

**CITY OF UNION CITY
MINUTES FOR THE REGULAR PLANNING COMMISSION MEETING
OF AUGUST 16, 2007, 7:00 P.M.
IN THE COUNCIL CHAMBERS OF CITY HALL
34009 ALVARADO-NILES ROAD, UNION CITY, CALIFORNIA**

I. ROLL CALL: Commissioners Anderson, Lew, Saini, Singh, and Chairperson Sweeney

STAFF: Joan Malloy (Planning Manager); Janice Lum (Assistant Planner); Farooq Azim (Principal Civil Engineer); Michael Rodriquez (City Attorney); Kris Fitzgerald (Administrative Assistant).

II. APPROVAL OF MINUTES: The regular Planning Commission Minutes of July 19, 2007 were approved as submitted.

III. ORAL COMMUNICATIONS: None.

IV. WRITTEN COMMUNICATIONS: None.

V. PUBLIC HEARINGS:

A. CONTINUED HEARINGS: None.

B. NEW HEARINGS:

- 1. SAUL LOZA, MARSTEN AVENUE/UNION CITY BOULEVARD, Variance V-01-07 and Administrative Site Development Review ASD-11-07; the applicant is requesting approval of Administrative Site Development Review, ASD-11-07 and Variance, V-01-07, to construct a new two-story, 3,489 square foot single-family residence. The Variance is requested to reduce the required interior side yard setback from 10 feet to 5 feet 6 inches and to place a fence along the Union City Boulevard property line, where a 10 foot setback is required. The project site is a vacant lot located at the corner of Union City Boulevard and Marsten Avenue (APN: 482-0030-020-03). This project is considered categorically exempt per Section 15303, Class 3(a), New Construction, of the California Environmental Quality Act (CEQA) Guidelines.**

Janice Lum, Assistant Planner, presented the staff report.

Commissioner Singh asked if there is going to be a fence along the Marsten Avenue frontage and what kind of fence will it be.

Ms. Lum replied that there will be a six foot high fence along the property line and return back to the house.

Commissioner Singh asked if it will be a fence or wall on the Union City Boulevard frontage.

Ms. Lum replied that it will be a wooden fence.

Commissioner Singh asked if the curb at the corner of Union City Boulevard and Marsten Avenue will be painted red. Commissioner Singh expressed his concern that the street is very narrow at that point.

Farooq Azim, Principle Civil Engineer, replied that there is a handicap ramp and no one should be parking there.

Commissioner Singh noted that there are cars parked there now and stated that the curb should be painted red as you turn into Marsten Avenue.

Mr. Azim replied that Public Works will consider it.

Commissioner Singh noted that he saw only a couple of houses along Marsten Avenue that had a low brick fence on the frontage and he thought it would be a good idea for the new house.

Ms. Lum clarified that he is talking about the area in front of the garage.

Commissioner Singh replied yes.

Joan Malloy, Planning Manager, stated that there will be no fence in the front yard of this house. Ms. Malloy stated that the good neighbor fence along Marsten Avenue will stop behind the garage.

Commissioner Singh stated that he thought a low fence in front similar to the neighbors would be a good idea.

Commissioner Anderson asked what was the size of the property when it was sold to the applicant.

Ms. Malloy replied that it was sold as is.

Commissioner Anderson stated that it doesn't fit the RS 6000 area and it is zoned RS 6000 and asked why the City did not rezone it.

Ms. Malloy replied that it was a remnant property located in the RS 6000 district and there are several properties in this general area that are not 6,000 square feet in size because it is an older historic area that doesn't quite meet the typical RS 6000 standards.

Commissioner Anderson stated that then there needs to be a Variance application because the zoning code states "that no residential use shall be established or maintained after this code is put into place". Commissioner Anderson stated that this lot is less than 6,000 square feet and does not meet the code.

Mike Rodriquez, Assistant City Attorney, stated that it is an existing lot and when the code was passed it would allow for development of a residence on the lot as long as it meets the other standards.

Commissioner Anderson referred to the code and asked how this lot could meet the requirements.

Mr. Rodriquez stated that the lot was recorded prior to the passing of the code.

Commissioner Anderson asked where is the requirement for an irrigation plan.

Ms. Lum replied that condition #10 covered that requirement.

Commissioner Anderson referred to condition #22 and asked why the statement "subject to revocation" is included since it is true of all the conditions.

