

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

**TUESDAY, JUNE 26, 2007  
7:00 P.M.**

**COUNCIL CHAMBERS  
34009 ALVARADO NILES ROAD**

**I. CALL TO ORDER**

Mayor Green called the meeting to order at 7:09 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 - None**

**IV. ORAL COMMUNICATIONS**

IFF Local 1946 President John Whiting, and Susie Garcia, spoke in opposition to the proposed hiring of a fire battalion chief and in favor of additional staffing for on-line firefighters.

Attorney Robert Whyte, mentor to deceased youth Biniam Yifru, requested consideration be given to increased funding and staffing to fight gang force violence.

Mary Schlarb, COR, requested consideration for funding prevention and intervention programs for youth.

Mattie Rousseau requested assistance with traffic challenges on Ascot Way; thanked the City Manager for his assistance with a recent request; and, expressed support for the issues of labor unions.

Cindy Fair and Scott Schraud expressed a desire to see lighting provided at the Drigon Dog Park.

Reiner Glausch thanked Vice Mayor Navarro and staff for providing additional lighting in the park near his home.

Susan Campbell expressed her appreciation to the police department for its efforts in resolving problems associated with a rental home in her neighborhood. Bill Bontadelli, SEIU Local 1021, requested support for bringing members salaries to the median.

## V. CONSENT CALENDAR

It was moved by Vice Mayor Navarro, seconded by Councilmember Dutra-Vernaci, to approve Consent Items 5.a through 5.f, 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 June 12, 2007
- 5.c Approved removing the City Council as part of the appeals process as a revision to the "Complaints by Members of the Public" directive
- 5.d Adopted **Resolution No. 3384-07** Appointing Rahul Saini to the Planning Commission
- 5.e Adopted **Resolution No. 3385-07** Approving Ground Lease Agreement between the City and the Child, Family and Community Services, Inc. for the Use of Decoto Plaza Park for the Head Start Program
- 5.f Adopted **Resolution No. 3386-07** Approving Contract Change Order No. 1 For Additional Signal Work for the Combined UCB/Whipple Intersection and UCB Landscape Improvements, City Project No. 02-17 & 06-12

## VI. PUBLIC HEARINGS - None

## VII. CITY MANAGER REPORTS

It was moved by Councilmember Fernandez, seconded by Councilmember Dutra-Vernaci, to hear item 7.e ahead of the remaining items. Motion carried unanimously.

- 7.e Consider and Adopt Resolutions Establishing the City's Appropriation Limit for Fiscal Year 2007-08, the City's Operating Budgets for Fiscal Years 2007-08 and 2008-09 and the Five-Year Capital Improvement Plan for Fiscal Years 2007-08 through 2011-12, and Approving the Community Redevelopment Agency Budget for Fiscal Years 2007-08 and 2008-09

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

The following individuals spoke in favor of increasing SEIU salaries to within five percent of the median:

Craig Cutting	Paul Roman	Mike Rudolph
Linda Joseph	Jay Gonsalves	Damita Davis Howard
Gene Gordillo	David Williams	
Larry Robinson	Rosa Cabrera	

The following individuals spoke in favor of increased funding for youth services and programs:

Todd Benson, COR  
Chris Cara, Filipino's for Affirmative Action  
Setsuko Amann, COR  
Sadiq Shima, COR

IFF Local 1946 President John Whiting spoke in opposition to the proposed hiring of a fire battalion chief and in favor of additional staffing for on-line firefighters.

POA President Bruce Vance, and POA Secretary Lorril Fong-Jean, requested increased compensation for public safety employees.

There were no other speakers on the matter. Mayor Green closed the public hearing.

Following a discussion and comment period, it was moved by Mayor Green, seconded by Councilmember Dutra-Vernaci, to accept the budget as proposed, including a one-time reduction of \$150,000 in the annual General Fund Transfer of \$250,000 to the City Council Capital Projects Reserve, leaving \$100,000 to be transferred in fiscal year 2007-08. The City Council Capital Projects Reserve shall be replenished on a dollar-for-dollar basis up to \$150,000 at the end of fiscal year 2007-08 if revenues net of expenditures exceed budgeted expectations. Additionally, staff was directed to return with a report and analysis of options regarding youth program enhancements. The City Council:

- 1) adopted **Resolution No. 3387-07** establishing an appropriations limit for fiscal year 2007/2008;
- 2) adopted **Resolution No. 3388-07** adopting the Operating Budget for fiscal years 2007/2008 through 2008/2009, and approving the five-year Capital Improvements Plan for fiscal years 2007/2008 through 2011/2012; and,
- 3) adopted **RDA Resolution No. 363-07** adopting the Agency Budget for fiscal years 2007/2008 through 2008/2009.

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

**Mayor Green recessed the meeting at 8:50 p.m.**

**Mayor Green reconvened the meeting at 9:11 p.m.**

7.a Adopt a Resolution to Renew Landscape & Lighting District No. 3

Public Works Director Cheng presented the staff report and responded to questions from Councilmembers. There were no speakers on the matter.

