

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 15 or 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 2728-04

Ordinance 634-04

Redevelopment Reso. 301-04

**AGENDA FOR THE REGULAR
CITY COUNCIL MEETING OF
THE CITY OF UNION CITY
TUESDAY, SEPTEMBER 28, 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 and regular City Council meeting of Tuesday, September 14, 2004

Required Action: Motion

B. Approval of Minutes of the adjourned regular City Council meeting of Tuesday, September 21, 2004

Required Action: Motion

V. PROCLAMATIONS/PRESENTATIONS

- A. Resolution in honor of Battalion Chief Mike Souza upon his retirement from the Fire Department
Required Action: Motion
- B. Resolution in honor of Lt. Rod Romano upon his retirement from the Police Department
Required Action: Motion
- C. Resolution in honor of Sgt. Jim Ticer upon his retirement from the Police Department
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 XIII of the agenda if they wish.

VII. HEARINGS

- A. HEARING RE: **DISBURSEMENT OF FEDERAL GRANT FUNDS FROM THE FEDERAL DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE FOR LOCAL LAW ENFORCEMENT BLOCK GRANT (LLEBG) PROGRAM** (Resolution)

The City has received federal grant funds from the Federal Department of Justice, Bureau of Justice Assistance for the last seven years. The funds have been disbursed under the Local Law Enforcement Block Grant (LLEGB) program and are intended to assist local jurisdictions in reducing crime and improving public safety.

VIII. REPORTS FROM CITY MANAGER - NONE

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 APPROVING SOLE SOURCE PROCUREMENT FOR THE “e POLICE DEPARTMENT, INC.” ON LINE REPORTING PROGRAM**

Required Action: Motion

The “ePolice Department, Inc., is the only vendor that has an on-line reporting program that allows the importing of data directly in the “Tiburon” Records Management System that is currently in use by the Union City Police Department (UCPD). The procurement of the program offered by “ePolice Department, Inc. would greatly enhance the ability of UCPD to main available resources in the most effective and efficient manner.

B. **Resolution of the City Council of the City of Union City APPROVING NON-COMPETITIVE PROCUREMENT FOR THE MAINTENANCE OF THE COMPUTER AIDED DISPATCH GEOFILE**

Required Action: Motion

Updating and maintaining the Computer Aided Dispatch Geofile Program is required and necessary to provide data that would be of optimum value in rendering service to the community. LYNX Technologies has the requisite knowledge and ability to update and maintain the program in the most efficient and cost effective manner.

XII. CONSENT CALENDAR/RESOLUTIONS (continued)

- C. Resolution of the City Council of the City of Union City APPROVING THE PURCHASE OF ONE RENTAL OR LEASE RETURNED FULL SIZE FOUR DOOR SEDAN FOR PARATRANSIT, CITY PROJECT NO. 04-17

Required Action: Motion

The 1996 Dodge Intrepid four door sedan used by Paratransit, has 108,000 miles on it and is currently out of service do to a transmission failure. After one motor replacement and three transmissions, it has been determined this vehicle is not dependable and needs replacing as soon as possible. Staff is recommending purchase of a lease or rental return full size four door sedan through Enterprise Car Sales rather than seeking competitive bids.

- D. Resolution of the City Council of the City of Union City DECLARING INTENTION TO VACATE A PORTION OF RIGHT OF WAY IN THE CITY OF UNION CITY AND SETTING A TIME AND PLACE FOR PUBLIC HEARING

Required Action: Motion

Elimination of a driveway entrance and street realignment requires vacation of a portion of Union Landing Boulevard right-of-way. The proposed vacation smooths an abandoned driveway entrance affecting 0.17 acres. It is recommended that October 26, 2004 at 7:00 p.m. be set as the time and place for the roadway vacation.

- E. Resolution of the City Council of the City of Union City APPOINTING INDIVIDUALS TO SERVE ON THE PLANNING COMMISSION

Required Action: Motion

Interviews were held on Tuesday, September 21 with five applicants to fill vacancies on the Planning Commission. This resolution appoints one individual to serve for a four year term expiring October 31, 2008, and one individual to fill an unexpired term expiring October 31, 2005.

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

F. **Resolution of the City Council of the City of Union City APPROVING SITE DEVELOPMENT REVIEW SD-09-04**

Required Action: Motion

Nelida Campos & Jerry Gamardo, Depot Road and 9th Street, are requesting approval to construct two new single family two story detached residential homes on two exiting lots located between Depot Road and 9th Street. The subject parcels are within the R-5000 Single Family Residential zoning district.

G. **Resolution of the City Council of the City of Union City AMENDING THE CONFLICT OF INTEREST CODE OF NON-ELECTED OFFICIALS AND DESIGNATED EMPLOYEES OF THE CITY OF UNION CITY BY AMENDING APPENDICES A, B C AND D**

Required Action: Motion

The Political Reform Act requires local government agencies to review their Conflict of Interest Codes biennially, and to prepare an amended Code if necessary. It has been determined that there is a need to amend the Appendices, Designated Positions and Disclosure categories.

H. **Resolution of the City Council of the City of Union City APPOINTING REPRESENTATIVES TO SERVE ON THE UNION LANDING PROPERTY BASED BUSINESS IMPROVEMENT DISTRICT (PBID) OWNERS ASSOCIATION**

Required Action: Motion

The Union Landing property owners established the Union Landing Property-Based Business Improvement District (PBID) for a one year period to provide funding for three dedicated full-time sworn Union City Police Officers at Union Landing. This resolution will appoint the members of the required Owners Association to provide management of the PBID.

XII. CONSENT CALENDAR/RESOLUTIONS (continued)

I. Introduction of Ordinance: **AN ORDINANCE OF THE CITY OF UNION CITY AMENDING TITLE 2 OF THE UNION CITY MUNICIPAL CODE**

Required Action: Motion

The Council has expressed a desired to eliminate the requirement for a member of the City Council and a member of the New Haven Unified School District Board of Education to select one of its members to serve as an ex officio non-voting member of the Arts Council. This ordinance would eliminate the requirement for ex-officio members.

J. **Claim No. 596**

Required Action: Motion

Staff is requesting rejection of Claim No. 596, filed by Jason Barnes, regarding alleged damage to his vehicle as a result of road work performed by Alameda County Water District.

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

B. **Request by Mayor Green for discussion on requirements to serve on City Commissions**

XVIII. GOOD OF THE ORDER

CLOSED SESSION:

The City Council will adjourn to a closed session. Prior to the beginning of the closed session, there will be an opportunity for citizens to make public comments. After public comments, the Council will meet in closed session.

CLOSED SESSION:

A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

(Pursuant to Subdivision (b) of Section 54956.9 of the California Government Code)

Two cases:

B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

(Pursuant to Section 54957 of the California Government Code)

Title: City Manager

XIX. ADJOURNMENT