



AGENDA

CITY OF UNION CITY/ SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY MEETING

CAROL DUTRA-VERNACI, Mayor
JEFF WANG, Vice Mayor (District 3)
GARY SINGH, Councilmember (District 1)
JAMIE PATIÑO Councilmember (District 2)
SCOTT SAKAKIHARA, Councilmember (District 4)

Tuesday, April 23, 2024
7:00 PM

City Hall- Council Chamber
34009 Alvarado-Niles Road
Union City, CA 94587

1. CALL TO ORDER

- 1.a. Pledge of Allegiance
- 1.b. Roll Call

2. UNFINISHED BUSINESS - None

3. PROCLAMATIONS AND PRESENTATIONS

- 3.a. Presentation Of Certificates Of Recognition To 2024 Recycling Poster Contest Winners

4. ORAL COMMUNICATIONS

An individual speaker shall have three minutes to address the Council on non-agenda items under the Oral Communications section of the agenda. The Chair may, in their discretion, lower the time limit to less than three minutes based on the number of speakers and/or business to be conducted by the City Council. Members of the public who wish to speak to the Council under the first Oral Communications section are requested to complete a

speaker card, giving their name and city of residence. If a speaker wants further notification from the City, the speaker may include a mailing address. Neither a speaker card or identification of name, city of residence or mailing address are required to provide public comment but are requested for record keeping purposes.

4.a. Written Public Comments

5. CONSENT CALENDAR

All matters listed on the Consent Calendar are considered routine in nature and will be enacted by one motion. If discussion is required on a specific item, it will be removed from the Consent Calendar and considered separately.

5.a. Waived Further Reading of Proposed Ordinance

(This permits reading the title only in lieu of reciting the entire text of any proposed Ordinance.)

Approve the Minutes Of The April 9, 2024 City Council Regular Meeting

5.b. Approve the Minutes Of The April 10, 2024 City Council Special Meeting

5.c. Adopt A Resolution Of The City Council Of The City Of Union City To Amend The City's Records Retention Schedule In Compliance With Senate Bill 16

5.d. Adopt A Resolution Of The City Council Of The City Of Union City Approving An Amendment To The Classification And Compensation Plan To Revise The City's Salary Schedule In Conformance With California Code Of Regulations, Title 2, Section 570.5

5.e. Adopt A Resolution Authorizing The City Manager To Execute The Third Amendment To Master Contract No. 901630 With Alameda County To Increase The Contract By \$114,413 For Providing Delinquency Prevention Services Through December 31, 2024, And To Amend The Fiscal Year 2023-2024 Youth Violence Prevention & Intervention Fund Budget

5.f. Adopt A Resolution Authorizing The City Manager To Execute The Third Amendment To The Consulting Services Agreement With Rail Surveyors And Engineers, Inc. (RSE), In The Amount Of \$250,000, For A Total Contract Amount Of \$425,000, To Provide Engineering Services For Railroad At-Crossing Safety Improvements For The BART Pedestrian At-Crossing Project, City Project No. 14-14

5.g. Adopt A Resolution To Approve The Allocation Of Community Development Block Grant (CDBG) Funds, In The Amount Of \$158,935, To The Old Alvarado/Cesar Chavez Park Improvement Project, City Project No. 21-13, To Cover The Reduced Funding Amount Received In Program Year 2022

That Had Been Anticipated For This Project, And Complete A Minor Amendment To Both The Program Year 2022 And The Program Year 2023 CDBG Annual Action Plan

- 5.h. Waive Further Reading And Adoption Of An Ordinance Approving A-24-001 To Update The Official Union City Zoning Map For Consistency With The 2040 General Plan
- 5.i. Waive Further Reading And Adopt An Ordinance To Amend Chapter 2.05 "Campaign Reporting Requirements" In The Union City Municipal Code For Enhanced Clarity And Transparency In Campaign Reporting

6. PUBLIC HEARINGS

- 6.a. Hold A Public Hearing And Continue To A Date Uncertain To Adopt A Resolution 1) Approving The 2024-2025 Community Development Block Grant (CDBG) Annual Action Plan and 2) Authorizing The City Manager To Submit The 2024-2025 CDBG Annual Action Plan To The U.S. Department Of Housing And Urban Development And To Execute All Documents Necessary To Secure And Award Funding For The City

7. CITY MANAGER REPORTS

- 7.a. Adopt a Resolution Authorizing the City Manager to Execute an Amendment to the Landfill, Compost, and Recycle Collection Services Franchise Agreements with Republic Services and Tri-City Community Recycling to Include Costs in the Contractor's Compensation and Rates in FY 2024-2025 that are Associated with New Agreements for Services From FY 2025-2026 Through FY 2034-2035 and Directing Staff to Finalize the New Agreements Providing an Additional Ten-Year Term of Services
- 7.b. Adopt A Resolution Approving The Issuance Of A Proposition 218 Notice And Scheduling A Public Hearing On The Proposed Increase Of Landfill, Compost, And Recycle Collection Service Rates For Fiscal Year 2024-2025

8. SUCCESSOR AGENCY TO REDEVELOPMENT AGENCY - None

9. AUTHORITIES AND AGENCIES - None

10. CITY COMMISSION / COMMITTEE REPORTS - None

11. ITEMS REFERRED BY COUNCIL

12. GOOD OF THE ORDER

13. CLOSED SESSION - None

14. ADJOURNMENT

MEETING INFORMATION

Unless otherwise provided, the City Council's regular meetings are held in person on the second and fourth Tuesday of each month at 7:00 p.m. inside the Council Chamber at City Hall, 34009 Alvarado-Niles Road, Union City CA 94587. The City continues to offer an opportunity to observe Council meetings via Zoom at: <https://unioncity-org.zoom.us/j/81719037355> Passcode: u8SH9cH^

Meetings are broadcast live through UCTV Channel 15 and via live stream at:
<https://unioncity.org/199/City-Meetings-Video>

Members of the public will not have the ability to provide comment via Zoom except under limited circumstances specified below. The ability to observe remotely as identified above is predicated on the technology being available and functioning without technical difficulties. Should the remote platform(s) not be available, or become non-functioning, or should the City Council otherwise encounter technical difficulties that makes the platform(s) unavailable, the City Council will proceed with the items of business in person unless otherwise prohibited by law.

Any writings or documents provided to a majority of City Council members relating to each item of business referred to on this agenda are available for review on the City's website at www.unioncity.org or during regular business hours in the Office of the City Clerk located at 34009 Alvarado-Niles Road, Union City CA 94587.

In Compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, you should contact the Office of the City Clerk at (510) 675-5448. Notification 36 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting. The City also provides closed captioning of all its Regular City Council Meetings for the hearing impair.

ADDRESSING THE CITY COUNCIL

In Person Public Comment: Members of the public may address the Council on a matter on the agenda or during the Public Input portion of the meeting. Members who wish to speak are requested to complete a speaker card, giving their name and city of residence. If a speaker wants further notification from the City, the speaker may include a mailing address. Neither a speaker card nor identification of name, city of residence or mailing address are required to provide public comment but are requested for record keeping purposes.

Written Comment: To provide written comment on an item on the agenda or to address the Council about an issue during Public Comment, you may send an email to cityclerk@unioncity.org. Please include the phrase "public comment" in the subject line and note the agenda item number that you want to address. Written comments will be e-mailed to the City Council and made publicly available.

Public Comment via Zoom: As indicated above, the public cannot address the Council via Zoom unless

the City is required to provide such opportunity pursuant to AB 2449. In the event that members of the public are allow to participate via Zoom pursuant to AB 2449, the Mayor will make an announcement at the beginning of the meeting. Raise your virtual hand to notify the host that you would like to speak during the item that you wish to speak on.

CITY COUNCIL NORMS AND GUIDELINES (Resolution No. 6129-23; Adopted May 23, 2023)

The City Council of the City of Union City comply with the following norms:

1. We conduct ourselves in a professional manner, treat everyone with respect, and act with high integrity, always putting the interests of the City of Union City ahead of self-interests in accordance with our code of ethics.
2. We respect the Council-Manager form of government, and do not interfere with the City Manager's role or any professional duties of City staff.
3. We recognize that matters of confidential nature are to be kept private and undisclosed.
4. We respect each other's opinions and are supportive of each other's work advocating for the City, and we ensure that all voices are heard. We do not criticize others for having a different point of view, and we agree to disagree respectfully.
5. We understand that the City Council acts as a body, all members are equal, and policy direction is only given by a majority vote of the City Council. Once a decision is made, all members of the City Council must respect the City Council's direction.
6. We will be prepared for City Council meetings and ask our questions of the City Manager in advance so we can avoid surprising City staff at meetings.
7. We do not criticize City staff publicly or to others and will refrain from directing them. Instead, we will take our concerns and questions privately to the City Manager.
8. We will govern on an at-large basis, although elected by districts. We will maintain a citywide perspective and consider the needs and interests of the entire community.
9. We will continue to allocate resources based on long-term strategic priorities and efforts, with consideration of citywide service levels and financial capacity.
10. We understand customer service is the priority and each member of the City Council will help constituents regardless of the district in which they reside or from which a Councilmember themselves is elected.
11. We recognize the significant importance of attendance and participation at City Council meetings in proceeding with City business. All members of the City Council should endeavor to miss no more than two regular meetings per calendar year absent extraordinary circumstances. Members of the City Council should, absent unforeseen circumstances, provide a minimum of sixty days' notice to the City Council of planned absences during the

Good of the Order or Items Referred by Council portion of the City Council agenda, as appropriate.

May these Council Norms be administered and enforced in the following manner:

1. Councilmembers have the primary responsibility to assure that ethical standards are understood and met by the Council, and that the public can continue to have full confidence in the integrity of government.
2. The Mayor and the Council have the responsibility to intervene when action of its members are in violation of Council Norms.
3. The City Council can review and revise the Council Norms as needed.
4. During City Council discussions, deliberations, and proceedings, the Mayor is designated with the primary responsibility to ensure that Councilmembers adhere to the Council Norms.

CERTIFICATION OF MEETING NOTICE AND AGENDA POSTING

This notice/agenda was posted at least 72 hours in advance of the meeting date, in accordance with the Ralph M. Brown Act, on the City's Website and on the bulletin board of City Hall.

April 23, 2024



2024 Union City Recycling Poster Contest

Uyen Mai, Sustainability Analyst

Celebrate Earth Day Every Day

- “Real change, enduring change, happens one step at a time.” – Ruth Bader Ginsburg
- When in doubt, find out! For waste reduction and recycling information and resources, visit: UnionCityRecycles.org.



Earth Day-Friendly Community Events



April 13, 2024

- E-Waste Recycling Drop-off Event
- Community Document Shred Event
- Studio 11: Recycling Poster Contest Exhibition & Spring Pop-up on the Promenade

April 14, 2024

- Compost Giveaway Event

April 27, 2024

- New Haven Day
- UCPD Drug Take-back Event



Union City Community Compost Hub Now Open!



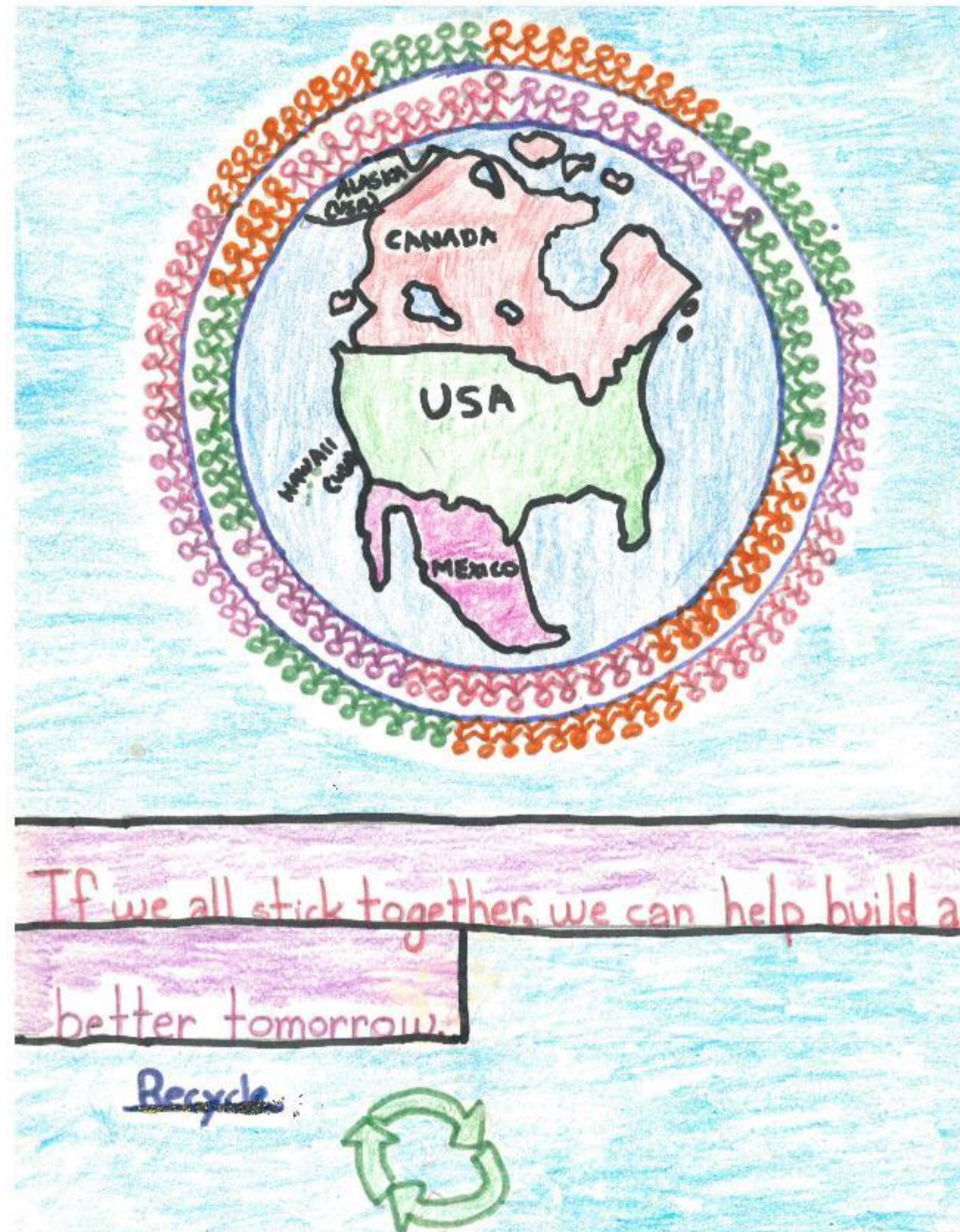
- Location: 35700 Alvarado-Niles Rd.
- Residents can obtain loose compost year-round at no additional cost.
- Bring your own container or bag and a shovel to this self-serve Compost Hub.
- Fill your container or bag and bring the compost home to start building healthy, climate-resilient soil.
- Learn more: UnionCity.org/Free-Compost.



2014 Recycling Poster Contest Artist Spotlight

Satvir Chana

Alvarado Elementary
(5th Grade)



2024 “Rethink Before You Toss” Recycling Poster Contest



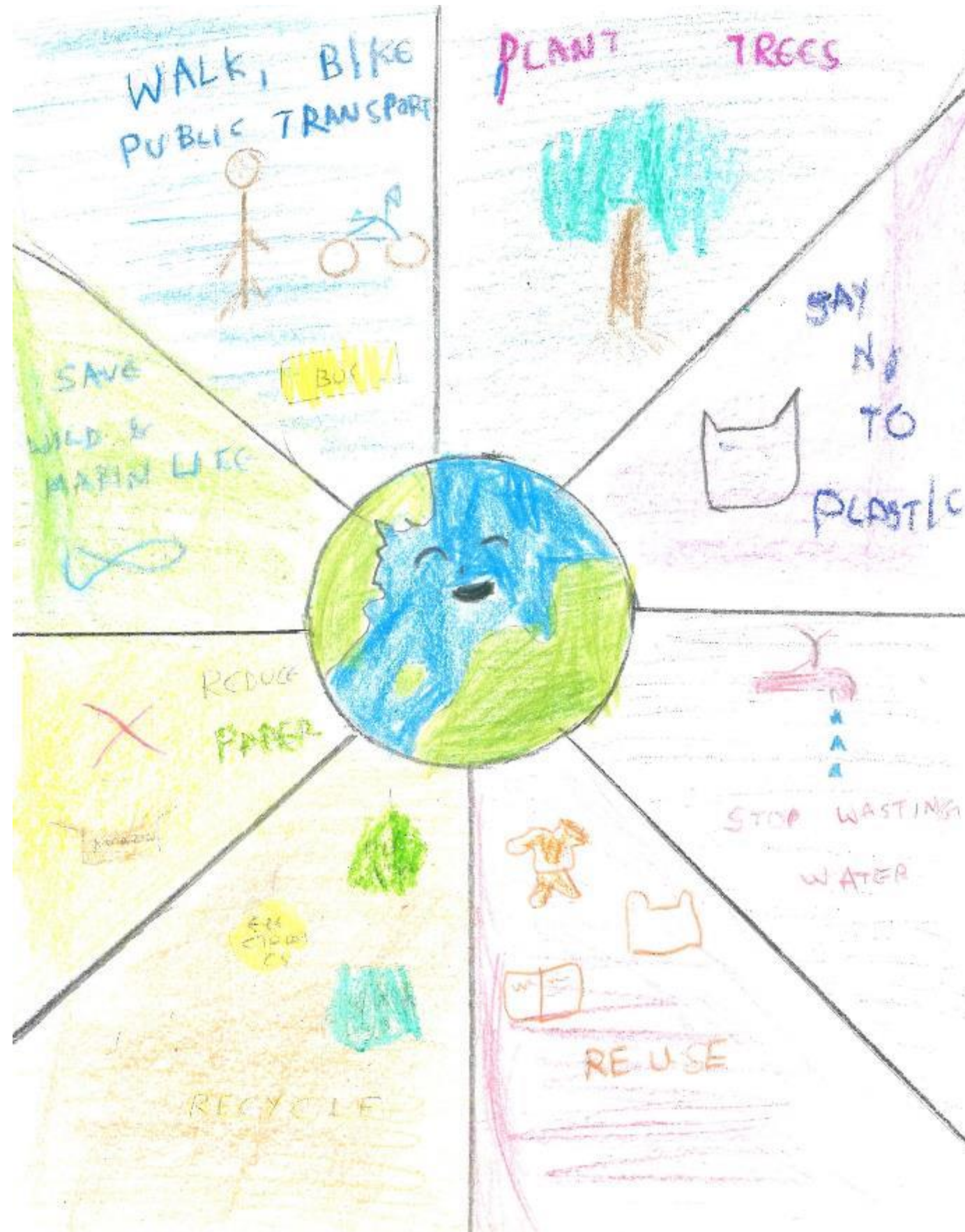
Grades K - 2 Winners



1ST PLACE WINNER

Reiya T.

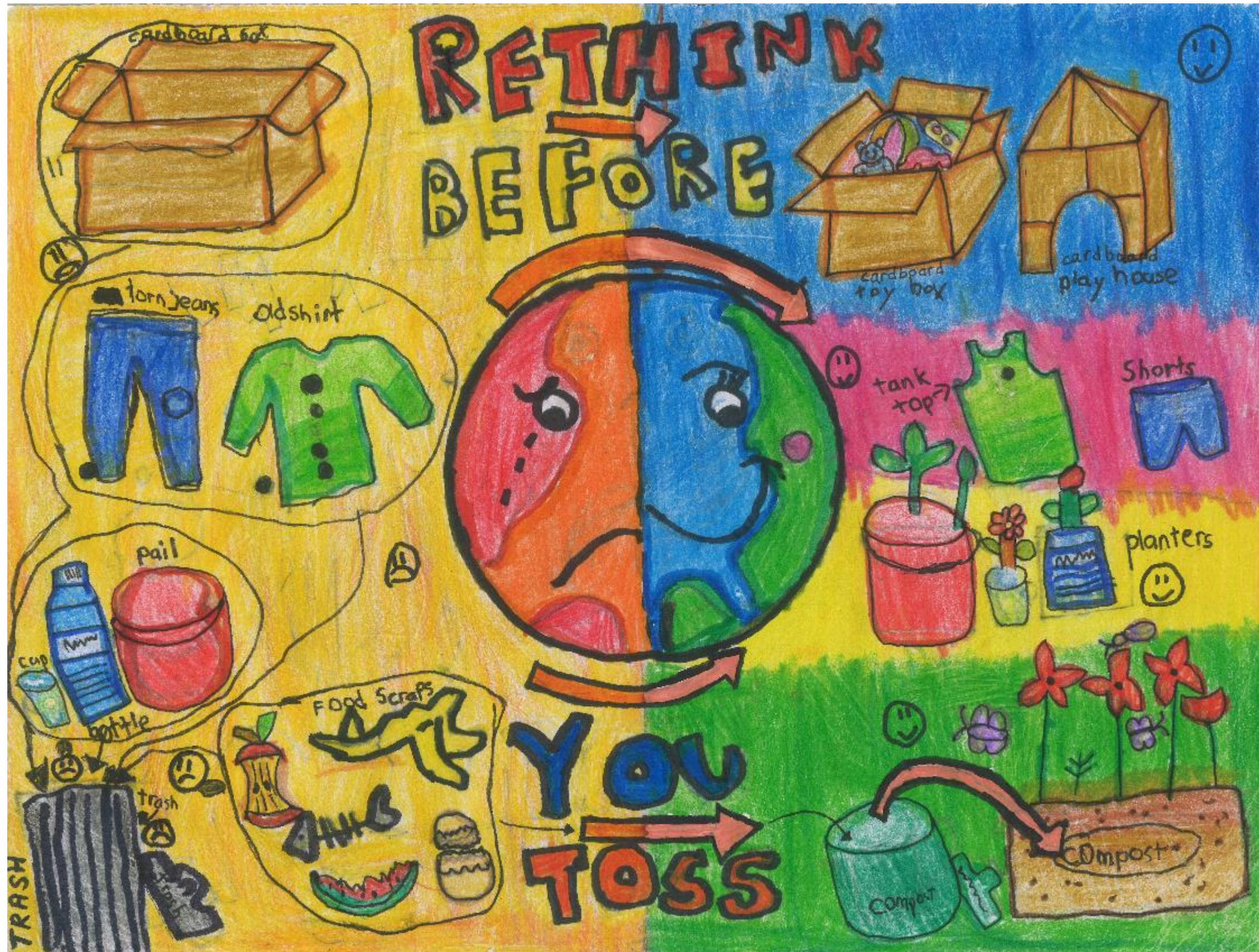
Guy Emanuele Elementary
(2nd Grade)



1ST PLACE WINNER

Samarth P.

Delaine Eastin Elementary
(1st Grade)



1ST PLACE WINNER

Vishvaa N.

Delaine Eastin Elementary
(1st Grade)



RUNNER UP WINNER

Ellie N.

Delaine Eastin Elementary
(1st Grade)



RUNNER UP WINNER

Solomon W.

BASIS Independent Fremont
(Kindergarten)

2024 “Rethink Before You Toss” Recycling Poster Contest



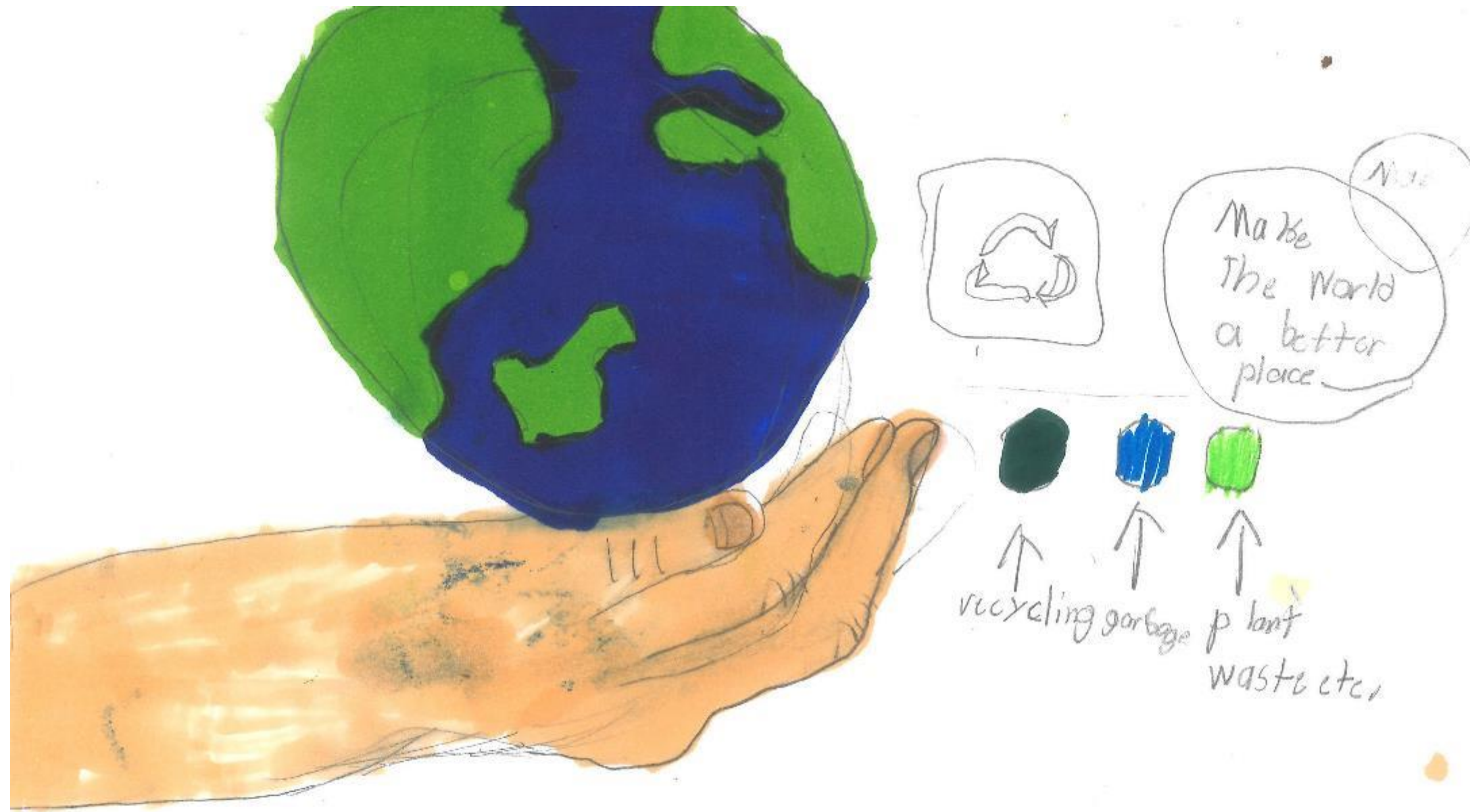
Grades 3 - 5 Winners



1ST PLACE WINNER

Kallie N.

Delaine Eastin Elementary
(4th Grade)



1ST PLACE WINNER

Kiet N.

**Delaine Eastin Elementary
(3rd Grade)**



RUNNER UP WINNER

Daisy L.

Alvarado Elementary
(3rd Grade)



RUNNER UP WINNER

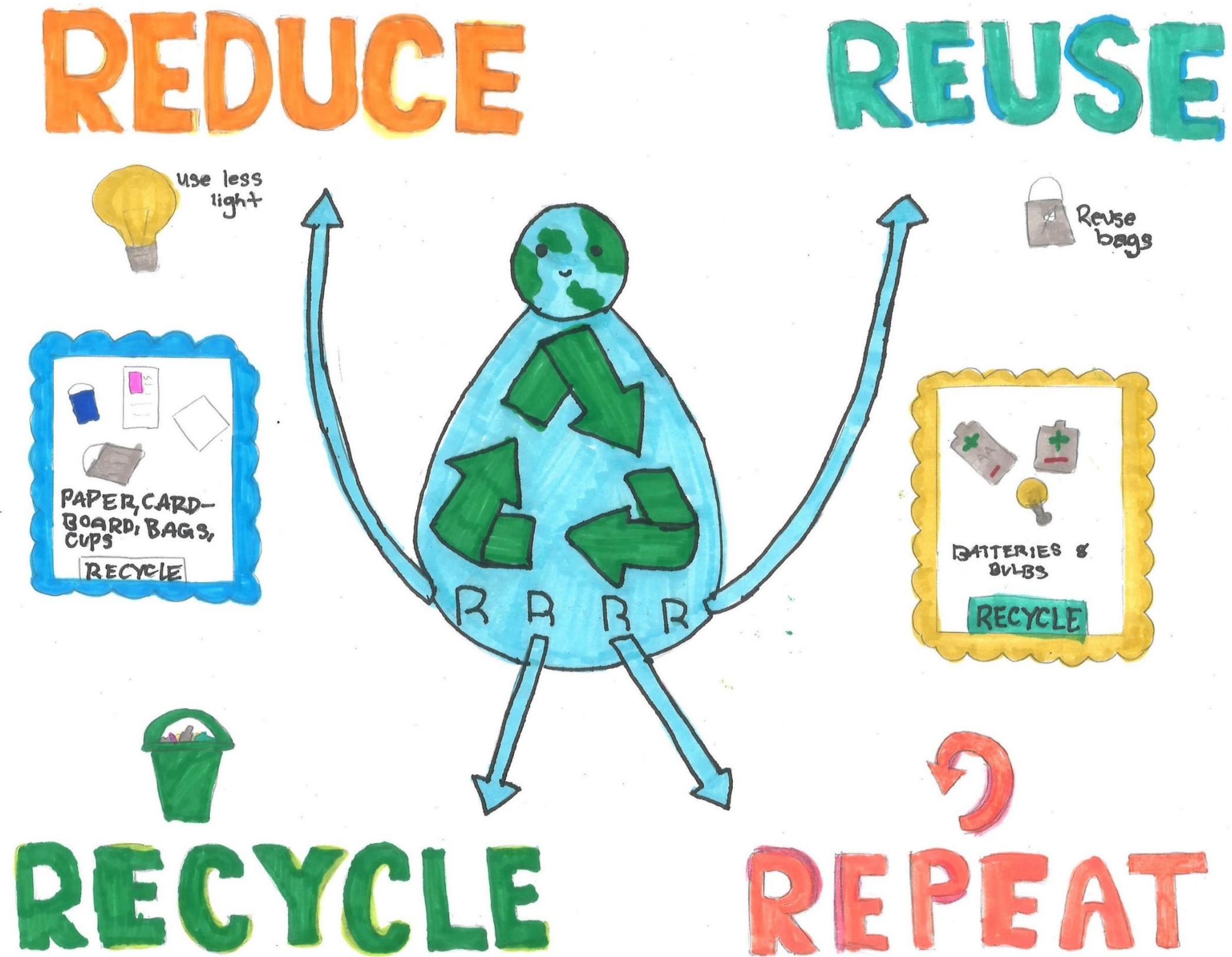
Olive N.

Delaine Eastin Elementary
(3rd Grade)

2024 “Rethink Before You Toss” Recycling Poster Contest



Grades 6 - 8 Winner



1ST PLACE WINNER

Jade N.

Itliong-Vera Cruz Elementary
(6th Grade)

Congratulations to Our 2024 Recycling Poster Contest Winners!





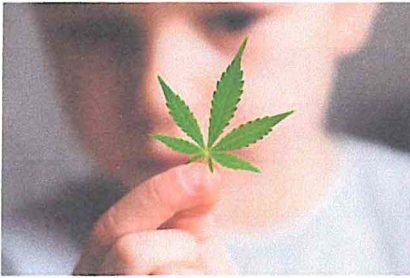
Agenda Item

ATTACHMENTS:

Description	Type
 Petition to Stop Embarc Recreational Cannabis Dispensary Opening	Attachment

Petition to Stop Embarc Recreational Cannabis Dispensary opening on Alvarado-Niles Road!

Embarc is attempting to open a recreational cannabis dispensary on **35194 Alvarado-Niles Road** directly across from the Purple Lotus Buddhist Temple and Quarry Lake Regional Recreation Area. It would also be near Montessori Learn and Play and not far from Logan High School.



Substantial concerns include: increase in crime to individuals, homes break-ins, and harm to our ability to attract other commercial and retail tenants, traffic volumes rising, loitering, crowding and lines, increased noise, littering, decreased home valuations, misdistribution of cannabis to our minors, reputational harm to the Union City, just to name a few.

The two, commercially located, cannabis dispensaries already opened in Union City have been the target of violent crime and robbery. Embarc has also been a target of crime, including a robbery at gunpoint at their Embarc Martinez location. A residential area in **NOT** an appropriate location for a cannabis dispensary.

We hereby ask the mayor and members of the Union City Council to say **"No"** to Embarc, or any other cannabis dispensary from opening in this area.

Petition to Oppose Embarc Cannabis Dispensary Proposed Alvarado-Niles Blvd. Location

Petition summary and background	Opposition to the Embarc cannabis dispensary on Alvarado Niles near Monte Vista Union City community, Purple Lotus Temple, Quarry Lakes, and local schools. Homeowners and residents are worried about devaluation of property, safety, and negative impact on youth and family due to the proposed cannabis establishment.
Action petitioned for	We, the undersigned, are concerned residents and citizens who strongly oppose a cannabis dispensary opening on the proposed Alvarado-Niles location and urge our leaders to act now to vote NO.

Printed Name	Signature	Address	Comment	Date
Barhin Bhatt			Strongly oppose it	04/05/24
LAURA STURM				4-5-24
Katie Huynh			strongly oppose it	4-5-24
CHICHI YAN			strongly oppose	4-5-24
Katie Tue			strongly oppose	4-5-24
R. K. Muthy			STRONGLY OPPOSE	4-5-24
Nalini			Strongly Oppose	4.5.24
Emily Nguyen			Strongly oppose	4/5/24
Nkechi Uzodigwe (Bridget)			strongly oppose	4/5/24
SHARAD PATEL			strongly oppose	4/5/24
SARDJ PATEL			strongly oppose	4/5/24
Yi Lee			strongly oppose	4/5/24
MOON LOO			strongly oppose	4/5/24
RAM WALVEKAR			strongly oppose	4/5/24
Chetana Walvekar			strongly oppose	4/5/24
Tom			Strongly oppose	4/5/24

Proposed Alvarado-Niles Blvd. Location

Petition summary and background	Opposition to the Embarc cannabis dispensary on Alvarado Niles near Monte Vista Union City community, Purple Lotus Temple, Quarry Lakes, and local schools. Homeowners and residents are worried about devaluation of property, safety, and negative impact on youth and family due to the proposed cannabis establishment.
Action petitioned for	We, the undersigned, are concerned residents and citizens who strongly oppose a cannabis dispensary opening on the proposed Alvarado-Niles location and urge our leaders to act now to vote NO.

