

The City Council will convene the adjourned meeting at 6:00 p.m. at which time there will be an opportunity for citizens to make comments. After public comments, the Council will meet in closed session.

**AGENDA FOR THE ADJOURNED
REGULAR CITY COUNCIL MEETING
CITY OF UNION CITY
FEBRUARY 11, 6:00 P.M.
COUNCIL CONFERENCE ROOM
34009 ALVARADO-NILES ROAD
UNION CITY, CALIFORNIA**

6:00 P.M. - Council Conference Room

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

II. CLOSED SESSION:

A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9

Potential Cases: One

**B. CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Section 54957.6**

Agency designated representatives: Tony Acosta, Interim Administrative Services Director; David Berger, City Manager, Michael Riback, City Attorney

Employee organization: Professional Employees

**C. CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Section 54957.6**

**Agency designated representatives: Tony Acosta, Interim
Administrative Services
Director; David Berger, City
Manager, Michael Riback, City
Attorney**

Employee organization: Police Officers Association

**D. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Pursuant to Section 54956.8)**

Property: Whipple Road, APN 486-0015-022

**Negotiating Parties: Mark Evanoff, Redevelopment Agency
Manager, Mark Leonard, Community
Development Director, David Berger, City
Manager**

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 510-675-5348.

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 2349-03

Ordinance 606-03

Redevelopment Reso. 273-03

**AGENDA FOR THE REGULAR
CITY COUNCIL MEETING OF
THE CITY OF UNION CITY
TUESDAY, FEBRUARY 11, 2003, 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 Adjourned Regular and Regular City Council meeting of Tuesday, January 28, 2003

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. Execution of a Master Project Funding Agreement (MPFA) with Alameda County Transportation Improvement Authority (ACTIA) for the Union City Intermodal Station (Resolution)

Required Action: Motion

This resolution authorizes City Manager to execute ACTIA’s Master Funding Agreement for the Union City Intermodal Station, Phase I Project. These Measure B funds, which are planned to be expended FY 04/05, are estimated at about \$12.5 Million.

- B. Status report regarding negotiations with Comcast/AT&T on renewal of the City’s Cable Television Service Franchise Agreement

Required Action: Motion

The latest outcome of negotiations will be reported and discussed.

- C. Request from the Park and Recreation Commission for a joint meeting with City Council

Required Action: Motion

Park and Recreation Commission is requesting City Council schedule a joint meeting.

- D. Council ratification of funding for community based organizations

Required Action: Motion

The City Attorney is requesting a revote on the vote taken at the meeting of January 28, 2003 regarding continuing of funding for certain community based organizations through the remainder of the fiscal year.

IX. **REDEVELOPMENT AGENCY - NONE**

X. **AUTHORITIES/AGENCIES - NONE**

XI. **CONSENT CALENDAR/RESOLUTIONS**

A. Resolution of the City Council of the City of Union City **AWARDING CONTRACT FOR ONE COMPRESSED NATURAL GAS PUBLIC ACCESS FUEL STATION, CITY PROJECT NO. 02-52**

Required Action: Motion

Alameda County Congestion Management Agency has approved a grant for the purchase and installation of one general public access compressed natural gas fuel station in the amount of \$100,000. This resolution awards the contract to Accel Project Systems to install one public access compressed natural gas site at the Public Works Maintenance Facility located at 34650 Seventh Street.

B. Resolution of the City Council of the City of Union City **AUTHORIZING THE PURCHASE OF ONE LEASE/RENTAL RETURN VEHICLE FOR THE FIRE DEPARTMENT, CITY PROJECT NO. 03-03**

Required Action: Motion

The Fire Department has been authorized to replace one 1986 Chevy Celebrity sedan in the 2002/2003 budget. Staff is recommending the City purchase a 2000 lease/rental return vehicle from Enterprise car sales.

C. Resolution of the City Council of the City of Union City **ACCEPTING COMPLETION OF IMPROVEMENTS FOR UNION CITY STREETS REHABILITATION PROJECT (STIP), CITY PROJECT NO. 01-14 AND 2001-02 OVERLAY PROGRAM - PHASE II, CITY PROJECT NO. 01-16**

Required Action: Motion

DeSilva Gates Construction has completed the improvements for Phase II of the Streets Rehabilitation Project and the Overlay Program. These projects consisted of base repair of failed pavement areas, asphalt concrete pavement milling, installation of pavement reinforcing fabric and asphalt

concrete overlay of the project streets. Replacement of pavement striping and marking was also included.

- D. Resolution of the City Council of the City of Union City **ACCEPTING COMPLETION OF IMPROVEMENTS FOR CENTRAL BAY BUSINESS DISTRICT SPUR TRACKS REPAIR PROJECT, CITY PROJECT NO. 02-50**

Required Action: Motion

McGuire & Hester have completed the improvements for City Project No. 02-50. This project consisted of repairing the failing asphalt pavement adjacent to the spur railroad tracts in the Central Bay Business District, the industrial area surrounded by Whipple Road, Dowe Avenue, Alvarado-Niles Road and Dry Creek. The repair of the rough asphalt approaches adjacent to the concrete panels at the main line railroad at Smith Street was also included.

- E. Resolution of the City Council of the City of Union City **AWARDING BID TO PURCHASE LIGHT EMITTING DIODE (LED'S) FOR 28 SIGNALIZED INTERSECTIONS, CITY PROJECT NO. 02-29**

Required Action: Motion

This resolution awards contract to Advanced Traffic Project, Inc. for purchase and installation of light emitting diodes (LED's). This project includes the replacement of 28 intersections with incandescent light bulbs from traffic signal heads to (LED's).

