

**CITY OF UNION CITY
MINUTES FOR THE REGULAR PLANNING COMMISSION MEETING
OF FEBRUARY 16, 2006, 7:00 P.M.
IN THE COUNCIL CHAMBERS OF CITY HALL
34009 ALVARADO-NILES ROAD, UNION CITY, CALIFORNIA**

**I. ROLL CALL: Commissioners Anderson, Sison, Sweeney and Chairperson Lew
ABSENT: Commissioner Savage**

STAFF: Mark Leonard (Director, Economic and Community Development); Joan Malloy (Planning Manager); Janice Lum (Assistant Planner); Avalon Evans (Assistant Planner); Kit Faubion (City Attorney); Kris Fitzgerald (Administrative Assistant).

II. APPROVAL OF MINUTES: The regular Planning Commission Minutes of February 2, 2006 were approved as submitted.

III. ORAL COMMUNICATIONS:

Barbara Friedrich, League of Women Voters, invited the planning commissioners to attend the "Sunshine Week" presentation on Friday, March 17, 2006.

IV. WRITTEN COMMUNICATIONS: None.

V. PUBLIC HEARINGS:

A. CONTINUED HEARINGS:

- 1. ALVARADO PLACE, 32100 ALVARADO BLVD., Site Development Review (SD-09-05), Use Permit UP-09-05 and Variance V-04-05;** The applicant, Patrick Conway, representing Duckett-Wilson Development, Inc., is requesting Site Development Review approval to construct two one-story buildings that will add 9,010 square feet of retail commercial space to the Alvarado Place Shopping Center. The project will require a Use Permit to allow a 1,848 square foot drive-through Starbucks Coffee shop and a Variance permit to allow no rear yard setback behind the proposed buildings. The project proposal includes parking, landscaping, and site improvements. A Mitigated Negative Declaration has been prepared for this project.

Commissioner Sweeney made a motion to continue Site Development Review SD-09-05, Use Permit UP-09-05 and Variance V-04-05 to March 2, 2006.

Commissioner Anderson seconded the motion.

AYES	4 (Anderson, Lew, Sison, Sweeney)
NOES	0
ABSENT	1 (Savage)
ABSTAIN	0

B. NEW HEARINGS:

- 1. JACK CHUNG, 2819 WHIPPLE ROAD, USE PERMIT UP-01-06;** the applicant is requesting Use Permit approval to allow an acupuncture/healthcare office in an MS (Special Industrial) zone. The project is located at 2819 Whipple Road (APN: 463-0450-026).

Avalon Evans, Assistant Planner, presented the staff report.

Chairperson Lew opened the public hearing.

Jack Chung, Union City, thanked staff for their help with his application. Mr. Chung stated that he had an office in Cupertino and wanted to open an office locally to help the local people.

Commissioner Sweeney asked how many patients the applicant will treat at one time.

Mr. Chung stated that it will only be one patient at a time.

Commissioner Sweeney asked why the applicant shows five treatment rooms.

Mr. Chung replied that he prepares the rooms ahead of time so that he does not have a delay for the next patient.

Commissioner Sweeney asked if he would be the only person working in the office.

Mr. Chung replied that it will only be himself at this time.

Commissioner Sweeney asked when he worked with a partner in Cupertino how many patients did each see at a time.

Mr. Chung replied that it was only one patient at a time.

Commissioner Sweeney stated her concerns that the partitions are too low to provide privacy for the patients.

Mr. Chung stated that this space already has three rooms. Mr. Chung stated that the first room will be used as a reception room where patient records will be kept and it will be locked when he is not inside. Mr. Chung stated that the other two rooms will be used for treatment rooms.

Commissioner Sweeney stated that it is not so much the number of partitions as she is concerned that the partitions are not high enough to protect patient privacy.

Mr. Chung stated that he will ask whether patients want to be treated in the rooms or the partitioned area.

Chairperson Lew asked what type of license is required to practice acupuncture.

Mr. Chung stated that he has a license from the Consumer Affairs Board for California.

Chairperson Lew closed the public hearing.

Commissioner Anderson made a motion to approve Use Permit UP-01-06, making findings 1 – 4, with the amended conditions of approval and adopt a resolution confirming this action.

Commissioner Sweeney seconded the motion.

