

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 mote detailed information or visit our web site at

[www.ci.union-city.ca.us](http://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 2427-03

Ordinance 612-03

Redevelopment Reso. 279-03

**AGENDA FOR THE REGULAR  
CITY COUNCIL MEETING OF  
THE CITY OF UNION CITY  
TUESDAY, JUNE 10, 2003, 7:00 P.M.  
COUNCIL CHAMBERS  
34009 ALVARADO-NILES ROAD  
UNION CITY, CALIFORNIA**

**I. PLEDGE OF ALLEGIANCE**

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

**III. UNFINISHED BUSINESS - NONE**

**IV. APPROVAL OF MINUTES**

A. Approval of minutes of the Adjourned Regular and Regular City Council meeting of Tuesday, May 27, 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 XII of the agenda if they wish.*

VII. **HEARINGS - NONE**

VIII. **REPORTS FROM CITY MANAGER**

A. **Informational Status Report and Public meeting regarding the proposed Re-Engineering of the Landscape and Lighting Assessment District**

*Required Action: Accept Report*

This report is to provide a brief status report on the pending re-engineering process for Landscape & Lighting Assessment District No. 2 and to frame issues which may arise during the public meeting and public hearing phase of the process.

B. **Regulation of Campaign Signs on Public Property**

*Required Action: Accept Report*

This report sets forth the general legal framework within which the City can regulate signs in the public right-of-way and the likely consequence for exempting political signs.

C. **Presentation of draft Economic Development Brochure and update on Economic Development Activities**

*Required Action: Accept Report*

This report provides an update of current Economic Development initiatives and to present the new marketing brochure.

D. **Report on preparations for Fourth of July**

*Required Action: Accept Report*

This report outlines the preparations that are being made for the July 4, 2003 holiday.

IX. **REDEVELOPMENT AGENCY**

- A. **Exclusive Negotiating Agreement with Commuter Park Redevelopment, LLC, for the development of the former PG&E Storage Yard and Consulting Services** (Resolution)

*Required Action: Motion*

Staff is requesting authorization to execute a 180 day Exclusive Negotiating Agreement with Commuter Park Redevelopment, LLC, an affiliate controlled by Lennar Properties, to develop the terms of a Disposition and Development Agreement for the Intermodal Station District and new town center.

X. **AUTHORITIES/AGENCIES -NONE**

XI. **CONSENT CALENDAR/RESOLUTIONS**

- A. **Resolution of the City Council of the City of Union City APPROVING A CONTRACT WITH SMWM TO PROVIDE SERVICES NECESSARY TO COMPLETE AN APPLICATION FOR LIBRARY CONSTRUCTION FUNDING FROM THE STATE LIBRARY BOND ACT, DUE JANUARY 2004**

*Required Action: Motion*

Staff solicited architects through an RFP process to assist staff in applying for a grant from the State Library Bond Act for a new library in Union City. Portions of the grant will be completed by the Alameda County Library staff and City staff while other portions must be done by an architectural firm. From the 13 responses to the RFP, SMWM was chosen as the firm best suited to help the City be successful in the application for funding.

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

B. Resolution of the City Council of the City of Union City **APPROVING SITE DEVELOPMENT REVIEW SD-04-03, SPORTMART**

*Required Action: Motion*

Initiated by SPORTMART, the applicant is requesting Site Development Review approval to construct a 27,952 square foot retail building in the Union Landing Shopping Center, at the corner of Courthouse Drive and Holly Way, adjacent to the existing Babies R Us store. The store will be built on an existing retail pad within the shopping center. Parking is provided. The project site address is 31200 Courthouse Drive and the Assessor Parcel Number is 463-60-50. A Program EIR was adopted for Union Landing in 1995 and a draft Negative Declaration was prepared in February 2000 to address the construction of 316,000 square feet of retail commercial space which included this pad.

C. Resolution of the City Council of the City of Union City **APPROVING SITE DEVELOPMENT REVIEW SD-05-03, PAPPAS PARCEL ALONG COURTHOUSE DRIVE**

*Required Action: Motion*

Initiated by John Pappas, on behalf of Pappas Union City L.P., the applicant is requesting Site Development Review approval to construct a 5,000 square foot building and a 37,470 square foot building for mixed-use retail. The property is a vacant 3.66 acre site located at the corner of Dyer Street and Courthouse Drive, and the Assessor Parcel Number is 463-60-51. A program EIR was adopted for Union Landing in 1995 and a Negative Declaration was prepared to address the construction of 316,000 square feet of retail commercial space, which included this parcel.

