

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

**TUESDAY, MARCH 24, 2009
7:00 P.M.**

**COUNCIL CHAMBERS
34009 ALVARADO NILES ROAD**

I. CALL TO ORDER

Mayor Green called the meeting to order at 7:14 p.m.

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

Mayor Green announced a moment of silence in remembrance of the tragic events which occurred in Oakland this past weekend.

Mayor Green stated there was no reportable action from the Closed Session scheduled earlier this evening.

I.b Roll Call

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

Absent: None

II. UNFINISHED BUSINESS – None

III. PROCLAMATIONS AND PRESENTATIONS

3.a Introduction of New Haven Unified School District Superintendent Kari McVeigh and Update on School District Activities

New Haven Unified School District Superintendent Kari McVeigh formally introduced herself, spoke of budget reductions, and the exploration of a potential parcel tax. Superintendent McVeigh reported Caesar Chavez School is scheduled to open in the fall of 2009, and the Performing Arts Center by the middle of next year.

3.b Presentation Regarding Ohlone College Strategic Plan by Dr. Gari Browning, President of Ohlone College

Ohlone College President Dr. Gari Browning distributed a quiz and survey; provided a brief overview of Ohlone College, its statistics and market analysis; and, invited everyone to go online to participate in the survey.

3.c Proclamation Recognizing Manual Rodriguez, Cardiac Arrest Survivor, and Citizens and City Employees Responding to his Emergency Care

Mayor Green read each proclamation aloud and presented a copy to each of the following recipients:

Manual Rodriguez, Rose Mallari, Julie Jeung, Richard Camarillo, Union City Fire Department personnel, and the American Medical Response personnel.

Fire Chief Rodriguez acknowledged the recipients and expressed appreciation for their quick response and assistance in the saving of a life, and thanked Council for the honor.

3.d Presentation of Oakland Airport's Computerized Noise and Operations Monitoring System (ANOMS) and Website Flight Tracking Program by Port of Oakland Senior Noise Abatement Specialist Wayne Bryant and Noise/Environmental Affairs Supervisor Lawrence Galindo

Noise/Environmental Affairs Supervisor Lawrence Galindo expressed appreciation to Council for the opportunity to provide information regarding Bay Area air traffic and noise control programs available through computerized technology, and introduced Senior Airport Noise Specialist Wayne Bryant from the Port of Oakland.

Senior Airport Noise Specialist Wayne Bryant provided a presentation and overview of the Airport Noise and Operations Monitoring System (ANOMS) and responded to questions from Councilmembers.

3.e Proclamation in Recognition of March 2009 as "Knights of Columbus Month" in the City of Union City

Mayor Green read the proclamation aloud and presented it to representatives of the Knights of Columbus, who expressed their appreciation on behalf of the Knights of Columbus Saint Anne's Council.

IV. ORAL COMMUNICATIONS

Myrla Raymundo inquired about a picture of former Union City Mayors, and requested Council provide a timeframe for placement of the picture.

Hugh McNamara expressed a desire for action to be taken on the placement of the picture of former Union City Mayors.

Hilary Bass, representing the Deputy Sheriff Activities League of Alameda County, provided a brief summary of their mission and goal of keeping young kids off the streets, and requested the use of the Union City Leisure Services stage for a violence prevention rally to be held on Sunday.

Gary Furniss expressed concern about community safety in the Town Estates area, and offered suggestions to improve public safety by increasing awareness, communicating with neighbors, forming a neighborhood watch program, and increasing police patrols.

Miguel Rodriguez expressed concern regarding burglaries committed in his neighborhood; the response time of police department personnel; and, the need for an ongoing police presence in the neighborhood. Police Chief Stewart responded to questions from Councilmembers and reported moving forward and forming a Neighborhood Watch, and meeting with Town Estates residents.

Carlo Facchino spoke about the possibility of an all women's triathlon event at Quarry Lakes; commented on complaints regarding last year's event that were received from residents' and, inquired about the feasibility of holding the event again. Police Chief Stewart reported Traffic Supervisor Guckert would work with Mr. Facchino on a solution to hold an all women's triathlon event at Quarry Lakes.

