

**MINUTES FOR THE ADJOURNED
REGULAR CITY COUNCIL MEETING
CITY OF UNION CITY
FEBRUARY 10, 2004, 6:00P.M.
COUNCIL CONFERENCE ROOM
34009 ALVARADO-NILES ROAD
UNION CITY, CALIFORNIA**

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

DUE TO A LACK OF QUORUM, THE ADJOURNED REGULAR MEETING WILL BE RESCHEDULED TO THE END OF THE REGULAR MEETING.

CLOSED SESSION:

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Pursuant to subdivision (a) of Section 54956.9)

Name of Case: Hemza, et al. vs. Redevelopment Agency of the City of Union City, Alameda County Superior Court Case 02-058269

Item B will be addressed in closed session as a joint meeting between the Community Redevelopment Agency Board and City Council

B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Pursuant to Section 54956.8)

Property: Alvarado Niles Road, APN 087-0020-003; Seventh Street, APN 087-0102-005; APN 087-0102-006; APN 087-0102-007; APN 087-0101-080

Agency negotiator: Redevelopment Agency Attorney; Larry Cheeves, Executive Director; Mark Leonard, Assistant Executive Director; Mark Evanoff, Redevelopment Agency Manager;

Under negotiation: Possible purchase of property

C. CONFERENCE WITH LABOR NEGOTIATORS:
(Pursuant to Section 54957.6)

Agency designated representatives: City Manager Larry Cheeves; Deputy City Manager Tony Acosta; Professional Unit Representative Paul Hammond

Employee Organization: Professional Employees Unit

D. PUBLIC EMPLOYEE APPOINTMENT
(Pursuant to Section 54957)

Title: City Manager

Meeting adjourned at 6:52 p.m.

**MINUTES FOR THE REGULAR
CITY COUNCIL MEETING OF
THE CITY OF UNION CITY
TUESDAY, FEBRUARY 10, 2004, 7:00 P.M.
COUNCIL CHAMBERS
34009 ALVARADO-NILES ROAD
UNION CITY, CALIFORNIA**

Vice Mayor Fernandez called the meeting to order at 7:00 p.m. and led the audience in the salute to the flag.

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

Vice Mayor Fernandez read the rules for conduct of the meeting.

UNFINISHED BUSINESS - NONE

APPROVAL OF MINUTES

A. Approval of minutes of the Regular City Council meeting of Tuesday, January 27, 2004

At staff's request, the minutes were continued to the February 24, 2004 meeting.

PROCLAMATIONS/PRESENTATIONS

A. Presentation by Rich Curry and Ken Smith, representing Union Sanitary District, regarding improvements to the Alvarado Treatment Plant

Ken Smith, Vice Chair of Union Sanitary Board introduced Rich Curry, General Manager of USD, who gave a presentation to Council on the improvements that have taken place at the Alvarado Treatment Plant.

John Haley questioned effects of a major earthquake, and comments on preventing sink holes.

Hugh McNamara spoke of patch of street that needs to be leveled.

B. Presentation by Robert Carlson, President of Chabot College, regarding Measure B Bond Issue

Dr. Robert Carlson spoke to the Council about the merits of Measure B Bond Issue.

George Addas, Jr. was amongst the first to come back from VietNam to attend Chabot, important for veterans, and expressed his support for Chabot College.

Mayor Green arrived at the meeting at 7:32 p.m.

ORAL COMMUNICATIONS

Hugh McNamara spoke about Measure K committee that will addressing labels for campaign materials and invited all to join.

Joel Garcia, Tiburcio Vasquez Health Center, Inc., Chief Executive Officer, commented on Measure A, ½ cent sales tax.

REPORTS FROM CITY MANAGER

A. Update on FY 2003/04 Budget

This report provides a review of the City's General Fund finances (revenues and expenditures) during the first six months of the 2003-04 fiscal year and compares the results with the fiscal plan established at the time the annual budget was adopted. Included are financial projections of revenues through the remainder of the fiscal year.

Rich Digre, Administrative Services Director, gave the staff report.

