

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

**TUESDAY, JULY 13, 2010
7:00 P.M.**

**COUNCIL CHAMBERS
34009 ALVARADO NILES ROAD**

A SPECIAL MEETING PRECEDES THE REGULAR MEETING AT 6:00 P.M.

I. CALL TO ORDER

I.a Pledge of Allegiance

I.b Roll Call

Mayor Mark Green

Vice Mayor Richard Valle

Councilmember Carol Dutra-Vernaci

Councilmember Manny Fernandez

Councilmember Jim Navarro

II. UNFINISHED BUSINESS - None

III. PROCLAMATIONS AND PRESENTATIONS

IV. ORAL COMMUNICATIONS

Comments from the audience on non-agenda items will be accepted for a period of 30 minutes. Speakers are limited to three minutes each. Persons wishing to speak must complete a speaker card available at the rear of the Council Chamber or from the City Clerk. If the number of speakers exceeds the time allotment, cards will be shuffled and 10 speakers chosen at random. The remaining speakers may speak under Section XI of the agenda.

V. CONSENT CALENDAR

All matters listed on the Consent Calendar are considered routine in nature and will be enacted by one motion. If discussion is required on a specific item, it will be removed from the Consent Calendar and considered separately.

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 Approve Minutes for the Special and Regular Meetings of June 29, 2010

5.c Adopt a Resolution Canceling the Regularly Scheduled City Council Meeting of August 10, 2010

- 5.d Adopt a Resolution of the City Council of the City of Union City Re-appointing Irene Wolfe and Naomi Aylesworth to the Senior Commission
- 5.e Adopt a Resolution Awarding Contract for the 2010 Pavement Rehabilitation Project, City Project No.10-05
- 5.f Adopt a Resolution Approving the Final Engineer's Annual Levy Report for the Landscape and Lighting Maintenance District No. 3, Fiscal Year 2010-11

VI. PUBLIC HEARINGS

VII. CITY MANAGER REPORTS

- 7.a Second Reading and Adoption of an Ordinance Amending Chapter 5.16, Business Licenses and Regulations, Licenses--Procedures for Issuance, Section 5.16.010, Branch Establishment, To Exclude Residential Properties (Introduced June 29, 2010)
- 7.b Energy Audit Report for City Facilities
- 7.c Adopt a Resolution of the City Council of the City of Union City Designating the Voting Delegate and Alternate Voting Delegate for the League of California Cities Annual Conference September 15-17, 2010, in San Diego

VIII. REDEVELOPMENT AGENCY - None

IX. AUTHORITIES AND AGENCIES - None

X. CITY COMMISSION/COMMITTEE REPORTS - None

XI. SECOND ORAL COMMUNICATIONS

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
- 13.b Referral from Vice Mayor Valle Regarding Placement of Speed Bumps in Residential Neighborhoods

XIV. GOOD OF THE ORDER

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:

Management Employees Group (MEG)

Professional Employees Group (PEG)

Service Employees International Union, Local 1021 (SEIU)

Union City Police Officer's Association (UCPOA)

XVI. ADJOURNMENT

A complete agenda packet is available for review at City Hall or on our website www.unioncity.org

Any writings or documents provided to a majority of City Council members regarding any item on this agenda will be made available for public inspection at the City Clerk's Counter at City Hall, located at 34009 Alvarado-Niles Road, Union City, California, during normal business hours.

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested person must request the accommodation at least two working days in advance of the meeting by contacting the City Clerk at (510) 675-5348.

MINUTES OF SPECIAL MEETING

CITY OF UNION CITY CITY COUNCIL SPECIAL MEETING

Tuesday, June 29, 2010

6:30 P.M.

City Council Conference Room
34009 Alvarado Niles Road

I. CALL TO ORDER

Mayor Green called the Special Meeting to order at 6:30 p.m.

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

II. ORAL COMMUNICATIONS – None.

III. CLOSED SESSION – CONFERENCE WITH LABOR NEGOTIATORS

(Pursuant to Government Code Section 54957.6)

Agency designated representatives:

Larry Cheeves
Tony Acosta
Glenn Berkheimer of IEDA

Employee organizations:

Management Employees Group (MEG)
Professional Employees Group (PEG)
Service Employees International Union, Local 1021 (SEIU)
Union City Police Officer's Association (UCPOA)

IV. ADJOURNMENT

Mayor Green adjourned the Special Meeting at 6:55 p.m.

Respectfully submitted,

Renee Elliott
City Clerk

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

**TUESDAY, JUNE 29, 2010
7:00 P.M.**

**COUNCIL CHAMBERS
34009 ALVARADO NILES ROAD**

A SPECIAL MEETING CLOSED SESSION PRECEDED THE REGULAR MEETING AT 6:30 P.M.

I. CALL TO ORDER

Mayor Green called the meeting to order at 7:05 p.m.

I.a Pledge of Allegiance

A Cub Scout color guard formation presented the colors and led the salute to the flag.

Mayor Green announced there was nothing to report from the Closed Session held earlier this evening.

I.b Roll Call

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

Absent: None

II. UNFINISHED BUSINESS - None

III. PROCLAMATIONS AND PRESENTATIONS - None

IV. ORAL COMMUNICATIONS

Barbara Uhlig, on behalf of her mother Heidi Kitayama, expressed support for ongoing funding for the Ruggieri Senior Center.

Barry Ferrier, on behalf of the Citizens Advisory Committee to ACTIA, announced a transportation forum was scheduled for July 15, 2010, at the Ruggieri Senior Center.

V. CONSENT CALENDAR

Item 5.d was removed from the Consent Calendar.

