

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  
FEBRUARY 8, 6:00 P.M.  
COUNCIL CONFERENCE ROOM  
34009 ALVARADO-NILES ROAD  
UNION CITY, CALIFORNIA**

**6:00 P.M. - Council Conference Room**

I. **ROLL CALL:** Councilmembers Fernandez, Navarro, Valle, Vice Mayor Dutra-Vernaci, Mayor Green

II. **CLOSED SESSION:**

A. **CONFERENCE WITH LABOR NEGOTIATORS**

Designated Representatives: Larry Cheeves, City Manager, Tony Acosta,  
Deputy City Manager, Rich Digre,  
Administrative Services Director

Employee Organization: Management

B. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Title: City Manager

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 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.

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 2815-05

Ordinance 647-05

Redevelopment Reso. 310-05

**AGENDA FOR THE REGULAR  
CITY COUNCIL MEETING OF  
THE CITY OF UNION CITY  
TUESDAY, FEBRUARY 8, 2005, 7:00 P.M.  
COUNCIL CHAMBERS  
34009 ALVARADO-NILES ROAD  
UNION CITY, CALIFORNIA**

**I. PLEDGE OF ALLEGIANCE**

**II. ROLL CALL:** Councilmembers Fernandez, Navarro, Valle, Vice Mayor Dutra-Vernaci, Mayor Green

**III. UNFINISHED BUSINESS - NONE**

**IV. APPROVAL OF MINUTES**

A. Approval of Minutes of the adjourned regular City Council meeting of Saturday January 15, 2005

*Required Action: Motion*

B. Approval of Minutes of the adjourned regular City Council meeting of Saturday January 22, 2005

*Required Action: Motion*

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

- C. Approval of Minutes of the adjourned regular and regular City Council meeting of Tuesday, January 25, 2005

*Required Action: Motion*

- D. Approval of Minutes of the adjourned regular City Council meeting of Saturday January 29, 2005

*Required Action: Motion*

**V. PROCLAMATIONS/PRESENTATIONS**

- A. Resolution in recognition of the 12<sup>th</sup> Annual Asian American Heritage Festival to be held on May 21, 2005 in Cesar Chavez/Old Alvarado Park

*Required Action: Motion*

- B. Presentation by Centro De Servicios regarding services provided to the City

*Required Action: Accept Report*

**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 - NONE**

**VIII. REPORTS FROM CITY MANAGER**

- A. Follow-up report on the January 15, 2005 Youth Non-Violence Summit; option for a City Youth Commission

*Required Action: Staff Direction*

This report is to provide an overview of the Union City Youth Non-Violence Summit held on Saturday, January 15, 2005 at the Ruggieri Senior Center, and to present options for the City Council to consider on how Union City's youth can participate in the community-wide process of addressing youth issues and needs.

**VIII. REPORTS FROM CITY MANAGER (continued)**

- B. Report on status of Route 84 and alternative alignment  
*Required Action: Staff Direction*

This report is to summarize the regional benefits of the Route 84 Historic alignment, identify the amenities and improvements to traffic circulation that will occur for the residents of Fremont with the Route 84 Historic Alignment, and document the financial commitment of the City of Union City in preserving the Route 84 right-of-way.

- C. Report on expiration of Redevelopment Advisory Committee (RePAC) (Resolution)  
*Required Action: Motion*

RePAC has completed its role for providing policy direction to the City Council and Agency Board on the Amended and Restated Redevelopment Plan, the use of eminent domain within the Project Area and in formulating an Agency Project expenditure list. Because there is no further need for RePAC to continue its advisory services, staff is recommending the adoption of the resolution which recognizes their services to the Council and Agency Board. Staff is also recommending appointing Dave Lencioni to serve as a citizen member on the Tree and Landscape Review Committee and Yolanda Triana to serve on the Bicycle Pedestrian Advisory Committee as a citizen member. The Planning Commission would expand its role in providing direction on Economic Development.

