

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
MAY 25, 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 LEGAL COUNSEL - ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9:

One case

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

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. 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 2639-04

Ordinance 626-04

Redevelopment Reso. 294-04

**AGENDA FOR THE REGULAR
CITY COUNCIL MEETING OF
THE CITY OF UNION CITY
TUESDAY, MAY 25, 2004, 7:00 P.M.
COUNCIL CHAMBERS
34009 ALVARADO-NILES ROAD
UNION CITY, CALIFORNIA**

**A reception will be held in the City Hall lobby
prior to the start of the City Council meeting
in honor of the delegation from the
Sister City of Santa Rosalia**

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 and Regular City Council meeting of Tuesday, May 13, 2004
Required Action: Motion

V. **PROCLAMATIONS/PRESENTATIONS**

- A. Certificates in honor of the Union City Special Olympics Basketball Team, the UC Hoopahs
Required Action: Present
- B. Resolution in recognition of the James Logan High School Color Guard
Required Action: Present
- C. Resolution in honor of delegation from Sister City Santa Rosalia
Required Action: Present

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 preparation for July 4, 2004
Required Action: Information Only

This report is presented to Council to provide information on the preparations by the Police and Fire Departments for the upcoming July 4th use of fireworks.

VIII. **REPORTS FROM CITY MANAGER** (continued)

B. **Authorization to issue Pension Obligation Bonds - Update** (Resolution)

Required Action: Motion

This report provides an update on the City's Pension Obligation Bonds (POBs) to refinance its unfunded liability in the pension plans the City provides for its employees through the California Public Employees Retirement System.

C. **FY 04/05 Public Service Funding Availability**

Required Action: Motion

This report discusses funds available for public service funding and possible scenarios for selecting public service providers.

D. **Authorization for Release of a Request for Proposals to furnish Solid Waste, Recyclable Materials and Organic Waste Collection and Disposal Services** (Resolution)

Required Action: Motion

This resolution authorizes the release of Request for Proposals for solid waste, recyclable materials and organic waste collection and disposal. The RFP consists of the RFP, the draft Franchise Agreement for Solid Waste, Recyclable Materials and Organic Waste collection services, and the draft Solid Waste Disposal Agreement.

E. **Fiscal Year 2004-05 Recommended Budget**

Required Action: Motion

The purpose of this report is to present the proposed operating budget for FY 2004-05. Areas that are reviewed are the revenue and expenditure assumptions and proposed additions and revisions to balance the expenditures with the projected revenues anticipated in the coming fiscal year

IX. REDEVELOPMENT AGENCY

Item A will be addressed in a joint meeting of the City Council and the Community Redevelopment Agency.

A. Hearing Re: First Amended and Restated DDLA with MP Mission Associates for development of Mission Gateway (Resolutions)

Required Action: Motion

This hearing provides consideration of the First Amended and Restated DDLA with MP Mission Associates and authorizes the Executive Director to execute the DDLA and Agency/MPHC Agreement to convey the property and provide a loan for the construction of Mission Gateway.

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 IMPROVEMENTS FOR ADVANCE GRADING PLAN FOR PG&E UTILITY RELOCATION, CITY PROJECT NO. 03-24

Required Action: Motion

Grade Tech Inc. has completed the improvements for the Advance Grading Plan for PG&E utility relocation. This project consisted of constructing an embankment along PG&E frontage along Decoto Road in order to accommodate the relocation of 32 KV PG&E power line, allowing the full utilization and development of the northern portion of the property.

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

B. Resolution of the City Council of the City of Union City **AWARDING CONTRACT FOR 2002-03 OVERLAY PROGRAM, CITY PROJECT NO. 02-46**

Required Action: Motion

Staff is recommending awarding contract for the 2002-03 Overlay Program to DeSilva Gates Construction of Dublin, California. The project consists of repair of failed pavement areas, pavement milling, installation of pavement reinforcing fabric, adjustment of manholes and monuments, traffic control, replacement of pavement striping and asphalt concrete overlay of various streets in order to extend service life and to improve ride quality of the city's streets.

C. Resolution of the City Council of the City of Union City **ADOPTING PERSONNEL SYSTEM RULES AND REGULATIONS FOR THE CITY OF UNION CITY**

Required Action: Motion

Resolution of the City Council of the City of Union City **APPROVING SIDE LETTER OF AGREEMENT WITH THE UNION CITY POLICE OFFICERS ASSOCIATION REGARDING LAYOFF PROCEDURES (PERSONNEL RULE XIII)**

Required Action: Motion

Resolution of the City Council of the City of Union City **APPROVING SIDE LETTER OF AGREEMENT WITH THE UNION CITY MANAGEMENT EMPLOYEES REGARDING LAYOFF PROCEDURES (PERSONNEL RULE XIII)**

Required Action: Motion

The above resolutions adopt revised personnel system rules and regulations for the City and approve side letters of agreement with the Union City Police Officers Association and the Management Group revising Personnel Rule XIII which addresses layoff procedures applicable to City employees.

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

- D. Resolution of the City Council of the City of Union City AUTHORIZING CITY MANAGER TO EXECUTE AND DELIVER THE ELECTRIC PROGRAM WIND-UP AGREEMENT WITH ABAG POWER

Required Action: Motion

This resolution authorizes the City Manager to enter into the Windup Agreement with ABAG Power for the now terminated electricity aggregation program and receive distribution of funds as they become available.

- E. Resolution of the City Council of the City of Union City AUTHORIZING THE JOINT APPLICATION FOR GRANT FUNDS FROM THE HOUSEHOLD HAZARDOUS WASTE FUND UNDER THE CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD

Required Action: Motion

The City of Union City is applying jointly with the City of Newark for the FY2004/05 Household Hazardous Waste (HHW) Grant Funds from the California Integrated Waste Management Board. The grant funds will be used specifically to target Union City residents via a local public outreach campaign and provide information on HHW disposal options, purchase thermometers for proposed “take-back” programs and the set-up of one-day collection events in cooperation with local retailers.

- F. Resolution of the City Council of the City of Union City MODIFYING THE UNION CITY PARKING VIOLATION PENALTY SCHEDULE PREVIOUSLY SET FORTH IN RESOLUTION 8173-93

Required Action: Motion

The City has not increased the parking citation fine schedule since 1993. Section 40203.5 of the California Vehicle code authorizes the governing body of the jurisdiction where parking citations are issued to set parking violation fines and late payment penalties.

XIII. **ORAL COMMUNICATIONS**

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 Boards and Commissions

Required Action: Information Only

XVIII. **GOOD OF THE ORDER**

XIX. **ADJOURNMENT -** Adjourn to Tuesday, June 1, 2004 at 7:30 p.m. for a public meeting on the FY 2004/05 Budget