It was moved by Councilmember Navarro, seconded by Councilmember Fernandez, to approve Consent Calendar Items 5.a through 5.c, and 5.e through 5.h, 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 of the June 15, 2010 City Council/Redevelopment Agency Meeting
- 5.c Adopted **Resolution No. 4010-10** Appropriating \$130,000 in Funds and Awarding a Contract to McGuire and Hester Company of Oakland for the Pavement Repairs at Railroad Crossing, City Project No. 10-16
- 5.e Adopted **Resolution No. 4012-10** Awarding a Contact to Turf & Industrial Equipment of Santa Clara, California, for the Purchase of One John Deere Turbo 1600 Series II Commercial Wide-Area Mower, City Project No. 10-15
- 5.f Adopted **Resolution No. 4013-10** Declaring Certain Vehicles and Equipment as Surplus
- 5.g Adopted **Resolution No. 4014-10** Declaring Certain Vehicles (Transit Busses) as Surplus
- 5.h Adopted **Resolution No. 4015-10** Setting the Paramedic Special Tax Rate for Fiscal Year 2010/2011

Consideration of Item 5.d removed from the Consent Calendar.

- 5.d Adopt a Resolution Authorizing the Application for the Used Oil Payment Program (OPP) Cycle I Fund from Department of Resources, Recycling and Recovery (CalRecycle) and Participation in a Cooperative Project

Public Works Director Cheng responded to questions regarding educational programs funded by the Used Oil Payment Program.

It was moved by Councilmember Dutra-Vernaci, seconded by Councilmember Fernandez, to adopt **Resolution No. 4011-10** Authorizing the Application for the Used Oil Payment Program (OPP) Cycle I Fund from Department of Resources, Recycling and Recovery (CalRecycle) and Participation in a Cooperative Project. Motion carried unanimously.

By consensus, Council moved forward agenda item 7.b to be considered at this time. (See page 4 for minutes of action taken.)

VI. PUBLIC HEARINGS

- 6.a Continued Public Hearing - Adopt a Resolution by the Community Redevelopment Agency of the City of Union City to Approve the Terms of an Agreement that Provides for an Agency Loan to Abaxis Corporation for Acquisition of Capital Equipment and the Rehabilitation of Property that will be used for Industrial or Manufacturing Purposes, Adopt Findings in Accordance with Health & Safety Code Section 33444.6, Authorize Agency Counsel to Prepare an Agreement Consistent with these Terms, Authorize the Executive Director to Execute the Final Agreement, and Authorize a Transfer on June 30, 2010 of Six Hundred Thousand dollars (\$600,000) from the Horner/Veasy project (71103) and Four Hundred Thousand dollars (\$400,000) from the Union Square Office project (71121) to Provide Funding for the Loan

Assistant Executive Director Malloy presented the staff report and responded to questions from Agency Members. Economic Development Coordinator Friday responded to questions from Agency Members.

Agency Chair Green opened the public hearing. There were no speakers on the matter. Agency Chair Green closed the public hearing.

It was moved by Agency Member Dutra-Vernaci, seconded by Agency Member Navarro, to adopt **RDA Resolution No. 425-10** Approving the Terms of an Agreement that Provides for an Agency Loan to Abaxis Corporation for Acquisition of Capital Equipment and the Rehabilitation of Property that will be Used for Industrial or Manufacturing Purposes; Adopt Findings in Accordance with Health & Safety Code Section 33444.6; Authorize Agency Counsel to Prepare an Agreement Consistent with these Terms; Authorize the Executive Director to Execute the Final Agreement; and Authorize a Transfer at June 30, 2010, of Six Hundred Thousand Dollars (\$600,000) from the Horner/Veasby Project (71103) and Four Hundred Thousand Dollars (\$400,000) from the Union Square Office Project (71121) to Provide Funding for the Loan. Motion carried unanimously.

VII. CITY MANAGER REPORTS

- 7.a Adopt Amendment to Ordinance Adjusting Business License Tax for Branch Establishments and Adopt Resolution Suspending Annual Rate Adjustment for Residential Rental Properties

Assistant City Attorney Reyes presented the report and responded to questions from Councilmembers.

Mira Malkani requested reduction of the business license fee and clarification of what City services were received in return for payment of business license fees. Ms. Malkani presented a letter addressed to the Mayor and Council from Manibhtai Patel.

Maria Adas expressed appreciation for Council's reconsideration of the terms and amount of the business license tax.

Kam Cho requested reconsideration of the terms and amount of the business license tax.

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

- 1) Introduce an Ordinance Amending Chapter 5.16, Business Licenses and Regulations, Licenses-Procedures for Issuance, Section 5.16.010, Branch Establishment, to Exclude Residential Properties; and
- 2) Adopt **Resolution No. 4016-10** Suspending Annual Adjustment License Rate Based on Consumer Price Index for Fiscal year 2010 to 2011.

Motion carried unanimously.

- 7.b Acceptance of Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award for the Biennium Budget Beginning July 1, 2009 (*This item was heard earlier on the agenda.*)

City Manager Cheeves provided background information regarding GFOA, and extended personal recognition to Management Analyst Fuentes for his contributions and expertise on the City's budget. Mayor Green presented the Distinguished Budget Award to Management Analyst Fuentes, who expressed his gratitude on behalf of the Administrative Services Department. Councilmembers provided comment.

7.c Adopt a Resolution to Amend General Fund Appropriation and Revenue Estimates for Fiscal Year (FY) 2010-11

City Manager Cheeves presented the staff report and responded to questions from Councilmembers.

Millie Cleveland, SEIU representative, read aloud from a letter written on behalf of SEIU members.

Barry Ferrier expressed concern about laying off the City Engineer when substantial projects are pending, and for preserving \$50,000 for youth programs.

Elizabeth Ames expressed concern about continued employee cuts, and requested Council reconsider its approval of the fire merger with Alameda County.

Councilmembers provided comment.

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

- retain the PTO position through the use of \$30,000 in funds from City reserves;
- include a rescission clause in the layoff notices in the event sufficient funds are identified through labor negotiations; and
- adopt **Resolution No. 4017-10** Amending the Operating Budget for Fiscal Year 2010/2011, and Authorizing the Sending out of Layoff Notices to Incumbents in Certain Positions.

Motion carried unanimously.

7.d Adopt a Resolution Appointing Representatives to Serve on the Alameda County Transportation Commission (ACTC)

It was moved by Mayor Green, seconded by Councilmember Navarro, to adopt **Resolution No. 4018-10** Appointing Mayor Mark Green as the Representative, and Councilmember Carol Dutra-Vernaci as the Alternative Representative, to Serve on the Alameda County Transportation Commission (ACTC). Motion carried unanimously.

