

**MINUTES FOR THE ADJOURNED
REGULAR CITY COUNCIL MEETING
CITY OF UNION CITY
JUNE 22, 2004, 6:00 P.M.
COUNCIL CONFERENCE ROOM
34009 ALVARADO-NILES ROAD
UNION CITY, CALIFORNIA**

Vice Mayor Fernandez called the meeting to order at 6:08 p.m.

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

Council met in closed session on the following:

CLOSED SESSION:

A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Pursuant to Section 54956.8 of the California Government Code)

Property: 35700 Alvarado Niles Road, APN 087-0020-003

Agency negotiators: Larry Cheeves, City Manager, Mark Leonard, Economic/Community Development Director, Counsel; Michael Riback, City Attorney; Mark Evanoff, Redevelopment Agency Manager

Under negotiation: Price and terms

B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Pursuant to Section 54956.8 of the California Government Code)

Property: 33459 and 33435 Mission Boulevard, APN 486-0003-032, 486-0003-033, and 486-0003-034-01

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

Under negotiation: Price and terms

C. **CONFERENCE WITH LABOR NEGOTIATORS**
(Pursuant to Section 54957.6 of the California Government Code)

Agency designated representatives: City Manager Larry Cheeves; Deputy City Manager Tony Acosta; Rich Digre, Administrative Services Director

Employee Organization: Local 790, Management

Meeting adjourned at 7:10 p.m.

**MINUTES FOR THE REGULAR
CITY COUNCIL MEETING OF
THE CITY OF UNION CITY
TUESDAY, JUNE 22, 2004, 7:00 P.M.
COUNCIL CHAMBERS
34009 ALVARADO-NILES ROAD
UNION CITY, CALIFORNIA**

Mayor Green called the meeting to order at 7:24 p.m. and led the audience in the salute to the flag.

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

Mayor Green stated the Council took no reportable action in the prior closed session.

Mayor Green read the rules for conduct of the meeting.

UNFINISHED BUSINESS - NONE

APPROVAL OF MINUTES

A. Approval of Minutes of the adjourned regular and regular City Council meeting of Tuesday, May 25, 2004

Councilmember Elias moved, seconded by Councilmember Dutra-Vernaci to approve minutes as submitted.

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

B. Approval of Minutes of the adjourned regular City Council meeting of Tuesday, June 1, 2004

Councilmember Elias moved, seconded by Vice Mayor Fernandez to approve minutes as submitted.

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

PROCLAMATIONS/PRESENTATIONS

A. Resolution in recognition of the State Champion James Logan High School Men's Track and Field Team

Councilmember Elias moved, seconded by Vice Mayor Fernandez to approve resolution, read in its entirety, numbered appropriately.

AYES: 4 NOES: 0 ABSENT: 1 (RV) ADOPT
RESO. NO. 2659-04

ORAL COMMUNICATIONS

Lonny Amaya commented on civil rights.

Leonor Amaya spoke about comments made at last Council meeting.

Carmen Saldivar commented on article in Argus.

HEARINGS

A. HEARING RE: PATTERSON RANCH, INC. 33121 ALVARADO-NILES ROAD, USE PERMIT UP-05-04 AND ZONING MAP AMENDMENT, A-03-04 (Resolution and Introduction of Ordinance)

The applicant is requesting approval of a Use Permit to demolish the existing Victorian residence and associated water tower on the property and a Zoning Map Amendment to remove the Landmark and Historic Preservation (LHP) Overlay zoning designation on the property located at 33121 Alvarado-Niles Road (APN: 475-0148-005). Notice is also given that the City has prepared a Negative Declaration on the project and has determined that the structures on site are in a state of disrepair that cannot be remodeled or rehabilitated in a manner which would allow a reasonable use or return from the property as it is commercially zoned.

Aki Honda, Planner, gave the staff report.

At the request of Council, Mike Mukulich, Patterson Ranch, the applicant, commented on the moving costs. Councilmember Dutra-Vernaci moved, seconded by Councilmember Elias to adopt resolution, numbered appropriately, and to introduce the Ordinance, reading of title to

suffice.