AYES	4 (Anderson, Lew, Sison, Sweeney)
NOES	0
ABSENT	1 (Savage)
ABSTAIN	0

- UNION CITY ZONING TEXT AMENDMENT AT-03-05**; the City is proposing to amend Chapter 18.30, Sign Regulations, to create a new freestanding sign category for non-residential, on-site real estate sign, commonly known as “for lease” signs.

Avalon Evans, Assistant Planner, presented the staff report.

Commissioner Sison referenced 18.30.060 #6 and asked for an explanation of the intent of that provision.

Ms. Evans replied that the City Council directed staff to make clear that there would be one such temporary display per year not an unlimited number.

Commissioner Sison stated his concern that if a particular property or retail space goes back on the market more than once in a given calendar year how would they be able to put up for sale or for lease signage again.

Ms. Evans stated that the intent of the City Council is for those properties to integrate a permanent on-site real estate sign with leasing information and not continue to put up temporary leasing signs.

Commissioner Sison asked if there is an assumption that they could request an exemption if they needed to.

Ms. Evans stated that they can apply for a variance from the sign ordinance but they would have to show extreme circumstances.

Commissioner Sweeney asked what is difference between the new permanent real estate sign and a monument sign.

Ms. Evans replied that the basic difference is the size; that these would be smaller and fewer than other monument signs and they would specifically advertise leasing information.

Commissioner Sweeney asked if these count towards the sign size limit or would be in addition to other signage.

Ms. Evans replied that they would be in addition to the other signs and that is why they are treated separately in the regulations.

Commissioner Sweeney stated that it is free advertising for a space that has multiple tenants.

Commissioner Sweeney asked if they have to apply for a permit for this.

Ms. Evans replied that they do.

Commissioner Sweeney asked if the siting is a part of the permit process. Commissioner Sweeney stated that she sees these signs as clutter. Commissioner Sweeney stated that if she had a space that had multiple tenants where there is some turnover the obvious thing to do would be to apply for a permanent sign.

Commissioner Sweeney asked what will show on the sign when there isn't anything available for lease. Commissioner Sweeney asked if it is just advertisement for the space or is it like another monument sign if there is nothing to be leased.

Ms. Evans replied that since it is limited to permanent leasing information, the idea is that there is always a number to call for leasing information.

Commissioner Sweeney stated that it would always look like there is a vacancy. Commissioner Sweeney stated that she is horrified at this concept. Commissioner Sweeney stated that this puts out on each street frontage of at least a couple dozen locations around town a sign that makes it look like something is for lease, whether there is or not.

Ms. Evans stated that to address the aesthetics issue, the City Council direction to staff was that since these temporary signs are always up around town, that this would be a way for staff to have discretion over the design of these leasing signs so that they are not so prominently leaping out at the passerby. Ms. Evans stated that the leasing signs would be integrated in the existing color scheme, finishes and building materials of the surrounding buildings. Ms. Evans stated that even though there would be more freestanding signs around town at least they would be integrated and less visually cluttered.

Commissioner Sweeney stated it will be permanent visual clutter and the fact that there does not actually have to be space for lease to have leasing information displayed makes it look like we have a huge vacancy problem in town.

Commissioner Sweeney stated that she cannot imagine why we would want to do that.

Commissioner Sweeney stated that there is no provision here that if there is no space for lease that some other message is displayed; it is always going to display leasing information.

Ms. Evans stated that is how it has been written but the commission may want to direct staff to incorporate other additional wording when there is no space for lease.

Chairperson Lew stated her concerns that the temporary signs would be allowed to remain while the property owners are getting permission to build the new leasing monument signs and asked if they have to take the temporary sign down while they are waiting for approval of the permanent sign.

Ms. Evans stated that the intent is that if the applicant wishes to have a real estate sign up for longer than the permitted time period they would need to get permanent sign approval. Ms. Evans stated that it would be two separate signs.

Chairperson Lew stated that it may need to be clarified.

Chairperson Lew stated that definitions 33 and 34 are not in alphabetical order.

Chairperson Lew stated that she has a problem when driving up and down Union City Boulevard and sees the frames and the posts for the signs that have been taken down and that is not addressed in the revisions here.

Chairperson Lew asked if the owners will be required to remove the posts and the framing for the signs that have been removed.

Mark Leonard, Director, Economic and Community Department, stated that it will all have to come down.

Chairperson Lew asked if they are considered temporary.

Mr. Leonard replied that they are temporary signs.

Chairperson Lew asked about the grandfathering in of signs.