- F. Resolution of the City Council of the City of Union City **AMENDING THE AUTHORIZATION, COMPENSATION, AND CLASSIFICATION PLANS, LEAD HEAVY EQUIPMENT MECHANIC**

Required Action: Motion

This resolution authorizes reclassifying the incumbent Heavy Equipment Mechanic assigned to the Garage to a Lead Heavy Vehicle Equipment

Mechanic position in accordance with the Personnel Rules and Regulations. Local 790 concurs with this proposed reclassification.

- G. Resolution of the City Council of the City of Union City **ACCEPTING THE FEMA GRANT FOR THE THERMAL IMAGING CAMERAS, CONFINED SPACE RESCUE EQUIPMENT AND SPANISH LANGUAGE TRAINING AND AUTHORIZING USE OF THE CITY'S FUNDS FROM THE THERMAL IMAGING AND SURPLUS FIRE STATION EXHAUST SYSTEMS PROGRAMS TO PROVIDE THE BALANCE OF FUNDS**

Required Action: Motion

The Federal Emergency Management Agency (FEMA) approved Union City Fire Department's grant application for Firefighter Operations and Safety in the amount of \$136,124. This resolution accepts the FEMA Grant Award No. EMW-2002-FG-12624 for Union City Fire Department operations and safety equipment and training.

- H. Resolution of the City Council of the City of Union City **TO ENTER INTO A CONTRACT WITH THE ALAMEDA COUNTY HEALTH DEPARTMENT TOBACCO CONTROL PROGRAM TO RECEIVE FUNDS THROUGH A GRANT**

Required Action: Motion

The Police Department applied for and received a grant through the Alameda County Health Department Tobacco Control Program in the amount of \$11,133. This grant will be used for enforcement of tobacco related items. Staff is recommending acceptance of this grant from the Alameda County Health Department Tobacco Program.

- I. Resolution of the City Council of the City of Union City **ACCEPTING THE STATE OF CALIFORNIA LAW ENFORCEMENT EQUIPMENT PROGRAM (CLEEP) FUNDING**

Required Action: Motion

The Legislature of the State of California has designated funds in the amount of \$26,628 to the City of Union City to be expended exclusively for the purpose of "law enforcement technology items". Staff is requesting Council accept and appropriate the CLEEP funds.

J. Resolution of the City Council of the City of Union City **AUTHORIZING DESTRUCTION, WITHOUT DUPLICATION, OF POLICE RECORDS**

Required Action: Motion

Each year the Police Department destroys certain records which meet time retention expiration dates. The Police Department is seeking authorization to conduct the annual records purge for the calendar year 2002.

K. Introduction of Ordinance: **ORDINANCE ADDING SECTION 9.48.055 TO, AND AMENDING SECTIONS 9.48.050, 9.48.060, 9.48.070 AND 9.48.090 OF THE UNION CITY MUNICIPAL CODE CONCERNING THE REGISTRATION FOR AND RENEWAL OF ALARM SYSTEM PERMITS AND INSTALLATION NOTIFICATION**

Required Action: Motion

The introduction of this ordinance is to update the current alarm ordinance to be consistent with the recently adopted 2002/2003 Master Fee Schedule as it pertains to the recovery of costs incurred by the Police Department responding to false alarms.

L. Introduction of Ordinance: **ORDINANCE OF THE CITY OF UNION CITY AMENDING UNION CITY MUNICIPAL CODE CHAPTER 15.20 (FIRE CODE), BY THE AMENDMENT OF SECTION 15.20.400 RELATING TO USE OF FIREWORKS EAST OF MISSION BOULEVARD**

Required Action: Motion

This introduction of ordinance repeals the amendments to the Union City Municipal Code to ban all fireworks east of Mission Boulevard.

M. Final Reading Ordinance No. 603-03: **AN ORDINANCE OF THE CITY OF UNION CITY AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF UNION CITY A-06-02**

Required Action: Motion

Final Reading of Ordinance No. 603-03: An amendment to the City Zoning Map to reclassify several agricultural, residential, commercial and industrial zoned properties throughout the City with the new zoning classification of

PI, Private Institutional in order to have a uniform zoning designation consistent with the Land Use Element of the 2002 General Plan.

- N. Final Reading Ordinance No. 604-03: **AN ORDINANCE OF THE CITY OF UNION CITY AMENDING TITLE 18 OF THE UNION CITY MUNICIPAL CODE AT-03-02**

Required Action: Motion

Final Reading of Ordinance No. 604-03: The inclusion of Chapter 18.51 to Title 18, (Zoning Ordinance) of the Union City Municipal Code to establish criteria for the new PI Private Institutional District as identified in the 2002 General Plan to accommodate private institutional uses such as faith-based organizations as a permitted use and cemeteries, private educational facilities, private non-profit and service organizations and continuing care retirement facilities as conditionally permitted uses.

- O. Final Reading Ordinance No. 605-03: **ORDINANCE AMENDING THE CITY OF UNION CITY MUNICIPAL CODE SECTION 2.04.010 REGARDING SETTING TIME FOR THE GENERAL MUNICIPAL ELECTION**

Required Action: Motion

This Ordinance will provide for the City's general elections to be changed to November of even-numbered years.

- P. **Rejection of Claim No. 533**

Required Action: Motion

Claim No. 533 was filed by Fraytooh Nalnabi for alleged property damage.

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

XVII. GOOD OF THE ORDER

XVIII. ADJOURNMENT