

The City Council will convene the adjourned meeting at 5:30 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
JULY 22, 2003, 5:30 P.M.
COUNCIL CONFERENCE ROOM
34009 ALVARADO-NILES ROAD
UNION CITY, CALIFORNIA**

5:30 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

Item B will be addressed in a closed joint meeting of the Community Redevelopment Agency and the City Council.

B. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Property: 33950 7th Street, McKesson Property (Portion)

Agency Negotiator: Interim Executive Director, Assistant Executive Director

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 6:00 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 2450-03

Ordinance 612-03

Redevelopment Reso. 281-03

**AGENDA FOR THE REGULAR
CITY COUNCIL MEETING OF
THE CITY OF UNION CITY
TUESDAY, JULY 22, 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, July 8, 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. Fourth of July After Action Report

Required Action: Information Only

An oral report will be presented by the Police Chief and Fire Chief at the meeting on the activities which occurred on the Fourth of July.

B. Resolution amending the Capital Investment Plan for Fiscal Year 2003/04

Required Action: Motion

Three new Capital Projects which have arisen since the adoption of the Five Year Capital Investment Plan. This resolution approves the Computer Network Backbone Project, the Police CAD/RMS Project, and the Fire Dispatch Transfer Project.

IX. REDEVELOPMENT AGENCY

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

A. **HEARING RE: AMENDED DISPOSITION, DEVELOPMENT AND LOAN AGREEMENT (DDLA) WITH ELDER CARE ALLIANCE FOR THE ASSISTED LIVING COMPONENT OF THE SENIOR VILLAGE**

(Resolutions)

Required Action: Motion

X. **AUTHORITIES/AGENCIES - NONE**

XI. **CONSENT CALENDAR/RESOLUTIONS**

(Joint with the Community Redevelopment Agency for the City of Union City)

- A. Resolution of the City Council of the City of Union City **APPROVING REVISIONS TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND LOCAL 790, SEIU; AND AMENDING THE COMPENSATION PLAN FOR EMPLOYEES REPRESENTED BY LOCAL 790, SEIU**

Required Action: Motion

Staff is recommending approval of this resolution which approves revisions to the Memorandum of Understanding (MOU) between the City and Local 790, SEIU and amends the compensation plan for employees represented by Local 790.

- B. Resolution of the City Council of the City of Union City **APPROVING FINAL MAP OF TRACT NO. 7310, IN THE CITY OF UNION CITY, COUNTY OF ALAMEDA, STATEMENT OF CALIFORNIA**

Required Action: Motion

KB HOME South Bay Inc. has submitted Final Vesting Tract Map 7310 for approval. Vesting Tentative Tract Map 7310 proposes to subdivide an approximate 10.4 acre parcel into 52 single family detached homes including a 2.3 acre park. Full street improvements on all streets within the development will be provided and will include curb and gutter, sidewalks, wheelchair ramps, street lights, underground utilities and paving.

- C. Resolution of the City Council of the City of Union City **DECLARING CERTAIN VEHICLES NOT IN USE AS SURPLUS**

Required Action: Motion

Nine City vehicles, (seven sedans, a small pickup truck, and Cushman Turfster) have reached the end of their useable life. Each of the vehicles are in poor condition and have become too costly to maintain. It is recommended council approve the resolution authorizing the auction of the vehicles.

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

D. Resolution of the City Council of the City of Union City **AUTHORIZING THE PURCHASE OF THREE MOTORCYCLES FOR THE POLICE DEPARTMENT**

Required Action: Motion

Council previously authorized the Police Department to remove a patrol car from their 2003 budget and replace it with three motorcycles. The motorcycles will be purchased at Cycle Center of Fremont and the Police Department will trade in their three oldest motorcycles. This resolution requests approval for the purchase of three motorcycles.

E. Resolution of the City Council of the City of Union City **AUTHORIZING AND APPROVING SPECIFICATIONS TO PURCHASE REPLACEMENT SPRAY TRUCK FOR THE GROUNDS DIVISION**

Required Action: Motion

Staff is requesting authorization to purchase a spray rig for the Public Works Department. The existing spray rig has become non-operative and weed control is now being done with a small portable unit that is towed behind a truck, which is not productive or cost efficient. Funding for the spray rig of \$58,000 is available from the Landscape and Lighting District Assessment reserves.