Ms. Evans replied that one of the concerns of staff is that since we have so many of these signs around town that if we change the ordinance now that these signs already up would be exempt from the new regulations. Ms. Evans stated that they checked with the City Attorney and that is not the case. Ms. Evans stated that none of the signs around town now would be exempt just because they were present prior to this new wording.

Chairperson Lew asked what the City will do if this is passed by the City Council.

Ms. Evans replied that written notices will be sent to the contact information on these signs. Ms. Evans stated that it would be a joint project of the City Attorney and the Neighborhood Preservation Coordinator.

Chairperson Lew asked what is the status of the changes that were recommended on January 5th.

Ms. Evans stated that when we go back to the City Council we will take those changes along with the results of tonight's changes and introduce the chapter as a whole to the City Council.

Chairperson Lew stated that we are not seeing the complete revision tonight.

Ms. Evans stated that the Planning Commission has already made their recommendations on the other changes and this is the only section that has been referred back for further changes.

Commissioner Sweeney suggested to the commission that instead of adding the new permanent signs, change the intent of the temporary sign and limit it to 32 square feet, limit to 3 feet in height, and simply extend the period of time when a temporary sign would be permitted. Commissioner Sweeney stated that when there is in fact nothing for lease that sign should come down.

Commissioner Sweeney stated that she is not happy with the idea of adding to each street frontage of any multiple tenant property a permanent sign with leasing information. Commissioner Sweeney thinks it will just clutter the street frontage.

Mr. Leonard stated that it was the City Council's preference that for lease signs be designed in a way that reflects the sign theme of the project and is consistent with the architecture of the building so they would have some permanent character to them. Mr. Leonard stated that the idea was to get away from the

plywood with two by four's on each end of them that we see all over town. Mr. Leonard stated that is why this approach was recommended by the City Council.

Commissioner Sweeney asked if this approach has been used elsewhere.

Mr. Leonard replied not that he is aware of but they have not looked into it.

Commissioner Sweeney stated that she has never seen permanent for lease signs littering the landscape in any other city that she has visited this past week.

Chairperson Lew opened the public hearing.

Chairperson Lew closed the public hearing.

Chairperson Lew stated that permanent real estate signs are not addressed in section 090.

Chairperson Lew stated that there is a section on freeway/freestanding oriented signs and that doesn't include real estate signs.

Mr. Leonard stated that freestanding/freeway oriented signs have to meet certain criteria and they count as part of the signage calculations of the business to which it applies.

Chairperson Lew stated that adding permanent real estate signs to the sign ordinance and that would change the criteria for the sign plan.

Mr. Leonard replied that it would not change the criteria for the sign plan.

Commissioner Sison stated that the Planning Commission made recommendations to the City Council for changes to the sign ordinance and the City Council has directed staff to make a new sign category for permanent real estate signs. Commissioner Sison stated that he does not think the intent was for the Planning Commission to revisit the entire sign ordinance but rather limit it to the concern of the City Council.

Chairperson Lew asked whether it increases the amount of signage for each parcel or business.

Commissioner Sison stated that as far as the limits, it is just a category and it is not adding anymore signage.

Commissioner Sweeney stated this does add a new category of signage in addition to the other signage that they are permitted on site.

Ms. Evans stated that the way the ordinance is written there are different numbers and sizes allowed for each type of sign, so this would be in addition to building signs and freestanding sign calculations.

Kit Faubion, City Attorney, stated that this is a referral back from the City Council and there is a requirement under the Planning and Zoning law that when a zoning ordinance goes up to the City Council and they make any modifications that have not been reviewed by the Planning Commission, they are required to send it back to the Planning Commission, not the whole ordinance, just what has been changed.

Chairperson Lew asked what is the application process for a permanent real estate sign.

Mr. Leonard replied that if it is an existing building they would come in and apply for a permit under the guidelines that have been established and that would require that sign limitations and design criteria be met.

Chairperson Lew asked if they would have to submit a sign plan that indicates where the existing signs are and where they would install the permanent sign.

Mr. Leonard replied that we would administratively ask for that information so that we can be sure that the signs would not compete with each other, for example blocking another sign.

Commissioner Anderson made a motion to recommend to the City Council approval of Zoning Text Amendment AT-03-05, making findings 1 – 5, and adopt a resolution confirming this action.

Commissioner Sison seconded the motion.

