

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

**TUESDAY, DECEMBER 8, 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 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 Public Services Officer Daniel Roberts on the Occasion of His Retirement after 34 years of Dedicated Service to the City of Union City

Mayor Green read the resolution aloud and presented it to Public Services Officer Daniel Roberts.

3.b Appointment of Vice Mayor

It was moved by Mayor Green, seconded by Vice Mayor Dutra-Vernaci, to appoint Councilmember Valle to serve as Vice Mayor. Motion carried unanimously.

**IV. ORAL COMMUNICATIONS - None**

**V. CONSENT CALENDAR**

It was moved by Councilmember Navarro, seconded by Councilmember Dutra-Vernaci, to approve Consent Items 5.a through 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 Special and Regular Meetings of November 24, 2009
- 5.c Adopted **Resolution No. 3900-09** Appointing Emily Duncan as Alternate Union City Representative to the Oakland International Airport Community Noise Management Forum
- 5.d Adopted **RDA Resolution No. 413-09** of the Community Redevelopment Agency of the City of Union City to Authorize the Payment of Ten Million, Four Hundred Seven Thousand, Five Hundred Eight Dollars (\$10,407,508) to the County of Alameda and County of Alameda Library District With Respect To All Amounts Due Under the Amended and Restated Fiscal Agreement Regarding City of Union City Redevelopment Project Through June 30, 2009
- 5.e Adopted **Resolution No. 3901-09** Approving Parcel Map No. 9932 in the City of Union City, County of Alameda, State of California, and **Resolution No. 3902-09** Approving a Consulting Services Agreement with Glass Architects for the Police Substation Located in the Alvarado Plaza Shopping Center (At Alvarado Blvd. and Dyer Street)
- 5.f Adopted **Resolution No. 3903-09** Accepting Public Improvements for Tract Map 7601, Summerhill Homes
- 5.g Adopted **Resolution No. 3904-09** Authorizing the City Manager to Execute Three Contracts to Implement the Parking Program in the Station District

**Agenda Item 13.c was taken out of order and considered at this time. (For minutes of action taken, see 13.c on page 6.)**

## **VI. PUBLIC HEARINGS**

- 6.a Introduction of Ordinance for Municipal Code Text Amendment, AT-06-09, to (1) Repeal the Existing Water Efficient Landscape Standards Ordinance (Ordinance No. 405-93) and (2) Amend Title 18 to add a new Water Efficient Landscape Chapter, Chapter 18.112, and add a Provision to Chapter 18.28, Off-Street Parking and Loading, to Allow for up to a Twenty-Five Percent (25%) Parking Reduction for Projects that Incorporate Transportation Demand Management Measures

Planning Manager Campbell 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 Mayor Green, seconded by Councilmember Dutra-Vernaci, to hold the public hearing (there were no speakers on the matter), and introduce an ordinance for Municipal Code Amendment AT-06-09, to (1) repeal the existing Water Efficient Landscape Standards Ordinance (Ordinance No. 405-93), and (2) amend Title 18 to add a new Water Efficient Landscape Chapter, Chapter 18.112, and add a provision to Chapter 18.28, Off-Street Parking and Loading, to allow for up to a twenty-five percent (25%) parking reduction for projects that incorporate Transportation Demand Management measures. A second reading of the ordinance is scheduled for the January 12, 2010 City Council meeting.

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

Noes: Councilmember Fernandez  
Absent: None  
Abstain: None

## VII. CITY MANAGER REPORTS

### 7.a Introduction of Ordinance for Paid Parking in the Station District

City Attorney Riback presented the staff report and responded to questions from Councilmembers.

It was moved by Councilmember Navarro, seconded by Councilmember Fernandez, to introduce an ordinance amending and adding sections of Title 10 of the Union City Municipal Code relating to vehicles and traffic. Motion carried unanimously.

### 7.b Adopt a Resolution Amending the General Fund Operating Budget for Fiscal Year 2009/2010, Fiscal Year 2009/2010 First Quarterly Report Comparing General Fund Budget to Actual Results, and Disbursement Report for July 1 through September 30, 2009

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

Barry Ferrier inquired about the sales tax revenue generated from business-to-business sales.