At this time, Mayor Green opened the hearing for public comment, those speaking in favor first.

Mike Mukulich, Patterson Ranch, spoke in favor of this project and responded to Council questions.

Jim Jandik Chamber of Commerce, stated there is very little left of the original architecture and is in favor of destruction.

There being no further comments in favor of this project, Mayor Green requested those speaking in opposition to this project.

Miles Price spoke in opposition to destroying this property.

Councilmember Valle arrived at meeting at 8:05 p.m.

Tim Swenson, on behalf of the Historical Museum, spoke in opposition to demolishing this home.

Al Mennard, Fremont resident, Board of Directors UC Museum, feels developer should pay to move this home, the City should use park rehabilitation funds and implement a Mills Act, and the house should be protected.

Myrla Raymundo, Historical Museum, spoke in opposition to demolition of this house.

There being no further comments in opposition to this project, Mayor Green offered rebuttal comments to those speaking in favor.

Mike Mukulich stated there should have been prior responsibility to take care of this home.

At this time Mayor Green closed the public hearing.

Mayor Green moved, seconded by Councilmember Elias to approve staff recommendation, with the inclusion of a art project that would memorialize and reflect the architectural

There was also Council concurrence for staff to return with a policy in September to revisit the process which would help to minimize this type of situation happening in the future. The policy should include inspections on designated properties.

AYES: 5 NOES: 0 ABSENT: 0

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

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY APPROVING USE PERMIT, UP-05-04, TO ALLOW DEMOLITION OF THE VICTORIAN RESIDENCE AND ASSOCIATED WATER TOWER ON PROPERTY LOCATED AT 33121 ALVARADO-NILES ROAD

ADOPT RESO.
NO. 2660-04

The title of the ordinance introduced by the above stated motion is as follows:

ORDINANCE OF THE CITY OF UNION CITY AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF UNION CITY A-03-04

INTRO ORD.
626-04

Assistant City Attorney, John Bakker, read the title of the ordinance as introduced.

Council recessed at 8:43 p.m. reconvening at 9:12 p.m.

REPORTS FROM CITY MANAGER

Item A was addressed in a joint meeting of the City Council and the Community Redevelopment Agency

A. Fiscal Year 2004-05 Recommended Budget

1. Adoption of revised Gann Spending limits (Resolution)

State law requires that every California city prepare calculations each fiscal year of the city's maximum allowed appropriations. Once this amount has been calculated, cities are not permitted to exceed those limits. The calculated Gann limit of approximately \$94 million exceeds the proposed FY 2004/05 General Fund operating budget by almost \$63 million.

Larry Cheeves, City Manager, gave the staff report.

Hugh McNamara would like Agency to adopt the 34 affordable multi-family homes and seven affordable single family home option.

Mike Brown, Local 1946 President, spoke about budget and allocation of Measure K funds.

Carmen Saldivar, RePAC member, commented on funding decisions by RePAC.

Barry Ferrier thanked staff and Council for this current budget process and policy for the budget reserve.

Yolanda Triana, RePAC member, commented on information available to RePAC.

J. J. Amaya, RePAC, commented on information available to RePAC.

Lonny Amaya commented on televising RePAC meetings.

George Adas commented on lack of services on west side of I880.

Vice Mayor Fernandez moved, seconded by Councilmember Valle to adopt resolution, numbered appropriately.

AYES: 5 NOES: 0 ABSENT: 0

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

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY ESTABLISHING AN APPROPRIATIONS LIMIT FOR FISCAL YEAR 2004/05	ADOPT RESO. NO. 2661-04
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- 2) Adoption of Fiscal Year 2004-05 Proposed Operating Budget, Five Year Capital Improvement Plan, and RDA Budget and Implementation Plan (Resolutions)

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

Mayor/Chair Green moved, seconded by Vice Mayor/Vice Chair to adopt resolution, numbered appropriately.

