

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

**TUESDAY, NOVEMBER 13, 2007  
7:00 P.M.**

**COUNCIL CHAMBERS  
34009 ALVARADO NILES ROAD**

**I. CALL TO ORDER**

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 Alison Pablo for her Wonderful Contributions to Others

Mayor Green read the resolution aloud and presented it to Alison Pablo.

3.b Resolution Honoring Dr. Jacob Eapen, 2007 Ellis Island Medal of Honor Recipient

Mayor Green read the resolution aloud and presented it to Dr. Eapen. Dr. Eapen expressed his appreciation for the recognition.

3.c Resolution in Recognition of Officer Jeffrey Bilodeau's Accomplishments at the 2007 Western States Police and Fire Games

Mayor Green read the resolution aloud and presented it to Officer Jeffrey Bilodeau. Officer Bilodeau expressed his appreciation for the recognition.

3.d Resolution Honoring Union City Firefighters Who Served in the October 2007 California Firestorms

Fire Chief Rodriguez provided introductory remarks acknowledging the efforts of the fire fighters. Mayor Green read the resolution aloud and presented a copy to each of the fire fighters present. Battalion Chief Oatis, Captain Stanchina, and Captain Havenhill expressed their appreciation for the recognition.

3.e Resolution in Honor of the 78th Anniversary of Soka Gakkai

Mayor Green read the resolution aloud and presented it to representatives of Soka Gakkai who expressed their appreciation for the recognition.

#### IV. ORAL COMMUNICATIONS

Tracy Brazil expressed a desire to have bicycle lanes provided along a 3 mile stretch of Union City Boulevard, between Smith and the Alameda Creek to the Fremont border. Mayor Green stated the city was working with East Bay Regional Park District and the Alameda County Transportation Authority on the matter.

Mattie Rousseau expressed a desire for white dots along the curb at Aptos and Ascot Way. City Manager Cheeves stated staff would review the matter by the end of the year.

Peter Banchzeri requested a 20 foot no-parking-zone at the intersection of 9<sup>th</sup> and E Streets as parked cars obstruct a clear view of oncoming traffic. City Manager Cheeves stated staff would look into the matter.

#### V. CONSENT CALENDAR

Item 5.m was removed from consideration on the Consent Calendar.

It was moved by Councilmember Valle, seconded by Councilmember Dutra-Vernaci, to approve Consent Items 5.a through 5.l 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 Regular Meeting of October 23, 2007
- 5.c Rejected Claim No. 713, filed by CSAA as Subrogee for Lawanda Preston, as Recommended by the City's Claims Administrator
- 5.d Rejected Claim No. 715, filed by Preeti Verma, as Recommended by the City's Claims Administrator
- 5.e Rejected Claim No. 723, filed by Gus and Toula Lyberopoulos, as Recommended by the City's Claims Administrator
- 5.f Adopted **Resolution No. 3447-07** Authorizing the Addition of One Firefighter-EMT Position and Amending the City's Authorization Position List and Appropriating \$75,400 from the General Fund
- 5.g Adopted **Resolution No. 3448-07** Authorizing the Acceptance and Appropriation of Bay Area Air Quality Management District Grant Funds for the Alvarado-Niles Road - Union City Blvd. Bikeway Gap Closure Connector Project, City Project No. 07-25

- 5.h Adopted **Resolution No. 3449-07** Authorizing the City Manager to Execute an Agreement with DaimlerChrysler Commercial Buses North America / Orion Bus Industries for the Purchase of Two Low-Floor Compressed Natural Gas Buses with the Option to Purchase Six Additional Buses
- 5.i Adopted **Resolution No. 3550-07** Accepting Improvements for the 2005-06 Overlay Program, City Project No. 05-66
- 5.j Adopted **Resolution No. 3551-07** Accepting Improvements for Kennedy Community Center Cooling Tower and Boiler Replacement Project, City Project No. 05-29
- 5.k Adopted **Resolution No. 3552-07** Approving Final Parcel Map 8863, 640 F Street, Yung and Jin Kim, Owners. Mayor Green announced that, due to a clerical error, an incorrect draft resolution had been included in the agenda packet. A correct copy of the resolution was made available to Councilmembers as well as posted for public inspection in the Council Chambers.
- 5.l Adopted **Resolution No. 3553-07** Authorizing Additional Appropriation of \$146,700 from Gas Tax Fund and Accepting Work for Intersection Signalization - Alvarado-Niles Road/Hartnell Street, City Project No. 05-56

