

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  
NOVEMBER 25, 2003, 6:00P.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. **LICENSE/PERMIT DETERMINATION**  
(Pursuant to Section 54956.7 of the California Government Code)  
  
Title: Driver's Permit to Operate Union City Paratransit Bus
  
- 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 2536-03

Ordinance 619-03

Redevelopment Reso. 284-03

**AGENDA FOR THE REGULAR  
CITY COUNCIL MEETING OF  
THE CITY OF UNION CITY  
TUESDAY, NOVEMBER 25, 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, November 10, 2003

*Required Action: Motion*

B. Approval of minutes of the Adjourned Regular City Council meeting of Monday, November 17, 2003

*Required Action: Motion*

## V. PROCLAMATIONS/PRESENTATIONS

A. Appointment of Vice Mayor

*Required Action: Motion*

B. Presentation by New Haven Unified School District thanking the City Council for their support of Measure A

*Required Action: Accept*

C. Proclamation in honor of Engineer/Paramedic Sean Burrows, 2003 Firefighter of the Year

*Required Action: Present*

## 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 XIII of the agenda if they wish.*

## VII. HEARINGS

A. HEARING RE: ADMINISTRATIVE ENFORCEMENT ORDINANCE  
(Resolution)

*Required Action: Motion*

Final Reading of Ordinance No. 618-03 would establish an administrative enforcement program for enforcing code provisions. The program establishes procedures to inspect private property, abate nuisance conditions, issue administrative citations, collect fines and fees and provides for an appeal process through an Administrative Hearing.

## VIII. REPORTS FROM CITY MANAGER

A. Fireworks Regulation Changes

*Required Action: Motion*

This report recommends the changes to the regulation of the use and sales of fireworks in Union City. The suggested changes do not change the day or hours of operation for the booths, the hours of use of legal fireworks, the ban of any fireworks east of Mission, or the ban on the use of fireworks in the City parks.

IX. **REDEVELOPMENT AGENCY - NONE**

X. **AUTHORITIES/AGENCIES - NONE**

XI. **REPORTS FROM CITY COMMISSIONS/COMMITTEES - NONE**

XII. **CONSENT CALENDAR/RESOLUTIONS**

*(All matters listed under the Consent Calendar are considered routine City Council or Redevelopment Agency items by the City Staff and may be enacted by the City Council/Agency by one motion in the form listed below. There will be no separate discussion of these items unless, before the City Council/Agency votes on the motion to adopt, Members of the City Council/Agency, staff, or the public request specific items to be removed from the Consent Calendar for separate action).*

A. **Resolution of the City Council of the City of Union City APPOINTING INDIVIDUALS TO SERVE ON THE CITIZENS BUDGET ADVISORY COMMITTEE**

*Required Action: Motion*

Council directed staff to establish a Citizens Budget Advisory Committee to advise the Council on budget-related issues, including recommendations on potential ways to balance the City's project General Fund budget deficit. Interviews were held on November 17, 2003 to fill this Committee.

B. **Resolution of the City Council of the City of Union City APPROVING PURCHASE OF PROPERTY KNOWN AS APN 486-30-013-15**

*Required Action: Motion*

The property located on 11<sup>th</sup> Street near "I" Street has been offered for sale to the City by the property owner. The site is a 5,000 square foot vacant and clean site to be banked for future affordable housing development. No general funds are required.

C. **Resolution of the City Council of the City of Union City AWARDING CONTRACT FOR PURCHASE OF FOUR PATROL CARS, CITY PROJECT NO. 03-18**

*Required Action: Motion*

The 2003/2004 budget includes the purchase of four police patrol cars for the Police Department. These vehicles have been recommended as replacements to the Police Department. Staff is recommending adoption of the resolution to award the contract for the four police cars to Melrose Ford of Oakland.

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

- D. **Resolution of the City Council of the City of Union City AWARDING CONTRACT FOR THE PURCHASE OF ONE ANIMAL CONTROL VEHICLE, CITY PROJECT NO. 03-19**

*Required Action: Motion*

The 2003/2004 budget includes the purchase of one Animal Control Vehicle for the Police Department. The vehicle being replaced had a life expectancy of seven years and was purchase in 1996. The animal control box has corrosion and the vehicle has over 100,000 miles on it. Staff is recommending adoption of the resolution to award the contract for the Animal Control Vehicle to S & C Ford, San Francisco.

- E. **Resolution of the City Council of the City of Union City AWARDING CONTRACT FOR SHORTY GARCIA FIELD RENOVATION, CITY PROJECT NO. 03-11**

*Required Action: Motion*

This resolution awards the contract to Interstate Grading & Paving, Inc. of South San Francisco. To renovate the existing grass field at Shorty Garcia Park to artificial turf field and to include grading, drainage, fencing, asphalt, irrigation and electrical work.

