

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

**TUESDAY, JUNE 15, 2010  
7:00 P.M.**

**COUNCIL CHAMBERS  
34009 ALVARADO NILES ROAD**

**I. CALL TO ORDER**

Mayor Green called the meeting to order at 7:05 p.m.

I.a Pledge of Allegiance

A Boy Scout color guard formation presented the colors and 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 Status Report on the Union City Library and Presentation on the Family Place Program From Union City Librarian Mira Geroy

Union City Librarian Mira Geroy presented a status report on 2010 Union City Library programs and services.

3.b Resolution Recognizing Dianne Gates-Anderson and Expressing Appreciation For Her Decade of Service to the Union City Human Relations Commission and Her Many Other Contributions to the City of Union City

Mayor Green read the resolution aloud and presented it to Diane Gates-Anderson.

3.c Proclamation Honoring the Athletes from the 2010 Union City Special Olympics Track and Field Team for their wins at the Special Olympics Northern California Track and Field championships held May 22, 2010

Mayor Green read the proclamation aloud, and presented a copy to each of the athletes from the 2010 Union City Special Olympics Track and Field Team. Coach Lee Webb announced this year's events were dedicated to the memory of Special Olympics Athlete Zac Grow.

**Mayor Green recessed the meeting at 7:39 p.m. for a reception honoring the Special Olympics Athletes.**

**Mayor Green reconvened the meeting at 7:57 p.m.**

#### **IV. ORAL COMMUNICATIONS**

Mira Malkani read aloud from a letter regarding the business license tax for rental property owners in Union City, and requested a reduction in the amount of the business license tax to \$25.

Polly Olson, speaking on behalf of Senior Center members, presented a petition expressing opposition to the closure of the Ruggieri Senior Center.

Judith Wellcave expressed opposition to the closure of the Ruggieri Senior Center.

City Manager Cheeves clarified for the audience the closure of the Senior Center was not a staff recommendation on the agenda for tonight's meeting. A brief closure of the senior center may be required in the future to accomplish necessary repairs.

Corazon Anima spoke about the benefits derived by members of the Ruggieri Senior Center.

Hari Vaswani expressed opposition to the payment of a business license tax by rental property owners.

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

Mayor Green announced Item 7.b would be added to the Consent Calendar as Item 5.l.

It was moved by Councilmember Navarro, seconded by Councilmember Dutra-Vernaci, to approve Consent Calendar items 5.a through 5.l, 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 Regular Meeting of March 25, 2010
- 5.c Rejected Claim No. 783, Submitted by Heide Velarde, Aaron Velarde, Arthur Velarde, and Devin Velarde, as Recommended by the City's Claims Administrator
- 5.d Rejected Claim No. 811, Submitted by Attorney Mark Martel on Behalf of Douglas Eduardo Garcia, as Recommended by the City's Claims Administrator
- 5.e Adopted **Resolution No. 3999-10** Calling and Giving Notice of the Holding of a General Municipal Election to be held on Tuesday, November 2, 2010, for the Election of Certain Officers; Requesting the Board of Supervisors of the County of Alameda to Consolidate a General Municipal Election to be held on Tuesday, November 2, 2010, with the General Election to be held on that date pursuant to Section 10002 of the Elections Code, and Requesting Certain Services of the Registrar of Voters; and Establishing Regulations for Candidate Statements on the Sample Ballot
- 5.f Adopted **Resolution No. 4000-10** Appointing Jonathan Pettey to the Human Relations Commission

- 5.g Adopted **Resolution No. 4001-10** Modifying and Re-appropriating 2009 Justice Assistance Grant (JAG) Formula Grant Funds for Technology and Equipment
- 5.h Adopted **Resolution No. 4002-10** of the City Council of The City of Union City Amending the Master Fee Schedule for Fiscal Year 2010-11
- 5.i Adopted **Resolution No. 4003-10** Accepting and Appropriating 2010 Justice Assistance Grant (JAG) Formula Funds for Technology, Professional Services, and Equipment
- 5.j Adopted **Resolution No. 4004-10** to Authorize the Mayor to Sign a Letter of Support on Behalf of the City Council for the Capitol Corridor Joint Powers Authority's Grant Application to the Federal Rail Administration (FRA) for Rail Improvements That Would include Segment G and the Passenger Rail Station in Union City
- 5.k Adopted **Resolution No. 4005-10** Approving Three Staff Vehicles to Alameda County Fire District: One Transfer and Two On Six-Month Loan
- 5.l Council accepted the informational report on the Code Enforcement Citation Process

## VI. PUBLIC HEARINGS

- 6.a Request to continue the Public Hearing to consider the adoption of a Resolution by the Community Redevelopment Agency to approve the terms of an agreement that provides for an Agency Loan to Abaxis Corporation for acquisition of capital equipment and the rehabilitation of property that will be used for industrial or manufacturing purposes, adopt findings in accordance with Health & Safety Code Section 33444.6, authorize Agency Counsel to prepare an agreement consistent with these terms, authorize the Executive Director to execute the final agreement, and authorize a transfer at June 30, 2010 of remaining budgeted RDA funds in the Horner/Veasy project (71103) and, as necessary, the Union Square Office project (71121) to provide funding for the loan

Assistant Executive Director Malloy requested a continuance of the public hearing to June 29, 2010. There were no speakers on the matter.

It was moved by Vice Mayor Valle, seconded by Councilmember Fernandez, to continue the public hearing on the matter to June 29, 2010. Motion carried unanimously.