**Consideration of Item 5.m removed from the Consent Calendar.**

- 5.m Adopt a Resolution Establishing a Policy Memorandum Regarding Naming New Streets in Union City of Union City

It was moved by Mayor Green, seconded by Councilmember Valle, to adopt **Resolution No. 3554-07** formalizing the street naming policy with the following changes to staff's recommendation:

Policy:

All new streets shall be named after people making a significant contribution to the management, growth and development of the community. Consequently, the following names shall be used in the stated order when the opportunity arises to name new streets:

- Former and present city councilmembers
- Former and present city managers
- Former and present city attorneys
- Former and present city treasurers
- ~~Names nominated by the Historical Museum Board of Directors and approved by the city council~~
- Other individuals as deemed appropriate by the city council

Motion carried unanimously.

**VI. PUBLIC HEARINGS**

- 6.a Second Reading and Adoption of Ordinances Establishing a Comprehensive Update to Title 15, Buildings and Construction of the Union City Municipal Code to incorporate the

2007 editions of five (5) California Building Codes and the 1997 legacy editions of four (4) Uniform Codes along with limited local amendments (Introduced October 23, 2007)

Chief Building Official Rapposelli and Fire Marshal Mapes presented the staff report and responded to questions from Councilmembers. Mayor Green opened the public hearing. There were no speakers on the matter. Mayor Green closed the public hearing.

It was moved by Vice Mayor Navarro, seconded by Councilmember Dutra-Vernaci, to hold the public hearing, waive full reading of the full text of the ordinances, conduct the second reading and adopt the following:

**Ordinance No. 690-07** Establishing a Building Code and Uniform Building Code Standards for the City of Union City Regulating the Construction, Alteration, Repair and Maintenance of Structures and Providing for the Issuance of Permits, Collection of Fees and Providing Penalties for Violations by the Amendment of Chapter 15.40 of the Union City Municipal Code, this Ordinance Repeals Ordinance No. 585-02 and All Other Ordinances or Parts of Ordinances in Conflict Herewith

**Ordinance No. 691-07** Establishing an Administrative Code for the City of Union City to Provide the Necessary Requirements for a Single Administration Document Applicable to and Compatible with all Adopted Technical Codes that Regulate Construction by the Amendment of Chapter 15.36 of the Union City Municipal Code. This Ordinance Repeals Ordinance No. 584-02 and All Other Ordinances or Parts of Ordinances in Conflict Herewith

**Ordinance No. 692-07** Amending the 2007 California Fire Code and Adopting the International Fire Code, 2006 Editions, Prescribing Regulations Governing Conditions Hazardous to Life and Property from Fire or Explosion, Establishing a Bureau of Fire Prevention, Providing Officers Therefore, Defining Their Powers and Duties, and Repealing Ordinance Number 589-02

**Ordinance No. 693-07** Establishing a Dangerous Building Abatement Co Repair or Abatement of Buildings Determined to be Substandard and a Danger to the Health and Safety of Residents of Union City, Prescribing Penalties and the Procedure for the Repair or Abatement of Same, by the Amendment of Chapter 15.56 of the Union City Municipal Code. This Ordinance Repeals Ordinance 591-02 and all Other Ordinances or Parts of Ordinances in Conflict Herewith

**Ordinance No. 694-07** Establishing an Electrical Code for the City of Union City Regulating the Construction, Alteration, Repair and Maintenance of Electrical Systems and Providing for the Issuance of Permits and Collection of Fees by the Amendment of Chapter 15.44 of the Union City Municipal Code. This Ordinance Repeals Ordinance No. 588-02 and all Other Ordinances or Parts of Ordinances in Conflict Herewith

**Ordinance No. 695-07** Establishing a Housing Code for the City of Union City Establishing Minimum Space and Occupancy Standards, Structural Requirements, Mechanical Requirements, Exits, Fire Protection and Other Requirements for Residential Buildings; Regulating the Use and Occupancy of Residential Buildings; Providing for the Repair, Rehabilitation, or Demotion of Substandard Residential Buildings; and Prescribing Penalties for the Violation of said Housing Code by the

Amendment of Chapter 15.60 of the Union City Municipal Code. This Ordinance Repeals Ordinance No. 590-02 as Amended, and all Other Ordinances or Parts of Ordinances in Conflict Herewith