- D. FY 2005/06 & FY 2006/07 Budget Calendar  
*Required Action: Motion*

This report provides a proposed schedule of events between now and the end of the fiscal year when a new bi-annual budget for fiscal years 2005-06 and 2006-07 is planned to be presented to Council for adoption.

**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 AUTHORIZING THE UNION CITY FIRE DEPARTMENT TO PARTICIPATE IN THE SAFE HAVEN PROGRAM FOR NEWBORNS**

*Required Action: Motion*

The Safely Surrendered Baby Law (also known as the Safe Haven or Newborn Abandonment Law) went into effect January 1, 2001 and authorizes the Alameda County Board of Supervisors to designate locations where newborns (less than 72 hours old) may be confidentially surrendered, by a parent or guardian having lawful custody of the infants, without fear of criminal prosecution. The use of fire stations as drop off locations for newborns is part of a statewide effort to end tragic consequences of infant abandonment.

B. **Resolution of the City Council of the City of Union City APPROVING FINAL MAP OF PARCEL NO. 8296, IN THE CITY OF UNION CITY, COUNTY OF ALAMEDA, STATE OF CALIFORNIA**

*Required Action: Motion*

Kohoutek Condominiums, LLC has submitted Final Parcel Map 8296 for approval. Parcel Map 8296 is a single lot subdivision of an approximately 3.11 acre MS (Special Industrial) site to create nineteen individual condominium units. The site is located on the northeast side of Kohoutek Way approximately 1000 feet north of Whipple Road.

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

C. Resolution of the City Council of the City of Union City **ACCEPTING COMPENSATION FOR VACATED RIGHT-OF-WAY HELD IN FEE**

*Required Action: Motion*

The City Council has vacated the rights-of-way for portions of three parcels on the west of existing Union City Boulevard south of Bettencourt Way, at the request of Pinn Brothers Construction. Parcel 2 is owned in fee by the City, rather than having been dedicated for street purposes only. Because of this distinction, it was determined that there be compensation paid for the parcel. The standard compensation for vacated right-of-way designated property is fifty percent of the market value which the developer has agreed to pay. This resolution accepts the compensation for that portion of right-of-way owned by the City as a condition of recording said vacation.

D. Resolution of the City Council of the City of Union City **AMENDING THE AUTHORIZED POSITIONS LIST (PART-TIME FIRE INSPECTOR) AND OPERATING BUDGET FOR FISCAL YEAR 2004/05**

*Required Action: Motion*

Staff is requesting authorization to increase the part-time Fire Inspector position from 0.50 FTE's to 1.00 FTE's effective immediately. The addition of a part-time Fire Inspector will ease the current workload and increase inspection revenues in the future.

E. Resolution of the City Council of the City of Union City **AWARDING A PROFESSIONAL SERVICES CONTRACT FOR ASSESSMENT ENGINEERING SERVICES FOR LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT**

*Required Action: Motion*

It is the City's intent to continue the Landscape and Lighting District funding for on-going street lighting and signalization, street median and backup landscape maintenance, and street tree management within the city limits. It is also the City's intent to re-engineer the district to include park-related activities. Staff is recommending the firm of Berryman and Henigar to provide assessment-engineering services pursuant to the Landscape and Lighting Act of 1972 and Proposition 218.

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

- F. Introduction of Ordinance: AN ORDINANCE OF THE CITY OF UNION CITY ADDING CHAPTER 10.18 TO TITLE 10 OF THE UNION CITY MUNICIPAL CODE “FRANCHISES FOR POLICE TOWING”

*Required Action: Motion*

This ordinance will create a franchise system for tow companies participating in Police Department rotational towing.

**XIII. ORAL COMMUNICATIONS**

**XIV. CORRESPONDENCE - NONE**

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

- A. Approval of disbursements issued for month of January

*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**

**XIX. ADJOURNMENT**