

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

**TUESDAY, MAY 26, 2009  
7:00 P.M.**

**COUNCIL CHAMBERS  
34009 ALVARADO NILES ROAD**

***A SPECIAL MEETING AND JOINT STUDY SESSION PRECEDED THE REGULAR MEETING AT 6:00 P.M.***

**I. CALL TO ORDER**

Mayor Green called the meeting to order at 7:21 p.m.

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

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 Resolution Honoring Sergeant Gloria Lopez-Vaughan on her Recognition by the Newark Optimist Club as the 2008 Union City Police Department Officer of the Year

Mayor Green read the resolution aloud and presented it to Police Sergeant Gloria Lopez-Vaughan.

3.b Proclamation Recognizing May 22nd as "Arbor Day" in Union City

Mayor Green read the proclamation aloud and presented it to Public Works Superintendent Sealana.

**IV. ORAL COMMUNICATIONS**

Ken Suyama, Southern Alameda County Buddhist Church, expressed appreciation for the contributions of the Union City Community Policing Unit at a recent bazaar hosted by the church, and requested funding be allocated to support the ongoing work of the Unit.

**V. CONSENT CALENDAR**

**Consent Calendar Items 5.e and 5.f were removed from consideration.**

It was moved by Councilmember Navarro, seconded by Councilmember Fernandez, to approve Consent Calendar Items 5.a through 5.d 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 May 12, 2009
- 5.c Adopted **Resolution No. 3799-09** Approving and Adopting Parking Restriction Zone on the 2100 Block of Hartnell Street by Erecting a Sign stating "No Parking on School Days from 3:00 PM to 4:30 PM"
- 5.d Adopted **Resolution No. 3800-09** to Accept Work for Alvarado-Niles Road/Decoto Road Intersection Improvements, City Project No. 06-02

**Consideration of Items 5.e and 5.f removed from the Consent Calendar.**

- 5.e Adopt a Resolution Authorizing the City Manager to Enter Into a Cost-Sharing Agreement with Stopwaste.Org for the Proposed Green Packages Project

City Manager Cheeves responded to questions from Councilmembers, and acknowledged staff would return with a status update report later this year.

It was moved by Mayor Green, seconded by Councilmember Fernandez, to adopt **Resolution No. 3801-09** Authorizing the City Manager to Enter into a Cost-Sharing Agreement with Stopwaste.Org for the Proposed Green Packages Project. Motion carried unanimously.

- 5.f Adopt a Resolution Approving a Joint Agreement Between the City of Union City and the cities of Alameda, Berkeley, Fremont, Livermore and San Leandro for Participation in the State of California's Neighborhood Stabilization Program (NSP)

HCD Coordinator Smith responded to questions from Councilmembers. It was moved by Mayor Green, seconded by Councilmember Navarro, to adopt **Resolution No. 3802-09** Approving a Joint Agreement Between the City of Union City and the Cities of Alameda, Berkeley, Fremont, Livermore and San Leandro for Participation in the State of California's Neighborhood Stabilization Program (NSP), and Authorizing the City Manager to Take Any Other Actions Required to Implement the Joint Agreement. Motion carried unanimously.

**VI. PUBLIC HEARINGS**

- 6.a Public Hearing to Review and Adopt a Resolution Accepting a Substantial Amendment to the 2008-09 Community Development Block Grant Action Plan to Receive CDBG-R Funds

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

Mayor Green opened the public hearing. There were no speakers on the matter. Mayor Green closed the public hearing.

It was moved by Councilmember Valle, seconded by Councilmember Fernandez, to conduct the public hearing (there were no speakers on the matter), and adopt **Resolution No. 3803-09** Substantially Amending the Annual Consolidated Action Plan 2008-2009 and Authorizing the City of Union City to Submit an Application and Administer all Activities as Required by the US Department of Housing and Urban Development American Recovery and Reinvestment Act of 2009, which Provides Funds for this Substantial Amendment to the Annual Consolidated Action Plan for 2008-2009 Not To Exceed One Hundred Seventy-Two Thousand Eight Hundred Ninety-Nine Dollars (\$172,899) in Community Development Block Grant Recovery Funds, and to Expend all funds Contained Therein. Motion carried unanimously.

- 6.b Adopt a Resolution to authorize the expenditure of Tax Increment funds in connection with the lease of property owned by Union Development Company and located within the Alvarado Plaza Shopping Center and the construction of a Union City police substation on the Property

Management Analyst Sprotte presented the staff report and responded to questions from Council/Agency members.

Mayor/Chair Green opened the public hearing.

Michael O'Quinn questioned the need for a police substation.

Sheryl Glausch questioned the need for a police substation given the current economic crisis.

Suzanne Ortt expressed opposition to the matter given the current economic situation.

There were no other speakers on the matter. Mayor/Chair Green closed the public hearing.

Police Chief Stewart responded to questions; provided background information on the purpose and value of providing police substations; and, spoke about the various uses and staffing options at the police substations.