Commissioner Sweeney stated that she cannot make finding #4 because she does not believe that this amendment is desirable to ensure the high quality appearance of the City's built environment, this adds to visual clutter, especially on sites where there is in fact no leasable space available because the sign is permanent. Commissioner Sweeney stated that she cannot make finding #5 because she believes that it could be materially injurious to properties or improvements in the vicinity for the very same reason.

AYES	2 (Anderson, Sison)
NOES	2 (Lew, Sweeney)
ABSENT	1 (Savage)
ABSTAIN	0

Chairperson Lew stated that the motion does not pass.

Commissioner Sweeney stated that a substitute recommendation needs to be made to go before the City Council.

Commissioner Sweeney suggested that we not agree with the City Council's recommendation for permanent signs and that we remove permanent signs from the ordinance and we limit temporary signs to a total of 32 square feet and 3 feet in height, which is what the permanent signs would be, in order to reduce what the City Council perceives as obnoxious large signs. Commissioner Sweeney stated that those signs be permitted instead of for 60 days, with one extension, be permitted for 90 days with the possibility of two extensions.

Commissioner Anderson asked if her objection is having a lease sign up when there is no space available.

Commissioner Sweeney stated that she objects to the addition of a sign on a permanent basis in addition to our other sign ordinance requirements. Commissioner Sweeney stated that our other sign ordinance requirements already provide each property with extensive signage.

Commissioner Anderson asked if it is a real estate sign that has to be used more than twice in a year how would you handle it with the new ordinance?

Commissioner Sweeney replied that they could apply. Commissioner Sweeney stated that they have 90 days and could apply for two extensions.

Commissioner Anderson stated that it says once per cycle.

Commissioner Sweeney stated that is not what she is suggesting. Commissioner Sweeney stated that they can apply for possibly two extensions.

Commissioner Anderson stated that the ordinance says once a year and that would have to be changed.

Commissioner Sweeney stated that perhaps we should say that the sign should be down for a minimum of 90 days before it can be placed again to avoid taking it down for a week and then putting it back up. Commissioner Sweeney stated that she believes that is what the City Council thinks would happen.

Commissioner Anderson stated that he is worried that we are creating an ordinance that we cannot monitor or enforce and we haven't really solved anything.

Commissioner Sweeney stated that this ordinance as written has the same problem.

Commissioner Anderson asked if there is a way to make it better, because real estate is sometimes leased more than once in a year and the ordinance says you can't do that right now but it allows you to do it permanently and that is what you are objecting to.

Commissioner Anderson stated that he is looking for a way to accomplish what Commissioner Sweeney wants without creating a worse problem.

Commissioner Anderson stated that the motion as written was defeated and we are here to advise the City Council not make the rules, so if we could find a motion that we can all agree to that gives an alternative point of view, maybe not the answer, but something that says we would like an ordinance that accomplishes fill in the blank, then we can approve it and send that to the City Council.

Mr. Leonard suggested they recommend the "for lease" information be incorporated into the existing monument signs, thus there would be a line for leasing information and then a phone number and the information could be removed and replaced with other approved information if nothing is available for lease.

Commissioner Sweeney stated that she would be in favor of that because her main concern is the additional signs with permanent for lease information that she thinks will look terrible.

Ms. Evans stated that from an enforcement issue one of the troubles with having these for lease signs up temporarily is that it makes it difficult to know how long they have been up for when they don't come through the planning department to get approval. Ms. Evans stated that it is hard to make them have a high level of design and use the finishes that are compatible with the building and really blend in when they are only going to be up for 60 days. Ms. Evans stated that those are some of the issues that staff looked at when looking at temporary signs.

Commissioner Anderson asked if it would be possible to have signage that just has "For Lease" and a phone number.

Mr. Leonard stated that is what he suggested be incorporated in the monument signs. Mr. Leonard stated that the sign ordinance would have to be amended to allow that because currently phone numbers are not allowed on monument signs.

Commissioner Anderson asked for a prospective motion.

Mr. Leonard suggested that the Planning Commission recommend to the City Council an approach that includes incorporating leasing information onto the existing monument signs and amend the sign ordinance appropriately to allow leasing information including phone numbers.

Commissioner Sweeney asked if they would leave in place the temporary signs that could be up to 64 square feet in size.

Mr. Leonard replied that it is part of the problem and he that needs to be very seriously addressed.