- 6.b Adopt a Resolution Approving Increases to Union City Transit and Paratransit Fares for Fiscal Years 2011 and 2012

Public Works Transit Manager Lee presented the staff report and responded to questions from Councilmembers.

Mayor Green opened the public hearing. An unidentified speaker requested information regarding a discount pass. Transit Manager Lee responded to the inquiry. There were no other speakers on the matter. Mayor Green closed the public hearing.

It was moved by Vice Mayor Valle, seconded by Councilmember Fernandez, to adopt **Resolution No. 4006-10** Approving Increases to Union City Transit and Paratransit Fares for Fiscal Years 2011 and 2012. Motion carried unanimously.

- 6.c Public Hearing to Request Adoption of a Resolution Confirming the Assessment and Ordering the Levy for the Landscape and Lighting Maintenance District No. 3 for Fiscal Year 2010/11

Public Works Superintendent Sealana 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. Councilmembers provided comment.

It was moved by Councilmember Fernandez, seconded by Councilmember Dutra-Vernaci, to adopt **Resolution No. 4007-10** Confirming the Assessment and Ordering the Levy for the Landscape and Lighting Maintenance District No. 3 for Fiscal Year 2010/11. Motion carried unanimously.

## VII. CITY MANAGER REPORTS

- 7.a Economic Development Action Team (EDAT) Update and Recommendation to Adopt a Resolution to Authorize the Creation of an Economic Development Advisory Team (EDAT) 2010

Economic Development Coordinator Friday presented the staff report and responded to questions from Councilmembers. Councilmembers provided comment regarding the composition of an EDAT.

Barry Ferrier offered numerous suggestions and expressed enthusiasm for the concept of an EDAT.

It was moved by Councilmember Navarro, seconded by Vice Mayor Valle, to adopt **Resolution No. 4008-10** Authorizing the Creation of an Economic Development Advisory Team (EDAT) 2010. Staff will identify five (5) local businesses for appointment to the EDAT, and return to Council by September 2010, for Council appointments to citizen positions on the EDAT. Motion carried unanimously.

- 7.b Report on Code Enforcement Citation Process - *This item was included with the passage of the Consent Calendar as Consent Calendar Item 5.I. (See page two of these minutes.)***

- 7.c Adopt a Resolution Amending General Fund Appropriation and Revenue Estimates for FY 2010-11

City Manager Cheeves introduced the matter, noting there is no statutory reason to make budgetary amendments prior to July 1, 2010, inasmuch as the City previously adopted a two-year budget which encompasses Fiscal Year 2010/11. Staff is presenting information regarding economic downturn impacts on the City's current budget, and staff will return on June 29, 2010, with additional information and recommendations for Council consideration and approval.

Administrative Services Director Digre presented the staff report and staff responded to questions from Councilmembers. A draft resolution was presented as a desk item. Councilmembers provided comment.

Barry Ferrier commended staff on its report; expressed concern about the impact of eliminated positions on community services; and, expressed a need for a policy related to drawing down reserves.

Hugh McNamara stated fiscal responsibility was important when balancing the city's budget.

Elizabeth Ames expressed concern about the impacts of the fire merger on the current fiscal condition.

Councilmembers provided comment.

It was moved by Mayor Green, seconded by Councilmember Navarro, to accept the informational report confirming the budget adjustment shown in Step 1 and Step 2 as reflected in the draft resolution, and adopt **Resolution No. 4009-10** Amending the Operating Budget for Fiscal Year 2010/2011. Motion carried unanimously.

#### **VIII. REDEVELOPMENT AGENCY**

- 8.a Adopt Agency Resolution Authorizing the Executive Director to Execute an Amended and Restated Exclusive Negotiating Agreement with Barry Swenson Builder for the Development of Blocks 2 and 3 located along 11th Street in the Station District

Redevelopment Agency Manager Evanoff presented the staff report and responded to questions from Agency members. A revised draft resolution was presented as a desk item.

It was moved by Vice Mayor Valle, seconded by Councilmember Fernandez, to adopt **RDA Resolution No. 424-10** Approving the Execution of an Amended and Restated Exclusive Negotiating Rights Agreement with Barry Swenson Builder Regarding the Proposed Development of Property in the Station District. Motion carried unanimously.

#### **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 Valle reported the Youth and Family Services Task Force had concluded its meetings, and agreed to postpone to July 13, 2010, staff's report to Council regarding the findings and recommendations of the task force.

Councilmember Dutra-Vernaci stated she would be attending a Housing Commission meeting on Wednesday, and an East Bay division meeting of the League of California

Cities in Walnut Creek on Thursday evening where the Walnut Creek City Manager is expected to discuss pension reform. City Manager Cheeves stated he had been asked to participate as well.

Mayor Green stated the Executive Director recruitment process was underway for both ABAG and the new Alameda County Transportation Commission.

Mayor Green stated the 680 high occupancy toll lane was expected to be operational in September, from Bernal to the Santa Clara County line.

Mayor Green stated the resurfacing of Mission Boulevard, from Niles Canyon to Jackson, was supposed to take place in 2010. Public Works Director Cheng provided a brief status update regarding the undergrounding project.

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

Councilmember Navarro reported a tree was down at Alvarado and Dyer.

Mayor Green stated he had presented an award in Livermore for ABAG.

Mayor Green adjourned the meeting to Closed Session at 10:02 p.m.

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

##### **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 Officer's Association (UCPOA)

Mayor Green convened the closed session at 10:10 p.m. with the same attendance.

#### **XVI. ADJOURNMENT**

Mayor Green adjourned the Closed Session at 10:45 p.m. with no reportable action.

Respectfully submitted,

Renee Elliott  
City Clerk