It was moved by Mayor/Chair Green, seconded by Council/Agency member Valle, to:

- 1) adopt **Resolution No. 3804-09** Approving Execution of a Ground Lease, Authorizing the Expenditure of Tax Increment Funds for Construction of a Police Substation, Adopting Findings Required by Health and Safety Code Sections 33445 and 33679, and Authorizing Staff to Prepare and Circulate Requests for Proposals for the Provision of Architectural, Engineering, Construction, and Construction Management Services, and all Other Goods or Services that May Be Necessary to Construct the Police Substation; and,
- 2) adopt **RDA Resolution No. 395-09** Approving Execution of a Ground Lease, Authorizing the Expenditure of Tax Increment Funds for Construction of a Police Substation, and Adopting Findings Re4quired by Health and Safety Code Sections 33445 and 33679.

Ayes: Council/Agency members Fernandez, Navarro, Valle, Vice Mayor/Vice Chair Dutra-Vernaci, Mayor/Chair Green  
Noes: None

Absent: None  
Abstain: None

## **VII. CITY MANAGER REPORTS**

- 7.a Presentation of City's Operating Budget for FY 2009-10 and 2010-11 and the City's Capital Improvement Plan (CIP) for FY 2009-10 through FY 2013-14, and Request to Adopt a Resolution Authorizing the City Manager to Immediately Begin the Process of Layoff Procedures per City's Personnel Rules and Section 2.40 of the Municipal Code for those Employees Potentially Affected by City's Reduction Plan

City Manager Cheeves stated the title of the report was corrected to delete any request to adopt a resolution pertaining to layoff procedures. City Manager Cheeves reviewed the upcoming schedule of budget meetings and workshops, then presented the staff report and, together with Administrative Services Director Digre and Police Chief Stewart, responded to questions from Councilmembers. City Manager Cheeves stated staff would modify the proposed budget document to reflect all of the funds (particularly the General Fund Reserve) that comprise the cumulative General Fund balance.

Elizabeth Ames stated residential development does not provide enough revenue to cover infrastructure costs.

Mike Mahaney, Police Officers Association President, spoke in favor of using reserves to fund police officer positions targeted for layoff.

Reiner and Sheryl Glausch spoke about the need to reduce various program expenses to maintain adequate police staffing levels.

Gene Troxell (Pepper Way) expressed gratitude for the instances when he had received police assistance, and the importance of maintaining adequate police staffing levels.

Union City Police Officer Lentz stated maintaining his position was more important than funding recreation equipment.

Laura Mapes expressed various concerns related to the preparation process of the proposed budget.

Councilmembers reviewed the proposed budget and provided feedback.

## **VIII. REDEVELOPMENT AGENCY - None**

## **IX. AUTHORITIES AND AGENCIES - None**

## **X. CITY COMMISSION/COMMITTEE REPORTS - 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

Vice Mayor Dutra-Vernaci reported attending a Housing Authority Subcommittee meeting on budget matters.

Vice Mayor Dutra-Vernaci reported attending a League of California Cities meeting last week where discussions focused on state budget impacts on cities, as well as on healthy livable communities.

Councilmember Valle reported attending an Associated Community Action Program meeting where he learned Spectrum Community Services in Hayward is due to receive federal stimulus money to help improve older homes. Councilmember Valle recommended staff contact Spectrum regarding improvement money available in Alameda County for housing programs.

#### **XIV. GOOD OF THE ORDER**

Councilmember Navarro stated there was graffiti on the backside of the sign on Freddie.

Councilmember Fernandez reported a citizen had expressed concern he may be ticketed for a red light violation because the camera was triggered when he was directed in traffic by police staff on the parade route. City Manager Cheeves stated police department staff will review each violation to insure no one receives a citation as the result of having been directed in traffic that day.

Councilmember Valle inquired about the length of time required for the road work to be completed on Alvarado-Niles. Staff reported the majority of lane closures for repaving should be completed by mid-June, and temporary reflectors would be in place until striping is completed in July.

Councilmember Valle inquired about when E Street would be scheduled for paving. Public Works Director Cheng stated staff would look into the matter.

Councilmember Valle complimented Public Works Director Cheng on the great work completed at the Kennedy Park Playlot. City Manager Cheeves stated a ribbon cutting would be scheduled in the near future.

Vice Mayor Dutra-Vernaci inquired about the status of the trees that need pruning on the bike path along Union City Boulevard.

Vice Mayor Dutra-Vernaci stated Jess Martinez and the local VFW unit held a wonderful service at the World War II monument on Memorial Day.

Mayor Green stated a service was also held at the Flight 93 Memorial on Memorial Day.

Mayor Green inquired about the opening date for the new Fire Station on 7<sup>th</sup> Street. Public Works Director Cheng stated there are minor change orders to finish and a function test to complete, and the opening may be scheduled the week of June 22.

Mayor Green asked about the status of representatives who offered services to provide a wellness program at the Sports Center. Deputy City Manager Acosta stated it was too soon to tell if the program would be an appropriate use.

**Mayor Green adjourned the regular meeting to Closed Session at 9:05 p.m.**

**XV. CLOSED SESSION**

**15.a CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

(Pursuant to Government Code Section 54956.8)

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

Agency negotiators: Joan Malloy and Mark Evanoff (Buyers)

Negotiating party: Che Chen Liu and Shu Fen Liu (Sellers)

**15.b ANNUAL PERFORMANCE EVALUATION - CITY MANAGER**

(Pursuant to Government Code Section 54957)

**XVI. ADJOURNMENT**

Mayor Green adjourned the Closed Session at 11:00 p.m. with no reportable action.

Respectfully submitted,

Renee Elliott  
City Clerk