VIII. REDEVELOPMENT AGENCY - None

IX. AUTHORITIES AND AGENCIES - None

X. CITY COMMISSION/COMMITTEE REPORTS - None

XI. SECOND 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 Valle stated the ACAP meeting had been canceled.

Vice Mayor Valle stated the next joint meeting with the school board was scheduled for September.

Councilmember Dutra-Vernaci reported the Housing Authority Executive Director was still working on compiling a list of Union City landlords with properties subject to business license tax.

Councilmember Dutra-Vernaci reported attending an LOCC meeting where the topic of discussion was pension reform. The next LOCC meeting is scheduled for July 15, 2010, in Hercules, and representatives were requested to bring Chamber of Commerce Executive Director's to participate in a discussion regarding the Prop 22 initiative to protect city money from further raids by the state.

Councilmember Navarro stated he would be attending the Change of Command ceremony on Thursday.

Councilmember Navarro inquired if a plan was in place for 4th of July activities. City Manager Cheeves confirmed a plan had been developed and would be administered by Union City Police as well as ALCO Fire.

Mayor Green stated he had lunched with Marian Lee, Project Manager for Dumbarton Rail, and stressed the importance of continued funding for the Dumbarton Rail project.

Mayor Green announced the Alameda County Transportation Commission was official; its first meeting would be scheduled for July 2010; and, interviews for its Executive Director would be held on July 30, 2010.

Mayor Green announced ABAG would be conducting interviews for its Executive Director on July 26, 2010.

Mayor Green stated Karen Engle is replacing Bruce Kern as the Executive Director of EDAB.

XIV. GOOD OF THE ORDER

Councilmember Fernandez stated a poor tree-trimming job had been done to the street trees on Dowe Avenue.

Councilmember Navarro stated he had received two telephone calls regarding trees ready to fall, and numerous weeds, on the median strip going toward Eastin School.

Councilmember Navarro stated he had received a call regarding a citation issued by Alameda County Health to a property owner for a proliferation of cats on his property. Councilmember Dutra-Vernaci offered to provide information on contacting the City's animal control officer.

Councilmember Dutra-Vernaci reported attending the Union City American League All Stars game against San Lorenzo, noting Union City had won. On July 6, Union City American will be playing Union City National All Stars.

Councilmember Dutra-Vernaci expressed her appreciation to staff for handling a report of living room furniture dumped at the bus stop on Smith Street.

Vice Mayor Valle requested a referral be placed on the next agenda regarding the placement of speed bumps in residential neighborhoods.

Mayor Green stated he attended the Acacia Creek tour at the Masonic Homes, and spoke with a board member who was requesting a meeting to discuss improving the perceived image of Union City.

Mayor Green adjourned the regular meeting to closed session at 8:50 p.m.

XV. CLOSED SESSION

15.a CLOSED SESSION – CONFERENCE WITH REAL PROPERTY NEGOTIATORS

(Pursuant to Government Code Section 54956.8)

Property: APN 483-0113-037-02, 483-0113-050 & 051, also known as Liberty Park

City negotiator: Tony Acosta (Potential buyer)

Property negotiator: Liberty Park Home Owners Association (Potential seller)

Under negotiation: Price and terms

15.b CLOSED SESSION - CONFERENCE WITH REAL PROPERTY NEGOTIATORS

(Pursuant to Section 54956.8 of the Government Code)

Property: PSSC, WCA, 11th Street, APN 087-0335-006

Seller: Nina and Claude Gruen, Solely in their Capacity as Special Master, Pacific States Steel Corporation

Buyer: Joan Malloy and Mark Evanoff, Community RDA

Under negotiation: Price and Terms

15.c CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION

(Pursuant to Section 54956.9 of the Government Code)

(One case)

XVI. ADJOURNMENT

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

Respectfully submitted,

Renee Elliott
City Clerk



Agenda Item

DATE: July 13, 2010
TO: Mayor and Members of the City Council
FROM: Renee Elliott, City Clerk
SUBJECT: Adopt a Resolution Canceling the Regularly Scheduled City Council Meeting of August 10, 2010

BACKGROUND

Past practice has been for a regularly scheduled Council meeting in August to be canceled. Staff is requesting Council concurrence to cancel the August 10, 2010, meeting in order to give the public and employees proper notice.

RECOMMENDATION

Adopt the proposed Resolution canceling the City Council meeting of August 10, 2010.

FISCAL IMPACT

None at this time.

Submitted by:
Renee Elliott, City Clerk

Approved by:
Larry Cheeves, City Manager

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF UNION CITY
CANCELING THE AUGUST 10, 2010
REGULARLY SCHEDULED CITY COUNCIL MEETING**

WHEREAS, the City Council desires to cancel its regularly scheduled City Council meeting of August 10, 2010.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Union City, hereby cancels its regularly scheduled City Council meeting of August 10, 2010, and will adjourn the July 27, 2010 City Council meeting to the regularly scheduled meeting of August 24, 2010.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Union City at a regular meeting held on the 13th day of July 2010 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

MARK GREEN
Mayor

ATTEST:

RENEE ELLIOTT
City Clerk

APPROVED AS TO FORM:

MICHAEL RIBACK
City Attorney



DATE: July 13, 2010

TO: City Council

FROM: Antonio E. Acosta, Leisure Services Director

SUBJECT: RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY RE-APPOINTING IRENE WOLFE AND NAOMI AYLESWORTH TO THE SENIOR COMMISSION

At the request of Mayor Green, a resolution has been prepared re-appointing Irene Wolfe and Naomi Aylesworth to the Union City Senior Commission.

BACKGROUND

Commissioner's Wolfe and Aylesworth have served on the Senior Commission since 1994 and 2006, respectively, and have requested re-appointment to another four year term. Mayor Green has indicated his intention of nominating Ms. Wolfe and Ms. Aylesworth for another term on the Senior Commission.

DISCUSSION

Commissioner's Wolfe and Aylesworth were last appointed to the Senior Commission on October 24, 2006, and their current terms expired on June 30, 2010. Re-appointing Commissioner's Wolfe and Aylesworth would maintain a full roster of membership on the Senior Commission.

