-Niles Road. City Manager Cheeves stated staff would contact Cal Trans regarding the matter.

Councilmember Fernandez inquired as to the status of polling constituents regarding budget priorities, and recommended a visioning or retreat session for Councilmembers to discuss the balance of needs versus resources. Deputy City Manager Acosta stated three primary data needs had been identified for a survey: general community feedback on capital and other program needs; feedback on youth-related needs; and, feedback regarding a reauthorization of the public safety parcel tax. Mayor Green stated staff should return with options for the Council to consider at the June 12, 2007 regular meeting.

Vice Manager Navarro complemented Wayne Cruz for his rapid response in performing graffiti cleanup at the tennis courts over the past weekend.

Mayor Green inquired if there were new developments regarding the sub-station negotiations at the Valero site at Dyer and Alvarado. Police Chief Stewart reported two new alternative locations were under consideration, the preferred of which is located at a mid-point within the shopping center.

Councilmember Fernandez stated stricter enforcement of the use of handicapped parking stalls was needed at Union Landing.

Mayor Green requested staff review and update the municipal code to require undergrounding of power lines for new construction in industrial, commercial and retail areas.

Mayor Green stated more sidewalks for recreational walking were needed in many industrial and commercial areas of town. City Manager Cheeves stated new developments are required to continue sidewalks where curb-and-gutter conditions exist, and there are provisions in state law allowing cities to compel that missing segments of sidewalks be installed. Mayor Green requested staff bring the matter back for Council consideration.

Mayor Green reported a large hole in the pavement on Pacific by the railroad tracks.

Mayor Green stated tree foliage was obstructing a driver's view of a stop sign on Royal Ann Drive.

Mayor Green stated a commission member had been released due to non-compliance with the attendance requirements as stated in the attendance policy for commissioners adopted earlier this year.

Mayor Green adjourned the regular session at 9:20 p.m. to the closed session continued from earlier this evening.

XV. CLOSED SESSION

Mayor Green reconvened the continued closed session at 9:25 p.m. with all Councilmembers present.

IV. CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION (Pursuant to Government Code Section 54956.9) (One Case)

Continued for a closed session discussion on June 12, 2007.

V. CLOSED SESSION – LIABILITY CLAIM (Pursuant to Government Code Section 54956.95)

Claimant: Lynn Mattos
Agency Claimed Against: City of Union City

Councilmember Dutra-Vernaci, citing a conflict of interest, recused herself and exited the conference room.

VI. CLOSED SESSION – CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Pursuant to Government Code Section 54956.8)

Property: 3841 Smith Street, Union City, CA
Agency negotiator: Mark Leonard
Negotiating parties: Historical Museum
Under negotiation: Terms and type of use under lease

Councilmember Dutra-Vernaci returned to the conference room for discussion of Item VI.

XVI. ADJOURNMENT

Mayor Green adjourned the continued closed session with no reportable action at 10:25 p.m.

Respectfully submitted,

Renee Elliott
City Clerk