

**AGENDA FOR THE ADJOURNED
REGULAR CITY COUNCIL MEETING
CITY OF UNION CITY
DECEMBER 10, 2002, 5:00 P.M.
COUNCIL CONFERENCE ROOM
34009 ALVARADO-NILES ROAD
UNION CITY, CALIFORNIA**

5:00 P.M. - Council Conference Room

- I. **ROLL CALL:** Councilmembers Dutra-Vernaci, Fernandez, Valle, Vice Mayor Elias, Mayor Green
- II. **Union City's Discussion of 2003 State Legislative Priorities with Assemblymember John A. Dutra**
- III. **Public Comment**
- IV. **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 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 510-471-3232, ext. 348.

Resolution 2304-02

Ordinance 600-02

Redevelopment Reso. 266-02

**AGENDA FOR THE REGULAR
CITY COUNCIL MEETING OF
THE CITY OF UNION CITY
TUESDAY, DECEMBER 10, 2002, 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 Regular City Council meeting of Tuesday, November 26, 2002

Required Action: Motion

V. PROCLAMATIONS/PRESENTATIONS

A. Presentation by the Honorable John A. Dutra, 20th Assembly District commending the City of Union City for its exemplary efforts to meet its affordable housing needs for the entire community

Required Action: Accept

B. Resolution acknowledging and commending Al and Marsha Badella

Required Action: Present

Al and Marsha Badella donated funds for the construction of a shade structure at Drigon Dog Park. The donation was in memory of their dog Sheba.

RECESS FOR COUNCILMEMBERS TO ATTEND SWEARING IN CEREMONY FOR NEW HAVEN UNIFIED SCHOOL DISTRICT BOARDMEMBERS

VI. ORAL COMMUNICATIONS

Comments from the floor on non-agenda items will be accepted for a period of 1/2 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

A. HEARING RE: ZONING TEXT AMENDMENT AT-01-02:
(Introduction of Ordinance)

Required Action: Motion

Initiated by the City of Union City to amend the text of Chapter 18.40 (Industrial District) of the Union City Zoning Ordinance. This proposed amendment would amend Chapter 18.40, the Industrial Districts Zoning Ordinance, by establishing criteria for the new Research and Development Campus (RDC) District and by reassigning “Mini-storage facilities” from Principal Uses Permitted to Conditional Uses Permitted in ML, Light Industrial, zoning district. The amendment would also amend Chapter 18.33 by allowing the Council to approve an alternative affordable housing program for a particular development contained in a binding agreement with the City to provide a similar or greater level of affordable housing than permitted by the current Ordinance.

B. HEARING RE: PACIFIC STATES STEEL CORPORATION (PSSC)
(Resolutions and Ordinance)

Required Action: Motion

Initiated by Gruen & Gruen & Associates on behalf of the Pacific States Steel Corporation, and KB HOMES, to construct 119 single-family homes, 216 townhouses to establish a parcel designated as Research and Development Campus (RDC). The property is located south of the PG&E property and the M-Line channel, north of the city of Fremont city limit line, and is bounded to the east by the Union Pacific Railroad tracks and to the west by the former Western Pacific tracks and the BART tracks. The site is approximately 61 acres and is addressed as 1051 Kraftile Road, Fremont (APN 87-11-5 and 6, and 87-017-1 and 2).

Item 1 will be addressed in a joint session of the Community Redevelopment Agency and the City Council.

- 1) **Mitigated Negative Declaration:** (Two Resolutions)
To certify and approve the Mitigated Negative Declaration for the Pacific States Steel Corporation redevelopment and accompanying approvals.

VII. **HEARINGS** (continued)

- 2) **General Plan Amendment (AG-03-02):** To redesignate portions of the site from R10-17 (Residential 10-17 units per acre) to RDC (Research and Development Campus) and to redesignate property that is currently identified as RDC (Research and Development Campus) to R10-17 (Residential, 10-17 units per acre) and to amend the General Plan text governing requirements for the Research and Development land use designation.
- 3) **Zoning Map Amendment (A-04-02): (Ordinance)**
To rezone property from RS(s) (Single-family Residential, Special) and RM2500 (Multi-Family Residential, medium density) to RS6000 D (Single-family Residential in the DIPSA); Rezone property from RM1500 (Multi-family residential, high density) to RM2500 (Multi-family Residential, medium density) and RDC (Research and Development Campus); and rezone property from OS (Open Space) and PF (Public Facility) to RDC (Research and Development Campus).
- 4) **Specific Plan Amendment (SP-01-02):** To redesignate the DIPSA Specific Plan Land Use Map to be consistent with the General Plan, to rezone the DIPSA Specific Plan Zoning Districts Map to be consistent with the Zoning Map and to amend Table 3A.
- 5) **Site Development Review (SD-11-02):** To construct 119 single-family homes, consisting of seven model types (six two-story units and one single-story unit) ranging in size from 2,253 square feet to 3,655 square feet and 216 townhouse units, ranging in size from 1,174 square feet to 1,622 square feet.
- 6) **Vesting Tentative Tract Map 7405 (VTTM 7405):** To subdivide the 61-acre site, to include a .33-acre mini-park, rights-of-way for the planned State Route 84 parkway or local roadway, Eleventh Street, and several local roadways to service the single-family

homes. The application also includes the creation of a parcel that could accommodate approximately 250,000 square feet of office/industrial uses.

