

**AGENDA FOR THE ADJOURNED
REGULAR CITY COUNCIL MEETING
AND COMMUNITY REDEVELOPMENT AGENCY
CITY OF UNION CITY
SEPTEMBER 24, 2002, 5:45 P.M.
COUNCIL CONFERENCE ROOM
34009 ALVARADO-NILES ROAD
UNION CITY, CALIFORNIA**

5:45 P.M. - Council Conference Room

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

- II. **CLOSED SESSION: (Joint Meeting of the City Council and the Community Redevelopment Agency)**

**CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(PURSUANT TO GOVERNMENT CODE SECTION 54956.8)**

Property: 33459 Mission Blvd. APN 486-0003-032 and 486-00003-033
33435 Mission Blvd. APN 486-0003-034-01
33423 Mission Blvd. APN 486-00003-030 and APN 486-00003-035
33205 to 33303 Mission Blvd. APN 087-0091-51
33315 to 33345 Mission Blvd. APN 087-0091-022-02 and 087-0091-052-00

Agency negotiator: City Manager/Executive Director David A. Berger; Mark Evanoff, Redevelopment Agency Manager, Redevelopment Agency Legal Counsel

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 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 2239-02

Ordinance 594-02

Redevelopment Reso. 262-02

**AGENDA FOR THE REGULAR
CITY COUNCIL MEETING OF
THE CITY OF UNION CITY
TUESDAY, SEPTEMBER 24, 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 Regular City Council meeting of Tuesday, September 10, 2002

Required Action: Motion

B. Approval of minutes of the Adjourned Regular City Council meeting of Tuesday, September 17, 2002

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**

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

- A. Hearing re: **SENIOR VILLAGE PROJECT PHASE III - FIRST AMENDED AND RESTATED DISPOSITION AND DEVELOPMENT AGREEMENT - INDEPENDENT LIVING COMPONENT** (Resolutions)

Required Action: Motion

A hearing is required regarding the Amended and Restated Disposition, Development and Loan Agreement (DDA) for the development of the Independent Living component of the Senior Village. The DDA includes minor conformance amendments, including an updated project timeline and source of funds.

Items B-K 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.

- B. Hearing re: ORDINANCE NO 584-02: **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

- C. Hearing re: ORDINANCE NO. 585-02: **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

- D. HEARING RE: ORDINANCE NO. 586-02: **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

- E. HEARING RE: ORDINANCE NO. 587-02: **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

- F. HEARING RE: ORDINANCE NO. 588-02: 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

- G. HEARING RE: ORDINANCE NO. 589-02: 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

- H. HEARING RE: ORDINANCE NO. 590-02: 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

- I. HEARING RE: ORDINANCE NO. 591-02 **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

- J. HEARING RE: ORDINANCE NO. 592-02 **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

- K. HEARING RE: ORDINANCE NO. 593-02 **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

VIII. REPORTS FROM CITY MANAGER

A. FACILITY RENTAL PROGRAM (Resolution)

Required Action: Motion

This report, approved by the Park and Recreation Commission and the Senior Commission, proposes changes in the existing Special Use Allowances for non-profit groups using Union City facilities and parks.

IX. REDEVELOPMENT AGENCY - NONE

X. AUTHORITIES/AGENCIES - NONE

XI. CONSENT CALENDAR/RESOLUTIONS

A. Resolution of the City Council of the City of Union City APPROVING SD-09-02, SITE DEVELOPMENT REVIEW APPLICATION, USK INVESTMENT COMPANY

Required Action: Motion

USK Investment Company has submitted an application for Site Development Review for site and building improvements on an existing 6.38 acre site located at 720 Zwissig Way, on the south side of Zwissig Way, west of 7th Street within the MS/D (Light Industrial/Decoto Industrial Park Study Area) zoning district. Currently, there are two (2) existing buildings located on site, Building A and Building B. USK Manufacturing, Inc., is proposing to relocate its business from Building A into Building B, a 40,671 square feet building. The proposed application is a request to renovate Building B (interior and exterior improvements) to meet its operational requirements for the business and to

make site improvements consisting of additional parking and landscaping to enhance the subject property.

B. Resolution of the City Council of the City of Union City **APPROVING SD-10-02, SITE DEVELOPMENT REVIEW APPLICATION, SAN MARINO PLASTERING**

Required Action: Motion

Miles Folsom, architect, on behalf of the Erdtsieck Family Limited Partnership, has submitted an application for Site Development Review to allow the development of an 8,083 square, two-story light industrial building with an associated outdoor contractor's storage yard on Lot 1 of Parcel Map 7808, a 1.4 acre vacant lot, located on the west side of Lewis Avenue, north of Pacific Street, in an ML (Light Industrial) zoning district. The new building will allow the establishment of a plastering contractor business for San Marino Plastering, Inc. on the subject property and will consist of 2,048 square feet of administrative office space and 4,288 square feet of warehousing area on the first floor and 1,747 square feet of administrative office space on the second floor.

