

**MINUTES  
CITY OF UNION CITY**

**CITY COUNCIL/REDEVELOPMENT AGENCY MEETING**

**TUESDAY, SEPTEMBER 9, 2008**

**7:00 P.M.**

**COUNCIL CHAMBERS  
34009 ALVARADO NILES ROAD**

**I. CALL TO ORDER**

Mayor Green called the meeting to order at 7:02 p.m.

Mayor Green announced there was no reportable action from the Closed Session held earlier this evening.

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

I.b Roll Call

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

Absent: Councilmember Valle

**II. UNFINISHED BUSINESS - None**

**III. PROCLAMATIONS AND PRESENTATIONS**

3.a Introduction of New and Promoted Employees

City Manager Cheeves congratulated staff members on their promotions, and introduced Economic and Community Development Director Leonard who announced the promotion of Avalon Schultz from Assistant to Associate Planner, effective June 30, 2008.

Police Chief Stewart introduced Howard Baron and Lisa Graetz, each of whom was promoted from Police Officer to Police Corporal, effective July 1, 2008. Police Chief Stewart then introduced the newest member of the Police Department, police dog K-9 Edy and his handler Officer Brian Baumgartner.

**IV. ORAL COMMUNICATIONS**

Myrla Raymundo inquired about the status of her suggestion to recognize former Union City mayors.

Barry Ferrier expressed support for Measure UU, and requested people learn more about the ballot measure at [www.putsafetyfirst.net](http://www.putsafetyfirst.net)

**V. CONSENT CALENDAR**

**Items 5.g and 5.h were removed from the Consent Calendar for discussion.**

It was moved by Vice Mayor Fernandez, seconded by Councilmember Navarro, to approve Consent Items 5.a through 5.f, and Item 5.i, as recommended by staff.

Ayes: Councilmembers Dutra-Vernaci and Navarro, Vice Mayor Fernandez, Mayor Green  
Noes: None  
Absent: Councilmember Valle  
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 Meeting of August 21, 2008
- 5.c Rejected Claim No. 746, filed by Noe and Lucy Mijares, as Recommended by the City's Claims Administrator
- 5.d Rejected Claim No. 749, filed by Debbie Tan, as Recommended by the City's Claims Administrator (desk item distributed: letter from Debbie Tan)
- 5.e Rejected Claim No. 750, filed by Debbie Tan, as Recommended by the City's Claims Administrator (desk item distributed: letter from Debbie Tan)
- 5.f Rejected Claim No. 751, filed by Chung Su, as Recommended by the City's Claims Administrator
- 5.i Adopted **Resolution No. 3697-08** Discontinuing the Collection of the City of Union City's Emergency Communications System Response Fee as Codified in Title 7 Chapter 20 of the Union City Municipal Code and Directing the City Manager to Take All Appropriate Actions in Accordance with the Court's Ruling in the Case of BAY AREA CELLULAR CO. V. CITY OF UNION CITY

**Consideration of items removed from the Consent Calendar.**

- 5.g Adopt a Resolution Awarding a Contract for the Kennedy Park Expansion Project, Project No. 05-32

Public Works Director Cheng responded to questions from Councilmembers.

It was moved by Councilmember Navarro, seconded by Councilmember Dutra-Vernaci, to adopt **Resolution No. 3698-08** Appropriating \$210,000 State Grant Fund, and Awarding a Contract to Goodland Construction for the Kennedy Park Play Lots Renovation Project, Project No. 05-32

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

- 5.h Adopt a Resolution Approving Payment of an In-Lieu Fee to Satisfy the Public Art Requirement for a New 17,045 Square Foot Shell Building at 31300 Courthouse Drive in Union Landing (SD-04-07)

Mayor Green requested Economic and Community Development Director Leonard provide an update regarding the public art in-lieu fund at the September 23, 2008 Council meeting.

Brad Grondona, Pappas Investments, expressed his desire for payment of an in-lieu fee to satisfy the public art requirement.