FISCAL IMPACT

There is no fiscal impact associated with the proposed resolution.

RECOMMENDATION

Staff recommends that the City Council consider a resolution re-appointing Irene Wolfe and Naomi Aylesworth to the Union City Senior Commission.

Prepared and Submitted by:
Antonio E. Acosta
Leisure Services Director

Approved by:
Larry Cheeves
City Manager

RESOLUTION NO.

**RESOLUTION OF
THE CITY COUNCIL OF THE CITY OF UNION CITY
RE-APPOINTING IRENE WOLFE
AND
NAOMI AYLESWORTH
TO THE SENIOR COMMISSION**

WHEREAS, Commissioner Irene Wolfe has served on the Senior Commission since 1994; and

WHEREAS, Commissioner Naomi Aylesworth has served on the Senior Commission since 2006; and

WHEREAS, Commissioner Wolfe and Commissioner Aylesworth each desire re-appointment to the Senior Commission.

NOW, THEREFORE, BE IT RESOLVED that the Mayor hereby re-appoints, and the City Council hereby confirms, Irene Wolfe and Naomi Aylesworth to the Union City Senior Commission, each to serve as a Commissioner with a term of four (4) years, ending June 30, 2014.



DATE: JULY 13, 2010

TO: CITY COUNCIL

FROM: MINTZE CHENG, PUBLIC WORKS DIRECTOR

SUBJECT: AWARD OF CONTRACT FOR 2010 PAVEMENT REHABILITATION PROGRAM, CITY PROJECT NO. 10-05

BACKGROUND:

The 2010 Pavement Rehabilitation Program includes improvements to streets included on the revised Proposition 1B list and approved by City Council on February 23, 2010. The Prop 1B list was generated based on the City's Pavement Management System which provides a comprehensive survey and analysis of the streets that have experienced deterioration and require an asphalt overlay to extend the pavement's service life.

DISCUSSION:

This project consists of repairing failed portions of pavement, grinding of existing pavement, overlaying new asphalt concrete, adjusting of manholes and monuments to the new pavement elevation, and installing new delineation, markers and striping of various streets in order to extend service life and to improve ride quality. Please see Exhibit B for list of streets to be improved in this project.

Plans and specifications for this project were prepared and advertised for bids on June 3, 2010. Eight (8) bids were received and opened on July 1, 2010. The apparent low bidder was G. Bortolotto & Company, Inc. of San Carlos, California, in a Base Bid amount of \$714,099.15. The Engineer's Estimate for the base bid was \$795,000.00. The low bid was approximately 10% under the Engineer's Estimate. A copy of the bid summary is attached in Exhibit A.

A total of two Bid Alternates were included in the bid package for the adjustment of Union Sanitary District (USD) facilities and for the upgrade of non-ADA compliant sidewalk ramps on the project streets. The bid alternate for the USD structure adjustment is for a total \$18,126.00. USD has indicated that they will reimburse the City for these costs. The bid alternate that includes the sidewalk ramp upgrades can be partially funded through the approved Annual Wheelchair Ramps Upgrade Project (Project 90564) under the State Gas Tax Fund (Fund 2510). The total amount of the two bid alternates is \$118,606.00. The grand total

for the base bid and alternate bids is \$832,705.15.

G. Bortolotto & Company has not recently completed a project for the City. However, staff contacted references from other cities and have received positive feedback. Public Works staff recommends that construction of the project including the two Bid Alternates be awarded to G. Bortolotto & Company, Inc. in the total amount of \$832,705.15.

Upon completion of this project, all remaining CMA ARRA Exchange and Proposition 1B (Fund 2530) monies will have been expended to improve the City's pavements.

Exhibits A. Bid Summary
 B. List of Streets

FISCAL IMPACT:

Funding for this project has been appropriated through Proposition 1B (Fund 2530), ARRA Fund (Fund 4100) and State Gas Tax (2510). Sufficient monies are available within Fund 2530, Fund 4100 and Fund 2510 for this project.

RECOMMENDATION:

It is recommended that the City Council adopt the attached resolution awarding the construction contract with the two Bid Alternates in the total amount of \$832,705.15 to G. Bortolotto & Company, Inc. of San Carlos, California for construction of the 2010 Pavement Rehabilitation Program.

Prepared by:

Henry Louie, City Engineer

Submitted by:

Mintze Cheng, Public Works Director

Approved by:

Larry Cheeves, City Manager

RESOLUTION NO.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY
AWARDING CONTRACT TO
G. BORTOLOTTO & COMPANY, INC.
FOR 2010 PAVEMENT REHABILITATION PROGRAM
CITY PROJECT NO. 10-05**

WHEREAS, the City Clerk of the City of Union City has, upon due notice, received EIGHT (8) bids for CITY PROJECT NO. 10-05; and

WHEREAS, G. Bortolotto & Company, Inc. of San Carlos, California, had the lowest Total Base Bid in the amount of \$714,099.15; and

WHEREAS, two bid alternates to adjust Union Sanitary District facilities and upgrade sidewalk ramps in the amount of \$118,606 are also recommended for a total project cost of \$832,705.15; and

WHEREAS, the funding sources are from Proposition 1B (Fund 2530), CMA ARRA Exchange Fund (under Fund 4100) and approved Annual Wheelchair Ramps Upgrade Project (Project 90564) under State Gas Tax Fund (Fund 2510) which are sufficient to fund construction of the 2010 Pavement Rehabilitation Program.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Union City, that G. Bortolotto & Company, Inc. is hereby awarded the contract for CITY PROJECT No. 10-05, in the total amount of \$832,705.15 in accordance with the plans and specifications adopted therefore and on file at the office of the City Engineer of the City of Union City, and evaluated on the basis of Total Base Bid of said hereinabove specified bidder, a copy of the bid summary is attached, and all other bids are hereby rejected;

BE IT FURTHER RESOLVED that the City Manager of the City of Union City is hereby authorized and directed to execute the hereinabove mentioned contract in the name of and for and on behalf of the City of Union City.

