

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

**TUESDAY, MAY 25, 2010
7:00 P.M.**

**COUNCIL CHAMBERS
34009 ALVARADO NILES ROAD**

I. CALL TO ORDER

Mayor Green called the meeting to order at 7:02 p.m.

I.a Pledge of Allegiance

Mayor Green led the salute to the flag.

I.b Roll Call

Present: Councilmembers Dutra-Vernaci, Fernandez and Navarro, Vice Mayor Valle, Mayor Green
Absent: None

II. UNFINISHED BUSINESS - None

III. PROCLAMATIONS AND PRESENTATIONS

3.a A Presentation from the Sister City Committee, Vice Mayor Valle and City Staff Regarding the Recent Sister City Trip to Liyang, China

Helen Kennedy, Vice Mayor Valle, and Deputy City Manager Acosta presented a slide show regarding their recent Sister City Trip to Liyang, China. Pat Gacoscos introduced members of Union City's Sister City Committee and spoke about future activities planned. Lee Guio provided an overview of Sister City International.

IV. ORAL COMMUNICATIONS

Myrla Raymundo read aloud from a letter she wrote proposing the creation of a Union City Veterans Commission.

V. CONSENT CALENDAR

Consent Calendar items 5.d and 5.f were removed for separate consideration.

It was moved by Councilmember Dutra-Vernaci, seconded by Vice Mayor Valle, to approve Consent Calendar items 5.a, 5.b, 5.c, and 5.e 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 of the Special and Regular Meetings of May 11, 2010
- 5.c Approved the Second Reading and Adoption of **Ordinance No. 732-10** Repealing Ordinance No. 725-09, Extending City of Union City Ordinance No. 724-09, adopted September 22, 2009, Making Findings and Establishing a Moratorium Pursuant to California Government Code 65858 on the Establishment of Drug Paraphernalia Establishments/Head Shops (Introduced May 11, 2010)
- 5.e Adopted **Resolution No. 3994-10** of the City Council of the City of Union City to Approve the Management District Plan for the Union Landing Property and Business Improvement District (PBID) for Fiscal Year 2010/2011, and **Resolution No. 3995-10** Ordering the Levy and Collection of Assessments for the Union Landing Property and Business Improvement District (PBID) for Fiscal Year 2010/2011

Consideration of items 5.d and 5.f removed from the Consent Calendar.

- 5.d Adopt a Resolution Appointing Hearing Officers to Serve as a Board of Appeals per 15.40.080 of the Municipal Code

Economic & Community Development Director Malloy presented an amended and modified resolution permitting the Fire Chief to appoint up to five hearing officers in order to expedite the Appeals Board.

It was moved by Vice Mayor Valle, seconded by Councilmember Navarro, to adopt **Resolution No. 3996-10** Appointing Hearing Officers to Serve as a Board of Appeals per 15.40.080 of the Municipal Code, and authorizing the Fire Chief to appoint up to five additional hearing officers in order to expedite the appeals process. Motion carried unanimously.

- 5.f (1) Adopt Resolution of the Community Redevelopment Agency of the City of Union City Adopting Findings Required by Health and Safety Code Section 33445, Authorizing the Expenditure of Tax Increment Funds for Public Improvements, and Authorizing the Executive Director and Agency Counsel to Prepare and Enter Into a Memorandum of Understanding with BART Whereby the Agency Agrees to Pay BART \$400,000 to Review Construction Drawings for BART Phase 2; and (2) Adopt Resolution of the City Council of the City of Union City Approving the Expenditure of Tax Increment Funds for Public Improvements Related to the BART Phase 2 Project and Adopting Findings Required by Health and Safety Code Section 33445

Redevelopment Agency Manager Evanoff provided an update regarding negotiation discussions held earlier in the day with BART during which BART agreed to reduce its original fee for review of construction drawings downward from \$1.2 Million to an amount not to exceed \$620,000. Redevelopment Agency Manager Evanoff presented amended and modified resolutions reflecting Agency and Council approval of \$620,000 for review of construction drawings for BART Phase 2.

It was moved by Councilmember Navarro, seconded by Councilmember Fernandez, to adopt **RDA Resolution No. 423-10** Adopting Findings Required by Health and Safety Code Section 33445, Authorizing the Expenditure of Tax Increment Funds for Public Improvements, and Authorizing the Executive Director and Agency Counsel to Prepare

and Enter Into a Memorandum of Understanding with BART Whereby the Agency Agrees to Pay BART \$620,000 to Review Construction Drawings for BART Phase 2; and to adopt **Resolution No. 3997-10** Approving the Expenditure of Tax Increment Funds for Public Improvements Related to the BART Phase 2 Project and Adopting Findings Required by Health and Safety Code Section 33445. Motion carried unanimously.

VI. PUBLIC HEARINGS

- 6.a Adopt a Resolution Approving Site Development Review, SD-01-10, for Construction of a 3,321 sq. ft. Single-Story Building Addition and Installation of Miscellaneous Site Improvements Including New Sidewalks along Central Avenue, New Landscaping and Storm Water Treatment Facilities, New Trash Enclosure and an Upgrade of Existing Truck and Automobile Parking Areas at 32550 Central Avenue (APN: 475-0070-012-00)

Planning Manager Campbell presented the staff report and responded to questions from Councilmembers.

Mayor Green opened the public hearing. Mike Lindstrom, architect for the project, and property owner John Takata, expressed support for the project and responded to questions from Councilmembers. There were no other speakers on the matter. Mayor Green closed the public hearing. Councilmembers provided comment.

