

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

**TUESDAY, JULY 24, 2007
7:00 P.M.**

**COUNCIL CHAMBERS
34009 ALVARADO NILES ROAD**

I. CALL TO ORDER

Mayor Green called the meeting to order at 7:03 p.m.

Mayor Green stated there was no reportable action from the closed session held earlier this date.

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

I.b Roll Call

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

Absent: None

II. UNFINISHED BUSINESS – None

III. PROCLAMATIONS AND PRESENTATIONS

3.a Resolution of the City Council of the City of Union City in Recognition of Melissa Munoz

Mayor Green read the resolution aloud and presented it to Melissa Munoz. Ms. Munoz accepted the resolution and expressed her appreciation for the recognition.

3.b Welcome for Visiting Student Delegation from Hangzhou (China) Youth & Children Activity Center

Deputy City Manager Acosta provided welcoming remarks and introduced the delegation of representatives from the Hangzhou Youth & Children Activity Center. Mayor Green presented a Key-to-the-City to the Lead Teacher delegate who, in turn, expressed appreciation on behalf of the delegation and presented two ornamental scrolls to the City of Union City.

IV. ORAL COMMUNICATIONS

Mattie Rouseau expressed her appreciation for the City's responsiveness to her concerns about speeding traffic on Ascot Way.

Bill Beaton suggested providing a reduction in garbage rates for senior citizens.

V. CONSENT CALENDAR

Consent Calendar items 5.d and 5.e were removed for separate consideration.

It was moved by Councilmember Fernandez, seconded by Vice Mayor Navarro, to approve Consent items 5.a through 5.c, and 5.f and 5.g, as recommended by staff. Motion carried unanimously.

- 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 Approved Minutes for the Special and Regular Meetings of July 10, 2007
- 5.c Rejected Claim No. 702, filed by Salvador Banda, as follows:
 - denied as late claims those spanning the period April 2, 2006 to October 2, 2006, as recommended by the City's Claims Administrator; and,
 - rejected the claims of October 2, 2006 through April 2, 2007, which were timely filed, as recommended by the City's Claims Administrator.
- 5.f Adopted **Resolution No. 3403-07** Approving Revisions to the Memorandum of Understanding (MOU) between the City of Union City and Local 1021, SEIU for the period July 1, 2007 through June 30, 2008; and Amending the Employee Compensation Plan for Employees Represented by Local 1021, SEIU
- 5.g Adopted **Resolution No. 3404-07** Approving the Fifth Amendment to the Memorandum of Understanding between the City of Union City and the Professional Employees Group (PEG) and Amending the City of Union City Employee Compensation Plan

Consideration of Items 5.d and 5.e removed from the Consent Calendar.

- 5.d Adopt a Resolution Approving a Loan Agreement by and between the Filipino Community of Alvarado and Vicinity ("FCAV") and the City of Union City

Councilmember Fernandez recused himself (potential conflict of interest as a tenant of the property) and exited the Council Chambers at 7:28 p.m.

Economic and Community Development Director Leonard responded to questions and comments from the Mayor and Councilmembers, and acknowledged changes to be included in the agreement as directed by Council.

Myrla Raymundo spoke in support of the City acquiring Holly House for use as a social hall for the Filipino community.

Rey Sison thanked the City for resolving property issues, and expressed opposition to the idea of the property being used as a social hall for the Filipino community.

Bert Padua listed a number of organizations that currently utilize the building and thanked staff for its work.

Pat Gacoscos, FCAV Chair, introduced board members and expressed her appreciation for the successful negotiation process.

It was moved by Mayor Green, seconded by Councilmember Valle, to adopt **Resolution No. 3405-07** approving the Loan Agreement by and between the Filipino Community of Alvarado and Vicinity (“FCAV”) and the City of Union City with the following changes to the proposed agreement:

- Section 1.5: Clarify when deposit will be required
- Section 1.6: Delete reference to “any portion of”
- Section 1.8: Clarify late charges
- Section 3.4: Include requirement that auditor not be affiliated with nor a member of FCAV
- Section 3.6: Provide for periodic/timely reports to Council on rental agreements
- Section 6.15: Include language whereby Council is included in decision making and is notified of actions in a timely manner
- Include requirement for FCAV to submit a written report setting forth its intention and ability to pay the loan balance well in advance of its maturity date

Ayes: Mayor Green, Vice Mayor Navarro, Councilmembers Dutra-Vernaci and Valle.

Noes: None

Absent: Councilmember Fernandez (recused)

Abstain: None

Mayor Green recalled Councilmember Fernandez. Councilmember Fernandez returned to the Council Chambers at 7:59 p.m.

- 5.e Adopt a Resolution Authorizing the City Manager to Execute Contract Amendment No. 1 with Mark Thomas and Co. for Additional Construction Support Services for 11th Street Enhancement and Decoto Road Connector, Project Nos. 05-09 & 05-72

Public Works Director Cheng responded to questions and comments from Councilmembers.

It was moved by Councilmember Dutra-Vernaci, seconded by Councilmember Valle, to adopt **Resolution No. 3406-07** authorizing the City Manager to Execute Contract Amendment No. 1 with Mark Thomas and Co. for Additional Construction Support Services for 11th Street Enhancement and Decoto Road Connector, Project Nos. 05-09 & 05-72. Motion carried unanimously.