AYES: 5 NOES: 0 ABSENT: 0

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

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY ADOPTING THE OPERATING BUDGET FOR FISCAL YEAR 2004/05 AND APPROVING THE FIVE-YEAR CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS 2004/05 THROUGH 2008/09	ADOPT RESO. NO. 2662-04
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RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF UNION CITY ADOPTING THE AGENCY BUDGET FOR FISCAL YEAR 2004/05	ADOPT RDA RESO. NO. 295-04
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RESOLUTION OF THE COMMUNITY
REDEVELOPMENT AGENCY OF THE CITY OF UNION
CITY APPROVING AN IMPLEMENTATION PLAN FOR
THE PROJECT AREA

ADOPT RDA
RESO. 296-04

RESOLUTION OF THE COMMUNITY
REDEVELOPMENT AGENCY OF THE CITY OF UNION
CITY AUTHORIZING STAFF TO SELECT
AFFORDABLE HOUSING AT THE PACIFIC STATES
STEEL CORPORATION (PSSC) SITE

ADOPT RDA
RESO. 297-04

REDEVELOPMENT AGENCY

A. **2004/05 Business Retention Program with the Union City Chamber of Commerce**
(Resolution)

This resolution authorizes the Agency Executive Director to enter into a contract with the Union City Chamber of Commerce to accomplish a work program that will ensure a targeted, comprehensive effort towards business retention and help to maintain the City's economic base.

Lori Taylor, Economic Development Coordinator, gave the staff report.

Greg Dumlao, Chamber Boardmember, extended appreciation and support to Council, and commented about the event and marketing committee.

John Martin, Livermore, Chamber Boardmember, thanked Council, and staff and spoke about bringing business and City together, networking and marketing group and the upcoming Business Expo.

Jim Jandik, Chamber Boardmember, spoke about Chamber and City partnership.

George Adas stated that money would be better spent by giving to veteran's groups.

Leonor Amaya questioned how Chamber will spend this money.

J. J. Amaya commented on how redevelopment money is being spent.

Chair Green moved, seconded by Agencymember Valle to adopt resolution, numbered appropriately.

AYES: 5 NOES: 0 ABSENT: 0

ADOPT RDA
RESO. NO. 298-04

AUTHORITIES/AGENCIES - NONE

REPORTS FROM CITY COMMISSIONS/COMMITTEES - NONE

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).

Councilmember Elias requesting Item D removed from the Consent Calendar. Councilmember Dutra-Vernaci requested Items C and I removed. Councilmember Valle requested Items F, H, and K removed from the Consent Calendar, and a member of the audience requested Item E removed.

Mayor Green received concurrence from Council to address Items F, H and K at this time.

Councilmember Valle recused himself due to conflict of interest with Items F, H, and K.

The title of Item F is as follows:

- F. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY ESTABLISHING ANNUAL RATES FOR MUNICIPAL SOLID WASTE, YARD WASTE, RECYCLING, AND STORM WATER RUNOFF FOR 2004/2005

This resolution adjusts the rates charged for municipal solid waste collection, yard waste collection, recycling collection and storm water runoff program services by 0.5% to reflect the April 2003 to April 2004 increase in the Consumer Price Index (CPI) for All-Urban Consumers in the San Francisco Bay Area.

Mayor Green moved, seconded by Councilmember Elias to approve Item F, numbered appropriately.

AYES: 4 NOES: 0 ABSENT: 1 (RV) ADOPT RESO.
NO. 2663-04

The title of Item H is as follows:

- H. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY AUTHORIZING SUBMITTAL OF AN APPLICATION TO THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT FOR FUNDS FOR THE PURPOSE OF PROCURING CLEAN AIR VEHICLES FOR TRI-CED ECONOMIC DEVELOPMENT CORPORATION AND AUTHORIZING THE IMPLEMENTATION OF SAME IF THE APPLICATION IS APPROVED BY THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT BOARD OF DIRECTORS

This resolution authorizes the submittal of a funding application to the Bay Area Air Quality Management District for the purpose of procuring clean air vehicles for Tri-CED Economic

Development Corporation to be used in the collection of recyclable materials, solid waste and/or organic waste in the City.