Deputy City Manager Acosta, along with Public Works Director Cheng, responded to questions from Councilmembers concerning the use of the Leisure Services show mobile and costs associated with utilizing the Public Works Department.

V. CONSENT CALENDAR

Item 5.g was removed from the Consent Calendar for discussion.

It was moved by Councilmember Navarro, seconded by Councilmember Fernandez, to approve Consent Items 5.a through 5.f, and Consent Item 5.h, 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 Meeting of March 9, 2009 and Regular Meeting of March 10, 2009
- 5.c Rejected Claim No. 763, submitted by Elisabeth Hearne, as Recommended by the City's Claims Administrator
- 5.d Adopted **Resolution No. 3769-09** Authorizing the Filing of Applications with the Metropolitan Transportation Commission for Allocation of Transportation Development Act Articles 4 and 4.5/State Transit Assistance Funds and with the Alameda County Transportation Improvement Authority for Allocation of Measure B Funds for the Operation of Union City Transit and Paratransit for Fiscal Year 2009-2010
- 5.e Adopted **Community Redevelopment Agency Resolution No. 392-09** Authorizing the Submittal of an Application to the California Department of Housing and Community Development for Funding Under the Infill Infrastructure Grant Program; the Execution of a Standard Agreement if Selected for Such Funding and any Amendments Thereto; and Related Documents Necessary to Participate in the Infill Infrastructure Grant Program
- 5.f Adopted **Resolution No. 3770-09** to Approve the State Route 84 Historic Parkway Local Alternative Transportation Improvement Program (LATIP) Project List

- 5.h Adopted **Resolution No. 3771-09** Awarding a Contract to Enterprise Car Sales of San Leandro, California for the Purchase of Two Unmarked Sedans for Use by the Union City Police Department, City Project No. 09-08

Consideration of Item 5.g Removed from the Consent Calendar

- 5.g Adopt a Resolution Authorizing the Filing of an Application for Federal American Recovery and Reinvestment Act of 2009 Funds for Transit Buses

Transit Manager Lee presented the staff report and responded to questions from Councilmembers.

It was moved by Mayor Green, seconded by Vice Mayor Dutra-Vernaci, to adopt **Resolution No. 3768-09** Authorizing the Filing of an Application for Federal American Recovery and Reinvestment Act of 2009 (ARRA) Funding for Replacement Busses and Stating the Assurance to Complete the Project. Motion carried unanimously.

VI. PUBLIC HEARINGS

- 6.a Public Hearing to Receive Public Comments on Opportunities for Neighborhood Stabilization Program (NSP) Funding - Conduct a public hearing on March 24, 2009 to review opportunities for NSP funding from the State of California and potential program design

Housing Coordinator Smith presented the staff report and responded to questions from Councilmembers.

Mayor Green opened the public hearing. There were no speakers in favor or in opposition to the matter. Mayor Green closed the public hearing.

Housing Coordinator Smith reported staff would return to Council at a meeting in April 2009 with a joint agreement for review and approval. No action was taken.

- 6.b Adopt a Resolution approving General Plan Amendment, AG-01-09, to: (A) Amend the text of the General Plan Land Use and Economic Elements for the Horner/Veasby Area and update Table LU-2 to accommodate the possible creation of a new Zoning District for the Horner/Veasby Area; and (B) Amend the Transportation Element to update Figures TR-5, and TR-6, which depict pedestrian and bicycle routes, for consistency with the Pedestrian and Bicycle Master Plan and reflect current conditions

Assistant Planner Schultz presented the staff report and responded to questions from Councilmembers.

Mayor Green opened the public hearing. There were no speakers in favor of the matter. The following individuals spoke in opposition to the matter: Ken Burtleson, Attorney Steven Miller of Reuben & Junius, Diane Burtleson, an unidentified truck

driver, Mary Proctor, and Joey Strucken. There were no further speakers on the matter. Mayor Green closed the public hearing.

Assistant City Attorney Reyes responded to questions from Councilmembers and requested Council continue the matter to the April 28, 2009 regularly scheduled City Council meeting.

It was moved by Vice Mayor Dutra-Vernaci, seconded by Councilmember Navarro, to continue the matter to the April 28, 2009 regularly scheduled City Council meeting. Motion carried unanimously.

