

**MINUTES FOR THE ADJOURNED
REGULAR CITY COUNCIL MEETING
CITY OF UNION CITY
JUNE 25, 2002, 6:45 P.M.
COUNCIL CONFERENCE ROOM
34009 ALVARADO-NILES ROAD
UNION CITY, CALIFORNIA**

Vice Mayor Dutra-Vernaci called the meeting to order at 6:55 p.m.

ROLL CALL: Present: Councilmembers, Fernandez, Valle, Vice Mayor Dutra-Vernaci
Absent: Councilmember Elias, Mayor Green

Council met in closed session on the following:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION---City Attorney
(Government Code Section 54957)

Councilmember Elias arrived at the meeting at 7:05 p.m.

Meeting adjourned at 7:15 p.m.

**MINUTES FOR THE REGULAR
CITY COUNCIL MEETING OF
THE CITY OF UNION CITY
TUESDAY, JUNE 25, 2002, 7:00 P.M.,
COUNCIL CHAMBERS
34009 ALVARADO-NILES ROAD
UNION CITY, CALIFORNIA**

Vice Mayor Dutra-Vernaci called the meeting to order at 7:21 p.m. and lead the audience in the salute to the flag.

ROLL CALL: Present: Councilmembers Elias, Fernandez, Valle, Vice Mayor Dutra-Vernaci
Absent: Mayor Green

Vice Mayor Dutra-Vernaci announced that in closed session the Council authorized the City Manager to enter into negotiations with Michael Riback to become the City's permanent City Attorney.

UNFINISHED BUSINESS - NONE

APPROVAL OF MINUTES

A. Approval of minutes of the Adjourned Regular City Council meeting of Monday, June 10, 2002

Councilmember Elias moved, seconded by Councilmember Valle to approve minutes as submitted.

AYES: 4 NOES: 0 ABSENT: 01 (MG)

B. Approval of minutes of the Regular City Council meeting of Tuesday, June 11, 2002

Vice Mayor Dutra-Vernaci requested correction to page 1, line one should read "Vice Mayor Dutra-Vernaci called the meeting to order".

Councilmember Elias moved, seconded by Councilmember Valle to approve minutes as amended.

AYES: 4 NOES: 0 ABSENT: 01 (MG)

C. Approval of minutes of the Adjourned Regular City Council meeting of Monday, June 17, 2002

Councilmember Elias moved, seconded by Councilmember Valle to approve minutes as submitted.

AYES: 4 NOES: 0 ABSENT: 01 (MG)

D. Approval of minutes of the Adjourned Regular City Council meeting of Tuesday, June 18, 2002

Councilmember Elias moved, seconded by Councilmember Valle to approve minutes as submitted.

AYES: 4 NOES: 0 ABSENT: 01 (MG)

PROCLAMATIONS/PRESENTATIONS - NONE

ORAL COMMUNICATIONS

Dave Bhatia spoke about fireworks and India Festival.

John Haley spoke about Washington Township claim and suggested City follow up. Mr. Haley also spoke about developments and advertisements for Commissions.

Vice Mayor Dutra-Vernaci requested staff contact Washington Township regarding claim.

There was Council concurrence to change the order in which Council addresses items on the agenda. The following order was followed:

HEARINGS - NONE

AUTHORITIES/AGENCIES - NONE

CORRESPONDENCE - NONE

APPROVAL OF BILLS - NONE

SCHEDULED ORAL COMMUNICATIONS - NONE

ITEMS REFERRED BY COUNCIL

A. Oral Reports by Councilmembers on Meetings of County or Regional Boards and Commissions

Councilmember Valle commented on the joint meeting with the school district in which they spoke about the SRO program and the hope that the NHUSD will fund other SRO's; a joint grant to help fully fund second SRO at Logan was also discussed.

Councilmember Dutra-Vernaci attended the Housing Commission meeting and reported that the Authority will be repainting and replacing siding at Mission View Apartments. Also, the Authority has outgrown their current facilities and are looking for new office space, existing or new, and have been looking in Union City around the BART station.

