

**MINUTES
CITY OF UNION CITY
CITY COUNCIL/REDEVELOPMENT AGENCY MEETING
June 13, 2006**

I. CALL TO ORDER: Mayor Green called the meeting to order at 7:05 p.m.

I.a Pledge of Allegiance: Mayor Green led the Pledge of Allegiance

I.b Roll Call: Present: Councilmembers Dutra-Vernaci, Navarro, Valle, Mayor Green
Absent: Councilmember Fernandez

II. UNFINISHED BUSINESS: None

III. PROCLAMATIONS AND PRESENTATIONS

3.a Proclamation recognizing James Logan High School Girls Track and Field Team's State Championship

Mayor Green presented the proclamation to Coach Lee Webb who accepted the proclamation and introduced athletes in attendance and commented on the many volunteers who assist in the sports program.

IV. ORAL COMMUNICATIONS

Laura Best addressed the Council concerning the quality of water which includes additives such as chlorine and fluoride, and spoke of the health issues associated with the additives.

Lori Pasqual requested letters to be part of the meeting record, and presented a data sheet about safety (MSDS data regarding chloramines).

Winn Girsich spoke of the health hazards associated with the additives being added to the water supply by ACWD.

V. CONSENT CALENDAR: Items 5e, 5g, and 5h were pulled for discussion.

5.a Approved Special Meeting Minutes of May 30, 2006.

5.b Adopted **Resolution No. 3182-06** granting an 18-month extension for Tentative Parcel Map No. 8348, Armando & Mabel Borjal, 4235 Horner Street.

5.c Adopted **Resolution No. 3183-06** approving amendments to the Management MOU.

5.d Adopted **Resolution No. 3184-06** authorizing the City Manager to Execute the Fare Increase and Service Change Agreement with the Dumbarton Express Route Operations Committee (DBROC).

- 5.f Adopted **Resolution No. 3185-06** authorizing the City Manager to sign the Disadvantaged Business Enterprise (DBE) Race-Neutral Implementation Agreement.
- 5.i Adopted **Resolution No. 3186-06** awarding a contract to Downtown Ford Sales of Sacramento, California in the amount of \$35,926.65 for two new 4X2 Regular Cab 8' Bed Pickup Trucks, City Project No. 06-09.
- 5.j Adopted **Resolution No. 3187-06** approving Site Development Review SD-04-06 for Jimmy Dones to construct a 1,905 square foot commercial building at 31841 Alvarado Boulevard.
- 5.k Rejected Claim No. 663A presented by Louise Primrose, Victoria Sanft and Maliah Sanft, by and through their Guardian Ad Litem, Louise Sanft; and Louise Sanft, individually and as the personal representative of the estate of decedent Jonathan Sanft as recommended by the City's Claims Adjuster.
- 5.l Adopted **Resolution No. 3188-06** setting the Paramedic Special Tax for Fiscal Year 2006/07.
- 5.m Adopted **Resolution No. 3189-06** canceling the regularly scheduled City Council Meeting of August 22, 2006.
- 5.n Adopted **Resolution No. 3190-06** approving Site Development Review SD-03-06 for Simaurdeep Kaur to construct two (2) 2,847 square foot single-family residences, each having an attached secondary dwelling unit, located at 33724 5th Street.
- 5.o Adopted **Resolution No. 3191-06** approving the Salary and Compensation Schedule for Fiscal Year 2006/07.

Motion: It was m/s by Navarro/Dutra-Vernaci to approve Consent Items 5.a – 5.d, 5.f, 5.i – 5.o as presented and recommended by staff. Motion passed by the following vote:

Ayes: Councilmember Dutra-Vernaci, Navarro, Valle, Mayor Green
 Noes: None
 Absent: Councilmember Fernandez

- 5.e Adopt a Resolution Declaring a surplus vehicle - 1987 Grumman Aerial Cat

Councilmember Dutra-Vernaci questioned what would be used while the City is awaiting arrival of the new truck, and inquired about the truck being overweight.

City Manager Cheeves advised that the Grumman has been out of service for some time and that the current 2001 front line ladder truck will become the backup unit when the new truck comes on line. He noted that the weight issue was addressed in the plans and specifications and that it is not an issue with the new truck on order.

Motion: It was m/s by Dutra-Vernaci/Navarro to adopt **Resolution No. 3192-06** declaring the 1987 Grumman Aerial Cat Ladder Truck as surplus and authorize sale of said vehicle. Motion passed by the following vote:

Ayes: Councilmember Dutra-Vernaci, Navarro, Valle, Mayor Green
Noes: None
Absent: Councilmember Fernandez

- 5.g Adopt a Resolution authorizing a contract with the Alameda County Library for additional Library Services during Fiscal Year 2006/07

Vice Mayor Valle introduced the new Union City librarian and requested she relay how Union City differs from surrounding areas in the level of commitment to the library.