F. Resolution of the City Council of the City of Union City **AWARDING CONTRACT FOR CITY PROJECT 02-49, 2002-03 SLURRY SEAL PROGRAM**

Required Action: Motion

A total of 1,574,783 sq. ft. of pavement surface is being slurry sealed this year. Slurry sealing consists of spreading a mixture of water, asphaltic emulsion and crushed fine rock over weathered road pavement. It prevents water from entering the pavement thereby extending the life of the pavement for several years. Four bids were received for this project and it is recommended to award the bid to Bond Blacktop, Inc., of Union City.

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

- G. Resolution of the City Council of the City of Union City **AMENDING AND/OR APPROVING THE FINAL ENGINEER'S REPORT REGARDING THE FORMATION OF THE CITYWIDE LANDSCAPE & LIGHTING DISTRICT NO. 2 FOR FISCAL YEAR 2003-04**

Required Action: Motion

This resolution amends the Final Engineer's Report regarding the formation of the Citywide Landscape and Lighting District No. 2 for FY 2003/04.

- H. Resolution of the City Council of the City of Union City **ORDERING THE LEVY AND COLLECTION OF ASSESSMENT WITHIN THE CITYWIDE LANDSCAPE AND LIGHTING DISTRICT NO. 2 FOR FISCAL YEAR 2003-04**

Required Action: Motion

Approval of this resolution will result in the levy and collection of approximately \$2.4 million in LLAD assessments that will be used to support street lighting and street landscaping maintenance services, citywide.

- I. Resolution of the City Council of the City of Union City **AUTHORIZING ACCEPTANCE OF FEMA GRANT EMW-2002-FG-12624 AND THE PURCHASE OF THERMAL IMAGING CAMERAS**

Required Action: Motion

The Federal Emergency Management Agency (FEMA) approved the Union City Fire Department 2002 grant application for thermal imaging cameras, rescue equipment, and Spanish language training for firefighters in the amount of \$136,124. The City's required match for this program is \$40,837. Staff is recommending authorization of this expenditure from the Capital budget.

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

- J. **Resolution of the City Council of the City of Union City AUTHORIZING THE INTERIM CITY MANAGER TO EXECUTE A PURCHASE AGREEMENT FOR A FUTURE PARK OWNED BY THE CYRIL JOHNSON INVESTMENT CORPORATION**

Required Action: Motion

One of the conditions of approval for the Vesting Tentative Tract Map for the Johnson property on Railroad Avenue was for the City to purchase a .73 acre parcel of land from the applicant to be developed as a park for \$900,000 an acre or less depending on the appraised value of the land. This purchase agreement is before the Council for the City to purchase the .73 acre site for \$657,000.

- K. **Resolution of the City Council of the City of Union City ACCEPTING THE DEPARTMENT OF JUSTICE, OFFICE OF COMMUNITY ORIENTED POLICING, "COPS IN SCHOOLS" 2003 GRANT FUNDING**

Required Action: Motion

The Police Department has been awarded grant funding under the D.O.J. COPS IN SCHOOL grant. This funding will allow the Department to hire up to two full time Police Officers to be deployed as School Resource Officers.

- L. **Introduction of Ordinance: ORDINANCE OF THE CITY OF UNION CITY AMENDING SECTIONS 5.08.050, 4.08.060 AND 5.08.070 OF THE UNION CITY MUNICIPAL CODE RELATING TO BUSINESS LICENSE FEE PAYMENT**

Required Action: Motion

This proposed Ordinance will change the way future Business License Tax payments are processed from a strict fiscal year basis, to an "anniversary date" basis that uses the date of Business License applications instead of July 1 as the fee payment deadline. This Ordinance will affect businesses applying for Business Licenses on or after September 1, 2003.

- M. **Rejection of Claim No. 552**

Required Action: Motion

Claim No. 552 was filed by Arthur R. Seymore for alleged personal injury.

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 Only

XVII. GOOD OF THE ORDER

XVIII. ADJOURNMENT