Commissioner Anderson suggested using Mr. Leonard's motion but include the phrase instead of what is being recommended we proposed that the City Council come up with this new approach to replace the original suggested approach.

Commissioner Sweeney suggested we include language that reduces the temporary sign for lot frontages, 51 feet and over at 64 square feet. Commissioner Sweeney feels that limiting the sign size for all temporary signs to 32 square feet is appropriate.

Commissioner Anderson stated that he believes that signs are designed to take into account how far away someone is and how fast the traffic is going.

Commissioner Sweeney stated that is not the basis on which we are allowing them the size of the sign.

Commissioner Sweeney amended her motion to recommend to the City Council along the lines that Mr. Leonard has outlined about incorporating the leasing information phone number as part of the monument sign and eliminating all temporary real estate signs over 32 square feet.

Commissioner Anderson seconded

AYES	4 (Anderson, Lew, Sison, Sweeney)
NOES	0
ABSENT	1 (Savage)
ABSTAIN	0

Chairperson Lew called for a recess.

Chairperson Lew called the meeting to order.

- 3. UNION CITY INTERMODAL STATION PASSENGER RAIL PROJECT AND FINAL EIR**; a public hearing to consider the following recommendations to the City Council 1) Certification of the Union City Intermodal Station Passenger Rail EIR; 2) Approval of the Intermodal Station Passenger Rail Project; and 3) Direction to staff to seek funding for implementation of the project and to apply to the Capital Corridor Joint Powers Authority for a passenger rail stop at the Union City BART station.

Joan Malloy, Planning Manager, presented the staff report.

Karl Schaarschmidt, EarthTech, stated that they have addressed segmentation and the layover yard and it is discussed in the cumulative section of the EIR. Mr. Schaarschmidt discussed other changes that were made in response to comments received during the draft EIR period.

Bill Kasson, Jones and Stokes, summarized the significant impacts and the mitigation measures that were identified in the Draft and Partially Revised EIR's. Mr. Kasson stated that in Chapter 5 of the Final EIR there is a revised list of all the impacts and mitigation measures and levels of significance.

Commissioner Sweeney asked will the future Dumbarton Rail Corridor EIR include the information that was used to make the decision about where the layover facility will be located for this EIR.

Ms. Malloy replied that Dumbarton Rail will have a more detailed analysis specifically related to the yards. Ms. Malloy stated that it will include type of lighting, type of electrical demand, etc. Ms. Malloy stated that they will incorporate as much information as appropriate from this EIR as well.

Commissioner Sweeney stated that she was pleased to see the change that was made from the local lead agency, changing the wording to the agency responsible for construction, because that was something that had troubled her when she read the Draft EIR that the lead agency might not be the agency completing the indicated mitigations.

Chairperson Lew opened the public hearing.

Tim Pitsker, Fremont, CA, asked the Planning Commission to continue this issue for another month due to a couple of new issues that he does not feel are adequately addressed. Mr. Pitsker stated that there is no mitigation for the second track and noise made by trains transferring from one track to another. Mr. Pitsker stated the noise analysis is just for the Capital Corridor trains and does not include BART trains or Dumbarton Rail trains and he wants a noise analysis of all trains at the same time. Mr. Pitsker stated that there is no mitigation for the loss of scenic vistas around Quarry Lakes, Alameda Creek, Shinn pond and Rancho Arroyo Park. Mr. Pitsker stated that there are many issues still outstanding and a judge might be willing to seriously look at other alternatives. Mr. Pitsker stated he believes that there was a deal or agreement made between Union City and Capital Corridor train and Union Pacific to put all of the passenger trains on the Oakland tracks and all of the freight trains on the Niles tracks. Mr. Pitsker stated that if this is true then there should be a new EIR to cover all of these issues.

Jim Allison, Capital Corridor Joint Powers Authority, commended staff and those who have worked on this EIR for their good work. Mr. Allison stated that Capital Corridor is excited about serving this station. Mr. Allison believes that the EIR does a good job of dealing with all of the comments and issues raised during the process.

Commissioner Sweeney asked if there is a secret deal.

Mr. Allison stated that he is not aware of any secret deals but he believes that the other speaker was referring to a way for freight rail and passenger rail may be able to interact in the future with respect to the Capital Corridor project and freight rail serving this station and then with the proposed Dumbarton rail service. Mr. Allison stated that if the Dumbarton rail plan proceeds with a connection at Niles junction which provides for a turn towards the Altamont pass region from the Niles subdivision that would allow freight trains to make that turn and alleviate the need for freight trains to come through the City of Fremont on their approach to the Altamont corridor. Mr. Allison stated that this would reduce freight traffic in Fremont neighborhoods.