Ms. Malloy replied that it can be removed from the condition.

Chairperson Sweeney asked if it is true that the other conditions do not include legal action.

Ms. Malloy stated that it is typical of Use Permits but this is a standard condition used for code enforcement during building of the project and if legal action is taken there would be a way to recoup costs.

Commissioner Anderson asked if the statement should remain in the condition.

Ms. Malloy replied that if the City were required to take code enforcement action we could fine the property owner under current conditions.

Commissioner Lew stated her concerns about the proposed fence on the Union City Boulevard side.

Commissioner Lew asked if the property north of the applicant's property is a vacant lot.

Ms. Malloy replied that it is occupied by a newer home that was built in the last few years. Ms. Malloy stated that their fence extends to the property line because that is their rear of their property. Ms. Malloy stated that it is a rare situation where the rear property line abuts a roadway.

Commissioner Lew asked if that particular property owner got a Variance to build the fence all the way up to the property line on Union City Boulevard.

Ms. Malloy replied that she would have to review the file but because it is a rear property line, it would not typically need a Variance.

Commissioner Lew asked if it is one property.

Ms. Malloy stated that they are two separate lots.

Commissioner Lew asked if the fence was existing or was it built with City approval.

Ms. Malloy stated that the fence most likely was built when the home was constructed.

Commissioner Lew stated that she has a problem with putting a side yard fence along Union City Boulevard on the property line. Commissioner Lew stated that at a minimum, for aesthetic purposes, it should be setback and have landscaping in front to soften the appearance of the fence. Commissioner Lew stated that a fence needs to be there for privacy purposes. Commissioner Lew stated that having it meet up with an existing fence is not sufficient reason to grant a Variance.

Commissioner Lew asked where the utilities were located.

Ms. Lum pointed out the location on the attachment.

Ms. Malloy stated that the fence would be behind the back of the sidewalk and the utilities, so there should be no conflict between the proposed location of the fence on the property line and the utilities. Ms. Malloy stated that if the Commission would like to make an alternative recommendation to the fence location that would be appropriate.

Commissioner Lew stated that the size of the home is fairly large considering the size of the lot and it really isn't necessary to build a home that takes up that much space if you are limited by other constraints, such as compliance with the code for fencing.

Chairperson Sweeney noted that one of the pictures showed the fence on the adjacent property as being located right behind the sidewalk.

Ms. Malloy stated that she believes the picture is misleading.

Chairperson Sweeney asked if the property line is located nine and a half feet from the back of the walk.

Ms. Malloy replied yes.

Chairperson Sweeney clarified that that the fence is not all the way to the sidewalk; there is a considerable easement that they do not own.

Ms. Malloy stated that based upon the exhibit that is correct.

Chairperson Sweeney asked who will be maintaining the nine and a half foot area.

Ms. Malloy stated that it is in the City right of way but traditionally residential properties that have right of way become the responsibility of the property owner.

Chairperson Sweeney asked if we have any right to ask them to maintain landscaping in that strip because it is not part of their property.

Ms. Malloy stated that it is quite common especially where there are rights of way in the front yards or the side yards that are the responsibility of the homeowners.

Chairperson Sweeney noted that it has not been included in the conditions of approval.

Ms. Malloy stated that it has not been called out specifically.

Commissioner Saini noted that it does not appear that the neighbor's fence is nine and a half feet back from the sidewalk.

Chairperson Sweeney stated that it looks like the neighbors fence has been built right to the back of the sidewalk but that is not what is proposed for this application.

Commissioner Lew asked whose property is the utility easement on.

Mr. Azim stated that looking at the property to the north, the fence as shown on this exhibit, is ten feet from the face of curb, which is the City standard for placement of fences.

Chairperson Sweeney stated that it is also at the back of the sidewalk.

Mr. Azim stated that is correct.

Mr. Azim stated that if you follow that line, then you are ten feet from the face of the curb; however, if the property line is drawn incorrectly then the fence location would be incorrect. Mr. Azim stated that the utility vault should be out in the public right of way.

Commissioner Lew stated that the area needs to be maintained and landscaped so that there aren't any accidents there. Commissioner Lew stated that if it is going to be maintained by the homeowner then it needs to be in the conditions of approval. Commissioner Lew stated that if the City agrees to maintain it, then there needs to be something here to deal with the utilities sitting out there.