ATTACHMENT A – BID SUMMARY SHEET

**CITY OF UNION CITY
BID SUMMARY**

PROJECT: 2010 Pavement Rehabilitation Program
 City Project No. 10-05
 Project Manager: Mike Renk

DATE: July 1, 2010

TIME: 2:00 p.m.

LOCATION: Council Chambers

No	BIDDERS	BID AMOUNT	*CORRECTED BID AMOUNT
1.	Bay Cities Paving & Grading	\$791,169.26	
2.	C.V. Archibald Paving	\$724,637.75	
3.	Interstate Grading & Paving	\$724,468.00	
4.	O'Grady Paving	\$725,076.05	\$727,076.05
5.	Granite Rock Co.	\$764,141.00	
6.	G. Bortolotto & Co.	\$714,099.15	
7.	Granite Construction Co.	\$733,594.00	
8.	Gallagher & Burk, Inc	\$757,757.75	
9.			
10.			
11.			
12.			
13.			

I, Renee Elliott, City Clerk of the City of Union City, do hereby certify that on July 1, 2010, I received and opened 8 bids for the above-mentioned project.

* Note: All bid amounts will be verified by the Engineer. Any corrections will be shown in the column above.



 Renee Elliott
 City Clerk

EXHIBIT B

PROJECT #10-05 STREET LIST

STREET	LIMITS
WHIPPLE ROAD	ITHACA STREET TO MISSION BOULEVARD
A STREET	WHIPPLE ROAD TO 9 TH STREET
UNION CITY BOULEVARD	JEAN STREET TO REGENTS BOULEVARD
ANAHEIM LOOP	ROCKLIN DRIVE TO ROCKLIN DRIVE
BEL-AIRE STREET	ROCKLIN DRIVE TO BLYTHE STREET
SHERMAN DRIVE	COLGATE DRIVE TO 15 TH STREET
COLGATE DRIVE	HARTNELL STREET TO SHERMAN DRIVE
METEOR DRIVE	POLARIS AVENUE TO DYER STREET



DATE: JULY 13, 2010

TO: CITY COUNCIL

FROM: PUBLIC WORKS DIRECTOR

SUBJECT: RESOLUTION APPROVING THE FINAL ENGINEER'S ANNUAL LEVY REPORT FOR LANDSCAPE & LIGHTING MAINTENANCE DISTRICT NO. 3 FOR FISCAL YEAR 2010/11

BACKGROUND:

At the City Council meeting on May 11, 2010 the City Council passed a resolution of intent to renew the city-wide Landscape and Lighting Maintenance District No. 3 for fiscal year 2010/11 and setting a public hearing date of June 15, 2010. On June 15, 2010 the City Council conducted a public hearing for renewal of the District.

DISCUSSION:

In accordance with the Landscape and Lighting Act of 1972 and the California Government Code, the City Council passed a resolution of intent, and conducted a public hearing regarding the levy of annual assessments for the upcoming fiscal year. Following the public hearing on June 15, 2010 the City Council passed a resolution confirming the assessment and ordering the levy of the landscape and lighting maintenance district no 3 for fiscal year 2010/11. At that time the City Council requested no changes to the preliminary Engineer's Report. The attached resolution approves the engineer's report as the final report of levy for the 2010/11 fiscal year.

FISCAL IMPACT:

There is no fiscal impact for the requested Council action to accept the Engineer's Report as the final report of levy for the 2010/11 fiscal year.

RECOMMENDATION: It is recommended that the City Council adopt the attached resolution approving the final engineer's levy report for Landscape and Lighting Maintenance District No. 3 for fiscal year 2010/11.

Prepared by: Richard K. Sealana, Public Works Superintendent

Submitted by: Mintze Cheng, Public Works Director

Approved by: Larry Cheeves, City Manager

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY, CALIFORNIA, APPROVING THE FINAL ENGINEER'S ANNUAL LEVY REPORT FOR THE LANDSCAPE AND LIGHTING MAINTENANCE DISTRICT NO. 3, FISCAL YEAR 2010/11

The City Council of the City of Union City (hereafter referred to as the "City Council") does resolve as follows:

WHEREAS, the City Council, pursuant to the provisions of the *Landscape and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with Section 22500)* (hereafter referred to as the "Act") did by previous Resolution, order the preparation and filing of a report in accordance with *Chapter 1 Article 4 of the Act, commencing with Section 22565*, in connection with the proposed levy and collection of assessments for the District known and designated as the Landscape and Lighting Maintenance District No. 3 (hereafter referred to as the "District"), for the fiscal year commencing July 1, 2010 and ending June 30, 2011; and,

WHEREAS, the Engineer has prepared and filed with the City Clerk of the City of Union City and the City Clerk has presented to the City Council such report entitled "City of Union City, Landscape and Lighting Maintenance District No. 3, Fiscal Year 2010/11, Final Annual Engineer's Report" (hereafter referred to as the "Report"); and,

WHEREAS, the City Council has carefully examined and reviewed the Report as presented, and is satisfied with each and all of the items and documents as set forth therein, and finds that the levy has been spread in accordance with the special benefits received from the improvements, operation, maintenance and services to be performed, as set forth in said Report; and,

NOW, THEREFORE BE IT RESOLVED, DETERMINED, AND ORDERED BY THE CITY COUNCIL FOR THE DISTRICT, AS FOLLOWS:

Section 1 That City Council hereby approves the Report as filed.

PASSED APPROVED AND ADOPTED by the City Council of the City of Union City at a regular meeting held on July 13, 2010 by the following vote:

AYES: 5
NOES: 0
ABSENT:
ABSTAIN:

APPROVED:

Mark Green
Mayor

ATTEST:

APPROVED AS TO FORM:

Renee Elliott
City Clerk

Benjamin Reyes
City Attorney



DATE: JULY 13, 2010

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: LARRY CHEEVES, CITY MANAGER
BENJAMIN T. REYES II, ASSISTANT CITY ATTORNEY

SUBJECT: SECOND READING AND ADOPTION OF AN ORDINANCE AMENDING CHAPTER 5.16, BUSINESS LICENSES AND REGULATIONS, LICENSES – PROCEDURES FOR ISSUANCE, SECTION 5.16.010, BRANCH ESTABLISHMENT, TO EXCLUDE RESIDENTIAL PROPERTIES (INTRODUCED JUNE 29, 2010)

At the Council meeting on June 29, 2010, the Council introduced and conducted the first reading of an amendment to Union City Municipal Code Section (“UCMC”) 5.16.010, modifying the ordinance that requires a separate fee for each “branch establishment or location” of a business. Staff recommends that the Council waive the second reading of the amended ordinance.