Item 7 will be addressed in a joint session of the Community Redevelopment Agency and the City Council.

- 7) **Owner Participation Agreement:** Approval of Owner Participation Agreement with PSSC and accompanying statutory findings, including acquisition of Route 84 parcel.

VIII. REPORTS FROM CITY MANAGER

- A. Resolution of Necessity, 31300 Alvarado Niles Road, Assessors Parcel No. 463-0060-18-14, Union 76, Transit Center
Required Action: This action requires a 4/5th vote of the Council

Council previously adopted a Resolution of Necessity in May 2002 to acquire land from the Union 76 gas station. The property was needed to construct the Transit Center, widen Union City Boulevard and widen Alvarado Niles Road. This new action will reduce the land take for the Union 76 gas station and adopt a new Resolution of Necessity.

- B. Appeal of Condition regarding Site Development Review (SD-03-02) (Resolution)
Required Action: Motion

For construction of a 5,403 square foot AutoZone retail automotive parts and accessories store on an undeveloped portion of the Alvarado Place Shopping Center, at 32100 Alvarado Boulevard (APN 483-40-49). The project was referred back to the Planning Commission for design

improvements to the exterior façade of the building. Revised building elevations have been submitted and the applicant is appealing Condition No. 16, imposed by the Planning Commission regarding an existing parking lot trash enclosure.

IX. REDEVELOPMENT AGENCY

- A. Purchase agreement, property owned by Pacific Gas and Electric Company identified as Assessors Parcel No. 087-001-900-401 (Resolution)

Required Action: Motion

The PG&E property is a key component of the Intermodal Station mixed-use redevelopment project, and for providing access to the former PSSC site. PG&E has agreed to sell the property following remediation. This resolution approves the Purchase Agreement.

- B. Authorization to Refinance Tax Allocation Redevelopment 1993 Bonds (Resolution)

Required Action: Motion

This report contains an analysis and a recommendation to advance refund (refinance) the Series 1993 Bond Issue. Low interest rates will result in significant cash savings to the Agency.

X. AUTHORITIES/AGENCIES - NONE

XI. CONSENT CALENDAR/RESOLUTIONS

- A. Resolution of the City Council of the City of Union City **APPOINTING INDIVIDUAL TO SERVE ON THE ALAMEDA COUNTY MOSQUITO ABATEMENT BOARD AS DESIGNATE FOR THE CITY OF UNION CITY**

Required Action: Motion

Ronald Quinn was appointed to the Alameda County Mosquito Abatement Board to fill a term which expires January 2, 2003. Mr. Quinn has served since March 2001. This resolution reappoints Ronald Quinn to the Alameda County Mosquito Abatement Board with a term expiring January 2, 2005.

- B. Resolution of the City Council of the City of Union City **AWARDING CONTRACT FOR DOCUMENT IMAGING SYSTEM**

Required Action: Motion

An RFP was issued for Document Imaging System for a pilot program in the City Clerk's office. It is recommended that the contract be awarded to L.R. Hines Consulting, Inc.

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

- C. Resolution of the City Council of the City of Union City **APPROVING THE FIFTH EXTENSION OF THE TERMS OF ORDINANCE NO. 199-81 SECTION 1, 1981, GRANTING A NONEXCLUSIVE CABLE TELEVISION FRANCHISE TO STORER CABLE TV, A CORPORATION, FROM JANUARY 1, 2003 TO MARCH 31, 2003**

Required Action: Motion

This report provides a status on the negotiations between the City of Union City and ATT Broadband (now ComCast/ATT) and to recommend approval of a resolution extending the current Cable TV franchise agreement for 90 days.

- D. Resolution of the City Council of the City of Union City **AMENDING CITYS COMPENSATION PLAN AND CLASSIFICATION PLANS AND LIST OF AUTHORIZED POSITIONS**

Required Action: Motion

This resolution amends the City's Compensation plan to reflect revised job specifications and salary ranges for Fleet Parts Specialist and Building Code/Compliance Inspector-Trainee.

