

**MINUTES
CITY OF UNION CITY
CITY COUNCIL/REDEVELOPMENT AGENCY MEETING
May 24, 2005**

Mayor Green called the meeting to order at 7:00 p.m.

- I. **PLEDGE OF ALLEGIANCE** – Mayor Green led the Pledge of Allegiance
- II. **ROLL CALL:** Present: Councilmembers Fernandez, Navarro, Valle (arrived at 7:07 p.m.), Vice Mayor Dutra-Vernaci, Mayor Green
- III. **UNFINISHED BUSINESS**

Councilmember Fernandez advised that he is the co-applicant on this project, recused himself and left the Council Chamber.

- A. Vincent C. Wong and Partners, Florence Street, Tentative Tract Map TTM 7114 and Use Permit UP-01-05

Community Development Director Mark Leonard introduced the staff report. Council continued deliberations and action from the closed public hearing of May 10, 2005 on the appeal of the Planning Commission's decision regarding TTM 7114 and UP-01-05. The Planning Commission's action was a 2-2 tie vote, resulting in no approval. The applicant is appealing this action and requesting approval of the subdivision of a 6.01 acre site located at the end of Florence Street and identified as APN: 087-0034-002-07 into six (6) single-family residential lots within the RS 6000-H (single-family residential, hillside combining) zoning district. The City as lead agency has prepared a Negative Declaration for the property.

Vice Mayor Dutra-Vernaci questioned the Planning Commission's rationale for adding Condition No. 12 and asked Director Leonard to explain the additional information received after the last meeting.

Director Leonard said staff had reviewed the new information and is comfortable in recommending that this project be approved.

John Haley said flat land requirements do not fit the construction and design for hillside development. He felt hillside development standards need to be established.

Kathy Norvell expressed concern that earthquake fault and emergency exit issues have not been adequately addressed.

Councilmember Valle felt the site development review would assist in addressing the concerns. The City has a legal obligation to approve projects absent findings.

Vice Mayor Dutra-Vernaci said she met with staff after the last meeting and that the concerns she expressed at the May 10 meeting have been addressed.

Resolution No. 2982-05 of the City Council of the City Of Union City approving Tentative Tract Map TTM-7114

Resolution No. 2983-05 of the City Council of the City of Union City approving Use Permit, UP-01-05

Resolution No. 2984-05 of the City Council of the City of Union City adopting the Mitigated Negative Declaration for Tentative Tract Map TTM 7114 and Use Permit, UP-01-05

It was m/s by Green/Navarro to adopt Resolution Nos. 2982-05, 2983-05 and 2984-05 as recommended by staff and modified by Council. Motion passed by the following vote:

AYES: Councilmembers Navarro, Valle, Vice Mayor Dutra-Vernaci, Mayor Green
NOES: None
ABSTAIN: Councilmember Fernandez

Councilmember Fernandez returned to his seat at the dais.

Mayor Green requested that the Consent Calendar be considered at this time.

It was m/s by Valle/Navarro to move the Consent Calendar before Section IV. Motion carried unanimously.

XII. CONSENT CALENDAR/RESOLUTIONS

- A. Pulled for separate action. Adopted **Resolution No. 2985-05** in support of AB1462 (Torrico) regarding Disposition of Excess Rights-of-Way Sales Proceeds for the State Route 84 Project
- B. Adopted **Resolution No. 2986-05** approving Site Development Review SD-01-05 to demolish existing structures and construct two (2) new single family homes on two (2) adjacent lots located at 4425 & 4439 Horner Street, also identified as APN: 482-0015-007-00 and 482-0015-008-00; Applicant: Yinka and Jaffe Dania
- C. Waived second reading and adopted **Ordinance No. 655-05** amending Section 2.32.100 and 2.32.180 of the Union City Municipal Code, relating to competitive bidding thresholds for purchasing and sale of supplies, equipment and certain property
- D. Denied Late Claim Application filed by Ashraf Malaeb as recommended by the City's Claims Adjuster
- E. Adopted **Resolution No. 2987-05** accepting contract work by Interstate Grading and Paving, Inc., for Shorty Garcia Field Renovations, City Project No. 03-11

- F. Adopted **Resolution No. 313-05** authorizing the Community Redevelopment Agency to fund an agreement for professional contract with Par Environmental Services, Inc. for City Project No. 04-23, Line M Box Structures
- G. Adopted **Resolution No. 2988-05** approving execution of an Easement Agreement and authorizing acceptance of an easement for rail grading improvement purposes in connection with the proposed Intermodal Station
- H. Adopted **Resolution No. 2989-05** of the City Council and **Resolution No. 314-05** of the Redevelopment Agency authorizing the expenditure of funds in the amount of \$130,588.62 for work to be performed by Alameda County Water District in conjunction with the Whipple Road Sidewalk Improvements; City Project No. 03-14
- I. Adopted **Resolution No. 2990-05** initiating proceedings for the formation of the Union Landing Property and Business Improvement District (PBID); **Resolution No. 2991-05** describing proposed improvements and services and approval of the Preliminary Management District Plan; adopted **Resolution No. 2992-05** declaring the City's Intention to form the Union Landing PBID and the levy and collection of assessments and Call for an Assessment Ballot at a Public Hearing on July 12, 2005; **Resolution No. 2993-05** to preliminarily approve an Engineer's Report for the Union Landing PBID
- J. Adopted **Resolution No. 2994-05** approving Final Parcel Map 8509: Union Landing Transit Center, Union 76 Gas Station, and Remnant Parcel (SkyVenture) located at Alvarado-Niles Road and Union Landing
- K. Adopted **Resolution No. 2995-05** declaring the City's intention to establish Community Facilities District No. 2005-1 (Public Services) and authorizing the levy of a Special Tax therein to finance certain services; **Resolution No. 2996-05** adopting a Boundary Map showing the boundaries of the territory proposed for the inclusion in proposed CFD No. 2005-1 (Public Services); **Resolution No. 2997-05** ordering and directing the preparation of a Community Facilities District Report for proposed CFD No. 2005-1 (Public Services)
- L. Adopted **Resolution No. 2998-05** authorizing acceptance of Measure B Bicycle and Pedestrian Countywide Discretionary Funds for City Project No. 05-09 11th Street Enhancement Project

Vice Mayor Dutra-Vernaci pulled item A from the Consent Calendar for separate action.