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

AYES: 4 NOES: 0 ABSENT: 1 (RV) ADOPT RESO.
NO. 2664-04

The title of Item K is as follows:

- K. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY AMENDING THE AUTHORIZATION, COMPENSATION, AND CLASSIFICATION PLANS - WASTE/RECYCLING COORDINATOR

This resolution authorizes the addition of the classification of a Waste/Recycling Coordinator. This position will handle solid waste and recycling issues, contracts and programs.

Mayor Green moved, seconded by Councilmember Elias to approve Item F, numbered appropriately.

AYES: 4 NOES: 0 ABSENT: 1 (RV) ADOPT RESO.
NO. 2665-04

Councilmember Valle returned to the meeting at this time.

Councilmember Dutra-Vernaci moved, seconded by Councilmember Elias to adopt Items A, B, G and 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 AUTHORIZING CITY MANAGER TO EXECUTE PIPELINE CROSSING AGREEMENT ADOPT RESO.
NO. 2666-04

In conjunction with City Project 03-25, it is necessary to install an 18 inch and a 42 inch storm water pipeline under the Union Pacific Railroad tracks which runs alongside the eastern property line of the Pacific States Steel Corporation site. This will allow water from M-Line Channel to drain to the Route 84 Detention Basin and pump the water back to the channel after a storm. This resolution authorizes the City Manager to execute the Pipeline Crossing Agreement with the Union Pacific Railroad Company.

B. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY AUTHORIZING THE CITY MANAGER TO EXECUTE A COOPERATING TECHNICAL PARTNERS PARTNERSHIP AGREEMENT WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)

ADOPT RESO.
NO. 2667-04

FEMA is seeking qualified partners to collaborate in maintaining up-to-date flood maps. The Cooperating Technical Partnership Agreement (CTP) program goal is to convert paper flood insurance rate maps into a digital format. Under this Agreement, the City will commit the appropriate and available human, technical and financial resources sufficient to coordinate effectively with all entities impacted by flood hazard identification efforts.

G. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD IN THE CITY OF UNION CITY ON TUESDAY, THE SECOND DAY OF NOVEMBER, 2004 FOR THE ELECTION OF CERTAIN OFFICERS OF UNION CITY, REQUESTING CONSOLIDATION WITH OTHER LOCAL ELECTIONS TO BE HELD ON SAID DATE AND REQUESTING THE SERVICES OF THE REGISTRAR OF VOTERS IN CONDUCTING SAID ELECTION

ADOPT RESO.
NO. 2668-04

A regularly scheduled election is to be held within the City of Union City on Tuesday, November 2, 2004, to elect one Mayor and one Councilmember for full terms of four years. Local elections which are called to be held on the same date in the same territory request the County to render services to the City with respect to the conduct of the election.

J. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT EXTENSION WITH MACIAS, GINI & COMPANY

ADOPT RESO.
NO. 2669-04

The City engaged the services of Macias, Gini & Company, a CPA and Management Consulting firm to perform the annual citywide audit. The agreement was for three years with the option to extend for two additional years. Staff is recommending an extension of the contract to cover the audit services for FY 2003/04.

The title of Item C is as follows:

C. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY AUTHORIZING THE CITY MANAGER TO EXECUTE A FUND TRANSFER AGREEMENT WITH THE

ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY

This resolution authorizes the City Manager to execute a Funding Agreement with the Congestion Management Agency (CMA) for the City to be reimbursed for eligible costs related to the Alvarado-Niles Road Median and Pavement Rehabilitation Project, City Project No. 03-13.

Councilmember Dutra-Vernaci pulled Item C to request timing information as to when the repairs would be completed.

City Manager Larry Cheeves responded the median repairs will start very shortly and should be completed by late summer.

Leonor Amaya stated the difficulty in making a left turn on Sherman due to plants that are too high limiting visibility.

Councilmember Dutra-Vernaci moved, seconded by Councilmember Elias to adopt Item C, numbered appropriately.

