

**AGENDA FOR THE ADJOURNED  
REGULAR CITY COUNCIL MEETING  
CITY OF UNION CITY  
AUGUST 10, 2004, 6:00 P.M.  
COUNCIL CONFERENCE ROOM  
34009 ALVARADO-NILES ROAD  
UNION CITY, CALIFORNIA**

**6:40 P.M. - Council Conference Room**

- I. **ROLL CALL:** Councilmembers Dutra-Vernaci, Elias, Valle, Vice Mayor Fernandez, Mayor Green
- II. **INTERVIEW WITH PARK AND RECREATION COMMISSION APPLICANTS**
- III. **PUBLIC COMMENT**
- IV. **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 15 or 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 2698-04

Ordinance 633-04

Redevelopment Reso. 301-04

**AGENDA FOR THE REGULAR  
CITY COUNCIL MEETING OF  
THE CITY OF UNION CITY  
TUESDAY, AUGUST 10, 2004, 7:00 P.M.  
COUNCIL CHAMBERS  
34009 ALVARADO-NILES ROAD  
UNION CITY, CALIFORNIA**

**I. PLEDGE OF ALLEGIANCE**

**II. ROLL CALL:** Councilmembers Dutra-Vernaci, Elias, Valle, Vice Mayor Fernandez, 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 27, 2004  
*Required Action: Motion*

B. Approval of Minutes of the adjourned regular City Council meeting of Tuesday, August 3, 2004  
*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 XIII of the agenda if they wish.*

**VII. HEARINGS**

**A. HEARING RE: ESTABLISHMENT OF THE UNION LANDING PROPERTY AND BUSINESS IMPROVEMENT DISTRICT (Resolutions)**

*Required Action: Motion*

This hearing is for the property owners' benefit to discuss the proposed annual levy and establishment of the Union Landing Property and Business Improvement District (PBID).

**VIII. REPORTS FROM CITY MANAGER**

**A. Fourth of July After Action Report**

*Required Action: Information Only*

A report will be presented by the Police Chief and Fire Chief on the activities which occurred on the Fourth of July.

**B. Consideration of street naming policy**

*Required Action: Staff direction*

This report is intended to provide a brief summary of the current street naming policy and provide alternatives to refine the program.

**IX. REDEVELOPMENT AGENCY**

**A. Authorization to negotiate Exclusive Negotiating Agreement with TMG Partners, for the development of the former PG&E Pipe Storage Yard (Resolution)**

*Required Action: Motion*

Staff is requesting authorization to negotiate the terms of an Exclusive Negotiating Agreement with TMG Partners for the Master Developer for the Intermodal Station District and new town center.

IX. **REDEVELOPMENT AGENCY** (continued)

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

B. Refinancing of 2001B Taxable Bonds (Resolutions)

*Required Action: Motion*

The Agency has a one-time option to refund (refinance) \$4.3 million of Taxable Bonds without penalty on October 1, 2004. It is not currently anticipated that the Agency will need these taxable proceeds but could instead substitute tax-exempt proceeds from the upcoming bond issue, thereby saving substantial interest costs.

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 **RESCINDING THE 5% EMPLOYEE COMPENSATION CONCESSION AND 2% PERSON REIMBURSEMENT FOR THE PROFESSIONAL EMPLOYEES GROUP, EFFECTIVE JULY 1, 2004; AND AMENDING THE COMPENSATION PLAN FOR THE PROFESSIONAL EMPLOYEES GROUP**

*Required Action: Motion*

This resolution approves rescinding the 5% Employee Compensation Concession and 2% PERS reimbursement for the Professional Employees Group effective July 1, 2004 and amends the Compensation Plan for the same period.

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

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

*Required Action: Motion*

This resolution approves revisions to the Memorandum of Understanding between the City and Local 790, SEIU for the period from July 1, 2004 through June 30, 2005 and amends the compensation plan for the same period.

- C. Resolution of the City Council of the City of Union City **AUTHORIZING THE TRI-CITIES EMERGENCY SERVICES ASSOCIATION MUTUAL AID AGREEMENT FOR INTER-AGENCY COOPERATION DURING LOCAL DISASTERS AND EMERGENCIES**

*Required Action: Motion*

This resolution authorizes the City to continue its participation in the Tri-Cities Emergency Services Association. This association consists of the cities and school districts of Union City, Newark, and Fremont, Alameda County Water District, Union Sanitary District, Fremont-Newark Community College District and Washington Hospital Healthcare System. The Association provides mutual assistance to each other during emergencies or disasters, and provides reimbursement for equipment, supplies and personnel that are made available to the agency in need during these emergencies.

- D. Resolution of the City Council of the City of Union City **APPROVING THE PURCHASE OF ONE CAT 420D BACKHOE LOADER, CITY PROJECT NO. 04-11**

*Required Action: Motion*

This resolution approves the purchase of one CAT 420D backhoe loader to replace the 1989 Ford Backhoe tractor. The 1989 tractor is now 15 years old and showing stress fractures on major components and was recommended for replacement in the 2003/04 budget. Peterson Tractor Co. is the State bid winner for this equipment in the amount of \$78,594.71.

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

E. Resolution of the City Council of the City of Union City **AMENDING THE FISCAL YEAR 2004-05 ANNUAL OPERATING BUDGET**

*Required Action: Motion*

This resolution amends the FY 04-05 budget to include the costs of staffing three police officers at Union Landing, subject to the approval of the Property Owners' Business Improvement District (PBID).