Printed Name	Signature	Address	Comment	Date
Wei			Strongly oppose	4/5/24
Usama Jahn			stop it plz	4/6/24
BABU BHAI MAKHIYA				4/6/24
Karl Gudiel			Don't do that please	4/6/24
CHITRA JAYARAMAN			Strongly oppose	4/6/24
Simi Punchap			Oppose	4/6/24
Khairullah Khair			oppose	4/6/24
Sher, Sultani			oppose	4/6-24
NASHIN SUL			oppose	4/6-24
Clarissa Andrade			Strongly oppose!	4-6-24
Alapi Bhatt			Strong oppose	4/6/24
DALE ANDRADE			Strongly oppose	4/6/24
John Hooley II			Please No!	4/6/24
Ashrat Safi			oppose	4/6/24
Samir Walek			Strongly oppose	4/6/24
Ammar Khan			Strongly oppose	4/7/24
Zohra Razawi			oppose	4/7/24

Proposed Alvarado-Niles Blvd. Location

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Action petitioned for	We, the undersigned, are concerned residents and citizens who strongly oppose a cannabis dispensary opening on the proposed Alvarado-Niles location and urge our leaders to act now to vote NO.

Printed Name	Signature	Address	Comment	Date
Dongping GUO			Strongly oppose !! City, CA 94587	4/6/24
Dennis Fernan			Strongly opposed to cannabis store	4/6/24
Wilson Talangan			Strongly opposed!	4/7/24
MARIQUINE TALANGA			Strongly opposed! DO NOT OPEN IN THIS area!	4/7/2024
NANCY FERNA			STRONGLY OPPOSED!	4/7/2024
Gaziz Tazhev			oppose	4/7/2024
TAO ZENG			strongly opposed	4/7/2024
Aray Sultanbekova			strongly oppose!	4/7/2024
Thien-Thu Phan			strongly opposed!	4/12/2024
Xunzhi Sun			Strongly opposed!	4/12/2024
Eugene Hatcher			Strongly opposed	4/12/2024
ANGELA KAO			oppose	4/12/2024
ChingChang Hu			strongly opposed	4/12/2024
JEFF HOLLAND			strongly oppose	4/12/24
Mai Trinh			strongly oppose	4/12/24
Hui Strand				4/12/24
Noe Lee			strongly oppose	4/12/24

Petition to Oppose Embarc Cannabis Dispensary Proposed Alvarado-Niles Blvd. Location

Petition summary and background	Opposition to the Embarc cannabis dispensary on Alvarado Niles near Monte Vista Union City community, Purple Lotus Temple, Quarry Lakes, and local schools. Homeowners and residents are worried about devaluation of property, safety, and negative impact on youth and family due to the proposed cannabis establishment.
Action petitioned for	We, the undersigned, are concerned residents and citizens who strongly oppose a cannabis dispensary opening on the proposed Alvarado-Niles location and urge our leaders to act now to vote NO.

Printed Name	Signature	Address	Comment	Date
FAITH (COUNCIL)			Too close to quarry lakes and children	4/7
Aunty Shipman			Vote No	4/7/24
PAMELA CHU			NO	4/9/24
REGGIE CHAN			NO	4/9/24
Hsiangyuan Hsia				4/9/24
Sunny Chen				4/9/24
NYAN WANG				4/9/24
Janice Tang				4/9/24
William Chen				4/9/24
Kathy Chen				4/9/24
Angela Tsang				4/9/24
Siew Hua Tay				4/9/24
RONALD LA				4/9/24
Albert Tsang				4/9/24
Michael Barua			No, we don't want 3rd location	4/9/24
MARIO GARCIA			NO more in U.S.	4/9/24

Proposed Alvarado-Niles Blvd. Location

Petition summary and background	Opposition to the Embarc cannabis dispensary on Alvarado Niles near Monte Vista Union City community, Purple Lotus Temple, Quarry Lakes, and local schools. Homeowners and residents are worried about devaluation of property, safety, and negative impact on youth and family due to the proposed cannabis establishment.
Action petitioned for	We, the undersigned, are concerned residents and citizens who strongly oppose a cannabis dispensary opening on the proposed Alvarado-Niles location and urge our leaders to act now to vote NO.

Printed Name	Signature	Address	Comment	Date
Yamir Mangukisa				04/09/24
Ami Bladuni				04/09/24
Kirstine Aquino				4/9/24
Swarnpreet Kaur				4/9/24
Inderbir Singh				4/9/24
Angela Kwon				4/9/24
Hong Hunt				4/9/24
Wendy Huang				4/9/24
Deborah				4/9/24
Lily L. Lo				4/9/24
Thanoopa Bellale				4/12/24
FLORENTINA PARPARITA				4/12/24
EMY PARPARITA			587	4/12/24
Grace Luk			2	4/12/24
Shawn Manning			202	4/12/24
PANAYIOTIS KATSONIS				4/12/24
Renulfo Sanchez Cabrera				4/14/24

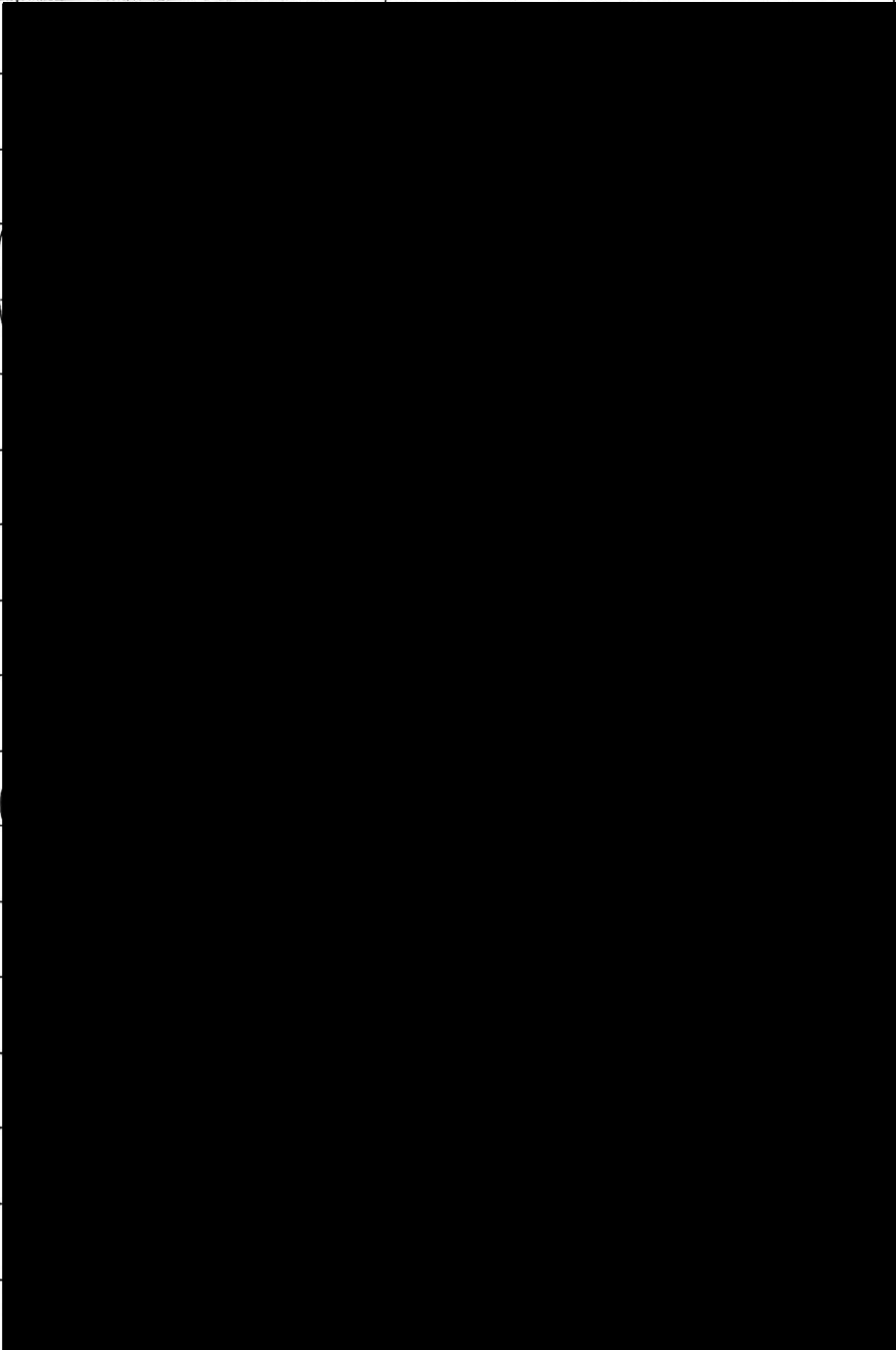
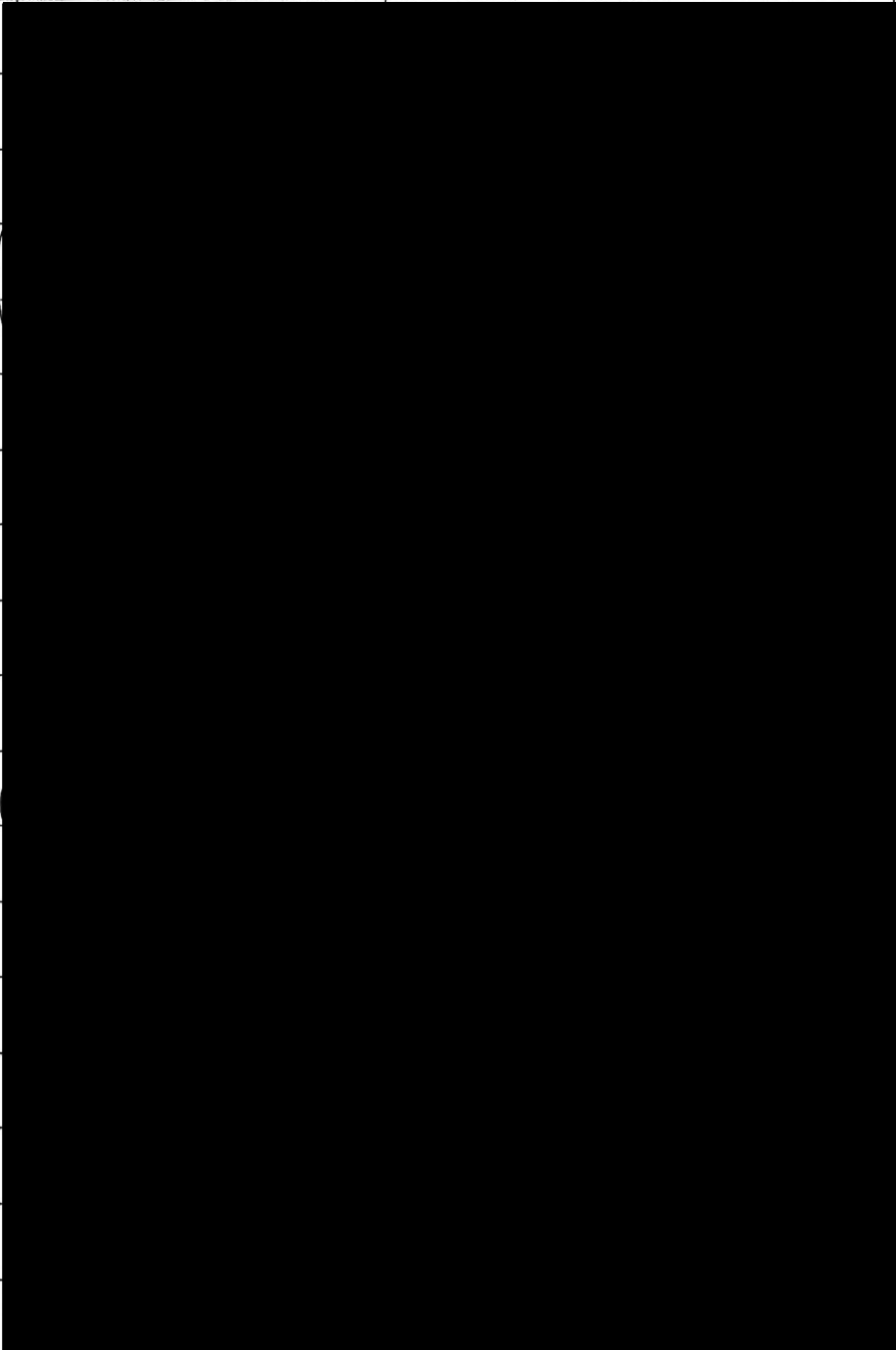
Petition to Oppose Embarc Cannabis Dispensary Proposed Alvarado-Niles Blvd. Location

Petition summary and background	Opposition to the Embarc cannabis dispensary on Alvarado Niles near Monte Vista Union City community, Purple Lotus Temple, Quarry Lakes, and local schools. Homeowners and residents are worried about devaluation of property, safety, and negative impact on youth and family due to the proposed cannabis establishment.
Action petitioned for	We, the undersigned, are concerned residents and citizens who strongly oppose a cannabis dispensary opening on the proposed Alvarado-Niles location and urge our leaders to act now to vote NO.

Printed Name	Signature	Address	Date
Valerie Davidson			4/14/24
Ying Liu			302 4/14/24
T.R. Jayalalith			2 4/17/24
Simon Huang			4/14/24
Andrea Yang			4/14/24
CHRISTINA CHAN			4/14/24
Bhakti Harish			14/24-2024
Agay Pradhan			4/14/2024
Angela Du			204 4/14/2024
Mark Thomas			04/14/24
RANDALL G. LOPEZ			04/14/24
Thanna V Lopez			01 04.14.24
Venu Manne			04.14.24
Annapurna Reddy			04.14.24
Michael Villaluna			04.14.24
KIT MEI CHEUNG			4/18/24
WING CHUNG			NT 4/18/24
CHI CHONG			4/18/24

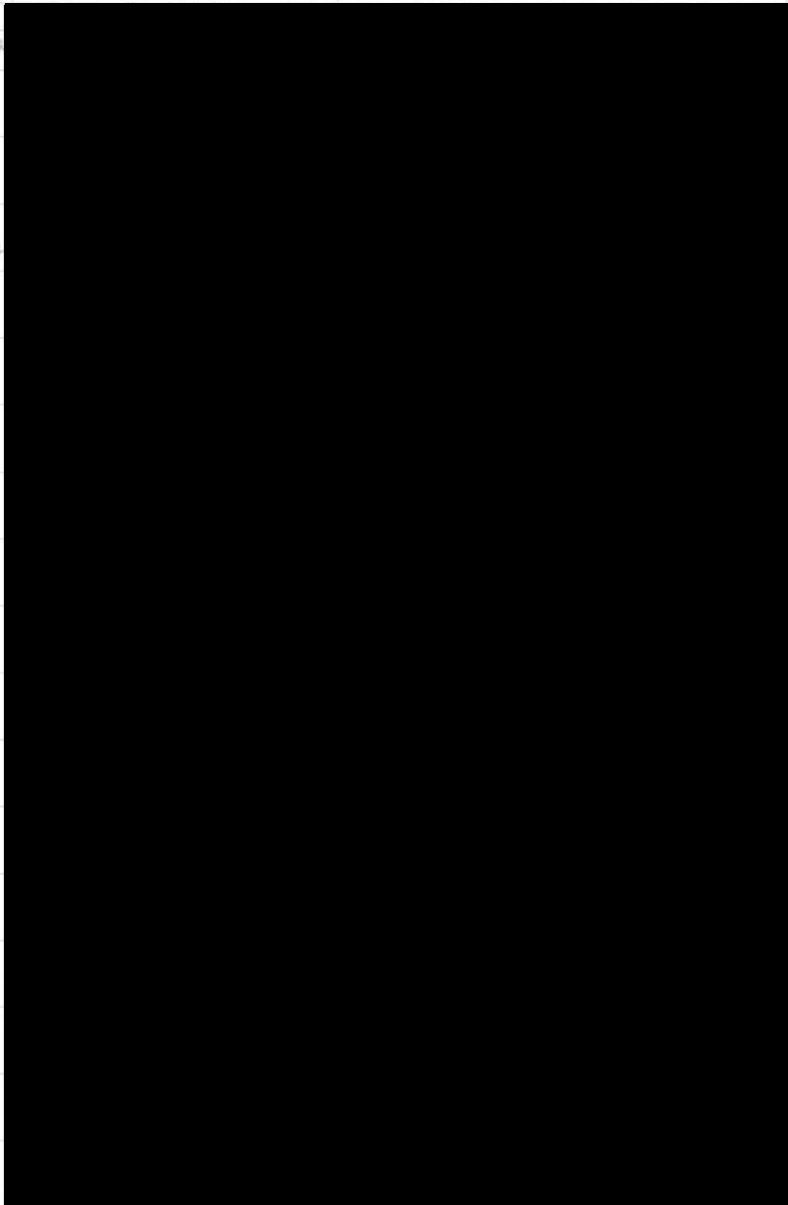
Petition to Oppose Embarc Cannabis Dispensary Proposed Alvarado-Niles Blvd. Location

Petition summary and background	Opposition to the Embarc cannabis dispensary (or any other cannabis dispensary) on Alvarado Niles near Monte Vista Union City community, Purple Lotus Temple, Quarry Lakes, and local schools. Homeowners and residents are worried about devaluation of property, safety, and negative impact on youth and family due to the proposed cannabis establishment.
Action petitioned for	We, the undersigned, are concerned residents and citizens who strongly oppose any cannabis dispensary opening on the proposed Alvarado-Niles location and urge our leaders to act now to vote NO.

Printed Name	Signature	Address	Date
Daphne Leung			4/18/24
Nabila Rashed			4/18/24
Kim O'Gorman			4/18/24
Mary Tran			4/18/24
Margaret Lam			4/18/24
Sun Lam			4/18/24
Karen Chen			4/18/24
Eric Chen			4/18/24
JERRY KAO			4/20/24
RIE KAWAGUCHI			4/20/24
Jenny Wong			4/21/24

Petition to Oppose Embarc Cannabis Dispensary Proposed Alvarado-Niles Blvd. Location

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Action petitioned for	We, the undersigned, are concerned residents and citizens who strongly oppose any cannabis dispensary opening on the proposed Alvarado-Niles location and urge our leaders to act now to vote NO.

Printed Name	Signature	Address	Date
Madhavi Chintala			04/20
Sonu Chintala			04/20
Prasanna Chintala			04/20
Vijaya Sammetla			04/20

(#4)



Agenda Item

DATE: 4/23/2024

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: JOAN MALLOY, CITY MANAGER

SUBJECT: APPROVE THE MINUTES OF THE APRIL 10, 2024 CITY COUNCIL SPECIAL MEETING

STRATEGIC PLAN ALIGNMENT

BACKGROUND

DISCUSSION

FISCAL IMPACT

RECOMMENDATION

Prepared by:

Thai Nam Pham, City Clerk

Submitted by:

Thai Nam Pham, City Clerk

ATTACHMENTS:

Description	Type
 Draft Minutes	Attachment



**MINUTES
CITY OF UNION CITY
CITY COUNCIL SPECIAL MEETING**

**CAROL DUTRA-VERNACI, Mayor
JEFF WANG, Vice Mayor (District 3)
GARY SINGH, Councilmember (District 1)
JAMIE PATIÑO Councilmember (District 2)
SCOTT SAKAKIHARA, Councilmember (District 4)**

**Wednesday, April 10, 2024
4:30 PM**

**City Council Chambers
34009 Alvarado-Niles Road
Union City, CA 94587**

1. CALL TO ORDER

Vice Mayor Wang called the meeting to order at 4:35 PM.

2. ROLL CALL

Attendance	Attendee Name
Present	Councilmember Patiño Councilmember Sakakihara Vice Mayor Wang
Absent	Councilmember Singh Mayor Dutra-Vernaci

3. ORAL COMMUNICATIONS - Comments limited to items on the Special Meeting Agenda

Vice Mayor Wang opened Oral Communications. Edward Dijeau spoke on Item 4.a. There being no further speakers, Vice Mayor Wang closed Oral Communications.

4. CITY MANAGER REPORTS

4.a. Providing Policy Direction On a Business License Tax Update As Potential Revenue Measure On The November 2024 Ballot

City Manager Joan Malloy delivered staff presentation to the Council. City Attorney Kristopher Kokotaylo, Deputy City Manager Jennifer Phan, Revenue Collection Manager Rahnna Le, Finance Specialist III Naomi Garcia, Operations Director Eric Myers from HdL Companies, and President Bryan Godbe from Godbe Research were also in attendance. Staff and Mr. Myers responded to councilmember questions.

Motion: Provided concurrence on nine (9) business license categories as generally defined and set the tax rates to the following:

- 1. General/Retail – 0.00043;**
- 2. Professional – 0.0025;**
- 3. Contractors – 0.002;**
- 4. Service – 0.002;**
- 5. Rental – 0.00225;**
- 6. Exempt – 0;**
- 7. Industrial - Manufacturing/Wholesaling – 0.00045;**
- 8. Industrial - Warehousing – 0.001; and**
- 9. Mobile Home Parks – \$45 per pad**

In addition, reduce the minimum tax/flat rate by 10% with the proposed implementation date starting April 1, 2025, with a six-month grace period.

RESULT: Pass

MOVER: Councilmember Patiño

SECONDER: Vice Mayor Wang

AYES: Councilmembers Patiño, Sakakihara, and Vice Mayor

NOES: None

ABSENT: Councilmember Singh and Mayor Dutra-Vernaci

5. ADJOURNMENT

Vice Mayor Wang adjourned the meeting at 5:40 PM.

I HEREBY CERTIFY that the foregoing minutes were duly and regularly adopted at a regular meeting of the City Council of the City of Union City.

/s/Thai Nam Pham, MMC, CPMC
City Clerk



Agenda Item

DATE: 4/23/2024

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: JOAN MALLOY, CITY MANAGER

SUBJECT: ADOPT A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY TO AMEND THE CITY'S RECORDS RETENTION SCHEDULE IN COMPLIANCE WITH SENATE BILL 16

The adoption of Senate Bill 16 (SB 16), which amended Penal Code 832.5(b), necessitates an update to our current Records Retention Schedule, particularly regarding the retention of complaints against law enforcement officers under series code 12-01-10 (Internal Affairs). The statute mandates that law enforcement agencies must retain "sustained" complaints for a minimum of 15 years and complaints with a disposition other than "sustained" for a minimum of 5 years. This staff report proposes amendments to the City's Records Retention Schedule to ensure compliance with SB 16 and align with the legal requirements stipulated in Penal Code 832.5(b).

STRATEGIC PLAN ALIGNMENT

This amendment supports **Goal B: Governance and Organizational Effectiveness**, by enhancing compliance with state laws and improving our records management processes. It demonstrates the City's commitment to transparency, accountability, and responsible governance.

BACKGROUND

Senate Bill 16, approved on September 30, 2021, introduced changes to California law enforcement agencies' transparency and accountability standards, including new requirements for retaining and disclosing certain personnel records. The City's existing Records Retention Schedule, last revised for the Police Department on May 23, 2023, 2019, under Resolution No. 5516-19, currently stipulates a total retention period of 5 years for all complaints under series code 12-01-10 (Internal Affairs), irrespective of the complaint's disposition.

DISCUSSION

To comply with SB 16, the City must amend its Records Retention Schedule to differentiate between "sustained" and other complaints against law enforcement officers. This amendment will rectify the oversight and align our practices with state law requirements, effective January 1, 2022. The proposed changes include:

- **12-01-10 Internal Affairs:** Amend the total retention period to 15 years for "sustained" complaints and maintain a 5-year retention period for complaints with a disposition other than "sustained".

FISCAL IMPACT

Adjusting the Records Retention Schedule may necessitate additional records management resources, including potential storage capacity increases and administrative oversight. However, these costs are essential to comply with state legislation.

RECOMMENDATION

Staff recommends that the City Council adopt the resolution to amend the City's Records Retention Schedule in compliance with Senate Bill 16, as outlined in this report.

Prepared by:

Thai Nam Pham, City Clerk

Submitted by:

Thai Nam Pham, City Clerk

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Draft Resolution	Resolution
<input type="checkbox"/> Exhibit A - Police Department Records Retention Schedule (Clean Copy)	Exhibit
<input type="checkbox"/> Exhibit B - Police Department Records Retention Schedule (Redlined)	Exhibit

RESOLUTION NO. XXXX-24

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
UNION CITY APPROVING AMENDMENTS TO THE
RECORDS RETENTION SCHEDULE FOR THE POLICE
DEPARTMENT IN COMPLIANCE WITH SENATE BILL 16**

WHEREAS, on August 28, 2001, the City Council adopted Resolution No. 2006-01 authorizing the adoption of records retention schedules for the various City departments; and

WHEREAS, on July 26, 2011, the City Council adopted Resolution No. 4192-11, approving a Records and Information Management (RIM) Program Policy for the City of Union City, and authorizing the City Manager, or designee, to oversee the management of the Records Management Program; and

WHEREAS, an element of the RIM Policy is the Records Retention Schedule ("Schedule"), which is a comprehensive inventory of the records under management by each City Department; and

WHEREAS, the City Council previously adopted Resolution No. 5516-19 authorizing the adoption of records retention schedules for the Police Department; and

WHEREAS, the adoption of Senate Bill 16 requires updates to the Records Retention Schedule to ensure compliance with state law, particularly regarding the retention of complaints against law enforcement officers; and

WHEREAS, the City is committed to transparency, accountability, and alignment with state legislative changes to foster trust within the community;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Union City hereby approves amendments to the Records Retention Schedule for the Police Department as detailed in Exhibit A (clean version) and Exhibit B (red-lined version), ensuring compliance with Senate Bill 16 and Penal Code 832.5(b), and incorporated herein by reference.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Union City at a regular meeting held on this 23rd day of April by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

CAROL DUTRA-VERNACI
Mayor

ATTESTED:

APPROVED AS TO FORM:

THAI NAM N. PHAM
City Clerk

KRISTOPHER J. KOKOTAYLO
City Attorney

Attachments:

1. Exhibit A – Records Retention Schedule – Police (Clean)
2. Exhibit B – Records Retention Schedule – Police (Redlined)

12-00-00 POLICE SERVICES RECORDS

Revised April 23, 2024; Reso No. XXXX-24

Legend: AA - After Audit, AC - After Completion/Closure, ACT - While Active, AE - After Expiration, AFP - After Final Payment, AP - After Approval, AR - Annual Review, AT - After Termination, C - Confidential, CM - Current Month, CY - Current Year, EL - Electronic Media, EY - Event Year, H - Historical, IND - Indefinite, LOB/LOV/LOI/LOS - Life of Board, Building, Vehicle, Improvement or System, MX - Mixed Media (PA and EL), P - Permanent, PA - Paper Media, S - After Superseded, V - Vital, *[Number] - Plus Years or Months

Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Media Format	Active Retention	Inactive Retention	Total Retention	Citations & Legal Basis
12-01-00	<u>Administration / Chief of Police Records</u>								
12-01-01	General Information		All Depts		MX	AR		AR	Administrative Record; Review annually for relevance to a project, inclusion in an associated record series, or creation of a new record series. Keep while current.
12-01-02	Tiburon Records Management System	Includes Automated Reporting System and Records Management Systems, with PropRoom property management.	Admin		EL	IND		IND	Transitory Record: Maintain indefinitely or until data is transferred to a new tracking system.
12-01-03	Citation Log Book - Movers	Issued to any officer by their supervisor. Currently maintained by Personnel & Training.	Admin		PA	CY+2		CY+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for parking & traffic citation duplicates.
12-01-04	Citation Log Book - Parkers	Issued to any officer by their supervisor. Currently maintained by Personnel & Training.	Admin		PA	CY+2		CY+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for parking & traffic citation duplicates.
12-01-05	Administrative Citations	Issued for code enforcement issues. Written by PD or Code Enforcement, then sent to third party processing service.	Admin		PA	AC+2		AC+2	GC 34090; 2 year minimum State of California Guidelines; 2 years after correction/completion
12-01-06	Grants Applications and Programs	Includes approved applications, submissions, submission reports, progress reports based on grant guidelines, invoices from grant purchases.	Admin		MX	AC+3	2*	AC+5*	GC 34090; 2 year minimum 24 CFR 84.85, 84.53; 3 years after last funding report is submitted. State of California Guidelines; 5 years after grant closure. State recommends referring to grant application close-out procedures, if any. * Refer to grant application close-out procedure for potential extensions in retention period.
12-01-07	Property Audits	Performed by a division on the Property division.	Admin		PA	CY+2		CY+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for property control documents and logs.
12-01-08	Policy Manual	Lexipol	Admin		EL	P	P	P	GC 34090; 2 year minimum requirement State of California Guidelines; Permanent, no citation given.
12-01-09	Procedural Manuals	Kept and maintained by individual units/divisions.	Admin		MX	P	P	P	GC 34090; 2 year minimum requirement State of California Guidelines; Permanent, no citation given.
12-01-10	Internal Affairs	Includes complaints by citizens, comment and compliment forms, officer involved shootings, and copies of personnel files/information for both retired, separated and active employees.	Admin		MX	AC+2	3	AC+15* AC+5	PC 832.5(b) Statutory minimum is 15 years for "sustained" complaints and 5 years for complaints with a disposition other than "sustained". EVC 1045; 5 years for conduct PC 801.5; SOL of 4 years after event PC 803(c); public officer, crime descriptions VC 2547; SOL of 3 years for officer fraud GC 12946; 2 years after completion/position filled
12-01-11	Statistical Reporting	Reports and data generated informally from Tiburon RMS and occasionally from outside sources, and distributed to requesting divisions/units or agencies. Used for special projects such as attorney requests, pending litigation and general division/unit requests.	Admin		PA	CY+2		CY+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for weekly, monthly, quarterly and annual statistical reports.
12-01-12	Police Annual Reports	Maintained by Cassie in COP.	Admin		PA	CY+2		CY+2	GC 34090; 2 year minimum requirement

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Media Format	Active Retention	Inactive Retention	Total Retention	Citations & Legal Basis
12-01-13	City Crime Maps	Maintained by Crimereports.com. See Kelly Mussgrove about these maps.	Admin		EL	IND		IND	Transitory Record: Maintain indefinitely or until data is transferred to a new tracking system.
12-01-14	Search Warrants	Previously maintained separately from the associated case, currently a copy is maintained with case. Sealed search warrants booked into evidence. May contain confidential and/or informant information.	Admin	C	PA	IND		IND	Retention period depends upon the associated case.
12-01-15	Vie Vu Recordings	Daily routine recordings from lapel cameras.	Admin		EL	CM+12		CM+12	GC 34090.6; 1 year. If a claim is filed or pending litigation, retain with the case file for 100 days after conclusion of court action.
12-01-16	Surveillance Recordings - Police/City Facilities	Includes in-building and parking lot surveillance.	Admin		EL	CM+13		CM+13	GC 34090.6; 1 year. If a claim is filed or pending litigation, retain with the case file for 100 days after conclusion of court action. State of California Guidelines; Current Month plus 13 months for surveillance recordings
12-01-17	Surveillance Recordings - Skate Park	Maintained for litigation purposes. Follow general SOL.	Admin		EL	CM+13		CM+13	GC 34090.6; 1 year. If a claim is filed or pending litigation, retain with the case file for 100 days after conclusion of court action. State of California Guidelines; Current Month plus 13 months for surveillance recordings
12-01-18	Automated Vehicle Locator System - AVL	Used to track police vehicles	Admin		EL	IND		IND	Transitory Record: Maintain indefinitely or until data is transferred to a new tracking system.
12-01-19	UCR Reports - Copies	Completed monthly for the DOJ. Uniform Crime Reporting.	Admin		EL	CY+10		CY+10	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for weekly, monthly, quarterly, and annual activity/statistical reports, including UCR reports. Administrative Policy: Maintain copies of UCR Reports for the Current Year plus 10 years for historical trending.
12-01-20	Equitable Sharing (Asset Seizure)	Includes agreement and status report. Maintained by the Chief's secretary.	Admin		PA	AC+2		AC+2	GC 34090; 2 year minimum requirement State of California Guidelines; Closure of the case plus 2 years.
12-01-21	Litigation Documents		Admin		PA	AC+5	2	AC+7	GC 34090; 2 year minimum GC 911.2; 1 year after accrual of cause of action CCP 337; Statute of limitations of 4 years PC 832.5; 5 years for safety officer complaints State of California Guidelines; Closure plus 1 year, since final verdict is recorded at the courts. Administrative Policy: Recommended best practice of 7 years after closure/completion by the American Bar Association.
12-01-22	Pitches Motions		Admin		EL	CY+2		CY+2	GC 34090; 2 year minimum requirement
12-01-23	Subpoenas Duces Tecum	Subpoenas for records or property.	Admin		PA	CY+2		CY+2	GC 34090.7; Duplicate records may be destroyed within the 2 year minimum period State of California Guidelines; Current year plus 2 years. Courts/County maintain the original record.
12-01-24	City Attorney Reports (Use of Force)		Admin		PA	CY+2		CY+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for use of force files

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Media Format	Active Retention	Inactive Retention	Total Retention	Citations & Legal Basis
12-01-25	Incident Review Board Reports (IRB)	Report used to review incidents and identify training, procedural issues and equipment issues. Also includes City-owned vehicle accident reports and vehicle collision logs. Electronic file kept by the patrol lieutenants.	Admin		EL	CY+2		CY+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for incident history reports
12-01-26	CHP 187	For vehicle pursuits. Maintained by the Chief's secretary.	Admin		PA	CY+2	IND	IND	VC 17004.7; Maintain vehicle pursuit records, no retention.
12-01-27	Paid Overtime Signup Sheet		Admin		PA	CY+2		CY+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for timekeeping records.
12-01-28	Watch Schedules		Admin		EL	S+2		S+2	GC 34090; 2 year minimum requirement State of California Guidelines; After superseded stating GC 34090
12-01-29	Locker & Riot Locker Logs	Includes combinations and assigned lockers	Admin		PA	S+2		S+2	GC 34090; 2 year minimum requirement State of California Guidelines; After superseded
12-01-30	Emergency Contact Cards	Separate from employee personnel files. Accessed by supervisors when needed.	Admin	C	PA	ACT		ACT	GC 34090.7; Duplicate records may be destroyed within the 2 year minimum period
12-01-31	Supervisor's Evaluation Notes	Notes and observations on performance related issues for the deployment period. Cycle is a complete 6 months plus the remaining current deployment period. Maintained by the Patrol Lieutenant. Related to training.	Admin		PA	AC+6M		AC+6M	GC 34090.7; Duplicate records may be destroyed within the 2 year minimum period. Administrative Policy: Maintain for 6 months after completion to assist in the evaluation process. No need to retain beyond completion of the evaluation.
12-01-32	Administrative Staff Notes	General status updates on current projects and items of interest.	Admin		PA	CY+2		CY+2	GC 34090; 2 year minimum Administrative Record, State of California Guidelines
12-01-33	Supervisor Staff Notes	General status updates on current projects and items of interest. Pertains mainly to operational issues.	Admin		PA	CY+2		CY+2	GC 34090; 2 year minimum Administrative Record, State of California Guidelines
12-01-34	Written District Attorney's Request	Information requested by the DA for audio recordings, evidence or copies of evidence. Fulfilled by Records and Communications or Property, depending upon information requested.	Admin		PA	AC+2		AC+2	GC 34090; 2 years minimum State of California Guidelines; 2 years after completion
12-01-35	Holding Cell Logs	Log of persons maintained in holding cells, including name, charges, time checks, and other information.	Admin		PA	CY+2	4	CY+6	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 6 years for jail logs
12-01-36	Holding Cell Health Inspections	Annual inspection performed by the County.	Admin		PA	CY+2	4	CY+6	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 6 years for inspection files
12-01-37	Monthly Cell Inspections	Internal inspection of cells for repairs, maintenance and restocking.	Admin		PA	CY+2		CY+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for maintenance and operations records

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Media Format	Active Retention	Inactive Retention	Total Retention	Citations & Legal Basis
12-01-38	Explorer Scout Program	<p>Includes application, ride-along waiver, background authorization, supplemental background information form, criminal history and records checks, LiveScan fingerprinting, background letters to neighboring agencies, and ID cards. Exit the program when they turn 21 or sooner.</p> <p>Does not include performance evaluations, but does include correspondence, suspension information and reason for exiting the program.</p>	Admin	C	PA	AT+2	8	AT+10	<p>CCP 335.1; 2 years for action on injuries caused by neglect.</p> <p>29 CFR 1627.3 - 4; 3 years after termination</p> <p>29 CFR 1602.30 - 32; 2 - 3 years after termination</p> <p>29 CFR 516.5 - 6; 3 years after action</p> <p>29 USC 1113; 6 years after date of last action</p> <p>GC 12946; 2 years after termination or action</p> <p>State of California Guidelines; 5 years after termination</p> <p>Administrative Policy: Maintain for 10 years after the applicant leaves the program.</p>
12-01-39	Community Service Event Log	Community service activities, events attended, and who worked the event for Explorer Scout Program.	Admin		PA	CY+2		CY+2	<p>GC 34090; 2 year minimum requirement</p> <p>State of California Guidelines; Current year plus 1 year for case assignment logs.</p>

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Media Format	Active Retention	Inactive Retention	Total Retention	Citations & Legal Basis
12-02-00	<u>Personnel Records</u>								
12-02-01	General Information		All Depts		MX	AR		AR	Administrative Record; Review annually for relevance to a project, inclusion in an associated record series, or creation of a new record series. Keep while current.
12-02-02	Recruitment	Includes copies of electronic or paper applications prior to screening process. Candidates maintained in separate folders, including drivers licenses, certificates of completion, oral interview scores and comments, and other personal information.	Personnel	C	PA	AC+3 *		AC+3 *	GC 12946; 2 years after completion/position filled GC 6250; Public Records Act, release of confidential information 29 CFR 1602.14; 1 year after position filled 29 CFR 1607; Maintain EEOC demographic information 29 CFR 1627.3; 1 year after position filled State of California Guidelines; 3 years after completion/position filled. Administrative Policy: Maintain individual recruitment files for 3 years after disqualification, or 3 years after expiration of the associated eligibility list.
12-02-03	Personnel Records	AT+5. Maintained by Administrative Secretary to the Chief of Police.	Personnel	C	PA	AT+1	5	AT+6	29 CFR 1627.3 - 4; 3 years after termination 29 CFR 1602.30 - 32; 2 - 3 years after termination 29 CFR 516.5 - 6; 3 years after action 29 USC 1113; 6 years after date of last action GC 12946; 2 years after termination or action State of California Guidelines; 5 years after termination
12-02-04	Background Checks	Hired personnel are maintained by the Administrative Secretary. Unsuccessful candidates maintained in Personnel for 5 years after completion of recruitment, then purged.	Personnel	C	PA	AT+2 AC+3	P	P AC+3	GC 34090; 2 year minimum PC 832.5; 5 years for officer complaints State of California Guidelines; Permanent for hired Safety Personnel; 2 years after position closes for Safety Personnel not hired. Administrative Policy: Maintain non-hired background checks for 3 years after position is filled to follow recruitment files.
12-02-05	SB90 Statistics	Statistical information generated from Tiburon/RMS for the state. Reimbursements for responding to certain types of incidents.	Personnel		PA	CY+2		CY+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for statistical reports
12-02-06	Alarm Permits	Hardcopy maintained for 3 years, data entered into database.	Personnel		PA	AE+2		AE+2	GC 34090; 2 years minimum State of California Guidelines; Current year plus 2 years for alarm records.
12-02-07	Promotional Testing Process	Maintained by test session.	Personnel		PA	AC+3 *		AC+3 *	GC 12946; 2 years after completion/position filled GC 6250; Public Records Act, release of confidential information 29 CFR 1602.14; 1 year after position filled 29 CFR 1607; Maintain EEOC demographic information 29 CFR 1627.3; 1 year after position filled State of California Guidelines; 3 years after completion/position filled. Administrative Policy: Maintain individual recruitment files for 3 years after disqualification, or 3 years after expiration of the associated eligibility list.

