

The City Council will convene the adjourned meeting at 6:15 p.m. at which time there will be an opportunity for citizens to make comments. After public comments, the Council will meet in closed session.

**AGENDA FOR THE ADJOURNED
REGULAR CITY COUNCIL MEETING
CITY OF UNION CITY
JANUARY 13, 2004, 6:15P.M.
COUNCIL CONFERENCE ROOM
34009 ALVARADO-NILES ROAD
UNION CITY, CALIFORNIA**

6:15 P.M. - Council Conference Room

I. **ROLL CALL:** Councilmembers Dutra-Vernaci, Elias, Valle, Vice Mayor Fernandez, Mayor Green

II. **CLOSED SESSION:**

A. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**
(Pursuant to Subdivision (a) of Section 54956.9)

Property: 34201 Alvarado Niles Road, APN 486-0099-006

Agency negotiator: Mark Evanoff, Redevelopment Agency Manager;
Randy Ulibarri, Police Chief; Mark Leonard,
Community and Economic Development Director;
Larry Cheeves, Interim City Manager; Tony
Acosta, Deputy City Manager

Under negotiation: Possible purchase and/or lease of property

B. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED
LITIGATION**

(Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9)

One Potential Case

III. **ADJOURNMENT**

The City Council of the City of Union City meets the second and fourth Tuesday of each month at 7:00 p.m. City Council meetings are televised live on Channel 20 and retelevised the following Friday at 6:00 p.m., and at 6:00 p.m. the following Tuesday. Complete agenda packets are available for public inspection at City Hall, the Union City Library, and the Community Centers. See the "City Council Information Guide" for more detailed information or visit our web site at www.ci.union-city.ca.us. For Agenda information, you may contact the City Clerk's Office at 510-675-5348.

In compliance with the Americans with Disabilities Act of 1990, if you need special assistance to participate in a City meeting or you need a copy of the agenda or the agenda packet in an appropriate alternative format, please contact the City Clerk's office at 510-675-5348. Notification of at least 72 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service. Assisted listening devices are available at all Council/Commission meetings.

Ask the City Clerk if you desire to use this device.

Resolution 2536-03

Ordinance 619-03

Redevelopment Reso. 284-03

**AGENDA FOR THE REGULAR
CITY COUNCIL MEETING OF
THE CITY OF UNION CITY
TUESDAY, JANUARY 13, 2004, 7:00 P.M.
COUNCIL CHAMBERS
34009 ALVARADO-NILES ROAD
UNION CITY, CALIFORNIA**

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL: Councilmembers Dutra-Vernaci, Elias, Valle, Vice Mayor Fernandez, Mayor Green

III. UNFINISHED BUSINESS - NONE

IV. APPROVAL OF MINUTES

A. Approval of minutes of the Regular City Council meeting of Tuesday, December 9, 2003

Required Action: Motion

V. PROCLAMATIONS/PRESENTATIONS - NONE

VI. ORAL COMMUNICATIONS

Comments from the floor on non-agenda items will be accepted for a period of ½ hour maximum. Speakers are limited to three minutes each. Persons wishing to speak must complete a Speaker Card available at the rear of the Council Chambers or from the Clerk. If the number of speakers exceeds the time allotment, cards will be shuffled and 10 speakers chosen at random. The remaining speakers may speak under Section XIII of the agenda if they wish.

VII. HEARINGS - NONE

VIII. REPORTS FROM CITY MANAGER

**A. Setting Fee for 911 Emergency Communication System Response Fee
(Resolution)**

Required Action: Motion

This resolution sets the fee for the 911 Emergency Communication System Response Fee pursuant to Ordinance No. 617-03 which adds Chapter 7.20 to the Union City Municipal Code. This fee will be charged on all “land line” and cellular telephones located and/or billed to addresses in Union City.

B. FY 2004/05 Budget Preparation

Required Action: Motion

Staff is presenting a process for the Council’s consideration for the preparation of the operating budget and capital investment plan (CIP) for FY 2004/2005.

IX. REDEVELOPMENT AGENCY - NONE

X. AUTHORITIES/AGENCIES - NONE

XI. REPORTS FROM CITY COMMISSIONS/COMMITTEES - NONE

XII. CONSENT CALENDAR/RESOLUTIONS

(All matters listed under the Consent Calendar are considered routine City Council or Redevelopment Agency items by the City Staff and may be enacted by the City Council/Agency by one motion in the form listed below. There will be no separate discussion of these items unless, before the City Council/Agency votes on the motion to adopt, Members of the City Council/Agency, staff, or the public request specific items to be removed from the Consent Calendar for separate action).