**Ordinance No. 696-07** Establishing a Mechanical Code for the City of Union City Regulating the Construction, Alteration, repair and Maintenance of Mechanical Equipment and Providing for the Issuance of Permits and Collection of Fees by the Amendment of Chapter 15.52 of the Union City Municipal Code. This Ordinance Repeals Ordinance No. 587-02 and all Other Ordinances or Parts of Ordinances in Conflict Herewith

**Ordinance No. 697-07** Establishing a Plumbing Code for the City of Union City Regulating the Construction, Alteration, Repair and Maintenance of Plumbing and Providing for the Issuance of Permits and Collection of Fees by the Amendment of Chapter 15.48 of the Union City Municipal Code. This Ordinance Repeals Ordinance No. 586-02 and all Other Ordinances or Part of Ordinances in Conflict Herewith

**Ordinance No. 698-07** Establishing a Building Security Code for the City of Union City Regulating the Installation, Maintenance, Issuance of Permits, the Collection of Fees, Providing Penalties for Violating and Establishing Minimum Standards for the Resistance of Unlawful Entry to Residential Buildings by the Amendment of Chapter 15.64 of the Union City Municipal Code. This Ordinance Repeals Ordinance No. 592-02 and all Other Ordinances or Parts of Ordinances in Conflict Herewith

Motion carried unanimously.

**Mayor Green announced Item 7.a would be advanced on the meeting agenda and considered at this time (8:00 p.m.)**

- 7.a Consider a Resolution Approving a Sidewalk Installation Policy Statement and Provide Feedback on a Utility Undergrounding Policy Statement

Public Works Director Cheng and Senior Planner Campbell presented the staff report and responded to questions from Councilmembers.

Councilmembers provided feedback on draft policies regarding utility undergrounding and installation of new sidewalks.

Hugh McNamara stated he was pleased Councilmembers would be reviewing both issues.

City Manager Cheeves stated staff would return in February 2008 with a further detailed study and recommendation.

- 6.b Adopt a Resolution approving Tentative Parcel Map 9674 and Administrative Site Development Review, ASD-18-07, to subdivide a 14,473 square foot property located at 713 A Street into two parcels and construct a new two-car garage

Assistant Planner Schultz presented the staff report and responded to questions from Councilmembers. Mayor Green opened the public hearing. Applicant and property owner Peter Banchzeri expressed frustration at the requirement for undergrounding of

existing overhead utilities as a condition of project approval. Mayor Green closed the public hearing.

It was moved by Mayor Green, seconded by Councilmember Fernandez, to hold the public hearing, accept the Planning Commission's recommendation to approve the applications as conditioned, and adopt **Resolution No. 3555-07** approving Tentative Parcel Map 9674 and Administrative Site Development Review ASD-18-07. Motion carried unanimously.

## VII. CITY MANAGER REPORTS

- 7.b Adopt a Resolution Approving a Sole Source Purchase and Authorizing the City Manager to Sign a Professional Services Agreement with Granicus, Inc. of San Francisco for Implementation of Streaming Video Capability on the City of Union City Website

Website Administrator Muñoz presented the staff report and responded to questions from Councilmembers. Granicus representative Tom Duncan provided a demonstration of the basic solution product and responded to questions from Councilmembers.

Barry Ferrier spoke in favor of using streaming video to promote and market the city.

It was moved by Mayor Green, seconded by Councilmember Dutra-Vernaci, to adopt **Resolution No. 3556-07** approving a Sole Source Purchase and Authorizing the City Manager to Execute an Agreement with Granicus, Inc of San Francisco for Implementation of Streaming Video Capability on the City of Union City Website and appropriating \$27,000 for Fiscal Year 2007-08 for said Agreement. 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 ABAG event entitled *Bay Area On The Move*, where transportation and land use issues were discussed.

Councilmember Valle thanked Vice Mayor Navarro for attending an Alameda County Library Commission meeting on his behalf.

Councilmember Valle stated he had attended an ACAP meeting where a group of young adults had presented information on youth violence issues in Alameda County.

Councilmember Dutra-Vernaci stated she had attended a Housing Conference on transit oriented development and the importance of green building technology in protecting the environment.

Councilmember Dutra-Vernaci stated the city should consider developing a plan for cross training employees in anticipation of a reduced work force in the event of a disaster.

Councilmember Dutra-Vernaci inquired about the viability of the levees west of Union City.

Mayor Green stated he had attended an event at St. Anne's church to honor a visiting delegate from the Philippines.

Mayor Green stated Choi's Martial Arts Studio had expanded into southern Fremont.

Mayor Green spoke about the importance of considering naturally traversed pathways when designing landscaping in commercial developments, noting that people will usually take the most direct route to their destination, even if it means walking through landscaping.