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Media Format	Active Retention	Inactive Retention	Total Retention	Citations & Legal Basis
12-02-08	Concealed Weapons Permits - CCW	National permits require qualification annually. Qualification may occur in City or at outside locations. Includes renewal notification and copies of the current policy which are sent to the applicant. Maintained indefinitely for trending. Denied permit applications	Personnel		PA	AE+2		AE+2	GC 34090; 2 year minimum requirement PC 12071, Maintain records PC 12078, Maintain records State Recommendation, 2 years after the license expires.
						CY+2		CY+2	

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Media Format	Active Retention	Inactive Retention	Total Retention	Citations & Legal Basis
12-03-00	<u>Training Records</u>								
12-03-01	General Information		All Depts		MX	AR		AR	Administrative Record; Review annually for relevance to a project, inclusion in an associated record series, or creation of a new record series. Keep while current.
12-03-02	Training Management System Database	Lesson plans, location, subject, safety plan, class costs, attendance etc. are maintained electronically in TMS. Paper destroyed after entry into the database.	Training		EL	IND		IND	Transitory Record: Maintain indefinitely or until data is transferred to a new tracking system.
12-03-03	CRU Operations/Training - SWAT	Scanned into TMS. Paper destroyed after scanning.	Training		PA	ACT		ACT	GC 34090.7; Duplicate records may be destroyed within the 2 year minimum period. Administrative Policy: Destroy paper after scanning and quality check of the image.
12-03-04	CRU Operations/Training - Sniper	Scanned into TMS. Paper destroyed after scanning.	Training		PA	ACT		ACT	GC 34090.7; Duplicate records may be destroyed within the 2 year minimum period. Administrative Policy: Destroy paper after scanning and quality check of the image.
12-03-05	CRU Operations/Training - HNT	Scanned into TMS. Paper destroyed after scanning.	Training		PA	ACT		ACT	GC 34090.7; Duplicate records may be destroyed within the 2 year minimum period. Administrative Policy: Destroy paper after scanning and quality check of the image.
12-03-06	CRU Operations/Training - Peer Support Team	Scanned into TMS. Paper destroyed after scanning.	Training		PA	ACT		ACT	GC 34090.7; Duplicate records may be destroyed within the 2 year minimum period. Administrative Policy: Destroy paper after scanning and quality check of the image.
12-03-07	Crisis Intervention Training (CIT)	Includes intervention training for mentally unstable individuals. Scanned into TMS. Paper destroyed after scanning.	Training		PA	ACT		ACT	GC 34090.7; Duplicate records may be destroyed within the 2 year minimum period. Administrative Policy: Destroy paper after scanning and quality check of the image.
12-03-08	Defensive Tactics	Includes impact weapons	Training		MX	AC+2	13	AC+15	GC 34090; 2 year minimum requirement State of California Guidelines; 15 years after completion for range lesson plans. No citation given.
12-03-09	Weapons Program	Includes range lesson plans, firearms safety plan, weapon maintenance, after action reviews, firearm training manuals, simulation training, range master and safety officer for firearms and less-lethal weapons. Qualifications combined with the training session.	Training		MX	AC+2	13	AC+15	GC 34090; 2 year minimum requirement State of California Guidelines; 15 years after completion for range lesson plans. No citation given.
12-03-10	K-9 Records	Includes monthly training records, veterinary records and care and maintenance records.	Training		MX	AT+2	5	AT+7	GC 34090; 2 year minimum requirement GC 6250; PRA, confidential record status State of California Guidelines; 7 years after termination, no specific citation given.
12-03-11	Emergency Vehicle Operations	Includes yearly update on pursuit policy.	Training		MX	P	P	P	GC 34090; 2 year minimum requirement State of California Guidelines; Permanent, no citation given.

12-00-00 POLICE SERVICES RECORDS

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Media Format	Active Retention	Inactive Retention	Total Retention	Citations & Legal Basis
12-03-12	Video Training	Includes tactical communications, CPR/First Aid (part hands on), racial profiling, domestic violence.	Training		EL	AC+2	13	AC+15	GC 34090; 2 year minimum requirement State of California Guidelines; 15 years after completion for range lesson plans. No citation given.
12-03-13	POST Training Reimbursement Forms	Reimbursements from POST for outside training. Finance only gets the check from POST, not the form.	Training		PA	CY+4		CY+4	GC 34090; 2 year minimum requirement CCP 337; Statute of limitations of 4 years State of California Guidelines; 4 years after audit Administrative Policy: Maintain for the same retention period as Accounts Receivable under Finance/ASD.
12-03-14	Personnel Training Records	Individual records by employee. Includes certificates, program attendance, equipment, diploma copies, oaths of office, duty assignments, CLETS Full / Less-than-full Operator Exams and POST records.	Training		PA	AT+2		AT+2	GC 34090; 2 year minimum requirement 29 CFR 1627.3(b); 1 year for training records GC 12946; 2 years after termination GC 6250; PRA, confidential record status State of California Guidelines; 2 years after termination for certificates and designations training.
12-03-15	Instructor Resumes	Also maintained with POST, but created in PD.	Training		MX	AT+2		AT+2	GC 34090; 2 year minimum requirement State of California Guidelines; maintain information on speakers for the current year plus 2 years.
12-03-16	Department Master Training Plan	Until superseded. Suggestion for annual review.	Training		MX	S+2		S+2	GC 34090; 2 year minimum requirement
12-03-17	Training Bulletins	Notification of new training procedures or matters. Maintain indefinitely.	Training		MX	CY+2	P	P	GC 34090; 2 year minimum requirement State of California Guidelines; Permanent, no citation given.
12-03-18	Respiratory Protection Program	Includes yearly fit testing and medical examinations.	Training		MX	CY+3		CY+3	CCP 340.5; Statute of limitations of 3 years after incident 8 CCR 3203; IIPP program, 1 year for corrective action and training records State of California Guidelines; Current year plus 2 years for equipment maintenance
12-03-19	Field, Civilian & Public Service Officer Training Programs - FTO/CTO/PSO	Filed by employee. Includes daily observation reports, schedules and supporting documents, orientation and other initial training records.	Training		PA	AT+2	5	AT+7	GC 34090; 2 year minimum requirement GC 6250; PRA, confidential record status State of California Guidelines; 7 years after termination, no specific citation given. 2 years after termination for certificates and designations training.
12-03-20	Skills & Knowledge Module Files	Individual lesson plans for courses. Pre-electronic era records no longer created and used. Records still maintained in storage.	Training		PA	AC+2	13	AC+15	GC 34090; 2 year minimum requirement State of California Guidelines; 15 years after completion for range lesson plans.

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12-04-00	COPPS Records								
12-04-01	General Information		All Depts		MX	AR		AR	Administrative Record; Review annually for relevance to a project, inclusion in an associated record series, or creation of a new record series. Keep while current.
12-04-02	Tobacco Grant	County funded program for tobacco stings.	COPPS		PA	AFP+2	3	AFP+5	GC 34090; 2 year minimum 24 CFR 84.85, 84.53; 3 years after last funding report is submitted. State of California Guidelines; 5 years after grant closure. State recommends referring to grant application close-out procedures, if any. * Refer to grant application close-out procedure for potential extensions in retention period.
12-04-03	Second Hand Dealer Licenses		COPPS		PA	AE+2		AE+2	GC 34090; 2 years minimum State of California Guidelines; Current year plus 2 years for Secondhand Dealers and Pawn Brokers.
12-04-04	ABC Applications	Processed at ABC and the City is notified.	COPPS		PA	AE+2		AE+2	GC 34090; 2 years minimum State of California Guidelines; Life of the license plus 2 years.
12-04-05	YFS Referrals	Form used to recommend individuals to YFS.	COPPS		PA	CY+2		CY+2	GC 34090; 2 years minimum
12-04-06	COPPS Projects Log	Log used to track and trend ongoing problems and resolutions to problems. May come from any officer. Includes Community Health Action Team (CHAT) inspections.	COPPS		PA	AC+2		AC+2	GC 34090; 2 year minimum State of California Guidelines; 2 years after correction/completion for code enforcement
12-04-07	COPPS Projects	Filed sequentially by assigned number.	COPPS		PA	AC+2		AC+2	GC 34090; 2 year minimum State of California Guidelines; 2 years after correction/completion for code enforcement
12-04-08	Property Business Improvement District Program	Businesses within the district will fund officers. Statistical reports are generated and maintained.	COPPS		PA	CY+2		CY+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for statistical reports
12-04-09	Law Enforcement Grants	Grants offered through outside companies and applied for by PD.	COPPS		MX	AFP+2	3	AFP+5	GC 34090; 2 year minimum 24 CFR 84.85, 84.53; 3 years after last funding report is submitted. State of California Guidelines; 5 years after grant closure. State recommends referring to grant application close-out procedures, if any. * Refer to grant application close-out procedure for potential extensions in retention period.
12-04-10	Firearm Qualification Log	Binder contains a record of each qualification and results. Should be maintained by Personnel & Training.	P&T		PA	CY+2		CY+2	GC 34090; 2 year minimum requirement 29 CFR 1627.3(b); 1 year for training programs

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12-04-11	Crime Free Program	Includes base line statistics on calls for services, monthly property reports (not maintained, only reviewed for trending) and arrest reports for specific apartment properties requesting the service. Documents include program management training records/certifications (every 2 years), CPTED (Crime Prevention Through Environmental Design), Property Social Event records, Trespass Admonishment Warning forms (entered into RMS) and Confirmation of Arrest forms. An addendum to the lease agreement is created and required to accommodate the program. Simplifies the removal of criminal elements from the complex. Potential for litigation.	COPPS		PA	AC+2		AC+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for weekly, monthly, quarterly and annual statistical reports, and for citizen patrol requests. 2 years after completion or closure for research project files.
12-04-12	Abatement Letters	Used to notify landlords of criminal activities and prompt action.	COPPS		MX	AC+2		AC+2	GC 34090; 2 year minimum State of California Guidelines; 2 years after correction/completion for code enforcement
12-04-13	Ride-along Program	Applications for program.	COPPS		PA	CY+2		CY+2	GC 34090; 2 years minimum

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12-05-00	<u>Traffic Section Records</u>								
12-05-01	General Information		All Depts		MX	AR		AR	Administrative Record; Review annually for relevance to a project, inclusion in an associated record series, or creation of a new record series. Keep while current.
12-05-02	DataTicket Citation Services / Database	Hosted system for parking citations. Electronic tickets are generated at scene and electronically submitted for processing.	Traffic		EL	IND		IND	Transitory Record: Maintain indefinitely or until data is transferred to a new tracking system.
12-05-03	Parking Ticket Appeals	Hardcopy of documents submitted by responsible violator maintained in Traffic. Appeal also tracked on DataTicket website.	Traffic		PA	AC+2		AC+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for parking & traffic citation duplicates.
12-05-04	Abandoned Vehicle Warning Notices	If vehicle is moved, notice is disregarded. If vehicle is towed, notices is maintained with the case in Records.	Traffic		PA	AC+2		AC+2	GC 34090; 2 year minimum requirement State of California Guidelines; 2 years after correction/completion.
12-05-05	Collisions	Includes tow sheets, driver evaluations, lab requests, medical records requests; All documents go to Records as part of the case file.	Records		MX	ACT		ACT	GC 34090.7; Duplicate records may be destroyed within the 2 year minimum retention period
12-05-06	Traffic Complaints	Trickle down from Administration. General traffic related e-mails and other complaints and requests.	Traffic		MX	CY+2		CY+2	GC 34090; 2 year minimum requirement State of California Guidelines; 2 years after correction/completion. Administrative Policy: Maintain traffic complaints for 2 years after receipt.
12-05-07	Towing Service Provider	Includes general information and correspondence with tow contract provider.	Traffic		PA	CY+2		CY+2	GC 34090; 2 year minimum requirement
12-05-08	Vehicle Check Points	Includes an after action plan on vehicle check points. 1 file kept per check point.	Traffic		PA	CY+2		CY+2	GC 34090; 2 year minimum requirement
12-05-09	Equipment Calibrations	Includes radar, lidar, preliminary alcohol screening device calibrations.	Traffic		PA	AT+2		AT+2	GC 34090; 2 year minimum requirement State of California Guidelines; 2 years after termination for radar calibration records

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12-06-00	<u>Investigations Records</u>								
12-06-01	General Information		All Depts		MX	AR		AR	Administrative Record; Review annually for relevance to a project, inclusion in an associated record series, or creation of a new record series. Keep while current.
12-06-02	Informant Files		Invest		PA	AT+2	8	AT+10	GC 34090; 2 year minimum requirement State of California Guidelines; 10 years after termination for informant files, no citation stated
12-06-03	290 PC Registration	For sex offenders. Activity based on ORI status. Adults Juvenile	Invest		PA	 L+2 * Varies		 L+2 * Varies	GC 34090; 2 years minimum * PC 290; definitions and references W&IC 781; 5 years after record sealed or when juvenile reaches 38 years. Permanent if tried as an adult. State of California Guidelines; Life of registrant within jurisdiction for arson, sex and narcotics.
12-06-04	290 PC Registration Log	Excel file listing offender, birth day, last registration event and other remarks and/or compliance issues.	Invest		PA	IND		IND	Transitory Record: Maintain indefinitely or until data is transferred to a new tracking system.
12-06-05	11590 H&S Registration	For drug registrants.	Invest		PA	L+2		L+2	GC 34090; 2 years minimum H&S 11594; 5 years after termination of parole or probation PC 186.32; 5 years after last registration requirement State of California Guidelines; Life of registrant within jurisdiction for arson, sex and narcotics.
12-06-06	Arson Registration	Arson - Adults Arson - Juveniles	Invest		PA	L+2 * Varies		L+2 * Varies	GC 34090; 2 years minimum H&S 11594; 5 years after termination of parole or probation PC 186.32; 5 years after last registration requirement * PC 457; Arson registration for juveniles, 25 years of age or when records are sealed per W&IC 781 State of California Guidelines; Life of registrant within jurisdiction for arson, sex and narcotics.
12-06-07	Pawn Slips		Invest		PA	CY+2		CY+2	GC 34090; 2 years minimum State of California Guidelines; Current year plus 2 years for Secondhand Dealers and Pawn Brokers.
12-06-08	Intelligence Reports/Graphs/Statistics	May include a snapshot of information from Tiburon relating to a person, property or incident.	Invest		MX	CY+2		CY+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for weekly, monthly, quarterly and annual activity reports.
12-06-09	Photographs	Miscellaneous photographs.	Invest		MX	CY+2, AR		CY+2, AR	GC 34090; 2 year minimum requirement Administrative Policy: Periodically review photographs for relevance to current cases or events.

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12-07-00	<u>Property Management Records</u>								
12-07-01	General Information		All Depts		MX	AR		AR	Administrative Record; Review annually for relevance to a project, inclusion in an associated record series, or creation of a new record series. Keep while current.
12-07-02	Transfer Sheets	Includes chain of custody evidence/property transfer for inhouse and outside agencies. Maintained in Property until case is resolved, then transferred to records.	Records		PA	AC+2		AC+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for property control logs recording items coming into and going out of property rooms.
12-07-03	Case Disposition Reports	Copy of original, which is maintained by Records.	Records		PA	ACT		ACT	GC 34090.7; Duplicate records may be destroyed within the 2 year minimum retention period
12-07-04	Criminal Case Disposition Reports (CORPUS)	Provide by Alameda County bi-weekly designating disposition of court cases. Original sent to Records.	Records		PA	CY+2		CY+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for case tracking records
12-07-05	Property Disposition Memorandum	Generated by Property to go to case investigation asking for permission to dispose of evidence. Official record maintained in Records. Created by Property or by Investigations, approved by Investigations, then returned to Property.	Records		PA	ACT		ACT	GC 34090.7; Duplicate records may be destroyed within the 2 year minimum retention period
12-07-06	Weapons Destruction Log	Includes court order to destroy. Created by Property, sent to Investigations for approval, then returned to Property.	Property		PA	P	P	P	GC 34090; 2 year minimum requirement State of California Guidelines; Permanent for gun destruction. No citation given.
12-07-07	Drug Destruction Log	Includes court order to destroy. Created by Property, sent to Investigations for approval, then returned to Property.	Property		PA	P	P	P	GC 34090; 2 year minimum requirement State of California Guidelines; Permanent for gun destruction. No citation given.
12-07-08	Deposit Receipts	For disposition of found or unclaimed monies, or distributions per court order. Copy from ASD maintained with the case record.	ASD		PA	AC+2		AC+2	GC 34090; 2 year minimum requirement
12-07-09	Bicycle Requisition Forms	Releases possession of bicycles to the City's Teen Workshop for repairs and resale. Electronic version maintained within Tiburon, but does not show release/acceptance signatures	Property		PA	AC+2		AC+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for property control logs recording items coming into and going out of property rooms.
12-07-10	Auction Reports	Lists sent to the auction house for sale.	Property		PA	AC+2		AC+2	GC 34090; 2 year minimum requirement State of California Guidelines; 2 years after financial audit for surplus property auctions including listings of property.
12-07-11	Asset Seizure Form	For monies seized over a certain amount. Requested from a major crimes task force, and ultimately sent to Records with the case file.	Records		PA	ACT		ACT	GC 34090.7; Duplicate records may be destroyed within the 2 year minimum retention period
12-07-12	Property Inventory Reports		Property		PA	AC+2		AC+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for property control logs recording items coming into and going out of property rooms.
12-07-13	General Statistical Reports	Requests for information on incoming items processed, disposed of, and/or purged.	Property		MX	CY+2		CY+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for weekly, monthly, quarterly and annual statistical reports.

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12-08-00	<u>Records - Case Files</u>								*** Maintain all case files confidential while active. California Public Records Act to be consulted.
12-08-01	General Information		All Depts		MX	AR		AR	Administrative Record; Review annually for relevance to a project, inclusion in an associated record series, or creation of a new record series. Keep while current.
12-08-02	187 - Murders		Records	C ***	MX	P	P	P	PC 187; Definitions PC 799; No statutes of limitations on actions Indefinite retention is recommended by DOJ and CA Law Enforcement Officers Assoc.
12-08-03	Officer Involved Cases	Includes shootings	Records	C ***	MX	AC+5	20	AC+25	EVC 1045; Public access to information on Internal Affairs cases. 5 year access limit. GC 12946; Personnel records, 2 years after termination. PC 801.5, 803(c), PC 832.5; 5 years after case closure, confidential document not for public exposure. VC 2542 & 2547; Officer fraud or misrepresentation. 3 years after act or omission. State Recommendation; Closure of case plus 25 years. DOJ regulates, if not involving felonies, the report can be destroyed after 3 years, provided that accounting of incident has been placed with the case file.
12-08-04	Child Molestation		Records	C ***	MX	AC+5	5	AC+10	PC 11169; Maintain PC 11170; 10 years from date of reporting , DOJ Recommendation PC 288, 647; Definitions
12-08-05	Drug / Sex Crime Registration	Sex offenders - Adult Sex offenders - Juvenile	Records	C ***	MX	LOR+2 * Varies		LOR+2 * Varies	GC 34090; 2 years minimum * PC 290; definitions and references W&I 781; 5 years after record sealed or when juvenile reaches 38 years. Permanent if tried as an adult. State of California Guidelines; Life of registrant within jurisdiction for arson, sex and narcotics.
12-08-06	City Employee Cases		Records	C ***	MX	AC+2	5	AC+7	GC 34090, 2 year minimum requirement 29 CFR 1904; OSHA reports, maintain 29 CFR 1904.33; OSHA reports maintained for the current year plus 5 years. State of California Guidelines; 7 years after closure
12-08-07	Sex Crimes		Records	C ***	MX	AC+5	P	P	PC 261; Definitions PC 220; Definitions & punishments PC 286; Definitions & punishments PC 289; Definitions & punishments W&I 781; Juvenile records, when offender reaches age 38, or 5 years after records are sealed. Department of Justice recommends 25 years. Administrative Policy: Based on registration requirements, maintain sex crime cases Permanently for adult offenders.

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12-08-08	Weapon Crimes	Possession of illegal weapons, carrying concealed weapons, and other crimes relating to the possession or use of illegal weapons where no other crime has occurred.	Records	C ***	MX	AC+5	5	AC+10	GC 34090; 2 year minimum requirement Administrative Policy: Retain weapon crime information for 10 years to track potentially violent individuals.
12-08-09	Crimes with Death		Records	C ***, V, H	MX	P	P	P	PC 799; No statutes of limitations on actions Indefinite retention is recommended by DOJ and CA Law Enforcement Officers Assoc. State of California Guidelines; Permanent
12-08-10	Child Abuse		Records	C ***, V	MX	AC+10		AC+10	PC 11169; Maintain PC 11170; 10 years from date of reporting , DOJ Recommendation PC 288, 647; Definitions
12-08-11	Missing Persons		Records	C ***	MX	AC+2		AC+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for non-criminal occurrences, including missing persons where person has been returned/found. DOJ recommends permanent for unsolved missing persons.
12-08-12	Unattended Death / Suicide	Suspicious	Records	C ***, V, H	MX	P	P	P	PC 799; No statutes of limitations on actions Indefinite retention is recommended by DOJ and CA Law Enforcement Officers Assoc. State of California Guidelines; Permanent
		No suspicious circumstances		C ***, V		AC+2		AC+2	GC 34090; 2 year minimum requirement
12-08-13	Traffic Reports	Involving injury, non-fatal and/or misdemeanor violations.	Records	C ***, V	MX	CY+3		CY+3	GC 34090; 2 year minimum requirement CA Law Enforcement Warrant Officers Association recommends keeping for an additional 3 years, and permanently for collisions involving fatalities.
		Collisions involving fatalities		C ***, V, H		P	P	P	
12-08-14	Robberies / Burglary		Records	C ***	MX	AC+3		AC+3	GC 34090, 2 year minimum requirement CCP 338 et al.; up to 3 years after commission of offense or after realization of offense. State Recommendation; Closure of case plus 3 years.
12-08-15	Stolen Vehicles		Records	C ***	MX	AC+10		AC+10	GC 34090; 2 year minimum requirement CA Law Enforcement Warrant Officers Association recommends keeping for 10 years.
12-08-16	Misdemeanors / Petty Theft		Records	C ***	MX	AC+2		AC+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for misdemeanors/infractions with no arrests, identifiable property or missing persons.
12-08-17	Marijuana Related Crimes		Records	C ***	MX	AC+2 *		AC+2 *	HS 11361.5, 11357 B, C, D, or E; 2 years after case closure, * or until offender reaches the age of 18 years provided there are no active warrants associated with the case. Destroy Juvenile marijuana cases after age 18. Combined cases may be retained for the longest applicable retention period.

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12-08-18	Record Sealings	Adults	Records	C ***	MX	AC+3 *		AC+3 *	PC 851.8(a); Factually innocent records, 3 years after arrest, * with district attorney approval.
		Juveniles				AC+5 **		AC+5 **	Date of court ordered destruction W&IC 781; 5 years after sealed by court order for at-risk youth; ** W&IC 781; When juvenile reaches the age of 38 for murder and/or sex crimes occurring before the child is 14 years of age ** W&IC 781; For murder and/or sex crimes occurring on or after the child reaches age 14, DO NOT DESTROY.
12-08-19	Animal Bite Reports		Records	C ***	MX	AC+3		AC+3	F&AC 32003(e); 3 years after animal disposition PC 597.1(d); 3 years after animal disposition GC 34090; 2 year minimum requirement NOTE: Animal Disposition includes death of the animal, euthanasia or release of the animal back to the owner or caretaker.
12-08-20	Criminal Protective Order	Received from the protected person and maintained in a new or existing case file.	Records	C ***	MX	AE		AE	GC 34090; 2 year minimum requirement GC 68152; Duration of the restraining or other order and renewals, then retain orders as a judgement. State of California Guidelines; Destroy after law enforcement actions described in Penal Codes 273.5, 273.6, 646.9, 12028.5, 13700 and Family Codes 6380 - 6383 are fulfilled and effective date of restraining order has expired.

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Media Format	Active Retention	Inactive Retention	Total Retention	Citations & Legal Basis
12-09-00	<u>Records - Administration</u>								
12-09-01	General Information		All Depts		MX	AR		AR	Administrative Record; Review annually for relevance to a project, inclusion in an associated record series, or creation of a new record series. Keep while current.
12-09-02	Field Interview Cards - FCON Cards, General	Used for interviews for comments at crime scenes. Routine cards are maintained onsite.	Records		MX	AC+5		AC+5	GC 34090; 2 year minimum requirement State of California Guidelines; 2 years after completion for field interview cards. Administrative Policy: Maintain field interview cards for 5 years after completion to support the Alameda County District Attorney's Office.
12-09-03	Field Interview Cards - FCON Cards, Gang Related	Gang identification information is sent offsite to gang task force. DA likes physical card for gang related evidence.	Gang Task Force JPA		MX	AC+2		AC+2	GC 34090; 2 year minimum requirement State of California Guidelines; 2 years after completion for field interview cards.
12-09-04	Citations - Movers	Paper copy kept in Records; one copy goes to the courts.	Records		MX	CY+5		CY+5	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for parking & traffic citation duplicates. Administrative Policy: Maintain citations copies for the current year plus 5 years for historical purposes.
12-09-05	Citations - Parkers	Paper copy kept in the City and copy sent to DataTicket for processing.	Records		MX	CY+5		CY+5	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for parking & traffic citation duplicates. Administrative Policy: Maintain citations copies for the current year plus 5 years for historical purposes.
12-09-06	Citations - Misdemeanor Cases	Most are filed with the case, except for City Municipal Code violations which go to Code Enforcement or to court. Entered into Tiburon.	Records		MX	AC+5		AC+5	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for misdemeanors/infractions with no arrests, identifiable property or missing persons. Administrative Policy: Maintain citations copies for 5 years after closure for historical purposes.
12-09-07	Officer Subpoenas	Maintained in a binder while active.	Records		MX	ACT		ACT	GC 34090.7; Duplicate records may be destroyed within the 2 year minimum requirement.
12-09-08	Subpoena Log	Log maintained from 2009. Paper maintained until date occurs.	Records		MX	CY+2		CY+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for subpoena logs
12-09-09	NCIC Audits	National Crime Information Computer. DOJ requires reporting monthly for stolen vehicles/license plates, stolen weapons, warrants, missing persons and restraining orders. Inhouse audit performed and results faxed to DOJ.	Records		MX	AA+2		AA+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for weekly, monthly, quarterly, and annual activity/statistical reports.
12-09-10	Inhouse Media Logs	Daily printing of crimes, from Tiburon, for outside media sources or the public to review. Maintained with the Arrest Logs.	Records		MX	ACT		ACT	GC 34090.7; Duplicate records may be destroyed within the 2 year minimum period
12-09-11	Arrest Logs	Daily printing of arrests, from Tiburon, for outside media sources or the public to review. Maintained with the Inhouse Media Logs. Juvenile information redacted.	Records		MX	ACT		ACT	GC 34090.7; Duplicate records may be destroyed within the 2 year minimum period
12-09-12	Corovan Receipts		Records		MX	CY+2		CY+2	GC 34090; 2 year minimum requirement

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Media Format	Active Retention	Inactive Retention	Total Retention	Citations & Legal Basis
12-09-13	Gun Reports	Includes stolen, lost and guns related to crimes. Individual files on guns.	Records		MX	AC+2		AC+2	GC 34090; 2 year minimum requirement PC 33875; 180 days after firearm found and owner notified Administrative Policy: Maintain for 2 years after the weapon is found.
12-09-14	Visitor Logs	Logs of contractors and other visitors to the Station.	Records		MX	CY+2		CY+2	GC 34090; 2 year minimum requirement
12-09-15	Citation Logs	Logs of citations paid at the Station.	Records		MX	CY+2		CY+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for parking & traffic citation duplicates. Administrative Policy: Maintain logs for Current Year plus 2 years to support the citations.
12-09-16	Cashier Logs	Balance of cash received at the counter.	Records		MX	CY+2		CY+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for accounting and cash reconciliation
12-09-17	Court Logs	Listing of court packets sent directly to the courts.	Records		MX	CY+2		CY+2	GC 34090; 2 year minimum requirement
12-09-18	Teletype Logs	Log of any communication sent via teletype to a requesting agency.	Records		MX	CY+2		CY+2	GC 34090; 2 year minimum requirement
12-09-19	Case Audit Log	Daily log of case numbers issued. Inhouse reference check for cases.	Records		MX	CY+2		CY+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 1 year for case assignment logs.
12-09-20	Online Crime Reporting	Reports created online by the public for lost items or other misdemeanor crimes with no suspects.	Records		MX	AC+2		AC+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for misdemeanors/infractions with no arrests, identifiable property or missing persons.
12-09-21	Redacted Traffic Reports	Redacted reports scanned to TrafficReports.com for public purchase. Includes all traffic reports. Transitory record since it's a copy of the original for public request needs.	Records		MX	ACT		ACT	GC 34090.7; Duplicate records may be destroyed within the 2 year minimum period
12-09-22	911 Logs	Hardcopy log created from dispatch and AT&T for 911 data.	Records		MX	ACT		ACT	GC 34090.7; Duplicate records may be destroyed within the 2 year minimum period Administrative Policy: Maintained for 2 days after printing. Information available from telephone service provider.
12-09-23	Audio Recordings - Routine	Includes telephone and radio communications. If crime related, the District Attorney must request audio within 100 days of the date. The City Attorney will inform the PD about pending litigation, and will approve destruction of recordings on a monthly basis.	Records		MX	2Y		2Y	GC 34090.6; 100 days. If a claim is filed or pending litigation, retain with the case file. State of California Guidelines; 180 days for audio, telephone and radio communication tapes, with exceptions of recordings pertaining to GC 34090.6 Administrative Policy: Maintain audio recordings for 2 years at the request of the Alameda County District Attorney's Office.
12-09-24	Audio Recordings - Litigation/Case Related	Includes telephone and radio communications. Recordings determined by the City Attorney for litigation or the District Attorney for crime prosecution.	Records		MX	AC *		AC *	GC 34090.6; 100 days. If a claim is filed or pending litigation, retain until pending litigation is resolved and * destroy with consent of the City Attorney. State of California Guidelines; 180 days for audio, telephone and radio communication tapes, with exceptions of recordings pertaining to GC 34090.6

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Media Format	Active Retention	Inactive Retention	Total Retention	Citations & Legal Basis
12-09-25	Audio Recordings - Personal Recording Units	Recordings by officers using recording devices controlled by the officer.	Records		MX	1Y+1 day		1Y+1 day	GC 34090.6; 100 days. If a claim is filed or pending litigation, retain with the case file. State of California Guidelines; 180 days for audio, telephone and radio communication tapes, with exceptions of recordings pertaining to GC 34090.6 Administrative Policy: Maintain audio recordings for 1 year and 1 day to support current cases. GC 34090; 2 year minimum requirement
12-09-26	Local Records Checks	Citizen requests their own personal information for completing student/work visas or for adoption applications.	Records		MX	CY+2		CY+2	
12-09-27	Criminal Background Checks	Third party requests from outside agencies. Includes a waiver for release of personal information.	Records		MX	CY+3		CY+3	GC 34090; 2 year minimum requirement CCP 340; 1 year statute of limitations 11 CCR 707(c); 3 years after release of record
12-09-28	Medical Screening Forms	Used to evaluate prisoner's medical status prior to incarceration. Information is not confidential since it is used for classification and for making custody personnel aware of conditions of the prisoner.	Records		MX	AC+2 *	5 *	AC+7 *	H&S 123145; * Under 18 - 1 year after 18th birthday or 7 years, whichever is longer. Over 18 - 7 years after discharge. 15 CCR 1205; Maintain separately from inmate files, no retention listed 15 CCR 1207; Maintain, no retention listed California "Minimum Guidelines for Local Detention Facilities" state "There is no Title 15 regulation related to records retention" for these records.

