

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

**TUESDAY, APRIL 13, 2010
7:00 P.M.**

**COUNCIL CHAMBERS
34009 ALVARADO NILES ROAD**

A SPECIAL MEETING CLOSED SESSION PRECEDED THE REGULAR MEETING AT 6:30 P.M.

I. CALL TO ORDER

Mayor Green called the meeting to order at 7:15 p.m., and announced there was no reportable action from the Closed Session held earlier this evening.

I.a Pledge of Allegiance

Mayor Green led the salute to the flag.

I.b The *Star Spangled Banner* was sung by members of the University of the Philippines Concert Chorus. Mayor Green presented a Certificate of Appreciation from the City of Union City, and the Concert Chorus performed an encore spiritual number. Councilmember Navarro announced there were tickets for sale for upcoming performances by the Concert Chorus on April 17 in Fremont, and April 24 in Union City.

I.c Roll Call

Present: Councilmembers Fernandez and Navarro, Mayor Green

Absent: Councilmember Dutra-Vernaci, Vice Mayor Valle (arrived at 7:24 p.m.)

II. UNFINISHED BUSINESS - None

II. PROCLAMATIONS AND PRESENTATIONS

3.a Resolution of the City Council of the City of Union City Recognizing Dispatcher/Clerk Lisa Miller as the 2009 Union City Dispatcher/Clerk of the Year

Mayor Green read the resolution aloud and presented it to Dispatcher/Clerk Lisa Miller.

3.b Proclaiming the Week of April 11th - April 17th as "National Public Safety Telecommunications Week"

Mayor Green read the proclamation aloud and presented it to Dispatcher Lisa Miller.

3.c Proclamation Recognizing April 2010 as Teen Dating Violence Awareness and Prevention Month in the City of Union City

Mayor Green read the proclamation aloud and presented it to Tatiana Colon, Family Violence Law Center Director of Education and Youth Services.

- 3.d A Presentation of Information Systems "Crimereports.com" and "Policereports.com" Now Available to City Residents on the City Website

Police Chief Stewart introduced the agenda item, and Police Captain Finnerty presented an informational report and responded to questions from Councilmembers. No action was required.

Barry Ferrier stated the system would improve accessibility for residents to information about crime in their neighborhoods.

III. ORAL COMMUNICATIONS

Shenah Groom, EMT/Firefighter, Local 1946, expressed support for a merger of Union City Fire with Alameda County Fire.

Roberto Munoz announced the upcoming 5th annual Compost Giveaway and E-Waste Drop-off event scheduled for April 24, 2010, at Tri-CED Recycling in Union City.

Barry Ferrier announced an upcoming ACTIA transportation forum scheduled for April 15, 2010.

IV. CONSENT CALENDAR

It was moved by Councilmember Navarro, seconded by Vice Mayor Valle, to approve Consent Calendar items 5.a through 5.f as recommended by staff.

Ayes: Councilmembers Fernandez and Navarro, Vice Mayor Valle, Mayor Green
Noes: None
Absent: Councilmember Dutra-Vernaci
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 March 23, 2010
- 5.c Adopted **Resolution No. 3970-10** Awarding a Contract to Linear Options, Inc. for the 2009-2010 Pedestrian & Bicycle Facility Improvement Project, City Project No. 07-13 & 07-25
- 5.d Adopted **Resolution No. 3971-10** to Appropriate Funds Awarded by the Metropolitan Transportation Commission for the Transportation Development Act Article 3 Improvement Project, City Project No. 09-12
- 5.e Adopted **Resolution No. 3972-10** Authorizing the Submission of a Pre-School Licensing Application on Behalf of the City of Union City to the Community Care Licensing Division of the State of California Department of Social Services for a Day Care Program at Kennedy Community Center
- 5.f Adopted **Resolution No. 3973-10** Amending the City's Compensation Plan for Unrepresented Part-Time Leisure Services Employees to Address Salary Compaction Impacts Resulting from the January 2008 Increase in the California Minimum Wage

V. PUBLIC HEARINGS

- 6.a Introduction of Ordinance for Zoning Text Amendment, At-01-10, to Regulate Wireless Telecommunication Facilities and Adoption of Resolution Repealing Wireless Communication Facilities Standards Policy Statement

Associate Planner Schultz 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 Fernandez, seconded by Vice Mayor Valle, to:

- (1) hold the public hearing (there were no speakers on the matter);
- (2) introduce an Ordinance Approving Zoning Text Amendment, AT-01-10, to Regulate Wireless Telecommunication Facilities and Adoption of Resolution Repealing Wireless Communication Facilities Standards Policy Statement; and
- (3) adopt **Resolution No. 3974-10** Repealing the Wireless Communication Facilities Standards Policy Statement.

