

**MINUTES FOR THE ADJOURNED
REGULAR CITY COUNCIL MEETING
CITY OF UNION CITY
JULY 9, 2002, 6:00 P.M.
COUNCIL CONFERENCE ROOM
34009 ALVARADO-NILES ROAD
UNION CITY, CALIFORNIA**

Vice Mayor Dutra-Vernaci called the meeting to order at 6:15 p.m.

ROLL CALL: Present: Councilmembers, Elias, Fernandez, Valle, Vice Mayor Dutra-Vernaci
Absent: Mayor Green

Council met in closed session on the following:

Mayor Green arrived at meeting at 6:55 p.m.

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Pursuant to Section 54957 of the California Government Code)**

Title: City Manager - Informal review of City Manager's annual performance objectives
progress

Meeting recessed at 7:45 p.m. Closed session will be reconvened immediately following the regular meeting.

**MINUTES FOR THE REGULAR
CITY COUNCIL MEETING OF
THE CITY OF UNION CITY
TUESDAY, JULY 9, 2002, 7:00 P.M.,
COUNCIL CHAMBERS
34009 ALVARADO-NILES ROAD
UNION CITY, CALIFORNIA**

Mayor Green called the meeting to order at 7:55 p.m. and lead the audience in the salute to the flag.

ROLL CALL: Present: Councilmembers Elias, Fernandez, Valle, Vice Mayor Dutra-Vernaci, Mayor Green
Absent: None

Mayor Green announced that Council will reconvene in closed session immediately following the regular agenda.

UNFINISHED BUSINESS - NONE

APPROVAL OF MINUTES

A. Approval of minutes of the Regular City Council meeting of Tuesday, June 25, 2002

Vice Mayor Dutra-Vernaci moved, seconded by Councilmember Valle to approve minutes as submitted.

AYES: 5 NOES: 0 ABSENT: 0

PROCLAMATIONS/PRESENTATIONS

A. Resolution in honor of Lt. Mike Shelton upon his retirement from the City

Councilmember Elias moved, seconded by Councilmember Valle to approve resolution, read in its entirety.

AYES: 5 NOES: 0 ABSENT: 0 ADOPT
RESO. NO. 2204-02

Mayor Green read the resolution in its entirety and presented it to Lt. Shelton who accepted the resolution and thanked the Council for the recognition.

B. Presentation of historical artifacts and photos to the City by Union Sanitary District

Ken Smith, Board Member, Union Sanitary District, presented artifacts and photos of the Old

Alvarado Pumping Station to the City.

ORAL COMMUNICATIONS

Carmen Saldivar presented a written complaint to Council regarding fireworks.

Ms. Esquevez spoke about receiving citations and requested a waiver of the citations.

Gary Preciado spoke about receiving citation for using "Safe and Sane" fireworks and requested a waiver.

John Haley stated this was the worse year for the use of fireworks and stated there was zero enforcement in the Seven Hills area.

City Attorney, Michael Riback, stated that the complaint submitted by Carmen Saldivar will be forwarded to Police Department.

Those requesting waiver of citations were requested to submit their request to the City Attorney or City Manager's officer.

Council requested a report on activities on the Fourth of July.

Police Chief Ulibarri gave a report on the action plan that was followed by the Police Department for the Fourth of July.

Battalion Chief Maxwell gave a report on the action plan that was followed by the Fire Department for the Fourth of July.

Larry Cheeves, Public Works Director reported that clean-up was less this year than had been in prior years.

HEARINGS - NONE

REPORTS FROM CITY MANAGER - NONE

At 9:00 p.m., City Council recessed in order to meet under their authority as the Community Redevelopment Agency.

REDEVELOPMENT AGENCY

A. Creation of Union City Boulevard Mixed Use Development Unified Area (Resolution)

The Redevelopment Agency Board has the authority to create a Unified Development Area which is a tool for effective redevelopment that provides the Agency Board with the authority to assemble parcels and select one or more Master Developers. A request has been made to

form a Unified Development Area on the west side of Union City Boulevard with the following parcels:

482-001-000-109	30639 Union City Blvd.	175,547 square feet
482-001-100-102	30957 Union City Blvd.	9,451 square feet
482-001-005-200	Union City Blvd. (Vacant parcel)	42,553 square feet
482-001-100-200	30963 Union City Blvd.	12,647 square feet

Mark Evanoff, Redevelopment Agency Manager, gave the staff report.

Yolanda Triana, RePAC, stated there was a concern that Pinn Bros. would not protect Mr. Wilson's rights.

Carmen Saldivar stated RePAC feels the property owners' rights should be protected.

John Haley stated a master development plan should allow the property owner to develop his own property; stated playgrounds should be included in the development; and there should be general agreement on the concept.

Greg Pinn, Pinn Brothers Construction, stated that staff requested Pinn Bros. to assemble these parcels and spoke of their contacts they have had with the property owner.

Hugh McNamara expressed reasons for protecting the owner's property rights.

Mayor Green moved, seconded by Agencymember Elias to approve resolution, numbered appropriately.

AYES: 5 NOES: 0 ABSENT: 0

The title of the resolution adopted by this motion is as follows:

RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF UNION CITY DESIGNATING SPECIFIED PARCELS UNION CITY BLVD. FOR DEVELOPMENT AS A UNIFIED DEVELOPMENT AREA AND AUTHORIZING DISTRIBUTION OF A REQUEST FOR PROPOSALS AND COMPLETION OF ACTIONS NECESSARY FOR SELECTION OF A MASTER DEVELOPER OR DEVELOPERS FOR SUCH UNIFIED DEVELOPMENT AREA	ADOPT RDA RESO. NO. 260-02
--	-------------------------------

The Community Redevelopment Agency adjourned meeting at 9:25 p.m.