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Media Format	Active Retention	Inactive Retention	Total Retention	Citations & Legal Basis
12-10-00	<u>Vehicle & Equipment Maintenance Records</u>								
12-10-01	General Information		All Depts		MX	AR		AR	Administrative Record; Review annually for relevance to a project, inclusion in an associated record series, or creation of a new record series. Keep while current.
12-10-02	Vehicle Accountability Reports	Used for vehicles and all other equipment related to vehicles or radio handpacks. Maintained by vehicle for the life of vehicle.	Traffic		PA	LOV+2		LOV+2	GC 34090; 2 year minimum requirement CCP 338; 3 years for action CCP 340.5; 3 years for action 8 CCR 3203; IIPP equipment inspections, 1 year State of California Guidelines state life of the vehicle plus 2 years for fuel, maintenance and repair records of vehicles. State does not reference any citations. 2 years after termination for communication equipment.
12-10-03	DMV Registration	Maintained separately from vehicle maintenance files, by year.	Traffic		PA	LOV	3	LOV+3	GC 34090; 2 year minimum requirement CCP 338; 3 years for action CCP 340.5; 3 years for action State of California Guidelines state life of the vehicle plus 2 years for fuel, maintenance and repair records of vehicles. State does not reference any citations.
12-10-04	Speedometer Calibration Records		Traffic		PA	AT+2		AT+2	GC 34090; 2 year minimum requirement State of California Guidelines; 2 years after termination for radar calibration records Administrative Policy: Follow retention guidelines for radar calibration for all equipment calibrations
12-10-05	Minor Vehicle Damage Log Book	Maintained in the Watch Commander's office. For damage that does not require immediate repairs.	Traffic		PA	CY+2		CY+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current Year plus 2 years for maintenance and repairs
12-10-06	Surveillance Van Vehicle Log	Maintained in the Watch Commander's office.	Traffic		PA	CY+2		CY+2	GC 34090; 2 year minimum requirement State of California Guidelines; 2 years plus the current year for daily activity logs.
12-10-07	Vehicle Maintenance Record	Includes Vehicle Accountability Reports, County Repair Sheets, city repair sheets, private vendor repair sheets and general maintenance records for vehicles.	Traffic		PA	LOV	3	LOV+3	GC 34090; 2 year minimum requirement CCP 338; 3 years for action CCP 340.5; 3 years for action 8 CCR 3203; IIPP equipment inspections, 1 year State of California Guidelines state life of the vehicle plus 2 years for fuel, maintenance and repair records of vehicles. State does not reference any citations.
12-10-08	Asset Tracking Tags/Logs	Metal tags assigned to equipment and recorded in a tracking log.	Property		PA	P	P	P	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for equipment logs and inventories. Administrative Policy: Maintain permanently due to creation and maintenance of the log.
12-10-09	Monthly Mileage Log	Compilation of mileage for each vehicle in service.	Traffic		PA	CY+2	5	CY+7	GC 34090; 2 year minimum requirement CCP 338(k); SOL of 3 years for action, air quality State of California Guidelines; 7 years plus the current year for total daily mileage surveys and logs, referencing CCP 338.

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Media Format	Active Retention	Inactive Retention	Total Retention	Citations & Legal Basis
12-11-00	<u>Animal Control Records</u>								
12-11-01	General Information		All Depts		MX	AR		AR	Administrative Record; Review annually for relevance to a project, inclusion in an associated record series, or creation of a new record series. Keep while current.
12-11-02	Notice of Violation Warnings		AC		PA	AC+3		AC+3	GC 34090; 2 year minimum requirement PC 597.1(d); 3 years after animal's impoundment ends. F&A 32003; 3 years for animal disposition records.
12-11-03	Monthly County Rabies Report	Copies of submissions to county vector control	AC		PA	CY+3		CY+3	GC 34090; 2 year minimum requirement PC 597.1(d); 3 years after animal's impoundment ends. F&A 32003; 3 years for animal disposition records.
12-11-04	Impounded Animal Master Sheet	Receipt used occasionally for impounded animals after hours or release of an animal in the field.	AC		PA	AC+3		AC+3	GC 34090; 2 year minimum requirement PC 597.1(d); 3 years after animal's impoundment ends. F&A 32003; 3 years for animal disposition records.
12-11-05	Vicious Dog Incidents	Copies of case files for Animal Control. The hearings are handled by the Assistant City Clerk. Original case maintained by Police Records.	Assist CM		PA	ACT		ACT	GC 34090.7; Duplicate records may be destroyed within the 2 year minimum retention period
12-11-06	Vaccination Certificates	Forwarded by vets and/or City of Fremont Animal Shelter. Copy maintained by Animal Control, original not maintained by Fremont.	AC		PA	CY+3		CY+3	GC 34090; 2 year minimum requirement PC 597.1(d); 3 years after animal's impoundment ends. F&A 32003; 3 years for animal disposition records.
12-11-07	Animal Bite Reports	Copies of case files for Animal Control. Original case maintained by Police Records, and a copy is sent to County Vector Control.	Records		MX	ACT		ACT	GC 34090.7; Duplicate records may be destroyed within the 2 year minimum retention period
12-11-08	Animal Bite Reports Rolling Log	Lists case number for animal bite reports. No requirement to maintain this log.	AC		PA	CY+3		CY+3	GC 34090; 2 year minimum requirement PC 597.1(d); 3 years after animal's impoundment ends. F&A 32003; 3 years for animal disposition records.
12-11-09	Owner Surrenders	Surrender profile of owner surrenders. May be either an original or a copy from Fremont.	AC		PA	AC+3		AC+3	GC 34090; 2 year minimum requirement PC 597.1(d); 3 years after animal's impoundment ends. F&A 32003; 3 years for animal disposition records.
12-11-10	Kennel Cards	Copies of cards for when animals are received. Used as a reference for owners searching for their animals.	AC		PA	AC+3		AC+3	GC 34090; 2 year minimum requirement PC 597.1(d); 3 years after animal's impoundment ends. F&A 32003; 3 years for animal disposition records.

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Media Format	Active Retention	Inactive Retention	Total Retention	Citations & Legal Basis
12-01-00	<u>Administration / Chief of Police Records</u>								
12-01-01	General Information		All Depts		MX	AR		AR	Administrative Record; Review annually for relevance to a project, inclusion in an associated record series, or creation of a new record series. Keep while current.
12-01-02	Tiburon Records Management System	Includes Automated Reporting System and Records Management Systems, with PropRoom property management.	Admin		EL	IND		IND	Transitory Record: Maintain indefinitely or until data is transferred to a new tracking system.
12-01-03	Citation Log Book - Movers	Issued to any officer by their supervisor. Currently maintained by Personnel & Training.	Admin		PA	CY+2		CY+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for parking & traffic citation duplicates.
12-01-04	Citation Log Book - Parkers	Issued to any officer by their supervisor. Currently maintained by Personnel & Training.	Admin		PA	CY+2		CY+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for parking & traffic citation duplicates.
12-01-05	Administrative Citations	Issued for code enforcement issues. Written by PD or Code Enforcement, then sent to third party processing service.	Admin		PA	AC+2		AC+2	GC 34090; 2 year minimum State of California Guidelines; 2 years after correction/completion
12-01-06	Grants Applications and Programs	Includes approved applications, submissions, submission reports, progress reports based on grant guidelines, invoices from grant purchases.	Admin		MX	AC+3	2*	AC+5*	GC 34090; 2 year minimum 24 CFR 84.85, 84.53; 3 years after last funding report is submitted. State of California Guidelines; 5 years after grant closure. State recommends referring to grant application close-out procedures, if any. * Refer to grant application close-out procedure for potential extensions in retention period.
12-01-07	Property Audits	Performed by a division on the Property division.	Admin		PA	CY+2		CY+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for property control documents and logs.
12-01-08	Policy Manual	Lexipol	Admin		EL	P	P	P	GC 34090; 2 year minimum requirement State of California Guidelines; Permanent, no citation given.
12-01-09	Procedural Manuals	Kept and maintained by individual units/divisions.	Admin		MX	P	P	P	GC 34090; 2 year minimum requirement State of California Guidelines; Permanent, no citation given.
12-01-10	Internal Affairs	Includes complaints by citizens, comment and compliment forms, officer involved shootings, and copies of personnel files/information for both retired, separated and active employees.	Admin		MX	AC+2	3	AC+15* AC+5	PC 832.5(b) Statutory minimum is 6 years. Statutory minimum is 15 years for "sustained" complaints and 5 years for complaints with a disposition other than "sustained". EVC 1045; 5 years for conduct PC 801.5; SOL of 4 years after event PC 803(c); public officer, crime descriptions VC 2547; SOL of 3 years for officer fraud GC 12946; 2 years after completion/position filled
12-01-11	Statistical Reporting	Reports and data generated informally from Tiburon RMS and occasionally from outside sources, and distributed to requesting divisions/units or agencies. Used for special projects such as attorney requests, pending litigation and general division/unit requests.	Admin		PA	CY+2		CY+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for weekly, monthly, quarterly and annual statistical reports.
12-01-12	Police Annual Reports	Maintained by Cassie in COP.	Admin		PA	CY+2		CY+2	GC 34090; 2 year minimum requirement

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12-01-13	City Crime Maps	Maintained by Crimereports.com. See Kelly Mussgrove about these maps.	Admin		EL	IND		IND	Transitory Record: Maintain indefinitely or until data is transferred to a new tracking system.
12-01-14	Search Warrants	Previously maintained separately from the associated case, currently a copy is maintained with case. Sealed search warrants booked into evidence. May contain confidential and/or informant information.	Admin	C	PA	IND		IND	Retention period depends upon the associated case.
12-01-15	Vie Vu Recordings	Daily routine recordings from lapel cameras.	Admin		EL	CM+12		CM+12	GC 34090.6; 1 year. If a claim is filed or pending litigation, retain with the case file for 100 days after conclusion of court action.
12-01-16	Surveillance Recordings - Police/City Facilities	Includes in-building and parking lot surveillance.	Admin		EL	CM+13		CM+13	GC 34090.6; 1 year. If a claim is filed or pending litigation, retain with the case file for 100 days after conclusion of court action. State of California Guidelines; Current Month plus 13 months for surveillance recordings
12-01-17	Surveillance Recordings - Skate Park	Maintained for litigation purposes. Follow general SOL.	Admin		EL	CM+13		CM+13	GC 34090.6; 1 year. If a claim is filed or pending litigation, retain with the case file for 100 days after conclusion of court action. State of California Guidelines; Current Month plus 13 months for surveillance recordings
12-01-18	Automated Vehicle Locator System - AVL	Used to track police vehicles	Admin		EL	IND		IND	Transitory Record: Maintain indefinitely or until data is transferred to a new tracking system.
12-01-19	UCR Reports - Copies	Completed monthly for the DOJ. Uniform Crime Reporting.	Admin		EL	CY+10		CY+10	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for weekly, monthly, quarterly, and annual activity/statistical reports, including UCR reports. Administrative Policy: Maintain copies of UCR Reports for the Current Year plus 10 years for historical trending.
12-01-20	Equitable Sharing (Asset Seizure)	Includes agreement and status report. Maintained by the Chief's secretary.	Admin		PA	AC+2		AC+2	GC 34090; 2 year minimum requirement State of California Guidelines; Closure of the case plus 2 years.
12-01-21	Litigation Documents		Admin		PA	AC+5	2	AC+7	GC 34090; 2 year minimum GC 911.2; 1 year after accrual of cause of action CCP 337; Statute of limitations of 4 years PC 832.5; 5 years for safety officer complaints State of California Guidelines; Closure plus 1 year, since final verdict is recorded at the courts. Administrative Policy: Recommended best practice of 7 years after closure/completion by the American Bar Association.
12-01-22	Pitchess Motions		Admin		EL	CY+2		CY+2	GC 34090; 2 year minimum requirement
12-01-23	Subpoenas Duces Tecum	Subpoenas for records or property.	Admin		PA	CY+2		CY+2	GC 34090.7; Duplicate records may be destroyed within the 2 year minimum period State of California Guidelines; Current year plus 2 years. Courts/County maintain the original record.
12-01-24	City Attorney Reports (Use of Force)		Admin		PA	CY+2		CY+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for use of force files

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Media Format	Active Retention	Inactive Retention	Total Retention	Citations & Legal Basis
12-01-25	Incident Review Board Reports (IRB)	Report used to review incidents and identify training, procedural issues and equipment issues. Also includes City-owned vehicle accident reports and vehicle collision logs. Electronic file kept by the patrol lieutenants.	Admin		EL	CY+2		CY+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for incident history reports
12-01-26	CHP 187	For vehicle pursuits. Maintained by the Chief's secretary.	Admin		PA	CY+2	IND	IND	VC 17004.7; Maintain vehicle pursuit records, no retention.
12-01-27	Paid Overtime Signup Sheet		Admin		PA	CY+2		CY+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for timekeeping records.
12-01-28	Watch Schedules		Admin		EL	S+2		S+2	GC 34090; 2 year minimum requirement State of California Guidelines; After superseded stating GC 34090
12-01-29	Locker & Riot Locker Logs	Includes combinations and assigned lockers	Admin		PA	S+2		S+2	GC 34090; 2 year minimum requirement State of California Guidelines; After superseded
12-01-30	Emergency Contact Cards	Separate from employee personnel files. Accessed by supervisors when needed.	Admin	C	PA	ACT		ACT	GC 34090.7; Duplicate records may be destroyed within the 2 year minimum period
12-01-31	Supervisor's Evaluation Notes	Notes and observations on performance related issues for the deployment period. Cycle is a complete 6 months plus the remaining current deployment period. Maintained by the Patrol Lieutenant. Related to training.	Admin		PA	AC+6M		AC+6M	GC 34090.7; Duplicate records may be destroyed within the 2 year minimum period. Administrative Policy: Maintain for 6 months after completion to assist in the evaluation process. No need to retain beyond completion of the evaluation.
12-01-32	Administrative Staff Notes	General status updates on current projects and items of interest.	Admin		PA	CY+2		CY+2	GC 34090; 2 year minimum Administrative Record, State of California Guidelines
12-01-33	Supervisor Staff Notes	General status updates on current projects and items of interest. Pertains mainly to operational issues.	Admin		PA	CY+2		CY+2	GC 34090; 2 year minimum Administrative Record, State of California Guidelines
12-01-34	Written District Attorney's Request	Information requested by the DA for audio recordings, evidence or copies of evidence. Fulfilled by Records and Communications or Property, depending upon information requested.	Admin		PA	AC+2		AC+2	GC 34090; 2 years minimum State of California Guidelines; 2 years after completion
12-01-35	Holding Cell Logs	Log of persons maintained in holding cells, including name, charges, time checks, and other information.	Admin		PA	CY+2	4	CY+6	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 6 years for jail logs
12-01-36	Holding Cell Health Inspections	Annual inspection performed by the County.	Admin		PA	CY+2	4	CY+6	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 6 years for inspection files
12-01-37	Monthly Cell Inspections	Internal inspection of cells for repairs, maintenance and restocking.	Admin		PA	CY+2		CY+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for maintenance and operations records

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Media Format	Active Retention	Inactive Retention	Total Retention	Citations & Legal Basis
12-01-38	Explorer Scout Program	Includes application, ride-along waiver, background authorization, supplemental background information form, criminal history and records checks, LiveScan fingerprinting, background letters to neighboring agencies, and ID cards. Exit the program when they turn 21 or sooner. Does not include performance evaluations, but does include correspondence, suspension information and reason for exiting the program.	Admin	C	PA	AT+2	8	AT+10	CCP 335.1; 2 years for action on injuries caused by neglect. 29 CFR 1627.3 - 4; 3 years after termination 29 CFR 1602.30 - 32; 2 - 3 years after termination 29 CFR 516.5 - 6; 3 years after action 29 USC 1113; 6 years after date of last action GC 12946; 2 years after termination or action State of California Guidelines; 5 years after termination Administrative Policy: Maintain for 10 years after the applicant leaves the program.
12-01-39	Community Service Event Log	Community service activities, events attended, and who worked the event for Explorer Scout Program.	Admin		PA	CY+2		CY+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 1 year for case assignment logs.

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Media Format	Active Retention	Inactive Retention	Total Retention	Citations & Legal Basis
12-02-00	Personnel Records								
12-02-01	General Information		All Depts		MX	AR		AR	Administrative Record; Review annually for relevance to a project, inclusion in an associated record series, or creation of a new record series. Keep while current.
12-02-02	Recruitment	Includes copies of electronic or paper applications prior to screening process. Candidates maintained in separate folders, including drivers licenses, certificates of completion, oral interview scores and comments, and other personal information.	Personnel	C	PA	AC+3 *		AC+3 *	GC 12946; 2 years after completion/position filled GC 6250; Public Records Act, release of confidential information 29 CFR 1602.14; 1 year after position filled 29 CFR 1607; Maintain EEOC demographic information 29 CFR 1627.3; 1 year after position filled State of California Guidelines; 3 years after completion/position filled. Administrative Policy: Maintain individual recruitment files for 3 years after disqualification, or 3 years after expiration of the associated eligibility list.
12-02-03	Personnel Records	AT+5. Maintained by Administrative Secretary to the Chief of Police.	Personnel	C	PA	AT+1	5	AT+6	29 CFR 1627.3 - 4; 3 years after termination 29 CFR 1602.30 - 32; 2 - 3 years after termination 29 CFR 516.5 - 6; 3 years after action 29 USC 1113; 6 years after date of last action GC 12946; 2 years after termination or action State of California Guidelines; 5 years after termination
12-02-04	Background Checks	Hired personnel are maintained by the Administrative Secretary. Unsuccessful candidates maintained in Personnel for 5 years after completion of recruitment, then purged.	Personnel	C	PA	AT+2 AC+3	P	P AC+3	GC 34090; 2 year minimum PC 832.5; 5 years for officer complaints State of California Guidelines; Permanent for hired Safety Personnel; 2 years after position closes for Safety Personnel not hired. Administrative Policy: Maintain non-hired background checks for 3 years after position is filled to follow recruitment files.
12-02-05	SB90 Statistics	Statistical information generated from Tiburon/RMS for the state. Reimbursements for responding to certain types of incidents.	Personnel		PA	CY+2		CY+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for statistical reports
12-02-06	Alarm Permits	Hardcopy maintained for 3 years, data entered into database.	Personnel		PA	AE+2		AE+2	GC 34090; 2 years minimum State of California Guidelines; Current year plus 2 years for alarm records.

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Media Format	Active Retention	Inactive Retention	Total Retention	Citations & Legal Basis
12-02-07	Promotional Testing Process	Maintained by test session.	Personnel		PA	AC+3 *		AC+3 *	GC 12946; 2 years after completion/position filled GC 6250; Public Records Act, release of confidential information 29 CFR 1602.14; 1 year after position filled 29 CFR 1607; Maintain EEOC demographic information 29 CFR 1627.3; 1 year after position filled State of California Guidelines; 3 years after completion/position filled. Administrative Policy: Maintain individual recruitment files for 3 years after disqualification, or 3 years after expiration of the associated eligibility list.
12-02-08	Concealed Weapons Permits - CCW	National permits require qualification annually. Qualification may occur in City or at outside locations. Includes renewal notification and copies of the current policy which are sent to the applicant. Maintained indefinitely for trending. Denied permit applications	Personnel		PA	AE+2		AE+2	GC 34090; 2 year minimum requirement PC 12071, Maintain records PC 12078, Maintain records State Recommendation, 2 years after the license expires.
						CY+2		CY+2	

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Media Format	Active Retention	Inactive Retention	Total Retention	Citations & Legal Basis
12-03-00	Training Records								
12-03-01	General Information		All Depts		MX	AR		AR	Administrative Record; Review annually for relevance to a project, inclusion in an associated record series, or creation of a new record series. Keep while current.
12-03-02	Training Management System Database	Lesson plans, location, subject, safety plan, class costs, attendance etc. are maintained electronically in TMS. Paper destroyed after entry into the database.	Training		EL	IND		IND	Transitory Record: Maintain indefinitely or until data is transferred to a new tracking system.
12-03-03	CRU Operations/Training - SWAT	Scanned into TMS. Paper destroyed after scanning.	Training		PA	ACT		ACT	GC 34090.7; Duplicate records may be destroyed within the 2 year minimum period. Administrative Policy: Destroy paper after scanning and quality check of the image.
12-03-04	CRU Operations/Training - Sniper	Scanned into TMS. Paper destroyed after scanning.	Training		PA	ACT		ACT	GC 34090.7; Duplicate records may be destroyed within the 2 year minimum period. Administrative Policy: Destroy paper after scanning and quality check of the image.
12-03-05	CRU Operations/Training - HNT	Scanned into TMS. Paper destroyed after scanning.	Training		PA	ACT		ACT	GC 34090.7; Duplicate records may be destroyed within the 2 year minimum period. Administrative Policy: Destroy paper after scanning and quality check of the image.
12-03-06	CRU Operations/Training - Peer Support Team	Scanned into TMS. Paper destroyed after scanning.	Training		PA	ACT		ACT	GC 34090.7; Duplicate records may be destroyed within the 2 year minimum period. Administrative Policy: Destroy paper after scanning and quality check of the image.
12-03-07	Crisis Intervention Training (CIT)	Includes intervention training for mentally unstable individuals. Scanned into TMS. Paper destroyed after scanning.	Training		PA	ACT		ACT	GC 34090.7; Duplicate records may be destroyed within the 2 year minimum period. Administrative Policy: Destroy paper after scanning and quality check of the image.
12-03-08	Defensive Tactics	Includes impact weapons	Training		MX	AC+2	13	AC+15	GC 34090; 2 year minimum requirement State of California Guidelines; 15 years after completion for range lesson plans. No citation given.
12-03-09	Weapons Program	Includes range lesson plans, firearms safety plan, weapon maintenance, after action reviews, firearm training manuals, simulation training, range master and safety officer for firearms and less-lethal weapons. Qualifications combined with the training session.	Training		MX	AC+2	13	AC+15	GC 34090; 2 year minimum requirement State of California Guidelines; 15 years after completion for range lesson plans. No citation given.
12-03-10	K-9 Records	Includes monthly training records, veterinary records and care and maintenance records.	Training		MX	AT+2	5	AT+7	GC 34090; 2 year minimum requirement GC 6250; PRA, confidential record status State of California Guidelines; 7 years after termination, no specific citation given.
12-03-11	Emergency Vehicle Operations	Includes yearly update on pursuit policy.	Training		MX	P	P	P	GC 34090; 2 year minimum requirement State of California Guidelines; Permanent, no citation given.

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12-03-12	Video Training	Includes tactical communications, CPR/First Aid (part hands on), racial profiling, domestic violence.	Training		EL	AC+2	13	AC+15	GC 34090; 2 year minimum requirement State of California Guidelines; 15 years after completion for range lesson plans. No citation given.
12-03-13	POST Training Reimbursement Forms	Reimbursements from POST for outside training. Finance only gets the check from POST, not the form.	Training		PA	CY+4		CY+4	GC 34090; 2 year minimum requirement CCP 337; Statute of limitations of 4 years State of California Guidelines; 4 years after audit Administrative Policy: Maintain for the same retention period as Accounts Receivable under Finance/ASD.
12-03-14	Personnel Training Records	Individual records by employee. Includes certificates, program attendance, equipment, diploma copies, oaths of office, duty assignments, CLETS Full / Less-than-full Operator Exams and POST records.	Training		PA	AT+2		AT+2	GC 34090; 2 year minimum requirement 29 CFR 1627.3(b); 1 year for training records GC 12946; 2 years after termination GC 6250; PRA, confidential record status State of California Guidelines; 2 years after termination for certificates and designations training.
12-03-15	Instructor Resumes	Also maintained with POST, but created in PD.	Training		MX	AT+2		AT+2	GC 34090; 2 year minimum requirement State of California Guidelines; maintain information on speakers for the current year plus 2 years.
12-03-16	Department Master Training Plan	Until superseded. Suggestion for annual review.	Training		MX	S+2		S+2	GC 34090; 2 year minimum requirement
12-03-17	Training Bulletins	Notification of new training procedures or matters. Maintain indefinitely.	Training		MX	CY+2	P	P	GC 34090; 2 year minimum requirement State of California Guidelines; Permanent, no citation given.
12-03-18	Respiratory Protection Program	Includes yearly fit testing and medical examinations.	Training		MX	CY+3		CY+3	CCP 340.5; Statute of limitations of 3 years after incident 8 CCR 3203; IIPP program, 1 year for corrective action and training records State of California Guidelines; Current year plus 2 years for equipment maintenance
12-03-19	Field, Civilian & Public Service Officer Training Programs - FTO/CTO/PSO	Filed by employee. Includes daily observation reports, schedules and supporting documents, orientation and other initial training records.	Training		PA	AT+2	5	AT+7	GC 34090; 2 year minimum requirement GC 6250; PRA, confidential record status State of California Guidelines; 7 years after termination, no specific citation given. 2 years after termination for certificates and designations training.
12-03-20	Skills & Knowledge Module Files	Individual lesson plans for courses. Pre-electronic era records no longer created and used. Records still maintained in storage.	Training		PA	AC+2	13	AC+15	GC 34090; 2 year minimum requirement State of California Guidelines; 15 years after completion for range lesson plans.

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Media Format	Active Retention	Inactive Retention	Total Retention	Citations & Legal Basis
12-04-00	COPPS Records								
12-04-01	General Information		All Depts		MX	AR		AR	Administrative Record; Review annually for relevance to a project, inclusion in an associated record series, or creation of a new record series. Keep while current.
12-04-02	Tobacco Grant	County funded program for tobacco stings.	COPPS		PA	AFP+2	3	AFP+5	GC 34090; 2 year minimum 24 CFR 84.85, 84.53; 3 years after last funding report is submitted. State of California Guidelines; 5 years after grant closure. State recommends referring to grant application close-out procedures, if any. * Refer to grant application close-out procedure for potential extensions in retention period.
12-04-03	Second Hand Dealer Licenses		COPPS		PA	AE+2		AE+2	GC 34090; 2 years minimum State of California Guidelines; Current year plus 2 years for Secondhand Dealers and Pawn Brokers.
12-04-04	ABC Applications	Processed at ABC and the City is notified.	COPPS		PA	AE+2		AE+2	GC 34090; 2 years minimum State of California Guidelines; Life of the license plus 2 years.
12-04-05	YFS Referrals	Form used to recommend individuals to YFS.	COPPS		PA	CY+2		CY+2	GC 34090; 2 years minimum
12-04-06	COPPS Projects Log	Log used to track and trend ongoing problems and resolutions to problems. May come from any officer. Includes Community Health Action Team (CHAT) inspections.	COPPS		PA	AC+2		AC+2	GC 34090; 2 year minimum State of California Guidelines; 2 years after correction/completion for code enforcement
12-04-07	COPPS Projects	Filed sequentially by assigned number.	COPPS		PA	AC+2		AC+2	GC 34090; 2 year minimum State of California Guidelines; 2 years after correction/completion for code enforcement
12-04-08	Property Business Improvement District Program	Businesses within the district will fund officers. Statistical reports are generated and maintained.	COPPS		PA	CY+2		CY+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for statistical reports
12-04-09	Law Enforcement Grants	Grants offered through outside companies and applied for by PD.	COPPS		MX	AFP+2	3	AFP+5	GC 34090; 2 year minimum 24 CFR 84.85, 84.53; 3 years after last funding report is submitted. State of California Guidelines; 5 years after grant closure. State recommends referring to grant application close-out procedures, if any. * Refer to grant application close-out procedure for potential extensions in retention period.
12-04-10	Firearm Qualification Log	Binder contains a record of each qualification and results. Should be maintained by Personnel & Training.	P&T		PA	CY+2		CY+2	GC 34090; 2 year minimum requirement 29 CFR 1627.3(b); 1 year for training programs

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12-04-11	Crime Free Program	Includes base line statistics on calls for services, monthly property reports (not maintained, only reviewed for trending) and arrest reports for specific apartment properties requesting the service. Documents include program management training records/certifications (every 2 years), CPTED (Crime Prevention Through Environmental Design), Property Social Event records, Trespass Admonishment Warning forms (entered into RMS) and Confirmation of Arrest forms. An addendum to the lease agreement is created and required to accommodate the program. Simplifies the removal of criminal elements from the complex. Potential for litigation.	COPPS		PA	AC+2		AC+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for weekly, monthly, quarterly and annual statistical reports, and for citizen patrol requests. 2 years after completion or closure for research project files.
12-04-12	Abatement Letters	Used to notify landlords of criminal activities and prompt action.	COPPS		MX	AC+2		AC+2	GC 34090; 2 year minimum State of California Guidelines; 2 years after correction/completion for code enforcement
12-04-13	Ride-along Program	Applications for program.	COPPS		PA	CY+2		CY+2	GC 34090; 2 years minimum

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12-05-00	<u>Traffic Section Records</u>								
12-05-01	General Information		All Depts		MX	AR		AR	Administrative Record; Review annually for relevance to a project, inclusion in an associated record series, or creation of a new record series. Keep while current.
12-05-02	DataTicket Citation Services / Database	Hosted system for parking citations. Electronic tickets are generated at scene and electronically submitted for processing.	Traffic		EL	IND		IND	Transitory Record: Maintain indefinitely or until data is transferred to a new tracking system.
12-05-03	Parking Ticket Appeals	Hardcopy of documents submitted by responsible violator maintained in Traffic. Appeal also tracked on DataTicket website.	Traffic		PA	AC+2		AC+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for parking & traffic citation duplicates.
12-05-04	Abandoned Vehicle Warning Notices	If vehicle is moved, notice is disregarded. If vehicle is towed, notices is maintained with the case in Records.	Traffic		PA	AC+2		AC+2	GC 34090; 2 year minimum requirement State of California Guidelines; 2 years after correction/completion.
12-05-05	Collisions	Includes tow sheets, driver evaluations, lab requests, medical records requests; All documents go to Records as part of the case file.	Records		MX	ACT		ACT	GC 34090.7; Duplicate records may be destroyed within the 2 year minimum retention period
12-05-06	Traffic Complaints	Trickle down from Administration. General traffic related e-mails and other complaints and requests.	Traffic		MX	CY+2		CY+2	GC 34090; 2 year minimum requirement State of California Guidelines; 2 years after correction/completion. Administrative Policy: Maintain traffic complaints for 2 years after receipt.
12-05-07	Towing Service Provider	Includes general information and correspondence with tow contract provider.	Traffic		PA	CY+2		CY+2	GC 34090; 2 year minimum requirement
12-05-08	Vehicle Check Points	Includes an after action plan on vehicle check points. 1 file kept per check point.	Traffic		PA	CY+2		CY+2	GC 34090; 2 year minimum requirement
12-05-09	Equipment Calibrations	Includes radar, lidar, preliminary alcohol screening device calibrations.	Traffic		PA	AT+2		AT+2	GC 34090; 2 year minimum requirement State of California Guidelines; 2 years after termination for radar calibration records

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Media Format	Active Retention	Inactive Retention	Total Retention	Citations & Legal Basis
12-06-00	Investigations Records								
12-06-01	General Information		All Depts		MX	AR		AR	Administrative Record; Review annually for relevance to a project, inclusion in an associated record series, or creation of a new record series. Keep while current.
12-06-02	Informant Files		Invest		PA	AT+2	8	AT+10	GC 34090; 2 year minimum requirement State of California Guidelines; 10 years after termination for informant files, no citation stated
12-06-03	290 PC Registration	For sex offenders. Activity based on ORI status. Adults Juvenile	Invest		PA	L+2 * Varies		L+2 * Varies	GC 34090; 2 years minimum * PC 290; definitions and references W&IC 781; 5 years after record sealed or when juvenile reaches 38 years. Permanent if tried as an adult. State of California Guidelines; Life of registrant within jurisdiction for arson, sex and narcotics.
12-06-04	290 PC Registration Log	Excel file listing offender, birth day, last registration event and other remarks and/or compliance issues.	Invest		PA	IND		IND	Transitory Record: Maintain indefinitely or until data is transferred to a new tracking system.
12-06-05	11590 H&S Registration	For drug registrants.	Invest		PA	L+2		L+2	GC 34090; 2 years minimum H&S 11594; 5 years after termination of parole or probation PC 186.32; 5 years after last registration requirement State of California Guidelines; Life of registrant within jurisdiction for arson, sex and narcotics.
12-06-06	Arson Registration	Arson - Adults Arson - Juveniles	Invest		PA	L+2 * Varies		L+2 * Varies	GC 34090; 2 years minimum H&S 11594; 5 years after termination of parole or probation PC 186.32; 5 years after last registration requirement * PC 457; Arson registration for juveniles, 25 years of age or when records are sealed per W&IC 781 State of California Guidelines; Life of registrant within jurisdiction for arson, sex and narcotics.
12-06-07	Pawn Slips		Invest		PA	CY+2		CY+2	GC 34090; 2 years minimum State of California Guidelines; Current year plus 2 years for Secondhand Dealers and Pawn Brokers.
12-06-08	Intelligence Reports/Graphs/Statistics	May include a snapshot of information from Tiburon relating to a person, property or incident.	Invest		MX	CY+2		CY+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for weekly, monthly, quarterly and annual activity reports.
12-06-09	Photographs	Miscellaneous photograhs.	Invest		MX	CY+2, AR		CY+2, AR	GC 34090; 2 year minimum requirement Administrative Policy: Periodically review photographs for relevance to current cases or events.