It was moved by Vice Mayor Navarro, seconded by Councilmember Fernandez, to adopt **Resolution No. 3389-07** setting July 10, 2007 as the public hearing date for Landscape and Lighting District No. 3. Motion carried unanimously.

7.b Report on Landscape Renovation Priorities

Superintendent of Public Works Sealana presented the staff report and responded to questions from Councilmembers. There were no speakers on the matter. Council provided feedback and accepted the landscape development criteria and prioritization, submitted by staff and the park and recreation commission, as amended to include council comments.

7.c Approval of Joint Exercise of Power Agreement for the East Bay Regional Communications System Authority (Emergency Radio Interoperability)

City Manager Cheeves presented the staff report and responded to questions from Councilmembers. There were no speakers on the matter.

It was moved by Councilmember Dutra-Vernaci, seconded by Vice Mayor Navarro, to:

- 1) adopt **Resolution No. 3390-07** approving a Joint Powers Agreement among the counties and cities within Alameda and Contra Costa counties forming the East Bay Regional Communications System Authority; and,
- 2) adopt **Resolution No. 3391-07** approving and directing the filing of a "Notice of Exemption" pursuant to the California Environmental Quality Act.

Motion carried unanimously.

7.d Adopt a Resolution to Approve Executing an Agreement with the Union City Chamber of Commerce for Specified Economic Development Services for FY 2007/2008

Economic Development Coordinator Friday presented the staff report and responded to questions from Councilmembers. There were no speakers on the matter.

It was moved by Councilmember Valle, seconded by Councilmember Dutra-Vernaci, to adopt **Resolution No. 3392-07** to execute an agreement with the Union City Chamber of Commerce for specified economic development services for fiscal year 2007/2008. Motion carried unanimously.

7.f Adopt a Resolution Authorizing an Interim Agreement Between the Cities of Newark and Union City and BLT Enterprises of Fremont, Inc. for Transfer Services; Adopt a Resolution Authorizing a Cooperation Agreement between the City of Fremont and the Cities of Union City and Newark for the use of the Transfer Station and Recycling Facility located in the City of Fremont

Councilmember Valle recused himself citing a possible conflict of interest as an employee of Tri-CED Recycling. Councilmember Valle exited the Council Chambers for the duration of the council meeting at 10:25 p.m.

Deputy City Manager Acosta presented the staff report and responded to questions from Councilmembers. Deputy City Manager Acosta noted three minor changes to the documentation previously provided as follows:

- revise contractor name to BLT Enterprises of Fremont, LLC (instead of BLT Enterprises of Fremont, Inc.) in all three documents;
- revise facility address to read 41449 Boyce Road (instead of 41090 Boyce Road)
- Mayor to sign agreements instead of City Manager to conform to the City of Newark's protocol.

There were no speakers on the matter.

It was moved by Mayor Green, seconded by Councilmember Fernandez, to:

- 1) approve **Resolution No. 3393-07** authorizing an Interim Agreement between the City of Union City, the City of Newark, and BLT Enterprises, LLC for transfer services; and
- 2) approve **Resolution No. 3394-07** authorizing a cooperation agreement between the City of Fremont and the cities of Union City and Newark for the use of the transfer station and recycling facility located in the city of Fremont.

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

**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 he and the City Clerk had attended a meeting with representatives of Alameda County Recorder Patrick O'Connell's office to discuss the possibility of performing civil marriages at City Hall for south county residents.

Councilmember Fernandez reported attending a parking seminar in Redwood City.

Councilmember Dutra-Vernaci reported the Housing Authority would be undertaking a siding renovation project at the Mission View complex on Dyer.

Mayor Green reported he would be attending a meeting regarding composting in the Livermore area.

#### **XIV. GOOD OF THE ORDER**

Councilmember Dutra-Vernaci requested Mayor Green adjourn the meeting in memory of former Parks and Recreation Commissioner Fred Castro.

Mayor Green spoke about graffiti on the cement rim of the track at Alvarado Middle School.

Mayor Green adjourned the open session back into closed session at 10:50 p.m. in memory of former Parks and Recreation Commissioner Fred Castro.

#### **XV. CLOSED SESSION**

**Continued from 6:00 p.m. Closed Session  
Item IV - Conference with Legal Counsel – Anticipated Litigation  
(Pursuant to Government Code Section 54956.9) – Two Cases**

Mayor Green reconvened the continued closed session at 10:55 p.m. with the following attendance:

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

Following the closed session discussion regarding the first case, Councilmember Fernandez recused himself and exited the City Council Conference Room prior to the discussion of the second case at 11:13 p.m.

#### **XVI. ADJOURNMENT**

Mayor Green adjourned the continued closed session at 11:15 p.m.

Respectfully submitted,

Renee Elliott  
City Clerk