BACKGROUND

U.C.M.C. Section 5.16.010, pertaining to licenses, currently requires a property owner of several rental units to obtain separate business licenses for each location of the business. As interpreted, the Ordinance requires that property owners who own up to four rental units located at different location must pay business license taxes for each unit, while a property owner who owns one parcel that contains four units is required to pay for only one business license.

On May 11, 2010, following a staff presentation on this issue, the City Council heard testimony about the enforcement of this ordinance, particularly as to its application to landlords who owned multiple residential rental units at different locations. Those landlords, under the current ordinance, are required to pay for a business license for each rental unit. However, owners of one parcel containing up to four units are required to pay for only one license. Following this testimony, the City Council directed the City Attorney to research the appropriate process for modifying the ordinance as it applied to individuals or owners of four or less rental properties at separate locations.

On May 21, 2010, the City Attorney informed the Mayor and Council that the current business license tax rate could be reduced by amending Municipal Code Section 5.16.010. June 29, 2010, the Council introduced and conducted the first reading of an amendment to Union City Municipal Code Section (“UCMC”) 5.16.010, modifying the

ordinance that requires a separate fee for each “branch establishment or location” of a business.

DISCUSSION

The amendment to Section 5.16.010 adds an exemption for individuals or entities owning four (4) or fewer residential rental units at separate locations. This amendment will require all rental property owners to obtain a single license for the first four units of residential properties owned by the same person, regardless of whether such units are located on one parcel or on separate parcels. For each unit of residential rental property in excess of four owned by the same person, whether or not located on the same or separate parcels, an additional fee of \$10 per unit will be applied as established by resolution of the City Council.

FISCAL IMPACT

Staff estimates that the amended ordinance will result in a reduction of business license taxes in the amount of approximately \$50,000 - \$75,000 each year.

RECOMMENDATION

Staff recommends that the City Council waive reading the full text of the ordinance, and conduct the second reading by title only of the ordinance to Amend Municipal Code Section 5.16.010.

Attachments: AN AMENDED ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UNION CITY AMENDING CHAPTER 5.16, BUSINESS LICENSES AND REGULATIONS, LICENSES—PROCEDURES FOR ISSUANCE, SECTION 5.16.010, BRANCH ESTABLISHMENT, TO EXCLUDE RESIDENTIAL PROPERTIES

Prepared by:
Benjamin T. Reyes II
Assistant City Attorney

Approved by:
Larry Cheeves
City Manager

ORDINANCE NO. -10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UNION CITY AMENDING CHAPTER 5.16, BUSINESS LICENSES AND REGULATIONS, LICENSES—PROCEDURES FOR ISSUANCE, SECTION 5.16.010, BRANCH ESTABLISHMENT, TO EXCLUDE RESIDENTIAL PROPERTIES

WHEREAS, Section 5.16.010 of the Union City Municipal Code, Licenses—Procedures for Issuance, in its current form, requires that “[a] separate license must be obtained for each branch establishment or location of the business transacted and carried on and for each separate type of business at the same location, and each license shall authorize the licensee to transact and carry on only the business licensed thereby at the location or in the manner designated in such license”, and

WHEREAS, the City Council of the City of Union City (“City) desires to modify the language of Chapter 5.16, Licenses—Procedures for Issuance, to treat the business license requirement for renting separate single-family residential property the same as the business license fee for owners of multi-family units located on one property; and

WHEREAS, a public meeting on the subject of business license fees for residential rental properties was held by the City Council on May 11, 2010; and

WHEREAS, on May 25, 2010, the City Attorney reported that the City may adjust the tax for a property owner who is renting out four (4) separate properties to match those owners who lease four (4) units on the same parcel; and

WHEREAS, a Staff Report was submitted recommending that the City Council approve an amendment to the Union City Municipal Code that would distinguish the business of renting residential properties from other businesses when applying a license fee for branch establishments of any business (Licenses—Procedures for Issuance); and

WHEREAS, the City Council did hear and use its independent judgment and consider all said reports, recommendations, and testimony hereinabove set forth.

NOW, THEREFORE, the City Council of Union City does ordain as follows:

Section 1.

Section 5.16.010 is hereby amended to read as follows (additions are in double underlined font):

- 5.16.010** A. A separate license must be obtained for each branch establishment or location of the business transacted and carried on and for each separate type of business at the same location, and each license shall authorize the licensee to transact and carry on only the business licensed thereby at the location or in the manner designated in such license.

B. The requirement set forth in subsection A, above, does not apply to the business of renting residential properties.

C. As to the rental of residential properties, a single license must be obtained for the rental of the first four units of residential properties owned by the same person, regardless of whether such units are located on one parcel or on separate parcels. For each unit of residential rental property in excess of four owned by the same person, whether or not located on the same or separate parcels, an additional fee will be applied as established by resolution of the City Council.

Section 2.

The provisions of this Ordinance are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such as illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the Ordinance or their applicability to other persons or circumstances.

Section 3.

This Ordinance shall take effect and be in force thirty (30) days from and after the date of its final adoption. The City Clerk of the Union City shall cause this Ordinance to be posted in at least three (3) public places in the Union City in accordance with Section 39633 of the Government Code of California.

PASSED, APPROVED, AND ADOPTED BY THE CITY COUNCIL OF UNION CITY on this ____ day of June, 2010, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

Mayor

ATTEST:

APPROVED AS TO FORM

City Clerk

City Attorney



DATE: JULY 13, 2010

TO: CITY COUNCIL

FROM: MINTZE CHENG, PUBLIC WORKS DIRECTOR

SUBJECT: REVIEW ENERGY AUDIT REPORT FOR CITY FACILITIES

BACKGROUND:

On October 13, 2009 the City Council approved an Energy Audit Agreement with Chevron Energy Solutions, Inc. (CES) to conduct energy conservation audits, produce inspection records, and prepare a preliminary engineering report for all City facilities.