It was m/s by Green/Valle to approve Consent Items B through L as recommended by staff. Motion carried unanimously.

It was m/s by Dutra-Vernaci/Valle to adopted Resolution No. 2985-05 in support of AB1462 (Torricono) regarding Disposition of Excess Rights-of-Way Sales Proceeds for the State Route 84 Project. Motion passed unanimously.

Mayor Green excused himself from the meeting at 7:27 p.m.

IV. APPROVAL OF MINUTES

- A. Minutes of regular meeting held May 10, 2005

It was m/s by Fernandez/Valle to approve the minutes as submitted. Motion carried with Mayor Green absent.

V. PROCLAMATIONS/PRESENTATIONS

- A. Proclamation proclaiming June 25 – 26, 2005 American Cancer Society – Relay for Life Cancer Awareness Days

Jackie Kranich, Event Co-Chair accepted the proclamation.

- B. Proclamation proclaiming May 2005 as Older Americans' Month

Hugh McNamara was present to accept the proclamation.

VI. ORAL COMMUNICATIONS

Leonor Amaya read a prepared statement and requested that the itemized cost paid by the insurance company on behalf of the City for the wrongful death lawsuit of her daughter be provided.

George Adas asked that veterans be remembered on Memorial Day. He asked that the Council assist in making housing stock available for Veterans.

John Haley complimented staff on the way they have handled the City's financial issues.

Edward Rawlings, Logan High School student, encouraged everyone to attend the fund raising activities on June 4 that will showcase their forensics class project which will compete in Philadelphia.

VII. HEARINGS – None

VIII. REPORT FROM CITY MANAGER

- A. Consider discontinuance of block party permits on July 4, 2005

Chief of Police Randy Ulibarri and Captain Greg Stewart introduced the staff report

In an effort to control fireworks on the hillside, John Haley suggested that Appain Way be blocked off to residents only.

Hugh McNamara suggested that the City take an aggressive approach to have property owners clear their property of weeds.

George Akitis of Spyglass Court felt the July 4th neighborhood block parties meet the objectives of the Neighborhood Watch Program and was opposed to prohibiting them.

Marilyn Abrams of Spyglass Court read the requirements in the letter that accompanies the block party petitions that is circulated to all the homeowners on Spyglass. She encouraged Council to continue allowing the block parties.

George Adas suggested that all the cities get together to put on a show for the surrounding communities.

Council held a brief discussion concerning the issue.

It was m/s by Valle/Fernandez to discontinue the issuance of block party permits on the 4th of July. Motion carried unanimously with Mayor Green absent.

B. Presentation of proposed Operating and Capital Improvement Budgets for Fiscal Years 2005/06 and 2006/07 and set the date for Public Hearing

City Manager Cheeves echoed the comments of Mr. Haley concerning staff's diligent work in keeping Council and the community informed about the city's finances.

Administrative Services Director Rich Digre presented an overview of the budget, and highlighted new revenue sources.

John Haley felt the economic development function would need more horsepower to assist in the development of the Intermodal Station.

It was m/s by Fernandez/Navarro to accept the proposed budget and set the dates of June 7 at 8:00 p.m. and June 9 at 7:00 p.m. as budget work sessions.

IX. REDEVELOPMENT AGENCY – None

X. AUTHORITIES/AGENCIES – None

XI. REPORTS FROM CITY COMMISSIONS/COMMITTEES

A. Report and recommendations on creation of a Union City Youth Commission

Deputy City Manager Acosta introduced the staff report and presented the Youth Committee recommendations.

Several members of the Youth Committee spoke in support of creating a city-wide Youth Commission.

A Union City resident recommended that youth in private schools be allowed to sit on the commission.

Speaking in support of a Youth Commission were George Adas and Barry Ferrier.

Council concurred with establishment of a Youth Commission and directed staff and members of the current Youth Commission to work on a draft ordinance establishing the Commission.

XIII. ORAL COMMUNICATIONS – None

XIV. CORRESPONDENCE – None

XV. APPROVAL OF BILLS – None

XVI. SCHEDULED ORAL COMMUNICATIONS – None

XVII. ITEMS REFERRED BY COUNCIL

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

Vice Mayor Dutra-Vernaci spoke of the recent East Division meeting.

Councilmember Valle noted that library is recruiting for a new head librarian for the Union City branch.

XVIII. GOOD OF THE ORDER

Mayor Green joined the meeting at 9:54 p.m.

In observance of Memorial Day, Vice Mayor Dutra-Vernaci adjourned the meeting to closed session at 9.57 p.m.

XIX. CLOSED SESSION

PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Pursuant to Section 54957) – Title: City Attorney

The closed session adjourned at 10:58 p.m. and the meeting reconvened in open session with no action to report.

XX. ADJOURNMENT: There being no further business, Mayor Green adjourned the meeting at 11:00 p.m.

Respectfully submitted,

Karen Diaz, CMC
City Clerk