Councilmember Dutra-Vernaci reported attending the East Bay Division of the League of California Cities joint meeting with representatives from Chambers of Commerce, City Managers and Assistant City Managers with the effort to bring Chambers into the local coalition concerning local municipal budgets.

REPORTS FROM CITY MANAGER

C. Rejection of Claim No. 514

Staff is requesting rejection of Claim No. 514 regarding property damage.

Councilmember Elias moved, seconded by Councilmember Fernandez to reject Claim No. 514.

AYES: 4 NOES: 0 ABSENT: 1 (MG)

B. Vernal Fund/Down Payment Housing Assistance Programs

Staff has been working with Congregations Organizing for Renewal (COR) to review and develop ideas for creating a down payment housing assistance program. This report further analyzes the Vernal fund and looks at various options of a down payment program.

Mark Leonard, Community Development Director, gave the staff report.

Mary Schlarb, COR, thanked Council for recommendation to establish a subcommittee to discuss this item and commented on benefits of the Vernal Fund.

Jerry Catanzano recommended the Chair of RePac and two RePac members be placed on the recommended committee and commented on the use of \$1.5 million of redevelopment money.

John Haley stated there should be two representatives from the community at large to also serve on this committee; and spoke of in-lieu funds.

Ron Frank spoke against the Vernal Fund and stated there are other ways to help these individuals.

Councilmember Elias moved, seconded by Councilmember Valle to direct staff to form a subcommittee to consist of the Mayor, with Vice Mayor serving as alternate, City staff, 3 community members, three representatives from COR, and three members of the RePac to develop a recommended down payment program with proposed funding sources for submission to the Council within 60 days. City Manager's office would be responsible for the recruitment of the three community members.

AYES: 4 NOES: 0 ABSENT: 1 (MG)

At 8:20 p.m., Council recessed. Meeting reconvened at 8:35 p.m.

A. Budget approval for Fiscal Years and 2002/2004

Councilmember Valle stated that he is Executive Director of Spectrum and that Spectrum receives money from the City of Union City which represents 1% of Spectrum's annual budget. Councilmember Valle wanted it disclosed that none of this money goes to his salary and he has been advised that it will not be necessary to recuse himself from this item.

Mayor Green arrived at the meeting at 8:40 p.m.

1) Adoption of revised Gann Spending limits (Resolution)

Sheila Mohan, Administrative Services Director, gave the staff report.

Items 2 and 3 were addressed in a joint meeting of the Community Redevelopment Agency and the City Council.

2) Adoption of Operating Budget for FY 2002/03 and 2003/04 and approval of Five Year Capital Investment Plan for Fiscal Years 2002/03 through 2006/07 (Resolution)

3) Adoption of FY 02/04 Community Redevelopment Agency Budget (Resolution)

Mayor Green requested public comment on Items 1-3 at this time.

Jim Navarro, spoke on behalf of Filipinos for Affirmative Action, merits of the organization and resources that will be lost if funds are cut.

John Haley stated it is critical to have quarterly budget reviews.

Wayne Chapman, UCPD, acting as representative of POA, requested Council revisit recommendations on police cuts.

Dave Bhatia commented on budget reviews.

Representative from Tri-City Homeless Coalition, urged Council's funding support of the Coalition.

Christine Curran, Executive Director Life Elder Care, urged Council's funding support of this organization.

Rodney Clark, Executive Director, S.A.V.E. commented on impact on Union City residents.

Chris Carr, Filipinos for Affirmative Action, urged continued funding for the non-profits.

Coordinator of Hope Program at Spectrum Community Services, spoke of the merits of their program.

Representative of Filipinos for Affirmative Action spoke of the focus of their programs and urged Council to not cut their funding.

George Mathusen, PYC, Filipinos for Affirmative Action, urged support for this organization.

Bruce Hevelin, Treasurer elect of Historical Museum, read letter from Tim Swenson that has previously been sent to Council, and stated the Museum would like to reduce their grant by 50% from the City.

Resident on Anaheim Loop, urged Council to explore alternatives to cutting funding to non-profits.

Myrla Raymundo, President of Historical Museum, stated she was unaware of letter from Tim Swenson stating the Museum budget could be cut.