John Haley stated this information shows that the budget is "lean and mean" and should be considered and voting in support of Measure K.

Barry Ferrier commented on summarizing the budget information for Measure K campaign information.

George Addas commented on fines imposed by other municipalities across the nation, that could be considered by the City.

Hugh McNamara commented on vehicle license fees.

There was no action taken on this item.

REDEVELOPMENT AGENCY - NONE

AUTHORITIES/AGENCIES - NONE

REPORTS FROM CITY COMMISSIONS/COMMITTEES

- A. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY AUTHORIZING A REQUEST FOR PROPOSALS PROCESS FOR MACHINE VENDING RIGHTS IN CITY FACILITIES

This resolution has been prepared authorizing a Request for proposals (RFP) process to solicit proposals for machine vending rights in City facilities. Staff recommends approval of the proposed resolution.

Tony Acosta, Deputy City Manager, gave the staff report.

John Haley stated emphasis should be on healthy beverages and snacks.

Mayor Green moved, seconded by Vice Mayor Fernandez to approve resolution, numbered appropriately.

AYES: 4 NOES: 0 ABSENT: 1 (RV) ADOPT
RESO. NO. 2581-04

CONSENT CALENDAR/RESOLUTIONS

Mayor Green removed item A from the consent agenda.

Councilmember Elias removed Item B from the consent agenda.

The title of Item A is as follows:

- A. SETTING A HEARING DATE TO CONSIDER RECOVERY OF COST FOR ABATEMENT OF A DANGEROUS BUILDING AT 14 UNION SQUARE

Staff recommends the City Council to set a hearing date to recover the City's expenses associated with the demolition of the vacant bowling alley.

Mayor Green removed Item A from the consent calendar to question the zoning of this property.

Mayor Green moved, seconded by Councilmember Dutra-Vernaci to set the hearing date to consider recovery of cost for abatement of a dangerous building at 14 Union Square was set for Tuesday, February 24, 2004 at 7:00 p.m. in the Council Chambers.

AYES: 4 NOES: 0 ABSENT: 1 (RV) ADOPT
RESO. NO. 2582-04

The title of Item B is as follows:

- | | | |
|----|---|----------------------|
| B. | Final Reading Ordinance No. 619-04: ORDINANCE OF THE CITY OF UNION CITY AMENDING THE ZONING CODE TO MODIFY SECTION 18.40 OF THE UNION CITY MUNICIPAL CODE AT-01-04 REGARDING INDUSTRIAL DEVELOPMENT STANDARDS | FINAL ORD.
619-04 |
|----|---|----------------------|

This is the Final Reading of Ordinance No. 619-04 which amends the Zoning Code to modify Section 18.40. This proposed amendment would modify the regulation of certain type of permitted and conditionally permitted uses and incorporate common conditions of approval into Section 18.40.150 Performance Standards.

Councilmember Elias questioned if the recycling facilities would be outdoor or indoor facilities.

Councilmember Elias moved, seconded by Councilmember Dutra-Vernaci to adopt Ordinance No. 619-04, title read in full by City Attorney Michael Riback.

ORAL COMMUNICATIONS

There were no individuals speaking under Oral Communications.

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 reports.

GOOD OF THE ORDER

Councilmember Dutra-Vernaci received a call from a resident who commented that Drigon Dog Park does not provide access for disabled people who would like to visit the park. They are requesting to have a curb cut.

Councilmember Dutra-Vernaci stated that the speed near the dog park is a concern and crossing the street is dangerous.

Councilmember Dutra-Vernaci commented on a problem reported to her of people bringing children to play at the Dog Park, not dogs.

Vice Mayor Fernandez commented on a pile of garbage left on the street.

Mayor Green questioned the opening date for the Park 'n Ride opening date.

At 9:00 p.m. Councilmember Dutra-Vernaci moved, seconded by Councilmember Elias to adjourn meeting to Tuesday, February 17, 2004.

AYES: 4 NOES: 0 ABSENT: 1 (RV)