

**AGENDA FOR THE ADJOURNED
REGULAR CITY COUNCIL MEETING
CITY OF UNION CITY
MAY 14, 2002, 5:30 P.M.
COUNCIL CONFERENCE ROOM
34009 ALVARADO-NILES ROAD
UNION CITY, CALIFORNIA**

5:30 P.M. - Council Conference Room

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

II. **CLOSED SESSION:**

**CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED
LITIGATION**

Pursuant to Section 54956.9 of the California Government Code

Potential Cases: One (WMAC Claim 1999)

III. **CLOSED SESSION**

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

(Pursuant to Section 54956.9 of the California Government Code)

Name of Case: Jacob Saidian v. City of Union City

Case No. 807662-5

Alameda County Superior Court

IV. CLOSED SESSION: (Joint Meeting of the City Council and the Community Redevelopment Agency)

**CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(PURSUANT TO GOVERNMENT CODE SECTION 54956.8)**

Property: 1100 Decoto Road, APN 087-0019-004-02, PG&E;
Property owned by Pacific States Steel Corporation identified as
Assessors Parcel Nos. 087-001-700-100, 087-001-700-200, and
087-001-100-600;

Agency negotiator: City Manager/Executive Director, David A. Berger;
Mark Evanoff, Redevelopment Agency Manager

Under negotiation: Directions as to the price and the terms of payment
for possible acquisition of portions of the identified
parcels; the person or persons with whom the
Agency negotiators will negotiate will be the
authorized representatives of Pacific States Steel
Corporation, as may be determined by the United
States District Court presiding over the assets of
Pacific States Steel Corporation

V. 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 by AT&T, live on Channel 20 and retelevised the following Friday at 6 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 510-471-3232, ext. 348.

Resolution 2169-02
Ordinance 583-02
Redevelopment Reso. 242-02

THERE WILL BE A RECEPTION FOR THE WINNERS
OF THE LEISURE SERVICES
ACTIVITY GUIDE ART CONTEST
BEGINNING AT 6:30 P.M. IN THE CITY HALL LOBBY
PRIOR TO THE COUNCIL MEETING.
PLEASE JOIN THE
LEISURE SERVICES DEPARTMENT
AS THEY HONOR THE CONTEST WINNERS
AND KICK OFF THEIR SUMMER EVENTS.

**AGENDA FOR THE REGULAR
CITY COUNCIL MEETING OF
THE CITY OF UNION CITY
TUESDAY, MAY 14, 2002, 7:00 P.M.,
COUNCIL CHAMBERS
34009 ALVARADO-NILES ROAD
UNION CITY, CALIFORNIA**

- I. **PLEDGE OF ALLEGIANCE**
- II. **ROLL CALL:** Councilmembers Elias, Fernandez, Valle, Vice Mayor Dutra-Vernaci, Mayor Green
- III. **UNFINISHED BUSINESS - NONE**

IV. APPROVAL OF MINUTES

- A. Approval of minutes of the Regular City Council meeting of Tuesday, April 23, 2002
Required Action: Motion
- B. Approval of minutes of the Adjourned Regular City Council meeting of Tuesday, April 30, 2002
Required Action: Motion

V. PROCLAMATIONS/PRESENTATIONS

- A. Resolution proclaiming May 19-25, 2002, As National Public Works Week
Required Action: Motion
- B. Award of Certificates to winners of Leisure Services Art Contest
Required Action: Motion

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 XII of the agenda if they wish.

VII. HEARINGS

- A. HEARING RE: CONSIDERATION OF RESOLUTION OF NECESSITY TO PROPERTY OWNER OF RECORD OR OTHER INTERESTED PARTY
(Resolution)
Required Action: Motion

The City Council is requested to adopt a Resolution of Necessity to acquire the property located at 31300 Alvarado Niles Road for construction of the Transit Center at Union Landing.

- B. HEARING RE: CONSIDERATION OF RESOLUTION OF NECESSITY TO PROPERTY OWNER OF RECORD OR OTHER INTERESTED PARTY
(Resolution)
Required Action: Motion

The City Council is requested to adopt a Resolution of Necessity to acquire the property located at 31274 Alvarado Niles Road for construction of the Transit Center at Union Landing.

VIII. REPORTS FROM CITY MANAGER

A. **Report on Library Needs Assessment**

Required Action: Information Only

The report provides guidelines for planning library facilities to serve the residents of Union City through the year 2020.

B. **Quarterly Financial Status Report**

Required Action: Information Only

This report presents the year-to-date status of the City's General Fund operations. All information presented is current up to March 2002, the end of the third quarter of the current fiscal year.