Mr. Azim replied that typically everything on the public side would be the City's responsibility to maintain, so the applicant would not be asked to go on the Union City Boulevard side and maintain that area.

Commissioner Lew asked if the City was going to landscape up to the property line.

Mr. Azim stated that he didn't know about landscaping but City crews would mow the lawn.

Commissioner Lew asked if the fence would extend to where the utilities are.

Commissioner Lew stated that it would be possible that there will be a lawn adjacent to the utilities and asked what would be on the City side.

Mr. Azim stated that with regards to the maintenance of landscaping, typically for a house you would have a five foot wide sidewalk and the public right of way extends another five feet, so when the homeowners mow the lawn they generally do the entire lawn and so in essence they maintain the public rights of way. Mr. Azim stated in a similar fashion this could be looked at from the same point of view or if it is seen as a side yard issue, then the City crews can do it. Mr. Azim stated that in his neighborhood he has seen City crews maintaining those types of side yards.

Commissioner Saini referred to condition #10 and asked for clarification for landscaping and irrigation along the Union City Boulevard frontage.

Commissioner Lew stated that it would be within their property line.

Commissioner Saini stated that he does not think that the attachment provided is accurate because the attachment says that the property line will be nine and a half feet from the curb. Commissioner Saini stated that he thinks it is incorrect.

Chairperson Sweeney stated that is the question, "where is the actual property line?" Chairperson Sweeney asked if the attachment is correct because if so then why would the City grant them the right to enclose property which is not theirs within the fence. Chairperson Sweeney asked if that property would have to be abandoned by the City in order to permit that.

Ms. Malloy stated that based upon the site plan, they are showing the fence on their property line based upon Exhibit A.

Chairperson Sweeney asked where is the property line.

Ms. Malloy stated that based upon the survey it would be nine and a half feet.

Chairperson Sweeney clarified that it does not in fact align with the neighbor's fence but would attach and there would be the issue of who maintains the landscaping outside of their property.

Chairperson Sweeney stated that she presumes that the attachment shows the correct lot designation and that they cannot fence outside of that.

Commissioner Saini asked what is the speed limit on Union City Boulevard.

Mr. Azim replied it is probably 35 mph in that area.

Commissioner Saini stated his concerns that if the curb is not painted red then people will be making a very fast right turn and it could be dangerous. Commissioner Saini noted that in his neighborhood people park in front of those handicap accesses because they are not painted red. Commissioner Saini stated that this curb should be painted red either by the City or the applicant.

Commissioner Saini stated that the red line should extend further south on Union City Boulevard because it will create a blind spot so when the applicant is trying to back out of the garage he would not be able to see around a car parked there.

Commissioner Singh stated that most people are going much faster on Union City Boulevard.

Commissioner Saini stated that he is still not clear on the fence issue and is concerned that the fence does not align with the neighbor's fence and it will look strange.

Ms. Malloy replied that we don't have the information on the property lines on the adjacent lot.

Commissioner Saini asked if the issue could be cleared up before the commission moves ahead on the project.

Commissioner Saini referred to the west side elevation and the two windows on that side and asked if there will be sufficient privacy for the neighbor should they be obscure.

Ms. Malloy replied that there are no conditions regarding that second story window which is an office window. Ms. Malloy stated that the neighboring property has a fairly large side yard.

Commissioner Saini asked why isn't the obscure glazing required here.

Commissioner Saini referred to condition #23 and asked if this only applies to the construction period or afterward.

Ms. Malloy stated that it would be for the life of the home.

Commissioner Saini asked why it is the applicant's responsibility and shouldn't the City be taking care of it.

Ms. Malloy replied not if it is on private property.

Commissioner Singh stated that while construction is occurring the applicant should be responsible because there is a graffiti truck that works for the City.

Chairperson Sweeney stated that she thinks it is every homeowner's responsibility to take care of their own property and that saying that it is the responsibility of the City to remove graffiti from private property is incorrect. Chairperson Sweeney stated that there are not enough City employees to take care of all the graffiti in the City.

Commissioner Singh stated that he understood that they will go on private property.

Chairperson Sweeney stated that is by request.

Ms. Malloy stated the City does have a graffiti truck and they do remove graffiti often times as a courtesy but it is the private property owner's responsibility and even as this condition notes the City has the right to charge back to the property owner the cost that it incurs in removing graffiti.

