

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
APRIL 8, 2003, 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 Case: One

B. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Property: 33459 Mission Boulevard, APN 486-0003-33, APN 486-0003-32; 33435 Mission Boulevard, APN 486-0003-039-01; 33205-33303 Mission Boulevard, APN 087-0091-51; 33103-33125 Mission Boulevard, APN 087-0091-016-03, APN 087-0091-016-04

Negotiators: Redevelopment Agency Manager, Assistant Executive Director, Executive Director, Agency Counsel

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 2379-03

Ordinance 608-03

Redevelopment Reso. 275-03

**AGENDA FOR THE REGULAR
CITY COUNCIL MEETING OF
THE CITY OF UNION CITY
TUESDAY, APRIL 8, 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 Regular City Council meeting of Tuesday, March 25, 2003

Required Action: Motion

V. PROCLAMATIONS/PRESENTATIONS

- A. Proclamation proclaiming April 7 -13 as National Telecommunicator's Week
Required Action: Motion
- B. Resolution in recognition of five California Park and Recreation Society (CPRS) District III Awards of Excellence
Required Action: Present
1. Leisure Services Winter 2002 Activity Guide Award for "Best Single Brochure"
 2. Leisure Services Department Logo for "Best Logo"
 3. The New Americans and Senior Citizen book for "Best Special Program Brochure"
 4. Drigon Dog Park for "Park Planning and Design"
 5. UC Clubhouse for "Personal Development Health/Wellness Award"
- C. Presentation regarding South Bay Salt Pond Restoration Project
Required Action: Information Only

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

A. **HEARING RE: MCKESSON CORPORATION, 33950 7TH Street, APN 087-021-15; 087-021-06-03**: The following applications were initiated by Jeff Vines, on behalf of the McKesson Corporation, to replan, subdivide, and develop the 8.7 acre property located on 7th Street adjacent to Shorty Garcia Park. A Negative Declaration concerning environmental impact was prepared for items D and E below:

1) **General Plan Amendment AG-02-02-** Redesignate the project site from an OS, Open Space, designation to an R6-10 (Residential, 6-10 dwelling units per acre) for the proposed 62 new residential lots and to a CF, Civic Facilities, designation for the new fire station lot. The park extension to Shorty Garcia Park will remain an Open Space designation. **(Resolution)**

Required Action: Motion

2) **Zoning Map Amendment A-02-03-** Rezone the subject property from an OS, Open Space, zoning classification on the Zoning Map for the residential portion of the project site and to a PF, Public Facilities, zoning classification for the fire station lot. The park extension to Shorty Garcia Park will remain as Open Space zoning classifications. **(Introduction of Ordinance)**

Required Action: Motion

3) **Specific Plan Amendments SP-02-02 and SP-03-02, to the DIPSAs Specific Plan-**

Required Action: Motion

DIPSAs Land Use Map- Change the property to an R6-10 land use designation and the fire station lot to a CF, Civic Facilities, land use designation, matching the General Plan.

DIPSAs Zoning Map- Redesignate residential lots from OS, Open Space, to RS(s) 3000 and redesignate the fire station lot to PF, Public Facilities.

DIPSAs Text- Incorporate a new RS(s)3000 Zoning Classification and new development standards for the new RS(s)3000 zoning classification. **(Resolution)**

Required Action: Motion

VII. HEARINGS (continued)

- 4) **Vesting Tentative Tract Map, VTTM-7393-** Subdivide the project site into 58 small lot single-family residential lots with a minimum lot size of 3,080 square feet; four duplex lots on corner sites; a 35,760 square foot lot (Parcel E) for a new fire station to be constructed and serve as a relocated site for the fire station on 10th Street in the Decoto area; and a 23,463 square foot lot (Parcel D) to serve as a park extension to Shorty Garcia Park. Lot 13 is intended to be used for the relocation of the groundwater treatment facility. All access to the residential portion of the subdivision will be provided from Myrtle Lane. **(Resolution)**
Required Action: Motion

- 5) **Site Development Review, SD-03-03-** Approval of the design and layout of 58 two-story, small lot, single-family detached homes and four (4) two-story duplex homes. **(Resolution)**
Required Action: Motion

VIII. REPORTS FROM CITY MANAGER

- A. Process to issue requests for proposals to provide funding for public (social) services for the 2003/2004 Fiscal Year
Required Action: Motion

This report provides a brief review of the Community Development Block Grant (CDBG) funded public service selection process, as requested by the City Council.