- E. Resolution of the City Council of the City of Union City **AWARDING CONTRACT FOR 2002-2003 TREE PRUNING AND REMOVAL PROJECT, CITY PROJECT NO. 02-40**

Required Action: Motion

This resolution awards contract to TrueGreen LandCare of Oakland, California for the 2002-2003 Tree Pruning and Removal Project for the City.

- F. Resolution of the City Council of the City of Union City **ACCEPTING DONATED ELECTRIC VEHICLE FROM HAYWARD FORD FOR USE BY THE UNION CITY POLICE DEPARTMENT**

Required Action: Motion

Hayward Ford is donating a Ford “Think” electric vehicle to the Union City Police Department. This vehicle will be deployed at Union Landing and will enable officers to navigate the complex quickly, quietly and efficiently.

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

G. Resolution of the City Council of the City of Union City **APPOINTING INDIVIDUALS TO SERVE ON THE HUMAN RELATIONS COMMISSION**

Required Action: Motion

The terms of three Commissioners on the Human Relations Commission expire December 31, 2002. Interviews to fill these terms were held December 9, 2002. It is recommended Council appoint three individuals to serve on the Human Relations Commission with terms expiring December 31, 2006.

H. Resolution of the City Council of the City of Union City **APPOINTING INDIVIDUALS TO SERVE ON THE SENIOR CITIZENS COMMISSION**

Required Action: Motion

The terms of three Commissioners on the Senior Citizens Commission expire December 31, 2002. Interviews to fill these terms were held December 9, 2002. It is recommended Council appoint three individuals to serve on the Senior Citizens Commission with terms expiring December 31, 2006.

I. Resolution of the City Council of the City of Union City **APPOINTING INDIVIDUALS TO SERVE ON THE ARTS COUNCIL**

Required Action: Motion

The terms of two Commissioners on the Arts Council expired September 30, 2002. Interviews to fill these terms were held December 9, 2002. It is recommended Council appoint two individuals to serve on the Arts Council with terms expiring September 30, 2006.

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

J. **Resolution of the City Council of the City of Union City CANCELLING THE DECEMBER 24, 2001 REGULARLY SCHEDULED COUNCIL MEETING**

Required Action: Motion

In accordance with past practice, staff is recommending cancellation of the December 24th Council meeting. All City offices will be closed from Tuesday, December 24 through January 1, 2003.

K. **Resolution of the City Council of the City of Union City APPROVING AND ADOPTING THE ESTABLISHED OVERALL ANNUAL DBE GOAL OF 7% FOR FEDERAL FISCAL YEAR 2003**

Required Action: Motion

The City is required to develop and submit a Disadvantaged Business Enterprise Overall Annual Goal for DBE participation on U. S. Department of Transportation (DOT) assisted contracts, as a condition of federal financial assistance. This resolution sets the annual DBE goal of 7% for Fiscal Year 2003.

L. **Resolution of the City Council of the City of Union City REJECTING ALL BIDS AND AUTHORIZATION TO READVERTISE FOR BIDS FOR THE RENOVATION AND EXPANSION OF THE TEEN CENTER AT KENNEDY COMMUNITY PARK, CITY PROJECT NO. 02-15**

Required Action: Motion

This resolution authorizes the rejection of all bids for renovation and expansion of teen center and authorizes readvertising for bids. Fourteen

bids were received and all bids significantly exceeded the budget for this project.

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

M. Rejection of Claim No. 525

Required Action: Motion

Anita Limcolioc filed a timely claim for damages sustained to her vehicle as a result of the use of a line trimmer by a City employee which allegedly threw a rock in the direction of her automobile.

N. Final Reading Ordinance No. 598-02 - **ORDINANCE OF THE CITY OF UNION CITY AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF UNION CITY A-05-02**

Required Action: Motion

This is the final reading of Ordinance 598-02, a Zoning Map Amendment to facilitate the development of 120 units of affordable, multi-family housing, known as Mission Gateway.

O. Final Reading Ordinance No. 599-02: **ORDINANCE OF THE CITY OF UNION CITY AMENDING TITLE 18 OF THE UNION CITY MUNICIPAL CODE AT-02-02**

Required Action: Motion

This is the final reading of Ordinance 599-02, amending Title 18, (Zoning Text Amendment) of the Union City Municipal Code to facilitate the development of 120 units of affordable, multi-family housing, known as Mission Gateway.

XII. **ORAL COMMUNICATIONS**

XIII. **CORRESPONDENCE - NONE**

XIV. **APPROVAL OF BILLS - MONTH OF OCTOBER**

A. Approval of warrants for payment for October 2002

Required Action: Motion

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 Only

B. Request by Councilmember Valle for discussion on rescheduling the City's elections

Required Action: Motion

XVII. GOOD OF THE ORDER

XVIII. ADJOURNMENT