

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

**TUESDAY, JULY 28, 2009  
7:00 P.M.**

**COUNCIL CHAMBERS  
34009 ALVARADO NILES ROAD**

**I. CALL TO ORDER**

Vice Mayor Dutra-Vernaci called the meeting to order at 7:05 p.m.

I.a Pledge of Allegiance

Vice Mayor Dutra-Vernaci led the salute to the flag.

I.b Roll Call

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

Absent: Mayor Green

**II. UNFINISHED BUSINESS - None**

**III. PROCLAMATIONS AND PRESENTATIONS**

3.a Resolution Honoring Janice Abbott Upon Her Retirement From the City After 11 Years of Dedicated Service to the City of Union City

Vice Mayor Dutra-Vernaci read the Resolution aloud and presented it to Economic & Community Development Director Malloy who accepted the Resolution on Ms. Abbott's behalf.

3.b Resolution Honoring Rosemary Edge Upon Her Retirement After 11 Years of Dedicated Service to the City of Union City

Vice Mayor Dutra-Vernaci read the Resolution aloud and presented it to Rosemary Edge.

3.c Resolution Honoring Carmen Jaramillo Upon Her Retirement After 12 Years of Dedicated Service to the City of Union City

Vice Mayor Dutra-Vernaci read the Resolution aloud and presented it to Carmen Jaramillo.

3.d Resolution Honoring Alison Buenaventura Upon Her Retirement After 26 Years of Dedicated Service to the City of Union City

Vice Mayor Dutra-Vernaci read the Resolution aloud and presented it to Alison Buenaventura.

- 3.e Resolution Honoring Officer Wayne Chapman Upon His Retirement after 21 Years of Dedicated Service to the City of Union City and the Law Enforcement Profession

Vice Mayor Dutra-Vernaci read the Resolution aloud. Officer Chapman was not present to accept the Resolution.

- 3.f Resolution Honoring Officer Greg Moller Upon His Retirement after 24 Years of Dedicated Service to the City of Union City and the Law Enforcement Profession

Vice Mayor Dutra-Vernaci read the Resolution aloud and presented it to Officer Moller.

- 3.g Resolution Honoring Officer Rich Noack Upon His Retirement after 28 Years of Dedicated Service to the City of Union City and the Law Enforcement Profession

Vice Mayor Dutra-Vernaci read the Resolution aloud and presented it to Officer Noack.

**Vice Mayor Dutra-Vernaci recessed the meeting at 7:37 p.m. for a reception in the lobby of City Hall to honor all recipients.**

**Vice Mayor Dutra-Vernaci reconvened the meeting at 7:55 p.m.**

#### **IV. ORAL COMMUNICATIONS - None**

#### **V. CONSENT CALENDAR**

**Items 5.j and 5.k were removed from the Consent Calendar for separate consideration.**

It was moved by Councilmember Fernandez, seconded by Councilmember Valle, to approve Consent Items 5.a through 5.i, 5.l and 5.m as recommended by staff.

Ayes: Councilmembers Fernandez, Navarro, Valle, Vice Mayor Dutra-Vernaci  
Noes: None  
Absent: Mayor Green  
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 Regular Meeting of July 14, 2009
- 5.c Rejected Claim No. 771, submitted by Raquel Vasquez, as Recommended by the City's Claims Administrator
- 5.d Adopted **Resolution No. 3841-09** to Enter Into a 5 Year Lease Agreement with Ricoh Americas Corp. for Replacement of Copiers/Printers Located in City Hall, Corporation Yard, Fire Station #1, Training Center, Ruggieri Senior Center, and Kennedy Community Center
- 5.e Adopted **Resolution No. 3842-09** Setting the Paramedic Special Tax for Fiscal Year 2009/2010

- 5.f Adopted **Resolution No. 3843-09** of the City Council of the City of Union City setting the Public Safety Parcel Tax Rate for Fiscal Year 2009-10
- 5.g Adopted **Resolution No. 3844-09** Awarding Contract to O'Grady Paving, Inc. for the Whipple Road/Alvarado-Niles Road Pavement Rehabilitation Project, No.09-14
- 5.h Adopted **Resolution No. 3845-09** Authorizing the Application for Grant Funds from the Used Oil Recycling Fund under the California Oil Recycling Enhancement Act and Participation in a Cooperative Project (15th Cycle Used Oil Recycling Block Grant) for Fiscal Year 2009/10
- 5.i Adopted **Resolution No. 3846-09** Accepting Work for Willow Park, City Project No. 03-02
- 5.l Adopted **Resolution No. 3849-09** Approve the Management District Plan for the Union Landing Property and Business Improvement District for FY 2009/2010, and **Resolution No. 3850-09** Ordering the Levy and Collection of Assessments for the Union Landing Property and Business Improvement District for FY 2009/2010
- 5.m Adopted **Resolution No. 3851-09** for the Acceptance of Emergency Vehicle Access Easements and Public Utility Easements and **Resolution No. 3854-09** Approving the Final Parcel Map No. 9858; 34400 Mission Boulevard; Masonic Homes, Owner

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

- 5.j Adopt a Resolution Endorsing a Regional Residential Seismic Strengthening Plan for Wood-Frame Houses in Union City

Economic and Community Development Director Malloy responded to questions from Councilmembers.

It was moved by Councilmember Valle, seconded by Councilmember Fernandez, to adopt **Resolution No. 3847-09** Endorsing the Revised Regional Residential Seismic Strengthening Standard Plan Set for Wood-Frame Houses in Union City Supported by the Association of Bay Area Governments.