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

VI. CITY MANAGER REPORTS

- 7.a Adopt a Resolution Approving the Union City Transit Service Plan

Transit Manager Lee introduced the staff report and responded to questions from Councilmembers. Consultant Jim Moore, Moore & Associates, presented an overview of the Union City Transit Plan and responded to questions from Councilmembers. Staff will bring back a proposed fare increase for Council consideration at a public hearing in June 2010.

It was moved by Vice Mayor Valle, seconded by Councilmember Fernandez, to adopt **Resolution No. 3975-10** Approving the Transit Service Plan.

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

VII. REDEVELOPMENT AGENCY

- 8.a Adopt an Agency Resolution Approving the Second Amendment to the Disposition and Development Agreement with Mid-Peninsula Housing Coalition and Affiliated Entities, Authorizing the Execution of Loan Documents and Related Agreements, Authorizing the Execution of a Subordination Agreement, and Approving a Condominium Plan, CC&Rs and Related Documents for the Union City Block 4 Maintenance Association. Adopt a City Resolution Approving a Second Amendment to a Disposition and Development Agreement with Mid-Peninsula Housing Coalition and Affiliated Entities and Approving a

Condominium Plan, CC&Rs and Related Documents for the Union City Block 4 Maintenance Association

Redevelopment Agency Manager Evanoff presented the staff report and responded to questions from Council/Agency Board Members.

Vice Mayor/Chair Valle exited the Council Chambers at 8:55 p.m.

Mid-Peninsula Housing Coalition President Matt Franklin responded to questions from Council/Agency Members.

Barry Swenson Builder Vice President Dave Gibbons responded to questions from Council/Agency Members.

Obray Van Buren expressed support for the project.

Andreas Cluver, Alameda County Building Trades, expressed support for the project.

It was moved by Councilmember Navarro, seconded by Councilmember Fernandez, to:

- (1) adopt Council **Resolution No. 3976-10** Approving a Second Amendment to a Disposition and Development Agreement with Mid-Peninsula Housing Coalition and Affiliated Entities and Approving a Condominium Plan, CC&RS and Related Documents for the Union City TOD Block 4 Maintenance Association; and
- (2) adopt **RDA Resolution No. 419-10** Approving a Second Amendment to a Disposition and Development Agreement with Mid-Peninsula Housing Coalition and Affiliated Entities, Authorizing the Execution of Loan Documents and Related Agreements, Authorizing the Execution of a Subordination Agreement, and Approving a Condominium Plan, CC&RS and Related Documents for the Union City TOD Block 4 Maintenance Association.

Ayes: Council/Agency Board Members Fernandez and Navarro, Mayor/Chair Green

Noes: None

Absent: Council/Agency Board Member Dutra-Vernaci, Vice Mayor/Chair Valle

Abstain: None

VIII. AUTHORITIES AND AGENCIES - None

IX. CITY COMMISSION/COMMITTEE REPORTS - None

X. SECOND ORAL COMMUNICATIONS - None

XI. SCHEDULED ORAL COMMUNICATION – None

XII. ITEMS REFERRED BY COUNCIL

- 13.a Oral Reports by Mayor and Councilmembers on meetings of County or Regional Boards and Commissions

Councilmember Navarro announced he would be attending an Oakland Airport Noise Forum meeting on April 21, 2010.

Mayor Green reported attending a Mayor's Conference meeting on behalf of ABAG in Sonoma County.

Mayor Green stated the ABAG Spring General Assembly and Regional Summit is scheduled for April 22, 2010, and a key item on the agenda will concern SB 375 implementation using electronic voting devices.

Mayor Green attended a meeting in Sacramento last week to testify in favor of establishing a Bay Area Disaster Recovery Authority.

Mayor Green stated other cities have now approved the ACTA/ACTIA merger, and noted a majority of cities will have approved the merger by the end of next week.

Mayor Green provided an update on the status of an increase to the Vehicle Registration Fee.

Mayor Green reported having attended a meeting at StopWaste.org where a presentation was made by Peerless Coffee regarding its successful plan to reduce paper and plastic waste. A video is available for showing on local cable channels.

Mayor Green reported having attended a POA crab feed fundraiser; the opening of the Performing Arts Center; and a Sikh appreciation event.

Mayor Green stated the Vice President of Bayer Pharmaceutical had reported a decline in biotech manufacturing primarily due to the need for a better-educated workforce in the Bay Area.

Mayor Green inquired about the status of technological updates for the Council Chambers. Deputy City Manager Acosta provided a status update.

XIII. GOOD OF THE ORDER

Councilmember Navarro stated the median barrier was down on Dyer Street at Alvarado Blvd.

Mayor Green adjourned the regular meeting to Closed Session at 9:15 p.m.

XIV. CLOSED SESSION

15.a CLOSED SESSION - ANNUAL PERFORMANCE EVALUATION - CITY ATTORNEY (Pursuant to Government Code Section 54957)

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

XV. ADJOURNMENT - Mayor Green adjourned the Closed Session at 9:38 p.m. with no reportable action.

Respectfully submitted,

Renee Elliott
City Clerk