

**MINUTES  
CITY OF UNION CITY  
CITY COUNCIL/REDEVELOPMENT AGENCY MEETING  
TUESDAY, DECEMBER 12, 2006  
7:00 P.M.**

**COUNCIL CHAMBERS  
34009 ALVARADO NILES ROAD**

**I. CALL TO ORDER**

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

I.a Pledge of Allegiance – Mayor Green led the salute to the flag.

I.b Roll Call

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

Absent: None

Mayor Green read aloud the rules of proper conduct.

**II. UNFINISHED BUSINESS – None**

**III. PROCLAMATIONS AND PRESENTATIONS**

Mayor Green announced an urgency item to add to the agenda regarding a communication from New Tang Dynasty TV requesting support for their 2007 Chinese New Year Global Gala, scheduled for January 6, 2007. It was moved by Mayor Green, seconded by Vice Mayor Valle, to add to the agenda the presentation of a Proclamation Celebrating the 2007 New Tang Dynasty TV Chinese New Year Global Gala. Motion carried unanimously.

Proclamation Celebrating the 2007 New Tang Dynasty TV Chinese New Year Global Gala

Mayor Green read the Proclamation aloud and presented it to Cathy Zhang, General Manager of New Tang Dynasty TV, San Francisco Bureau. Ms. Zhang expressed her appreciation and provided a brief video clip publicizing the event.

3.a Introduction of New and Promoted Employees

City Manager Cheeves introduced the item and department directors. Economic & Community Development Director Leonard introduced Neighborhood Preservation Specialist Rachael Norwitt. Police Chief Ulibarri introduced Police Cadets Jasroop Bains and Alfredo Ochoa; newly promoted Prisoner Transportation Officer Matt Warren; Police Dispatchers Denise Ballard and Charles Duran; Police Officer Recruit II Yousuf Shansab; Police Officers Fred Camacho, Trent Collins, and Ryan Seto; newly promoted Police Corporal Steve Mendez, Police Sergeants Chris

Guckert and Raul Galindo, and Police Lieutenant Benjamin Horner. Chief Ulibarri also recognized Police Volunteer Art Ashfield for providing over 750 and 1,000 hours of service to the Union City Police Department, noting Mr. Ashfield was formerly a police officer with the San Diego Police Department. Public Works Director Cheng introduced Maintenance I Building and Grounds staff member Dennis Resendez, and newly promoted Principal Civil Engineer Farooq Azim.

3.b Resolution Congratulating and Honoring Michael Klinkner upon his Retirement as Public Works Superintendent

Mayor Green read the resolution in its entirety and extended the Council's best wishes for a happy retirement. Mike Klinkner accepted the resolution and thanked Council and Staff.

3.c Resolution Congratulating and Honoring Philip Sachs upon his Retirement as Public Works Superintendent

Mayor Green read the resolution in its entirety and extended the Council's best wishes for a happy retirement. Phil Sachs accepted the resolution and thanked Council and Staff.

3.d Resolution Congratulating and Honoring Police Sergeant Bruce Harter upon his Retirement

Mayor Green read the resolution in its entirety and extended the Council's best wishes for a happy retirement. Sergeant Harter accepted the resolution and thanked Council and Staff.

3.e Resolution Congratulating and Honoring Police Chief Randy Ulibarri upon his Retirement

Mayor Green read the resolution in its entirety and extended the Council's best wishes for a happy retirement. Chief Ulibarri accepted the resolution and thanked Council and Staff. Councilmembers acknowledged Chief Ulibarri's many contributions over the years.

3.f Resolution of the City Council of the City of Union City Declaring the results of the General Municipal Election held November 7, 2006

It was moved by Mayor Green, seconded by Councilmember Navarro, to receive the Official Canvass of the November 7, 2006 General Municipal Election as certified by the Alameda County Registrar of Voters, and adopted **Resolution No. 3289-06** declaring the results of the election. Motion carried unanimously.

Lynn Ragghianti was deputized earlier in the evening by City Clerk Renee Elliott. Ms. Ragghianti performed the swearing in of Carol Dutra-Vernaci. Councilmember Dutra-Vernaci thanked her family and supporters for helping her to win re-election.

Judge Frank Roesch performed the swearing in of Richard Valle. Councilmember Valle thanked his family and supporters for helping him to win re-election.

Judge Frank Roesch performed the swearing in of Manny Fernandez. Councilmember Fernandez thanked his family and supporters for helping him to win re-election.