Deputy City Manager Acosta stated retail sales accounted for approximately 30% of sales tax revenues, and business-to-business sales accounted for approximately 15%-20% of sales tax revenues.

It was moved by Vice Mayor Valle, seconded by Councilmember Navarro, to receive the information report and adopt **Resolution No. 3905-09** Amending the Operating Budget for Fiscal Year 2009/2010. Motion carried unanimously.

### 7.c Adopt Resolutions Appointing Individuals to Serve on the Human Relations Commission, Park & Recreation Commission, Planning Commission, Public Art Board, and Senior Citizens Commission

It was moved by Mayor Green, seconded by Councilmember Dutra-Vernaci, to adopt **Resolution No. 3906-09** appointing Venkataraman Iyer to serve as an alternate on the Senior Citizens Commission, with a term expiring December 8, 2013. Motion carried unanimously.

It was moved by Mayor Green, seconded by Vice Mayor Valle, to adopt **Resolution No. 3907-09** appointing Lilia Reynoso to the Artist position on the Public Art Board, with a term expiring October 24, 2012. Motion carried unanimously.

It was moved by Mayor Green, seconded by Councilmember Dutra-Vernaci, to adopt **Resolution No. 3908-09** appointing Caroline Abellar to serve on the Park and Recreation Commission, with a term expiring August 15, 2010. Motion carried unanimously.

It was moved by Mayor Green, seconded by Councilmember Dutra-Vernaci, to adopt **Resolution No. 3909-09** appointing Jean Harper to serve on the Human Relations Commission, with a term expiring August 15, 2012; moved by Mayor Green, seconded by Councilmember Fernandez, appointing Cassandra Davis as an alternate to serve on the Human Relations Commission, with a term expiring December 8, 2013; and, moved by Mayor Green, seconded by Councilmember Dutra-Vernaci, appointing Jonathan Pettey as an alternate to serve on the Human Relations Commission, with a term expiring December 8, 2013. Motions carried unanimously.

It was moved by Mayor Green, seconded by Councilmember Dutra-Vernaci, to adopt **Resolution No. 3910-09** appointing Angelo Artale to serve as an alternate on the Planning Commission, with a term expiring December 8, 2013; moved by Mayor Green, seconded by Councilmember Navarro, to re-appoint Froilan 'Roy' Panlilio to the Planning Commission, with a term expiring October 31, 2013; moved by Mayor Green, seconded by Vice Mayor Valle, to re-appoint Jo Ann Lew to the Planning Commission, with a term expiring October 31, 2013; and, moved by Mayor Green, seconded by Councilmember Fernandez, to appoint Lee Guio to the Planning Commission, with a term expiring October 13, 2013. Motions carried unanimously.

- 7.d Receive a Report Describing the Measures Taken to Alleviate the Conditions which Led to the Adoption of a Temporary Moratorium Prohibiting the Issuance and Approval of Entitlements for the Horner/Veasy Area

Economic and Community Development Director Malloy presented the staff report and responded to questions from Councilmembers.

It was moved by Mayor Green, seconded by Councilmember Dutra-Vernaci, to accept the report. Motion carried unanimously.

- 7.e Informational Status Report on Geographical Information Systems (GIS) Program

This item is rescheduled to the January 12, 2010 City Council meeting.

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

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

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

- 10.a A Report with Recommendations from the Parks & Recreation Commission Regarding: A) Sports Field Reservation Policies; and B) The Use of BMX Bicycles at the Union City Skate Park

Leisure Services Director Acosta expressed his appreciation to Recreation Coordinator Maynard Estrellado and Parks & Recreations Commissioner Steve Nichols for their efforts in resolving permit issues. Recreation Coordinator Estrellado presented a report on revised ballfield uses and guidelines for sporting fields, and Deputy City Manager Acosta presented an update regarding UCMC regulations pertaining to the use of BMX bicycles at the skate park. Councilmembers provided comment.