IX. REDEVELOPMENT AGENCY

A. **HEARING RE: Consideration by Redevelopment Agency for the City of Union City a Resolution of Necessity to Property Owner of Record or Other Interested Party** (Resolution)

Required Action: Motion

This Agency resolution will enable the Agency Board to effectively redevelop the block of property at Mission Boulevard bounded by D Street, E Street and 2^d Street. The property to be acquired is 33459 Mission Boulevard.

B. **Resolution extending the negotiating period of the Exclusive Negotiating Rights Agreement for negotiation of a Disposition and Development Agreement**

Required Action: Motion

Mid Peninsula Housing Coalition is requesting the Agency to amend the Exclusive Negotiating Agreement to provide for an additional 120 days to enable additional design alternatives to be evaluated and to provide for the Interest Based Bargaining process.

IX. **REDEVELOPMENT AGENCY** (continued)

C. **Resolution accepting grant deed**

Required Action: Motion

Len Ashford III, LLC, a Delaware Limited Liability Company, through its managing member Lennar Homes of California, Inc., is deeding three parcels to the City of Union City Redevelopment Agency. This resolution authorizes execution of the Certificate of Acceptance and directs the filing of the grant deed.

X. **AUTHORITIES/AGENCIES - NONE**

XI. **CONSENT CALENDAR/RESOLUTIONS**

A. **Resolution of the City Council of the City of Union City APPOINTING INDIVIDUAL TO SERVE ON THE HUMAN RELATIONS COMMISSION**

Required Action: Motion

This resolution appoints Ben Servino to serve on the Human Relations Commission to fill the term expiring December 2002.

B. **Resolution of the City Council of the City of Union City DECLARING INTENTION TO ENTER INTO A CONTRACT WITH THE COUNTY OF ALAMEDA, HEALTH DEPARTMENT - TOBACCO CONTROL PROGRAM, TO RECEIVE FUNDS THROUGH A GRANT**

Required Action: Motion

A grant of \$5,000 has been awarded to the Union City Police Department for Police “trading” cards with anti-smoking literature printed on the cards. Staff is recommending acceptance of this grant from the Alameda County Health Department Tobacco Control Program.

XI. CONSENT CALENDAR/RESOLUTIONS (continued)

- C. Resolution of the City Council of the City of Union City **DIRECTING THE PREPARATION AND FILING OF THE ANNUAL ENGINEER'S REPORT FOR LANDSCAPE AND LIGHTING DISTRICT NO. 2 (Pursuant to Landscape & Lighting Act of 1972)**

Required Action: Motion

In accordance with State Law, the City Council must order the filing of the Annual Engineer's Report for the Landscape and Lighting District. The Report describes the assessment boundaries, assessment methodology, revenues, assessments, and various programs and projects funded by the Landscape and Lighting District.

- D. Resolution of the City Council of the City of Union City **SETTING THE PUBLIC HEARING FOR THE LANDSCAPE AND LIGHTING DISTRICT NO. 2 (Pursuant to Landscape & Lighting Act of 1972)**

Required Action: Motion

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. Staff recommends setting the required public hearing for July 9, 2001.

- E. Resolution of the City Council of the City of Union City **ACCEPTING SUBMISSION OF THE ANNUAL ENGINEER'S REPORT FOR LANDSCAPE AND LIGHTING DISTRICT NO. 2 FOR FISCAL YEAR 2002-2003 (Pursuant to Landscape & Lighting Act of 1972)**

Required Action: Motion

In accordance with State Law, the City must file an Annual Engineer's Report for the Landscape and Lighting District which describes the assessment boundaries, assessment methodology, revenues, assessments, and various programs and projects funded by the Landscape and Lighting District. The assessment levy is proposed to remain at the existing rate.

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

F. **Resolution of the City Council of the City of Union City APPROVING SITE DEVELOPMENT REVIEW SD-03-02**

Required Action: Motion

Arthur Nave, with AutoZone, Inc. is requesting Site Development Review approval to construct a 5,403 square foot retail automotive parts and accessories store on an undeveloped portion of the Alvarado Commons Shopping Center, located at 32100 Alvarado Boulevard (APN 483-40-49). (This project was previously approved by the Planning Commission on February 3, 2000 (SD-24-99) and the approval expired prior to commencement of construction).

