

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

**TUESDAY, JANUARY 27, 2009
7:00 P.M.**

**COUNCIL CHAMBERS
34009 ALVARADO NILES ROAD**

I. CALL TO ORDER

Mayor Green called the meeting to order at 7:35 p.m.

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

I.b Roll Call

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

Absent: None

Mayor Green announced there was no reportable action from the Closed Session held earlier this evening.

Mayor Green announced a well-attended special City Council meeting had been held on Monday night, January 26, 2009, commemorating the 50th anniversary of the first City Council meeting held in Union City on January 26, 1959.

II. UNFINISHED BUSINESS - None

III. PROCLAMATIONS AND PRESENTATIONS

3.a Introduction of New and Promoted Employees

City Manager Cheeves welcomed new employees and congratulated staff members on their promotions. City Manager Cheeves introduced Police Chief Stewart who, in turn, introduced former Police Cadet Jarron Cross, recently hired as a Part-Time Prisoner Transportation Officer; Dispatcher Clerk Trainee Pardeep Boparai; Police Dispatcher Lisa Miller; and, Police Officer Brigid Dinneen.

City Manager Cheeves provided professional background information regarding Joan Malloy, and congratulated her on her recent promotion from Planning Manager to Economic and Community Development Director, effective January 12, 2009.

Economic and Community Development Director Malloy reintroduced former City employee Kevin Reese, recently hired as the City's Chief Building Official, and announced the promotion of Carmela Campbell from Senior Planner to Planning Manager.

IV. ORAL COMMUNICATIONS - None

V. CONSENT CALENDAR

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

It was moved by Councilmember Navarro, seconded by Councilmember Fernandez, to approve Consent Items 5.a, 5.b, and 5.d through 5.f, as recommended by staff. Motion carried unanimously.

- 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 Special and Regular Meetings of January 13, 2009
- 5.d Adopted **Resolution No. 3743-09** Acceptance of Public Improvements for Tract 7733, Formerly NorCal Steel Site; Union City Community Redevelopment Agency, Owner; Stern and Company, Developer
- 5.e Adopted **Council Resolution No. 3744-09** Approving Tract Map 8002, and **Community Redevelopment Agency Resolution No. 390-09** Authorizing and Directing the Executive Director of the Redevelopment Agency to Act on Behalf of the Agency to Approve and Execute the Owner's Statement of Final Tract Map 8002, to Subdivide Former PG&E Property Located at 1100 Decoto Road into Seven (7) Lots and Accepting Dedication of 11th St., Galliano Way, Berger Way, Cheeves Way, Union Station Loop and Decoto Road (A 15 FT. WIDE STRIP) For Public Purposes
- 5.f Adopted **Resolution No. 3745-09** Authorizing the Purchase of Vivieu Cameras from Adamson's Police Supply for Wearable Video Cameras for the Police Department from Capital Projects Fun

Consideration of Items removed from the Consent Calendar.

- 5.c Appointment of Kirsten Haney to the Public Art Board Youth Position

Mayor Green acknowledged Ms. Haney's presence in the audience, and welcomed her service on the Public Art Board. It was moved by Mayor Green, seconded by Councilmember Valle, to adopt **Resolution No. 3746-09** Appointing Kirsten Haney to the Public Art Board Youth Position. Motion carried unanimously.

- 5.g Adopt a Resolution for Authorization to Allocate Funds for the Sound Wall Gap Closure on Red Maple Street

Vice Mayor Dutra-Vernaci stated she had received a letter in opposition to the sound wall gap closure from Robert Raburn, Executive Director of the East Bay Bicycle Coalition. Staff responded to questions from Councilmembers, noting there would be an opportunity for public input on this and other matters at future public hearings to be scheduled regarding the General Plan Amendment. It was moved by Vice Mayor Dutra-Vernaci, seconded by Councilmember Navarro, to adopt **Resolution No. 3747-09** to Authorize the Allocation of Funds for the Sound Wall Gap Closure on Red Maple Street, City Project No. 09-02. Motion carried unanimously.

VI. PUBLIC HEARINGS

- 6.a Adopt a Resolution Approving General Plan Amendment AG-02-08, to 1) Modify the General Plan Land Use Diagram Figure LU-1 in the Station Mixed-Use Commercial (CSMU) Area to Accommodate the Revised Location of Certain City Facilities Including a Public Plaza and Public Promenade; 2) Modify the Station District Core Area Concept Plan, Figure LU-2 and Station District Core Area Land Use Diagram, Figure LU-3 to reflect the Revised Layout and Associated Street Configuration; 3) Modify the CSMU Text Listed in the General Plan Land Use Element to Incorporate Civic and Transportation Facilities, such as BART, Bus and Passenger Rail, as Acceptable Uses for the Area

Planning Manager Campbell 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 Councilmember Valle, seconded by Councilmember Fernandez, to adopt **Resolution No. 3748-09** Approving an Amendment to the General Plan, AG-02-08, Regarding the Land Use Diagram, Other Diagrams and Text Related to the Station District, and Adopting a Related Supplemental Mitigated Negative Declaration, Mitigation Monitoring and Reporting Program, and Statement of Overriding Considerations. Motion carried unanimously.