Paul Miller, Executive Director of Kidango, Inc., (formerly Tri-City Childrens Shelter), would like to continue to expand services, but cannot if funding is discontinued.

Hugh McNamara, past Treasurer of Museum, stated they were very frugal in their expenses.

Sue Oszewski, representative of Local 790, spoke of the merits of crossing guards and the budget proposal to lay off these employees and have them contract with a private contractor and urged Council to reconsider these cuts.

Irene Wolfe spoke in support of the non-profits in the community.

Doug Ford, volunteer member of Tri-City Homeless Coalition, requested Council to consider the public policy statement that would be communicated to the citizens if these cuts are not restored.

Mayor Green moved, seconded by Councilmember Fernandez to adopt resolution approving the Gann limit.

AYES: 4 NOES: 1 (BE) ABSENT: 0

RESOLUTION OF THE CITY COUNCIL OF THE CITY O F

UNION CITY ESTABLISHING AN
APPROPRIATIONS LIMIT

ADOPT
RESO. 2196-02

Mayor/Chair Green moved, seconded by Councilmember/Agencymember Fernandez to adopt resolutions approving the budget with the following amendments: Reduction of \$10,000 in the City Council's budget; Reduction of \$6,000 in City funding for the Historical Museum; Addition of General Fund support in the form of grants to Community-Based Organizations - on a month-to-month basis until the State Budget is approved. Cost per month is \$10,950.

AYES: 4 NOES: 1 (BE) ABSENT: 0

Following are the titles of the resolutions adopted by this motion.

RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF UNION CITY ADOPTING THE OPERATING
BUDGET FOR FISCAL YEARS 2002/03 AND 2003/04
AND APPROVING THE FIVE YEAR CAPITAL
INVESTMENT PLAN FOR FISCAL YEARS 2002/03
THROUGH 2006/07

ADOPT
RESO. 2197-02

RESOLUTION OF THE COMMUNITY
REDEVELOPMENT AGENCY OF THE CITY OF UNION
CITY ADOPTING THE AGENCY BUDGET FOR FISCAL
YEARS 2002/03 AND 2003/04

ADOPT RDA
RESO. NO. 258-02

REDEVELOPMENT AGENCY

A. Contract with Union City Chamber of Commerce for Business Retention Plan
(Resolution)

Staff is recommending the Agency Board authorize the Executive Director to enter into a contract with the Chamber of Commerce for \$50,000 for a work program which will ensure a targeted, comprehensive effort towards business retention and to help maintain our economic base.

Lori Taylor, Management Analyst, gave the staff report.

Barry Ferrier commented on the restructured department of Economic and Community Development and if this contract helps accomplish the goals of the department, it is worthwhile.

Agencymember Elias moved, seconded by Agencymember Fernandez to approve resolution,

numbered appropriately.

AYES: 5 NOES: 0 ABSENT: 0

The title of the resolution adopted by this motion is as follows:

RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF UNION CITY AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACT WITH THE UNION CITY CHAMBER OF COMMERCE FOR A BUSINESS RETENTION PROGRAM

ADOPT RDA
RESO. NO. 259-02

CONSENT CALENDAR/RESOLUTIONS

Vice Mayor Dutra-Vernaci moved, seconded by Councilmember Fernandez to adopt resolutions, numbered appropriately.

AYES: 5 NOES: 0 ABSENT: 0

The titles of the resolutions adopted by this motion are as follows:

- A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY ADOPTING THE MASTER FEE SCHEDULE

The revised Master Fee Schedule lists all of the fees charged by the City for services it provides to the public and includes the DIPSA infrastructure fee and the establishment of a General Plan Fee to recover City costs incurred in updating the general plan and preparing related environmental documents.

