

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 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.

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Ask the City Clerk if you desire to use this device.

Resolution 2748-04

Ordinance 636-04

Redevelopment Reso. 301-04

**AGENDA FOR THE REGULAR  
CITY COUNCIL MEETING OF  
THE CITY OF UNION CITY  
TUESDAY, OCTOBER 26, 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, October 12, 2004

*Required Action: Motion*

B. Approval of Minutes of the special City Council meeting of Monday, October 18, 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: INTENTION TO VACATE A PORTION OF RIGHT OF WAY IN THE CITY OF UNION CITY (Resolution)**

*Required Action: Motion*

Elimination of a driveway entrance and street realignment requires vacation of a portion of Union Landing Boulevard right-of-way. The proposed vacation smooths an abandoned driveway entrance affecting 0.17 acres.

**B. HEARING RE: ZONING TEXT AMENDMENT AT-05-04 (Introduction of Ordinance)**

*Required Action: Motion*

Initiated by the City of Union City, a proposal to amend Chapter 18.44, Planned Unit Development, to permit planned unit developments on mixed-use (commercial and residential) parcels smaller than five acres in the Community Commercial (CC) and Specialty Commercial (CS) Districts within the Old Alvarado and Mission Boulevard neighborhoods with density limitations based on the RM 1500 standards. Also, proposed is an amendment to add a section to Chapter 18.36, Commercial District, to specifically address special design and siting criteria for the Mission Boulevard commercial corridor.

**VIII. REPORTS FROM CITY MANAGER**

**A. Presentation by Robert Mowat regarding Flight 93 Memorial**

*Required Action: Motion*

A Flight 93 Memorial has been proposed by Michael Emerson to be installed and maintained in Sugar Mill Landing Park at no expense to the City. Staff, along with the Park and Recreation Commission, is recommending approval of this project.

**B. Report on Theft of Curbside Recyclables**

*Required Action: Accept Report and provide staff direction*

This report examines the issue of theft of recyclables from curbside bins.

**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 APPROVING SITE DEVELOPMENT REVIEW SD-11-04, PETSMART, COURTHOUSE DRIVE**

*Required Action: Motion*

The applicant, Glenn Shearer, representing PetsMart, is requesting Site Development Review to construct an 17,400 square foot pet supply store with a vet clinic. The subject site is located on a vacant pad between Best Buy and Babies R Us in the Union Landing Shopping center, between Union Landing Boulevard and Courthouse Drive, Assessor Parcel Number APN: 463-60-48. A Program EIR was adopted for Union Landing in 1995, and a draft Negative Declaration was prepared to address the construction of the 316,000 square feet of retail commercial, which includes the project site. Therefore, no additional environmental review is required.

B. **Resolution of the City Council of the City of Union City APPROVING SITE DEVELOPMENT REVIEW SD-10-04 FOR A MIXED-USE RESIDENTIAL AND COMMERCIAL PROJECT ON MISSION BOULEVARD**

*Required Action: Motion*

The applicant is requesting Site Development Review approval to construct a mixed-use project with a new veterinary office and six living units. The subject site is located at 33659 Mission Blvd. and is identified as Assessor's Parcel Number APN: 486-0006-033-00. This project is considered Categorical Exempt under Section 15332, Class 32 of the CEQA guidelines.

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

C. Resolution of the City Council of the City of Union City **APPROVING TENTATIVE PARCEL MAP TPM 8477**

*Required Action: Motion*

Tam Lam, 33743 8<sup>th</sup> Street, is requesting approval of a Tentative Parcel Map to subdivide a property located at 33743 8<sup>th</sup> Street (APN: 486-0027-005-07) into two parcels. Parcel 1 will be 7,625 square feet and Parcel 2 will be 5,000 square feet. No new structures are being proposed at this time.

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

*Required Action: Motion*

The City Clerk's office is seeking authorization to purge records which have exceeded their retention period pursuant to the Records Retention Schedule adopted by the City Council.

E. Resolution of the City Council of the City of Union City **MODIFYING THE STATE OF CALIFORNIA SUPPLEMENTAL LAW ENFORCEMENT SERVICE FUNDING (SLESF) GRANT**

*Required Action: Motion*

Staff is recommending modifications of the appropriations previously made by the City Council for the State 2003 Supplemental Law Enforcement Services Funding Grant. These modifications are to remain in compliance with regulations pertaining to the listed grant. The Police Department is recommending the residual funds be utilized to purchase equipment for a high speed wireless connection to augment and enhance the wireless report system of the new Records Management System; to upgrade software necessary for the high speed network to interface with the Records Management System and to replace the existing VHS interview room recording system with a digital recording system.

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

- F. Resolution of the City Council of the City of Union City **APPROVING NON-COMPETITIVE PROCUREMENT FOR THE HIGH SPEED NETWORK CONNECTION**

*Required Action: Motion*

Staff is recommending approval to seek non- competitive procurement for a high speed wireless network connection to enhance the capabilities of the new Automated Reporting system component of the Records Management System and to purchase a software upgrade necessary for the high speed connection to operate.

- G. Resolution of the City Council of the City of Union City **APPROVING NON-COMPETITIVE PROCUREMENT FOR DIGITAL RECORDING SYSTEM FOR THE POLICE DEPARTMENT INTERVIEW ROOMS**

*Required Action: Motion*

Staff is recommending approval to seek non-competitive procurement for a digital recording system to replace and upgrade the existing VHS recording system in the interview rooms of the Police Department.