Commissioner Saini stated that since this condition is in the building section it is not clear that it is for the life of the property and not just during the construction phase. Commissioner Saini stated that it is just unfortunate that this house is on a main street and very vulnerable to being hit with graffiti.

Chairperson Sweeney asked what should be changed.

Commissioner Saini stated because it is in the building section it could be just for during the building phase.

Chairperson Sweeney stated that the condition is not worded in a limited manner.

Commissioner Saini stated that he agrees and but the other conditions in the building section pertain only to the building phase.

Chairperson Sweeney stated that the conditions that are limited in time state it in a manner that appears clear.

Commissioner Saini suggested changing it to add something that it is for the lifetime of the house.

Ms. Malloy asked if the condition should be relocated.

Commissioner Saini agreed.

Ms. Malloy suggested putting it in the planning department section.

Chairperson Sweeney thinks that it could stay, she referred to condition #22 and that refers to keeping the site litter and debris free.

Commissioner Saini noted that it says before and after building permit issuance.

Chairperson Sweeney asked if he wanted to add that phrase to the graffiti condition.

Commissioner Saini is agreeable to either moving the condition or adding the phrase.

Commissioner Lew asked if he means to change the wording of that condition for all future projects.

Ms. Malloy stated that additional wording can be added for clarification if the commission determines it is needed and appropriate.

Chairperson Sweeney stated that she thinks it is clear as stated and she doesn't think there is a problem with it but she will go with what the commission agrees to.

Commissioner Anderson stated that the appropriate thing to do is relocate the condition so that it doesn't appear in the building section but he does not think the language needs to be changed.

Mr. Rodriguez stated that he believes there is an existing code section that deals with graffiti removal from private property and that will apply to this property in any event. Mr. Rodriguez stated that the intent the language was here so that during the construction period in case there was any question the graffiti has to be removed by the property owner. Mr. Rodriguez stated that it could be left as is, since there hasn't been any history of problems, or you could add language that after the building period subject to all the rules policies, regulations concerning graffiti removal.

Commissioner Anderson asked if it would be appropriate to add the phrase "during construction" to this condition.

Chairperson Sweeney replied "no" because we want it to be ongoing that is the whole purpose of this condition is to be for the life of the property. Chairperson Sweeney stated that this is notification of existing City policies and ordinances regarding graffiti.

Commissioner Anderson asked why is it located in the building department section.

Commissioner Lew replied because that department is in charge of that and it is standard language.

Commissioner Saini asked if it could be moved to another section.

Ms. Malloy replied that it could be moved to the planning section.

Chairperson Sweeney asked whether the street address will be on Marsten Avenue or on Union City Boulevard.

Ms. Malloy replied that it will be on Marsten Avenue and assigned at the time of building permit issuance.

Chairperson Sweeney asked if it will be a street number that will be in line with the neighboring properties.

Ms. Malloy replied that it will be assigned by the Building and Fire Department. Ms. Malloy stated that they have a system for assigning numbers.

Chairperson Sweeney asked if we could request that the number assigned is in relation to the neighbors. Chairperson Sweeney stated that there is a problem in the City where new numbers are plopped into the center of an existing number stream with no particular relation to its neighbors.

Chairperson Sweeney referred to the setback on the side and asked what the importance was of it being 10% of the lot width.

Ms. Malloy stated that in RS 6000 districts it is 10 percent of the lot width which is usually a six foot side yard setback and actually the code reads that when you have unusually shaped lots it is 10 percent of the average lot width. Ms. Malloy stated that in this case with an average lot width of 54 feet it is about five feet six inches for the setback.

Chairperson Sweeney asked if wood siding was the City's preference.

Ms. Malloy stated that this area is adjacent to and near the Old Alvarado commercial district which has a preference for wood siding. Ms. Malloy stated that this is not a commercial building so the Old Alvarado

design guidelines don't really apply. Ms. Malloy stated that while the City requested wood siding the applicant preferred to go in another direction and demonstrated that there was a wide variety of architectural types in the area.

Chairperson Sweeney asked if obscure glass was really necessary in the small window on the west side overlooking the neighbor. Chairperson Sweeney stated that it does not directly overlook a neighbor's house. Chairperson Sweeney stated that she does not have a problem with putting clear glass in that window.

