

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

**TUESDAY, OCTOBER 13, 2009  
7:00 P.M.**

**COUNCIL CHAMBERS  
34009 ALVARADO NILES ROAD**

**I. CALL TO ORDER**

Mayor Green called the meeting to order at 7:08 p.m.

I.a Pledge of Allegiance

Mayor Green led the salute to the flag.

I.b Roll Call

Present: Councilmember Navarro, Vice Mayor Dutra-Vernaci, Mayor Green

Absent: Councilmember Fernandez, Councilmember Valle (arrived 7:12 p.m.)

**II. UNFINISHED BUSINESS - None**

**III. PROCLAMATIONS AND PRESENTATIONS (*Heard out of order at 8:40 p.m.*)**

3.a Proclamation Recognizing October 28, 2009 as "End Polio Now Day" in Union City

Mayor Green read the proclamation aloud and presented it to Union City Rotary Club representative Lee Demlinger, who presented information regarding the campaign to eradicate polio worldwide. A representative of State Senator Corbett's office presented a Proclamation of Recognition to Lee Demlinger, who accepted the recognition on behalf of the Rotary Club of Fremont-Union City-Newark.

**IV. ORAL COMMUNICATIONS**

The following individuals expressed concern about scheduling conflicts that have occurred when reserving use of Union City soccer fields due to a quarterly field allocation permit program now in effect:

Victor Juarez

John Sanchez

Ricardo Gonzalez

Julia Shockley

Luis Mejia

Alvisio Aquilar

Councilmembers provided comment, and City Manager Cheeves stated he would speak with Parks & Recreation Commissioner Nichols about arranging a meeting between the Sports Advisory Committee and concerned parties to discuss the matter.

Wynn Grcich expressed numerous concerns related to the detrimental effects of chlorinated and fluorinated drinking water.

Henry Vu, a Union City resident and US Professional Tennis Association coach and player, presented an award his team had received from the National Tennis Association, which he requested be displayed at a Union City tennis facility.

Dion Dangzacan requested Council consider expanding the use of the skate park to include use by BMX bikers. City Manager Cheeves stated staff would prepare a report for presentation to the Parks & Recreation Commission for its consideration.

## V. CONSENT CALENDAR

It was moved by Councilmember Valle, seconded by Councilmember Navarro, to approve Consent Items 5.a through 5.e as recommended by staff.

Ayes: Council/Agencymembers Navarro and Valle, Vice Mayor/Vice Chair Dutra-Vernaci, Mayor/Chair Green

Noes: None

Absent: Council/Agencymember Fernandez

Abstain: None

- 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 September 22, 2009
- 5.c Adopted **Resolution No. 3870-09** Accepting Work for the Alvarado-Niles Road Pavement Rehabilitation Project, City Project No. 08-01, Federal Project No. STPL-5354(024)
- 5.d Adopted **RDA Resolution No. 407-09** Dedicating Easements and Rights-Of-Way as Shown on Parcel Map 9914, and **City Council Resolution No. 3871-09** Approving Parcel Map No. 9914 (Station Way, formerly called "Decoto Road Connector")
- 5.e Adopted **Resolution No. 3872-09** Approving Energy Audit Agreement with Chevron Energy Solutions Company, City Project No. 09-25, City Project No. 09-25

## VI. PUBLIC HEARINGS

- 6.a Adopt a Resolution Approving Modified Site Development Review (MOD-SD-20-86) to Allow Verizon Wireless to Establish a Wireless Communication Facility at the Alvarado Place Shopping Center, Located at 32100 Alvarado Blvd, Including Construction of Two New Cupolas, Installation of Nine Panel Antennas, and Installation of Ground Mounted Equipment Enclosure

Associate Planner Schultz presented the staff report and responded to questions from Councilmembers.

Mayor Green opened the public hearing. David Duncan with Ridge Communications spoke in favor of the project. There were no speakers in opposition. Mayor Green closed the public hearing.

It was moved by Vice Mayor Dutra-Vernaci, seconded by Councilmember Valle, to adopt **Resolution No. 3873-09** Approving Modified Site Development Review (MOD-SD-20-86) to Allow Verizon Wireless to Establish a Wireless Communication Facility at the Alvarado Place Shopping Center, located at 32100 Alvarado Boulevard, Including Construction of Two New Cupolas, Installation of Nine Panel Antennas, and Installation of Ground Mounted Equipment Enclosure.

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

## VII. CITY MANAGER REPORTS

- 7.a Adopt a Resolution Approving the Form of and Authorizing the Execution and Delivery of a Purchase and Sale Agreement and Related Documents with Respect to the Sale of the Seller's Proposition 1A Receivable from the State; and Directing and Authorizing Certain Other Actions in Connection Therewith

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

It was moved by Councilmember Navarro, seconded by Councilmember Valle, to adopt **Resolution No. 3874-09** Approving the Form of and Authorizing the Execution and Delivery of a Purchase and Sale Agreement and Related Documents with Respect to the Sale of the Seller's Proposition 1A Receivable from the State; and Directing and Authorizing Certain Other Actions in Connection Therewith.

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

- 7.b Adopt a Resolution Identifying Finalists for Sports Center Exterior Art Installation

Planning Manager Campbell presented the staff report and responded to questions from Councilmembers. Councilmembers provided comment.