C. Resolution of the City Council of the City of Union City **ACCEPTING PUBLIC IMPROVEMENTS FOR TRACT 6922**

Required Action: Motion

Greystone Homes, Inc., has completed the required public improvements for Tract 6922 which subdivided an approximate 18.6 acre parcel into 102 single family lots. The tract is located at the northwest corner of Seventh Street and Mission Boulevard. Full street improvements, consisting of paved roads, curb, gutter, sidewalk, landscaping, underground utilities and street lights, have been provided. This resolution accepts the required public improvements.

D. Resolution of the City Council of the City of Union City **ACCEPTING PUBLIC IMPROVEMENTS FOR TRACT 7066**

Required Action: Motion

Greystone Homes, Inc., has completed the required public improvements for Tract 7066 which subdivided an approximate 3.1 acre parcel into 20 single family lots and mini-park. The site is located approximately one quarter of a mile south of the intersection of Daggett Avenue and Seventh Street, on the east side of Seventh Street. Full street improvements, consisting of paved

roads, curb, gutter, sidewalk, underground utilities and street lights, have been provided. This resolution accepts the required public improvements.

E. Resolution of the City Council of the City of Union City **ACCEPTING PUBLIC IMPROVEMENTS FOR TRACT 7104**

Required Action: Motion

Greystone Homes, Inc., has completed the required public improvements for Tract 7104 which subdivided an approximate 10.5 acre parcel into 81 single family lots. The site is located approximately one third mile south of the intersection of Daggett Avenue and Seventh Street, on the east side of Seventh Street. Full street improvements, consisting of paved roads, curb, gutter, sidewalk, underground utilities and street lights, have been provided. This resolution accepts the required public improvements.

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

Required Action: Motion

Elder Care Alliance and Eden Housing, Inc. have received approval for development of affordable senior housing on approximately 2.5 acres site known as Phase III of the Senior Village Development located at 33801 through 33909 Alvarado-Niles Road. The proposed right-of-way vacation permits expansion of the site to accommodate a three-story independent living facility and a two-story assisted living facility while maintaining the necessary 110 foot right-of-way for Alvarado Niles Road.

G. Resolution of the City Council of the City of Union City **AWARDING CONTRACT TO A.J. VASCONI GENERAL ENGINEERING OF CONCORD FOR CONSTRUCTION OF UNION CITY SKATE PARK, CITY PROJECT NO. 01-07**

Required Action: Motion

This project consists of the construction of a 19,800 square foot skate park to include demolition, grading, drainage, forming, concrete walls, concrete skate paving, asphalt paving and steel work. This resolution awards contract for

construction of the Union City Skate Park to A. J. Vasconi General Engineering of Concord.

- H. Resolution of the City Council of the City of Union City AUTHORIZING CITY MANAGER TO EXECUTE A CONTRACT AMENDMENT WITH MARK THOMAS AND COMPANY FOR FINAL PLANS, SPECIFICATIONS AND ESTIMATE FOR THE 11TH STREET EXTENSION THROUGH THE PSSC SITE AND THE NEW BRIDGE OVER ROUTE 84

Required Action: Motion

This resolution authorizes the City Manager to execute a contract amendment with Mark Thomas and Company for final plans, specifications and estimate for the 11th Street extension through the Pacific States Steel site and the new bridge over Route 84.

Resolution of the Community Redevelopment Agency of the City of Union City AUTHORIZING CITY MANAGER TO EXECUTE A CONTRACT AMENDMENT WITH MARK THOMAS AND COMPANY FOR FINAL PLANS, SPECIFICATIONS AND ESTIMATE FOR THE 11TH STREET EXTENSION THROUGH THE PSSC SITE AND THE NEW BRIDGE OVER ROUTE 84

Required Action: Motion

This Community Redevelopment Agency resolution authorizes the City Manager to execute a contract amendment with Mark Thomas and Company

for final plans, specifications and estimate for the 11th Street extension through the Pacific States Steel site and the new bridge over Route 84.

I. Resolution of the City Council of the City of Union City **EXTENDING AGREEMENT WITH WASTE MANAGEMENT OF ALAMEDA COUNTY FOR THE COLLECTION OF SOLID WASTE AND YARD WASTE THROUGH DECEMBER 31, 2003**

Required Action: Motion

Resolution of the City Council of the City of Union City **EXTENDING AGREEMENT WITH WASTE MANAGEMENT OF ALAMEDA COUNTY FOR THE COLLECTION OF SOLID WASTE AND YARD WASTE THROUGH DECEMBER 31, 2003**

Required Action: Motion

The resolutions would extend existing agreements with Waste Management of Alameda County (WMIAC) and TRI-CED Economic Development Corporation (TRI-CED). The recommended contract extension for WMIAC is for a period of 12 months, ending December 31, 2003; for TRI-CED, the recommended extension is on a month-to-month basis.

J. Introduction of Ordinance: **ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UNION CITY SECTION 2.24.030 OF THE UNION CITY MUNICIPAL CODE, CREATING STAGGERED TERMS OF OFFICE FOR PLANNING COMMISSIONERS**

Required Action: Motion

This amendment to the Municipal Code is at the direction of the City Council to stagger terms of the five Planning Commissioners.

XII. **ORAL COMMUNICATIONS**

XIII. **CORRESPONDENCE - NONE**

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

A. Approval of warrants for payment for July 2002

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

XVII. GOOD OF THE ORDER

XVIII. ADJOURNMENT