DISCUSSION:

During the last six months, City staff and CES team have been working diligently to identify potential sustainability measures that could be implemented at City facilities. Components of the study included:

- Analysis of utility consumption at City Facilities
- Inspection of all major energy using equipment, including lighting, HVAC equipment, controls and automation, pumps, compressors, boilers and chillers, heat exchangers, fan coil units.
- Recommendation on Energy Conservation Measures (Projects)
- Identification of Preliminary Rebates and Incentives

PROPOSED ENERGY CONSERVATION MEASURES (ECM)

Central Plant Retrofit – City Hall/PD Station

Currently, the Police Station in the lower level of City Hall is heated and cooled from the same equipment that heats and cools the City Hall offices. The offices are only occupied during normal business while the Police Station is occupied 24 hours a day, 7 days a week. This creates a situation where the large chiller that provides cooling water to the City Hall air handlers has to operate a very light load at night to supply cooling to the Police Station. Operation of a chiller in this manner is not only inefficient but also extremely hard on the equipment and will shorten the useful life and increase maintenance cost of the equipment substantially.

A second smaller chiller suitable for the night time cooling load of the police department will provide better part load efficiency as well as a much needed back up cooling source. Also, the

existing chiller could be retrofitted with a variable speed compressor which would improve its efficiency and be significantly quieter.

The existing cooling tower has been in service since the year of 2000. However, due to its configuration, the airflow is extremely restricted, causing elevated condenser water temperature (more than 10°F than usual). The cooling tower needs some minor repairs and reconfigured so that there is reduced restriction to the discharge air and so that the debris from the trees overhead is not continually being drawn into the cooling tower.

The chilled water pumps (2) and condenser water pumps (2) are original building equipment and are over 30 years old and should be replaced with premium efficiency motors. The new chilled water pumps will also be equipped with VFD (Variable Frequency Drives) control.

Rooftop Air Handler Units (AHU) Replacement – City Hall and Holly Center

The roof-mounted air handlers and packaged units at City Hall and Holly Community Center were installed in 1977 and 1983 respectively. The City Hall air handlers were upgraded with high efficiency motors and VFD in the last several years which allow the units to operate in a more efficient manner. The Holly Center package rooftop units are aging and not as efficient to operate when compared to new package units available today due to advances in compressor and fan efficiencies.

Replacement of the City Hall air handlers and new package unit at the Holly Center will reduce future maintenance costs and provide some reduction in operation costs. Both AHU replacement projects will be completed in conjunction with the City's planned roof replacements and City Hall and Holly Center.

Energy Management System (EMS) – City Hall, Library, and Holly Center

The existing control system in City Hall and Library is old, difficult to operate and repair, and becoming unreliable because of general equipment failures due to age. A new digital energy management control system at City Hall, Library and the Holly Center will provide more flexible control options, greater reliability and enhanced trouble shooting ability by the facility maintenance staff.

With a new EMS, a Public Works Facility Worker can often diagnose and cure common environmental quality complaints by the occupants without needing to physically tweak the actual control components. This reduces the necessary travel time, making the operations staff more effective and efficient.

This new control is for the new “Front End” control interface to the City Hall systems and the Holly Center Systems. This measure would likely save the City approximately 10% of the current energy usage related to heating and cooling the facilities.

Heat Pump Unit Replacement – Kennedy Center

The Kennedy Center currently has 10 heat pump units, three of which are approximately 6 years old and the remainder of which are long past their expected useful life. These units are becoming increasingly unreliable and have become a maintenance burden to the Public Works Facility workers. The unit replacement project has a small energy saving component but a

significant positive impact on the maintenance labor and materials to keep the units operational.

Interior/Exterior Lighting Retrofit

The lighting in most of the city-owned and operated buildings has been retrofitted over time; however, the lighting technologies available have expanded and become even more energy efficient in recent years. These new technologies make it possible to retrofit lighting that is only 5 years old and yet provide a very reasonable return on investment. The interior lighting enhancement scope of work includes replacing and/or re-lamping the newer generation T5 and T8 lamps throughout the City’s facilities (including City parks). This project also includes modifications of the existing switches by the use of wireless switches that can be configured to control smaller sections of the City Hall building reducing the need to light the entire facility when only a small portion of the building is occupied.

The pathway lighting in the Kennedy Park and at the Kennedy Center is in poor condition. Part of the Lighting Retrofit Project is to replace the electrical panel, install new underground conduit and electrical cabling and retrofit the existing fixtures with new Induction lamps.

Street Light Retrofit

The street lighting scope of work includes the replacement of the City’s high pressure sodium lamps with induction lamps. The technology can significantly reduce maintenance costs and hazardous change outs, improve lighting quality, and save energy.

The manufacturer’s warranty on the induction lamp and generator (similar to fluorescent ballast) is 100,000 hours, which at the currently street lamp operational hours is the equivalent of nearly 20 years. The retrofit will include the new lamp, generator, photo cell and lens. The replacement photo cells have a six year warranty and an expected life nearing that of the lamp itself. Said project is to replace 4,590 street lights with induction lamp technology.

ENERGY SAVINGS CALCULATIONS

After completing detailed building surveys and conducting key discussions with City staff, CES used several modeling methods to determine the potential energy savings for each of the energy conservation measures. Please see the Energy Saving Summary Table below:

Energy Savings Summary						
ECM #	Energy Conservation Measure	Avoided kWh per year	Avoided kW per year	Avoided Therms per year	Calculated Annual Cost Avoidance	Savings Calculation Method
1	Central Plant Retrofit	109,761	85	0	\$14,269	Computer Simulation Modeling

2	AHU Replacement including re-Roof	33,939	90	-75	\$6,082	Mechanical Savings Spreadsheet & Computer Simulation Modeling
3	Energy Management System	108,500	0	2,990	\$17,582	Mechanical Savings Spreadsheets
4	Heat Pump Replacement, Kennedy Center	22,978	0	0	\$3,998	Mechanical Savings Spreadsheet
5a	Interior/Exterior Lighting Retrofit	311,901	93	0	\$46,424	Lighting Savings Spreadsheet
5b	Street Light Retrofit	1,166,112	0	0	\$142,790	Lighting Saving Spreadsheet
	Total	1,753,191	178	2,990	\$231,144	

In addition to energy savings and PG&E's incentives, each of the projects would have its associated maintenance needs reductions.