It was moved by Councilmember Fernandez, seconded by Councilmember Navarro, to approve the recommendations forwarded by the Park and Recreation Commission

regarding ballfield permit policies and procedures, and the use of BMX bicycles at the Union City Skate Park, and specifically to:

- (1) approve the revised *Ballfield Use Policy & User Guidelines for Reserving Union City Sporting Fields*; and
- (2) make no changes in existing UCMC regulations pertaining to the use of BMX bicycles at the Union City Skate Park.

Motion carried unanimously.

**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 Valle stated a joint meeting with the NHUSD Board was scheduled for Monday, December 14, 2010.

Vice Mayor Valle stated he would be attending an ACAP meeting on Wednesday evening.

Councilmember Dutra-Vernaci stated the December meetings had been canceled for the Housing Commission and League of California Cities.

Councilmember Dutra-Vernaci expressed her appreciation to Parks & Recreation Commissioner Nichols for his assistance regarding the soccer issues.

Councilmember Navarro stated the next Airport Noise Forum meeting would be held in January 2010.

Mayor Green will attend a joint retreat meeting of the CMA and ACTIA at Masonic Homes on Friday, and discussion will focus on the vehicle license fee increase.

Mayor Green stated he would be attending an ABAG meeting the following week to discuss water issues.

13.b Discussion of Formation of a Council Subcommittee on the Union City Chamber of Commerce

Mayor Green stated a sub-committee of the City Council was needed to meet with the Union City Chamber of Commerce at its retreat on January 16, 2010, and on an ongoing basis, to explore collaborative measures which would support and enhance the mission of the Chamber of Commerce.

Union City Chamber of Commerce representative Dana Hernandez stated the Chamber would welcome the support of the Council in an advisory role.

Deputy City Manager Acosta stated staff would bring the matter back to Council at its first meeting in January 2010 to consider a formation vote.

***Item 13.c was considered earlier in the evening prior to VI. Public Hearings.***

13.c Referral from Councilmember Valle Regarding Discussion of Redevelopment Property at 2nd and Mission Boulevard

Vice Mayor Valle requested Council consideration of a discussion regarding a zoning change for the Redevelopment Agency property at the corner of 2<sup>nd</sup> and Mission Boulevard. Vice Mayor Valle stated community members had requested the parcel be considered for development and use as a youth center.

Economic and Community Development Director Malloy responded to questions from Councilmembers regarding current zoning, and the process and requirements associated with a general plan amendment.

The following individuals spoke in favor of rezoning the parcel at 2<sup>nd</sup> and Mission Boulevard for use as youth facility:

Mary Schlarb	Angelica Campos	Todd Benson	Victor Martinez
Jerico Abanico	Jerico Buado	Dexter Poule	Mike Bonin
Manuel Gallardo			

By consensus, Councilmember's indicated a desire to explore the issue further. City Attorney Riback advised the referral process required Council provide direction to place the matter on a future agenda for Council consideration.

Deputy City Manager Acosta stated staff would bring the matter back to Council for discussion on January 12, 2010.

**XIV. GOOD OF THE ORDER**

Councilmember Navarro stated the crosswalk pedestrian sign by Paddy's Coffee Shop was down and hanging to the side of the road.

Councilmember Dutra-Vernaci stated Suzanne Ortt, an applicant for the Senior Commission, suggested computers at the Senior Center be connected to the internet.

Councilmember Dutra-Vernaci inquired about a replacement for retired [animal control] Public Services Officer Roberts. Police Chief Stewart stated staff was currently processing candidates and conducting interviews.

Vice Mayor Valle encouraged people to purchase tickets to attend the final 50<sup>th</sup> Anniversary Committee event, a New Year's Eve gala to be held at the Crown Plaza hotel.

Mayor Green stated the lighting at 4024 Solar Way was still dim, and requested staff look into the matter.

Mayor Green inquired about the status of graffiti abatement, and Deputy City Manager Acosta reported Public Works staff had cleaned up the various locations.

**XV. CLOSED SESSION - None**

**XVI. ADJOURNMENT**

Mayor Green adjourned the regular meeting at 9:00 p.m. in honor of the 45<sup>th</sup> birthday of his cousin Melody.

Respectfully submitted,

Renee Elliott  
City Clerk