

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

**TUESDAY, FEBRUARY 23, 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

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 Installation of Union City Chamber of Commerce Board Members

Mayor Green announced the following members of the 2010 Union City Chamber of Commerce Board of Directors, and presented certificates to those board members present:

Heidi Finberg	Gloria Watson	Peter Fan	Barbara Aro-Valle
Perry Gonzales	Melvin Matsumoto	Gary Singh	Abdullah Nejad
Rey Sison	Joshua Stone	Julie Zhu	

IV. ORAL COMMUNICATIONS

Myrla Raymundo announced her book entitled "Union City Oral History" had been published, and was available for sale as a fundraiser for the Union City Historical Museum. Domingo Filardo expressed his appreciation for the book, and encouraged people to purchase a copy.

John Haley provided an update report on the community garden. Mayor Green expressed an interest in reclaiming the area with East Bay Regional Park District and Alameda County.

V. CONSENT CALENDAR

Items 5.e and 5.f were removed from the Consent Calendar.

It was moved by Councilmember Navarro, seconded by Councilmember Dutra-Vernaci, to approve Consent Calendar items 5.a through 5.d, and 5.g through 5.m 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 February 9, 2010
- 5.c Approved the Second Reading and Adoption of an **Ordinance No. 729-10** Amending Chapter 15.76, Green Building and Landscaping Practices, of the Municipal Code to Establish Mandatory Green Building Requirements for Private Development Projects and to Modify the Current Green Building and Landscaping Requirements for Publicly Funded Projects (Introduced August 25, 2009)
- 5.d Adopted **Resolution No. 3941-10** Accepting Improvements for the 2008-09 Pavement Rehabilitation Program, City Project No. 08-12
- 5.g Adopted **Resolution No. 3942-10** Approving the 2010 Update to the Americans with Disabilities Act (ADA) Transition Plan
- 5.h Adopted **Resolution No. 3943-10** Approving Final Parcel Map 9151, 33121 Ninth Street, City of Union City, Joyleen and Livira Prevette
- 5.i Adopted **Resolution No. 3944-10** Authorizing an Extension of the Agreement between the City of Union City and Randall Funding & Development, Inc. for Grant Writing Services
- 5.j Adopted **Resolution No. 3945-10** of the City Council to Accept and Appropriate the 2008 Transit Oriented Development Housing Program (TOD) Grant awarded by the State of California Department of Housing and Community Development (HCD) to the Station District Infrastructure Project
- 5.k Adopted **Resolution No. 3946-10** Appropriating the Amount of Twenty Nine Thousand Dollars (\$29,000) from the Comcast Council Meeting Broadcast Transition Account to the City Council Operating Budget
- 5.l Adopted **Resolution No. 3947-10** of the City Council to Accept and Appropriate the 2009 Infill Infrastructure Grant awarded by the State of California Department of Housing and Community Development (HCD) to the BART Phase 2 Project (Account # 4100-6141-71126-54111) and Appropriate Redevelopment Agency Funds for Design and Engineering (Account # 7115-6141-71126-54111)
- 5.m Adopted **Resolution No. 3948-10** Authorizing a Contract With Digital Map Products for CITYGIS Services

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

- 5.e Adopt a Resolution for the Approval of the Updated Project List Using Proposition 1B Funds

Public Works Director Cheng responded to questions from Councilmembers.

It was moved by Mayor Green, seconded by Councilmember Navarro, to adopt **Resolution No. 3949-10** Approving an Updated List of Street Improvements to be Constructed Utilizing Proposition 1B Bond Monies as revised to include Union City Boulevard, Alvarado Boulevard to Dyer Street, as part of the 2010 Pavement Rehabilitation Program, Project No. 10-05. Motion carried unanimously.

- 5.f Adopt Two Resolutions Supporting Two Grant Applications to the State Energy Program for Funding for Municipal Clean Energy Financing and Residential Retrofit Programs

Associate Planner Schultz provided an overview of the grant programs and responded to questions from Councilmembers. Councilmembers provided comment, and noted the importance of the programs.

It was moved by Mayor Green, seconded by Councilmember Fernandez, to adopt **Resolution No. 3950-10** Authorizing Sacramento County to Act as Lead Applicant for the State Energy Program (SEP) Municipal Financial Grant on Behalf of the City of Union City, and **Resolution No. 3951-10** Authorizing the Association of Bay Area Governments to Apply to the State Energy Program for Funds to Implement a Bay Area Regional Residential Building Retrofit Program in the City of Union City, and Accept Said Grant Funds and Enter Into Agreements to Implement and Carry Out the Bay Area Regional Residential Retrofit Program in the City of Union City. Motion carried unanimously.

VI. PUBLIC HEARINGS

- 6.a Adopt a Resolution Accepting and Appropriating the 2009-2010 State of California Citizen's Option for Public Safety Grant Designated for "Front Line Municipal Police Services" for Personnel Costs

Police Chief Stewart 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 Valle, seconded by Councilmember Dutra-Vernaci, to conduct the public hearing (there were no speakers on the matter), and adopt **Resolution No. 3952-10** Accepting and Appropriating the 2009-2010 State of California Citizens Option for Public Safety (COPS) Grant. Motion carried unanimously.