Commissioner Singh noted that the main entrance of the house will be facing Union City Boulevard and stated that the Fire Department generally requires the address to be on the main entrance and not on the garage.

Ms. Malloy stated that it would be a side yard entrance. Ms. Malloy stated that she believes that Building and Fire Departments would prefer to address it to Marsten Avenue.

Chairperson Sweeney stated that the walkway to the main entrance runs along the driveway.

Chairperson Sweeney opened the public hearing.

Chairperson Sweeney asked where the applicant is going to put the fence that runs along Union City Boulevard.

Saul Loza, 2599 Royal Ann Court., replied that for visual reasons it is better to match with the existing fences.

Chairperson Sweeney asked if he owned the adjoining property and where is the property line.

Mr. Loza replied that he was told that it is to the City sidewalk.

Chairperson Sweeney asked if the attachment is incorrect.

Mr. Loza stated when he bought the property he was told it went to the City sidewalk so you can construct to there.

Chairperson Sweeney asked if he was given a map that showed the property lines at the time he bought the property. Chairperson Sweeney stated that she is concerned that what the applicant was told about property lines is different from what is shown on the attachment.

Ms. Malloy stated that the map as shown has a 69 foot rear yard width to the property.

Chairperson Sweeney asked the applicant how large he believes his property to be.

Mr. Loza replied that he was told it is 69 feet. Mr. Loza stated that when he measured it from the existing fence on the neighbor it was nine and a half feet.

Chairperson Sweeney stated that it was all the way out to the sidewalk or a little bit back.

Chairperson Sweeney stated that it looks to her that if you build on your property line you're going to be nine and a half feet back from the edge of the sidewalk according to the attachment.

Ms. Malloy stated that we can verify this but it is a stamped and signed survey of the property.

Chairperson Sweeney asked why does the survey show 69 feet and why does the site plan that came from the architect show 63.14 feet.

Ms. Malloy stated that is correct and it is pointed out in the staff report that the 63 feet is incorrect.

Chairperson Sweeney clarified that the fence will be set back from the back of the sidewalk by nine and a half feet and normally we ask for a ten foot setback.

Ms. Lum stated from the property line.

Chairperson Sweeney clarified that in this case the property line is already setback nine and a half feet and we are asking for a six inch difference here.

Chairperson Sweeney stated that the big difference she sees here with where this fence is located and this whole thing of whether you need a Variance and the six inch is that she doesn't think he can build out to the sidewalk because he does not own that property.

Chairperson Sweeney asked if he would be willing to maintain the property so it is not covered with weeds, etc.

Mr. Loza stated that he is willing to put in the landscape and irrigation and maintain it.

Chairperson Sweeney asked if there is anything he could do to bring the aspect of wood siding into the construction to help tie your building to the other buildings in the neighborhood. Chairperson Sweeney noted that there are large areas on the house that are stucco with no relief, no trim, no window, no banding, etc.

Commissioner Saini noted that it is on the west side which does not face any of the street corners which is the same reason that the window does not need to be obscure glass. Commissioner Saini stated that the garage and the east side have beautiful elevations.

Chairperson Sweeney pointed out that the family room which sticks out toward the actual west side on the front of the house is also a windowless solid stucco wall the entire width.

Chairperson Sweeney asked him to take another look to see if there is something you can do to try to help blend your home with its surrounding because you've got some large very plain walls. Chairperson Sweeney stated that it doesn't impact whoever is living in the house but it does impact the neighbors for whom the large expanse of stucco is a source of heat and reflected light.

Mr. Loza replied that it will look nice.

Chairperson Sweeney noted that Commissioner Saini recommended putting obscure glass in the office window that overlooks the neighbor.

Mr. Loza replied that he was planning on using obscure glass for both the bathroom and the office.

Chairperson Sweeney noted that Commissioner Singh has suggested a low fence across the Marsten Avenue side and asked what the applicant thought of that.

Mr. Loza replied that he was going to run a three foot fence from the six foot fence all the way across.

Chairperson Sweeney stated that she thinks that is a good idea because he is on a busy street and it keeps people from cutting across the yard.

Chairperson Sweeney asked what the applicant thought of having a red curb at the corner.

Mr. Loza stated that is a good idea.

Chairperson Sweeney suggested making a change to condition #10 to include the easement area between the back of sidewalk and the property line.