- A. Resolution of the City Council of the City of Union City **ADOPTING A REVISED MASTER FEE SCHEDULE FOR FISCAL YEAR 2003/2004**
Required Action: Motion

This resolution amends the Master Fee Schedule for Fiscal Year 2003/2004 to reflect changes to the Massage Establishment and Massage Technical fees, Business License Report fees, and Environmental Program Fees.

- B. Resolutions of the City Council of the City of Union City **APPROVING SITE DEVELOPMENT REVIEW SD-13-03 AND VARIANCE V-08-03, FOR KERRY SWEET INGREDIENTS**
Required Action: Motion

Initiated by Craig Bonelli of Cold Storage Manufacturing, Inc., on behalf of Kerry Sweet Ingredients, the applicant is requesting approval of a Site Development Review, SD-13-03, and a Variance, V-08-03, to allow a 17,625 square foot expansion to an existing commercial baking/candy production facility and to allow a reduction in the required number of parking spaces on site for the project.

- C. Resolution of the City Council of the City of Union City **APPROVING USE PERMIT UP-08-03, SITE DEVELOPMENT REVIEW SD-14-03; AND TENTATIVE PARCEL MAP 8296**
Required Action: Motion

Initiated by Steve Chess, property owner, the applicant is requesting approval of a Site Development Review Permit (SD-14-03) to construct two 2-story buildings on a 3.11 acre site. Building A would have 10 commercial condominium units and Building B would have 9 units.

XII. **CONSENT CALENDAR/RESOLUTIONS** (continued)

D. **Resolution of the City Council of the City of Union City ACCEPTING IMPROVEMENTS FOR 2002-03 SLURRY SEAL PROGRAM, CITY PROJECT NO. 02-49**

Required Action: Motion

Bond Blacktop, Inc, has completed the improvements for the 2002-03 Slurry Seal Program in accordance with the plans and specifications. A total of 1,556,416 sq. ft. of pavement surface was slurry sealed this year. Slurry seal treatment prevents water from entering the pavement thereby extending the life of the pavement for several years. It is expected that the slurry seal treatment will help maintain the relatively high OCI ratings of the project streets.

E. **Resolution of the City Council of the City of Union City AUTHORIZING THE AUTOMATIC MUTUAL AID AGREEMENT FOR EXCHANGE OF FIRE PROTECTION, RESCUE, AND EMERGENCY MEDICAL SERVICES**

Required Action: Motion

Union City and Newark Fire Department's have developed an agreement to mutually provide automatic mutual aid between each agency. This agreement increases the service level of both departments at no cost to either City by sharing fire resources. The Union City first alarm attendance level will be increased from a minimum of 10 to 15. Additionally, when Union City has a first alarm, Newark will share their Battalion Chief and will cover both cities in the event of a simultaneous alarm.

F. **Resolution of the City Council of the City of Union City AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE A BART PLUS AGREEMENT FOR THE PERIOD ENDING DECEMBER 31, 2005**

Required Action: Motion

This new agreement is required to replace the existing BART Plus Agreement because AC Transit is no longer participating in the BART Plus Program. The proposed agreement is for the period from the effective date through December 31, 2005 and can be extended in annual increments.

XII. CONSENT CALENDAR/RESOLUTIONS (continued)

G. Rejection of Claim Nos. 553, 563, and 567

Required Action: Motion

The City's Claim Administrator is requesting rejection of Claim No. 553, filed by Johnnita Caldwell regarding alleged personal injury.

The City's Claim Administrator is requesting rejection of Claim No. 563, filed by California Casualty Insurance Company regarding property damage.

The City's Claim Administrator is requesting rejection of Claim No. 567, filed by Charlotte Bell regarding alleged property damage.

XIII. ORAL COMMUNICATIONS

XIV. CORRESPONDENCE - NONE

XV. APPROVAL OF BILLS - MONTHS OF NOVEMBER AND DECEMBER

A. Approval of disbursements for payment for November and December 2003

Required Action: Motion

XVI. SCHEDULED ORAL COMMUNICATIONS -NONE

XVII. ITEMS REFERRED BY COUNCIL

A. Oral reports by Councilmembers on meetings of County or Regional Boards and Commissions

Required Action: Information Only

XVIII. GOOD OF THE ORDER

XIX. ADJOURNMENT - Adjourn to January 20, 2004 work session regarding Route 84.