

# CITY OF UNION CITY

34009 Alvarado-Niles Road

Union City, CA 94587

510-471-3232

**AGENDA FOR THE ADJOURNED  
REGULAR CITY COUNCIL MEETING  
OF THE CITY OF UNION CITY  
TUESDAY, JANUARY 8, 2002, 6:45 P.M.,  
COUNCIL CONFERENCE ROOM  
34009 ALVARADO-NILES ROAD  
UNION CITY, CALIFORNIA**

**6:45 P.M. - Council Conference Room**

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

II. **CLOSED SESSION:**

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
(Pursuant to Section 54957 of the California Government Code)**

**Title: City Manager**

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 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 website 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 510-471-3232, ext. 348.

Resolution 2083-01

Ordinance 577-01

Redevelopment Reso. 242-01

**AGENDA FOR THE REGULAR  
CITY COUNCIL MEETING OF  
THE CITY OF UNION CITY  
TUESDAY, JANUARY 8, 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**

A. Status report on renegotiation of the Cable TV Franchise Agreement  
*(continued from December 11, 2001)*  
*Required Action: Receive and file*

A status report on the Cable TV Franchise renewal process, with general findings from the Preliminary Needs Assessment studies.

**IV. APPROVAL OF MINUTES**

- A. Approval of minutes of the Adjourned Regular City Council meeting of Thursday, November 29, 2001  
*Required Action: Motion*
  
- B. Approval of minutes of the Adjourned Regular City Council meeting of Monday, December 3, 2001  
*Required Action: Motion*
  
- C. Approval of minutes of the Adjourned Regular City Council meeting of Monday, December 8, 2001  
*Required Action: Motion*
  
- D. Approval of minutes of the Adjourned Regular City Council meeting of Monday, December 10, 2001  
*Required Action: Motion*
  
- E. Approval of minutes of the Regular City Council meeting of Tuesday, December 11, 2001  
*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. Comprehensive Annual Financial Report - Fiscal Year 2000/2001

*Required Action: Motion*

The annual audit of the City's financial operations for FY 2000/2001 was recently completed and is presented to Council for acceptance.

### B. Fire Department schedule change proposal

*Required Action: Motion*

Union City Firefighters Local 1946 has requested a change in the pattern of the days/shifts they are scheduled to work. The total hours worked per week and total number of 24 hour shifts worked annually will not change, just the pattern of the shift schedule. The Union is requesting a one year trial period to test the new schedule. The Union and Fire Administration will closely monitor the effects of the change. The new schedule can be implemented at no cost to the City or members of the bargaining group.

## IX. REDEVELOPMENT AGENCY

### A. Memorandum of Understanding with Dyer Triangle to develop a plaza and allow interim parking at Union Landing (Resolution)

*Required Action: Motion*

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

### B. Procedural actions leading to the adoption of the 2002 Amended and Restated Redevelopment Plan for the Union City Community Redevelopment Project and Amended Implementation Plan as follows:

1) Agency Resolution authorizing transmittal of the Final Amended Redevelopment Plan, Final EIR, and Report of the City Council to the Planning Commission and the Redevelopment Project Area Committee

*Required Action: Motion*

2) Council and Agency action to set February 26, 2002 for a joint public hearing on the Amended and Restated Redevelopment Plan

*Required Action: Motion*

- 3) Agency action to adopt the Redevelopment Project Area Committee recommended Amended Rules for Business Tenant Preference and Owner Participation  
*Required Action: Motion*
- 4) Council action electing to receive Tax Increment for the General Fund as allowed by Section 33607.5(b) and Section 33607.7 of the Health and Safety Code  
*Required Action: Motion*

X. **AUTHORITIES/AGENCIES - NONE**

XI. **CONSENT CALENDAR/RESOLUTIONS**

- A. Resolution of the City Council of the City of Union City **APPROVING SD-9-01, SITE DEVELOPMENT REVIEW, V-2-01, VARIANCE**  
*Required Action: Motion*

Atul K. Tandon has submitted applications for a Site Development Review Permit (SD-9-01) and a Variance Permit (V-2-01) to construct a three (3) story, 19,072 square foot professional office building with one (1) level of underground parking on property located at 2 Union Square (APN 87-19-14-02). The proposed project entails a downsizing of a previously approved project for this site. The downsized project entails the elimination of one story of the building and one level of underground parking than originally approved. The proposed use of the building will remain as previously approved as professional office use. The subject property is located on the northeast corner of Decoto Road and Union Square. The Variance, as previously granted, is a request to allow a minor reduction in the front yard setback along Decoto Road and a minor reduction in the required number of parking spaces for the development, given its close proximity to the BART station and bus stop. The property is located within a CPA zoning district and has a CO General Plan designation.

B. **Resolution of the City Council of the City of Union City ACCEPTING THE CALIFORNIA LAW ENFORCEMENT EQUIPMENT PROGRAM (CLEEP) FUNDS**

*Required Action: Motion*

The Legislature of the State of California has designated \$51,173 for the City of Union City to be expended exclusively for the purpose of “law enforcement technology items”. A resolution must be adopted in order to comply with the legal requirements placed on the expenditure of the funds.