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

- 5.k Adopt a Resolution Authorizing the City Manager to Apply to the State of California Department of Housing and Community Development for Homelessness Prevention and Rapid Re-Housing Program

Economic and Community Development Director Malloy responded to questions from Councilmembers. It was moved by Vice Mayor Dutra-Vernaci, seconded by Councilmember Valle, to adopt **Resolution No. 3848-09** Authorizing The City Manager To Apply To The State Of California Department Of Housing And Community Development For Homelessness Prevention And Rapid Re-Housing Program.

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

## VI. PUBLIC HEARINGS

- 6.a Conduct a Public Hearing and Adopt a Resolution Approving the Issuance by the Community Redevelopment Agency of Bonds in a Maximum Aggregate Principal Amount of \$40,000,000 for the Purposes of Financing and/or Refinancing the Acquisition and Construction of a 100 Unit Multi-family Housing Rental Facility and Certain Other Matters Relating Thereto

**By consensus of the City Council, Item 8.a was brought forward to be heard in conjunction with Item 6.a.**

Administrative Services Director Digre presented the staff reports and responded to questions from Councilmembers.

Vice Mayor Dutra-Vernaci opened the public hearing, held in compliance with Section 147(f) of the Internal Revenue Code of 1986, as amended. There were no speakers on the matter. Vice Mayor Dutra-Vernaci closed the public hearing and announced the record would reflect that no members of the general public came forward to comment at the public hearing, and the hearing was adjourned at 8:02 p.m. on July 28, 2009.

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. 3852-09** Approving the Issuance by the Community Redevelopment Agency of Bonds in a Maximum Aggregate Principal Amount of \$40,000,000 for the Purposes of Financing and/or Refinancing the Acquisition and Construction of a 100-Unit Multi-Family Housing Rental Facility and Certain Other Matters Relating Thereto.

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

## VII. CITY MANAGER REPORTS

- 7.a Adopt a Resolution Designating the Alternate Voting Delegate for the League of California Cities Annual Conference

City Manager Cheeves presented the staff report.

It was moved by Councilmember Fernandez, seconded by Councilmember Valle, to adopt **Resolution No. 3853-09** Designating Councilmember Jim Navarro as the Alternate Voting Delegate for the League of California Cities Annual Conference September 16-18, 2009, in San Jose.

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

Abstain: None

**VIII. REDEVELOPMENT AGENCY (*This item was heard in conjunction with Item 6.a above*)**

- 8.a Adopt a Resolution of the Community Redevelopment Agency of the City of Union City Declaring its Official Intent to Issue Multi-family Housing Revenue Bonds to Undertake the Financing of a Multi-family Rental Housing Project and Related Actions

Administrative Services Director Digre presented the staff reports and responded to questions from Agency members.

It was moved by Agency Member Valle, seconded by Agency Member Fernandez, to adopt **RDA Resolution No. 402-09** Declaring Its Official Intent to Issue Multi-Family Housing Revenue Bonds to Undertake the Financing of a Multi-Family Rental Housing Project and Related Actions.

Ayes: Agency Members Fernandez, Navarro, Valle, Vice Chair Dutra-Vernaci  
Noes: None  
Absent: Chair Green  
Abstain: None

**IX. AUTHORITIES AND AGENCIES - None**

**X. CITY COMMISSION/COMMITTEE REPORTS - None**

**XI. SECOND ORAL COMMUNICATIONS**

Diane Bertelson expressed opposition to zoning being proposed to limit truck parking on Veasy Street. Economic & Community Development Director Malloy stated the matter would be included on the August 25, 2009 agenda for City Council's consideration.

**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 Navarro reported attending an Airport Noise Forum meeting.

Councilmember Fernandez reported attending an ACTIA presentation that reviewed major transportation projects for southern Alameda County.

Councilmember Valle stated he would be attending a Community Action Program meeting the following week.

Vice Mayor Dutra-Vernaci provided an update on Housing Commission issues.

Vice Mayor Dutra-Vernaci reported attending a League of California Cities meeting where Bruce Kern spoke about current economic conditions for the area.

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

Councilmember Valle expressed concern about the State's budget and its impact on the City's Redevelopment Agency funds. City Manager Cheeves provided information regarding the impact of the adopted State budget on Union City finances including the property tax loan, ERAF shift, how the legislators voted, and a recommendation for staff to schedule a meeting with the City Council at its next regularly scheduled meeting on August 25, 2009 to discuss budget ramifications and alternatives in response to the State Take-Aways.

Councilmember Fernandez stated pruning was needed for the oak trees along pathways by William Cann Park.

Councilmember Navarro expressed appreciation for the compassion staff showed during the coordination of the funeral for the infant found in the dumpster. Police Chief Stewart stated resolutions were being prepared for presentation at the August 25, 2009 City Council meeting. Vice Mayor Dutra-Vernaci also expressed her gratitude to the staff of the police and fire departments.

Vice Mayor Dutra-Vernaci expressed her thanks to Deputy City Manager Acosta and 50<sup>th</sup> Anniversary Committee members for their efforts in managing the successful *Gathering in the Park* event.

Vice Mayor Dutra-Vernaci stated the next big 50<sup>th</sup> Anniversary event was scheduled for Saturday, September 12, 2009, at the Logan High School stadium. Deputy City Manager Acosta encouraged everyone to attend and participate in the entertainment and fireworks spectacular, noting tickets were available for \$10.00 each.

Vice Mayor Dutra-Vernaci adjourned the regular meeting to Closed Session at 8:30 p.m.

#### **XV. CLOSED SESSION**

**15.a CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION** (Pursuant to Government Code Section 54956.9) (Several Cases)

#### **XVI. ADJOURNMENT**

Vice Mayor Dutra-Vernaci adjourned the Closed Session at 9:00 p.m. with no reportable action.

Respectfully submitted,

Renee Elliott  
City Clerk