IMPLEMENTATION COST:

The total estimated project cost is approximately around \$5,000,000 including design and construction management. After we apply PG&E incentives and use estimated annual energy and maintenance savings, the rate of return for the entire project list is around 15 years. Although, a portion of the recommended ECMs are in the current Capital Improvement Program (about 20%), ECM 1 through 5b could only be implemented through an external financing plan. Staff is exploring several financing options and will be able to make a recommendation in the next City Council meeting.

The preparation of the comprehensive energy audit required staff and the Chevron team to thoroughly evaluate current City operations and existing facilities. This work included reviewing utility records, reviewing building plans, physically inspecting facilities and interviewing various staff members. Because of the significant dedication of staff resources and cost of research necessary to develop a comprehensive energy audit/energy efficiency plan, the experts have agreed that this type of energy service agreement is not suited to the typical public works design-bid-build process. Recognition of this business challenge resulted in the adoption of legislation (California Government Code Section 4271, et. Seq) which allows agencies to enter into competitive agreements for these services.

Staff plans to bring a financing plan and the Energy Service Contract back to the City Council for approval through a required public hearing process at the regular City Council meeting on July 27, 2010.

On-Site Solar Power Generation

The CES team studied possible Photo Voltaic installations at City facilities at City Hall, Holly, Kennedy and UC Sports Centers, and Corporation Yard. There were two possible types of installations: shade structures at the parking lots of Kennedy and Sports Centers; and roof mounted PV panels at the rest facilities. After further review of the possible locations and the cast-shadow from the surround buildings/large trees, the Team concludes that there was only one viable PV location at the Corporation Yard with one solar shade structure and two rooftops at Streets/Grounds and Vehicle Maintenance Buildings.

The estimated solar power generation is about 246kW per year with an installation cost of \$1,963,159. After factoring the incentives and rebates, the rate of return for solar power generation is about 24 years.

In addition to the long rate of return, there is one other factor that made us prefer to defer the solar power project. Early this year, we were requested by Alameda County Transportation Improvements Authority to allow the relocation of the Flood Control Channel Line M into our Yard to accommodate the East-West Connector Project. This proposed Line M relocation will affect our transit bus parking spaces and most likely will force us to reconfigure the inside of our Corporation Yard. Fifty percent (50%) of the estimated power generation from the solar power at the Corporation Yard was based on one single solar shade structure which is proposed to be located at the westerly end of the Yard. With the possible reconfiguration of the Corporation Yard, it is very difficult to commit a large space for this solar structure.

Staff believes that we could eventually implement a solar power generation project after we learn more about the final configuration our Corporation Yard within a couple of years. By that time, we believe the technology will be further advanced to allow the solar power to be more affordable. Thus, the on-site solar power generation is not included in our recommendation.

FISCAL IMPACT:

There will be no fiscal impact by receiving the said City Facilities Energy Audit Report at this time. Staff will bring back a financing plan and the Energy Service Contract at City Council meeting on July 27, 2010.

RECOMMENDATION:

Staff recommends that the City Council, after reviewing the City Facilities Energy Audit Report, provide input and direction to the staff.

Prepared and Submitted by:
Mintze Cheng, Public Works Director

Approved by:
Larry Cheeves, City Manager



DATE: July 13, 2010

TO: City Council

FROM: Antonio Acosta, Deputy City Manager

SUBJECT: **RESOLUTION DESIGNATING THE VOTING DELEGATE AND ALTERNATE VOTING DELEGATE FOR THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE – SEPTEMBER 15-17, 2010, SAN DIEGO**

A resolution designating the City of Union City’s voting delegate and alternate voting delegate to the Annual Conference of the League of California Cities (LOCC) in San Diego on September 15-17, 2010 has been prepared. Staff recommends approval of the proposed resolution.

DISCUSSION

It is customary (and required by the LOCC bylaws) for the City of Union City to designate its voting delegate and alternate voting delegate for the Annual Conference of the LOCC, which is being held in San Diego on September 15-17, 2010. In the recent past, Councilmember Carol Dutra Vernaci has been designated as Union City’s voting delegate, while the alternate has been a second member of the City Council (e.g., Councilmember Jim Navarro served as the City’s alternate in 2007 and 2008). **LOCC bylaws require that voting delegates and their alternates be confirmed by Council Resolution by not later than August 20.**

FISCAL IMPACT

None.

RECOMMENDATION

Staff recommends that the City Council approve a resolution designating the voting delegate and alternate voting delegate for the League of California Cities annual conference – September 15-17, 2010, San Diego.

Submitted by:
Antonio Acosta
Deputy City Manager

Approved by:
Larry Cheeves
City Manager

RESOLUTION NO.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY
DESIGNATING THE VOTING DELEGATE AND ALTERNATE VOTING DELEGATE
FOR THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE
SEPTEMBER 15-17, 2010, IN SAN DIEGO**

WHEREAS, the League of California Cities (“League”) bylaws require that every city wishing to vote at the League’s Annual Business Meeting designate its voting delegate and alternate voting delegate by Council resolution; and

WHEREAS, the City Council of the City of Union City intends that the City be duly represented at said Business Meeting, which is to be held in conjunction with the League’s Annual Conference in San Diego on September 15-17, 2010.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby designates Councilmember Carol Dutra-Vernaci as its Voting Delegate to the League of California Cities Annual Conference in San Diego, California on September 15-17, 2010, and _____ as its Alternate Voting Delegate to the League of California Cities Annual Conference in San Diego, California on September 15-17, 2010.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Union City at a regular meeting held on the 13th day of July 2010, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

MARK GREEN
Mayor

ATTEST:

APPROVED AS TO FORM:

RENEE ELLIOTT
City Clerk

MICHAEL S. RIBACK
City Attorney