

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  
AUGUST 26, 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 - EXISTING LITIGATION**  
(Pursuant to Subdivision (a) of Section 54956.9)
- Name of Case: Munoz vs. City of Union City, Alameda County Superior Court Case H204672-7
- B. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**  
(Significant exposure to litigation pursuant to subdivision(b) of Section 54956.9)
- Potential Cases: Three
- C. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**  
(Pursuant to subdivision (b) of Section 54956.8)  
**(Joint with the Community Redevelopment Agency)**
- Property: 35700 Alvarado Niles Road, APN 087-002-000-300  
7<sup>th</sup> Street, APN 087-010-200-600  
33459 Mission Boulevard, APN 486-0003-032 & 486-0003-033
- Agency Negotiators: Mark Leonard, Assistant Executive Director; Mark Evanoff, Redevelopment Agency Manager
- Under Negotiation: Price and terms of payment

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](http://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 2475-03

Ordinance 613-03

Redevelopment Reso. 281-03

**AGENDA FOR THE REGULAR  
CITY COUNCIL MEETING OF  
THE CITY OF UNION CITY  
TUESDAY, AUGUST 26, 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 City Council meeting of Tuesday, July 15, 2003

*Required Action: Motion*

B. Approval of minutes of the Adjourned Regular City Council meeting of Friday, July 18, 2003

*Required Action: Motion*

**IV. APPROVAL OF MINUTES (continued)**

- C. Approval of minutes of the Adjourned Regular and Regular City Council meeting of Tuesday, July 22, 2003

*Required Action: Motion*

- D. Approval of minutes of the Adjourned Regular City Council meeting of Tuesday, August 19, 2003

*Required Action: Motion*

**V. PROCLAMATIONS/PRESENTATIONS**

- A. Resolution in honor of Clara Yu for her volunteer service to the City of Union City

*Required Action: Motion*

- B. Resolution in honor of Dan Sarka for his volunteer service to the City of Union City

*Required Action: Motion*

**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. Report on Dyer Street/Alvarado-Niles Road Intersection Improvements

*Required Action: Staff Direction*

Staff is requesting direction on how to respond to traffic circulation issues near San Carlos Way.

## IX. REDEVELOPMENT AGENCY

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

- A. Environmental Insurance Policy for PG&E Property (Resolution)  
*Required Action: Motion*

Staff is recommending adoption of resolution which authorizes an environmental insurance policy for the PG&E property which would pay for the cleanup of any unknown contamination should it be encountered during future construction projects.

## 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 AWARDING A PROFESSIONAL ENGINEERING SERVICES CONTRACT TO MARK THOMAS AND COMPANY, INC.  
*Required Action: Motion*

This resolution awards contract for professional engineering services to Mark Thomas & Co. for reconstruction of Whipple Road sidewalk, City Project No. 03-14. The project will provide adequate and safe access along Whipple Road for pedestrians and will improve the appearance of City owned parcels within the area by providing landscaping.

Resolution of the Community Redevelopment Agency of the City of Union City AWARDING A DESIGN GRANT FOR SIDEWALK CONSTRUCTION ON WHIPPLE ROAD TO THE CITY OF UNION CITY

*Required Action: Motion*

This resolution grants the City \$75,000 to finance the design of the new sidewalks for Whipple Road.

B. **Resolution of the City Council of the City of Union City AWARDING CONSTRUCTION CONTRACT FOR CITY PROJECT NO. 02-51, UNION LANDING BOULEVARD WIDENING**

*Required Action: Motion*

This resolution authorizes the Interim City Manager to award and execute contract agreement with Bay Cities Paving and Grading, Inc., in the amount of \$639,482.95 for the construction of Union Landing Boulevard, which completes the widening to Alvarado-Niles Road.

C. **Resolution of the City Council of the City of Union City ENTERING INTO A PROFESSIONAL SERVICES CONTRACT WITH RANDALL PLANNING & DESIGN, INC., FOR THE DEVELOPMENT OF THE JOHNSON PROPERTY PARK, CITY PROJECT NO. 03-16**

*Required Action: Motion*

This resolution awards contract to Randall Planning and Design, Inc., for professional services to design park located on the Johnson Property. This project consists of preparing conceptual plans and providing construction drawings for a 2.9 acre park at the Johnson property site in the Kaufman and Broad Trestle Glen track.

D. **Resolution of the City Council of the City of Union City AWARDING CONTRACT TO G&G BUILDERS, INC, OF PLEASANTON FOR THE CONSTRUCTION OF SEVEN HILLS PLAYLOT, CITY PROJECT NO. 01-05**

*Required Action: Motion*

This resolution awards contract to G&G Builders Inc., for the construction of Seven Hills Playlot. This project consists of demolition and disposal of existing play equipment, sidewalk, and resilient sand material. New play equipment, custom steel fabrication, electrical, installation of existing benches/signs and resilient surface materials containing recycled-content materials will be installed. The park will have a race car theme consisting of custom made benches that look like the front end of a '57 Chevy, colored flames and race track embedded in the resilient surfacing, and a miniature hot wheels track.