- B. Report on Comprehensive Annual Financial Report
Required Action: Accept Report

This report transmits the Comprehensive Annual Financial Report (CAFR) and accompanying Report to Management covering Fiscal Year 2001-2002 (ending June 30, 2002). Staff is recommending Council accept the CAFR, which is commonly referred to as the City's audit report.

- C. Release of the Dry Creek Cottage and Garden Interim Land Use Plan and Initial Study and proposed Mitigated Negative Declaration
Required Action: Motion

Staff is recommending the City Council review the Interim Land Use plan and Initial Study and proposed Mitigated Negative Declaration for Dry Creek Cottage and Garden. Council comments on the Mitigated Negative Declaration would be incorporated into the City's response to the EBRPD.

IX. **REDEVELOPMENT AGENCY**

A. Funding for Library Bond Act Application (Resolution)

Required Action: Motion

This report identifies the source of the \$250,000 necessary to complete the tasks required for an application for construction funding from the Library Bond Act.

B. **PURCHASE AGREEMENT FOR PARCEL ON 5TH STREET AND WHIPPLE ROAD AND A DECLARATION OF A “NO PARKING AREA”** (continued from March 25, 2003)

Required Action: Motion

1. Resolution authorizing the Interim Executive Director to execute a purchase agreement for property at Whipple Road and 5th Street, APN 486-0015-022.
2. Resolution creating a no parking area and authorizing the posting of no parking signs on Whipple Road parcel.

X. **AUTHORITIES/AGENCIES - NONE**

XI. **CONSENT CALENDAR/RESOLUTIONS**

A. Resolution of the City Council of the City of Union City RECONFIRMING ROUTE 84 ALIGNMENT BETWEEN MISSION BOULEVARD AND ALVARADO-NILES ROAD AND ALLOCATING OF FUNDS FOR LOCAL MATCH TO CONSTRUCT THE FACILITY

Required Action: Motion

This resolution reconfirms the alignment of Route 84 as agreed to at the February 10 joint meeting with the City of Fremont.

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

B. **Resolution of the City Council of the City of Union City AWARDING CONTRACT OF THE UNION CITY FY 2004-2013 SHORT RANGE TRANSIT PLAN TO URBITRAN ASSOCIATES**

Required Action: Motion

The Metropolitan Transportation Commission (MTC) requires each transit operator to prepare, adopt, and submit to MTC a SRTP. The SRTP is a management, planning and policy document for transit operators as well as a means to satisfy Federal Transit Administration (FTA) and MTC requirements. Staff received two RFP's for this project and is recommending awarding contract to Urbitran Associates.

C. **Resolution of the City Council of the City of Union City APPROVING NON-COMPETITIVE PROCUREMENT FOR THE RECORDS MANAGEMENT SYSTEM COMPONENT OF THE COPS MORE 2002 GRANT**

Required Action: Motion

This resolution is requesting approval to seek non-competitive procurement for the Records Management System Component of the COPS MORE 2002 grant contingent upon approval from the United States Department of Justice.

D. **Resolution of the City Council of the City of Union City AWARDING CONTRACT TO APEX CONSTRUCTION OF LOS GATOS FOR TEEN CENTER RENOVATION AND EXPANSION AT KENNEDY PARK, CITY PROJECT NO. 02-15**

Required Action: Motion

This project consists of renovating the existing Teen Center located on "J" Street at Kennedy Community Park to comply with Americans with Disability Act (ADA) guidelines, expanding the recreation room, and providing building related necessities.

E. **Rejection of Claim No. 511**

Required Action: Motion

Emanuel Cooper filed a timely claim regarding an alleged wrongful arrest.

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