VII. CITY MANAGER REPORTS - None

VIII. REDEVELOPMENT AGENCY - None

IX. AUTHORITIES AND AGENCIES - None

X. CITY COMMISSION/COMMITTEE REPORTS - None

XI. SECOND ORAL COMMUNICATIONS

Barry Ferrier inquired if the February 25, 2010 work session on contracting Fire services would be videotaped. City Manager Cheeves confirmed the session would be taped for cable broadcast at a later time.

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 the Family and Youth Resource Center committee had met at Logan High School, and had established a schedule for meeting every other Monday at 5:30 p.m., preceded by a work session with students at 4 p.m., meeting locations to vary.

Councilmember Dutra-Vernaci stated she had been unable to attend the Family and Youth Resource Center committee meeting due to her work schedule, and expressed concern that she would be unable to attend future meetings held in the afternoon. Councilmember Fernandez volunteered to take her place as co-chair of the committee with Vice Mayor Valle.

Councilmember Dutra-Vernaci reported attending a Housing Authority meeting, and distributed copies of the Housing Authority of Alameda County's Section 8 Contract and HAP Report for the month of January 2010.

Councilmember Dutra-Vernaci provided an update on the League of California Cities and its discussions regarding a State ballot initiative.

Councilmember Navarro reported he had been attending post operative physical therapy following double knee replacement surgery.

Mayor Green reported attending an ABAG meeting in Sacramento, and provided an update on vehicle license fee costs.

Mayor Green reported attending a Mayor's Conference meeting.

Mayor Green stated he would be a juror for the ABAG awards this year.

Mayor Green stated school districts need to be more involved in transit-oriented development issues and discussions.

Mayor Green stated the CMA would be voting to proceed with an open recruitment for an Executive Director, and stated CMA projects were upcoming and recommended Public Works Director Cheng contact CMA.

Mayor Green stated he would be traveling to Washington DC next week with the CMA and ACTIA.

Mayor Green announced a CRA meeting was scheduled for Friday. City Manager Cheeves stated the CRA meeting was open to all Council members who would like to attend.

13.b Referral from Mayor Green Regarding Alameda County's Discretionary Pursuit of the Death Penalty

Mayor Green stated the ACLU had approached him regarding the economic impacts of the discretionary pursuit of the death penalty by the district attorney's office in Alameda County. Mayor Green stated he would like to schedule a discussion on the matter for the first meeting in March. Councilmember Dutra-Vernaci stated she too had met with the group and thought there were valid points to consider on the issue. The matter will be agendized for the March 9, 2010 City Council meeting.

XIV. GOOD OF THE ORDER

Councilmember Navarro expressed his appreciation to everyone for their concern and support during his convalescence.

Councilmember Navarro stated the University of the Philippines concert chorus would be visiting April 12-19, and suggested they be invited to sing the National anthem at the April 13, 2010 City Council meeting.

Councilmember Dutra-Vernaci stated the census would be starting next month, and inquired what the City was doing to prepare its residents. Community and Economic Development Director Malloy provided a status update on outreach activities. Deputy City Manager Acosta stated the Human Relations Commission had accepted responsibility for forming a Union City Complete Count Committee, including coordinating weekend events in which materials will be distributed to remind everyone to support the Complete Count efforts.

Councilmember Dutra-Vernaci provided an update regarding the CERT program, noting she was now the Program Coordinator.

Mayor Green encouraged his fellow Council members to put in a plug at speaking functions about the value of having everyone counted during the census.

Vice Mayor Valle stated he had received an email from Douglas Abbott regarding the hours of operation at the sports center, particularly requesting Council consider revising the opening time from an 8 am opening time to a 7 am opening time on Sunday's.

Vice Mayor Valle stated he would contact Public Works Director Cheng about using Veterans Memorial Park for a POW/MIA commemorative event in April.

Mayor Green reported attending an event commemorating 100 years of Boy Scouting at Niles Elementary School.

Mayor Green reported attending an event commemorating the lunar Chinese New Year at the Dynasty Restaurant in Cupertino.

Mayor Green reported attending the Grand Opening of Jimmy's Place.

Mayor Green reported attending a Silicon Valley Engineering Council meeting last week.

Mayor Green stated Logan High School had held its track and field event, and expressed his desire to see the New Haven Unified School District Board maintain extra-curricular activities at the school.

Mayor Green reported attending an open house at DeVry University, noting the housing unit is full.

Councilmember Fernandez volunteered to work on the community garden project.

Assistant City Attorney Reyes announced Item 15.b on the Closed Session agenda would be postponed.

Mayor Green adjourned the regular meeting to Closed Session at 8:05 p.m.

XV. CLOSED SESSION

15.a CLOSED SESSION - CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION

(Pursuant to Government Code Section 54956.9)
(Several Cases)

15.b CLOSED SESSION - LITIGATION UPDATE AND ANNUAL PERFORMANCE EVALUATION - CITY ATTORNEY

(Pursuant to Government Code Sections 54956.9 and 54957)

This item was postponed.

XVI. ADJOURNMENT

Mayor Green adjourned the closed session at 9:10 p.m.

Respectfully submitted,

Renee Elliott
City Clerk