

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

**TUESDAY, DECEMBER 09, 2008
7:00 P.M.**

**COUNCIL CHAMBERS
34009 ALVARADO NILES ROAD**

I. CALL TO ORDER

Mayor Green called the meeting to order at 7:10 p.m.

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

I.b Roll Call

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

Absent: None

II. UNFINISHED BUSINESS - None

III. PROCLAMATIONS AND PRESENTATIONS

3.a Resolution Honoring Economic & Community Development Director Mark Leonard Upon His Retirement After 24 Years Of Service

Mayor Green read the resolution aloud and presented it to Economic & Community Development Director Leonard who expressed his appreciation and gratitude for his years of service with Union City. Councilmembers individually expressed their appreciation for Mark Leonard's dedication and leadership.

3.b Resolution of the City Council of the City of Union City Declaring the Results of the General Municipal Election held November 4, 2008

It was moved by Councilmember Valle, seconded by Vice Mayor Fernandez, to receive the Official Canvass of the November 4, 2008 General Municipal Election as certified by the Alameda County Registrar of Voters, and adopt **Resolution No. 3733-08** declaring the results of the election; and, in accordance with the vote of the People voting on Measure UU at the November 4, 2008 General Municipal Election, **Ordinance No. 717-08** was deemed introduced and adopted as an Ordinance of the People of the City of Union City Amending Title 3, Chapter 3.20 (Ordinance No. 622-04) of the City of Union City Municipal Code Concerning the Existing Public Safety Services Excise Tax. Motion carried unanimously.

Father Anthony of Saint James Parish was deputized earlier in the evening by City Clerk Renee Elliott. Father Anthony performed the swearing in of Councilmember Jim

Navarro. Councilmember Navarro thanked his family and supporters for helping him to win re-election.

Supervisor Scott Haggerty performed the swearing in of Mayor Mark Green. Mayor Green thanked his family and supporters for helping him to win re-election.

3.c Appointment of Vice Mayor

It was moved by Mayor Green, seconded by Councilmember Navarro, to appoint Councilmember Dutra-Vernaci as Vice Mayor for 2009. Motion carried unanimously.

3.d Reception for Re-elected Officials

Mayor Green recessed the meeting at 8:12 p.m. for a reception to honor the re-elected officials.

Mayor Green reconvened the meeting at 8:44 p.m.

IV. ORAL COMMUNICATIONS

Caroline Pashon and Alexandra San Felipe spoke about the Community Emergency Response Team (CERT) and the importance of continued Council and community support.

V. CONSENT CALENDAR

It was moved by Councilmember Valle, seconded by Councilmember Fernandez, to approve Consent Items 5.a 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 and Regular Meetings of November 25, 2008
- 5.c Rejected Claim No. 755, submitted by Eddie A. Torres, as Recommended by the City's Claims Administrator
- 5.d Waived reading the full text of the ordinance, and approved the second reading and adoption of **Ordinance No. 718-08** Approving Zoning Text Amendment, AT-05-08, to Amend Three Provisions within Chapter 18.40, Industrial Districts, to be Consistent with the Goals and Policies of the Union City General Plan: Increase Allowable Height from 50' to 75' Subject to Use Permit Approval in ML Zoning Districts; Allow up to a 25 Percent Reduction in Required Off-Street Parking in ML Zoning Districts Subject to Implementation of Transit Demand Management Programs; Addition of a Provision to Allow the Planning Commission to Determine Off-street Parking Requirements for Uses not Specifically Listed within the Chapter (Introduced November 25, 2008)
- 5.e Accepted the Annual Report for Fiscal Year 2007-08 Concerning Sources and Uses of Development Fees Pursuant to Government Code Section 66006, et. seq.
- 5.f Adopted **Resolution No. 3734-08** for a Budget Appropriation for Janitorial Services at Union City Library

- 5.g Adopted **Resolution No. 3735-08** for the Acceptance of Dedication of Parcels A & B for Public Streets Purposes; Parcel Map No. 8482, Pacific States Steel Corporation (PSSC) Multi-Family KB Home Development.
- 5.h Adopted **Resolution No. 3736-08** Appropriating the 12th, 13th and 14th Cycle Used Oil Recycling Block Grant into Public Works Used Oil Recycling Program Funds
- 5.i Adopted **Resolution No. 3737-08** for the Acceptance of Work and Improvements for the 2007-08 Overlay Program, City Project No. 07-07
- 5.j Adopted **RDA Resolution No. 385-08** Authorizing a \$1.5 Million Predevelopment Loan Agreement with Mid-Peninsula Housing Coalition to Develop Block 4 in the Station District

VI. PUBLIC HEARINGS – None

Mayor Green requested a motion to move Redevelopment Agency Item 8.a forward for consideration at this time. It was moved by Councilmember Valle, seconded by Councilmember Navarro, to move agenda item 8.a forward for consideration at this time. Motion carried unanimously.

VIII. REDEVELOPMENT AGENCY

- 8.a Adopt Three Redevelopment Agency Resolutions for 1320 and 1328 Decoto Road, also known as Union Square: 1) Adopt a Resolution Authorizing a Memorandum of Understanding with the Chabot Las Positas Community College District Authorizing the Issuance of a Request for Qualifications to Construct an Office Building; 2) Adopt a Resolution Authorizing a Lease Agreement with the Chabot Las Positas Community College District to Rent Space to Conduct Classes; and 3) Adopt a Resolution to Authorize a Property Management Agreement with Professional Commercial Office Management, Inc. to be the Property Manager for Union Square

Redevelopment Agency Manager Evanoff presented the staff report and responded to questions from Agency Members.