- F. **Resolution of the City Council of the City of Union City APPROVING TENTATIVE PARCEL MAP TPM 7427, U.S. PIPE AND FOUNDRY**

*Required Action: Motion*

U. S. Pipe and Foundry is requesting to subdivide their 69.14 acre parcel into a 59.37 acre parcel (Lot 1) and a 9.77 acre parcel (Lot 2). The applicant is also seeking to relocate an existing sanitary sewer line that traverses a portion of the 9.77 acre site to the perimeter of Lot 2. Lot 1 would be retained for operation of the U.S. Pipe and Foundry business. Lot 2 is expected to be sold to an industrial developer.

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

G. Resolution of the City Council of the City of Union City **IN SUPPORT OF ENHANCED REGIONAL FUNDING FOR MAINTENANCE OF LOCAL STREETS AND ROADS**

*Required Action: Motion*

Members of the local Streets and Roads Committee comprised of City and County Public Works professionals from throughout the nine-county Bay Area are seeking Union City's support for a balance apportionment of regional transportation funds so that local streets and road maintenance receives a fair share of whatever regional funding may be available for this purpose in the future.

H. Resolution of the City Council of the City of Union City **AUTHORIZING THE DESTRUCTION OF RECORDS WHICH HAVE EXCEEDED THEIR LEGAL RETENTION**

*Required Action: Motion*

Pursuant to the Records Retention Schedule adopted by City Council in August 2001, staff is requesting authorization to dispose of records that have passed their suggested retention.

I. Resolution of the City Council of the City of Union City **AWARDING CONTRACT FOR DEMOLITION OF STRUCTURE AT 14 UNION SQUARE AND WAIVING COMPETITIVE BIDDING**

*Required Action: Motion*

Resolution of the Community Redevelopment Agency of the City of Union City **WAIVING COMPETITIVE BIDDING AND AWARDING CONTRACT TO DEMOLISH STRUCTURE AT 14 UNION SQUARE AND ALLOCATING FUNDS TO COVER COSTS**

*Required Action: Motion*

The owner of the former bowling alley was given until November 13, 2003 to either repair or demolish the structure. The building was declared a dangerous structure by the Chief Building Official with the owner appealing the Notice and Order to Abate. The Board of Appeals upheld the Order. Given the public safety urgency of this matter, staff is requesting the Council to waive formal bid procedures and award the demolition contract. The agency is requested to advance the funds to perform this work.

## XII. CONSENT CALENDAR/RESOLUTIONS (continued)

- J. Resolution of the City Council of the City of Union City **ADOPTING AN AMENDED FEE SCHEDULE FOR FISCAL YEAR 2003-2004**

*Required Action: Motion*

It has been recently discovered that California Government Code Section 41612 requires a \$15 fee to be collected for the release of a vehicle subsequent to its repossession. This fee was not included in the Master Fee Schedule previously adopted by City Council on July 8, 2003. This resolution amends the Master Fee Schedule to include the \$15 fee.

- K. Final Reading Ordinance No. 617-03: **ORDINANCE OF THE CITY OF UNION CITY ADDING CHAPTER 7.20 TO THE UNION CITY MUNICIPAL CODE PERTAINING TO 911 EMERGENCY COMMUNICATION SYSTEM RESPONSE FEE**

*Required Action: Motion*

This is the Final Reading of Ordinance No. 617-03 which adds Chapter 7.20 to the Union City Municipal Code, pertaining to a "911" Emergency Communication System Response Fee, which is proposed to be charged on all "land line" and cellular telephones located and/or billed to addresses in Union City.

- L. **Rejection of Claim No. 559**

*Required Action: Motion*

The City's Claim Administrator is requesting rejection of claim No. 559, filed by Myran Torain regarding alleged damage to a vehicle as a result of road work.

## XIII. ORAL COMMUNICATIONS

## XIV. CORRESPONDENCE -NONE

## XV. APPROVAL OF BILLS - MONTH OF OCTOBER

- A. **Approval of disbursements for payment for October 2003**

*Required Action: Motion*

**XVI. SCHEDULED ORAL COMMUNICATIONS -NONE**

**XVII. ITEMS REFERRED BY COUNCIL**

- A. Oral reports by Councilmembers on meetings of County or Regional Boards and Commissions

*Required Action: Information Only*

**XVIII. GOOD OF THE ORDER**

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**ADJOURN TO CLOSED SESSION:**

**CONFERENCE WITH LABOR NEGOTIATORS**

(Pursuant to subdivision(b) of Section 54957.6)

Agency Designated representatives: Larry Cheeves, Interim City Manager; Tony Acosta, Deputy City Manager; Rich Digre, Administrative Services Director

Employee organization: Management

**XIX. ADJOURNMENT**