It was moved by Vice Mayor Valle, seconded by Councilmember Navarro, to hold the public hearing and adopt **Resolution No. 3998-10** Approving Site Development Review, SD 01-10, for Construction of a 3,321 Square Foot Single-Story Building Addition and Installation of Miscellaneous Site Improvements Including New Sidewalks Along Central Avenue, New Landscaping and Storm Water Treatment Facilities, New Trash Enclosure, and an Upgrade of Existing Truck and Automobile Parking Areas at 32550 Central Avenue (APN: 475-0070-012-00). Motion carried unanimously.

VII. CITY MANAGER REPORTS

- 7.a A Report from the City Attorney Regarding an Analysis of the Union City Business License Tax

A desk item report from the City Attorney was received. City Attorney Riback reviewed the issues regarding any modification to the current business license tax and reported:

- Union City may adjust the tax for an individual who is renting out four (4) separate pieces of property to match the person who is renting out four (4) apartments located at the same property.
- Any amendment of the business license tax to no longer require a separate fee for “branch establishments or locations” up to four (4) locations would not require a vote of the electorate pursuant to Proposition 218.

Council directed the City Attorney to return with a report for proposed modifications to the current business license tax on June 29, 2010.

VIII. REDEVELOPMENT AGENCY - None

IX. AUTHORITIES AND AGENCIES - None

X. CITY COMMISSION/COMMITTEE REPORTS - None

XI. SECOND ORAL COMMUNICATIONS

Barry Ferrier spoke favorably about the increased use of the skate park by skateboarders and BMX bikers. City Manager Cheeves stated staff would monitor bike usage which is currently not allowed.

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 provided an update regarding the youth center task force. Another meeting of the task force may be scheduled for June 7. A staff report outlining the results of the task force study will be presented at the June 29, 2010 special Council meeting.

Councilmember Dutra-Vernaci reported attending an Alameda County Housing Commission meeting where a landlord list for Union City Section 8 properties was reviewed. Councilmember Dutra-Vernaci stated she had requested a copy of the list which could prove helpful for Administrative Services staff in identifying and refining ownership information for rental properties in the city.

Councilmember Dutra-Vernaci stated the Housing Commission had announced a 9th Annual Healthy Aging Fair for seniors will be held on July 21, 2010 at Moreau High School. Councilmember Dutra-Vernaci stated she had also made this announcement at last week's Senior Commission meeting as the fair is open for all Alameda County seniors. A bus will be leaving from the Union City Senior Center the day of the event.

Councilmember Dutra-Vernaci stated there was no May meeting held for the League of California Cities.

Councilmember Navarro stated he had attended the opening of the Performing Arts Center.

Mayor Green reported attending an Urban Land Institute presentation at the Kennedy Community Center today.

Mayor Green stated a recruiting firm had been retained for the executive director positions for ABAG and for the merged CMA/ACTIA.

XIV. GOOD OF THE ORDER

Councilmember Navarro stated the weeds were high at the corner of Smith and Union City Boulevard.

Councilmember Dutra-Vernaci inquired about weed abatement efforts prior to the 4th of July holiday. Community & Economic Development Director Malloy stated she would follow-up on the matter.

Councilmember Dutra-Vernaci provided a CERT update, noting the merger with Alameda County Fire was going well with regard to the CERT program.

Councilmember Dutra-Vernaci reported attending an earthquake preparedness class in Oakland, paid for with Homeland Security Grant funds.

Councilmember Dutra-Vernaci stated Michael Ritchie had requested an announcement be made on behalf of the New Haven Boosters about a fundraiser they are hosting on June 12 to raise money for programs targeted for elimination in the school district's budget.

Vice Mayor Valle reported a weed problem at 12th and H Streets.

Vice Mayor Valle requested confirmation of an update on the status of Measure UU funds. Deputy City Manager Acosta confirmed a report will be ready by the June 29, 2010 Council meeting.

Vice Mayor Valle commented about parking citations being given on H Street. Economic & Community Development Director Malloy confirmed two cadets are writing citations for traffic enforcement along H Street.

Mayor Green stated Pleasanton's Mayor was the new chair of the Alameda County Mayors Conference.

Mayor Green stated the Asian American Festival at the Buddhist church was well attended.

Mayor Green reported attending the East Bay Regional Park District's 75th Anniversary gala.

Mayor Green requested an update on the aquatic center.

Mayor Green stated he would be attending the Memorial Day ceremony at the Chapel of the Chimes.

Councilmember Fernandez reported serving as the alternate for Mayor Green and attending a Climate Action Plan task force meeting.

Councilmember Dutra-Vernaci stated she planned to attend a Climate Action Plan community meeting at the Senior Center on May 26.

Mayor Green adjourned the regular meeting to closed session at 8:27 p.m.

XV. CLOSED SESSION

Mayor Green convened the closed session at 8:33 p.m. with the same attendance.

15.a CLOSED SESSION – CONFERENCE WITH LABOR NEGOTIATORS

(Pursuant to Government Code Section 54957.6)

Agency designated representatives:

Larry Cheeves

Tony Acosta

Rich Digre

Employee organizations:

Management Employees Group (MEG)

Professional Employees Group (PEG)

Service Employees International Union, Local 1021 (SEIU)

Union City Police Management Association (UCPMA)

Union City Police Officer's Association (UCPOA)

XVI. ADJOURNMENT

Mayor Green adjourned the closed session at 9:30 p.m. with no reportable action.

Respectfully submitted,

Renee Elliott
City Clerk