Ms. Malloy stated that for the record Union City has had no discussions with Union Pacific railroad regarding any changes, negotiations, or modifications. UPRR had commented on the EIR and responses to the comments were included in the EIR.

Maria Ponchin, Fremont, CA, stated her concerns about how completion of this project will affect her family's quality of life, well-being and home value. Mrs. Ponchin asked that Union City reserve funds for the project remediation actions. Mrs. Ponchin asked that Union City build new, thicker sound walls for the Riverwalk and Benchmark neighborhoods, plant more trees and shrubs at the terminus of Riverwalk drive and upgrade BART tracks near the terminus of Riverwalk Drive and the UPRR tracks for the half mile stretch along the Centerville line along Riverwalk Drive. Mrs. Ponchin asked if there will be one or two tracks along the Centerville line near Riverwalk drive and will these tracks be laid north of the Centerville line, closer to the Riverwalk neighborhood or south of the line closer to the Benchmark neighborhood.

Mr. Schaarschmidt replied that we are proposing to add one track to the north and the Union Pacific has plans in the future to add a new track to the south so that eventually there will be four tracks there.

Walt Sonnichsen, BART, stated that he supports the project personally and professionally. Mr. Sonnichsen stated that this project incorporates all the qualities of mass transportation and that it will be a world class facility.

Chairperson Lew closed the public hearing.

Chairperson Lew asked staff if they are required to integrate all of the factors into one EIR.

Kit Faubion, City Attorney, stated that the EIR describes the existing conditions, which is the baseline against which the changes are measured. Ms. Faubion stated that the City does not have control over the freight lines, so within their right-of-way they can do what they want to without any notification to anyone. Ms. Faubion stated that the EIR describes the project and the project for the purposes of the City is Option 2. Ms. Faubion stated that we are not required to analyze all of that because it is not proposed at this time and the City doesn't have any control over it.

Commissioner Anderson made a motion to recommend to the City Council to certify the Intermodal Passenger Rail EIR and adopt Option 2 and make a finding that the project is consistent with the General Plan, direct staff to seek funding for project implementation and prepare an application to the Capitol Corridor Joint Powers Authority Board for a passenger rail stop at the Union City BART station and adopt a resolution confirming this action.

Commissioner Sweeney seconded the motion.

AYES	4 (Anderson, Lew, Sison, Sweeney)
NOES	0
ABSENT	1 (Savage)
ABSTAIN	0

VI. SUPPLEMENTAL STAFF REPORTS:

A. CONTINUED REPORTS: None.

B. NEW REPORTS:

- 1. GREEN BUILDING AND LANDSCAPING STUDY SESSION, CITY OF UNION CITY;** This is a study session to review a proposed General Plan Amendment for environmental sustainability and a proposed Policy Statement encouraging green private development.

Janice Lum, Assistant Planner, presented the staff report.

VII. REDEVELOPMENT AND ECONOMIC DEVELOPMENT REPORTS: None

VIII. COMMISSION MATTERS:

- A. Follow-up on Planning Commission referrals to the City Council.
- B. Upcoming applications for the Regular Planning Commission meeting of March 2, 2006.

IX. GOOD OF THE ORDER:

Commissioner Sweeney held up her copy of the Final EIR and stated that it is a shame that environmental legislation requires so much environmental degradation.

Commissioner Sweeney asked for the status of the EIR for Avalon Bay.

Ms. Lum stated that the public review period began on February 13th and will close on March 29th. Ms. Lum stated that there will be a public hearing at the Planning Commission on March 16th.

Commissioner Sweeney asked what is the status for the Suncoast development on Dyer Street at Meteor Drive.

Mr. Leonard replied that they are seeking financial partners in order to proceed.

Commissioner Sweeney asked what is happening with Route 84.

Mr. Leonard replied that we are in the process of preparing an agreement with the City of Fremont and ACTA to implement Option 2, which is Route 84 from Mission Boulevard to Paseo Padre Parkway with some other improvements along Paseo and Decoto Road.

X. ADJOURNMENT: 9:00 pm.

APPROVED:

JO ANN LEW, CHAIRPERSON

ATTEST:

MARK LEONARD, SECRETARY