It was moved by Mayor Green, seconded by Councilmember Navarro, to adopt **Resolution No. 3875-09** Identifying the Five Finalists for the Sports Center Exterior Art Installation as follows: Robert Holmes, Gordon Huether, Saori Ide and Jonathan Russell, Robert Ellison, and Adrian Litman.

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

7.c Economic Development Update

Economic Development Coordinator Friday presented the staff report and responded to questions from Councilmembers.

Barry Ferrier commended staff on its update report and its continued economic development outreach efforts. Councilmembers provided feedback to staff. No action was taken.

**VIII. REDEVELOPMENT AGENCY - None**

**IX. AUTHORITIES AND AGENCIES - None**

**X. CITY COMMISSION/COMMITTEE REPORTS - None**

**XI. SECOND ORAL COMMUNICATIONS**

Hugh McNamara announced the grand opening of the new Smart & Final store was scheduled for October 20, 2009.

**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 Dutra-Vernaci stated she would be attending a Housing Commission meeting on October 14, and a League of California Cities meeting on October 15.

Councilmember Navarro reported attending a joint City/School Board meeting with Councilmember Valle and City Manager Cheeves. Several individuals from the community also attended the joint meeting to express concern regarding the elimination of a Punjabi language program at Logan High. Also under discussion at the meeting was the potential reuse of the Barnard White gymnasium; a city sponsored revenue enhancement measure; hours of use at Logan High's basketball courts; traffic problems around schools and, particularly, the traffic flow at Cesar Chavez Middle School.

Councilmember Navarro stated he would be attending a meeting of the Airport Noise Forum Committee on October 21.

Mayor Green stated the Ardenwood Park & Ride lot is now open.

Mayor Green stated the HOV lane on 580 east bound is now open.

Mayor Green stated 238 is open with three lanes in both directions.

Mayor Green stated the BART underground work at Lake Elizabeth had begun.

Mayor Green stated he was the new President Elect for ABAG, and Marin County Supervisor Susan Adams was the Vice President Elect.

Mayor Green stated a CMA retreat (possibly a combined retreat with ACTIA) is scheduled at the Masonic Homes on December 11, 2009.

Mayor Green stated the governor of California had given approval which will allow the CMA to take to the voters a proposed increase for vehicle license fees within the range of \$ .01 to \$10.00.

Mayor Green stated some energy efficiency grants would be given out later this week by WMA at the annual Green Business Awards.

Mayor Green stated extended producer responsibility will be the theme of the WMA's legislative focus for 2010.

Mayor Green stated the governor had vetoed a Mello-Roos-style financing mechanism being advanced by ABAG to get an energy retrofit district set-up region-wide.

Mayor Green reported attending a field trip to southern California with ACTIA and the CMA where they visited a joint-use project which included apartments, hotels, retail, and condominiums in a single city block on Hollywood Boulevard. Mayor Green noted plans for the development include allowing digital billboards to be placed on the top of the structures, and advertising revenue is projected to exceed \$300,000 per month.

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

Councilmember Valle stated people had inquired about the whereabouts of Union City fire fighters at the recent Our Lady of the Rosary festival. Fire Chief Rodriguez stated on-duty crews were likely responding to calls and unable to attend.

Councilmember Valle inquired if the city was working with a day laborer's center in Hayward, which is related to an issue of workers congregating at the Home Depot in Union City. Police Chief Stewart stated staff was working with the center on Tennyson Road in Hayward regarding the matter in response to several complaints from neighboring businesses in and around the Home Depot Center.

Vice Mayor Dutra-Vernaci reported that Councilmember Fernandez was doing well during his travels to the Philippines, despite the recent storms reported in the region.

Vice Mayor Dutra-Vernaci inquired about the impacts of today's heavy rains throughout the City. Public Works Director Cheng stated there were reports and sightings of minor localized flooding and fallen tree branches, all of which had been attended to by work crews.

Vice Mayor Dutra-Vernaci inquired if the City was doing anything special with regard to the statewide earthquake drill planned for later this week. City Manager Cheeves responded the City was not.

Mayor Green and Councilmember Valle stated the Mutt Strut event at the Masonic Homes over the weekend was a successful fund raiser for the New Haven Foundation.

Mayor Green stated the Sports Center was now open until 1:00 p.m. on Sunday's. City Manager Cheeves stated the recorded message on the Sports Center phone lines had been updated to include the new hours of operation.

Mayor Green stated he had attended a successful event for the Pregnancy Choice's organization.

Vice Mayor Dutra-Vernaci announced New Year's Eve party plans are posted on the UC 50<sup>th</sup> Anniversary Committee website, and tickets are still available at a cost of \$50 each.

Mayor Green adjourned the regular meeting to Closed Session at 9:16 p.m.

## **XV. CLOSED SESSION**

### **15.a 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 (IAFF), Management Employees Group (MEG), Professional Employees Group (PEG), Service Employees International Union, Local 1021 (SEIU), Union City Police Management Association (UCPMA), Union City Police Officer's Association (UCPOA)

Present: Councilmember Navarro, Vice Mayor Dutra-Vernaci, Mayor Green

Absent: Councilmembers Fernandez and Valle

## **XVI. ADJOURNMENT**

Mayor Green adjourned the Closed Session at 9:56 p.m. with no reportable action.

Respectfully submitted,

Renee Elliott  
City Clerk