Chabot College Board Trustee Dr. Arnulfo Cedillo congratulated Mayor/Chair Green and Agency/Councilmember Navarro on their re-election, and expressed his eagerness for the partnership between Chabot Las Positas Community College District and the City of Union City.

Chabot College President Dr. Celia Barberena commented about the project and responded to questions from Agency Members.

Vice Chancellor Lorenzo Legaspi responded to questions from Agency Members.

It was moved by Agency Member Valle, seconded by Agency Chair Green, to adopt **RDA Resolution No. 386-08** Authorizing a Memorandum of Understanding with the Chabot Las Positas Community College District to Issue a Request for Qualifications for the Union Square Property, 1320, 1328 and 1330 Decoto Road, APN 087-0019-012-01. Motion carried unanimously.

It was moved by Agency Chair Green, seconded by Agency Vice Chair Dutra-Vernaci, to adopt **RDA Resolution No. 387-08** Authorizing a Lease Agreement for Classroom

Space with Chabot Las Positas Community College District to rent 4,677 square feet at Union Square for \$.75 per square foot. Motion carried unanimously.

It was moved by Agency Vice Chair Dutra-Vernaci, seconded by Agency Member Valle, to adopt **RDA Resolution No. 388-08** Authorizing a Property Management Agreement with Professional Commercial Office Management, Inc. to manage the Union Square properties. Motion carried unanimously.

VII. CITY MANAGER REPORTS

- 7.a Opportunity to comment on the issues to be addressed in the draft Environmental Impact Report for the Oakland A's proposed Ballpark Village Community Specific Plan in Fremont pursuant to a Notice of Preparation

Planning Manager Malloy presented the staff report and responded to questions from Councilmembers.

Councilmembers reviewed the Notice of Preparation for the Ballpark Village Community Specific Plan and provided comments to be included in the response to the City of Fremont.

- 7.b Report on the Mid-Peninsula Housing Coalition's Proposal To Construct 160 Residential Units and 7,000 Square Feet of Commercial Flex Space, Reduce the Parking Standard From 1.5 Parking Stall Per Unit to 1.3 Parking Stall Per Unit, and a Use Permit to Construct a Mixed-Use Project

Planning Manager Malloy presented the staff report and responded to questions from Councilmembers. In addition to staff's report, the following individuals presented additional information about the project and responded to questions from Councilmembers: Matt Franklin, President of Mid Peninsula Housing Coalition; Juan de Leon, Project Manager with Mid Peninsula Housing Coalition; and, Architect Peter Mackenzie with David Baker Associates.

Councilmembers reviewed the applications and provided comment. A public hearing on the matter is scheduled for January 27, 2009.

IX. AUTHORITIES AND AGENCIES - None

X. CITY COMMISSION/COMMITTEE REPORTS - None

XI. SECOND ORAL COMMUNICATIONS

Speaking on behalf of the 50th Anniversary Committee, Tony Acosta encouraged everyone to attend the *2008 New Year's Eve Black and White Gala* at the Union City Sports Center, starting at 6:30 p.m. on December 31, 2008. Fellow committee member Carmela Campbell spoke about some of the events planned for the evening including a silent auction, open bar, and gifts to be won.

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 – None.

XIV. GOOD OF THE ORDER

Councilmember Navarro inquired if staff had received an email regarding Turk Island. City Manager Cheeves acknowledged receipt of the email and stated a community meeting had been scheduled for 7:00 p.m. on Thursday, December 11, 2008, at the Union City Sports Center.

Councilmember Valle stated residents of the Tropics Mobile Home Park had requested clarification of the Option Agreement as to the purchase of the park. Councilmember Valle requested the matter be brought forward at the next Council meeting in January 2009.

Councilmember Valle stated he would like the Council to consider discussing the possibility of becoming a Charter City for the purpose of conducting district elections.

Vice Mayor Dutra-Vernaci inquired if there was a Mayors' Conference meeting scheduled in Union City for 2009. Mayor Green stated a meeting was currently scheduled for June 2009, but the date was likely to change. More information about the final date selected would be forthcoming after the first of the year.

Mayor Green adjourned the regular meeting to closed session at 10:13 p.m. in honor of retiring Economic and Community Development Director Leonard.

XV. CLOSED SESSION

15.a CLOSED SESSION - CONFERENCE WITH LABOR NEGOTIATORS

(Pursuant to Government Code Section 54957.6)

Agency designated representatives: Larry Cheeves, Tony Acosta, Rich Digre

Employee organizations: International Association of Firefighters, Local 1946 (IAFF); Management Employees Group (MEG); Professional Employees Group (PEG); Service Employees International Union, Local 1021 (SEIU); Union City Police Management Association (UCPMA); Union City Police Officer's Association (UCPOA)

Mayor Green convened the closed session at 10:16 p.m. with the following attendance:

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

Absent: None

XVI. ADJOURNMENT

Mayor Green adjourned the closed session at 10:19 p.m. with no reportable action.

Respectfully submitted,

Renee Elliott
City Clerk