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Media Format	Active Retention	Inactive Retention	Total Retention	Citations & Legal Basis
12-07-00	<u>Property Management Records</u>								
12-07-01	General Information		All Depts		MX	AR		AR	Administrative Record; Review annually for relevance to a project, inclusion in an associated record series, or creation of a new record series. Keep while current.
12-07-02	Transfer Sheets	Includes chain of custody evidence/property transfer for inhouse and outside agencies. Maintained in Property until case is resolved, then transferred to records.	Records		PA	AC+2		AC+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for property control logs recording items coming into and going out of property rooms.
12-07-03	Case Disposition Reports	Copy of original, which is maintained by Records.	Records		PA	ACT		ACT	GC 34090.7; Duplicate records may be destroyed within the 2 year minimum retention period
12-07-04	Criminal Case Disposition Reports (CORPUS)	Provide by Alameda County bi-weekly designating disposition of court cases. Original sent to Records.	Records		PA	CY+2		CY+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for case tracking records
12-07-05	Property Disposition Memorandum	Generated by Property to go to case investigation asking for permission to dispose of evidence. Official record maintained in Records. Created by Property or by Investigations, approved by Investigations, then returned to Property.	Records		PA	ACT		ACT	GC 34090.7; Duplicate records may be destroyed within the 2 year minimum retention period
12-07-06	Weapons Destruction Log	Includes court order to destroy. Created by Property, sent to Investigations for approval, then returned to Property.	Property		PA	P	P	P	GC 34090; 2 year minimum requirement State of California Guidelines; Permanent for gun destruction. No citation given.
12-07-07	Drug Destruction Log	Includes court order to destroy. Created by Property, sent to Investigations for approval, then returned to Property.	Property		PA	P	P	P	GC 34090; 2 year minimum requirement State of California Guidelines; Permanent for gun destruction. No citation given.
12-07-08	Deposit Receipts	For disposition of found or unclaimed monies, or distributions per court order. Copy from ASD maintained with the case record.	ASD		PA	AC+2		AC+2	GC 34090; 2 year minimum requirement
12-07-09	Bicycle Requisition Forms	Releases possession of bicycles to the City's Teen Workshop for repairs and resale. Electronic version maintained within Tiburon, but does not show release/acceptance signatures	Property		PA	AC+2		AC+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for property control logs recording items coming into and going out of property rooms.
12-07-10	Auction Reports	Lists sent to the auction house for sale.	Property		PA	AC+2		AC+2	GC 34090; 2 year minimum requirement State of California Guidelines; 2 years after financial audit for surplus property auctions including listings of property.
12-07-11	Asset Seizure Form	For monies seized over a certain amount. Requested from a major crimes task force, and ultimately sent to Records with the case file.	Records		PA	ACT		ACT	GC 34090.7; Duplicate records may be destroyed within the 2 year minimum retention period
12-07-12	Property Inventory Reports		Property		PA	AC+2		AC+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for property control logs recording items coming into and going out of property rooms.
12-07-13	General Statistical Reports	Requests for information on incoming items processed, disposed of, and/or purged.	Property		MX	CY+2		CY+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for weekly, monthly, quarterly and annual statistical reports.

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Media Format	Active Retention	Inactive Retention	Total Retention	Citations & Legal Basis
12-08-00	<u>Records - Case Files</u>								*** Maintain all case files confidential while active. California Public Records Act to be consulted.
12-08-01	General Information		All Depts		MX	AR		AR	Administrative Record; Review annually for relevance to a project, inclusion in an associated record series, or creation of a new record series. Keep while current.
12-08-02	187 - Murders		Records	C ***	MX	P	P	P	PC 187; Definitions PC 799; No statutes of limitations on actions Indefinite retention is recommended by DOJ and CA Law Enforcement Officers Assoc.
12-08-03	Officer Involved Cases	Includes shootings	Records	C ***	MX	AC+5	20	AC+25	EVC 1045; Public access to information on Internal Affairs cases. 5 year access limit. GC 12946; Personnel records, 2 years after termination. PC 801.5, 803(c), PC 832.5; 5 years after case closure, confidential document not for public exposure. VC 2542 & 2547; Officer fraud or misrepresentation. 3 years after act or omission. State Recommendation; Closure of case plus 25 years. DOJ regulates, if not involving felonies, the report can be destroyed after 3 years, provided that accounting of incident has been placed with the case file.
12-08-04	Child Molestation		Records	C ***	MX	AC+5	5	AC+10	PC 11169; Maintain PC 11170; 10 years from date of reporting , DOJ Recommendation PC 288, 647; Definitions
12-08-05	Drug / Sex Crime Registration	Sex offenders - Adult Sex offenders - Juvenile	Records	C ***	MX	LOR+2 * Varies		LOR+2 * Varies	GC 34090; 2 years minimum * PC 290; definitions and references W&IC 781; 5 years after record sealed or when juvenile reaches 38 years. Permanent if tried as an adult. State of California Guidelines; Life of registrant within jurisdiction for arson, sex and narcotics.
12-08-06	City Employee Cases		Records	C ***	MX	AC+2	5	AC+7	GC 34090, 2 year minimum requirement 29 CFR 1904; OSHA reports, maintain 29 CFR 1904.33; OSHA reports maintained for the current year plus 5 years. State of California Guidelines; 7 years after closure
12-08-07	Sex Crimes		Records	C ***	MX	AC+5	P	P	PC 261; Definitions PC 220; Definitions & punishments PC 286; Definitions & punishments PC 289; Definitions & punishments W&I 781; Juvenile records, when offender reaches age 38, or 5 years after records are sealed. Department of Justice recommends 25 years. Administrative Policy: Based on registration requirements, maintain sex crime cases Permanently for adult offenders.

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Media Format	Active Retention	Inactive Retention	Total Retention	Citations & Legal Basis
12-08-08	Weapon Crimes	Possession of illegal weapons, carrying concealed weapons, and other crimes relating to the possession or use of illegal weapons where no other crime has occurred.	Records	C ***	MX	AC+5	5	AC+10	GC 34090; 2 year minimum requirement Administrative Policy: Retain weapon crime information for 10 years to track potentially violent individuals.
12-08-09	Crimes with Death		Records	C ***, V, H	MX	P	P	P	PC 799; No statutes of limitations on actions Indefinite retention is recommended by DOJ and CA Law Enforcement Officers Assoc. State of California Guidelines; Permanent
12-08-10	Child Abuse		Records	C ***, V	MX	AC+10		AC+10	PC 11169; Maintain PC 11170; 10 years from date of reporting , DOJ Recommendation PC 288, 647; Definitions
12-08-11	Missing Persons		Records	C ***	MX	AC+2		AC+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for non-criminal occurrences, including missing persons where person has been returned/found. DOJ recommends permanent for unsolved missing persons.
12-08-12	Unattended Death / Suicide	Suspicious	Records	C ***, V, H	MX	P	P	P	PC 799; No statutes of limitations on actions Indefinite retention is recommended by DOJ and CA Law Enforcement Officers Assoc. State of California Guidelines; Permanent
		No suspicious circumstances		C ***, V		AC+2		AC+2	GC 34090; 2 year minimum requirement
12-08-13	Traffic Reports	Involving injury, non-fatal and/or misdemeanor violations.	Records	C ***, V	MX	CY+3		CY+3	GC 34090; 2 year minimum requirement CA Law Enforcement Warrant Officers Association recommends keeping for an additional 3 years, and permanently for collisions involving fatalities.
		Collisions involving fatalities		C ***, V, H		P	P	P	
12-08-14	Robberies / Burglary		Records	C ***	MX	AC+3		AC+3	GC 34090, 2 year minimum requirement CCP 338 et al.; up to 3 years after commission of offense or after realization of offense. State Recommendation; Closure of case plus 3 years.
12-08-15	Stolen Vehicles		Records	C ***	MX	AC+10		AC+10	GC 34090; 2 year minimum requirement CA Law Enforcement Warrant Officers Association recommends keeping for 10 years.
12-08-16	Misdemeanors / Petty Theft		Records	C ***	MX	AC+2		AC+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for misdemeanors/infractions with no arrests, identifiable property or missing persons.
12-08-17	Marijuana Related Crimes		Records	C ***	MX	AC+2 *		AC+2 *	HS 11361.5, 11357 B, C, D, or E; 2 years after case closure, * or until offender reaches the age of 18 years provided there are no active warrants associated with the case. Destroy Juvenile marijuana cases after age 18. Combined cases may be retained for the longest applicable retention period.

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12-08-18	Record Sealings	Adults	Records	C ***	MX	AC+3 *		AC+3 *	PC 851.8(a); Factually innocent records, 3 years after arrest, * with district attorney approval.
		Juveniles				AC+5 **		AC+5 **	Date of court ordered destruction W&IC 781; 5 years after sealed by court order for at-risk youth; ** W&IC 781; When juvenile reaches the age of 38 for murder and/or sex crimes occurring before the child is 14 years of age ** W&IC 781; For murder and/or sex crimes occurring on or after the child reaches age 14, DO NOT DESTROY.
12-08-19	Animal Bite Reports		Records	C ***	MX	AC+3		AC+3	F&AC 32003(e); 3 years after animal disposition PC 597.1(d); 3 years after animal disposition GC 34090; 2 year minimum requirement NOTE: Animal Disposition includes death of the animal, euthanasia or release of the animal back to the owner or caretaker.
12-08-20	Criminal Protective Order	Received from the protected person and maintained in a new or existing case file.	Records	C ***	MX	AE		AE	GC 34090; 2 year minimum requirement GC 68152; Duration of the restraining or other order and renewals, then retain orders as a judgement. State of California Guidelines; Destroy after law enforcement actions described in Penal Codes 273.5, 273.6, 646.9, 12028.5, 13700 and Family Codes 6380 - 6383 are fulfilled and effective date of restraining order has expired.

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Media Format	Active Retention	Inactive Retention	Total Retention	Citations & Legal Basis
12-09-00	<u>Records - Administration</u>								
12-09-01	General Information		All Depts		MX	AR		AR	Administrative Record; Review annually for relevance to a project, inclusion in an associated record series, or creation of a new record series. Keep while current.
12-09-02	Field Interview Cards - FCON Cards, General	Used for interviews for comments at crime scenes. Routine cards are maintained onsite.	Records		MX	AC+5		AC+5	GC 34090; 2 year minimum requirement State of California Guidelines; 2 years after completion for field interview cards. Administrative Policy: Maintain field interview cards for 5 years after completion to support the Alameda County District Attorney's Office.
12-09-03	Field Interview Cards - FCON Cards, Gang Related	Gang identification information is sent offsite to gang task force. DA likes physical card for gang related evidence.	Gang Task Force JPA		MX	AC+2		AC+2	GC 34090; 2 year minimum requirement State of California Guidelines; 2 years after completion for field interview cards.
12-09-04	Citations - Movers	Paper copy kept in Records; one copy goes to the courts.	Records		MX	CY+5		CY+5	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for parking & traffic citation duplicates. Administrative Policy: Maintain citations copies for the current year plus 5 years for historical purposes.
12-09-05	Citations - Parkers	Paper copy kept in the City and copy sent to DataTicket for processing.	Records		MX	CY+5		CY+5	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for parking & traffic citation duplicates. Administrative Policy: Maintain citations copies for the current year plus 5 years for historical purposes.
12-09-06	Citations - Misdemeanor Cases	Most are filed with the case, except for City Municipal Code violations which go to Code Enforcement or to court. Entered into Tiburon.	Records		MX	AC+5		AC+5	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for misdemeanors/infractions with no arrests, identifiable property or missing persons. Administrative Policy: Maintain citations copies for 5 years after closure for historical purposes.
12-09-07	Officer Subpoenas	Maintained in a binder while active.	Records		MX	ACT		ACT	GC 34090.7; Duplicate records may be destroyed within the 2 year minimum requirement.
12-09-08	Subpoena Log	Log maintained from 2009. Paper maintained until date occurs.	Records		MX	CY+2		CY+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for subpoena logs
12-09-09	NCIC Audits	National Crime Information Computer. DOJ requires reporting monthly for stolen vehicles/license plates, stolen weapons, warrants, missing persons and restraining orders. Inhouse audit performed and results faxed to DOJ.	Records		MX	AA+2		AA+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for weekly, monthly, quarterly, and annual activity/statistical reports.
12-09-10	Inhouse Media Logs	Daily printing of crimes, from Tiburon, for outside media sources or the public to review. Maintained with the Arrest Logs.	Records		MX	ACT		ACT	GC 34090.7; Duplicate records may be destroyed within the 2 year minimum period
12-09-11	Arrest Logs	Daily printing of arrests, from Tiburon, for outside media sources or the public to review. Maintained with the Inhouse Media Logs. Juvenile information redacted.	Records		MX	ACT		ACT	GC 34090.7; Duplicate records may be destroyed within the 2 year minimum period

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12-09-12	Corovan Receipts		Records		MX	CY+2		CY+2	GC 34090; 2 year minimum requirement
12-09-13	Gun Reports	Includes stolen, lost and guns related to crimes. Individual files on guns.	Records		MX	AC+2		AC+2	GC 34090; 2 year minimum requirement PC 33875; 180 days after firearm found and owner notified Administrative Policy: Maintain for 2 years after the weapon is found.
12-09-14	Visitor Logs	Logs of contractors and other visitors to the Station.	Records		MX	CY+2		CY+2	GC 34090; 2 year minimum requirement
12-09-15	Citation Logs	Logs of citations paid at the Station.	Records		MX	CY+2		CY+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for parking & traffic citation duplicates. Administrative Policy: Maintain logs for Current Year plus 2 years to support the citations.
12-09-16	Cashier Logs	Balance of cash received at the counter.	Records		MX	CY+2		CY+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for accounting and cash reconciliation
12-09-17	Court Logs	Listing of court packets sent directly to the courts.	Records		MX	CY+2		CY+2	GC 34090; 2 year minimum requirement
12-09-18	Teletype Logs	Log of any communication sent via teletype to a requesting agency.	Records		MX	CY+2		CY+2	GC 34090; 2 year minimum requirement
12-09-19	Case Audit Log	Daily log of case numbers issued. Inhouse reference check for cases.	Records		MX	CY+2		CY+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 1 year for case assignment logs.
12-09-20	Online Crime Reporting	Reports created online by the public for lost items or other misdemeanor crimes with no suspects.	Records		MX	AC+2		AC+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for misdemeanors/infractions with no arrests, identifiable property or missing persons.
12-09-21	Redacted Traffic Reports	Redacted reports scanned to TrafficReports.com for public purchase. Includes all traffic reports. Transitory record since it's a copy of the original for public request needs.	Records		MX	ACT		ACT	GC 34090.7; Duplicate records may be destroyed within the 2 year minimum period
12-09-22	911 Logs	Hardcopy log created from dispatch and AT&T for 911 data.	Records		MX	ACT		ACT	GC 34090.7; Duplicate records may be destroyed within the 2 year minimum period Administrative Policy: Maintained for 2 days after printing. Information available from telephone service provider.
12-09-23	Audio Recordings - Routine	Includes telephone and radio communications. If crime related, the District Attorney must request audio within 100 days of the date. The City Attorney will inform the PD about pending litigation, and will approve destruction of recordings on a monthly basis.	Records		MX	2Y		2Y	GC 34090.6; 100 days. If a claim is filed or pending litigation, retain with the case file. State of California Guidelines; 180 days for audio, telephone and radio communication tapes, with exceptions of recordings pertaining to GC 34090.6 Administrative Policy: Maintain audio recordings for 2 years at the request of the Alameda County District Attorney's Office.

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Media Format	Active Retention	Inactive Retention	Total Retention	Citations & Legal Basis
12-09-24	Audio Recordings - Litigation/Case Related	Includes telephone and radio communications. Recordings determined by the City Attorney for litigation or the District Attorney for crime prosecution.	Records		MX	AC *		AC *	GC 34090.6; 100 days. If a claim is filed or pending litigation, retain until pending litigation is resolved and * destroy with consent of the City Attorney. State of California Guidelines; 180 days for audio, telephone and radio communication tapes, with exceptions of recordings pertaining to GC 34090.6
12-09-25	Audio Recordings - Personal Recording Units	Recordings by officers using recording devices controlled by the officer.	Records		MX	1Y+1 day		1Y+1 day	GC 34090.6; 100 days. If a claim is filed or pending litigation, retain with the case file. State of California Guidelines; 180 days for audio, telephone and radio communication tapes, with exceptions of recordings pertaining to GC 34090.6 Administrative Policy: Maintain audio recordings for 1 year and 1 day to support current cases.
12-09-26	Local Records Checks	Citizen requests their own personal information for completing student/work visas or for adoption applications.	Records		MX	CY+2		CY+2	GC 34090; 2 year minimum requirement
12-09-27	Criminal Background Checks	Third party requests from outside agencies. Includes a waiver for release of personal information.	Records		MX	CY+3		CY+3	GC 34090; 2 year minimum requirement CCP 340; 1 year statute of limitations 11 CCR 707(c); 3 years after release of record
12-09-28	Medical Screening Forms	Used to evaluate prisoner's medical status prior to incarceration. Information is not confidential since it is used for classification and for making custody personnel aware of conditions of the prisoner.	Records		MX	AC+2 *	5 *	AC+7 *	H&S 123145; * Under 18 - 1 year after 18th birthday or 7 years, whichever is longer. Over 18 - 7 years after discharge. 15 CCR 1205; Maintain separately from inmate files, no retention listed 15 CCR 1207; Maintain, no retention listed California "Minimum Guidelines for Local Detention Facilities" state "There is no Title 15 regulation related to records retention" for these records.

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Media Format	Active Retention	Inactive Retention	Total Retention	Citations & Legal Basis
12-10-00	<u>Vehicle & Equipment Maintenance Records</u>								
12-10-01	General Information		All Depts		MX	AR		AR	Administrative Record; Review annually for relevance to a project, inclusion in an associated record series, or creation of a new record series. Keep while current.
12-10-02	Vehicle Accountability Reports	Used for vehicles and all other equipment related to vehicles or radio handpacks. Maintained by vehicle for the life of vehicle.	Traffic		PA	LOV+2		LOV+2	GC 34090; 2 year minimum requirement CCP 338; 3 years for action CCP 340.5; 3 years for action 8 CCR 3203; IIPP equipment inspections, 1 year State of California Guidelines state life of the vehicle plus 2 years for fuel, maintenance and repair records of vehicles. State does not reference any citations. 2 years after termination for communication equipment.
12-10-03	DMV Registration	Maintained separately from vehicle maintenance files, by year.	Traffic		PA	LOV	3	LOV+3	GC 34090; 2 year minimum requirement CCP 338; 3 years for action CCP 340.5; 3 years for action State of California Guidelines state life of the vehicle plus 2 years for fuel, maintenance and repair records of vehicles. State does not reference any citations.
12-10-04	Speedometer Calibration Records		Traffic		PA	AT+2		AT+2	GC 34090; 2 year minimum requirement State of California Guidelines; 2 years after termination for radar calibration records Administrative Policy: Follow retention guidelines for radar calibration for all equipment calibrations
12-10-05	Minor Vehicle Damage Log Book	Maintained in the Watch Commander's office. For damage that does not require immediate repairs.	Traffic		PA	CY+2		CY+2	GC 34090; 2 year minimum requirement State of California Guidelines; Current Year plus 2 years for maintenance and repairs
12-10-06	Surveillance Van Vehicle Log	Maintained in the Watch Commander's office.	Traffic		PA	CY+2		CY+2	GC 34090; 2 year minimum requirement State of California Guidelines; 2 years plus the current year for daily activity logs.
12-10-07	Vehicle Maintenance Record	Includes Vehicle Accountability Reports, County Repair Sheets, city repair sheets, private vendor repair sheets and general maintenance records for vehicles.	Traffic		PA	LOV	3	LOV+3	GC 34090; 2 year minimum requirement CCP 338; 3 years for action CCP 340.5; 3 years for action 8 CCR 3203; IIPP equipment inspections, 1 year State of California Guidelines state life of the vehicle plus 2 years for fuel, maintenance and repair records of vehicles. State does not reference any citations.
12-10-08	Asset Tracking Tags/Logs	Metal tags assigned to equipment and recorded in a tracking log.	Property		PA	P	P	P	GC 34090; 2 year minimum requirement State of California Guidelines; Current year plus 2 years for equipment logs and inventories. Administrative Policy: Maintain permanently due to creation and maintenance of the log.
12-10-09	Monthly Mileage Log	Compilation of mileage for each vehicle in service.	Traffic		PA	CY+2	5	CY+7	GC 34090; 2 year minimum requirement CCP 338(k); SOL of 3 years for action, air quality State of California Guidelines; 7 years plus the current year for total daily mileage surveys and logs, referencing CCP 338.

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Series Code	Series Name	Description of Documents, As Needed	Office of Record	Special Attributes	Media Format	Active Retention	Inactive Retention	Total Retention	Citations & Legal Basis
12-11-00	<u>Animal Control Records</u>								
12-11-01	General Information		All Depts		MX	AR		AR	Administrative Record; Review annually for relevance to a project, inclusion in an associated record series, or creation of a new record series. Keep while current.
12-11-02	Notice of Violation Warnings		AC		PA	AC+3		AC+3	GC 34090; 2 year minimum requirement PC 597.1(d); 3 years after animal's impoundment ends. F&A 32003; 3 years for animal disposition records.
12-11-03	Monthly County Rabies Report	Copies of submissions to county vector control	AC		PA	CY+3		CY+3	GC 34090; 2 year minimum requirement PC 597.1(d); 3 years after animal's impoundment ends. F&A 32003; 3 years for animal disposition records.
12-11-04	Impounded Animal Master Sheet	Receipt used occasionally for impounded animals after hours or release of an animal in the field.	AC		PA	AC+3		AC+3	GC 34090; 2 year minimum requirement PC 597.1(d); 3 years after animal's impoundment ends. F&A 32003; 3 years for animal disposition records.
12-11-05	Vicious Dog Incidents	Copies of case files for Animal Control. The hearings are handled by the Assistant City Clerk. Original case maintained by Police Records.	Assist CM		PA	ACT		ACT	GC 34090.7; Duplicate records may be destroyed within the 2 year minimum retention period
12-11-06	Vaccination Certificates	Forwarded by vets and/or City of Fremont Animal Shelter. Copy maintained by Animal Control, original not maintained by Fremont.	AC		PA	CY+3		CY+3	GC 34090; 2 year minimum requirement PC 597.1(d); 3 years after animal's impoundment ends. F&A 32003; 3 years for animal disposition records.
12-11-07	Animal Bite Reports	Copies of case files for Animal Control. Original case maintained by Police Records, and a copy is sent to County Vector Control.	Records		MX	ACT		ACT	GC 34090.7; Duplicate records may be destroyed within the 2 year minimum retention period
12-11-08	Animal Bite Reports Rolling Log	Lists case number for animal bite reports. No requirement to maintain this log.	AC		PA	CY+3		CY+3	GC 34090; 2 year minimum requirement PC 597.1(d); 3 years after animal's impoundment ends. F&A 32003; 3 years for animal disposition records.
12-11-09	Owner Surrenders	Surrender profile of owner surrenders. May be either an original or a copy from Fremont.	AC		PA	AC+3		AC+3	GC 34090; 2 year minimum requirement PC 597.1(d); 3 years after animal's impoundment ends. F&A 32003; 3 years for animal disposition records.
12-11-10	Kennel Cards	Copies of cards for when animals are received. Used as a reference for owners searching for their animals.	AC		PA	AC+3		AC+3	GC 34090; 2 year minimum requirement PC 597.1(d); 3 years after animal's impoundment ends. F&A 32003; 3 years for animal disposition records.



Agenda Item

DATE: 4/23/2024

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: JASON CASTLEBERRY, HUMAN RESOURCES DIRECTOR

SUBJECT: ADOPT A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY APPROVING AN AMENDMENT TO THE CLASSIFICATION AND COMPENSATION PLAN TO REVISE THE CITY'S SALARY SCHEDULE IN CONFORMANCE WITH CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 570.5

Staff recommends that the City Council adopt a resolution to approve an amendment to the Classification and Compensation Plan to revise the City's salary schedule for the Community Services Manager classification in conformance with California Code of Regulations, Title 2, Section 570.5.

STRATEGIC PLAN ALIGNMENT

This program supports Goal B. Governance and Organization Effectiveness of the strategic plan in aligning critical city services with current staffing levels.

BACKGROUND

As part of a review of the Community Services Manager job duties and the needs of the City's Community and Recreation Services Department relative to align position salary with appropriate qualifications and experience expectations, staff recommends an update to the classification's salary to align with that of the Community and Recreation Services Manager.

DISCUSSION

The proposed classification specification update is to salary only. The goal is to remain competitive during the recruitment, as more than three attempts at recruiting over the past 12 months has proven unsuccessful in attracting qualified candidates. The City has met and conferred with the Management Employee Group (MEG) regarding proposed revisions to the class specification's salary. The Community and Recreation Services Department worked with the Human Resources Department to ensure the class specification is updated prior to future recruitments. The Human Resources Department worked with the compensation consultant, Ralph Anderson and Associates, to update this salary schedule.

based on new information for salary benchmarking.

Job Code	Position Title	CBU	Step 1	Step 2	Step 3	Step 4	Step 5
CURRENT							
20450	Community & Recreation Services Manager	MEG	12,339	12,906	13,503	14,128	14,786
20508	Community Services Manager	MEG	11,266	11,779	12,315	12,878	13,471
<i>% Difference between position steps</i>			9.5%	8.7%	8.8%	8.8%	8.9%
PROPOSED							
20450	Community & Recreation Services Manager	MEG	12,339	12,906	13,503	14,128	14,786
20508	Community Services Manager	MEG	12,339	12,906	13,503	14,128	14,786

FISCAL IMPACT

The estimated additional annual cost associated with this classification update is approximately \$16,700. Funding for this adjustment would be supported by unused funds due to the inability to recruit in the first year of this biennial budget. This salary increase would be budgeted for in future budget preparations.

RECOMMENDATION

Staff recommends that the City Council adopt the attached resolution to approve an amendment to the City's Classification and Compensation Plan to revise the City's salary schedule for the Community Services Manager classification.

Prepared by:

Jason Castleberry, Human Resources Director

Submitted by:

Jason Castleberry, Human Resources Director

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Draft Resolution	Resolution
<input type="checkbox"/> Class and Compensation Plan	Attachment

RESOLUTION NO. XXXX-24

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY APPROVING AN AMENDMENT TO THE CLASSIFICATION AND COMPENSATION PLAN TO REVISE THE CITY'S SALARY SCHEDULE IN CONFORMANCE WITH CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 570.5

WHEREAS, the City of Union City (the “City”) has undertaken an inquiry and recommends that the City Council update the compensation for the position of Community Services Manager; and

WHEREAS, City staff have undertaken an analysis of necessary updates to the classification and compensation plan; and

WHEREAS, the City Council has identified in the Strategic Plan Goal B, Governance and Organization Effectiveness to align critical city services with current staffing levels by ensuring the accuracy and clarity for the Community Services Manager class specifications; and

WHEREAS, the City Manager or her designee has met and conferred in good faith with the representatives of all bargaining units related to the above matters.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Union City hereby approves an amendment to the City’s Classification and Compensation Plan to include the following salary schedule for the Community Services Manager class specification, effective April 23, 2024:

Job Code	Classification Title	Bargaining Unit	Step 1	Step 2	Step 3	Step 4	Step 5
20508	Community Services Manager	MEG	12,339	12,906	13,503	14,128	14,786

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Union City at a regular meeting held on this 23rd day of April 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

CAROL DUTRA-VERNACI
Mayor

ATTESTED:

APPROVED AS TO FORM:

THAI NAM N. PHAM
City Clerk

KRISTOPHER J. KOKOTAYLO
City Attorney

City of Union City
Classification and Compensation Plan
FY 2023-2024
Effective: April 29, 2024

Amendment #1: June 20, 2023 - Reso. No. 6146-23
Amendment #2: July 11, 2023 - Reso. No. 6158-23
Amendment #3: July 25, 2023 - Reso. No. 6174-23
Amendment #4: July 25, 2023 - Reso. No. 6175-23
Amendment #5: October 10, 2023 - Reso. No. 6210-23
Amendment #6: November 14, 2023 - Reso. No. 6224-23
Amendment #7: November 14, 2023 - Reso. No. 6225-23
Amendment #8: November 28, 2023 - Reso. No. 6230-23
Amendment #9: November 28, 2023 - Reso. No. 6231-23
Amendment #10: April 9, 2024 - Reso. No. 6283-24
Amendment #11: April 23, 2024 - Reso. No. XXXX-24

City of Union City - Classification and Compensation Plan

<u>Bargaining Unit</u>	<u>Job Code</u>	<u>Classification Title</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>
<u>FULL-TIME (monthly rates shown)</u>							
City Council	10010	Mayor	2,437				
City Council	10020	Council Member	1,625				
City Manager	20010	City Manager	29,406				
<u>UNREPRESENTED</u>			<u>Min.</u>	← Range →			<u>Max.</u>
Dept. Heads	20015	Assistant City Manager/Chief Financial Officer	18,040				21,681
Dept. Heads	20020	Deputy City Manager	17,381				20,847
Dept. Heads	20470	Community & Recreation Services Director	16,949				20,320
Dept. Heads	20515	Economic & Community Development Director	16,949				20,320
Dept. Heads	20275	Finance Director	16,949				20,320
Dept. Heads	20280	Human Resources Director	16,949				20,320
Dept. Heads	20290	Information Technology Director	16,949				20,320
Dept. Heads	40010	Police Chief	22,141	23,027	23,948	24,906	25,902
Dept. Heads	20710	Public Works Director	17,268				20,711
Unrep'd. Mgmt.	21050	Assistant to the City Manager	14,636				17,576
Unrep'd. Mgmt.	21185	Chief Human Resources Officer	15,369				18,455
Unrep'd. Mgmt.	21315	Chief Technology Officer	15,369				18,455
Unrep'd. Mgmt.	20030	City Clerk	12,150	12,706	13,292	13,906	14,551
Unrep'd. Mgmt.	21410	Deputy Police Chief	20,848	21,825	22,853	23,927	25,062
Unrep'd. Mgmt.	20145	Human Resources Analyst I	8,226	8,587	8,967	9,366	9,785
Unrep'd. Mgmt.	20155	Human Resources Analyst II	10,059	10,515	10,991	11,488	12,014
Unrep'd. Mgmt.	20180	Human Resources Manager	12,845	13,437	14,055	14,706	15,388
Unrep'd. Mgmt.	20930	Supervising Construction Inspector	10,432	10,905	11,403	11,925	12,472
Unrep'd. Non-Mgmt.	21010	Administrative Specialist - Confidential	7,027	7,381	7,750	8,138	8,546
Unrep'd. Non-Mgmt.	30800	Human Resources Technician	7,410	7,783	8,163	8,579	9,004
<u>MANAGEMENT EMPLOYEES' GROUP (MEG)</u>							
Management	20360	Budget Manager/Purchasing Agent	12,234	12,798	13,385	14,006	14,655
Management	20590	Chief Building Official/Senior Plans Examiner	14,076	14,723	15,406	16,119	16,873
Management	20810	City Engineer	15,813	16,551	17,325	18,136	18,988
Management	20505	Clinical Supervisor	9,400	9,816	10,252	10,711	11,192
Management	20650	Communications & Marketing Manager	11,717	12,295	12,874	13,445	14,024
Management	20450	Community & Recreation Services Manager	12,339	12,906	13,503	14,128	14,786
Management	20508	Community Services Manager	12,339	12,906	13,503	14,128	14,786
Management	20800	Cyber Security Manager	12,684	13,256	13,855	14,470	15,131
Management	20630	Economic Development Manager	12,232	12,836	13,440	14,036	14,641
Management	20600	Environmental Program Manager	12,653	13,238	13,849	14,492	15,167
Management	20911	Fleet Supervisor	10,978	11,479	12,002	12,554	13,131
Management	20540	Housing & Community Development Manager	12,548	13,128	13,733	14,370	15,038
Management	20310	Information Technology Manager	14,636	15,316	16,032	16,784	17,576
Management	20500	Intervention Counselor I	7,418	7,741	8,077	8,432	8,802
Management	20080	Management Analyst I	8,226	8,587	8,967	9,366	9,785
Management	20090	Management Analyst II	10,059	10,515	10,991	11,488	12,014
Management	20100	Management Analyst III	12,234	12,798	13,385	14,006	14,655
Management	20560	Planning Manager	13,406	14,022	14,672	15,352	16,068
Management	20860	Principal Civil Engineer	13,107	13,713	14,350	15,019	15,718
Management	20920	Public Works Grounds Supervisor	10,978	11,479	12,002	12,554	13,131
Management	20910	Public Works Streets Supervisor	10,978	11,479	12,002	12,554	13,131
Management	20730	Public Works Superintendent	12,759	13,346	13,966	14,613	15,295
Management	20700	Recycling & Solid Waste Program Manager	11,398	11,920	12,469	13,044	13,647
Management	20620	Redevelopment Manager	12,653	13,238	13,849	14,492	15,167
Management	20370	Revenue Collections Manager	12,234	12,798	13,385	14,006	14,655
Management	20350	Supervising Accountant	11,420	11,940	12,488	13,063	13,665
Management	20912	Transit Manager	12,339	12,906	13,503	14,128	14,786