Chairperson Sweeney read back the changes to the conditions of approval:

- Change condition #10 to include maintaining the landscaping in the easement area between the back of sidewalk and the property line.
- Change condition # 22 to remove the last sentence.
- Change condition # 23 by move it to planning department.
- Add a condition asking for up to a three foot fence along the front and side yard to the six foot fence on Union City Boulevard.
- Add a condition to paint the curb red at the corner Marsten Avenue and Union City Boulevard.
- Add a condition to use obscure glass in the second floor windows on the west side.

Commissioner Anderson asked if there is a rule about who can paint a curb red in Union City.

Mr. Azim replied that it should be the City.

Commissioner Anderson asked how we can make a condition for the applicant which the City has to do.

Ms. Malloy stated that this is a decision being made by the City in regards to the Site Development Review application and it is very common.

Chairperson Sweeney stated that after that then maintenance falls to the City.

Commissioner Lew asked how will the maintenance for the landscaped area in the right of way be enforced.

Ms. Malloy replied that it would run with the homeowner of the property.

Commissioner Lew was concerned that it was not being recorded.

Ms. Malloy replied that it is a condition of development of the property.

Commissioner Lew asked how the new owner will know that they are responsible for City property.

Ms. Malloy stated that the City Attorney says that if you want to be sure record it.

Mr. Rodriguez stated that it would be his recommendation.

Commissioner Lew asked why was that exception made when this property was sold, why wasn't the property sold up to the sidewalk.

Ms. Malloy believes that when the remnant property was established the property lines were set so that the utilities were set in the right of way.

Chairperson Sweeney stated that it was probably an issue of what we owned as right of way at the time the roadway was widened.

Commissioner Lew asked if the City still wants that property.

Mr. Azim replied that we want it because the utility vaults are there.

Commissioner Anderson made a motion to approve Variance V-01-07 and Administrative Site Development Review ASD-11-07, making findings 1 – 10, with amended conditions of approval and adopt a resolution confirming this action.

Commissioner Lew seconded.

AYES	5 (Anderson, Lew, Saini, Singh, Sweeney)
NOES	0
ABSTAIN	0
ABSENT	0

VI. SUPPLEMENTAL STAFF REPORTS:

A. CONTINUED REPORTS: None.

B. NEW REPORTS:

1. Green Action Team proposal.

Janice Lum, Assistant Planner, presented the staff report.

Commissioner Saini asked who is going to champion the team.

Ms. Lum replied that she thinks the planners are going to champion the team.

Ms. Malloy stated that we will be working closely with the City Manager's office.

Commissioner Saini asked if the City Manager's office will be responsible for making the final decisions.

Ms. Malloy replied that the City Manager's office has already begun several steps in terms of ICLEI and other efforts. Ms. Malloy stated that we are proposing to establish a coordinating team so that we would be more effective citywide.

Commissioner Saini asked if there is a time frame for the team or will it be an indefinite team.

Ms. Malloy replied indefinite at this point.

Commissioner Saini stated that there will be great projects to work on such as the Intermodal station project. Commissioner Saini stated that there will be a lot of construction going on there and asked if that project should be a special focus.

Commissioner Lew asked what are the scope and responsibilities' of the team. Commissioner Lew asked if they are limited to the City and the City's infrastructure.

Ms. Lum replied that the team would also work to develop outreach programs such as an "Energy Fair" or other projects.

Commissioner Lew asked for that concept to be placed as a bullet item for the team as part of the program.

Commissioner Lew suggested for future projects to look at the City infrastructure, look at alternative energy sources, communications, traffic management, and quality of life issues.

Commissioner Lew wants to see the team involved in public meetings and to tell the public what they are doing. Commissioner Lew asked how it will impact the citizens here and how it will impact the budget.

Commissioner Lew stated that greening a building is very expensive and will there be a return on investment.

Commissioner Lew stated that any time you form a team and give them goals you need to have an assessment program or management review process to make sure that goals are being met.

Commissioner Lew suggested having training and travel opportunities for the team members.

Commissioner Lew suggested having the team meet with other local governments to learn what they are doing.

Ms. Lum stated that meetings have already occurred with several southern Alameda County cities to learn what their programs are and to align green policies and goals.

Commissioner Lew stated that the new issue is "Global Warming" and she does not see it here as an issue and will the green team deal with global warming issues.