Motion: It was m/s by Valle/Dutra-Vernaci to adopt **Resolution No. 3193-06** authorizing a contract with the Alameda County Library for additional Library Services for Fiscal Year 2006/07. Motion passed by the following vote:

Ayes: Councilmember Dutra-Vernaci, Navarro, Valle, Mayor Green
Noes: None
Absent: Councilmember Fernandez

- 5.h Adopt a Resolution accepting and appropriating \$24,383 from the United States Department of Justice Assistance Grant (JAG) to augment the 2005/2006 In Car Video Capital Project.

Councilmember Dutra-Vernaci requested information regarding what money will be used if there is a shortfall in the Capital Fund.

Director Cheng responded that the vendor will cover the shortfall of funds this year.

Motion: It was m/s by Dutra-Vernaci/Navarro to adopt **Resolution No. 3194-06** accepting and appropriating \$24,383 from the United States Department of Justice Assistance Grant (JAG) to augment the 2005/2006 In Car Video Capital Project. Motion passed by the following vote:

Ayes: Councilmember Dutra-Vernaci, Navarro, Valle, Mayor Green
Noes: None
Absent: Councilmember Fernandez

VI. PUBLIC HEARINGS

- 6.a Introduction of an Ordinance approving Zoning Text Amendment AT-02-06 to clarify and update Title 18, Zoning and Title 17, Subdivisions of the Union City Municipal Code and bring it into compliance with the City's 2002 General Plan

Assistant Planner Evans presented the staff report. Key changes to the Zoning Text will include amendments to sections for Bulk Regulations, Commercial Districts and Administration, Administrative Site Development Review, Site Development Review and Subdivisions.

Mayor Green opened the hearing for public comment.

There being no public comment, the hearing was closed.

Motion: It was m/s by Valle/Navarro to introduce **Ordinance No. 670-06** approving Zoning Text Amendment AT-02-06 to clarify and update Title 18, Zoning and Title 17, Subdivisions of the Union City Municipal Code and bring it into compliance with the City's 2002 General Plan. Motion passed by the following vote:

Ayes: Councilmember Dutra-Vernaci, Navarro, Valle, Mayor Green
Noes: None
Absent: Councilmember Fernandez

6.b Appeal of a Planning Commission decision denying Use Permit UP-02-04A and Variance V-01-04A, Andersen Bakery, Dyer Street and Courthouse Drive

Senior Planner Campbell introduced the staff report and addressed the elimination of the outdoor seating condition removed by the applicant.

Mayor Green opened the hearing for public comment.

Speaking in favor of this project, Craig Burris provided a history of Anderson Bakery which started in Japan and which now has 13 bakeries in California.

Mr. Kobayahshi, Vice President of the Bakery, referred to the reference material provided to the Council on the company structure and provided a brief history of the bakery. It is a European type bakery which will specialize in high end products and he described the menu selections.

The Director of Sales for the Bakery, Madelyn Ream, described the uniqueness of the bakery and stated that their bakers are trained in Europe. She also stated there would be approximately 70 seats for dining. She responded to the Council's concerns regarding the elimination of the outdoor seating which was eliminated at the Planning Commission level; however, they would prefer to have it included. The outdoor seating area would include umbrellas and box planters. The bakery would be open seven days per week from approximately 6:00 a.m. to 6:00 p.m.

Motion: It was m/s by Navarro/Valle to approve the appeal of a Planning Commission decision and to adopt **Resolution No. 3195-06** approving Use Permit UP-02-04A and Variance V-01-04A, Andersen Bakery, Dyer Street and Courthouse Drive. Approval includes the condition for outdoor seating. Motion passed by the following vote:

Ayes: Councilmember Dutra-Vernaci, Navarro, Valle, Mayor Green
Noes: None
Absent: Councilmember Fernandez

VII. CITY MANAGER REPORTS

There was Council concurrence to address Item 7.b at this time.

7.b Report on Union City Sports Center Projected Operating Costs

Deputy City Manager Acosta provided an overview of the report, projected operating costs, and also reported on anticipated programming of the Center.

Barry Ferrier asked if the 10:00 p.m. closing time could be extended to meet the needs of all individuals.

Mayor Green would like consideration of extension of hours. Deputy City Manager Acosta stated a cost benefit evaluation could take place.

Hugh McNamara asked if defibrillators would be installed in the facility. Deputy City Manager advised that staff would be well trained to respond to medical emergencies.

Councilmember Navarro asked if a boxing program would be available. Deputy City Manager advised that boxing would not be a program offered due to the expensive infrastructure required.

Council accepted the report.