City of Union City - Classification and Compensation Plan

<u>Bargaining Unit</u>	<u>Job Code</u>	<u>Classification Title</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>	<u>Step 6</u>	<u>Step 7</u>
<u>POLICE MANAGEMENT ASSOCIATION (PMA)</u>									
Police Mgmt.	40020	Police Captain	18,929	19,821	20,756	21,738	22,771		
Police Mgmt.	40040	Police Lieutenant	16,047	16,832	17,658	18,532	19,451		
Police Mgmt.	40045	Police Commander	16,844	17,664	18,527	19,439	20,399		
<u>POLICE OFFICERS' ASSOCIATION (POA)</u>									
UCPOA	40220	Community Relations Officer	7,402	7,773	8,161	8,570	9,000		
UCPOA	40095	Community Resources Coordinator	6,423	6,745	7,082	7,435	7,807		
UCPOA	40090	Community Service Aide	6,337	6,619	6,916	7,229	7,559		
UCPOA	40240	Confidential Operations Assistant	7,374	7,743	8,130	8,536	8,963		
UCPOA	40080	Crime Analyst	9,000	9,450	9,921	10,419	10,939		
UCPOA	40070	Dispatch Clerk	7,006	7,199	7,523	7,866	8,225		
UCPOA	40170	Dispatch Clerk Trainee	6,067						
UCPOA	40241	Executive Assistant to the Police Chief	7,374	7,743	8,130	8,536	8,963		
UCPOA	40063	Personnel and Training Supervisor	7,402	7,773	8,161	8,570	9,000		
UCPOA	40130	Police Corporal	12,698						
UCPOA	40230	Police Department Office Coordinator	6,378	6,699	7,033	7,385	7,755		
UCPOA	40140	Police Office Assistant	5,813	6,105	6,410	6,731	7,067		
UCPOA	40050	Police Officer	9,223	9,649	10,085	10,515	11,044	11,597	12,176
UCPOA	40150	Police Officer Recruit I	7,390						
UCPOA	40160	Police Officer Recruit II	8,790						
UCPOA	40060	Police Records Supervisor	7,402	7,773	8,161	8,570	9,000		
UCPOA	40030	Police Sergeant	12,466	13,026	13,604	14,284	14,998		
UCPOA	40120	Prisoner Transportation Officer	6,337	6,619	6,916	7,229	7,559		
UCPOA	40100	Property & Evidence Specialist	6,337	6,619	6,916	7,229	7,559		
UCPOA	40065	Property & Evidence Supervisor	7,402	7,773	8,161	8,570	9,000		
UCPOA	40110	Public Services Officer I	6,423	6,745	7,082	7,435	7,807		
UCPOA	40180	Public Services Officer II	6,762	7,101	7,456	7,827	8,219		
<u>POA REPRESENTED PART-TIME (hourly rates shown)</u>									
UCPOA PT	40070	Dispatcher Clerk (PT)	40.42	41.53	43.40	45.38	47.45		
UCPOA PT	40120	Prisoner Transportation Officer (PT)	36.56	38.19	39.90	41.71	43.61		
UCPOA PT	40181	Public Services Officer I (PT)	37.06	38.91	40.86	42.90	45.04		
UCPOA PT	40182	Public Services Officer II (PT)	39.01	40.97	43.02	45.15	47.42		
<u>PD UNREPRESENTED PART-TIME (hourly rates shown)</u>									
Unrep. Police PT	60120	Police Cadet	16.91	17.76	18.65				
Unrep. Police PT	60150	Police Officer Trainee	47.09						
<u>PROFESSIONAL EMPLOYEES' GROUP (PEG)</u>									
Professionals	30060	Accountant	8,246	8,657	9,080	9,544	10,017		
Professionals	30250	Assistant Planner	7,332	7,698	8,080	8,486	8,910		
Professionals	30230	Associate Planner	8,532	8,956	9,402	9,874	10,365		
Professionals	30053	Building Code Compliance Coordinator	11,024	11,599	12,177	12,751	13,327		
Professionals	30090	Case Manager	6,527	6,853	7,194	7,555	7,933		
Professionals	30600	Economic Development Coordinator	9,891	10,391	10,855	11,355	11,855		
Professionals	30275	Emergency Services Coordinator	9,074	9,528	9,996	10,498	11,023		
Professionals	30150	Engineer I (Civil)	8,089	8,488	8,915	9,363	9,830		
Professionals	30130	Engineer II (Civil)	8,984	9,432	9,893	10,396	10,911		
Professionals	30120	Engineer III (Civil)	10,270	10,783	11,315	11,882	12,476		
Professionals	30030	Environmental Analyst I	7,271	7,636	8,016	8,420	8,841		
Professionals	30031	Environmental Analyst II	8,208	8,640	9,096	9,574	10,079		
Professionals	30040	Environmental Programs Inspector	9,819	10,336	10,878	11,449	12,054		
Professionals	30095	Homeless Program Coordinator/Case Manager	6,364	6,705	7,045	7,387	7,766		
Professionals	30080	Intervention Counselor	6,768	7,106	7,462	7,836	8,227		
Professionals	30185	Lead Construction Inspector	9,893	10,371	10,813	11,327	11,843		
Professionals	30066	Lead Payroll Technician	8,128	8,495	8,937	9,378	9,893		
Professionals	30065	Payroll Technician	7,728	8,114	8,511	8,944	9,388		

City of Union City - Classification and Compensation Plan

<u>Bargaining Unit</u>	<u>Job Code</u>	<u>Classification Title</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>
<u>PROFESSIONAL EMPLOYEES' GROUP (PEG) (CONT.)</u>							
Professionals	30100	Recreation Supervisor	8,143	8,551	8,977	9,425	9,896
Professionals	30020	Senior Accountant	9,533	10,019	10,519	11,040	11,585
Professionals	30055	Senior Building/Code Compliance Inspector	9,819	10,336	10,878	11,449	12,054
Professionals	30210	Senior Planner	9,861	10,379	10,927	11,500	12,105
Professionals	30400	Senior Recreation Supervisor	9,562	10,028	10,517	11,032	11,569
Professionals	30260	Senior Systems Analyst	11,024	11,599	12,177	12,751	13,327
Professionals	30310	Sustainability Analyst I	7,166	7,524	7,900	8,295	8,710
Professionals	30320	Sustainability Analyst II	8,461	8,882	9,328	9,794	10,283
Professionals	30265	Systems Analyst	10,572	11,101	11,656	12,239	12,851
Professionals	30501	Transit Planner - Assistant	7,041	7,392	7,759	8,148	8,556
Professionals	30502	Transit Planner - Associate	8,432	8,850	9,291	9,758	10,241
Professionals	30503	Transit Planner - Senior	9,861	10,379	10,927	11,500	12,105
Professionals	30270	Web and Database Administrator	10,087	10,591	11,121	11,677	12,261
<u>SERVICE EMPLOYEES' INTERNATIONAL UNION (SEIU)</u>							
SEIU 1021	50520	Administrative Assistant I	5,834	6,102	6,382	6,681	6,987
SEIU 1021	50525	Administrative Assistant II	6,382	6,681	6,987	7,312	7,651
SEIU 1021	50530	Administrative Assistant III	6,987	7,312	7,651	8,009	8,386
SEIU 1021	50290	Building/Code Compliance Inspector	8,417	8,807	9,211	9,634	10,073
SEIU 1021	50201	Building/Code Compliance Inspector - Trainee	7,388	7,733	8,088	8,458	8,846
SEIU 1021	50255	Building Permit Technician	6,680	7,015	7,353	7,693	8,028
SEIU 1021	50251	Building Permit Technician II	7,263	7,615	7,987	8,376	8,785
SEIU 1021	50566	Communications Coordinator	5,991	6,268	6,555	6,862	7,176
SEIU 1021	50256	Community Development Technician	6,547	6,876	7,207	7,540	7,868
SEIU 1021	50351	Facility Maintenance Worker	6,484	6,776	7,081	7,407	7,741
SEIU 1021	50080	Finance Specialist I	5,336	5,575	5,843	6,118	6,403
SEIU 1021	50090	Finance Specialist II	5,843	6,118	6,403	6,711	7,028
SEIU 1021	50100	Finance Specialist III	6,403	6,711	7,028	7,363	7,716
SEIU 1021	50539	Homeless Program Outreach Worker	4,689	4,924	5,170	5,429	5,700
SEIU 1021	50332	Lead Facilities Maintenance Worker	7,598	7,945	8,310	8,679	9,083
SEIU 1021	50323	Lead Vehicle Heavy Equipment Mechanic	7,980	8,342	8,726	9,113	9,537
SEIU 1021	50361	Leisure Services Maintenance Worker	5,498	5,774	6,062	6,365	6,684
SEIU 1021	50360	Maintenance I - Parks & Grounds	5,929	6,210	6,499	6,804	7,127
SEIU 1021	50330	Maintenance I - Streets	6,226	6,520	6,825	7,144	7,483
SEIU 1021	50342	Maintenance II - Parks & Grounds	6,564	6,874	7,193	7,533	7,889
SEIU 1021	50320	Maintenance II - Streets	6,893	7,218	7,553	7,909	8,283
SEIU 1021	50325	Maintenance Trainee - Parks & Grounds	5,081	5,317	5,567	5,823	6,095
SEIU 1021	50350	Maintenance Trainee - Streets	5,081	5,317	5,567	5,823	6,095
SEIU 1021	50200	Neighborhood Preservation Inspector	7,753	8,112	8,484	8,873	9,278
SEIU 1021	50500	Office Specialist I	4,599	4,810	5,023	5,247	5,485
SEIU 1021	50505	Office Specialist II	5,010	5,234	5,472	5,722	5,980
SEIU 1021	50510	Office Specialist III	5,467	5,717	5,975	6,250	6,536
SEIU 1021	50560	Preschool Site Supervisor II	4,591	4,821	5,062	5,316	5,581
SEIU 1021	50291	Public Works Inspector	8,145	8,602	9,019	9,454	9,911
SEIU 1021	50370	Public Works Maintenance II	6,564	6,874	7,193	7,533	7,889
SEIU 1021	50110	Recreation Administrative Technician	7,175	7,533	7,910	8,305	8,721
SEIU 1021	50160	Recreation Program Coordinator	6,530	6,849	7,186	7,542	7,911
SEIU 1021	50600	Recycling Programs Coordinator	6,738	7,066	7,414	7,783	8,163
SEIU 1021	50380	Special Projects Coordinator	6,108	6,396	6,694	7,008	7,340
SEIU 1021	50538	Street Outreach Worker	4,689	4,924	5,170	5,429	5,700
SEIU 1021	50341	Street Sweeper Operator	6,641	6,941	7,254	7,588	7,930
SEIU 1021	50400	Technical Support Specialist I	6,245	6,559	6,874	7,188	7,463
SEIU 1021	50405	Technical Support Specialist II	6,913	7,266	7,620	7,973	8,288
SEIU 1021	50517	Transit Coordinator	7,685	8,044	8,455	8,811	9,225
SEIU 1021	50321	Vehicle Heavy Equipment Mechanic	7,124	7,447	7,787	8,140	8,517
SEIU 1021	50326	Vehicle Equipment Technician	5,639	5,919	6,217	6,527	6,853
SEIU 1021	50536	Youth Employment Coordinator	6,261	6,575	6,904	7,248	7,611
SEIU 1021	50537	Youth Services Specialist	6,386	6,706	7,042	7,393	7,763

City of Union City - Classification and Compensation Plan

<u>Bargaining Unit</u>	<u>Job Code</u>	<u>Classification Title</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>
<u>SEIU REPRESENTED PART-TIME (hourly rates shown)</u>							
SEIU 1021 PT	50373	Facilities Maintenance Attendant (PT)	28.11	29.51	31.00	32.55	34.18
SEIU 1021 PT	50533	CRS Program Manager (PT)	22.22	23.30	24.48	25.69	26.96
SEIU 1021 PT	50500	Office Specialist I (PT)	26.53	27.75	28.98	30.27	31.64
SEIU 1021 PT	50505	Office Specialist II (PT)	28.90	30.20	31.57	33.01	34.50
SEIU 1021 PT	50510	Office Specialist III (PT)	31.54	32.98	34.47	36.06	37.71
SEIU 1021 PT	50561	Preschool Site Supervisor I (PT)	21.47	22.53	23.67	24.85	26.08
SEIU 1021 PT	50532	Program Coordinator (PT)	37.68	39.51	41.46	43.51	45.64
SEIU 1021 PT	50531	Senior Recreation Leader	18.24	19.17	20.13	21.13	22.22
SEIU 1021 PT	50539	Homeless Program Outreach Worker (PT)	27.05	28.40	29.83	31.32	32.88
SEIU 1021 PT	50538	Street Outreach Worker (PT)	27.05	28.40	29.83	31.32	32.88
<u>UNREPRESENTED PART-TIME (hourly rates shown)</u>							
Unrep. Gen. PT	60069	CRS Program Manager (PT)	20.57	21.60	22.68	23.81	25.00
Unrep. Gen. PT	60100	Preschool Aide (PT)	16.00	16.80			
Unrep. Gen. PT	60090	Preschool Teacher (PT)	18.29	19.20	20.16	21.17	22.23
Unrep. Gen. PT	60072	Program Coordinator (PT)	24.00	25.20	26.46	27.78	29.17
Unrep. Gen. PT	60232	Recreation Aide (PT)	16.00	16.80			
Unrep. Gen. PT	60233	Recreation Leader (PT)	17.14	18.00	18.90	19.85	20.84
Unrep. Gen. PT	60300	Seasonal Maintenance Worker (PT)	22.86				
Unrep. Gen. PT	60234	Senior Recreation Leader (PT)	18.29	19.20	20.16	21.17	22.23
Unrep. Gen. PT	60600	Intern (PT)	16.00				58.28
Unrep. Gen. PT	60570	Project Specialist (PT)	16.00				119.75
Unrep. Gen. PT	60400	Retired Annuitant (PT)	16.00				137.30



Agenda Item

DATE: 4/23/2024

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: CORINA HAHN, COMMUNITY AND RECREATION SERVICES DIRECTOR

SUBJECT: ADOPT A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE THIRD AMENDMENT TO MASTER CONTRACT NO. 901630 WITH ALAMEDA COUNTY TO INCREASE THE CONTRACT BY \$114,413 FOR PROVIDING DELINQUENCY PREVENTION SERVICES THROUGH DECEMBER 31, 2024, AND TO AMEND THE FISCAL YEAR 2023-2024 YOUTH VIOLENCE PREVENTION & INTERVENTION FUND BUDGET

The City has been in an agreement with the Alameda County Probation Department for Youth & Family Services (YFS) to provide Youth Intervention and Delinquency Prevention Services since 2019. During that period, the City has been awarded \$900,000 for the DPN-Local Service Center (LSC) Grant Agreement. The County awarded an extension to the current contract through December 31, 2024, and is now adding additional funds.

STRATEGIC PLAN ALIGNMENT

There is no direct alignment with the Strategic Plan.

BACKGROUND

In July 2019 the City was awarded a grant through a three-year agreement with Alameda County Probation Department to provide Delinquency Prevention Network Services for a Local Service Center by the Youth & Family Services (YFS) Division. A First Amendment was awarded in 2022 extending the agreement through February 2024. A Second Amendment was awarded to further extend the agreement an additional 10-months through December 2024. The extension did not include a budget increase since the original 2019 agreement.

A Third Amendment was received in April 2024 increasing the funding of the DPN-LSC contract to provide service through December 31, 2024.

DISCUSSION

The YFS Division will continue to provide intervention services to a minimum of 60 at-promise and justice-involved youth (informal and formal probation) ages 8 to 18, Transition Age Youth (TAY) ages 18 to 21 who are non-probation involved, and truant youth. Program services include Diversion, Mentoring, Civic and Social Engagement to local youth and their families through December 31, 2024.

FISCAL IMPACT

There is no fiscal impact to the General Fund. The DPN-LSC grant funding of \$114,413 will be used for YFS staff costs, program supplies and services to eligible participants of DPN-LSC programs.

RECOMMENDATION

Staff recommends that the City Council adopt a resolution:

1. Authorizing the City Manager to execute the Third Amendment to Master Contract No. 901630 with Alameda County to increase the contract by \$114,413 for an additional ten months, for providing Delinquency Prevention Services; and
2. Amending the FY 2023-2024 Youth & Family Services Fund budget.

Prepared by:

Corina Hahn, Community and Recreation Services Director

Submitted by:

Corina Hahn, Community and Recreation Services Director

ATTACHMENTS:

Description	Type
❑ Draft Resolution	Resolution
❑ DPN-LSCA3 Contract	Attachment

RESOLUTION NO. XXXX-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY AUTHORIZING THE CITY MANAGER TO EXECUTE THE THIRD AMENDMENT TO MASTER CONTRACT NO. 901630 WITH ALAMEDA COUNTY TO INCREASE THE CONTRACT BY \$114,413 FOR PROVIDING DELINQUENCY PREVENTION SERVICES THROUGH DECEMBER 31, 2024, AND TO AMEND THE FISCAL YEAR 2023-2024 YOUTH DELINQUENCY PREVENTION PROGRAM FUND BUDGET

WHEREAS, the Delinquency Prevention Network (DPN) Local Service Center (LSC) contract from Alameda County Probation Department provides delinquency prevention services to probation-involved and at-risk youth and their families; and

WHEREAS, the City of Union City Youth & Family Services (YFS) Division was awarded an extension to Master Contract No. 901630 for ten additional months in March 2024; and

WHEREAS, a Third Amendment is increasing the funding by \$114,413 for Youth & Family Services (YFS) Division to continue as the LSC service provider serving youth from Union City, Newark, and Fremont; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Union City hereby authorizes the City Manager to execute the Third Amendment to Master Contract No. 901630 to increase the contract by \$114,413 for providing delinquency prevention services to youth and families from Union City; and

BE IT FURTHER RESOLVED that the City Council of the City of Union City hereby amends the Fiscal Year 2023-2024 Youth Violence Prevention & Intervention Fund revenue budget by increasing the revenue projection in Account Number 2440-51012-45502 (Youth Violence Prevention & Intervention Fund – DPN-LSC – DPN-LSC Grant) by \$114,413; and

BE IT FURTHER RESOLVED that the City Council of the City of Union City hereby amends the Fiscal Year 2023-2024 Youth Violence Prevention & Intervention Fund expenditure budget by appropriating \$114,413 to the following Account Numbers:

- \$66,600 to Account Number 2440-5109-51012-51110 (Youth Violence Prevention & Intervention Fund – CRS-Youth & Family Services – DPN-LSC – Regular Pay)
- \$2,177 to Account Number 2440-5109-51012-53101 (Youth Violence Prevention & Intervention Fund – CRS-Youth & Family Services – DPN-LSC – Office Supplies)
- \$6,901 to Account Number 2440-5109-51012-53701 (Youth Violence Prevention & Intervention Fund – CRS-Youth & Family Services – DPN-LSC – Other Supplies)
- \$21,705 to Account Number 2440-5109-51012-54111 (Youth Violence Prevention & Intervention Fund – CRS-Youth & Family Services – DPN-LSC – Contractual Services)
- \$10,208 to Account Number 2440-5109-51012-54135 (Youth Violence Prevention & Intervention Fund – CRS-Youth & Family Services – DPN-LSC – Hardware & Software Maintenance)

- \$700 to Account Number 2440-5109-51012-54214 (Youth Violence Prevention & Intervention Fund – CRS-Youth & Family Services – DPN-LSC – Printing & Reproduction)
- \$1,000 to Account Number 2440-5109-51012-54217 (Youth Violence Prevention & Intervention Fund – CRS-Youth & Family Services – DPN-LSC – Rentals)
- \$2,000 to Account Number 2440-5109-51012-54218 (Youth Violence Prevention & Intervention Fund – CRS-Youth & Family Services – DPN-LSC – Community Promotions)
- \$1,122 to Account Number 2440-5109-51012-54310 (Youth Violence Prevention & Intervention Fund – CRS-Youth & Family Services – DPN-LSC – Travel & Training)
- \$2,000 to Account Number 2440-5109-51012-54313 (Youth Violence Prevention & Intervention Fund – CRS-Youth & Family Services – DPN-LSC – Local Meeting & Events); and

BE IT FURTHER RESOLVED that the City Council of the City of Union City hereby authorizes the City Manager to execute all further amendments to Master Contract No. 901630.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Union City at a regular meeting held on the 23rd day of April 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

CAROL DUTRA-VERNACI
Mayor

ATTESTED:

APPROVED AS TO FORM:

THAI NAM N. PHAM
City Clerk

KRISTOPHER J. KOKOTAYLO
City Attorney



THIRD AMENDMENT TO STANDARD SERVICES AGREEMENT

This Third Amendment to Agreement ("Third Amendment") is made by the County of Alameda ("County") and City of Union City, ("Contractor") with respect to that certain agreement entered by them on July 12, 2019 and that certain First (January 21, 2022), Second (February 27, 2024) Amendments to Contract, (collectively referred to herein as the "Contract") pursuant to which Contractor provides Delinquency Prevention Network (Programs) services to County.

County and Contractor, for valuable consideration, the receipt and sufficiency of which are hereby acknowledged, agree as follows:

1. Except as otherwise stated in this Third Amendment, the terms and provisions of this Amendment will be effective as of the date this Third Amendment is executed by the County ("Effective Date").
2. In consideration for Contractor's additional services, the County shall pay Contractor in an additional amount not to exceed One Hundred Fourteen Thousand Four Hundred Thirteen dollars (\$114,413). As a result of these additional services the not to exceed amount has increased from Nine Hundred Thousand dollars (\$900,000) to One Million Fourteen Thousand Four Hundred Thirteen dollars (\$1,014,413) over the term of the Agreement and any amendments.
3. Paragraph 20 of the Standard Services Agreement has been amended by changing the shall not exceed amount in the last sentence to \$1,014,413.
4. Exhibit B - Payment Terms is amended and replaced by the attached Exhibit B-3, Payment Terms, which is attached to this Amendment.
5. Attached hereto is Exhibit D-3, a current Debarment and Suspension Certificate executed by Contractor.
6. Attached hereto is Exhibit F-3, THE IRAN CONTRACTING ACT (ICA) OF 2010 For Procurements of \$1,000,000 statement executed by Contractor.
7. Except as expressly modified by this Third Amendment, all of the terms and conditions of the Contract are and remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment.

COUNTY OF ALAMEDA

CITY OF UNION CITY

By: _____
Signature

By: _____
Signature

Name: _____
Detra Dillon
(Printed)

Name: _____
(Printed)

Title: _____
Procurement Administrator

Title: _____
City Manager

Date: _____

Date: _____

By signing above, signatory warrants and represents that he/she executed this Agreement in his/her authorized capacity and that by his/her signature on this Agreement, he/she or the entity upon behalf of which he/she acted, executed this Agreement.



EXHIBIT B-3

PAYMENT TERMS

Except as expressly modified by this Exhibit B-3, all of the terms and conditions of the original Exhibit B, and Exhibit B-1 - Payment Terms are and remain in full force and effect.

1. Contractor shall use all payments solely in the support of the annual program budget as set forth in the tables below:

DIVERSION						
Personnel	Annual Salary	Program Effort (FTE)	Salary Billable to the County	Fringe Cost	Total Billable Annual Cost	10-Month Cost
Clinical Supervisor	\$134,304	0.010	\$1,343.04	\$815.64	\$2,158.68	\$1,798.90
Administrative Assistant	\$100,632	0.020	\$2,012.64	\$1,169.28	\$3,181.92	\$2,651.60
Intervention Counselor	\$105,624	0.065	\$6,865.56	\$4,243.98	\$11,109.54	\$9,257.95
Case Manager	\$98,724	0.010	\$987.24	\$410.64	\$1,397.88	\$1,164.90
Youth Services Specialist	\$93,156	0.100	\$9,315.60	\$6,206.40	\$15,522.00	\$12,935.00
Case Manager	\$98,724	0.050	\$4,936.20	\$1,900.20	\$6,836.40	\$5,697.00
Personnel Subtotal					\$40,206.42	\$33,505.35
Non-Personnel						
Program and Direct Services					\$2,690	\$2,241.67
Office Supplies/Printing/etc.					\$2,010	\$1,675.00
ITS Cost Allocation					\$5,250	\$4,375.00
Training Cost Allocation					\$346	\$288.33
Non-Personnel Subtotal					\$10,296	\$8,580
TOTAL PERSONNEL + NON-PERSONNEL COSTS					\$50,502.42	\$42,085.35
Indirect Cost					\$5,050.24	\$4,208.54
TOTAL PROGRAM COSTS					\$55,552.66	\$46,293.89
Leveraged (Matching) City of Union City					(\$11,619)	(\$9,682.50)
TOTAL BILLABLE 10-MONTH DIVERSION COST (March 1, 2024 – December 31, 2024)					\$43,933.66	\$36,611.39

CIVIC AND SOCIAL ENGAGEMENT						
Personnel	Annual Salary	Program Effort (FTE)	Salary Billable to the County	Fringe Cost	Total Billable Annual Cost	10-Month Cost
Intervention Counselor	\$105,624	0.010	\$1,056.24	\$652.92	\$1,709.16	\$1,424.30
Administrative Assistant	\$100,632	0.010	\$1,006.32	\$584.64	\$1,590.96	\$1,325.80
Law and Stay FLY Programs Coordinator Alameda County	\$49,878.40	0.010	\$498.78	\$458.88	\$957.66	\$957.66
Alameda County Director	\$105,084.00	0.090	\$9,457.56	\$966.77	\$10,424.33	\$10,424.33
Law Program Site Manager Alameda County	\$59,176.00	0.090	\$5,325.84	\$544.42	\$5,870.26	\$5,870.26
Law and Stay FLY Program Manager Alameda County	\$76,958.00	0.010	\$7,695.80	\$1,062.02	\$8,757.82	\$8,757.82
Evaluation & Learning Manager	\$51,272.00	0.050	\$2,563.60	\$235.85	\$2,799.45	\$2,799.45
Personnel Subtotal					\$32,109.64	\$31,559.62
Non-Personnel						
Transportation					\$400	\$400.00
Program Supplies					\$600	\$600.00
Field Trip Expense					\$200	\$200.00
Office Supplies/Printing/etc.					\$1,700	\$1,416.66
Youth Stipends					\$4,091	\$4,091.00
Graduation Expenses					\$200	\$200.00
ITS Cost Allocation					\$3,500	\$2,916.66
Non-Personnel Subtotal					\$10,691	\$9,824.32
TOTAL PERSONNEL + NON-PERSONNEL COSTS					\$42,800.64	\$41,383.94
Indirect Cost					\$4,280.06	\$3,566.72
TOTAL PROGRAM COSTS					\$47,080.71	\$44,950.66
Leveraged (Matching) City of Union City					(\$2,968.00)	(\$2,473.33)
TOTAL BILLABLE 10-MONTH CIVIC AND SOCIAL ENGAGEMENT COST (March 1, 2024 – December 31, 2024)					\$44,112.71	\$42,477.33

MENTORING						
Personnel	Annual Salary	Program Effort (FTE)	Salary Billable to the County	Fringe Cost	Total Billable Annual Cost	10-Month Cost
Clinical Supervisor	\$134,304	0.010	\$1,343.04	\$815.64	\$2,158.68	\$1,798.90
Administrative Assistant	\$100,632	0.010	\$1,006.32	\$584.64	\$1,590.96	\$1,325.80
Youth Services Specialist	\$98,724	0.150	\$14,808.60	\$9,309.60	\$24,118.20	\$20,098.50
Intervention Counselor	\$105,624	0.050	\$5,281.20	\$3,264.60	\$8,545.80	\$7,121.50
Personnel Subtotal					\$36,413.64	\$30,344.70
Non-Personnel						
Program and Direct Services					\$1,500	\$1,250.00
Office Supplies/Printing/etc.					\$2,400	\$2,000.00
ITS Cost Allocation					\$3,500	\$2,916.67
Training Cost Allocation					\$1,000	\$833.33
Non-Personnel Subtotal					\$8,400	\$7,000
TOTAL PERSONNEL + NON-PERSONNEL COSTS					\$44,813.64	\$37,344.70
Indirect Cost					\$4,481.36	\$3,734.47
TOTAL PROGRAM COSTS					\$49,295.00	\$41,079.17
Leveraged (Matching) City of Union City					(\$6,906.00)	(\$5,577.00)
TOTAL BILLABLE 10-MONTH MENTORING COST (March 1, 2019 – February 29, 2024)					\$42,389.00	\$35,324.17

2. Any changes to the tables above must be approved by the County prior to provision and invoicing of services. Regardless of any changes that are approved by the County, including hourly rates, Contractor shall not reduce services as set forth in Exhibit A (Specifications) nor exceed any other payment terms outlined in this Exhibit B-3 (Payment Terms).
3. County will use its best efforts to make payment to Contractor within thirty (30) days upon receipt, review, and approval of invoice and associated monthly reports.
 - a. Invoices shall be submitted, along with monthly reports, by the 10th of each month (or the next business day when the 10th is on a weekend or holiday).
4. Invoices will be reviewed for accuracy and approval by the Alameda County Probation Department. Invoices shall be submitted via email to:
probfiscalinvoice@acgov.org
5. Total payment under the terms of this Agreement will not exceed the total amount of

\$1,014,413 This cost shall be all-inclusive.

- a. In order to ensure that services are available to the target population throughout the contract period, Contractor will not bill the County more than an average of \$14,491.61 per month without the approval of the ACPD Division Director or his/her designee.

6. No Supplanting of Funds:

- a. Contractor agrees that funds awarded under this contract will not be used to supplant expenditures from other contracts or programs.



EXHIBIT D-3

COUNTY OF ALAMEDA DEBARMENT AND SUSPENSION CERTIFICATION

(Applicable to all agreements funded in part or whole with federal funds and contracts over \$25,000).

The Contractor, under penalty of perjury, certifies that, except as noted below, contractor, its principals, and any named or unnamed subcontractor:

- Is not currently under suspension, debarment, voluntary exclusion, or determination of ineligibility by any federal agency;
- Has not been suspended, debarred, voluntarily excluded or determined ineligible by any federal agency within the past three years;
- Does not have a proposed debarment pending; and
- Has not been indicted, convicted, or had a civil judgment rendered against it by a court of competent jurisdiction in any matter involving fraud or official misconduct within the past three years.

If there are any exceptions to this certification, insert the exceptions in the following space. For any exception noted above, indicate below to whom it applies, initiating agency, and dates of action.

☐ Check if continued on the attached page.

Notes: Providing false information may result in criminal prosecution or administrative sanctions. The above certification is part of the Amendment to the Standard Services Agreement. Signing the Amendment to Standard Services Agreement on the signature portion thereof shall also constitute the signature of this Certification.


CONTRACTOR (COMPANY): _____	
NAME/TITLE OF AUTHORIZED SIGNER: _____	
SIGNATURE:  _____	DATE: _____



EXHIBIT F-3

**COUNTY OF ALAMEDA
THE IRAN CONTRACTING ACT (ICA) OF 2010**

For Procurements of \$1,000,000 or more

The California Legislature adopted the Iran Contracting Act (ICA) to respond to policies of Iran in a uniform fashion (PCC § 2201(q)). The ICA prohibits persons engaged in investment activities in Iran from bidding on, submitting proposals for, or entering into or renewing contracts with public entities for goods and services of one million dollars (\$1,000,000) or more (PCC § 2203(a)). A person who “engages in investment activities in Iran” is defined in either of two ways:

1. The person provides goods or services of twenty million dollars (\$20,000,000) or more in the energy sector of Iran, including a person that provides oil or liquefied natural gas tankers, or products used to construct or maintain pipelines used to transport oil or liquefied natural gas, for the energy sector of Iran; or
2. The person is a financial institution (as that term is defined in 50 U.S.C. § 1701) that extends twenty million dollars (\$20,000,000) or more in credit to another person, for 45 days or more, if that person will use the credit to provide goods or services in the energy sector in Iran and is identified on a list created by the California Department of General Services (DGS) pursuant to PCC § 2201(b) as a person engaging in the investment activities described in paragraph 1 above.

By signing below, I hereby certify that as of the time of bidding or proposing for a new contract or renewal of an existing contract, neither I nor the company I own or work for are identified on the DGS list of ineligible persons and neither I nor the company I own or work for are engaged in investment activities in Iran in violation of the Iran Contracting Act of 2010.

If either I or the company I own or work for are ineligible to bid or submit a proposal or to renew a contract, but I believe I or it qualifies for an exception listed in PCC § 2202(c), I have described in detail the nature of the exception: _____

CONTRACTOR (COMPANY): _____

NAME/TITLE OF AUTHORIZED SIGNER: _____

SIGNATURE:  _____ **DATE:** _____



Agenda Item

DATE: 4/23/2024

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: MARILOU AYUPAN, PUBLIC WORKS DIRECTOR

SUBJECT: ADOPT A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE THIRD AMENDMENT TO THE CONSULTING SERVICES AGREEMENT WITH RAIL SURVEYORS AND ENGINEERS, INC. (RSE), IN THE AMOUNT OF \$250,000, FOR A TOTAL CONTRACT AMOUNT OF \$425,000, TO PROVIDE ENGINEERING SERVICES FOR RAILROAD AT-GRADE CROSSING SAFETY IMPROVEMENTS FOR THE BART PEDESTRIAN AT-GRADE CROSSING PROJECT, CITY PROJECT NO. 14-14

Staff recommends that the City Council adopt a resolution authorizing the City Manager to execute the Third Amendment to the Consulting Services Agreement with Rail Surveyors and Engineers, Inc. ("RSE"), in the amount of \$250,000, for a total contract amount of \$425,000, to provide engineering services for railroad at-grade crossing safety improvements for the BART Pedestrian At-Grade Crossing Project, City Project No. 14-14.

STRATEGIC PLAN ALIGNMENT

This agenda item is in alignment with the following:

Goal C, Institute forward-thinking business, land use development, housing, social services, and public safety strategies that promote community growth and innovation.

Strategy 2: Facilitate the build out of the greater Station District Area through the construction of the Quarry Lakes Parkway, completion of the pedestrian rail crossing, and implementing the recommendations of the Southern Alameda County Regional Rail Integration Study to make the Station District a passenger rail hub served by ACE.

BACKGROUND

On November 13, 2014, the City Council adopted Resolution No. 4654-14, which authorized the City Manager to execute Project Funding Agreement (“PFA”) No. A13-0058 with the Alameda County Transportation Commission (“Alameda CTC”) in the amount of \$5,730,000 of Vehicle Registration Fee (“VRF”) Grant Funds for the Union City BART Station Improvements and Railroad Pedestrian Crossing Component. The total cost for this project was estimated at \$16,914,974 and funding was supplemented by other federal and local grants.

On May 9, 2019, the City entered into a Consulting Services Agreement with Rail Surveyors and Engineers, Inc. (C5320), in the amount of \$40,000, to provide engineering design review and support for the BART Pedestrian At-Grade Pedestrian Crossing Project, City Project No. 14-14.

On July 9, 2019, the City Council adopted Resolution No. 5503-19, which authorized the City Manager to execute the Public At-Grade Pedestrian Crossing Agreement: BART Pedestrian Crossing with Union Pacific Railroad (“UPRR”) (C5376) to construct a new public at-grade pedestrian crossing on the Oakland Subdivision located adjacent to the Union City BART Station. This railroad agreement also identifies additional railroad at-grade safety improvements at existing locations throughout the City including at the Smith Street at-grade railroad crossing (Coast Subdivision), Whipple Road at-grade railroad crossing (Niles Subdivision), Decoto Road at-grade railroad crossing (Niles Subdivision) and Decoto Road at-grade railroad crossing (Oakland Subdivision).

