

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

**TUESDAY, OCTOBER 27, 2009
7:00 P.M.**

**COUNCIL CHAMBERS
34009 ALVARADO NILES ROAD**

A SPECIAL MEETING CLOSED SESSION PRECEDED THE REGULAR MEETING AT 6:00 P.M.

I. CALL TO ORDER

Mayor Green called the meeting to order at 7:30 p.m.

I.a Pledge of Allegiance

Mayor Green led the salute to the flag.

I.b Roll Call

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

Absent: Councilmember Navarro (arrived at 8:47 p.m.)

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

II. UNFINISHED BUSINESS - None

III. PROCLAMATIONS AND PRESENTATIONS - None

IV. ORAL COMMUNICATIONS - None

V. CONSENT CALENDAR

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

Ayes: Council/Agency Members Fernandez and Valle, Vice Mayor/Vice Chair Dutra-Vernaci, Mayor/Chair Green

Noes: None

Absent: Council/Agency Member Navarro

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 October 13, 2009
- 5.c Adopted **RDA Resolution No. 408-09** Supporting an Application by Eden Housing for Financing from the Green Retrofit Program for Multifamily Housing (GRP) Sponsored by the U.S. Department of Housing and Urban Development (HUD), and Consenting to Recordation of Subordinate Liens in Favor of HUD on the Wisteria Place and Rosewood Apartments Properties located on Alvarado-Niles Road
- 5.d Adopted **Resolution No. 3876-09** of the City Council of the City of Union City to Authorize the City Manager to Take Action Upon Claims for all Refunds Exempt for the Tort Claims Act
- 5.e Adopted **Resolution No. 3877-09** Approving the Revised Memorandum of Understanding with the Management Employees Group (July 1, 2009 through June 30, 2010)
- 5.f Adopted **Resolution No. 3878-09** Approving a Revised Memorandum of Understanding with the Professional Employee Group (July 1, 2009 through June 30, 2010)
- 5.g Adopted **Resolution No. 3879-09** Approving the Revised Memorandum of Understanding with the Union City Police Management Association (July 1, 2008 through June 30, 2011)

VI. PUBLIC HEARINGS

- 6.a Adopt an Ordinance Extending for 10 Months and 15 Days Ordinance No. 724-09, which Established a Moratorium on the Establishment of Drug Paraphernalia Establishments/Head Shops Pending the Review and Possible Amendment of Zoning Regulations Applicable to such Businesses, Pursuant to Government Code Section 65858

Economic & Community Development Director Malloy 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 Vice Mayor Dutra-Vernaci, to hold the public hearing (there were no speakers on the matter), and adopt **Ordinance No. 725-09** Extending for 10 Months and 15 Days Ordinance No. 724-09 (Adopted September 22, 2009), Which Established a Moratorium on the Establishment of Drug Paraphernalia Establishments/Head Shops Pending the Review and Possible Amendment of Zoning Regulations Applicable to Such Businesses, Pursuant to Government Code Section 65858.

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

Noes: None

Absent: Councilmember Navarro

Abstain: None

- 6.b Adopt a Resolution Approving a Joint Exercise of Powers Agreement relating to the California Municipal Finance Authority, and Approving the Issuance of Revenue Bonds

by the Authority for the Purpose of Financing the Acquisition and Construction of a Multifamily Rental Housing Facility known as Station District Family Housing Phase 1

Management Analyst Sprotte 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 Vice Mayor Dutra-Vernaci, seconded by Councilmember Fernandez, to hold the public hearing (there were no speakers on the matter) and adopt **Resolution No. 3880-09** Approving a Joint Exercise of Powers Agreement Relating to the California Municipal Finance Authority, and Approving the Issuance of Revenue Bonds by the Authority for the Purpose of Financing the Acquisition and Construction of a Multifamily Rental Housing Facility Known as Station District Family Housing Phase I.

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

VII. CITY MANAGER REPORTS

7.a Community Emergency Response Team (CERT) reorganization proposal and update

Fire Chief Rodriguez, and CERT representatives Barry Ferrier, Jim Rothman, Frank Marsaglia, Padmini Nagaraj, Bill Fornell, and Scott Stevens, presented the report and responded to questions from Councilmembers.

Councilmembers provided comment, and directed CERT and staff to include New Haven Unified School District and Union Sanitary District in its outreach efforts regarding emergency response education.

Public Works Director Cheng provided an update on the current status of retrofitting various bridges throughout the City.

Councilmembers directed clarifying text be included to reflect that attendance standard requirements in the By-Laws apply to seventy-five percent of quarterly meetings.

Council provided its conceptual approval of the proposal, and directed staff to make applicable edits and return with finalized documentation for Council to approve at its next regularly scheduled meeting.

7.b Update Regarding Masonic Homes Flatlands Project - Project Review Process

Economic and Community Development Director Malloy presented the staff report and responded to questions from Councilmembers. Councilmembers provided comment. No action was requested or taken.

7.c Update Regarding Masonic Homes Flatlands Project - Fiscal Impact Analysis

Economic and Community Development Director Malloy introduced the matter, and Consultant Steve Murphy, Bay Area Economics, presented an overview of the Fiscal Impact Analysis, and outlined the scope of work and methodology for the Masonic Homes Flatlands Project. Councilmembers provided comment.

Barry Ferrier inquired about the issue of the park dedication ratio, and minimum acreage required for an aquatic facility.

Jim Leggate expressed support for the project, but looks forward to a report coming back with preliminary numbers to evaluate.

Roberto Diaz, a flooring contractor for Masonic, expressed support for the project.

Planning Manager Campbell confirmed staff would be returning in January 2010 with report updates.

No action was taken.

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 the League of California Cities had filed an initiative with the Attorney General for the November 2010 ballot regarding closing the loopholes not covered by Proposition 1A to protect local government revenues.

Vice Mayor Dutra-Vernaci reported Union City is one of the plaintiff's in a lawsuit filed by the California Redevelopment Association. The matter is expected to be considered by the courts in February 2010.

Councilmember Valle stated the Library Commission meeting had been canceled, and the next meeting is scheduled for December.

Mayor Green stated a joint ACTIA/CMA retreat is planned at Masonic Homes in six weeks to discuss numerous transportation issues.

Mayor Green stated he would be attending a StopWaste.org awards event in San Francisco.

XIV. GOOD OF THE ORDER

Councilmember Valle reported the dog park has been locked on weekends, and residents have created a way to gain entrance by pulling a gate off its hinge, and a different locking mechanism is needed.

Councilmember Valle requested Roger Narciso be recognized for his efforts in helping to establish the Veterans Memorial Park.

Mayor Green inquired about the status of the Sports Center pool. Deputy City Manager Acosta provided a brief update, and stated staff would return with a report to Council in November.

Mayor Green stated he had participated in Make-A-Difference-Day at the Holly Center and Civil Center.

Mayor Green reported he and Gary Singh had attended a meeting at New Haven Unified School District where they learned that Logan High School was continuing to provide four levels of a Punjabi language program, noting only combined classes are offered due to low enrollment (116 participants).

XV. CLOSED SESSION - None

XVI. ADJOURNMENT

Mayor Green adjourned the regular meeting at 9:30 p.m.

Respectfully submitted,

Renee Elliott
City Clerk