Mayor Green recessed the meeting at 9:10 p.m.

Mayor Green reconvened the meeting at 9:21 p.m.

VII. CITY MANAGER REPORTS

7.a Status Update on Green Building Ordinance for Private Development

Assistant Planner Schultz reported a Community meeting will take place on April 4 to discuss climate action planning and to update residents on the City's Green Building Ordinance.

Assistant Planner Schultz presented the staff report and responded to questions from Councilmembers. Councilmembers reviewed the report, and provided feedback.

Mayor Green exited the Council Chambers at 9:25 p.m.

Mayor Green returned to the Council Chambers at 9:27 p.m.

Assistant Planner Schultz stated staff was recommending a modification to the staff report regarding the requirements of energy and water quality, and requested Council consider the checklist just prepared by Stopwaste and Green Building of Alameda County when providing direction. Councilmembers recommended staff move forward on energy conservation and green efforts.

7.b Presentation by Alameda County Transportation Authority on Response to Comments on the Draft EIR for the East-West Connector Project

Deputy Director Art Dao, Alameda County Transportation Authority (ACTA), provided introductory remarks and introduced Consulting Engineering Manager Tom Wintch of TY Lin and, along with Project Manager Stephan Garcia of ACTA, presented an overview of the draft EIR for the East-West Connector Project; provided a summary of impacts and mitigations; discussed timelines for the project; and, responded to questions from Councilmembers. No action was taken.

VIII. REDEVELOPMENT AGENCY

- 8.a Adopt Agency Board Resolution and City Council Resolution Authorizing the Issuance of a Request for Proposals to Install Parking Meters in the Station District and Adjacent Streets; Issuance of a Request for Proposals for Parking Operations and Maintenance; Directing the City Attorney to Prepare a Parking District Ordinance; and Authorizing Staff to Prepare a Memorandum of Understanding with BART to Share a Proportion of Revenues from Agency's 179 Parking Space Obligation to BART (Continued from March 10, 2009)

Redevelopment Agency Manager Evanoff presented the staff report, and introduced Jessica ter Schure of Nelson Nygaard Consulting Associates. Ms. ter Schure provided a presentation addressing issues concerning the Union City Station Area Parking, including BART parking demand projections, credit card processing fees, citation processing/meter maintenance, parking pricing options, and responded to questions from Agency Members.

It was moved by Mayor/Chair Green, seconded by Council/Agency Member Navarro, to:

- 1) adopt **RDA Resolution No. 393-09** Authorizing the Issuance of a Request for Proposals to Install Parking Meters in the Station District and Adjacent Streets; Issuance of a Request for Proposals for Parking Operations and Maintenance; and Directing the City Attorney to Prepare a Parking District Ordinance; and
- 2) adopt **Resolution No. 3772-09** Authorizing the Issuance of a Request for Proposals to Install Parking Meters in the Station District and Adjacent Streets; Issuance of a Request for Proposals for Parking Operations and Maintenance; and Directing the City Attorney to Prepare a Parking District Ordinance. Motion carried unanimously.

IX. AUTHORITIES AND AGENCIES – None

X. CITY COMMISSION/COMMITTEE REPORTS

- 10.a Request from the Union City 50th Anniversary Celebration Committee for City Support of the 50th Anniversary Parade & Car Show, and the 50th Anniversary Festival

City Manager Cheeves introduced Union City Anniversary Celebration Committee President Helen Kennedy who presented a brief update of Committee activities since the May 2008 report, and requested financial support from the City to continue planned events.

Bill Fournell spoke about his involvement in past parades, and expressed his desire to see Councilmembers on the float for the Union City 50th Anniversary Parade and Car Show.

Bill Quach of James Logan High School commented on Council's support and the importance of having these events not only for the youth, but for the community as a whole.

Tim Swanson requested funding from the City for Union City 50th Anniversary events.

Councilmembers expressed their appreciation for the work of the Union City 50th Anniversary Celebration Committee, and stated no action would be taken at this time due to budget concerns.

City Manager Cheeves reported a special meeting was scheduled for March 31, 2009 to discuss funding opportunities available through the American Reinvestment and Recovery Act, and stated staff would present a full report of the condition of the budget at the first regularly scheduled City Council meeting in April 2009.