Council meeting reconvened at 9:25 p.m.

AUTHORITIES/AGENCIES - NONE

CONSENT CALENDAR/RESOLUTIONS

Mayor Green requested Item F removed from the consent agenda.

Vice Mayor Dutra-Vernaci requested Item D removed from the consent agenda.

Councilmember Valle moved, seconded by Councilmember Fernandez to adopt Items A-C, E, G-J, numbered appropriately.

AYES: 5 NOES: 0 ABSENT: 0

The titles of the resolutions adopted by this motion are as follows:

- A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY APPOINTING INDIVIDUALS TO SENIOR COMMISSION *accepts the grant right-of-way from Alameda County Flood Control and Water Conservation District.*
This resolution reappoints Irene Wolfe and Josephine Pando to serve on the Senior Citizens Commission with terms expiring June 2006.
- B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY APPROVING TENTATIVE PARCEL MAP 7988 INITIATED BY SERGIO GUTIERREZ
Initiated by Sergio Gutierrez, on behalf of the property owners, Carlos and Ana Gutierrez, the applicant is requesting approval of a Tentative Parcel Map TPM 7988 to allow an adjustment of the lot line between two existing parcels to create two separate parcels each having a lot width of 45 feet and a lot area of 4,500 square feet.
- C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY ACCEPTING GRANT RIGHT-OF-WAY
In conjunction with the development of Tract 6921 (Pulte Homes), the developer constructed a bridge which is now known as the All American City Bridge to extend Arizona Street. This resolution

ADOPT RESO. NO. 2205-02

ADOPT RESO. NO. 2206-02

ADOPT RESO.
NO. 2207-02

ADOPT RESO.
NO. 2208-02

- E. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY AUTHORIZING THE FILING OF AN APPLICATION FOR FEDERAL SURFACE TRANSPORTATION FUNDS THROUGH THE METROPOLITAN TRANSPORTATION COMMISSION'S TRANSPORTATION FOR LIVABLE COMMUNITIES HOUSING INCENTIVE PROGRAM AND COMMITTING THE NECESSARY LOCAL MATCH FOR THE PROJECT(S) AND STATE THE ASSURANCE OF THE CITY OF UNION CITY TO COMPLETE THE PROJECT

This resolution authorizes the filing of an application for Federal Surface Transportation Funds through the Metropolitan Transportation Commission's Transportation for Livable Communities Housing Incentive Program. This application is for funds that have been already awarded for both the assisted and independent living components of Phase III of the Senior Village project.

G. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY CANCELING AUGUST 13 REGULARLY SCHEDULED CITY COUNCIL MEETING

ADOPT RESO.
NO. 2209-02

Past practice has been for the second regularly scheduled Council meeting in August to be canceled. However, due to Council and staffing schedules, staff is requesting Council concurrence to cancel the August 13th meeting in order to give the public and employees proper notice.

Items H-J were approved by the earlier stated motion.

H. Rejection of Claim No. 510

Marshall O. Johnson, Jr. filed a claim against the City regarding loss of property.

I. Rejection of Claim No. 517

Laszlo T. Sebian filed a claim against the City regarding property damage.

J. Rejection of Claim No. 518

Ram Prasad filed a claim against the City regarding property damage.

The title of Item D is as follows:

D. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY AUTHORIZING THE EXECUTION OF THE PURCHASE AGREEMENT FOR 4029 HORNER STREET, UNION CITY, APN 482-0100-013-01

In 1999, the City Council provided staff direction to create a Park N Ride lot in the vicinity of Union City Boulevard to provide parking for express AC Transit bus service to San Francisco and additional commercial parking on weekends. This resolution authorizes the City Manager to execute the Purchase Agreement for the property located at 4029 Horner Street.

Vice Mayor Dutra-Vernaci requested to pull Item D to receive information on the process that has been followed regarding this item.

Vice Mayor Dutra-Vernaci moved, seconded by Councilmember Valle to approve Item D, numbered appropriately.

AYES: 5 NOES: 0 ABSENT: 0 ADOPT RESO.
NO. 2210-02

The title of Item F is as follows:

F. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY APPROVING
AMENDMENT TO POLICE OFFICERS' ASSOCIATION MEMORANDUM OF
UNDERSTANDING

This resolution amends Section 5.05 of the Police Officers' Association (POA) Memorandum of Understanding (MOU) pertaining to a change in the medical benefit payment for retirees of the Union City Police Department.

Mayor Green and Councilmember Elias requested a separate vote on this item.

Vice Mayor Dutra-Vernaci moved, seconded by Councilmember Fernandez to adopt this resolution, numbered appropriately.

AYES: 3 NOES: 2 (MG/BE) ABSENT: 0 ADOPT RESO.
NO. 2211-02

ORAL COMMUNICATIONS

Barry Ferrier commended staff regarding City's webpage and information contained therein; commented on reduced hours of Tri-CED Recycling; and commented on illegal fireworks.

CORRESPONDENCE - NONE

APPROVAL OF BILLS - NONE

SCHEDULED ORAL COMMUNICATIONS - NONE

ITEMS REFERRED BY COUNCIL

A. Oral Reports by Councilmembers on Meetings of County or Regional Boards and Commissions

There were no oral reports.

GOOD OF THE ORDER

Councilmember Valle requested to receive RePAC minutes and agendas.

Councilmember Valle stated Logan Band will be entering the Tournament of Roses Parade and would like to receive a letter of support at the next Council meeting.

Council moved into closed session at 9:56 p.m.

At 11:00 p.m. Councilmember Elias moved, seconded by Councilmember Valle to adjourn meeting to Tuesday, July 23, 2002.

AYES: 5 NOES: 0 ABSENT: 0