

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

**TUESDAY, JANUARY 13, 2009
7:00 P.M.**

**COUNCIL CHAMBERS
34009 ALVARADO NILES ROAD**

I. CALL TO ORDER

Mayor Green called the meeting to order at 7:07 p.m.

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

I.b Roll Call

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

Absent: None

Mayor Green announced the City Council had, in Closed Session and by a unanimous vote, approved the City Manager's appointment of Planning Manager Joan Malloy to the position of Economic and Community Development Director. Ms. Malloy expressed her appreciation for the appointment and acknowledged the support of family and staff.

II. UNFINISHED BUSINESS - None

III. PROCLAMATIONS AND PRESENTATIONS

3.a Proclamation Recognizing January 2009 as "National Blood Donor Month"

Mayor Green read the proclamation aloud and presented it to Mr. Ed Faso, who accepted the honor on behalf of the American Red Cross.

3.b Adopt a Resolution Supporting the *2009 One Community One Book Reading Program* in the City of Union City

Mayor Green read the proclamation aloud and presented it to Union City Librarian Mira Giroy.

IV. ORAL COMMUNICATIONS

50th Anniversary Committee President Helen Kennedy extended her appreciation to the Union City Library for its participation in 50th Anniversary events. Ms. Kennedy also provided an update on the status of various events planned to celebrate the City's 50th Anniversary, and introduced fellow committee members who distributed to Councilmembers a commemorative calendar and cookbook compiled from favorite recipes donated by community members.

V. CONSENT CALENDAR

Consent Item 5.f was removed from the Consent Calendar.

It was moved by Councilmember Valle, seconded by Councilmember Navarro, to approve Consent Items 5.a through 5.e and Item 5.g 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 Regular Meeting of December 9, 2008
- 5.c Rejected Claim No. 757, Submitted by Veronica and Alejandro Serrano, as Recommended by the City's Claims Administrator
- 5.d Adopted **Resolution No. 3738-09** Approving a Memorandum of Understanding between the City of Union City and the Professional Employees Group for the Fiscal Year Ending June 30, 2009
- 5.e Adopted **Resolution No. 3739-09** to Purchase Six Para-transit Vehicles from BusWest
- 5.g Adopted **Resolution No. 3740-09**, and **Redevelopment Agency Resolution No. 389-09**, Accepting the Comprehensive Annual Financial Report (CAFR) and Other Required Reports

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

- 5.f Adopt a Resolution Supporting Alameda County Water District's Efforts to Enact the Groundwater Protection Act through the California State Legislature

Economic and Community Development Director Malloy responded to questions from Councilmembers. It was moved by Mayor Green, seconded by Councilmember Fernandez, to adopt **Resolution No. 3741-09** supporting Alameda County Water District's efforts to enact the Groundwater Protection Act through the California State Legislature. Motion carried unanimously.

VI. PUBLIC HEARINGS - None

VII. CITY MANAGER REPORTS

- 7.a Opportunity to Comment on the Issues Listed in the Draft Environmental Impact Report for ACTA's Proposed East-West Connector Project in Fremont and Union City

Public Works Director Cheng presented the staff report and responded to questions from Councilmembers. The City Council reviewed the Draft EIR and provided comments to be included in the response to the Alameda County Transportation Authority (ACTA). No action was taken on the matter.

- 7.b Update on the Alameda County Climate Protection Project and Adoption of a Resolution Establishing a Greenhouse Gas Emissions Goal to Reduce Emissions 25% Below 2005 Levels by 2020

Deputy City Manager Acosta, and Solid Waste and Recycling Coordinator Munoz, presented the staff report and responded to questions from Councilmembers. Councilmembers provided comment. Staff will provide a follow-up report at the March 24, 2009 meeting of the City Council.

It was moved by Councilmember Navarro, seconded by Councilmember Valle, to adopt **Resolution No. 3742-09** establishing a City of Union City Greenhouse Gas Emissions Goal to reduce emissions 30% below 2005 levels by 2020. Motion carried unanimously.

VIII. REDEVELOPMENT AGENCY - None

IX. AUTHORITIES AND AGENCIES - None

X. CITY COMMISSION/COMMITTEE REPORTS

10.a Adopt a Resolution Identifying Finalists for Sports Center Exterior and Interior Art Installation

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

Artist Brian Schmid presented slides showing his proposal for rebar sculptures for an exterior installation.