Ms. Lum stated that was one of the programs that we are working on with ICLEI through their milestone process to develop a local program to reduce greenhouse gas emissions. Ms. Lum stated that was one of the reasons why we realized we need this team so there is more coordination going on in terms of seeing how these programs will be implemented, which departments will be affected and what City practices will need to be changed.

Commissioner Lew stated that the focus seems to be on what the City does and not what the public does in their homes and businesses.

Commissioner Lew asked if the green action team is still primarily responsible for reporting back to the City Manager on what the City is doing and what the City's responsibility is.

Ms. Lum stated that the intent was to both focus on the City's internal practices and also educate ourselves to the point where we can create more educational opportunities for the public.

Commissioner Lew stated that the bigger issue is global warming and she doesn't want the team to ignore that.

Commissioner Lew would like the mission statement to be as broad as possible.

Commissioner Anderson asked how the green team will operate. Commissioner Anderson asked if they will develop their own budget, solicit funds from non-profit organizations, how will they be funded.

Ms. Malloy stated that at this time there is no budget established and she is not sure that a budget would be needed for an in-house team. Ms. Malloy stated that if it becomes necessary to establish a budget it would go through the City budget process.

Commissioner Anderson asked if the green team will be reporting regularly to the City Council.

Ms. Malloy replied that it could be the end result if there are specific programs or established that the council may want to consider funding but at this point it is merely establishing a green team so that we can begin to look at many of the items that have been identified here.

Commissioner Anderson asked who would the results be reported to.

Ms. Malloy stated that the City Council would be reported to.

Commissioner Anderson stated that they should report regularly to the City Council.

Ms. Lum stated that they have received direction to work on several projects and she feels that the purpose of the team is more to get communication going. Ms. Lum stated that we have many departments working on different projects at this time but there is a lot of overlap and we need to meet internally to coordinate our efforts.

Commissioner Singh asked how often will the green team meetings be held.

Ms. Malloy stated that calendar has not been established.

Commissioner Singh stated that he thinks that everything is at the City Manager's level now. Commissioner Singh stated that there should be a priority list.

Ms. Lum stated that they are aware of the priorities because they have received direction on all the projects that were listed in the report.

Commissioner Singh asked if they had looked at the green programs of the City of Berkeley or City of San Francisco.

Ms. Lum replied that their programs are not the same as what is being proposed here.

Commissioner Singh asked how long will it take to establish the green team.

Ms. Lum replied that they have already been meeting informally.

Commissioner Singh asked if they are reporting to the City Manager.

Ms. Malloy replied that all these programs that have been identified will be coordinated through the City Manager's office.

Chairperson Sweeney stated that this is a great idea and it is very Union City to say we don't need more staff we will just assign somebody some extra duties. Chairperson Sweeney stated that is the hallmark of everything that goes on in City Hall, is that somehow we will squeeze just a little effort in for something really worthwhile.

Chairperson Sweeney stated that she thinks this program is really worthwhile and that is the only reason she supports establishing yet another team. Chairperson Sweeney stated that coordination and communication will make the process a lot smoother.

Chairperson Sweeney suggested contacting the Silicon Valley Leadership Group as they are deeply involved in getting cities to do these things.

Chairperson Sweeney suggested that if the City is going to be putting solar panels on city buildings that they also offer businesses and private citizens the opportunity to also buy the panels at a group discount. Chairperson Sweeney suggested that there could be other energy saving programs that could be of benefit to the public.

Commissioner Saini suggested bringing in speakers from other cities that have developed these types of programs to learn from.

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 next Regular Planning Commission meeting for September 6, 2007.

IX. GOOD OF THE ORDER:

Commissioner Singh stated that the signal lights on Whipple Road between the railroad tracks and 6th Street need to be synchronized because they create a lot of backups between 7:00 a.m. and 9:00 a.m. and after 3:00 p. m.

Ms. Malloy stated that there is a League of California Cities conference on September 5 through 7 being held in Sacramento, California and several staff employees are attending.

Commissioner Saini inquired about the injured police officer.

Commissioner Saini asked who is responsible for the pond outside of the library.

Ms. Malloy stated that would be Public Works.

Commissioner Saini suggested it needed cleaning.

X. ADJOURNMENT: 8:45 p.m.

APPROVED:

CATHI SWEENEY, CHAIRPERSON

ATTEST:

MARK LEONARD, SECRETARY