AYES: 5 NOES: 0 ABSENT: 0 ADOPT
RESO. NO. 2670-04

The titles of Item D are as follows:

D. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY INITIATING PROCEEDINGS FOR THE FORMATION OF THE UNION LANDING PROPERTY AND BUSINESS IMPROVEMENT DISTRICT, AND THE LEVY AND COLLECTION OF ASSESSMENTS, PURSUANT TO THE PROVISIONS OF PART 7 OF DIVISION 18 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY DESCRIBING PROPOSED IMPROVEMENTS AND SERVICES AND APPROVAL OF THE PRELIMINARY MANAGEMENT DISTRICT PLAN REGARDING THE PROPOSED FORMATION OF THE UNION LANDING PROPERTY AND BUSINESS IMPROVEMENT DISTRICT, AND THE LEVY AND COLLECTION OF ASSESSMENTS, PURSUANT TO THE PROVISIONS OF PART 7 OF DIVISION 18 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY DECLARING THE CITY'S INTENTION TO FORM THE UNION LANDING PROPERTY AND BUSINESS IMPROVEMENT DISTRICT, AND THE LEVY AND COLLECTION OF ASSESSMENTS, PURSUANT TO THE PROVISIONS OF PART 7 OF DIVISION 18 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE AND CALL FOR AN ASSESSMENT BALLOT PROCEEDING TO SUBMIT TO THE QUALIFIED PROPERTY OWNERS WITHIN SUCH DISTRICT THE QUESTION OF ESTABLISHING AN ASSESSMENT RANGE FORMULA FOR SUCH DISTRICT AND LEVYING SUCH ASSESSMENTS FOR SUCH DISTRICT

The property owners within Union Landing and city staff are proposing the formation of the Property-Based Business Improvement District (PBID) for the purpose of covering costs of providing dedicated sworn police services.

Councilmember Elias removed Item D to request staff report the latest on the negotiations with the property owners.

City Manager Larry Cheeves reported on the latest negotiations.

J. J. Amaya stated that if the Improvement District is not formed, then the police officers should be assigned to Contempo.

Councilmember Elias moved, seconded by Councilmember Valle to approve Items D, numbered appropriately.

AYES: 5 NOES: 0 ABSENT: 0

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY INITIATING PROCEEDINGS FOR THE FORMATION OF THE UNION LANDING PROPERTY AND BUSINESS IMPROVEMENT DISTRICT, AND THE LEVY AND COLLECTION OF ASSESSMENTS, PURSUANT TO THE PROVISIONS OF PART 7 OF DIVISION 18 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE

ADOPT RESO.
2671-04

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY DESCRIBING PROPOSED IMPROVEMENTS AND SERVICES AND APPROVAL OF THE PRELIMINARY MANAGEMENT DISTRICT PLAN REGARDING THE PROPOSED FORMATION OF THE UNION LANDING PROPERTY AND BUSINESS IMPROVEMENT DISTRICT, AND THE LEVY AND COLLECTION OF ASSESSMENTS, PURSUANT TO THE PROVISIONS OF PART 7 OF DIVISION 18 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE

ADOPT RESO.
2672-04

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY DECLARING THE CITY'S INTENTION TO FORM THE UNION LANDING PROPERTY AND BUSINESS IMPROVEMENT DISTRICT, AND THE LEVY AND COLLECTION OF ASSESSMENTS, PURSUANT TO THE PROVISIONS OF PART 7 OF DIVISION 18 OF THE CALIFORNIA STREETS AND HIGHWAYS CODE AND CALL FOR AN ASSESSMENT BALLOT PROCEEDING TO SUBMIT TO THE QUALIFIED PROPERTY OWNERS WITHIN SUCH DISTRICT THE QUESTION OF ESTABLISHING AN ASSESSMENT RANGE FORMULA FOR SUCH DISTRICT AND LEVYING SUCH ASSESSMENTS FOR SUCH DISTRICT

ADOPT RESO.
2673-04

The title of Item E is as follows:

E. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY SETTING THE PARAMEDIC SPECIAL TAX RATE FOR FISCAL YEAR 2004/2005

This resolution would adjust the Paramedic Special Tax rate by 0.5% to reflect the April 2003 to April 2004 increase in the Consumer Price Index (CPI) for All-Urban Consumers in the San Francisco Bay Area. This assessment is based on a benefit unit basis, where one benefit unit equals a single family residence. The actual assessment would increase from \$12.44 per benefit unit to \$12.50 per benefit unit.