C. **Resolution of the City Council of the City of Union City ACCEPTING PUBLIC IMPROVEMENTS FOR TRACT 7003 (CITATION HOMES)**

*Required Action: Motion*

Citation Homes has completed the public improvements on Tract 7003 in accordance with the plans and specifications approved for this project. Tract 7003 subdivided an approximately 3.1 acre parcel into 17 single family dwelling lots. The site is north of the intersection of Daggett Avenue and Seventh Street.

D. **Resolution of the City Council of the City of Union City ACCEPTING PUBLIC IMPROVEMENTS FOR TRACT 7041 (CITATION HOMES)**

*Required Action: Motion*

Citation Homes has completed the public improvements on Tract 7041 in accordance with the plans and specifications approved for this project. Tract 7041 subdivided an approximately 10.3 acre parcel into 69 single family dwelling lots. The site is southeast of the intersection of Seventh Street and Daggett Avenue.

E. **Resolution of the City Council of the City of Union City AWARDING CONTRACT FOR TWO ADDITIONAL POLICE PATROL CARS, CITY PROJECT NO. 01-22**

*Required Action: Motion*

This is a request for an emergency purchase to replace two patrol cars that were “totaled” in vehicle accidents caused by third parties. Funding for these vehicles would come from the Vehicle Replacement Account and insurance claim settlements.

F. **Resolution of the City Council of the City of Union City APPROVING PLANS AND SPECIFICATIONS FOR 2000-01 WHEELCHAIR RAMPS PROJECT, CITY PROJECT NO. 00-06**

*Required Action: Motion*

An application was submitted to the Metropolitan Transportation Commission (MTC) for the 2000-01 Transportation Development Act (TDA), Article 3 funds. Funds have been allocated by MTC to the City for this project. The project involves the construction of 26 wheelchair ramps at various street intersections.

G. **Resolution of the City Council of the City of Union City AUTHORIZING THE EMERGENCY PURCHASE OF ONE DIESEL POWERED CHIPPER**

*Required Action: Motion*

The 2000/2001 budget did not include authorization for replacement of the diesel powered chipper for the Public Works Department. The old chipper was 12 years old and parts are no longer available for the unit. The engine failed and would cost \$5,000 to purchase a new one plus the installation labor. The \$25,013.88 required to rent the diesel powered chipper would come from salary savings that accrued during the Public Works Director's term as Interim City Manager.

H. **Resolution of the City Council of the City of Union City APPOINTING INDIVIDUALS TO THE ARTS COUNCIL**

*Required Action: Motion*

Two vacancies currently exist on the Arts Council. Interviews were held by the City Council and the Mayor is recommending Jo An Lew and Diane LaMountaine to be appointed to the Union City Arts Council.

I. **Resolution of the City Council of the City of Union City APPOINTING INDIVIDUAL TO THE PARK AND RECREATION COMMISSION**

*Required Action: Motion*

Due to the expiration of the term of a Park and Recreation Commissioner, a vacancy currently exists. Interviews were held by the City Council and the Mayor is recommending William Boylan to be appointed to the Park and

Recreation Commission.

- J. Introduction of Ordinance: **ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UNION CITY AMENDING UNION CITY MUNICIPAL CODE SECTION 15.20.395**

*Required Action: Motion*

This ordinance designates the unlawful use of fireworks as an infraction under the Union City Municipal Code rather than a misdemeanor. Staff is recommending introduction of the Ordinance.

- K. Final Reading Ordinance 575-01: **AN ORDINANCE OF THE CITY OF UNION CITY REPEALING CHAPTER 9.84 OF THE UNION CITY MUNICIPAL CODE RELATING TO THE SALE OF SATURDAY NIGHT SPECIALS**

*Required Action: Motion*

The City Council adopted Chapter 9.84, regulating the sale of so-called Saturday Night Special guns, several years ago. Since that time, the State Legislature adopted Penal Code 12125 et. seq. effective January 1, 2000, regulating the sale of handguns by requiring that such guns meet certain safety standards and testing requirements prior to being placed on a list of guns that may be legally sold in California. The City's ordinance appears to duplicate the provisions of Penal Code 12125 et. seq. and it is recommended that the Council repeal Chapter 9.84 of the Union City Municipal Code.

- L. Final Reading Ordinance 576-01: **AN ORDINANCE ADDING CHAPTER 15.75 TO THE UNION CITY MUNICIPAL CODE AND AMENDING CHAPTER 7.04 OF THE UNION CITY MUNICIPAL CODE TO REQUIRE RECYCLING OF WASTE FROM CONSTRUCTION SITES (CONSTRUCTION AND DEMOLITION ORDINANCE)**

*Required Action: Motion*

This proposed Ordinance will require the recycling of construction and demolition debris generated by commercial, residential and City construction projects. Waste Management Plans will be required for all projects valued at \$100,000 or more.

**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*

B. Request by Councilmember Fernandez for discussion on street directional signs for Union Landing (continued from December 11, 2001)

*Consideration of request for action item on future Council agenda*

C. Request by Councilmember Valle for discussion on the Bernal Fund

*Consideration of request for action item on future Council agenda*

**XVII. GOOD OF THE ORDER**

**XVIII. ADJOURNMENT**