

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

**TUESDAY, JULY 12, 2011
7:00 PM**

**COUNCIL CHAMBERS
34009 ALVARADO NILES ROAD**

I. CALL TO ORDER

Mayor Green called the meeting to order at 7:00 p.m.

I.a Pledge of Allegiance

I.b Roll Call

Present: Councilmembers Duncan, Ellis and Gacoscos, Vice Mayor Navarro,
Mayor Green
Absent: None

II. UNFINISHED BUSINESS - None

III. PROCLAMATIONS AND PRESENTATIONS - None

IV. ORAL COMMUNICATIONS

Mattie Rousseau expressed concern regarding ongoing traffic problems on Ascot Way, and requested a traffic study be completed. Councilmember Duncan stated she had received several phone calls from other concerned residents about the traffic on Ascot Way. City Manager Cheeves stated a traffic study had been completed last year, but staff would look into the situation again.

Barry Ferrier distributed information about, and invited citizens to attend, an Alameda County South Transportation Forum scheduled on Thursday, July 21, 2011, at the Ruggieri Senior Center.

Carol Dutra-Vernaci inquired as to the amount of anticipated decreased revenue for the General Fund as a result of the reduction in vehicle license fees. Administrative Services Director Digre stated the net impact would be a reduction of approximately \$180,000.

Carol Dutra-Vernaci inquired about the impact on staff positions currently funded by redevelopment dollars should the City's lawsuit be unsuccessful. Mayor Green stated staff is currently studying those impacts.

Carol Dutra-Vernaci stated former redevelopment advisory committee member Jerry Catanzano had recently passed away.

V. CONSENT CALENDAR

Items 5.h, 5.k, and 5.o were removed from the Consent Calendar.

It was moved by Vice Mayor Navarro, seconded by Councilmember Gacoscos, to approve Consent Items 5.a through 5.g, 5.i, 5.j, and 5.l through 5.n, 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 City Council Meetings of June 28, 2011
- 5.c Adopted **Resolution No. 4177-11** Approving the Architectural Design for the Union City Police Evidence Building, City Project No. 08-16B
- 5.d Adopted **Resolution No. 4178-11** Approving the Classification of Revenue Collection Specialist and Amending the City of Union City Employee Compensation Plan
- 5.e Adopted **Resolution No. 4179-11** Approving the Revised Memorandum of Understanding Between the City of Union City and the Union City Police Management Association for the Period from July 1, 2011 Through July 30, 2012
- 5.f Adopted **Resolution No. 4180-11** Authorizing the Execution of a Public Service Contract with Centro de Servicios
- 5.g Adopted **Resolution No. 4181-11** Accepting Improvements for the 2010-11 Wheelchair Ramps Project, City Project No. 11-06
- 5.i Adopted **Resolution No. 4182-11** of the City Council of the City of Union City Authorizing the Adoption of a revised "Victim's Rights" form pursuant to the California "Victims' Bill of Rights Act of 2008: Marsy's Law"
- 5.j Adopted **Resolution No. 4183-11** Awarding a Contract to AWC Inc., for the Ruggieri Senior Center Assembly Hall Flooring Replacement Project, City Project No. 11-16
- 5.l Adopt **Resolution No. 4184-11** Awarding a Contract to Gallagher & Burk, Inc. for the Union City 2011-12 Citywide Overlay Project, City Project No. 11-03.
- 5.m Adopted **Resolution No. 4185-11** of the City Council of the City of Union City Accepting and Appropriating One Thousand Five Hundred Dollars (\$1,500) in Grant Money from the Target Stores Corporation to fund "National Night Out" Activities
- 5.n Adopted **Resolution No. 4186-11** 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 Francisco on September 21-23, 2011

Consideration of Items 5.h, 5.k, and 5.o removed from the Consent Calendar.

- 5.h Adopt a Resolution Accepting Work for the Mission Boulevard Undergrounding Project No. 06-03

Mayor Green stated the traffic situation on Mission Boulevard in Hayward was terrible, and an example of how not to perform road repairs.

It was moved by Mayor Green, seconded by Councilmember Ellis, to adopt **Resolution No. 4187-11** Accepting Work for the Mission Boulevard Undergrounding Project No. 06-03. Motion carried unanimously.

- 5.k Adopt a Resolution to approve an Agreement with City of Hayward for Pavement Rehabilitation on Industrial Parkway Southwest

Staff responded to questions from Councilmembers. City Manager Cheeves stated he was expecting to converse about the project with Hayward Public Works Director Robert Bauman. Public Works Director Cheng stated there was no finalized work schedule as yet.

It was moved by Mayor Green, seconded by Vice Mayor Navarro, to adopt **Resolution No. 41888-11** for the Approval of an Agreement with the City of Hayward for Pavement Rehabilitation on Industrial Parkway Southwest. Motion carried unanimously.

- 5.o Adopt a Resolution of the City Council of the City of Union City Establishing Annual Rates for Municipal Solid Waste, Organic Waste, Recycling and Storm Water Runoff Surcharge for 2011/2012

Hugh McNamara inquired about the surcharge being assessed for storm water runoff. Deputy City Manager Acosta stated the rate remains unchanged at .7% of the solid waste fee assessment. City Manager Cheeves stated the surcharge funds the City's clean water program.