- E. Resolution of the City Council of the City of Union City **AWARDING CONTRACT TO PAGE CONSTRUCTION COMPANY OF NOVATO FOR UNION CITY POLICE DEPARTMENT REMODEL, CITY PROJECT NO. 02-28**

*Required Action: Motion*

This resolution awards contract to Page Construction for the Police Department remodel. Phase I will include enlarging the existing women's locker room/restroom area, environmental improvements to the HVAC (heat, ventilation and air conditioning system), improvements to the lighting, hard walls in the Police Chief's area for additional privacy, security upgrades to the front counter and lobby area and acoustic tile ceiling work in the addition areas.

- F. Resolutions of the City Council of the City of Union City **APPROVING TENTATIVE PARCEL MAP 7468 AND SITE DEVELOPMENT REVIEW SD-07-03 FOR THE HOFFMAN PROPERTY**

*Required Action: Motion*

Susan Hoffman, property owner, is requesting approval of a Tentative Parcel Map to subdivide property located at 33121 Alvarado-Niles Road into two parcels. The applicant is also requesting approval of a Site Development Review Permit to convert an existing historical structure located on the property from a residential structure to a professional commercial office.

- G. Resolution of the City Council of the City of Union City **AUTHORIZING SALE OF SURPLUS FIRE ENGINE - VEHICLE 224**

*Required Action: Motion*

The 1989 West Mark fire engine (Type 3) with 750 GPM pump and 500 gallon water tank was declared surplus at a prior Council meeting. A bid of \$25,000 has been received for the sale of this vehicle. Staff is seeking authorization to accept bid from Murphy's Fire Protection District for this vehicle.

H. Resolution of the City Council of the City of Union City **APPROVING THE COMMUNITY RECREATION PROGRAM AGREEMENT BETWEEN CITY OF UNION CITY AND NEW HAVEN UNIFIED SCHOOL DISTRICT**

*Required Action: Motion*

This resolution authorizes execution of agreement between New Haven Unified School District and City of Union City for the Community Recreation Program. The proposed agreement has been updated from the 2001 agreement to reflect changes in certain facility operating costs at the Dan Oden Swim Center and includes other facilities, i.e. Holly and Kennedy Community Centers, City parks, and District school buildings and grounds.

I. Resolution of the City Council of the City of Union City **APPROVING THE NON-COMPETITIVE PROCUREMENT FOR THE COMPUTER AIDED DISPATCH SYSTEM**

*Required Action: Motion*

Funds have been approved and appropriated to replace the current Computer Aided Dispatch System as part of the revised Capital Investment Plan. Staff is seeking authorization to seek non-competitive procurement for the System which will allow full system integration and be less costly to interface.

J. Resolution of the City Council of the City of Union City **AUTHORIZING INTERIM CITY MANAGER TO ENTER INTO EMS AGREEMENT WITH THE CITY OF NEWARK**

*Required Action: Motion*

This resolution authorizes the Interim City Manager to enter into an agreement with the City of Newark for EMS services for FY 2003-04 and the four successive years for the actual costs incurred and not to exceed \$35,000.

K. Resolution of the City Council of the City of Union City **AMENDING THE FEE SCHEDULE FOR FISCAL YEAR 2003-2004**

*Required Action: Motion*

This resolution amends the Fee Schedule for Fiscal Year 2003-2004. Several fees from the Economic and Community Development Department were not included in the Fee Schedule adopted by Council on July 8, 2003. Staff is requesting to amend the Fee Schedule to reflect the Economic and Development fees and to include three new fees which will cover staff costs for inspections.

L. Resolution of the City Council of the City of Union City AUTHORIZING PROFESSIONAL SERVICES AGREEMENT WITH MICHAEL KENT FOR ENVIRONMENTAL DOCUMENTATION REQUIRED FOR THE NEW UNION CITY LIBRARY PROJECT GRANT APPLICATION

*Required Action: Motion*

Staff is seeking authorization to execute an agreement with Michael Kent & Associates for environmental documentation services required for the City's grant application under the 2000 State Library Bond Act.

M. Resolution of the City Council of the City of Union City APPROVING ACCEPTANCE OF STATE REIMBURSEMENT FOR AND NON-COMPETITIVE PROCUREMENT OF 9-1-1 EQUIPMENT

*Required Action: Motion*

Staff is seeking authorization to accept funding from the State of California 9-1-1 Emergency Communications Office to upgrade our existing 9-1-1 equipment and services and to seek non-competitive procurement for the purchase, installation and maintenance of the equipment.

N. Final Reading Ordinance No. 612-03: 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 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.

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*

- B. Request by Vice Mayor Elias for discussion to form a Citizen Advisory Committee on budget

*Required Action: Motion*

**XVII. GOOD OF THE ORDER**

**XVIII. ADJOURNMENT**