It was moved by Mayor Green, seconded by Vice Mayor Fernandez, to adopt **Resolution No. 3699-08** Approving Payment of an In-Lieu Fee to Satisfy the Public Art Requirement for a New 17,045 Square Foot Shell Building at 31300 Courthouse Drive in Union Landing (SD-04-07)

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

**VI. PUBLIC HEARINGS - None**

**VII. CITY MANAGER REPORTS**

- 7.a Report and Recommendations for Budget Revisions Required to Compensate for Loss of the 911 Fee Revenues During Fiscal Year 2008-09

Deputy City Manager Acosta presented the staff report and, along with department directors, responded to questions from Councilmembers.

Myrla Raymundo, Domingo Filardo, and Maria Mamount requested Council not cut \$6,000 in funding for the Union City Historical Museum.

Hugh McNamara spoke about various costs associated with operating the Historical Museum.

Councilmembers provided feedback and direction to staff on the proposed budget revision plan, and directed staff to return with a report on September 23, 2008, related to the approval of a resolution revising the FY 09 Adopted Budget.

**VIII. REDEVELOPMENT AGENCY - None**

**IX. AUTHORITIES AND AGENCIES - None**

**X. CITY COMMISSION/COMMITTEE REPORTS**

- 10.a Second Reading and Adoption of an Ordinance Amending Chapter 2.25 (Human Relations Commission) of the Union City Municipal Code to Expand the Human Relations Commission from Five (5) to Seven (7) Members (Introduced August 26, 2008)

Deputy City Manager Acosta introduced the staff report.

It was moved by Mayor Green, seconded by Councilmember Navarro, to waive reading the full text of the ordinance and approve the second reading and adoption of **Ordinance No. 715-08** Amending Chapter 2.25 (Human Relations Commission) of the Union City Municipal Code to Expand the Human Relations Commission from Five (5) to Seven (7) Members.

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

**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

Mayor Green spoke about WMA funding for Bay Friendly Landscaping for Alvarado Boulevard medians. Public Works Director Cheng provided an overview of how the funds will be used.

Mayor Green spoke regarding upcoming MTC policy revisions.

**XIV. GOOD OF THE ORDER**

Councilmember Dutra-Vernaci stated she had received a complaint about high-growing weeds, and a number of large potholes, on the west end of Horner Street in the redevelopment area.

Councilmember Navarro reported a sagging net on tennis court number five at Veterans Park.

Councilmember Navarro stated a yellow line should be painted on the curve of Navarro Drive.

Vice Mayor Fernandez requested staff attend to a low-hanging tree limb on the trail from Medallion to the flood control area.

Mayor Green complimented Public Works staff regarding segment F on Decoto Road, which improved in the latest CMA monitoring, up to a Traffic Service Level E from Level F.

Mayor Green stated he had attended an event at the Sikh Gurdwara in Fremont pertaining to glucose meters for diabetic patients. Members of the Gurdwara have offered to donate their services and hold a similar event in Union City. Fire Chief Rodriguez stated the EMS Chief would contact Gurdwara members to coordinate an event.

Mayor Green announced an East Bay Regional Park District dedication of the Meyers Estate Cottage and Gardens on Saturday, September 20, at 12 o'clock noon.

Police Chief Stewart stated a rededication of the Chief Cann plaque was scheduled for September 27, 2008, at 11:00 a.m., at the William Cann Memorial Park. Councilmember Dutra-Vernaci stated she would be unable to attend this event due to her attendance at the League of California Cities conference.

Mayor Green announced a ceremony honoring those who perished on September 11, 2001, and recognizing men and women in public safety, is scheduled for September 11, 2008, at 6:00 p.m., at the Flight 93 Memorial in Sugar Mill Landing Park.

Public Works Director Cheng provided an overview of the Make-A-Difference Day projects planned for this October. Mayor Green noted the Pumpkin Patch Run was scheduled for the same date.

**XV. CLOSED SESSION - None**

**XVI. ADJOURNMENT**

Mayor Green adjourned the meeting at 8:45 p.m.

Respectfully submitted,

Renee Elliott  
City Clerk