

**AGENDA FOR THE ADJOURNED
REGULAR CITY COUNCIL MEETING
AND COMMUNITY REDEVELOPMENT AGENCY
CITY OF UNION CITY
SEPTEMBER 10, 2002, 6:30 P.M.
COUNCIL CONFERENCE ROOM
34009 ALVARADO-NILES ROAD
UNION CITY, CALIFORNIA**

6:30 P.M. - Council Conference Room

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

II. **CLOSED SESSION**

**CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Subdivision (a) of Section 54956.9)**

Name of Case: City of Union City v. Union Pacific Railroad Company,
Case No. H210710-1, Alameda County Superior Court

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 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

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For Agenda information, you may contact the City Clerk's Office at 510-471-3232, ext. 348.

Resolution 2235-02

Ordinance 584-02

Redevelopment Reso. 262-02

AGENDA FOR THE

REGULAR

**CITY COUNCIL MEETING
AND COMMUNITY REDEVELOPMENT AGENCY
OF THE CITY OF UNION CITY
TUESDAY, SEPTEMBER 10, 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 - NONE**

IV. **APPROVAL OF MINUTES**

A. Approval of minutes of the Adjourned Regular City Council meeting of Monday, August 19, 2002

Required Action: Motion

B. Approval of minutes of the Adjourned Regular City Council meeting of Tuesday, August 20, 2002

Required Action: Motion

C. Approval of minutes of the Adjourned Regular and Regular City Council meeting of Tuesday, August 27, 2002

Required Action: Motion

V. PROCLAMATIONS/PRESENTATIONS

- A. Presentation to Chris Guckert as Officer of the Year by the Newark Optimist Club
Required Action: Presentation
- B. Proclamation proclaiming September 11, 2002 as Public Safety Appreciation Day
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 XII of the agenda if they wish.

VII. HEARINGS - NONE

VIII. REPORTS FROM CITY MANAGER

- A. Passage of the State Budget and Resulting Implications for Union City, including prior budget reductions
Required Action: Motion

This report is to advise the City Council of the passage of the State Budget for Fiscal Year 2002-03 and the implications created for the City.

- B. Request by Local 790 to continue employing Crossing Guards as City employees
Required Action: Motion

This report is brought forward to consider Local 790's request for the City to continue employing crossing guards as City employees.

IX. REDEVELOPMENT AGENCY - NONE

X. AUTHORITIES/AGENCIES - NONE

XI. CONSENT CALENDAR/RESOLUTIONS

A. **Resolution of the City Council of the City of Union City APPOINTING INDIVIDUALS TO SERVE ON THE PARK AND RECREATION COMMISSION**

Required Action: Motion

Terms of two Park and Recreation Commissioners expired August 15, 2002. This resolution appoints two Commissioners to terms expiring August 15, 2006.

B. **Resolution of the City Council of the City of Union City APPOINTING INDIVIDUALS TO SERVE ON THE PLANNING COMMISSION**

Required Action: Motion

Terms of four Planning Commissioners expire October 31, 2002. This resolution appoints four Commissioners to terms expiring October 31, 2006.

C. **Resolution of the City Council of the City of Union City FOR AUTHORIZATION TO REAPPLY FOR 1999-2000 TDA ARTICLE 3 FUNDS, DEPOT ROAD BIKE & PEDESTRIAN PATH, CITY PROJECT NO. 02-02**

Required Action: Motion

This resolution authorizes the City to reapply for 1999-2000 TDA Article 3 funding in the amount of \$47,520 to be used towards the installation of the bike and pedestrian path along Depot Road.

D. **Resolution of the City Council of the City of Union City FOR AUTHORIZATION TO EXTEND ABANDONED VEHICLE ABATEMENT PROGRAM**

Required Action: Motion

The current Abandoned Vehicle Abatement Program expires in May 2003. New legislation allows the local abatement authorities to extend their programs every 10 years with the approval of the County and a majority of the cities comprising a majority of the population of the incorporated areas. This resolution is the first step towards the extension of this important program.

E. **Resolution of the City Council of the City of Union City FOR REVIEW AND UPDATE OF PARK PERMIT PROGRAM**

Required Action: Accept Report

This report discusses the first fifteen months of park use management using the new Park Use Policy and proposed changes in the policy that will help resolve existing problems.