With the completion of Phase 2A improvements to the Union City BART Station, the at-grade crossing will provide Station District housing developments and future rail service with pedestrian and bicycle access to the Union City BART station across the UPRR (Oakland Subdivision) tracks. Currently, the Station District residents who walk or bike to the BART Station travel along the existing Decoto Road at-grade railroad crossing to the north.

On December 14, 2021, the City Council adopted Resolution No. 5865-21, which approved the First Amendment to the Consulting Services Agreement with RSE (C5850), in the amount of \$60,000, for engineering services to support the Pedestrian At-Grade Crossing Project, City Project No. 14-14, for a total contract amount of \$100,000. This work allowed RSE to prepare preliminary engineering plans according to UPRR’s standards, as well as update the railroad signal preemption calculations at these at-grade crossings.

On December 13, 2022, the City Council adopted Resolution No. 6053-22, authorizing the City Manager to execute the Second Amendment to the Consulting Services Agreement with RSE (C5850b), in the amount of \$75,000, for a total contract amount of \$175,000, to provide engineering design services in support of the City’s at-grade crossing safety improvements as identified in the Public At-Grade Pedestrian Crossing Agreement: BART Pedestrian Crossing with UPRR.

The Final Design of the BART Pedestrian At-Grade Crossing Project, City Project No. 14-14, is led by HDR, Inc. for the civil engineering improvements and by ROMA Collaborative for the architectural design for the new BART Station east entrance interface and the architectural features such as railing, lighting, and landscaping for the new at-grade crossing.

DISCUSSION

The BART Pedestrian At-Grade Crossing Project, City Project No. 14-14, requires railroad improvements along the Oakland Subdivision trackway including a new public pedestrian at-grade crossing at the east entrance of the BART Station with railroad safety gates and signals, Decoto Road at-grade crossing sidewalk and railroad signal safety improvements, and the permanent closure of “I” Street. The UPRR Public At-Grade Pedestrian Crossing Agreement also identifies additional at-grade crossing railroad signal preemption/interconnection improvements at the following areas:

- Oakland Subdivision: Decoto Road Crossing (MP26.2) – 11th Street
- Oakland Subdivision: Decoto Road Crossing (MP26.2) – Station Way

The Decoto Road at-grade railroad crossing (Oakland Subdivision MP 26.2) is located between the Station Way traffic signal to the west and the 11th Street traffic signal to the east -- this requires RSE to perform a signal preemption/interconnect analysis and an analysis of the signal timing with the railroad safety gates, which will be submitted to UPRR for a detailed review and approval before they can provide final costs required for updating the UPRR construction permit.

For the past several months, Union City, the Consultant Team and UPRR have been meeting monthly to discuss design submittals, preemption calculations, UPRR's review comments and the anticipated project schedule to complete the construction package for the BART Pedestrian At-Grade Crossing Project, City Project No. 14-14.

This Third Amendment to the Consulting Services Agreement with RSE, in the amount of \$250,000, will allow the consultant to continue to provide engineering services for railroad at-grade crossing safety improvements, including incorporating and responding to UPRR's review comments to complete the final Track Plan, Profile, and Details, the Decoto Road Plan, Profile and Details, and the traffic signal railroad crossing and preemption/interconnect analysis for the adjacent city traffic signals for the BART Pedestrian At-Grade Crossing Project, City Project No. 14-14, along with continued coordination with HDR, Inc., and ROMA Collaborative.

FISCAL IMPACT

The Third Amendment to the Consulting Services Agreement with Rail Surveyors and Engineers, Inc., in the amount of \$250,000, will be funded with \$200,000 of Public Improvement funds (Account Number 4160-3199-91414-54110) and \$50,000 of Measure BB Bike & Ped funds (Account Number 2546-3199-91414-54110) as identified in the approved Five-Year Capital Improvement Plan (CIP) for Fiscal Year 2023-2024 to Fiscal Year 2027-2028, bringing the total contract amount to \$425,000, for the BART Pedestrian At-Grade Crossing Project, City Project No. 14-14.

There is no fiscal impact to the General Fund.

RECOMMENDATION

Staff recommends that the City Council adopt a resolution authorizing the City Manager to execute the Third Amendment to the Consulting Services Agreement with Rail Surveyors and Engineers, Inc. ("RSE"), in the amount of \$250,000, for a total contract amount of \$425,000, to provide engineering services for railroad at-grade crossing safety improvements for the BART Pedestrian At-Grade Crossing Project, City Project No. 14-14.

Prepared by:

Marilou Ayupan. Public Works Director

Submitted by:

Marilou Ayupan. Public Works Director

ATTACHMENTS:

Description	Type
📎 Attachment 1 - Third Amendment	Attachment
📎 Resolution	Resolution

**THIRD AMENDMENT TO THE
CONSULTING SERVICES AGREEMENT**

THIS THIRD AMENDMENT (the “Third Amendment”) is effective as of this **23rd day of April 2024** by and between **THE CITY OF UNION CITY**, a municipal corporation (“City”), and **RAIL SURVEYORS AND ENGINEERS, INC. (RSE)** (“Consultant”), collectively referred to as the “Parties”.

W I T N E S S E T H:

WHEREAS, on May 9, 2019, the Parties entered into a Consulting Services Agreement (C5320), in the amount of \$40,000, for Pedestrian At-Grade Crossing Project, City Project No. 14-14 (the “Agreement”) wherein the Consultant agreed to provide engineering services for the City; and

WHEREAS, on November 22, 2021, the Parties entered into a First Amendment to the Consulting Services Agreement (C5850) for Pedestrian At-Grade Crossing Project, City Project No. 14-14 (the “First Amendment”), to extend the term, amend the scope of services, and increase the compensation by \$60,000, for a total contract amount not-to-exceed \$100,000; and

WHEREAS, on December 13, 2022, the Parties entered into a Second Amendment to the Consulting Services Agreement (C5850b) for Pedestrian At-Grade Crossing Project, City Project No. 14-14 (the “Second Amendment”), to extend the term, amend the scope of services, and increase the compensation by \$75,000, for a total contract amount not-to-exceed \$175,000; and

WHEREAS, the Parties desire to further amend the Agreement to further extend the term of services, amend the scope of services, and increase the compensation; and

WHEREAS, the City and Consultant desires to enter into this Third Amendment.

NOW, THEREFORE, the Parties hereto do mutually agree as follows:

1. The “Scope of Services” to be performed by Consultant, as set forth in Exhibit A of the Agreement, is hereby amended to include the services contained in Exhibit A of this Third Amendment, attached hereto and incorporated herein by reference.
2. The “Term of Services,” as set forth in the first sentence of Section 1.1 of the Agreement, is hereby extended to **December 31, 2025**.
3. The first sentence of Section 2 "COMPENSATION" of the Agreement is hereby amended to reflect payment based upon a sum increase of **Two Hundred Fifty Thousand Dollars (\$250,000)** identified in Exhibit B. The total compensation under the Agreement, including this Amendment, shall not exceed a total amount of **Four Hundred Twenty-Five Thousand Dollars (\$425,000)**. The first sentence of Section 2 is hereby amended to read as follow:

City hereby agrees to pay Consultant a sum not to exceed **Four Hundred Twenty-Five Thousand Dollars (\$425,000)** notwithstanding any contrary indications that may be

contained in Consultant' s proposal, for services to be performed and reimbursable costs incurred under this Agreement.

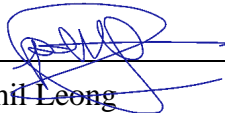
4. All other provisions of the Agreement remain in full force and effect, except as modified by this Second Amendment.

IN WITNESS WHEREOF, the City and the Consultant have executed this Amendment effective as of the date hereinabove written.

THE CITY OF UNION CITY

RAIL SURVEYORS AND ENGINEERS, INC.

By _____
Joan Malloy
City Manager

By  _____
Phil Leong
President

Attested:

Thai Nam Pham
City Clerk

Approved as to Form:

Kristopher J. Kokotaylo
City Attorney

EXHIBIT A

SCOPE OF SERVICES

Union Pacific (UP) Railroad At-Grade Crossing Safety Improvements UP Mitigation Improvements related to BART Pedestrian At-Grade Crossing, City Project No. 14-14

RSE appreciates the opportunity to continue to support the BART Pedestrian At-Grade Crossing Project to see the project through construction. RSE Corporation requests a budget amendment that will be used to provide final engineering design services for safety improvements of one railroad grade crossing, Decoto Road Grade Crossing DOT #834186V, UPRR Oakland Subdivision, located in the City of Union City.

RSE Corporation's estimates assume that the additional efforts to develop the final engineering designs to the grade crossing improvement work also includes the traffic signal preemption of two adjacent intersections.

- Decoto Road Crossing (MP 26.2) – 11th Street and Station Way Intersections

Task 1.0 - Project Management and Coordination

This task includes contract administration, coordination with the stakeholders, attending monthly meetings, and supporting the City on preparing the construction, maintenance, and operations agreement with the railroad.

Task 1.0 - Deliverables

- Monthly progress reports and invoices
- Meeting minutes and exhibits
- Project comments tracking matrix
- Draft agreement with the railroad

Task 2.0 - Final Design

This task includes development and submittal of final PS&E for grade crossing design and civil engineering improvements for the one at-grade crossing location and two intersections listed in this scope of work.

- Grade Crossing Site Plan Layouts
- Track Plan and Profile Drawings
- Grade Crossing Improvements Details
- Roadway and Sidewalk Improvement Plans
- Roadway Plan and Profile Drawings
- Utility plans
- Signing and Striping Plans
- Traffic Signal and Traffic Control Plans (See Task 3)
- GO 88B Forms
- Specifications and Estimates

Task 2.0 - Design Assumption:

- Survey and mapping including locating utilities, mapping utilities, and mapping

right of way will be provided by the City.

- RSE will verify base mapping provided by the City and will perform field surveys to collect street centerlines for both directions at Decoto Road 300' from the grade crossing.

Task 2.0 Deliverables:

- 65% Plans, Cost Estimate, and list of Technical Specifications - this includes progress plans including the latest UP comments. These will be developed with interdisciplinary coordination and review and will be submitted to the City, UP, and CPUC for review and comment.
- 100% PS&E – this includes progress plans, specifications, and estimates prepared to the 100% level and incorporates review comments and changes based on the 65% level review. These will be developed with interdisciplinary coordination and review and will be submitted to the City, UP, and CPUC for review and comment.
- Issued for Bid (IFB) — These are the construction documents that incorporate 100% PS&E review comments and are ready for bid.
- GO 88B forms

Task 3.0 - Traffic Signal and Traffic Control Design

The concept development work included data collection and analysis to support the concept and meet requirements including vehicular traffic and queueing analysis, pedestrian analysis, and warning time and preemption analysis. This proposal progresses the traffic engineering concept design for the Decoto Road crossing to detailed design and construction documents.

The following provides an overview:

- Decoto Road crossing (DOT# 834186V)
- Two preempted/ interconnected traffic signals: (1) 11th Street and (2) Station Way.
- Requirements include: two new queue cutter signals, and traffic signal and preemption interconnect.

Task 3.0 Deliverables:

- Queue Cutter Traffic Signal Plans – 2 sheets.
- Interconnect Plans and Details (preemption and traffic signal) – 2 sheets.
- Signing and Striping Plans – 1 sheet.
- Traffic Control Plans – 3 sheets.

Task 4.0 - Bid Support

Assist the City of Union City in answering any questions during the IFB period from bidders about the design of the grade crossing.

Task 5.0 – Design Support During Construction (DSDC)

Assist the City of Union City in answering RFIs and Submittals from the awarded Contractor during the construction of the grade crossing. Assist the City of Union City in preparation of as-builts and record of drawings after completion of construction of the grade crossing.

SCHEDULE

The work for this proposal will commence with the approval from the City. These are the anticipated durations for the different submittals and reviews:

- 65% Submittal, 2 months after NTP
- 65% Submittal City of Union City and UPRR Review, 1 month
- 100% Submittal, 2 months
- 100% Submittal City of Union City and UPRR Review, 1 month
- IFB Submittal, 1 month

EXHIBIT B

COST PROPOSAL

The estimated distribution of hours dedicated to assisting the city with these activities is shown below and in further detail in the cost proposal:

RSE Corporation Task Breakdown

Task No.:	Task Description	Estimated Hours	Estimated Budget
1.0	Project Management and Coordination	145.0	\$20,000
2.0	Final Design	450.0	\$115,000
3.0	Traffic Signal and Traffic Control Design	375.0	\$100,000
4.0	Bid Support	20.0	\$5,000
5.0	Design Support During Construction (DSDC)	40.0	\$10,000
	Grand Total	1,030.0	\$250,000

RSE Corporation Proposed 2024 Billing Rate Table

Employee Name	Classification	Billing Rate
Sanchez, Jorge	Project Manager	\$300.00
Chin, Tze Ying	Civil Engineer	\$175.00
Cheuk, Charlie	Senior Civil Engineer	\$225.00
Leong, Phil	Project Manager	\$300.00
Stack, Jason	Traffic Engineer	\$250.00
Leong, Andrew	Project Controls	\$110.00

RESOLUTION NO. XXXX-24

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY
AUTHORIZING THE CITY MANAGER TO EXECUTE THE THIRD
AMENDMENT TO THE CONSULTING SERVICES AGREEMENT
WITH RAIL SURVEYORS AND ENGINEERS, INC. (RSE), IN THE AMOUNT
OF \$250,000, FOR A TOTAL CONTRACT AMOUNT OF \$425,000, TO PROVIDE
ENGINEERING SERVICES FOR RAILROAD AT-GRADE CROSSING SAFETY
IMPROVEMENTS FOR THE BART PEDESTRIAN AT-GRADE CROSSING,
CITY PROJECT NO. 14-14**

WHEREAS, on November 13, 2014, the City Council adopted Resolution No. 4654-14, which authorized the City Manager to execute Project Funding Agreement (“PFA”) No. A13-0058 with the Alameda County Transportation Commission (“Alameda CTC”), in the amount of \$5,730,000 of Vehicle Registration Fee (“VRF”) Grant Funds for the Union City BART Station Improvements and Railroad Pedestrian Crossing Component; and

WHEREAS, the total cost for this project was estimated at \$16,914,974 and funding was supplemented with other federal and local grants; and

WHEREAS, the proposed BART pedestrian at-grade railroad crossing on the Oakland Subdivision will provide pedestrian and bicycle access across the Union Pacific Railroad (“UPRR”) tracks for an east-side connection to the Union City BART Station with the East Plaza and Transit-Oriented Development (“TOD”) area adjacent to 11th Street; and

WHEREAS, on May 9, 2019, the City entered into a Consulting Services Agreement with Rail Surveyors and Engineers, Inc. (“RSE”) (C5320), in the amount of \$40,000, to provide engineering review and support for the Pedestrian At-Grade Crossing Project, City Project No. 14-14; and

WHEREAS, on July 9, 2019, the City Council adopted Resolution No. 5503-19, which authorized the City Manager to execute the Public At-Grade Pedestrian Crossing Agreement: BART Pedestrian Crossing with Union Pacific Railroad (“UPRR”) (C5376) for the BART Pedestrian Crossing (DOT 859611R) at the Oakland Subdivision (MP 27.08), in the amount of \$228,200, for the BART Pedestrian At-Grade Crossing Project, City Project No. 14-14; and

WHEREAS, this UPRR agreement also identifies additional railroad at-grade safety improvements at existing locations throughout the City including at the Smith Street at-grade railroad crossing (Coast Subdivision), Whipple Road at-grade railroad crossing (Niles Subdivision), Decoto Road at-grade railroad crossing (Niles Subdivision) and Decoto Road at-grade railroad crossing (Oakland Subdivision); and

WHEREAS, the Final Design of the BART Pedestrian At-Grade Crossing, City

Project No. 14-14, is led by HDR, Inc., for the civil engineering improvements, and by ROMA Collaborative for architectural design for the new BART Station east entrance interface and the architectural features such as railing, lighting, and landscaping for the new pedestrian at-grade crossing; and

WHEREAS, on December 14, 2021, the City Council adopted Resolution No. 5865-21, which approved the First Amendment to the Consulting Services Agreement with RSE (C5850), in the amount of \$60,000, which allowed RSE to prepare railroad at-grade safety improvement plans according to UPRR's railroad standards, as well as update the railroad signal preemption calculations at other UPRR railroad at-grade crossing locations along the Oakland Subdivision, the Niles Subdivision and the Coast Subdivision; and

WHEREAS, on December 13, 2022, the City Council adopted Resolution No. 6053-22, authorizing the City Manager to execute the Second Amendment to the Consulting Services Agreement with RSE (C5850b), in the amount of \$75,000, for a total contract amount of \$175,000, to continue to coordinate UPRR design review comments and provide engineering design services for railroad at-grade crossing safety improvements as identified in the Public At-Grade Pedestrian Crossing Agreement: BART Pedestrian Crossing with UPRR; and

WHEREAS, the Decoto Road at-grade railroad crossing (Oakland Subdivision MP 26.2) is located between the Station Way traffic signal to the west and the 11th Street traffic signal to the east -- this requires RSE to perform a signal preemption/interconnect analysis and an analysis of the signal timing with the railroad safety gates, which will be submitted to UPRR for a detailed review and approval before they can provide final costs required for updating the UPRR construction permit; and

WHEREAS, the Third Amendment to the Consulting Services Agreement with RSE, in the amount of \$250,000, will allow the Consultant to continue to provide engineering services for the railroad at-grade crossing safety improvements, including incorporating and responding to UPRR's review comments to complete the final Track Plan, Profile and Details, the Decoto Road Plan, Profile and Details, and the traffic signal railroad crossing and preemption/interconnect analysis for the adjacent city traffic signals for the BART Pedestrian At-Grade Crossing Project, City Project No. 14-14; and

WHEREAS, the Third Amendment to the Consulting Services Agreement with RSE, in the amount of \$250,000, will be funded with \$200,000 of Public Improvement funds (Account Number 4160-3199-91414-54110) and \$50,000 of Measure BB Bike & Ped funds (Account Number 2546-3199-91414-54110), as identified in the approved Five-Year Capital Improvement Plan (CIP) for Fiscal Year 2023-2024 to Fiscal Year 2027-2028.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Union City hereby authorizes the City Manager to execute the Third Amendment to the Consulting Services Agreement with Rail Surveyors and Engineers, Inc., in the amount of \$250,000, for a total contract amount of \$425,000, to provide engineering services for railroad at-grade crossing safety improvements for the BART Pedestrian At-Grade

Crossing Project, City Project No. 14-14.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Union City at a regular meeting held on the 23rd day of April 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

CAROL DUTRA-VERNACI
Mayor

ATTESTED:

APPROVED AS TO FORM:

THAI NAM PHAM
City Clerk

KRISTOPHER J. KOKOTAYLO
City Attorney



Agenda Item

DATE: 4/23/2024

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: CARMELA CAMPBELL, ECONOMIC & COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: ADOPT A RESOLUTION APPROVING THE ALLOCATION OF PROGRAM YEAR 2023 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS, IN THE AMOUNT OF \$158,935, TO THE OLD ALVARADO/CESAR CHAVEZ PARKS IMPROVEMENT PROJECT, CITY PROJECT NO. 21-13, TO COVER THE REDUCED FUNDING AMOUNT RECEIVED IN PROGRAM YEAR 2022 THAT HAD BEEN ANTICIPATED FOR THIS PROJECT, AND COMPLETE A MINOR AMENDMENT TO BOTH THE PROGRAM YEAR 2022 AND THE PROGRAM YEAR 2023 CDBG ANNUAL ACTION PLANS

Staff recommends that the City Council adopt a resolution approving the allocation of Program Year 2023 CDBG funds, in the amount of \$158,935, to the Old Alvarado/Cesar Chavez Parks Improvement Project, City Project No. 21-13, to cover the reduced funding amount received in Program Year 2022 that had been anticipated for this project, and complete a minor amendment to both the Program Year 2022 and the Program Year 2023 CDBG Annual Action Plans.

STRATEGIC PLAN ALIGNMENT

This agenda item is in alignment with the following:

Goal D, Strategy 2: Environmental Sustainability and Infrastructure – Implement City’s capital improvement plan.

BACKGROUND

The City of Union City receives Community Development Block Grant (“CDBG”) funding on an annual basis from HUD. As part of the Program Year 2022 Annual Action Plan, the City had anticipated receiving \$556,130 in public facilities funding for the Old Alvarado/Cesar Chavez Parks Improvement Project (City Project 21-13). However, the City was only allocated \$397,195 for public facilities in Program Year 2022. Therefore, the

City needed to use Special Parks Funds, in the amount of \$158,935, to complete the Old Alvarado/Cesar Chavez Parks Improvement Project. A minor amendment will be made to the Program Year 2022 CDBG Annual Action Plan to add additional funding to the project. As of July 11, 2023, the project has been completed in accordance with project plans and specifications. In the Program Year 2023 CDBG Annual Action Plan, the City allocated \$425,953 of its CDBG allocation to the Charles F. Kennedy Park Improvement Project (“Kennedy Park Project”) (City Project No. 24-15). The funding being proposed to be allocated to the Old Alvarado/Cesar Chavez Parks Improvement Project to cover the reduced funding received in Program Year 2022 will come from a minor amendment made to the Program Year 2023 Annual Action Plan to utilize similar public facility improvement project funds that have yet to be expended for the Charles F. Kennedy Park Improvement project.

DISCUSSION

The Old Alvarado/Cesar Chavez Parks Improvement Project was selected as a park project that best fit with the requirements of CDBG eligibility for public facilities projects. The park project made several improvements:

1. ADA/handicap access to all new park amenities and pathways.
2. New recreation areas – half basketball court and full volleyball court.
3. New decorative lighting fixtures.
4. New age-appropriate playground equipment and sustainable surfacing.
5. Updated Park picnic areas with new barbeques, shade sails, shade structure, tables, and benches.

The project has been completed in accordance with project plans and specifications as of July 11, 2023.

The CDBG public facilities funding that will be allocated to the Old Alvarado/Cesar Chavez Parks Improvement Project will come from the Kennedy Park Project, a similar public facilities improvement project from the current Program Year 2023. The Kennedy Park Project was awarded \$425,953 in CDBG funding but due to a delay in the start of the project, the City has not been able to expend the funding as quickly as was originally anticipated. In order to meet HUD’s CDBG timeliness expenditure deadline, staff quickly pivoted to reallocate some of the unspent funding from the Kennedy Park Project to cover the reduced funding amount received in Program Year 2022 for the Old Alvarado/Cesar Chavez Parks Improvement Project. The reallocation of the funds is the most efficient way to utilize the CDBG funding for the park project while also allowing the City to meet its timeliness expenditure deadline of CDBG funds from HUD by May 2, 2024.

A minor amendment will also be made to the current Program Year 2023 Annual Action Plan to take the original allocation award amount of \$425,953 to the Kennedy Park Project and reduce it by \$158,935, leaving an allocation of \$267,018 for the CDBG public facility activity (the Kennedy Park Project) in the current Program Year 2023. This will still leave a substantial amount of funding available for the Kennedy Park Project to continue to make equipment purchases and establish a contract with consultants for the overall design for the rehabilitation of the park. Moving forward, the Kennedy Park Project will also be able to receive additional funding allocations in the upcoming Program Years to ensure that any additional phases of the project can be funded. Also, by utilizing PY 2023 CDBG funds for the Old Alvarado/Cesar Chavez Parks Improvement Project, the City will be able to reallocate Special Parks Funds to other parks in Union City that also need rehabilitation but do not meet the federal guidelines for the CDBG program.

FISCAL IMPACT

There is no impact to the General Fund. Program Year 2023 CDBG Public Facilities funds, in the amount of

\$158,935, will be added to the Old Alvarado/Cesar Chavez Parks Improvement Project activity and the minor amendment to the funding will be updated in the Program Year 2022 Annual Action Plan. A minor amendment will also be completed in the current Program Year 2023 Annual Action Plan to reduce the Kennedy Park Project activity in the amount of \$158,935.

RECOMMENDATION

Staff recommends that the City Council adopt the attached resolution approving the allocation of Program Year 2023 CDBG funds, in the amount of \$158,935, to the Old Alvarado/Cesar Chavez Parks Improvement Project, City Project No. 21-13, to cover the reduced funding amount received in Program Year 2022 that had been anticipated for this project, and complete a minor amendment to both the Program Year 2022 and the Program Year 2023 CDBG Annual Action Plans.

Prepared by:

Francisco Gomez Jr., Housing & Community Development Manager

Submitted by:

Francisco Gomez Jr., Housing & Community Development Manager

ATTACHMENTS:

Description	Type
□ Draft Resolution	Resolution

RESOLUTION NO. XXXX-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY APPROVING THE ALLOCATION OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS TO COVER ADDITIONAL WORK FOR THE OLD ALVARADO/CESAR CHAVEZ PARK IMPROVEMENT PROJECT, CITY PROJECT NO. 21-13 AND COMPLETE A MINOR AMENDMENT TO THE 2022-2023 CDBG ANNUAL ACTION PLAN

WHEREAS, the City of Union City receives Community Development Block Grant (“CDBG”) funding on an annual basis from the U.S. Department of Housing and Urban Development (“HUD”), and as part of the requirements to receive this funding, the City must prepare and submit an Annual Action Plan (“Action Plan”) to HUD; and

WHEREAS, the Action Plan assesses the City’s housing, community, and economic development needs, identifies available resources, and outlines a strategy on how the City plans to address those needs. The Annual Action Plan identifies specific programs and non-profits that will be funded in the upcoming year; and

WHEREAS, the City will make a minor amendment to the Program Year (PY) 2022-2023 Annual Action Plan to add funding to the Old Alvarado/Cesar Chavez Park improvement Project; and

WHEREAS, the City will allocate \$132,820 in unexpended CDBG grant funds from prior years to the Old Alvarado/Cesar Chavez Park Improvement Project to cover additional work on the project; and

WHEREAS, due to a change order on the project to address five dangerously deteriorated light pole foundations, which posed a safety hazard to the public and due to an increase in additional quantities in the original bid items for the project, created additional work and a need for additional funding in the amount of \$132,820; and

WHEREAS, the project was substantially completed in April 2023 and fully completed by July 11, 2023; and

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Union City does hereby approve the allocation of unexpended CDBG grants funds in the amount of \$132,820 to the Old Alvarado/Cesar Chavez Park improvement Project and complete a minor amendment to the PY2022-2023 Annual Action Plan to add those funds, attached hereto as Exhibit A, which is incorporated herein by reference; and

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Union City at a regular meeting held on the 23rd day of April 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

CAROL DUTRA-VERNACI
Mayor

ATTESTED:

APPROVED AS TO FORM:

THAI NAM N. PHAM
City Clerk

KRISTOPHER J. KOKOTAYLO
City Attorney

Attachments

1. PY2022-2023 Annual Action Plan Amendment



Agenda Item

DATE: 4/23/2024

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: CARMELA CAMPBELL, ECONOMIC AND COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: WAIVE FURTHER READING AND ADOPTION OF AN ORDINANCE APPROVING A-24-001 TO UPDATE THE OFFICIAL UNION CITY ZONING MAP FOR CONSISTENCY WITH THE 2040 GENERAL PLAN

Staff recommends that the City Council waive further reading and adopt an Ordinance approving A-24-001 to amend the Official Union City Zoning Map for consistency with the 2040 General Plan. The City Council held a public hearing and introduced the Ordinance at its April 9, 2024 meeting on a 5-0 vote. See Attachment 1 for the Ordinance and Exhibit showing the amendments to the City's Official Zoning Map.

STRATEGIC PLAN ALIGNMENT

The proposed amendment is in alignment with the following:

Goal C. Institute forward-thinking business, land use development, housing, social services, and public safety strategies that promote community growth and innovation.

Goal C. Strategy 15. Improve and streamline the development process. (Council Priority)

BACKGROUND

The City Council held a public hearing and introduced an Ordinance at its April 9, 2024 meeting to update the Official Union City Zoning Map (A-24-001) for consistency with the 2040 General Plan.

The Planning Commission recommended approval of the Ordinance to the City Council at its March 21, 2024 meeting on a 5-0 vote.

DISCUSSION

The proposed amendments can be broken down into two categories. The first category includes sites which required both General Plan and Zoning Map amendments to better align with existing parcel lines,

building locations, and historic and current land uses. The amendments will also facilitate the redevelopment of sites and expansion of existing uses. These amendments are labeled Areas B1-B4. The associated General Plan amendments (AG-24-001) were approved at the April 9, 2024 City Council meeting. The second category of Zoning Map amendments are part of implementation of the 2040 General Plan. The proposed amendments will ensure a subject property's zoning designation is consistent with its' general plan designation, which is required by State law. These amendments are labeled Areas B5-B12. For a more detailed overview of the proposed amendments, CEQA determination, Planning Commission recommendation, and public outreach process, see the April 9, 2024 City Council Agenda Item.

FISCAL IMPACT

There is no impact to the General Fund as a result of the Project.

RECOMMENDATION

Staff recommends that the City Council waive further reading and adopt an Ordinance approving A-24-001 to amend the Official Union City Zoning Map for consistency with the 2040 General Plan.

Prepared by:

Carmela Campbell, Economic and Community Development Director

Submitted by:

Carmela Campbell, Economic and Community Development Director

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Draft Ordinance	Ordinance
<input type="checkbox"/> Exhibit B - Zoning Map Amendments Areas B1-B12	Exhibit

ORDINANCE NO. XXX-24

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UNION CITY ADOPTING AMENDMENTS TO THE CITY'S OFFICIAL ZONING MAP (A-24-001) FOR CONSISTENCY WITH THE 2040 GENERAL PLAN

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's Zoning Code currently regulates all development within the City; and

WHEREAS, staff initiated amendments to the General Plan Land Use Diagram (AG-24-001) and Official Zoning Map (A-24-001) for multiple sites, both for consistency with the 2040 General Plan and to better align with existing parcel lines, building locations, and historic and current land uses or to address a parcel that has an incorrect designation ("Project"); and

WHEREAS, the City Council desires to amend the City's Official Zoning Map as detailed in the attached Exhibit A, attached hereto and made a part hereof, and

PLANNING COMMISSION REVIEW

WHEREAS, the Planning Commission held a duly noticed public hearing on the Project on March 21, 2024, at which time all interested parties had the opportunity to be heard. The Planning Commission considered a staff report and Desk Item dated March 21, 2024, and all written and oral testimony, and adopted Resolution No. 4-24 recommending adoption of the CEQA Addendum prepared for the Project and Resolution No. 5-24 recommending approval of the General Plan and Zoning amendments. The Staff Report, Desk Item, and Planning Commission Resolutions are incorporated herein by reference; and

CITY COUNCIL REVIEW

WHEREAS, the City Council held a duly noticed public hearing on the proposed amendments on April 9, 2024, at which time all interested parties had the opportunity to be heard. The City Council considered a staff report dated April 9, 2024 (including background reports), incorporated herein by reference, the Planning Commission recommendation, and all written and oral testimony before taking action on the amendments.

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

SECTION 1. Recitals. The above recitals are true and correct and made a part of this Ordinance.

SECTION 2. CEQA. The City Council adopted Resolution No. 6280-24, dated April 9, 2024, and incorporated herein by reference, adopting an Addendum to the 2040 General Plan Environmental Impact Report for the amendments to the City's Official Zoning Map (A-24-001).

SECTION 3. Findings. The City Council makes the following findings in support of approving this Ordinance, based on the whole of the record before it.

1. The proposed Municipal Code Amendments are consistent with the General Plan,
2. The proposed Municipal Code Amendments are necessary and desirable to achieve the purposes of Title 18.

SECTION 4. Approval. The City Council hereby approves the amendments to the City's Official Zoning Map, labeled Exhibit B, which is incorporated herein by reference and available for review in the City Clerk's office during normal business hours.

