

The City Council will convene the adjourned meeting at 6:00 p.m. at which time there will be an opportunity for citizens to make comments. After public comments, the Council will meet in closed session.

**AGENDA FOR THE ADJOURNED  
REGULAR CITY COUNCIL MEETING  
CITY OF UNION CITY  
MARCH 9, 2004, 6:00 P.M.  
COUNCIL CONFERENCE ROOM  
34009 ALVARADO-NILES ROAD  
UNION CITY, CALIFORNIA**

**6:00 P.M. - Council Conference Room**

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

II. **CLOSED SESSION:**

A. **CONFERENCE WITH LABOR NEGOTIATORS**

(Significant exposure to litigation pursuant to subdivision (b) of Section 54957.6)

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

Employee Organization: Local 790

B. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION** (Significant exposure to litigation pursuant to subdivision (b) of Section 54957.6)

Number of Cases: One

III. **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 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 more 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 2590-04

Ordinance 621-04

Redevelopment Reso. 292-04

**AGENDA FOR THE REGULAR  
CITY COUNCIL MEETING OF  
THE CITY OF UNION CITY  
TUESDAY, MARCH 9, 2004, 7:00 P.M.  
COUNCIL CHAMBERS  
34009 ALVARADO-NILES ROAD  
UNION CITY, CALIFORNIA**

**I. PLEDGE OF ALLEGIANCE**

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

**III. UNFINISHED BUSINESS - NONE**

**IV. APPROVAL OF MINUTES**

A. Approval of minutes of the Adjourned Regular City Council meeting of Monday, February 9, 2004

*Required Action: Motion*

B. Approval of minutes of the Adjourned Regular City Council meeting of Tuesday, February 17, 2004

*Required Action: Motion*

C. Approval of minutes of the Adjourned Regular and Regular City Council meeting of Tuesday, February 24, 2004

*Required Action: Motion*

**V. PROCLAMATIONS/PRESENTATIONS**

- A. Proclamation proclaiming March 2004 as American Red Cross Month  
*Required Action: Motion*
- B. Resolution in recognition of the tremendous effort and accomplishments achieved by the Citizens for “Yes on K” Committee

*There will be a short recess at this time for a reception  
in City Hall lobby in honor of  
Citizens for Yes on Measure K*

**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 XIII of the agenda if they wish.*

**VII. HEARINGS - NONE**

**VIII. REPORTS FROM CITY MANAGER**

- A. Report on Fiscal Year 2004/05 Budget; Measure K - Public Safety Parcel Tax Implications  
*Required Action: Information Only*
- B. Status Report and Recommendations on Procurements Efforts for Solid Waste Collection and Disposal, Organic Waste Collection and Recycling, and Recyclable Materials Collection and Processing  
*Required Action: Motion*

**IX. REDEVELOPMENT AGENCY - NONE**

**X. AUTHORITIES/AGENCIES - NONE**

XI. **REPORTS FROM CITY COMMISSIONS/COMMITTEES - NONE**

XII. **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).*

A. **Resolution of the City Council of the City of Union City ACCEPTING UNION LANDING TRANSIT CENTER, CITY PROJECT 00-30**

*Required Action: Motion*

Svala Construction, Inc. has completed this project in accordance with plans and specifications. The project consisted of a transit hub in Union Landing Center and established a new timed-transfer connection for both Union City and AC Transit. The nine bus-bay transit facility includes a transit building, pedestrian shelters, a clock tower, public restrooms, bike facilities, transit signing, lighting, landscaping and irrigation./ This project also included the frontage widening of Union Landing Boulevard.

*Funding for this project is through a Transportation Development Act (TDA) 4.0 Grant for Transit Capital improvements collected from Fiscal Years 2001/02 and 2002/03*

B. **Resolution of the City Council of the City of Union City ACCEPTING UNION LANDING GATEWAY SIGNS, CITY PROJECT NO. 02-04**

*Required Action: Motion*

John Clay General Engineering Contractor, Inc., has completed City Project 02-04 as specified in the contract. The project consisted of constructing a concrete wall and footing systems with signs, graphics, earthwork, a drainage system, up-lighting, irrigation and planting at the Dyer Street and Alvarado-Niles Road intersection, both sides of Courthouse Drive and Dyer Street intersection, and in the median of Courthouse Drive at Dyer Street.