RESOLUTION ADOPTING A GENERAL PLAN FEE TO RECOVER CITY COSTS INCURRED IN UPDATING THE GENERAL PLAN AND PREPARING RELATED ENVIRONMENTAL DOCUMENTS

- B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY SETTING THE PARAMEDIC SPECIAL TAX FOR FISCAL YEAR 2002/2003

In 1997 the voters of Union City overwhelmingly passed Measure K, the Paramedic Special Tax which is only used to fund the Fire Department's paramedic program. Measure K

provided for an increase in the annual assessment, not to exceed the local CPI. This resolution would adjust the rate by 2.1% to reflect the April 2001 to April 2002 increase in the Consumer Price Index (CPI) for All-Urban Consumers in the San Francisco Bay Area.

ADOPT RESO.
NO. 2198-02

ADOPT RESO.
NO. 2199-02

ADOPT RESO.
NO. 2200-02

- C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY ESTABLISHING ANNUAL RATES FOR MUNICIPAL SOLID WASTE, YARD WASTE, RECYCLING, AND STORM WATER RUNOFF FOR 2002/2003

ADOPT
RESO. 2201-02

This resolution adjusts the rates charged for municipal solid waste collection, yard waste collection, recycling collection and storm water runoff program services by 2.1% to reflect the April 2001 to April 2002 increase in the Consumer Price Index (CPI) for All-Urban Consumers in the San Francisco Bay Area and adjusts the Storm Water Runoff surcharge for all commercial and industrial rates to 10.9%.

- D. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF UNION CITY AND THE COUNTY OF ALAMEDA FOR LIBRARY SERVICES

ADOPT RESO.
NO. 2202-02

The City of Union City contracts with Alameda County Library for library services provided in the City owned library building in William Cann Civic Park. The County agrees to provide twenty-two (22) additional hours of library services per week to maintain the total weekly schedule of open hours at 47 hours per week.

E. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF UNION CITY AND COUNTY OF ALAMEDA DESIGNATING THE CITY OF UNION CITY AS A SUB-RECIPIENT OF HOME INVESTMENT PARTNERSHIP ACT FUNDS

ADOPT RESO.
NO. 2203-02

Title II of the Cranston Gonzales National Affordable Housing Act of 1990 created the Home Investment Partnership Act, known as HOME, to provide flexible funding to states and local governments for affordable housing programs for low-income households. HOME funds can be used to acquire, rehabilitate, finance and construct affordable housing. The City has participated in a consortium of local governments in Alameda County to secure HOME funds since 1991. It is anticipated the City will receive \$177,697.00 in HOME funds which will be utilized for the Senior Village Phase II Housing project.

ORAL COMMUNICATIONS

There were no oral communications.

GOOD OF THE ORDER

Councilmember Fernandez received complaints regarding sound of Council meetings while viewing at home.

Staff was directed to look into improving sound quality.

Councilmember Valle reminded all that Sunday June 30, from 12:00 p.m. to 4:00 p.m., Arts Council hosting "Sharing the Arts" at Ruggieri Center.

Vice Mayor Dutra-Vernaci received a request from a resident to trim tree at Smith and Fredi.

Vice Mayor Dutra-Vernaci requested the hedges at Museum trimmed.

Vice Mayor Dutra-Vernaci has received resident complaints regarding racing and speed issues on Darcelle Drive and Cabello Drive and Regents.

Vice Mayor Dutra-Vernaci commented that the Tri-City Coalition is requesting Council to participate in their fund raiser on October 26.

Councilmember Elias requested staff to report on attendance at the Fremont City Council meeting regarding Route 84.

Tony Acosta, Deputy City Manager, gave report on attendance at Fremont Council meeting regarding Route 84.

Mayor Green asked for status on Farmers Market and concert series. Valerie Crawford, Leisure Services Director, responded that it started off a little slower than past years, but going well.

Mayor Green questioned timing schedule of Seabreeze sprinklers. Larry Cheeves, Public Works Director, will get a schedule to the Mayor.

Councilmember Elias stated that he has been hearing illegal fireworks used and requested Police Chief Ulibarri to comment on the Action Plan for the Fourth of July.

Police Chief Ulibarri responded that the Department has developed their Action Plan for the Fourth and requested residents to report use of illegal fireworks by calling the Police Department at 471-1365.

Councilmember Fernandez moved, seconded by Councilmember Elias to adjourn meeting at 11:40 p.m.

AYES: 5 NOES: 0 ABSENT: 0