Mayor Green stated he had attended an ABAG meeting and agreed with San Francisco Mayor Newsom's opinion that cities need to take the initiative to do the right thing on their own concerning environmental issues and not wait for the state or nation to take the lead.

Mayor Green stated he had attended the Intermodal Groundbreaking ceremony earlier today and had received positive feedback from participants and attendees.

Mayor Green stated he had attended a Waste Management Authority meeting earlier today where it was agreed a greater emphasis must be placed on recycling and composting to reduce greenhouse gases.

Mayor Green stated STIP (State Transportation Improvement Program) Funds had been approved for the Intermodal project at a level of \$750,000.

Mayor Green provided an update regarding various widening projects occurring between Hayward and Oakland along Interstate 880.

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

Councilmember Dutra-Vernaci stated the landscaping was finished and looked good along Union City Boulevard, but noted the trees would obscure the signage at Smith Street.

Councilmember Dutra-Vernaci asked when the signalization would be completed at Tidewater. Public Works Director Cheng stated the project was in the homestretch and would be completed soon.

Councilmember Dutra-Vernaci asked if the City was talking to other agencies about strengthening the levees. City Manager Cheeves stated he would speak with Alameda County Flood Control and ask them to provide a report on the status of the levees.

Councilmember Valle announced the annual Lion's Club Thanksgiving Dinner was scheduled for Saturday, November 17, 2007, at the Senior Center.

Councilmember Fernandez requested street sweeping not be scheduled during peak commute times.

Councilmember Fernandez stated the lettering on the Gateway Sign to Union Landing was very light and difficult to read.

Councilmember Fernandez requested staff take a serious look at the City's maintenance schedules and practices to insure sufficient attention was being given to the City's landscaping investment.

Vice Mayor Navarro stated he had received notice that the signal at E Street and the Railroad area was acting like a sensor light. Public Works Director Cheng said staff would look into the matter.

Vice Mayor Navarro stated various street lights were out again around the City.

Vice Mayor Navarro asked about the use of the "Jaws of Life" and general life safety measures for accidents involving electric cars. Fire Chief Rodriguez stated staff was currently undergoing training for electric cars and CNG buses as well.

Vice Mayor Navarro stated one of the traffic balls at the Sports Center was cracked. Deputy City Manager Acosta stated staff was aware of the damage and currently looking into getting the barrier repaired.

Vice Mayor Navarro stated the *Knights Of Columbus* was holding a free vaccination clinic on December 9, 2007, from 8 am – 2 pm.

Mayor Green inquired about the status of the gymnasium at Liberty Park. Deputy City Manager Acosta stated there was no progress to report to date, but staff was attempting to schedule an appointment to meet with their President.

Mayor Green inquired about the status of expanding Dry Creek Park. Public Works Director Cheng stated work was progressing, including the addition of a 4 foot fence along Railroad Avenue.

Mayor Green reported Mark Evanoff had met with Supervisor Miley's office and had discussed the public purchase of the Oakland subdivision. This acquisition would improve transportation connections between Union City and Lathrop.

Mayor Green stated he had recently inquired if there was enough money to get BART to Berryessa, and was told it was more a political than financial challenge. Mayor Green stated Alameda County should express a unified opinion in support of BART to Berryessa, and press Santa Clara County politicians to get behind it as well.

Mayor Green spoke about the excellent efforts made by fellow Councilmember's and staff for the *Make A Difference Day* event.

Mayor Green stated he had won the race for his age group at the Pumpkin Patch event. Deputy City Manager Acosta confirmed a *Spring Sprint* was planned for March 1, 2008, to celebrate the one year anniversary of the opening of the Union City Sports Center. Mayor Green stated a challenge involving department directors would be fun.

Mayor Green adjourned to Closed Session at 9:52 p.m.

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

Mayor Green convened the Closed Session at 10:00 p.m. All Councilmembers were present.

##### **CLOSED SESSION - CONFERENCE WITH LABOR NEGOTIATORS**

Pursuant to Government Code Section 54957.6

Agency designated representatives: Larry Cheeves, Tony Acosta, Rich Digre

Employee organizations: International Association of Firefighters, Local 1946

##### **CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LIGATION**

Pursuant to Government Code Section 54956.9(b)(1)

Multiple Cases

#### **XVI. ADJOURNMENT**

Mayor Green adjourned the Closed Session at 10:30 p.m. with no reportable action.

Respectfully submitted,

Renee Elliott, City Clerk