*Funding for this project is through the Community Facility District 97-1 (Dyer Street Triangle) budget*

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

- C. Resolutions of the City Council of the City of Union City and the Community Redevelopment Agency of the City of Union City **AWARDING CONTRACT FOR ADVANCE GRADING PLAN FOR PG&E UTILITY RELOCATION, CITY PROJECT NO. 03-24**

*Required Action: Motion*

There is an existing 32 KV power line that serves the BART station. This line parallels Decoto Road and is located approximately 50-60 feet from the curb face and runs from the east property line to BART station bisecting the PG&E property. If this power line remains in its present location, it will drastically limit the development of the north portion of the property as no permanent structure can be built on top of a power line. PG&E will relocate this line at their cost to as close to the back of the sidewalk provided the City construct a shelf to accommodate the relocation. This resolution approves awarding contract to Advance Grading Plan for relocating this line.

- D. Resolution of the City Council of the City of Union City **APPROVING PLANS, SPECIFICATIONS AND ESTIMATE FOR CITY PROJECT NO 01-36, 11<sup>TH</sup> STREET EXTENSION PROJECT**

*Required Action: Motion*

This resolution approves calling for bids on City Project 01-36, 11<sup>th</sup> Street Extension Project. This enhanced roadway system has been designed as a pedestrian and bike friendly facility to compliment the proposed transit-oriented, mixed use development which will include housing, office, commercial, open space and some type of community facility. The bid opening is scheduled for April 6, 2004.

*Funding for this project is by the Community Redevelopment Agency*

- E. Resolution of the City Council of the City of Union City **APPROVING TENTATIVE PARCEL MAP TPM 8306**

*Required Action: Motion*

Initiated by Nelida Campos, property owner, requesting approval of a Tentative Parcel Map to subdivide a vacant property located at the corner of Depot Road and Decoto Road (APN 486-0027-123) into two parcels. Parcel 1 will be 5,005 square feet and Parcel 2 will be 6,823 square feet. No structures are being proposed at this time. The project is categorically exempt under Section 15315, Class 15 of the California Environmental Quality Act (CEQA).

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

F. Resolution of the City Council of the City of Union City **APPROVING SITE DEVELOPMENT REVIEW APPLICATION SD-01-04**

*Required Action: Motion*

Initiated by Cedric Young on behalf of Dyer Triangle, LLP, the applicant is requesting approval to construct a 7,580 square foot bank and retail building on the remaining undeveloped pad (47,598 square feet) in the Century Theater Center, located at 32101 Union Landing Boulevard (APN 463-60-42). The project would be implemented in conjunction with a reconfiguration of the theater parking lot. The development of this pas was addressed in project application SD-12-97 and environmentally cleared in the Dyer Street Triangle EIR.

G. Resolution of the City Council of the City of Union City **APPROVING SITE DEVELOPMENT REVIEW APPLICATION, SD-04-04**

*Required Action: Motion*

Initiated by Wal\*Mart Stores, Inc., the applicant is requesting approval to construct an 11,121 square foot garden center at 30600 Dyer Street (APN 463-60-031). The project is consistent with the Negative Declaration concerning environmental impacts adopted October 5, 1992.

H. FINAL READING ORDINANCE NO 620-04: **AN ORDINANCE OF THE CITY OF UNION CITY AMENDING TITLE 18 OF THE UNION CITY MUNICIPAL CODE AT-02-04**

*Required Action: Motion*

The Zoning Text Amendment is a request to modify the CLU (Union Landing Commercial) zoning district to conditionally permit medical and dental uses in stand alone buildings within the Subregional Specialty Commercial (SRSC) Development Type, provided that it can be demonstrated that parking and circulation would prevent the practical use of the site for retail commercial purposes.

XIV. **CORRESPONDENCE** - NONE

XV. **APPROVAL OF BILLS** - MONTH OF FEBRUARY

A. Approval of disbursements for payment for Month of February 2004

*Required Action: Motion*

XVI. **SCHEDULED ORAL COMMUNICATIONS** -NONE

**XVII. ITEMS REFERRED BY COUNCIL**

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

*Required Action: Information Only*

**XVIII. GOOD OF THE ORDER**

**XIX. ADJOURNMENT**