- 6.b Public Hearing to Introduce an Ordinance Approving Zoning Text Amendment, AT-07-08, to Modify Development Standards Listed in Chapter 18.38, Station Mixed Use Commercial District (CSMU), for Affordable Housing Developments and Adopt a Resolution Approving Use Permit, UP-11-08, to Establish a Mixed-use Development on Blocks 3 & 4 and Vary Development Standards on Block 4 on Property located Adjacent to 11th Street(Former PG&E Property/ APN 087-0019-004-02) and Site Development Review, SD-04-08, For Construction of a 158-Unit Affordable Housing Development, 8,400 Sq. Ft. of Commercial Flex Space and an Associated Parking Garage on Block 4

Planning Manager Campbell presented the staff report and responded to questions from Councilmembers. The City Council was provided a revised site plan showing the depth of the flex commercial area along 11th Street increased from 36 feet to 40 feet, which resulted in an increase in flex commercial area from 8400 sq. ft. to 9400 sq. ft. on Block 4, and an overall increase in commercial space for the Use Permit from 43,400 sq. ft. to 44,400 sq. ft., which was included in Exhibit A attached to the proposed resolution.

Mayor Green opened the public hearing. Mid-Peninsula Housing Coalition representatives Matt Franklin and Juan De Leon, and architect David Baker, responded to questions from Councilmembers. Councilmembers provided comment. Hugh McNamara expressed his support for the project. There were no other speakers on the matter. Mayor Green closed the public hearing.

Staff will return with the Disposition and Development Agreement for Council's consideration on February 24, 2009.

It was moved by Mayor Green, seconded by Vice Mayor Dutra-Vernaci, with the understanding the Disposition and Development Agreement would be scheduled for review and approval by the City Council on February 24, 2009, to:

- 1) adopt **Resolution No. 3749-09** Approving Site Development Review, SD-04-08, and Use Permit, UP-11-08, as revised; and
- 2) waive reading the full text of the proposed ordinance and introduce by title an Ordinance Amending Title 18, *Zoning*, of the Municipal Code to Modify Development Standards for Affordable Housing Development listed in Chapter 18.38, *Station Mixed-Use Commercial*, of the Municipal Code (Zoning Text Amendment AT-07-08).

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

Noes: Councilmember Valle

Absent: None

Abstain: None

VII. CITY MANAGER REPORTS - None

VIII. REDEVELOPMENT AGENCY - None

IX. AUTHORITIES AND AGENCIES - None

X. CITY COMMISSION/COMMITTEE REPORTS - None

XI. SECOND ORAL COMMUNICATIONS

Barry Ferrier requested Council consider the concept of public access to GIS information. Councilmember Fernandez stated he would raise the issue at the next GIS Board meeting. City Manager Cheeves acknowledged the consortium had been slow to act, and stated new technologies were under consideration.

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 Valle inquired about a schedule for joint meetings with the school district. Deputy City Manager Acosta stated he was working with NHUSD staff to establish a new meeting schedule. City Manager Cheeves stated the new superintendent had expressed enthusiasm about with working with the City.

Councilmember Navarro reported having attended an Airport Noise Forum meeting last Wednesday, and recommended Senior Noise Abatement Specialist Wayne Bryant be invited to make a presentation at a future Council meeting.

Mayor Green stated the Waste Management Authority was expected to select agency counsel on Wednesday.

Mayor Green stated 2009 projects were due for consideration by ABAG.

Mayor Green stated the CMA stimulus round was coming up and inquired about the status of the City submitting projects for consideration. Public Works Director Cheng stated the City's submittal regarding overlay projects had been submitted at 3:00 p.m. today.

XIV. GOOD OF THE ORDER

Vice Mayor Dutra-Vernaci stated she had received a complaint about a potential traffic hazard created by panhandlers positioned on medians near Dyer, Alvarado Boulevard, and near the WalMart.

Mayor Green stated the 50th anniversary commemorative City Council meeting, held on January 26, 2009 at Cesar Chavez/Former Barnard White Middle School, had gone well and was a memorable event for all in attendance.

Mayor Green inquired about the status of undergrounding on Mission Boulevard. City Manager Cheeves stated the matter was scheduled for a public hearing before the City Council on February 10, 2009.

Mayor Green stated there was visible vibration at the railroad tracks on Central at Whipple. Public Works Director Cheng stated she had reported the matter and was awaiting a return call. City Manager Cheeves stated his previous contact at the railroad had retired, but would assist staff in establishing a new contact.

XV. CLOSED SESSION - None

XVI. ADJOURNMENT

Mayor Green adjourned the meeting at 9:32 p.m.

Respectfully submitted,

Renee Elliott
City Clerk