

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

**TUESDAY, AUGUST 26, 2008
7:00 P.M.**

**COUNCIL CHAMBERS
34009 ALVARADO NILES ROAD**

I. CALL TO ORDER

Mayor Green called the meeting to order at 7:25 p.m.

I.a Pledge of Allegiance - Mayor Green lead the salute to the flag.

I.b Roll Call

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

II. UNFINISHED BUSINESS - None

III. PROCLAMATIONS AND PRESENTATIONS

3.a Presentation of Award by AT&T in Appreciation of Union City's Support of *Project Lightspeed*

Shiyama Clunie, Area Manager of AT&T External Affairs, presented an award and medallion, and expressed appreciation to the city and staff for working together to advance broadband network technology.

Mayor Green accepted the award and medallion and thanked AT&T.

Deputy City Manager Acosta responded to City Council's questions and provided an overview of *Project Lightspeed*.

3.b Presentation Regarding Extension of Existing East Bay Regional Park District Bond (Measure WW) by Boardmember Carol Severin

East Bay Regional Park District Boardmember Carol Severin urged Council to support the Park District's bond measure, and introduced Assistant General Manager John Escobar who provided an overview of the proposed extension of the Regional Open Space, Wildlife, Shoreline and Parks Bond Measure WW.

Councilmembers provided comment.

Carol Severin extended an invitation to attend the official opening of the Meyers Estate on Saturday, September 20, 2008, from 12 o'clock noon to 2:00 p.m., and stated there would also be an annual Apple Festival on September 6, 2008.

3.c Adopt a Resolution Endorsing East Bay Regional Park District's Proposed Extension of Regional Open Space, Wildlife, Shoreline and Parks Bond, Measure WW on the November 4, 2008 General Election Ballot

It was moved by Mayor Green, seconded by Vice Mayor Fernandez, to adopt **Resolution No. 3687-08** endorsing the East Bay Regional Park Districts Proposed Extension of Regional Open Space, Wildlife, Shoreline and Parks Bond Measure WW on the November 4, 2008 General Election Ballot.

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

IV. ORAL COMMUNICATIONS

Michael O'Quinn, a resident of the Tropics Mobilehome Park, expressed concern about the copper thieves who stole the dedication plaque at William Cann Park, and stated he would contribute the first \$100.00 towards replacement.

Fred Barker, a representative for the Tropics Residents Club, requested police drive through the Tropics Mobilehome Park a few times during their shifts.

Youth Commissioner Maurice Velazco spoke in favor of Measure UU and asked for Council's support stating violence would increase if there was no support for the Measure.

Mary Schlarb, CORE leader and member of the Youth Violence Prevention Coalition, addressed Council and staff regarding Measure UU, and asked all Union City voters to support the Measure.

Mayor Green revisited Mr. O'Quinn's concerns regarding the dedication plaque at William Cann Park. Police Chief Stewart reported there will be a rededication ceremony on Saturday, September 27, 2008, at 11:00 a.m. He also acknowledged Bob Mattos of Bras & Mattos Monument Company for donating his time and materials toward the project.

V. CONSENT CALENDAR

Consent Item 5.m was removed from the Consent Calendar

5.m Adopt a Resolution Awarding a Contract for One 12-Passenger Van For the Union City Work Furlough Program, City Project No. 08-14

It was moved by Mayor Green, Seconded by Councilmember Navarro, to continue this item to the next City Council meeting in September.

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

Addition of Consent Item No. 5.p to the Consent Calendar

City Manager Cheeves introduced an Urgency Item requesting Council approve and adopt a resolution opposing fiscally irresponsible State budget decisions that would "borrow" local government, Redevelopment and transportation funds.

It was moved by Mayor Green, seconded by Councilmember Valle, to add this urgency item Resolution to the agenda as **Consent Calendar Item No. 5.p**, and to adopt **Resolution No. 3688-08** opposing fiscally irresponsible State budget decisions that would "borrow" local government, Redevelopment and transportation funds.

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

Consent Item 5.g was removed from the Consent Calendar for separate consideration

It was moved by Councilmember Navarro, seconded by Councilmember Valle, to approve Consent Items 5.a through 5.f, 5.h through 5.l, and 5.n through 5.p, as recommended by staff.