J. J. Amaya commented on the lack of ambulance service in Union City.

Fire Chief Chris Maxwell responded that Union City is under the County wide system for ambulance service and that to have our own ambulance service is too cost prohibitive.

Councilmember Elias moved, seconded by Vice Mayor Fernandez to approve Item E with staff direction to require Board of Supervisors to have ambulances parked in Union City, which would improve response times.

AYES: 5 NOES: 0 ABSENT: 0 ADOPT
RESO. 2674-04

The title of item I is as follows:

I. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY SETTING PUBLIC HEARING FOR LANDSCAPE AND LIGHTING DISTRICT NO. 2 (Pursuant to the Landscaping and Lighting District Act of 1972)

In accordance with the Landscape and Lighting Act of 1972 and the California Government Code, the City Council is required to conduct a public meeting and hearing regarding the levy of assessments for the upcoming fiscal year. The services to be provided through this assessment district are generally described as "street lighting and signalization, street median and backup landscape maintenance, and street tree management" within the City limits. There is no change to the current assessment.

Councilmember Dutra-Vernaci removed Item I in order to comment about the reallocation of the monies from the Landscape and Lighting District, and to state there is no change in the current assessment.

Councilmember Dutra-Vernaci moved, seconded by Councilmember Elias to adopt Item C, numbered appropriately.

AYES: 5 NOES: 0 ABSENT: 0 ADOPT
RESO. NO. 2675-04

ORAL COMMUNICATIONS

J. J. Amaya commented on protocol and liability on the part of the Council.

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

Vice Mayor Fernandez reported attending joint subcommittee meeting with NHUSD.

Councilmember Valle stated the subcommittee discussed continuing funding of SRO's at Logan, possible meeting with Human Relations Commission, funding of crossing guards at 50/50 split with time element, and possible business partnerships with Chamber.

Councilmember Dutra-Vernaci reported attending the East Bay Division League of California Cities meeting where the League's ballot measure is being polled. It was reported that 60% are in support of local government revenue constitutional protection which is being used as a hammer with the legislature.

Councilmember Dutra-Vernaci reported also attending the Community Services Policy Committee meeting where AB 2404 by Steinburg (Local Agency Gender Equity Issues) was discussed. Councilmember Dutra-Vernaci questioned if the City is in compliance with gender equity issues reflected in current case law.

Tony Acosta, Deputy City Manager, responded that he feels we are in full compliance.

Councilmember Dutra-Vernaci stated that a report by the Executive Director of the Cities, Counties and Schools Partnership regarding obesity. Statistics show that obesity in children will give them a 13 year reduced life expectancy than current generation. She would like to make sure our recreation programs are addressed for both children and adults. Because of the conversation, their committee will sponsor a walk for conference attendees.

GOOD OF THE ORDER

Councilmember Elias received email regarding shopping carts and would like staff to look at charging stiff fee to recover carts.

Councilmember Elias wants agendaized at July 13 meeting on how items are placed on agenda.

Councilmember Valle commented on the presentation at the Conference of Mayors regarding veterans and stated his request to start a chapter in Union City.

Council concurred that Councilmember Valle is the appropriate individual on the Council to pursue this chapter.

Vice Mayor Fernandez would like staff to pursue noise complaints from residents bordering Union Square.

Mayor Green questioned if can we raise cart retrieval fee?

City Manager Larry Cheeves responded that we are limited by law to only charging \$5 per recovered cart and the City has to give the stores a 72 hour notice to pick up.

Mayor Green questioned the possibility of having a drinking faucet at San Andreas park.

City Manager Cheeves responded that it would be difficult to do since there is not potable water in that area.

Mayor Green commented on scooters using the track at Alvarado Middle School and requested staff to alert school district and speak with the Chief of Police.

Councilmember Valle moved, seconded by Councilmember Elias to adjourn meeting at 11:38 p.m.

AYES: 5 NOES: 0 ABSENT: 0