D. Resolution of the City Council of the City of Union City **AUTHORIZING REIMBURSEMENT OF CITY'S FAIR SHARE OF PAVING COSTS**

*Required Action: Motion*

New Haven Unified School District intends to award a contract to slurry seal the Alvarado Middle School parking lot including the Holly Center parking lot which by agreement the City maintains. The City's fair share of the cost is \$26,000.

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

- E. Resolution of the City Council of the City of Union City **AWARDING CONSTRUCTION CONTRACT FOR QUARRY LAKES BIKE AND PEDESTRIAN PROJECT, CITY PROJECT NO. 02-08**

*Required Action: Motion*

This resolution authorizes the Interim City Manager to award and execute contract agreement with Redgwick Construction Company in the amount of \$580,244.60 for the construction of the Quarry Lakes Bike and Pedestrian Improvements along Quarry Lakes Drive, Osprey Drive and Alvarado-Niles Road.

- F. Resolution of the City Council of the City of Union City **APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZATION TO GO TO BID FOR RENOVATION OF EXISTING POLICE STATION ON AN INTERIM BASIS, CITY PROJECT NO. 02-28**

*Required Action: Motion*

This project is to remodel the existing Police Facility on an interim basis. The project includes expansion of the women's locker room, interior reconfiguration, front counter and lobby area security upgrades and improvements to HVAC.

- G. Resolution of the City Council of the City of Union City **SETTING THE PARAMEDIC SPECIAL TAX RATE FOR FISCAL YEAR 2003/2004**

*Required Action: Motion*

In 1997 the voters of Union City overwhelmingly passed Measure K, the Paramedic Special Tax which is only used to fund the Fire Department's paramedic program. Measure K provided for an increase in the annual assessment, not to exceed the local CPI. This resolution would adjust the rate by 2.2% to reflect the April 2002 to April 2003 increase in the Consumer Price Index (CPI) for All-Urban Consumers in the San Francisco Bay Area.

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

H. Resolutions of the City Council of the City of Union City **SUPPORTING AND OPPOSING PROPOSED STATE LEGISLATION**

*Required Action: Motion*

Resolutions have been prepared establishing an advocacy position for the City on certain legislative bills currently pending in the State Legislature and have been identified by staff as having potentially significant impacts on Union City. SB 20 (Sher) would establish a program for the collection and recycling of electronic waste; AB 136 (Kehoe) would double the 4850 industrial injury “free period” for public safety employees; AB 1221 (Steinberg) would change the allocation of sales tax and property tax revenues to cities; and AB 789 (Mountjoy) would exempt vehicles with non-operative registration from local vehicle abatement and inoperative vehicle ordinances.

I. Resolution of the City Council of the City of Union City **AUTHORIZING THE REPLACEMENT OF THE FIRE RECORD MANAGEMENT SYSTEM**

*Required Action: Motion*

The Union City Fire Department is presently not in compliance with the California Health and Safety Code Section 13110.5 regarding statistical reporting of fire incident data. Staff is requesting authorization to purchase a new compliant Records Management System and appropriating \$28,000 from the Capital Facilities Improvement Fund to fund this project.

J. Final Reading **ORDINANCE NO. 611-03: ORDINANCE OF THE CITY OF UNION CITY DELETING SECTION 5.24.100, AMENDING SECTIONS 5.08.020 AND 5.16.030 AND ADDING SECTIONS 5.24.100 AND 5.24.110 TO THE UNION CITY MUNICIPAL CODE CONCERNING ISSUANCE OF BUSINESS LICENSES**

*Required Action: Motion*

This proposed ordinance addresses the “unlawful conduct issue” in a manner consistent with that used by a number of Bay Area cities, providing for specific criteria which must be met in order to deny, suspend or revoke a business’ business license.

**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**

**ADJOURN TO CLOSED SESSION:**

**CLOSED SESSION:**

A. **CONFERENCE WITH LABOR NEGOTIATORS**

(Pursuant to Section 54957.6)

Agency designated representatives Tony Acosta, Interim Administrative Services Director, Larry Cheeves, Interim City Manager, Michael Riback, City Attorney

Employee organization:

International Association of Firefighters  
Local 1946

B. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

(Pursuant to Section 54957)

Title: City Attorney

**XVIII. ADJOURNMENT**