3.g Appointment of Vice Mayor

It was moved by Councilmember Fernandez, seconded by Councilmember Dutra-Vernaci, to appoint Councilmember Jim Navarro as Vice Mayor for 2007. Motion carried unanimously.

3.h Reception for Re-elected Officials

Mayor Green recessed the meeting at 8:32 p.m. for a reception to honor the re-elected officials.

Mayor Green reconvened the meeting at 9:12 p.m.

**IV. ORAL COMMUNICATIONS – None.**

**V. CONSENT CALENDAR**

Item 5.f was pulled for separate consideration and discussion.

It was moved by Vice Mayor Navarro, seconded by Councilmember Valle, to approve Consent items 5.a through 5.e, and Consent items 5.g through 5.j, 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 Meeting and Regular Meeting of November 28, 2006
- 5.c Waved full reading and adopted **Ordinance No. 682-06** Adding Section 5.34.300 to the Union City Municipal Code Relating to Union City Transit and Paratransit
- 5.d Adopted **Resolution No. 3290-06** canceling the regularly scheduled City Council meeting of December 26, 2006
- 5.e Adopted **Resolution No. 3291-06** approving the purchase of one lease/rental return 4x4 SUV for the Fire Department
- 5.g Adopted **Resolution No. 3292-06** accepting and appropriating FY06/07 grant from the State Department of Conservation in the amount of \$18,967 to the Public Works Parks Beverage Container Recycling and Litter Abatement Program, City Project No. 02-05
- 5.h Adopted **Resolution No. 3293-06** amending the City's Compensation Plan
- 5.i Adopted **Resolution No. 3294-06** approving the purchase of one pickup truck for the Public Works Department

- 5.j **Rejected Claim No. 673**, filed by Joseph Duran III, as recommended by the City's Claims Administrator

Consideration of item 5.f removed from the Consent Calendar:

- 5.f Adopt a Resolution to Purchase a Modular Facility for Alternate EOC and Training Facility for Fire Station No. 1, City Project No. 05-10

City Manager Cheeves and Fire Chief Rodriguez provided an overview of the primary EOC, noting that the modular facility would be used primarily to provide office space for CERT, the assistant Fire Chief, EMS Chief, and future office space for a training officer and classroom.

City Manager Cheeves noted a work session is planned for January 30, 2007, when Councilmember's will receive information regarding the EOC and disaster preparedness program. Fire Chief Rodriguez spoke about the importance of including CERT volunteers in future training.

Ken Ryan suggested staff speak with New Haven Unified School District representatives about facility space needs in conjunction with school closures.

It was moved by Mayor Green, seconded by Councilmember Fernandez, to adopt **Resolution No. 3295-06** authorizing staff to purchase the Modular Facility from Alan Pre-Fab in the amount of \$198,733, City Project No. 05-10. Motion carried unanimously.

## VI. PUBLIC HEARINGS

- 6.a Public Hearing to Accept and Appropriate the 2006 State Supplemental Law Enforcement Services Funding (SLESF) Grant

Police Chief Stewart presented the staff report and responded to questions from Mayor Green regarding appropriation allocations.

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

It was moved by Councilmember Fernandez, seconded by Councilmember Dutra-Vernaci, to adopt **Resolution No. 3296-06** accepting the 2006 Supplemental Law Enforcement Services Funding (SLESF) Grant. Motion carried unanimously.

- 6.b Public Hearing (Continued from November 28, 2006) and Introduction of Ordinance for Zoning Text Amendment AT-06-06 for Bicycle Parking Facilities

Senior Planner Carmela Campbell 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 Mayor Green, seconded by Councilmember Fernandez, to accept the Planning Commission's recommendation as redrafted by staff to amend the Municipal Code as reflected in Exhibit A, and introduced an ordinance to implement Zoning Text Amendment AT-06-06, which updated Title 18, Zoning, of the Municipal Code. Motion carried unanimously.

## VII. CITY MANAGER REPORTS

### 7.a Report on Community Feedback Regarding Potential Names for the Park Located at Williams and Davis Streets (Ponderosa Cove Subdivision)

Leisure Services Manager Jill Stavosky presented the staff report and responded to comments from Councilmembers.

Councilmembers considered the naming options forwarded by the Ponderosa Cove community and the Parks and Recreation Commission. It was moved by Mayor Green, seconded by Vice Mayor Navarro, to name the new public park located at Williams and Davis Streets (Ponderosa Cove subdivision) as **Ponderosa Park**. Motion carried unanimously.