G. **Resolution of the City Council of the City of Union City AUTHORIZING SUBMITTAL OF 2002-2003 TDA ARTICLE 3 APPLICATION, QUARRY LAKES TRAIL PROJECT, CITY PROJECT NO. 02-08**

Required Action: Motion

This resolution authorizes submittal of the 2002/2003 TDA Article 3 Application and supporting documents for Quarry Lakes Trail Project to Metropolitan Transportation Commission. TDA funds can only be used for the construction of bicycle and pedestrian facilities.

H. **Resolution of the City Council of the City of Union City AUTHORIZING CITY MANAGER TO EXECUTE MAINTENANCE AGREEMENT FOR THE JOINTLY OWNED TRAFFIC SIGNALS AT WHIPPLE ROAD AND AMARAL STREET, AND WHIPPLE ROAD AND MEDALLION DRIVE**

Required Action: Motion

This resolution authorizes execution of agreement with the City of Hayward for new traffic signals at Whipple Road and Amaral Street and maintenance of existing signals at Whipple Road and Medallion Drive.

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

I. Resolution of the City Council of the City of Union City **APPROVING THE UNION CITY PARATRANSIT IMPROVEMENT PLAN**

Required Action: Motion

The Paratransit Improvement Plan developed additional services that Union City Paratransit can provide with Measure B funding. A summary of the service recommendations put together from public outreach, operations evaluation, service performance and financial analysis includes three service improvements: 1) Service to neighboring cities for Union City ADA consumers; 2) Group trips to organized senior and disabled groups; and 3) urgent medical trips for those who are temporarily disabled and are awaiting ADA eligibility certification.

J. **Rejection of Claim No. 512**

Required Action: Motion

Angel Reece filed Claim No. 512 for alleged vehicle damage. City's Claim Administrator is requesting rejection of this claim.

K. Introduction of Ordinance: **ORDINANCE OF THE CITY OF UNION CITY AUTHORIZING THE ADOPTION OF A FEE TO RECOVER THE COSTS INCURRED BY THE CITY IN UPDATING THE GENERAL PLAN**

Required Action: Motion

This ordinance is an enabling ordinance that will authorize the adoption of a fee to recover the costs of preparing the 2002 General Plan, the Intermodal Station District and Transit Facility Plan, the necessary environmental documents for these plans, and maintaining the currency of the General Plan and preparing required annual reports.

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

- L. Final Reading Ordinance 580-02: **ORDINANCE OF THE CITY OF UNION CITY AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF UNION CITY A-01-02**

Required Action: Motion

Initiated by Kenneth L. Riding of the Riding Group, representing the NAKANO Family Trust, a request for a General Plan Amendment to redesignate the NAKANO Nursery property from R-3-6, (Residential 3 to 6 units per acre) to R-6-10, (Residential 6 to 10 units per acre), a Zoning Map Amendment to rezone the property from RS-6000 (Single-Family Residential) to RS-4500, (Single-Family Residential), and a Vesting Tentative Tract Map for the subdivision of the entire 4.8 acre property into 33 single-family residential lots with a minimum lot size of 4,500 square feet. The project site is located south of Alvarado-Niles Road between Hop Ranch Road and Dowe Avenue (Assessor Parcel Number 475-153-15-2).

- M. Final Reading Ordinance 581-02: **ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UNION CITY REPEALING CHAPTER 10.37 AND ADDING CHAPTER 10.37 TO THE UNION CITY MUNICIPAL CODE RELATING TO HUMAN HABITATION OF VEHICLES**

Required Action: Motion

This is the second reading of Ordinance 581-02 which prohibits the human habitation of vehicles and campers on city streets, on public property, or in private parking areas designed to be used for temporary parking of vehicles during the conduct of retail business.

- N. Final Reading Ordinance 582-02: **ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UNION CITY AMENDING UNION CITY MUNICIPAL CODE CHAPTER 15.20 (FIRE CODE), BY THE ADDITION OF SECTION 15.20.400 (REGULATIONS FOR THE USE OF FIREWORKS)**

Required Action: Motion

This is the second reading of Ordinance 582-02 for the required municipal code changes regarding the use of fireworks and the enforcement of fireworks laws.

XI. CONSENT CALENDAR/RESOLUTIONS (continued)

O. FIREWORKS EDUCATION COMPONENT

Required Action: Motion

This report outlines the permit process for requesting street closures for “Block parties” and the public safety education components of the proposed fireworks regulations.

XII. ORAL COMMUNICATIONS

XIII. CORRESPONDENCE - NONE

XIV. APPROVAL OF BILLS - NONE

XV. SCHEDULED ORAL COMMUNICATIONS - NONE

XVI. ITEMS REFERRED BY COUNCIL

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

Required Action: Information

XVII. GOOD OF THE ORDER

XVIII. ADJOURNMENT