F. Resolution of the City Council of the City of Union City **APPOINTING INDIVIDUALS TO SERVE ON THE PARK AND RECREATION COMMISSION**

*Required Action: Motion*

Interviews were held on Tuesday, August 3, with applicants to fill vacancies on the Park and Recreation Commission. This resolution appoints two individuals to serve for four year terms expiring August 15, 2008, and one individual to fill an unexpired term expiring August 15, 2006.

G. Resolution of the City Council of the City of Union City **APPOINTING INDIVIDUALS TO SERVE ON THE ARTS COUNCIL**

*Required Action: Motion*

Interviews were held on Tuesday, August 3, with applicants to fill vacancies on the Arts Council. This resolution appoints three individuals to serve for four year terms expiring September 30, 2008.

H. Resolution of the City Council of the City of Union City **AUTHORIZING CITY MANAGER TO EXECUTE A CONTRACT AGREEMENT WITH ROMA DESIGN GROUP PROFESSIONAL DESIGN SERVICES FOR CITY PROJECT NO. 01-34, INTERMODAL STATION, PHASE 1B**

*Required Action: Motion*

This resolution authorizes awarding contract for professional design services with ROMA to prepare design development plan for Union City Intermodal Station Phase 1B and authorizes the City Manager to execute the CMA TIP agreement.

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

- I. Resolution of the City Council of the City of Union City **AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT AMENDMENT WITH ALTA PLANNING+DESIGN FOR PROFESSIONAL DESIGN SERVICES FOR CITY PROJECT NO. 04-14, CITY PEDESTRIAN AND BICYCLE PLAN**

*Required Action: Motion*

As a component of the General Plan, the City plans to develop a City Pedestrian and Bicycle Plan to address the needs of the community and develop a prioritized Capital Improvement Project for the bike and pedestrian project. Prior to disbursement of the Measure B funds for this project, it is required for the City to develop and adopt a priority list of projects proposed. The proposed amendment to the contract with Alta Planning +Design will allow the City to develop a priority list. This project will be funded by Measure B “pass-thru” funds in the amount of \$120,265.

- J. Resolution of the City Council of the City of Union City **AUTHORIZING DESTRUCTION, WITHOUT DUPLICATION, OF POLICE PERSONNEL RECORDS THAT HAVE EXCEEDED THEIR LEGAL RETENTION**

*Required Action: Motion*

Each year the Police Department destroys certain records which meet time retention expiration dates. The Police Department is seeking authorization to purge expired police personnel records .

XII. CONSENT CALENDAR/RESOLUTIONS (continued)

- K. Resolution of the City Council of the City of Union City ADOPTING A METROPOLITAN TRANSIT COMMISSION RESOLUTION TO BECOME AN IMPLEMENTING AGENCY FOR A LIMITED PORTION OF THE DUMBARTON RAIL CORRIDOR ENVIRONMENTAL REVIEW

*Required Action: Motion*

Resolution of the City Council of the City of Union City AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT AMENDMENT NO. 2 WITH EARTH TECH, INC. TO INCORPORATE ELEMENTS THAT WOULD BE OF BENEFIT TO DUMBARTON RAIL PASSENGER SERVICE INTO THE PRELIMINARY ENGINEERING AND ENVIRONMENTAL DOCUMENTATION THAT IS CURRENTLY UNDERWAY FOR CITY PROJECT NO. 2001-35, CAPITAL CORRIDOR RAIL STATION PROJECT (UNION CITY INTERMODAL PASSENGER RAIL PROJECT)

*Required Action: Motion*

These resolutions authorize the City to be a recipient of RM 2 funds as an Implementing Agency and directs the submission of the Initial Project Report to the MTC for consideration; and authorizes the City Manager to amend the contract with Earth Tech, Inc., up to \$100,000 to modify the Union City Intermodal Station Passenger Rail Project Environmental Impact Report to incorporate improvements of benefit to the Dumbarton Rail passenger service within the Union City Intermodal Station Passenger Rail project limits and complete 30% engineering of the layover yards under consideration.

- L. Introduction of Ordinance: AN ORDINANCE OF THE CITY OF UNION CITY AMENDING SECTIONS 7.20.050 AND 7.20.130 OF THE UNION CITY MUNICIPAL CODE PERTAINING TO AUTHORIZING REFUNDING OF 911 EMERGENCY COMMUNICATION SYSTEM RESPONSE FEES

*Required Action: Motion*

This ordinance amends Sections 7.20.05 and 7.20.130 of the Union City Municipal Code and authorizes the refunding of 911 Emergency Communication System Response Fee (911 Fees) paid for phones that are physically located outside of Union City and do not have a 510 area code; and 911 fees paid by businesses that exceed 20% of the total monthly telecommunications bills for the company, on a carrier by carrier basis.

**XIII. ORAL COMMUNICATIONS**

**XIV. CORRESPONDENCE - NONE**

**XV. APPROVAL OF BILLS - MONTH OF JULY**

- A. Approval of disbursements for month of July 2004  
*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*
- B. Request by Councilmember Elias for discussion on preparation of City Council agendas (continued from July 13, 2004)

**XVIII. GOOD OF THE ORDER**

**XIX. ADJOURNMENT**