It was moved by Mayor Green, seconded by Councilmember Duncan, to adopt **Resolution No. 4189-11** of the City Council of the City of Union City Establishing Annual Rates for Municipal Solid Waste, Organic Waste, Recycling and Storm Water Runoff Surcharge for 2011/2012. Motion carried unanimously.

VI. PUBLIC HEARINGS

- 6.a Introduce an Ordinance Approving Zoning Text Amendment (AT-11-001) to Modify Chapter 18.39 of the Municipal Code to Amend the Definition of Day Spa in the Union Landing Commercial Zoning District and Adopt a Resolution Approving Use Permit (UP-11-006) to Accommodate European Wax Center at 31053 Courthouse Drive in Union Landing

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

Mayor Green opened the public hearing.

John Pappas, Pappas Investments, expressed support for his tenant, European Wax Center.

Barry Ferrier expressed support for the project.

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

It was moved by Vice Mayor Navarro, seconded by Councilmember Duncan, to introduce an ordinance approving Zoning Text Amendment, AT-11-001 to Modify Chapter 18.39 of the Municipal Code to Modify the "Day Spa" Definition in the Union Landing Commercial Zoning District. Motion carried unanimously.

It was moved by Councilmember Gacoscos, seconded by Councilmember Ellis, to adopt **Resolution No. 4190-11** Approving Use Permit (UP-11-006) to allow European Wax Center to Locate at 31053 Courthouse Drive. Motion carried unanimously.

6.b Public Hearing and Adopt a Resolution for the Renewal of Landscape & Lighting District No. 3

Public Works Director Cheng 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 Duncan, seconded by Vice Mayor Navarro, to adopt **Resolution No. 4191-11** Confirming the Assessment and Diagram as described in the Annual Engineer's Report, and Ordering the Levy for the Landscape and Lighting Maintenance District No. 3 for Fiscal Year 2010/11. Motion carried unanimously.

VII. CITY MANAGER REPORTS

7.a A Report with Policy Options for Usage of the Former Fire Station #3 Located at 33948 - 10th Street

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

Alejandro Morales spoke about personal positive experiences at the 10th Street community boxing center.

Belem Yanez spoke in support of the mural project at the Fire Station.

Jesus Cruz spoke in support of keeping the mural project at the 10th Street Teen Center.

Lilia Reynoso spoke in support of the proposed mural on the boxing center.

Mary Schlarb spoke in support of a community center for youth.

Hugh McNamara invited tonight's speakers to also attend the next Senior Commission meeting to brief commissioner's about the mural project.

Johnathan expressed support for the project, and requested Council favorably consider the requests from tonight's speakers.

Councilmembers provided comment. Staff will return with a report on August 23, 2011, to include information regarding a cost estimate to convert the structure into an alternative use, and a Public Art Board recommendation as to the use of panels in the design concept.

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 Navarro stated he attended the Associated Community Action Program meeting.

Vice Mayor Navarro stated he will attend the League of California Cities Meeting on July 14, 2011.

Councilmember Gacoscos stated she attended the "Meet Your City Officials" luncheon sponsored by the Union City Chamber of Commerce on July 7, 2011.

Councilmember Gacoscos participated in a ride along with Lt. Quindoy on July 4, 2011.

Councilmember Gacoscos stated she will attend the Housing Authority of Alameda County meeting on July 20, 2011.

Councilmember Ellis stated he attended the "Union City Eats" event hosted by the Union City Chamber of Commerce on June 30, 2011.

Mayor Green stated there will be a three way discussion between the Association of Bay Area Governments, the Metropolitan Transportation Commission and the Bay Area Air Quality Management District in San Francisco regarding the future location of their joint headquarters.

Mayor Green stated the East Bay Municipal Utilities District presented a status report on the Food Scrap Digester Project at the Alameda County Waste Management Authority meeting on July 12, 2011.

Mayor Green attended the 8th Annual Senior & Disabled Mobility Workshop at the Ed Roberts Campus in Berkeley on July 12, 2011.

XIV. GOOD OF THE ORDER

Councilmember Ellis inquired as to the status of the City's disaster plan. City Manager Cheeves stated the Disaster Council had been formed and that staff is working on updating the plan.

Councilmember Gacoscos noted the weeds around the unfinished building at Four Corners had been cleared and thanked staff for their efforts. Mayor Green inquired as to when the building would be completed and open for business. Economic and Community Development Director Malloy stated the Alameda County Public Health Department has not approved the commercial kitchen for use.

Councilmember Gacoscos inquired about the opening of the Police Substation at Four Corners. City Manager Cheeves stated the facility is essentially complete and is in the process of being furnished. City Manager Cheeves asked if the Council would like to schedule the ribbon cutting soon or wait until the facility is functional. Mayor Green stated the ribbon cutting should take place once the facility is operating. City Manager Cheeves stated the substation should be open in September.

XV. CLOSED SESSION - None

XVI. ADJOURNMENT

Mayor Green adjourned the regular meeting at 8:35 p.m.

Respectfully submitted,

Renee Elliott
City Clerk