Councilmember Navarro disclosed Artist Bill Wentworth was a former neighbor. City Attorney Riback stated no conflict of interest existed. Mr. Wentworth presented information about, and a sample of, an abstract metal sculpture for an interior installation.

Artist David Steinhardt presented slides showing a proposed double-sided mural for an interior installation.

Mayor Green recessed the meeting at 9:16 p.m.

Mayor Green reconvened the meeting at 9:31 p.m.

Diane Gates-Anderson, as a member of the Union City 50th Anniversary Diversity Committee, stated she had been working on an art project for the Union City 50th, and expressed concern about feedback she had received from the mosaic artists who had submitted proposals for the Sports Center project. Ms. Anderson reported she had also observed firsthand that the artists had received a negative reception from Public Art Board members at a meeting conducted earlier in the afternoon.

Dr. Arnold Chavez expressed a desire for Council to consider a mosaic artist for the project, and also expressed concern about comments Public Art Board members had made to some of the presenting artists during a meeting held earlier in the afternoon.

Public Art Board Member Enrique Romero provided a brief history of the project, and defended comments that were made by board members during the review of artists' proposals earlier this afternoon. Mr. Romero stated the Public Art Board was recommending Brian Schmid's rebar sculptures for the exterior installation, and artist Bill Wentworth's metal sculpture for the interior installation.

Councilmembers provided comment and extended their appreciation to those artists who had submitted proposals. Councilmembers expressed their regret to the artists present for any misunderstandings that may have occurred. By consensus the City Council directed staff to issue a new and revised Request For Proposals (RFP) to include the following provisions:

- a budget of \$100,000 for an **exterior** art installation
- the art installation would not be restricted to the plaza area only
- all proposals should be designed around a sports/athletic theme

City Manager Cheeves stated staff would return by the February 24 City Council meeting date with a draft RFP for Council to review and approve.

Public Art Board Member La Mountaine expressed frustration about the process.

Public Art Board Member Romero requested the Public Art Board be permitted to put forward its recommendation regarding several finalists in the new RFP process. Councilmembers concurred.

XI. SECOND ORAL COMMUNICATIONS

Margie Amaroso spoke about an upcoming All American Truck Show Event scheduled for May 2, 2009, and requested permission to once again hold the annual event at Kennedy Park. Deputy City Manager Acosta confirmed time had been reserved at the facility for the event.

XII. SCHEDULED ORAL COMMUNICATION - None

XIII. ITEMS REFERRED BY COUNCIL

- 13.a Councilmember Valle requests Council consider a request from residents of the Tropics Mobile Home Park regarding clarification of the Option Agreement as to the purchase of the Park

Councilmember Valle stated members of the Mobile Home Park Association were requesting clarification from the City regarding the negotiation of the option agreement. City Manager Cheeves stated staff would be willing to meet with Association representatives and report back to the City Council at the earliest meeting possible.

- 13.b Councilmember Valle requests Council consider discussing the possibility of the City of Union City becoming a Charter City for the purpose of conducting district elections

Councilmember Valle stated his desire to explore the possibility of the City of Union City becoming a Charter City, and for part of that dialogue to include the consideration of district elections to insure sufficient representation on the City Council.

Councilmembers provided comment. City Attorney Riback stated his office would be able to provide a report of the various options available, as well as the process required, by the second City Council meeting in February.

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

Vice Mayor Dutra-Vernaci stated she would be attending a Housing Commission meeting on Wednesday, and a League of California Cities meeting on Thursday.

Councilmember Navarro stated he would be attending an Airport Noise Forum meeting on February 21.

Mayor Green reported speaking with East Bay Regional Park District staff regarding bonds available by this summer. Deputy City Manager Acosta stated the Park and Recreation Commission had on its upcoming agenda a discussion regarding how to spend the tax funds available from the EBRPD. Deputy City Manager Acosta stated EBRPD had issued guidelines for cities applying for project funding.

XIV. GOOD OF THE ORDER

Councilmember Valle stated police should consider additional patrols for the upcoming Martin Luther King event. Captain Foley will look into the matter.

Mayor Green stated a lap pool was needed at the Union City Sports Center.

Mayor Green stated a special joint study session of the Planning Commission and City Council was to be scheduled for 7:00 p.m. on January 28, 2009, in the Council Conference Room, to discuss a proposal by Masonic Homes of California for development along Mission Boulevard.

XV. CLOSED SESSION - None

XVI. ADJOURNMENT

Mayor Green adjourned the meeting at 10:37 p.m.

Respectfully submitted,

Renee Elliott
City Clerk