VI. PUBLIC HEARINGS

- 6.a Public Hearing and Second Reading of Ordinance for Zoning Text Amendment AT 01-07 to Allow for Establishment of Superstores Through the City’s Use Permit Process Within Community Commercial Zoning Districts and the Union Landing Commercial Zoning District Within the Sub-Regional Commercial Sub-area Only Subject to Additional Criteria and to Allow for the Establishment of Discount Clubs

Through the City's Use Permit Process within Community Commercial and Special Industrial Zoning Districts and the Union Landing Commercial Zoning District within the Sub-Regional Commercial Sub-area only (Introduced July 10, 2007)

Senior Planner 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 Councilmember Valle, seconded by Councilmember Dutra-Vernaci, and the City Council held the public hearing for the second reading and adoption of **Ordinance No. 688-07** amending Title 18, Zoning, of the Municipal Code, to accommodate the establishment of superstores and discount clubs within Union City. Motion carried unanimously.

VII. CITY MANAGER REPORTS

Mayor Green announced Item 7.b would be considered before Item 7.a.

- 7.b Adopt a Resolution Authorizing an Agreement with InfoSTEP, Inc. for Replacement of the Electronic Reader Board at the Union Landing Retail Center

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

It was moved by Chairperson Green, seconded by Vice Chairperson Navarro, to adopt **Redevelopment Agency Board Resolution No. 366-07** authorizing an agreement with InfoSTEP, Inc. for replacement of the electronic reader board at the Union Landing Retail Center. Motion carried unanimously.

- 7.a Adopt a Resolution Establishing Annual Rates for Municipal Solid Waste, Organic Waste, Recycling Collection and Storm Water Runoff for 2007/2008

Councilmember Valle recused himself (conflict of interest due to his status as an employee of Tri-CED Recycling) and exited the Council Chambers at 8:23 p.m.

Deputy City Manager Acosta presented the staff report, noting some relatively minor adjustments to the Tri-CED data with no impact on rates. Deputy City Manager Acosta, Consultant Marva Sheehan, and Administrative Services Director Digre responded to questions from Councilmembers.

It was moved by Mayor Green, seconded by Councilmember Fernandez, to adopt **Resolution No. 3407-07** establishing annual rates for municipal solid waste, organic waste, recycling collection and storm water runoff surcharge for 2007/2008.

Ayes: Mayor Green, Vice Mayor Navarro, Councilmembers Dutra-Vernaci and Fernandez.

Noes: None

Absent: Councilmember Valle (recused)

Abstain: None

Mayor Green recalled Councilmember Valle. Councilmember Valle returned to the Council Chambers at 8:53 p.m.

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 Oral Reports by Mayor and Councilmembers on meetings of County or Regional Boards and Commissions

Vice Mayor Navarro reported attending an Airport Noise Forum meeting, and noted the Forum would be holding a symposium in San Francisco in October 2007.

Councilmember Dutra-Vernaci reported the Housing Authority meeting date had been changed to July 25.

Mayor Green reported MTC allocated over \$6 million for design of the Dumbarton Rail Corridor project, and another \$2 million is expected from Santa Clara, San Mateo and Alameda Counties.

Mayor Green stated planning staff had done a good job coordinating the Biotech event.

Mayor Green reported attending a Waste Management meeting where composting had been discussed as well as incremental headway made on a four-prong approach which would include a barge transporting the material to Solano County, saving considerably on freight and fuel costs.

Mayor Green stated the ABAG housing report had been released and staff would be providing comment.

Mayor Green stated over 100 applications had been received for the priority development area. City Manager Cheeves will serve on the review team for Contra Costa County applications.

Mayor Green encouraged Councilmembers to review information recently released on high speed rail. Mayor Green encouraged Councilmembers to attend and speak at the public hearings in support of the project.

Mayor Green stated Crown Plaza owners are considering an expansion to their property.

Mayor Green requested staff obtain information regarding a "social responsibility ordinance" that Council could support, and which could be introduced at the August 28, 2007 Council meeting.

XIV. GOOD OF THE ORDER

Councilmember Dutra-Vernaci requested information about abandoned shopping carts be placed on the City's website, including contact information for reporting abandoned carts. Police Chief Stewart stated police would respond whenever possible, noting shopping carts were a low priority matter.

Councilmember Valle requested information regarding the status of recruitments for board/commission positions. City Clerk Elliott responded that the recruitment for one Park and Recreation commission vacancy, as well as vacancies for alternate positions on all commissions, was scheduled to close in mid August. Mayor Green stated interviews would be held in September 2007.

Councilmember Fernandez stated he had received a letter regarding a speeding situation on Alvarado-Niles Road at Hop Ranch Road, and would forward the letter to Police Chief Stewart.

Councilmember Fernandez spoke about a proliferation of graffiti along the railroad tracks.

Vice Mayor Navarro also spoke about graffiti problems, noting the Seven Hills rock had been covered with graffiti. Vice Mayor Navarro suggested the current graffiti ordinance be revisited to consider steeper fines and tougher enforcement provisions. The City Attorney will return with more information regarding fines and enforcement options at a future Council meeting.

Mayor Green requested an update regarding the abatement of real estate signs that are in violation of the Municipal Code. Economic and Community Development Director Leonard stated a new program had begun which included issuing citations as well as confiscating the signs.

XV. CLOSED SESSION – None

XVI. ADJOURNMENT

Mayor Green adjourned the meeting at 9:19 p.m.

Respectfully submitted,

Renee Elliott
City Clerk