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

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 Council Meeting of August 11, 2008

- 5.c Approved Minutes for the Special Closed Session and Special Council Meeting of August 6, 2008
- 5.d Approved Minutes for the Special Closed Session and Special Council Meeting of July 30, 2008
- 5.e Approved Minutes for the Special and Regular Meetings of July 22, 2008
- 5.f Approved Minutes for the Special Meeting of December 1, 2007
- 5.h Adopted **Resolution No. 3689-08** Appointing Members of the Youth Commission
- 5.i Adopted **Resolution No. 3690-08** Approving the Side Letter of Agreement dated July 9, 2008 with Service Employees International Union (SEIU), Local 1021 for Non-Economic Amendments to the Memorandum of Understanding between the City of Union City and SEIU, Local 1021
- 5.j Adopted **Resolution No. 3691-08** Summarily Vacating a Street Right-of-Way for a Portion of Novato Street
- 5.k Adopted **Resolution No. 3692-08** to Support the Revision of Metropolitan Transportation Commission Resolution 3434 Strategic Plan for the Regional Transit Expansion Program to Endorse the Transfer of Regional Measure 2 Funding from the Dumbarton Rail Project to BART's Warm Springs Extension Subject to Specified Conditions Including Reserving Approximately \$36 Million in Unallocated Regional Measure 2 Funds to Acquire the Oakland Subdivision
- 5.l Adopted **Resolution No. 3693-08** Accepting and Appropriating Grant Funds From Alameda County Waste Management Authority for the Willow Park Expansion, City Project No. 03-02
- 5.n Adopted **RDA Resolution No. 379-08** of the Redevelopment Agency of the City of Union City Approving a Modification to the Union City Affordable Homebuyer Program to Allow a Transfer of an Affordable Home by Devise or Inheritance to a Parent or Stepparent of an Affordable Home Owner
- 5.o Reviewed the finish and material board, and accepted the proposed color palette for the Masonic Homes Acacia Creek Expansion Project at 34400 Mission Boulevard (Approved June 2008 - Resolution No. 3654-08)

Consideration of Item 5.g removed from the Consent Calendar

- 5.g Adopt a Resolution Designating the TRI-CITY VOICE as the Official Newspaper of Publication for the City of Union City

Mayor Green stated he had spoken earlier in the day with Councilmember Dutra-Vernaci who had questions regarding this item.

City Manager Cheeves and staff responded to questions from Councilmembers regarding circulation methods, explanation of adjudication, publishing costs, and distribution of RFP to Tri-City Voice and The Argus. It was moved by Councilmember Valle, seconded by Vice Mayor Fernandez, to adopt **Resolution No. 3694-08** designating the TRI-CITY VOICE as the Official Newspaper of Publication for the City of Union City.

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

VI. PUBLIC HEARINGS

- 6.a Adopt a Resolution approving Site Development Review, SD-02-08, for Construction of a Detached 2,500 Sq. Ft. Building, Located in the Alvarado Plaza Shopping Center (APN 463-0040-035), to be Used as a Police Sub-Station and an Associated Parking Variance, V-03-08, to Reduce the Required Parking Demand for the Shopping Center from 451 to 416 Parking Spaces

Senior Planner Campbell presented the staff report and, together with Economic and Community Development Director Leonard and applicant Patrick Conway of Duckett-Wilson Development Company, responded to questions from Councilmembers.

Mayor Green opened the public hearing. The following individuals expressed support for the project: Patricia Bennett, Barry Ferrier, and Hugh McNamara. The following individual spoke in opposition to the project: Michael O'Quinn. There were no other speakers on the matter. Mayor Green closed the public hearing.

City Manager Cheeves and Police Chief Stewart provided background information on substation uses and the partnership with Centro de Servicios.

Economic and Community Development Director Leonard responded to questions from Councilmembers, and stated construction for the Police Sub-Station would likely begin in late winter.

Vice Mayor Fernandez expressed concerns regarding the existing trash enclosure being located adjacent to the proposed building and recommended the trash enclosure be relocated.

It was moved by Mayor Green, seconded by Councilmember Navarro, to adopt **Resolution No. 3695-08** to approve the Site Development Review, SD-02-08, for construction of a detached 2,500 square foot building, located in the Alvarado Plaza Shopping Center (APN 463-0040-035), to be used as a Police Sub-Station, and an associated parking variance, V-03-08, to reduce the required parking demand for the shopping center from 451 to 416 parking spaces, and as revised to provide for the relocation of the trash enclosure.

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

VII. CITY MANAGER REPORTS

7.a Fiscal Year 2007-08 Report on Budget to Actual Results, Budget Adjustments for FY 2007-08, and Check Disbursement Listing for the Period April 1 through June 30, 2008

Administrative Services Director Digre presented a background report and Powerpoint presentation on the General Fund Overview/Budgetary Plan; General Fund Revenues, Expenditures, Corrective Measures; Fiscal Impact; and recommendations of proposed corrective action.

