

ORDINANCE NO. 2025-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UNION CITY AMENDING SECTION 2.20.040 “COMMISSIONER ATTENDANCE STANDARDS” AND SECTION 2.20.100 “ETHICS/AB 1234 TRAINING REQUIREMENTS” OF THE UNION CITY MUNICIPAL CODE RELATED TO COMMISSION STANDARDS

WHEREAS, the California Constitution, Article XI, Section 7, provides cities and counties with the authority to enact ordinances to protect the health, safety, welfare, and morals of their citizens; and

WHEREAS, the City has established multiple Boards, Commissions, and Committees (“Commissioners”); and

WHEREAS, the City Council establishes standards for Commissioners in Union City Municipal Code (“UCMC”) Chapter 2.20; and

WHEREAS, UCMC Chapter 2.20 is periodically reviewed to ensure that standards for Commissioners align with Council expectations; and

WHEREAS, the Legislation and Policy Committee (the “Committee”) considered potential revisions to UCMC Chapter 2.20 and recommends revisions to the City Council to align with best practices; and

WHEREAS, the City Council desires to amend UCMC Chapter 2.20 to reflect updated standards for Commissioners.

THE CITY COUNCIL OF THE CITY OF UNION CITY DOES ORDAIN AS FOLLOWS:

SECTION 1. Recitals. The above recitals (“Recitals”) are true and correct and incorporated herein by reference.

SECTION 2. CEQA. Approval of the amendments is exempt from further environmental review under the general rule in California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) that CEQA only applies to projects that have the potential for causing a significant effect on the environment. As a series of text amendments and additions, it can be seen with certainty that there is no possibility that the ordinance will have a significant effect on the environment.

SECTION 3. Municipal Code Amendments. Section 2.20.040 “Commission Attendance Standards” and Section 2.20.100 (“Ethics/AB 1234 Training Requirements”) of the Union City Municipal Code is hereby amended as follows (replacements in double underline; deletions in ~~strikethrough~~):

§ 2.20.040 Commissioner attendance standards.

...

- B. Should any Commissioner fail to attend three consecutive meetings without a valid excuse, or fail to attend at least seventy-five percent of all scheduled meetings in a calendar year ~~any twelve consecutive month period~~ without a valid excuse, his/her seat shall be considered vacated and an alternate shall be appointed by the Mayor to the vacated seat with the approval of the City Council.

§ 2.20.100 Ethics/AB 1234 and Other Training Requirements.

- A. Pursuant to the requirements of Assembly Bill 1234, as codified in Government Code Section 53234 et seq., Commissioners and alternates are required to complete the following training in general ethics principles and ethics laws:
1. Each Commissioner and alternate must complete at least two hours of training in general ethics principles and ethics laws relevant to his or her public service no later than one year from the first day of service as a Commissioner or alternate pursuant to subdivision (b) of Section 53235.1 of the Government Code.
 2. Each Commissioner and alternate must complete at least two hours of training in general ethics principles and ethics laws relevant to his or her public service every two years pursuant to subdivision (b) of Section 53235 of the Government Code.
- B. Pursuant to the requirements of Assembly Bill 1661, as codified in Government Code Section 53237 et seq., Commissioners and alternates are required to complete the following training in harassment prevention:
1. Each Commissioner and alternate must complete at least two hours of training in harassment prevention relevant to his or her public service no later than six months from the first day of service as a Commissioner or alternate pursuant to subdivision (b) of Section 53237.1 of the Government Code.
 2. Each Commissioner and alternate must complete at least two hours of training in harassment prevention relevant to his or her public service every two years pursuant to subdivision (b) of Section 53237.1 of the Government Code.
- C. Upon failure of a Commissioner or alternate to complete the training requirements of this section and submit proof of completion to the City Clerk within the timelines identified above, ~~his/her the Commissioner's~~ seat shall be automatically vacated and an alternate member nominated by the Mayor shall be appointed to the vacated seat with the approval of the City Council.
- ~~C-D.~~ Should an alternate member not be available to fill a vacancy created pursuant to this section, the Mayor shall appoint a replacement Commissioner in accordance with the board, commission, or committee's provisions for filling vacancies.
- ~~D~~ E. Commissioners or alternates that have vacated their position pursuant to this section shall not be eligible for reappointment to any City ~~the same~~ board, commission, or committee for a 24 month period from the date of vacating the position ~~during the unexpired portion of the vacated term and for one full term.~~

~~E-F~~. The City Clerk shall provide notice to all Commissioners and alternates no later than three months of the deadline for Commissioners and alternates to receive training pursuant to this section.

SECTION 4. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the Ordinance, including the application of such part or provision to other persons or circumstances shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this Ordinance are severable. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be held unconstitutional, invalid, or unenforceable.

SECTION 5. Publication and effective date. Within fifteen (15) days from and after adoption, this Ordinance shall be published once in a newspaper of general circulation printed and published in Alameda County and circulated in the City of Union City, in accordance with California Government Code Section 36933. This Ordinance shall take effect thirty (30) days after its adoption.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Union City at a regular meeting held on June 24, 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

GARY SINGH
Mayor

ATTESTED:

APPROVED AS TO FORM:

THAI NAM N. PHAM
City Clerk

KRISTOPHER J. KOKOTAYLO
City Attorney