Items F -O are Codes that are renewed every 3 years and will be presented as one staff report as follows:

The City Council last adopted Building Code Ordinances in 1999 in conjunction with the 1998 editions of the California model codes. The subsequent triennial 2001 code editions will become effective statewide November 1, 2002. By adopting code ordinances at this time, local amendments can be orderly and effectively included into enforcement efforts.

- F. Introduction of Ordinance: AN ORDINANCE ESTABLISHING AN ADMINISTRATIVE CODE FOR THE CITY OF UNION CITY, TO PROVIDE THE NECESSARY REQUIREMENTS FOR A SINGLE ADMINISTRATIVE DOCUMENT APPLICABLE TO AND COMPATIBLE WITH ALL ADOPTED TECHNICAL CODES THAT REGULATE CONSTRUCTION BY THE AMENDMENT OF CHAPTER 15.36 OF THE UNION CITY MUNICIPAL CODE. THIS ORDINANCE REPEALS ORDINANCE NO. 536-99 AND ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH

Required Action: Motion

- G. Introduction of Ordinance: AN ORDINANCE ESTABLISHING A BUILDING CODE AND UNIFORM BUILDING CODE STANDARDS FOR THE CITY OF UNION CITY REGULATING THE CONSTRUCTION, ALTERATION, REPAIR AND MAINTENANCE OF STRUCTURES AND PROVIDING FOR THE ISSUANCE OF PERMITS, COLLECTION OF FEES AND PROVIDING PENALTIES FOR VIOLATIONS BY THE AMENDMENT OF CHAPTER 15.40 OF THE UNION CITY MUNICIPAL CODE, THIS ORDINANCE REPEALS ORDINANCE NO. 537-99 AND ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH

Required Action: Motion

- H. Introduction of Ordinance: AN ORDINANCE ESTABLISHING A PLUMBING CODE FOR THE CITY OF UNION CITY, REGULATING THE CONSTRUCTION, ALTERATION, REPAIR AND MAINTENANCE OF PLUMBING AND PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES BY THE AMENDMENT OF CHAPTER 15.48 OF THE UNION CITY MUNICIPAL CODE. THIS ORDINANCE REPEALS ORDINANCE NO. 538-99 AND ALL OTHER ORDINANCES OR PART OF ORDINANCES IN CONFLICT HEREWITH

Required Action: Motion

- I. Introduction of Ordinance: AN ORDINANCE ESTABLISHING A MECHANICAL CODE FOR THE CITY OF UNION CITY REGULATING THE CONSTRUCTION, ALTERATION, REPAIR AND MAINTENANCE OF MECHANICAL EQUIPMENT AND PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES BY THE AMENDMENT OF CHAPTER 15.52 OF THE UNION CITY MUNICIPAL CODE. THIS ORDINANCE REPEALS ORDINANCE NO. 539-99 AND ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH

Required Action: Motion

- J. Introduction of Ordinance: AN ORDINANCE ESTABLISHING AN ELECTRICAL CODE FOR THE CITY OF UNION CITY, REGULATING THE CONSTRUCTION, ALTERATION, REPAIR AND MAINTENANCE OF ELECTRICAL SYSTEMS AND PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES BY THE AMENDMENT OF CHAPTER 15.44 OF THE UNION CITY MUNICIPAL CODE. THIS ORDINANCE REPEALS ORDINANCE NO. 540-99 AND ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH

Required Action: Motion

- K. Introduction of Ordinance: AN ORDINANCE ESTABLISHING A FIRE CODE FOR THE CITY OF UNION CITY, REGULATING THE SAFEGUARDING OF LIFE AND PROPERTY FROM THE HAZARDS OF FIRE AND EXPLOSION ARISING FROM THE STORAGE, HANDLING AND USE OF HAZARDOUS SUBSTANCES, MATERIALS AND DEVICES FROM CONDITIONS HAZARDOUS TO LIFE OR PROPERTY IN THE USE OR OCCUPANCY OF BUILDINGS AND PREMISES AND PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES BY THE AMENDMENT OF CHAPTER 15.20 OF THE UNION CITY MUNICIPAL CODE. THIS ORDINANCE REPEALS ORDINANCE NO. 541-99 AND ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH

Required Action: Motion

- L. Introduction of Ordinance: AN ORDINANCE ESTABLISHING A HOUSING CODE FOR THE CITY OF UNION CITY: ESTABLISHING MINIMUM SPACE AND OCCUPANCY STANDARDS, STRUCTURAL REQUIREMENTS, MECHANICAL REQUIREMENTS, EXITS, FIRE PROTECTION AND OTHER REQUIREMENTS FOR RESIDENTIAL BUILDINGS: REGULATING THE USE AND OCCUPANCY OF RESIDENTIAL BUILDINGS: PROVIDING FOR THE REPAIR, REHABILITATION, OR DEMOLITION OF SUBSTANDARD RESIDENTIAL BUILDINGS: AND PRESCRIBING PENALTIES FOR THE VIOLATION OF SAID HOUSING CODE BY THE AMENDMENT OF CHAPTER 15.60 OF THE UNION CITY MUNICIPAL CODE. THIS ORDINANCE REPEALS ORDINANCE NO. 542-99 AS AMENDED, AND ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH

Required Action: Motion

- M. Introduction of Ordinance: AN ORDINANCE ESTABLISHING A DANGEROUS BUILDING ABATEMENT CODE FOR THE CITY OF UNION CITY, ESTABLISHING REQUIREMENTS FOR THE REPAIR OR ABATEMENT OF BUILDINGS DETERMINED TO BE SUBSTANDARD AND A DANGER TO THE HEALTH AND SAFETY OF RESIDENTS OF UNION CITY, PRESCRIBING PENALTIES AND THE PROCEDURE FOR THE REPAIR OR ABATEMENT OF SAME, BY THE AMENDMENT OF CHAPTER 15.56 OF THE UNION CITY MUNICIPAL CODE, THIS ORDINANCE REPEALS ORDINANCE NO. 543-99 AND ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH

Required Action: Motion

- N. Introduction of Ordinance: AN ORDINANCE ESTABLISHING A BUILDING SECURITY CODE FOR THE CITY OF UNION CITY, PRESCRIBING PENALTIES, ESTABLISHING REQUIREMENTS REGULATING INSTALLATION AND MAINTENANCE. ESTABLISHING MINIMUM STANDARDS FOR THE RESISTANCE OF UNLAWFUL ENTRY TO RESIDENTIAL BUILDINGS BY THE AMENDMENT OF CHAPTER 15.64 OF THE UNION CITY MUNICIPAL CODE. THIS ORDINANCE REPEALS ORDINANCE NO. 544-99 AND ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH

Required Action: Motion

- O. Introduction of Ordinance: AN ORDINANCE ESTABLISHING A SWIMMING POOL, SPA AND HOT TUB CODE FOR THE CITY OF UNION CITY, REGULATING THE CONSTRUCTION, ALTERATION, REPAIR AND MAINTENANCE OF SWIMMING POOLS, SPAS AND HOT TUBS AND PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES BY THE ESTABLISHMENT OF CHAPTER 15.74 OF THE UNION CITY MUNICIPAL CODE. THIS ORDINANCE REPEALS ORDINANCE NO. 545-99 AND ALL OTHER ORDINANCES OR PART OF ORDINANCES IN CONFLICT HEREWITH

Required Action: Motion

XII. ORAL COMMUNICATIONS

XIII. CORRESPONDENCE - NONE

XIV. APPROVAL OF BILLS - NONE

XV. SCHEDULED ORAL COMMUNICATIONS

- A. Request by Lisa Prentice to address the Council regarding concerns of a February 22, 2002 incident at Logan High School

XVI. ITEMS REFERRED BY COUNCIL

1. Oral Reports by Councilmembers on Meetings of County or Regional Boards and Commissions

Required Action: Information

- B. Request by Councilmember Elias to consider and agendize advertising on City busses

Required Action: Consider matter for future agenda

- C. Request by Councilmember Valle to consider and agendize parking around the New Haven Adult School

Required Action: Consider matter for future agenda

XVII. GOOD OF THE ORDER

XVIII. ADJOURNMENT