### 7.b Update on implementation of Green Building and Bay-Friendly landscaping programs

Assistant Planner Janice Lum presented the staff report and responded to questions from Councilmembers.

Mayor Green stated that other jurisdictions require a higher LEED (Leadership in Energy and Environmental Design) certification standard. The City of Oakland requires a silver level of certification for all public buildings, and Oakland is expected to receive an \$80,000 grant for its public library to achieve a silver rating. Mayor Green recommended that the full Green Points rating system scorecard be included in the green building handout.

Councilmember Fernandez suggested that staff encourage the consolidation of tight planting spaces into larger ones since native species do not perform well in tight areas.

Mayor Green requested staff prepare an Environmentally Preferable Purchasing policy by February or March 2007.

Councilmembers received the informational report as presented. No reportable action was taken.

### 7.c Adopt a Resolution Approving Plans and Specifications and Authorization to go to Bid for Union City Boulevard Median Landscape Renovation and Union City Boulevard/Whipple Road Intersection Improvements, City Project No. 02-17 and No. 06-12

Public Works Superintendent Phil Sachs, and Public Works Director Cheng, presented the staff report and responded to questions from Councilmembers.

It was moved by Mayor Green, seconded by Councilmember Dutra-Vernaci, to adopt **Resolution No. 3297-06** approving plans and specifications and authorizing to go to bid

for Union City Boulevard Median Landscape Renovation and Union City Boulevard/Whipple Road Intersection Improvements, City Project 02-17 and 06-12. Motion carried unanimously.

**VIII. REDEVELOPMENT AGENCY – None.**

**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 Odor issues near Union Sanitary District Treatment Plant

Economic and Community Development Director Leonard presented the staff report and responded to questions from Councilmembers.

City Manager Cheeves stated Union Sanitary District General Manager Richard Currie has committed himself and his staff to working with Union City on the matter, and will have after-hours contact information available to enable staff to respond to complaints in a timely and efficient manner.

Council delegated the matter to staff to investigate and respond to the problem as described in the staff report. The CHAT Team will keep the residents informed and report back to the Council with its findings at the January 23, 2007 Council meeting.

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

Councilmember Fernandez reported on attending the Alameda County Elected Officials Summit, where the topic included consolidation of resources between adjoining cities.

Councilmember Valle stated ACAP has a meeting scheduled for December 13, 2007, and a joint meeting with the school district will be planned for the first quarter of 2007.

**XIV. GOOD OF THE ORDER**

Councilmember Dutra-Vernaci requested the Mayor report out about the meetings he attends on behalf of the City.

Councilmember Dutra-Vernaci requested more information regarding the County's plan regarding homelessness and special needs counseling.

Councilmember Valle stated there has been significant dumping along a railroad spur at Lewis and Pacific.

Councilmember Valle stated we should strongly express that any infrastructure costs associated with the A's ballpark in Fremont must be borne by the developer/owner and should not be a burden to Union City water and sewer ratepayers.

Councilmember Fernandez stated there is a pothole associated with the excavation work done for the Sky Venture development.

Vice Mayor Navarro stated the median fence/barrier on Dyer near Alvarado Boulevard is down again.

Vice Mayor Navarro expressed his thanks for the good work performed by the graffiti-buster crews working on the walls adjacent to 880.

Mayor Green stated Commissioners need to be put on notice that there will be a "Three Strikes and You're Out" policy regarding attendance at Commission meetings. We now have alternates and it is incumbent on Commissioner's to let staff know when they will not be able to attend a meeting so that the alternate can be notified.

Mayor Green stated there had been a 7-2-2 vote for money allocated for Segment G on the Dumbarton rail corridor.

Mayor Green requested the title on the agenda be changed to "Oral Reports by Mayor and Councilmembers on Meetings of County or Regional Boards and Commissions".

Mayor Green stated the City of Fremont will be going forward with a Household Hazardous Waste facility.

Mayor Green requested staff agendize an item for a meeting in January 2007 regarding authorizing funding for the Lee Webb "Night of Champions" event on February 3.

Mayor Green expressed congratulations to the re-elected Councilmembers.

**CLOSED SESSION - None**

## **XV. ADJOURNMENT**

Mayor Green adjourned the meeting at 10:44 p.m.

Respectfully submitted,

Renee Elliott  
City Clerk