Bill Fournell spoke about the amount of volunteer time required for the Union City 50th Anniversary events, and suggested City staff volunteer their time to UC 50th celebration.

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

Councilmember Dutra-Vernaci reported that under the American Recovery and Reinvestment Act (ARRA), the Alameda County Housing Authority will receive over \$448,000 to be used for a project in Union City for the residing and replacement of windows and doors at the Mission View public housing development.

Councilmember Dutra-Vernaci reported she would be attending the Budget and Audit Committee meeting tomorrow morning at 8:30 a.m.

Councilmember Valle reported he and Councilmember Apodoca had met with the Alameda County Librarian in Fremont to discuss the use of all libraries, and stated the capacities of libraries are at an all time high.

Mayor Green reported having spoken at the ABAG Environmentally Preferable Purchasing Conference, and suggested the City dispose of any microbial soap which could harm the environment.

Mayor Green stated he and Vice Mayor Dutra-Vernaci attended the American League opening day, and Councilmember Valle attended the Union City National League. Mayor Green expressed appreciation to Public Works staff for the excellent field conditions at Veterans Memorial Park.

Mayor Green reported there was a unanimous vote by the Alameda County Waste Management Authority to include wine and liquor bottles in the recycling stream.

XIV. GOOD OF THE ORDER

Councilmember Navarro inquired if there were any enforcement plans being formulated for the 4th of July Fireworks. Police Chief Stewart stated enforcement plans would begin in April or May.

Councilmember Valle requested an update regarding Measure UU and the CalGRIP grant. City Manager Cheeves reported staff had not heard from CalGRIP, and was waiting for information that could contribute to about half of the total cost of the project. City Manager Cheeves stated a full report would be prepared soon.

Councilmember Valle stated he had been contacted by the Filipinos for Affirmative Action regarding a public meeting on the west side of town to discuss Measure UU. Deputy City Manager Acosta stated an advisory board had met in January at the Sports Center, and has plans to reconvene in the near future to discuss job specifications for youth, the CalGRIP grant, and information regarding youth crime analysis.

Councilmember Valle asked for an update on the Sport Center Art Piece. Economic and Community Development Director Malloy stated a revised RFP would be presented to the Art Review Board on April 1, 2009 and, following their review and acceptance, staff would return to Council for final approval prior to releasing the RFP.

Councilmember Valle spoke about a mandatory meeting for any group interested in summer youth employment program funds, noting the Tri-Cities would receive over \$200,000. Councilmember Valle reported a meeting is scheduled for Thursday at the Fremont Library to discuss potential collaboration with Fremont, Newark, and Union City, noting money would go to another jurisdiction in the County if funds were not spent by September 30, 2009.

Councilmember Valle stated the City is looking for local employers that may have positions available for summer youth. Deputy City Manager Acosta provided employment information and stated the Summer Youth Program Grant would be provided through the ARRA Recovery Act.

Vice Mayor Dutra-Vernaci stated she will not be able to attend the special meeting on March 31, 2009, and would likely be unable to attend the next regularly scheduled meeting of April 14, 2009 as well.

Mayor Green inquired about the status of the lease for the police sub-station. Economic and Community Development Director Malloy stated the lease agreement would be scheduled for City Council review and approval at the April 14, 2009 meeting.

Mayor Green inquired about the status of the horse stables. Deputy City Manager Acosta reported East Bay Regional Park District has been unresponsive regarding the matter. Deputy City Manager Acosta stated staff had received sketches from Robert Mowat, which will be forwarded to Council via *"The Week That Was"*, and also sent to the Alameda County Flood Control and East Bay Regional Park District. Mayor Green requested staff send him the East Bay Regional Park District meeting schedule via email. City Manager Cheeves stated he would write a letter to the General Manager prior to EBRPDs next scheduled meeting.

Mayor Green stated he had met with New Haven Unified School District Superintendent McVeigh last week.

XV. CLOSED SESSION – None

XVI. ADJOURNMENT

Mayor Green adjourned the meeting at 11:14 p.m. with no reportable action.

Respectfully submitted,

Cassie Castain
Administrative Assistant to the City Clerk