- H. Resolution of the City Council and the Community Redevelopment Agency of the City of Union City **APPROVING PLANS AND SPECIFICATIONS FOR WHIPPLE ROAD SIDEWALK RECONSTRUCTION, CITY PROJECT NO. 03-14**

*Required Action: Motion*

This project involves the construction of sidewalk along the southside of Whipple Road from Ithaca Street to Second Street. The project will also provide landscaping and irrigation for the median at Ithaca, at the corner of Third Street and Whipple Road, and corner of Fifth Street and Whipple Road.

XII. CONSENT CALENDAR/RESOLUTIONS (continued)

- I. Resolution of the City Council of the City of Union City AUTHORIZING ADDITIONAL FUNDS FOR CONTRACT CHANGE ORDER NO. 1, 2C JACK AND BORE CONSTRUCTION, CITY PROJECT NO. 03-25, LINE M DETENTION BASIN/PUMP STATION PROJECT, (PSSC)

*Required Action: Motion*

Resolution of the Redevelopment Agency of the City of Union City AUTHORIZING ADDITIONAL FUNDS FOR CONTRACT CHANGE ORDER NO. 1, 2C JACK AND BORE CONSTRUCTION, CITY PROJECT NO. 03-25, LINE M DETENTION BASIN/PUMP STATION PROJECT, (PSSC)

*Required Action: Motion*

Staff is requesting authorization for additional funds for the Line M Detention Basin with Anderson Pacific Construction for Contract Change Order No. 1 to allow jack and bore construction under the 2C property in the amount of \$290,000.

- J. Resolution of the City Council of the City of Union City AUTHORIZING CITY MANAGER TO EXECUTE CONTRACT AMENDMENT NO. 5 WITH MARK THOMAS AND CO., INC. FOR CONSTRUCTION ADMINISTRATION, CONSTRUCTION INSPECTION, SURVEYING AND MATERIAL TESTING FOR CITY PROJECT NO. 02-42, 11<sup>TH</sup> STREET SEGMENT 2, (PSSC)

*Required Action: Motion*

This resolution authorizes execution of Contract Amendment No. 5 with Mark Thomas and Co., Inc. in the amount of \$479,444 for construction contract administration, construction inspection, construction staking and material testing for 11<sup>th</sup> Street, (PSSC).

XII. CONSENT CALENDAR/RESOLUTIONS (continued)

- K. Resolution of the City Council of the City of Union City APPROPRIATING THE PROCEEDS FROM THE SALE OF SURPLUS UNION CITY TRANSIT BUSES FOR THE PURCHASE OF REPLACEMENT TRANSPORTATION VEHICLES FOR THE LEISURE SERVICES DEPARTMENT

*Required Action: Motion*

The approval of this resolution will appropriate the proceeds from the sale of surplus Union City Transit (UCT) buses #610 and #611 to the Equipment Replacement Fund (Fund 7400) to be reserved for the future replacement of transportation vehicles assigned to the Leisure Services Department. This will also authorize similar actions for future revenues generated by the sale of surplus UCT buses.

- L. Resolution of the City Council of the City of Union City APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE MURRAY-HAYDEN PROGRAM UNDER THE CALIFORNIA CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS, AND COASTAL PROTECTION ACT OF 2002 FOR THE HOLLY COMMUNITY CENTER TOT PLAY AREA AND MINI-GYM RENOVATIONS TO INCLUDE CLIMBING APPARATUS

*Required Action: Motion*

Resolution of the City Council of the City of Union City APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE MURRAY-HAYDEN PROGRAM UNDER THE CALIFORNIA CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS, AND COASTAL PROTECTION ACT OF 2002 FOR THE ARROYO PARK BASKETBALL COURTS

*Required Action: Motion*

The resolutions authorizes the Leisure Services Department and the City Manager to apply for funds in the amount of \$112,300 for the renovation of the Arroyo Park basketball courts from the Youth Soccer and Recreation Development grant program and to apply for funds in the amount of \$190,900 for the renovation of the Holly Community Center Tot Play Area and Mini-Gym to include climbing apparatuses from the State Urban Parks and Healthy Communities grant program.

**XIII. ORAL COMMUNICATIONS**

**XIV. CORRESPONDENCE - NONE**

**XV. APPROVAL OF BILLS - NONE**

**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 to direct staff to submit plans for amenities at Shorty Garcia Park

*Required Action:*

**XVIII. GOOD OF THE ORDER**

There will be an opportunity for citizens to make comments prior to the City Council convening in closed session . After public comments, the Council will meet in closed session.

**Council Conference Room**

**CLOSED SESSION:**

A. **CONFERENCE WITH REAL PROPERTY NEGOTIATIONS**  
(Pursuant to Section 54956.9)

Property: 33205 to 33305 Mission Boulevard, APN 087-0091-51

Agency Negotiator: Larry Cheeves, Executive Director; Mark Leonard, Assistant Executive Director; Mark Evanoff, Redevelopment Agency Manager, Agency Counsel

Under Negotiation: Price and Terms

**XIX. ADJOURNMENT**