Councilmember Valle requested a copy of the Powerpoint presentation. Assistant to City Manager LaForce will forward a copy to Council.

City Manager Cheeves spoke of the current fiscal year budget impacted by 911 fees, and stated a Budget Modification Plan would be provided at the next City Council meeting in September.

Barry Ferrier commended staff in their efforts to keep the budget balance under control and requested a copy of the presentation be available on the City's website.

It was moved by Councilmember Valle, seconded by Councilmember Navarro, to adopt **Resolution No. 3696-08** amending Expenditure Appropriations and Revenue Estimates for Fiscal Year 2007/08.

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

7.b Report on the Union City Police Department's Five Year Strategic Plan

Police Chief Stewart presented the staff report and responded to questions from Councilmembers regarding personnel, staffing levels, duties, programs, and the future of the department.

Barry Ferrier expressed his appreciation for the Police Department, and suggested promoting the department through community oriented measures.

Mayor Green expressed his appreciation for the establishment of a five-year outlook, and advised staff of a desire to see Public Works, Planning, Leisure Services, and Finance take a similar approach.

Vice Mayor Fernandez exited the Council Chambers at 8:55 p.m.

Vice Mayor Fernandez returned to the Council Chambers at 8:57 p.m.

VIII. REDEVELOPMENT AGENCY - None

IX. AUTHORITIES AND AGENCIES - None

X. CITY COMMISSION/COMMITTEE REPORTS

- 10.a Waive Reading the Full Text of the Ordinance and Introduce and Approve an Ordinance Amending Chapter 2.25 of the Union City Municipal Code to Expand the Human Relations Commission from Five (5) to Seven (7) Members

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

It was moved by Mayor Green, seconded by Councilmember Navarro, to waive full reading and introduce an ordinance amending Chapter 2.25 of the Union City Municipal Code to expand the Human Relations Commission from Five (5) to Seven (7) Members.

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

- 10.b Summary of July and August 2008 Planning Commission Meetings

Economic and Community Development Director Leonard submitted a report summarizing the July and August 2008 Planning Commission meetings.

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 Fernandez reported attending the Silicon Valley Leadership Council to tour the existing high rise residences in the San Jose area, and noted San Jose is an ideal example of a walkable community.

Councilmember Valle inquired about the next meeting with the school board. Deputy City Manager Acosta reported the next joint meeting with the school board is set for Monday, September 15, 2008.

Mayor Green stated he had appeared on Channel 5 and spoke regarding regional water issues.

Mayor Green acknowledged the help of Hayward City Manager Greg Jones, Councilmember Henson, Councilmember Wieckowski of Fremont, and the help of ACTIA Director Christine Monsen, to advance State legislation pertaining to Highways 84 and 238.

Mayor Green reported attending former Hayward Mayor Jack Smith's funeral, and stated Speaker of the House Pelosi gave the eulogy.

XIV. GOOD OF THE ORDER

Councilmember Valle asked City Manager Cheeves if the San Francisco Public Utilities Commission had been contacted regarding a presentation. City Manager Cheeves stated the Commission would be presenting on October 14, 2008.

Councilmember Navarro expressed his concern about numerous signs posted along Union City Boulevard. City Manager Cheeves stated he would have staff take care of the matter.

Councilmember Fernandez commented his neighbors were happy and appreciative to see the streets were repaved.

Mayor Green stated there were flickering street lights on Jennifer and Christine, and numerous street lights out on Union City Boulevard. Mayor Green suggested street light contractors be contacted.

Councilmember Valle exited the Council Chambers at 9:52 p.m.

XV. CLOSED SESSION – None scheduled

Mayor Green adjourned the regular meeting to a continued closed session discussion of the following item:

CLOSED SESSION – CONFERENCE WITH REAL PROPERTY NEGOTIATORS

(Pursuant to Government Code Section 54956.8)

Property: 33589 Central Avenue, APN 475-0111-010 and 475-0111-011

City negotiators: Economic and Community Development Director Leonard, Police Chief Stewart, Redevelopment Agency Manager Evanoff

Negotiating party: Che Chen Liu and Shu Fen Liu

Under negotiation: Price and terms

Present: Councilmember Navarro and Valle, Vice Mayor Fernandez, Mayor Green

Absent: Councilmember Dutra-Vernaci

XVI. ADJOURNMENT

Mayor Green adjourned the continued Closed Session at 10:15 p.m. with no reportable action.

Respectfully submitted,

Cassie Castain
Administrative Assistant to the City Clerk