7.a Resolution Requesting Approval of Supplemental Budget Appropriations in FY 2006/07

Administrative Services Director Digre stated this is the second year of a two year budget and presented recommended additions to the Fiscal Year 2006/07 funding gap, additional expenditure needs, and the accelerated capital projects.

Barry Ferrier encouraged Council to support the request for the 2-1-1 funding.

Concerning funding for the 2-1-1 project, Councilmember Valle spoke of the evaluation process for determining funding for special service programs and asked for a presentation before the Council at a later date.

In response to Council questions, Fire Chief Rodriguez explained the process for the Fire Management Team Building which will include the management staff. He also stated that the 5-Year Strategic Plan is a comprehensive plan to involve all staff members in the Fire Department.

Mayor Green questioned if this type of program would be something all other city departments will be undertaking. City Manager Cheeves responded that this is specific to the Fire Department.

Motion: It was m/s by Navarro/Valle to adopt **Resolution No. 3196-06** authorizing Supplemental Budget Appropriations for Fiscal Year 2006/07 and to adopt **Resolution No. 3197-06** supporting Eden I&R as the 2-1-1 provider in Alameda County for identifying available Social Service Programs in the County and to approve a three year funding commitment in the amount of \$25,00 per year. Motion passed by the following vote:

Ayes: Councilmember Dutra-Vernaci, Navarro, Valle, Mayor Green
Noes: None
Absent: Councilmember Fernandez

Council recessed to a break at 9.30 p.m. and reconvened at 9:44 p.m.

VIII. REDEVELOPMENT AGENCY

- 8.a Consideration of City Council and Community Redevelopment Agency Resolutions approving the Intermodal Station Proposal Package and funding for Parking Structure

RDA Manager Evanoff introduced the staff report and outlined the potential funding sources.

Motion: It was m/s by Valle/Dutra-Vernaci to adopt **Resolution No. 3198-06** and **Community Redevelopment Agency Resolution No. 335-06** authorizing release of Transit Oriented Development Investment Opportunity Package and authorizing and appropriating Design and Construction Funds for a Parking Structure. Motion passed by the following vote:

Ayes: Councilmember Dutra-Vernaci, Navarro, Valle, Mayor Green
Noes: None
Absent: Councilmember Fernandez

IX. AUTHORITIES AND AGENCIES: None

X. CITY COMMISSION/COMMITTEE REPORTS: None

XI. ORAL COMMUNICATIONS: None

XII. SCHEDULED ORAL COMMUNICATION: None

XIII. ITEMS REFERRED BY COUNCIL

- 13.a Oral reports by Councilmembers on meetings of County or Regional Boards and Commissions

Councilmember Dutra-Vernaci reported attending the League of California Cities East Bay Division meeting in which the topic of discussion was AB 2987. She questioned if the City has gone on record as opposing this legislation?

City Manager Cheeves responded that a letter has been written in opposition to AB 2987.

XIV. GOOD OF THE ORDER

Councilmember Navarro reported graffiti at Dyer and Whipple; shattered glass at bus stop at NHUSD; and asked for the status of the sky diving facility.

Director Leonard responded that Sky Ventures is moving forward with the project and they are working on a design for the foundation. They plan to break ground by September.

Councilmember Dutra-Vernaci reported graffiti at Union Landing on top of the roof line at Lowes, and on E Street at the Head Start building. Councilmember Dutra-Vernaci also requested information as to the timeframe for installation of the signal at Hartnell and Alvarado Niles Road.

Director Cheng responded that the bid opening for this signal will take place this coming Thursday.

Councilmember Dutra-Vernaci questioned the timeframe for signal at Mission and Daggett.

Director Cheng stated this will be constructed after the 4th of July.

Councilmember Dutra-Vernaci commented on the big tree that was taken out at the Buddhist Church. City Manager Cheeves responded that this tree was a City tree and will be replaced with several large oak trees.

Councilmember Valle asked about the vacant parcel between Best Buy and Babies R Us.

Director Leonard responded that Petsmart is supposed to go in there.

Mayor Green stated the repair job on the fence at Union City Boulevard is insufficient. City Manager Cheeves stated they would go to the County and request they do a better job.

Mayor Green reported there are seven shopping carts across from the Fire Station on Holly.

Mayor Green stated he has received resident complaints regarding the brightness of the lights on the Washington Hospital Clinic on Alvarado Niles.

The Council adjourned to closed session at 10:20 p.m. for the following purpose:

XV. CLOSED SESSION
PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Pursuant to Government Code Section 54957.8)
Title: City Manager

The closed session adjourned at 12:30 a.m. and Council reconvened in open session with no action to report.

XVI. ADJOURNMENT: There being no further business, Mayor Green adjourned the meeting at 12:31 a.m.

Respectfully submitted,

Renee Elliott, CMC
City Clerk