SECTION 5. 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 6. Publication and effective date. Within fifteen (15) days from and after adoption, this Ordinance shall be published once in the Tri-City Voice, 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 and be enforced 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 this 23rd day of April 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

CAROL DUTRA-VERNACI
Mayor

ATTESTED:

APPROVED AS TO FORM:

THAI NAM N. PHAM
City Clerk

KRISTOPHER J. KOKOTAYLO
City Attorney

Attachments:

1. Exhibit A – City of Union City Official Zoning Map Amendment

Exhibit B: Existing and Proposed Zoning

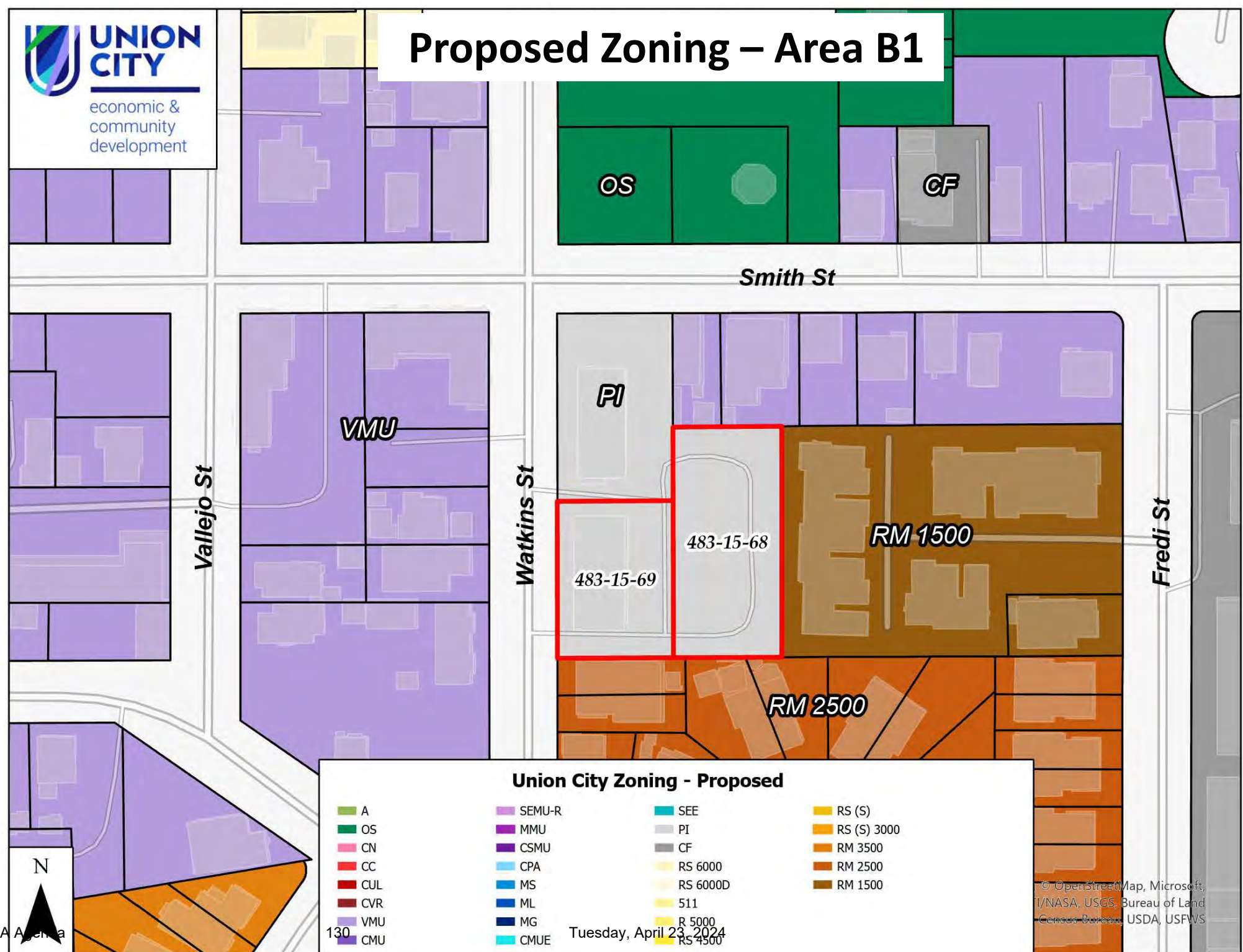
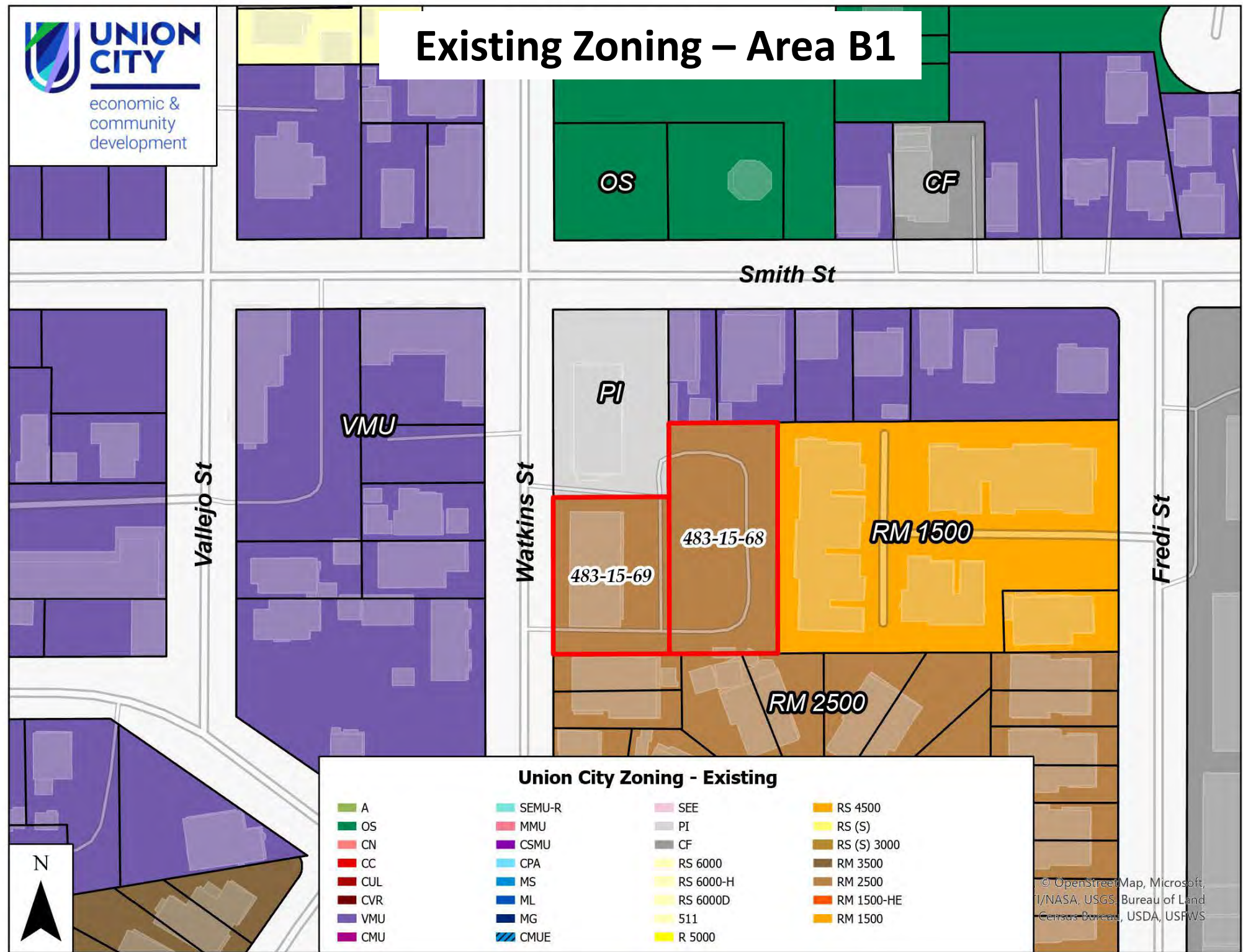


Exhibit B: Existing and Proposed Zoning

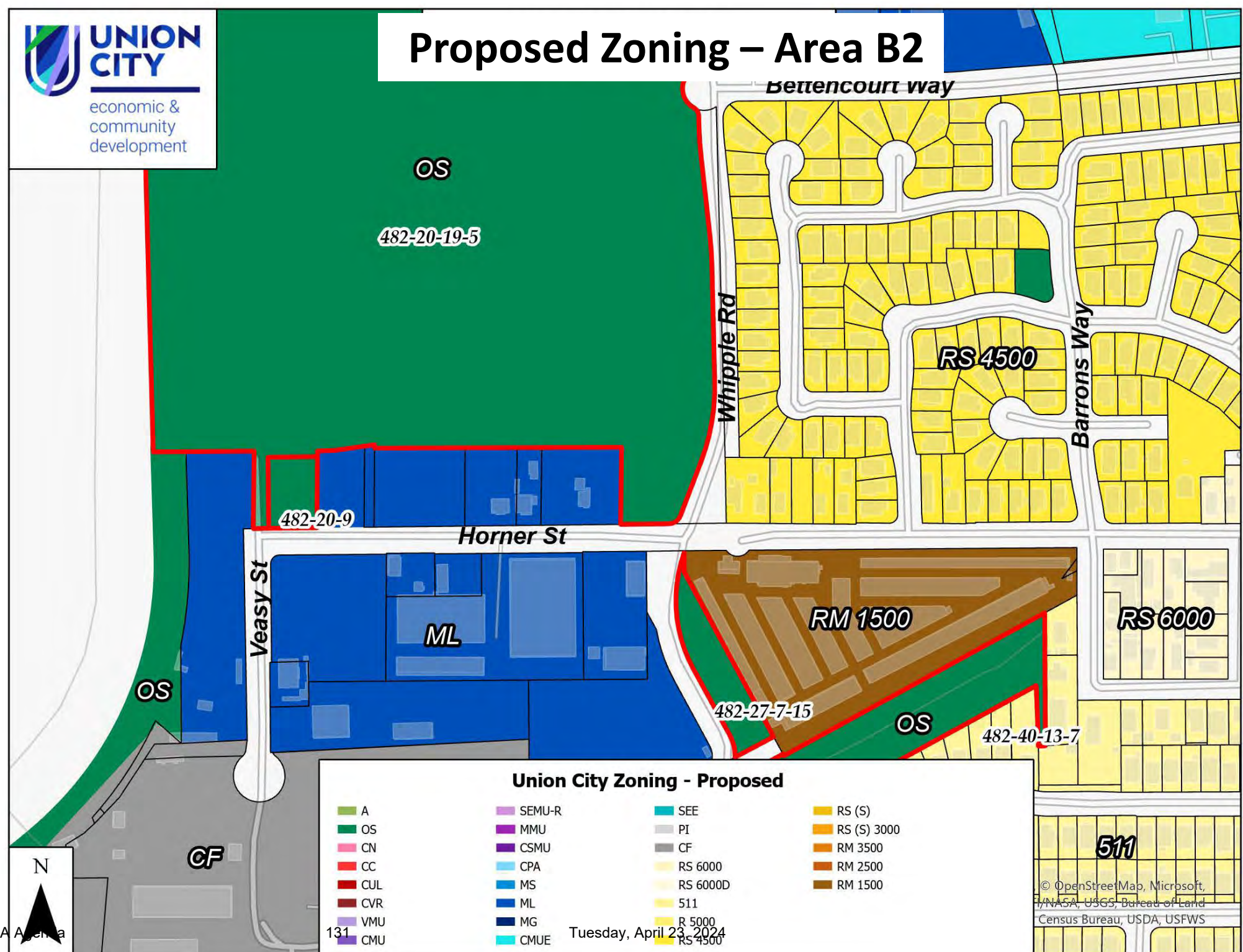
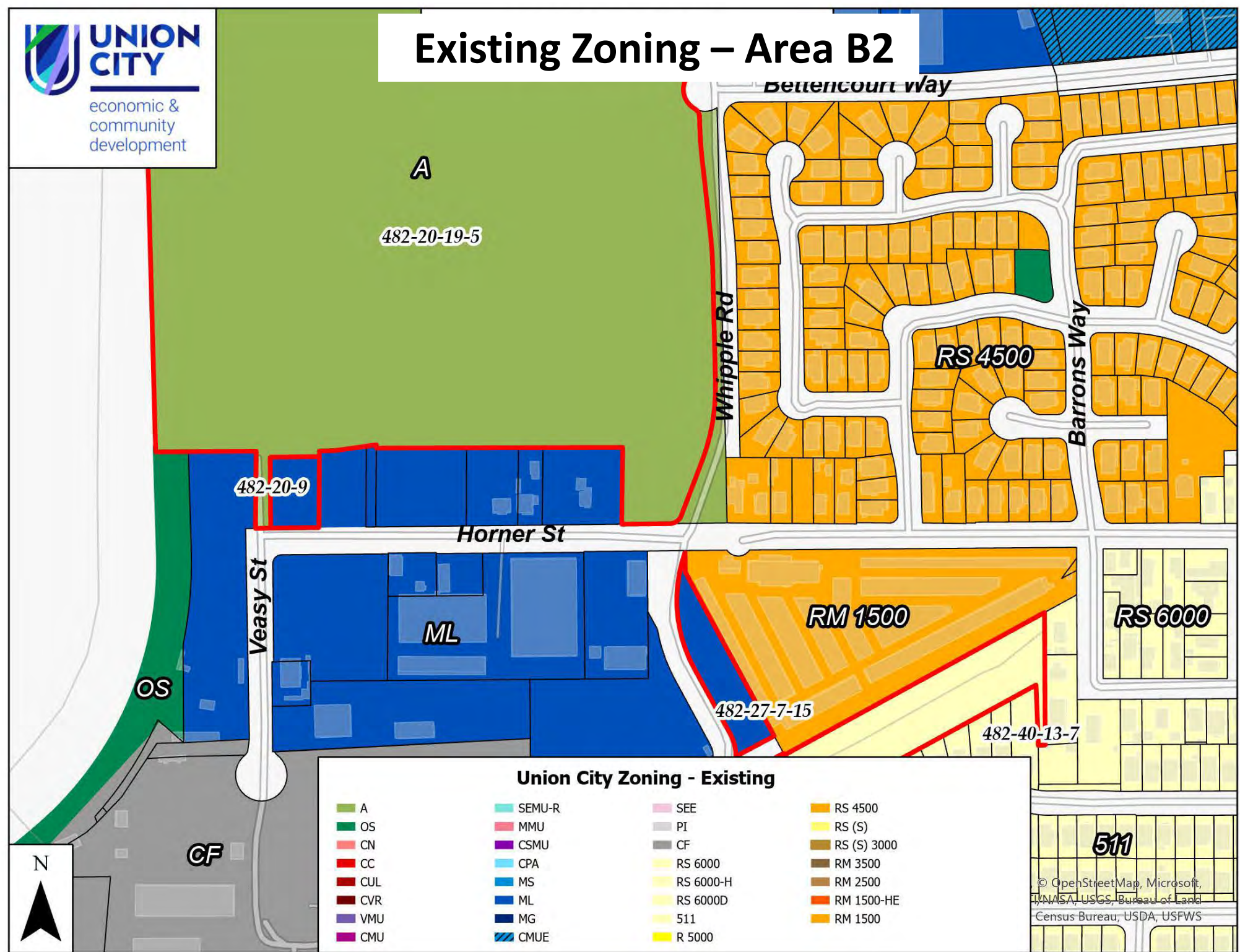


Exhibit B: Existing and Proposed Zoning

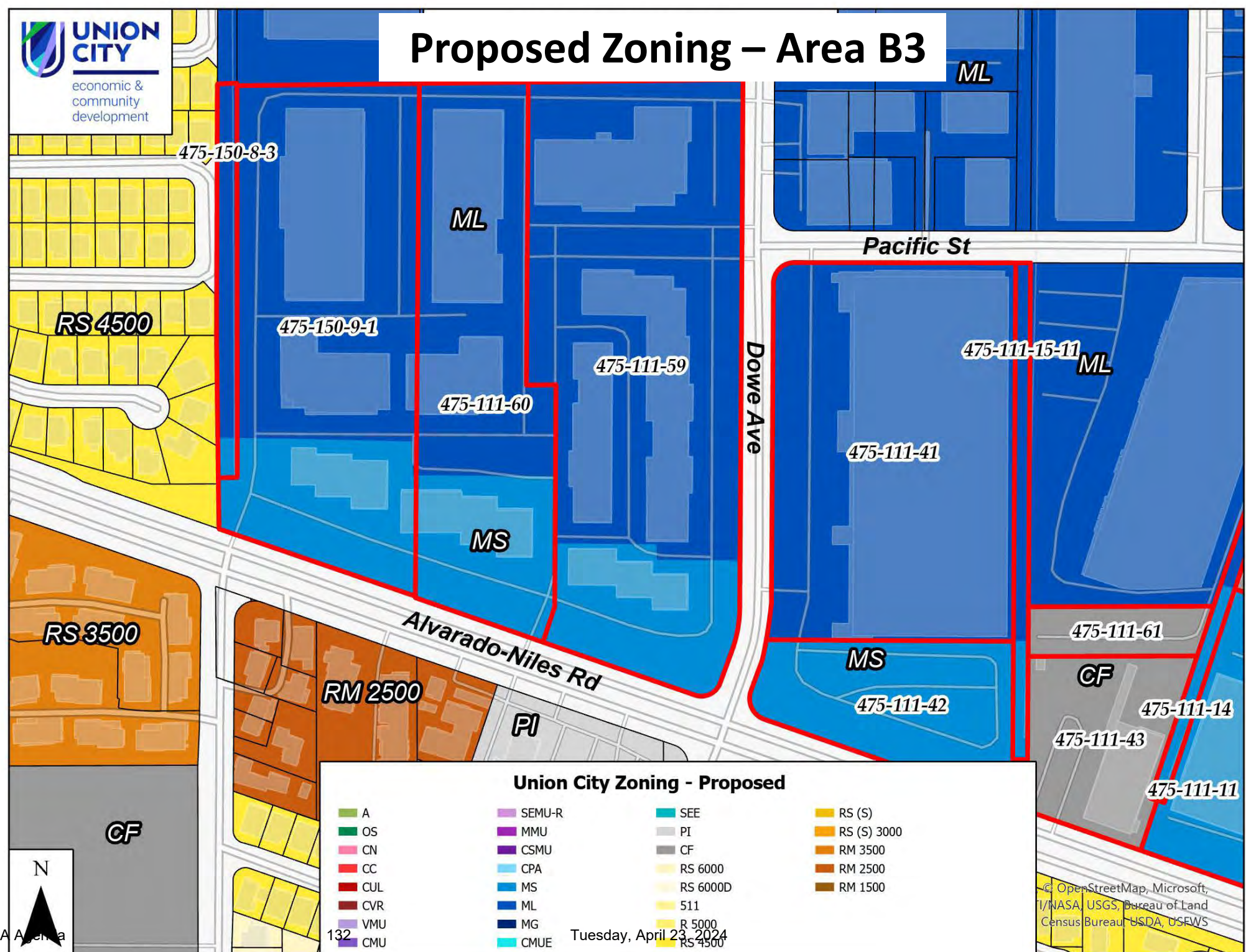
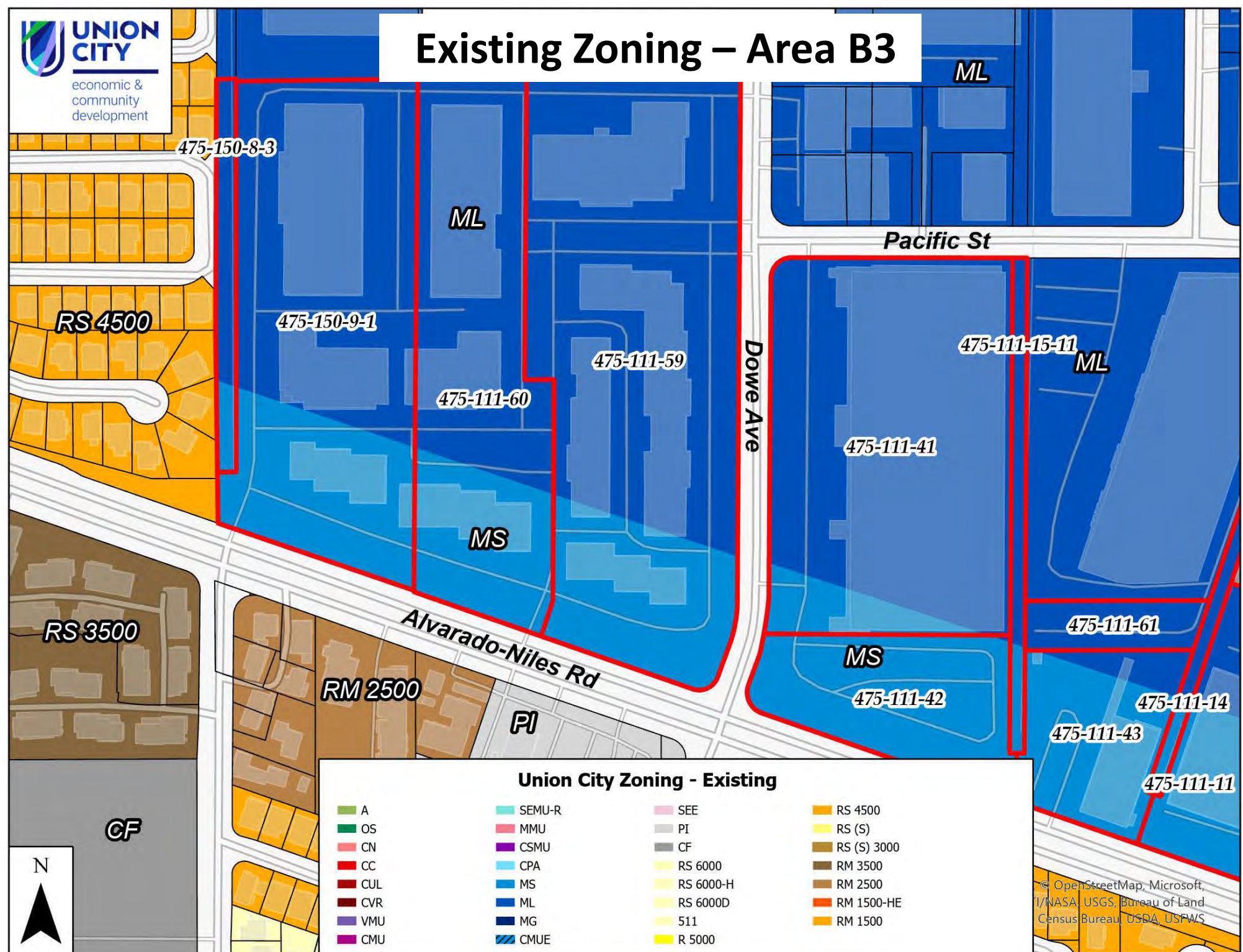


Exhibit B: Existing and Proposed Zoning

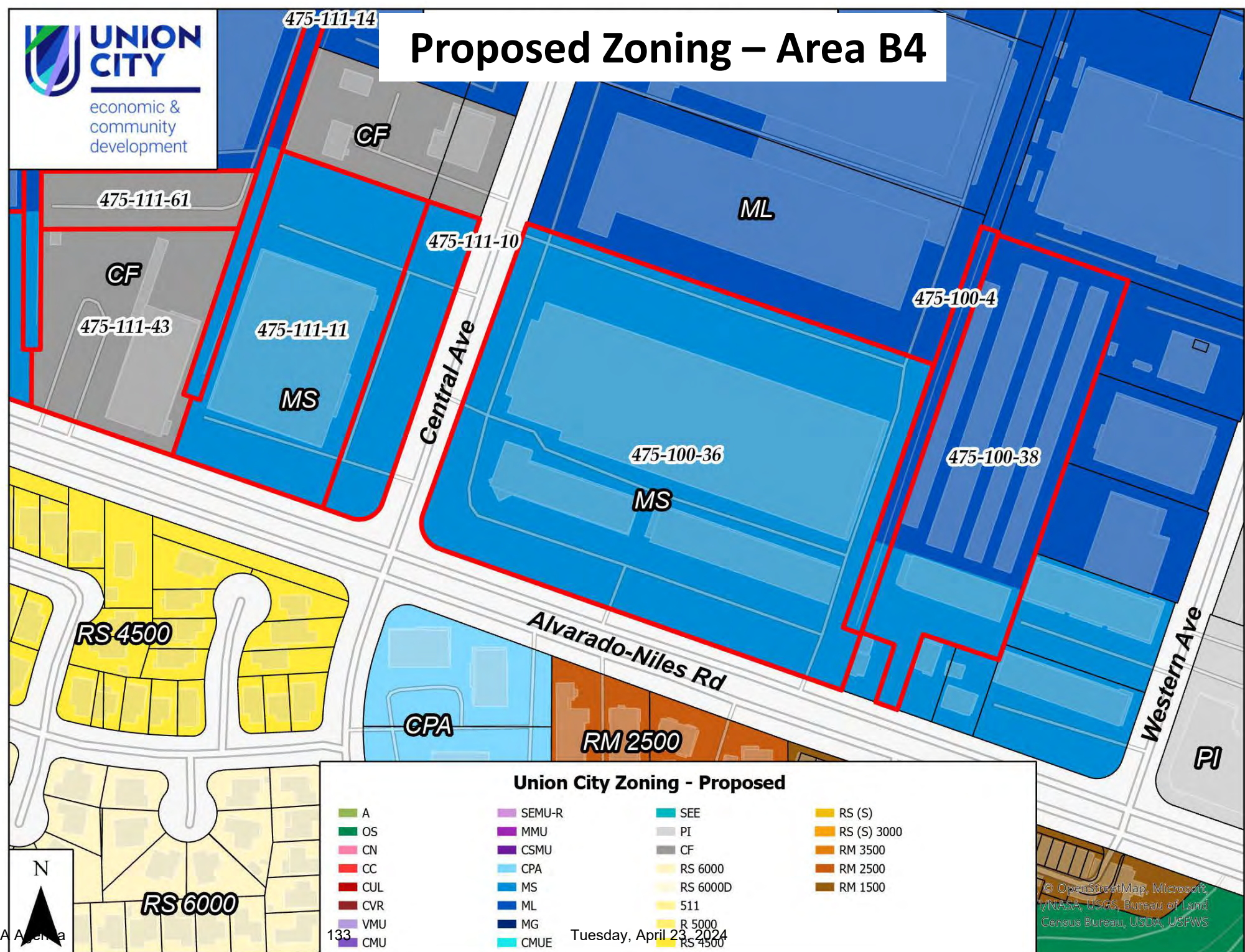
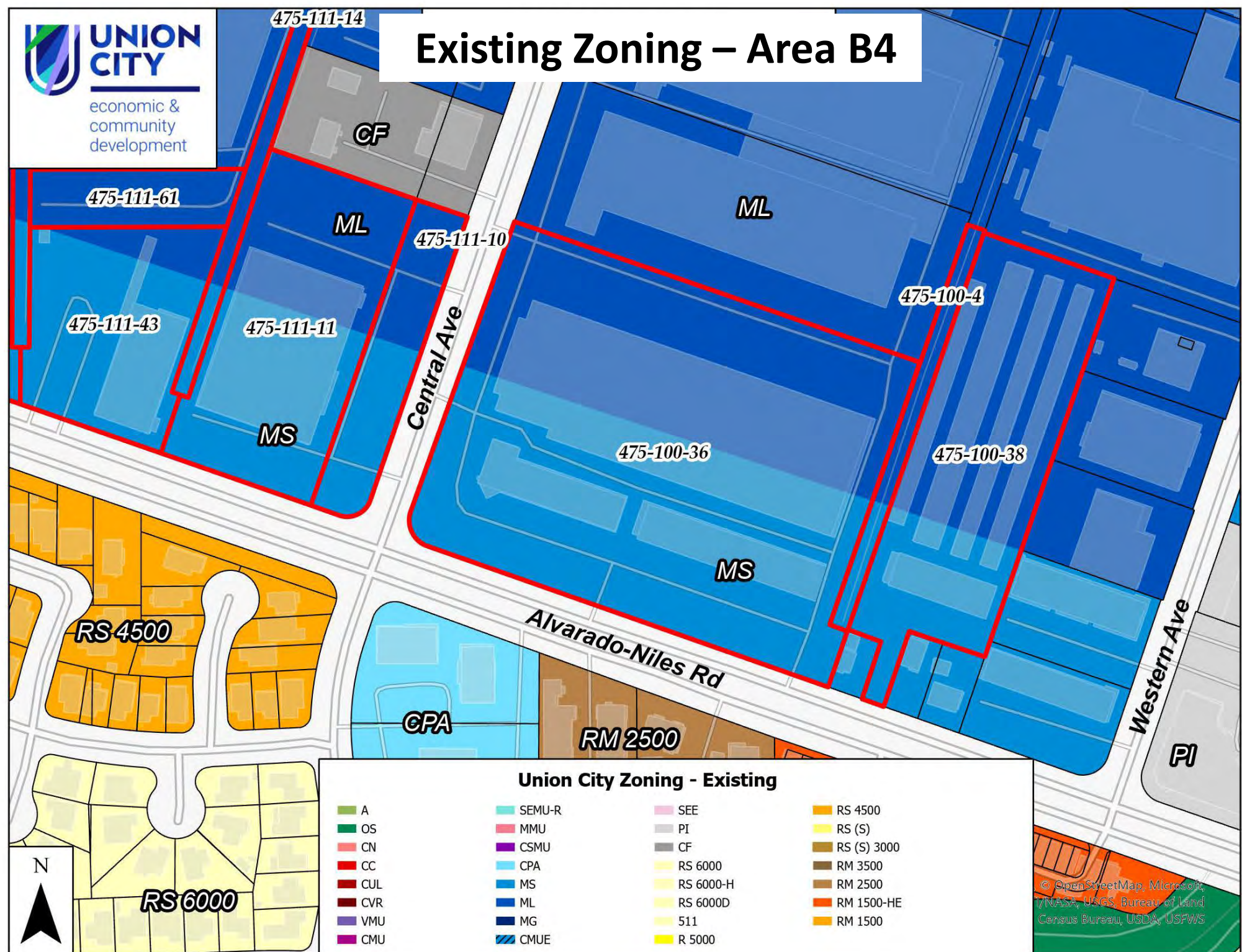


Exhibit B: Existing and Proposed Zoning

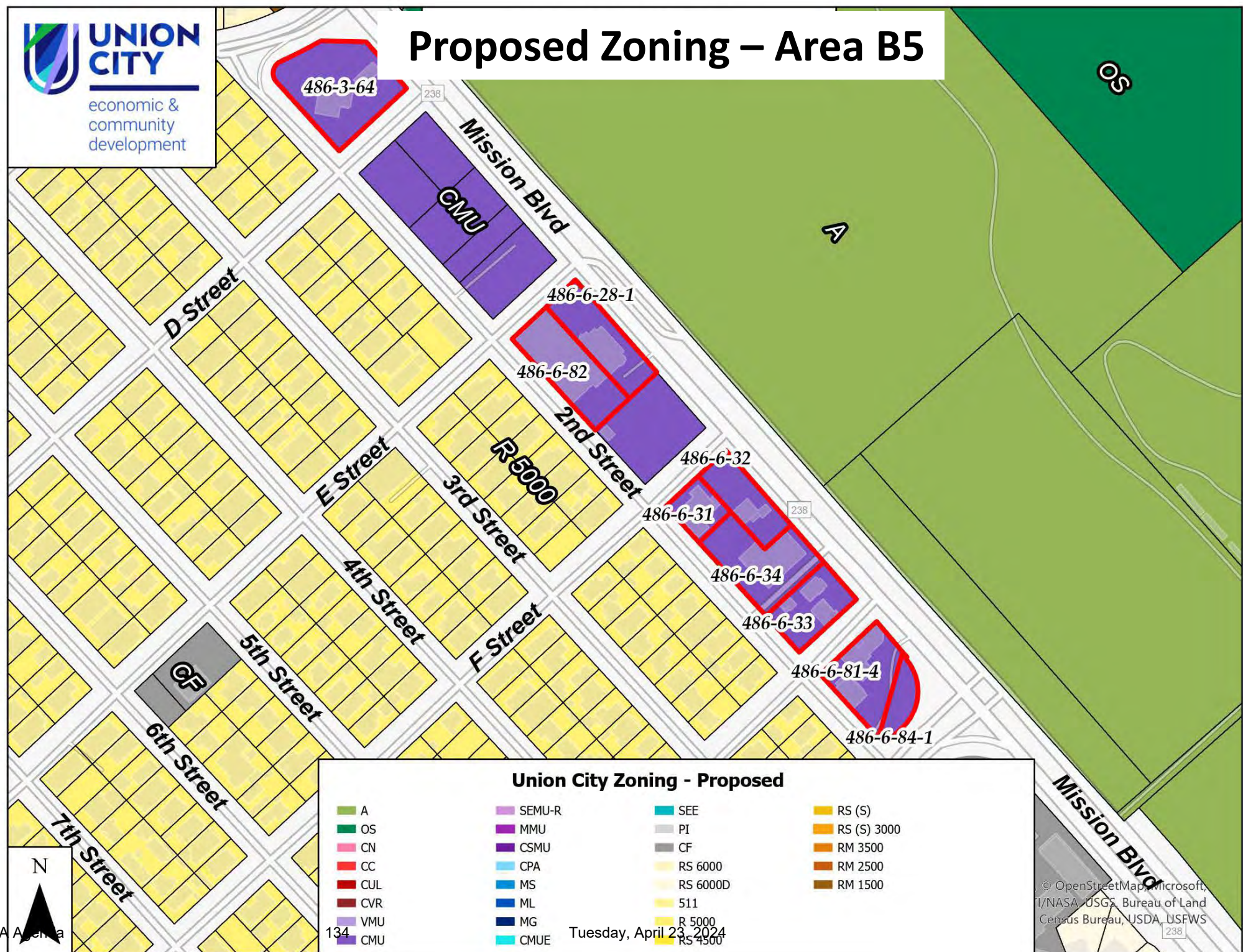
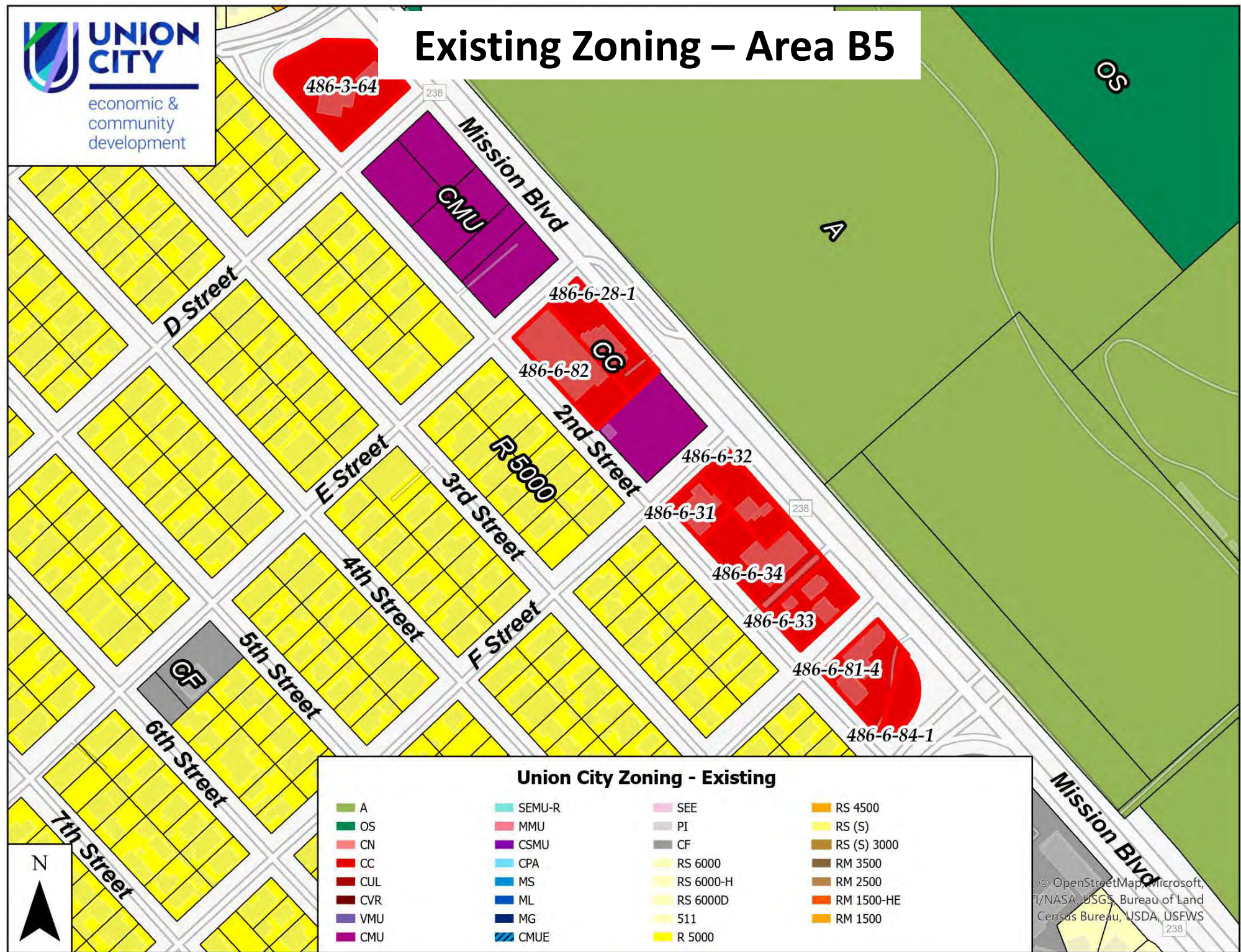


Exhibit B: Existing and Proposed Zoning

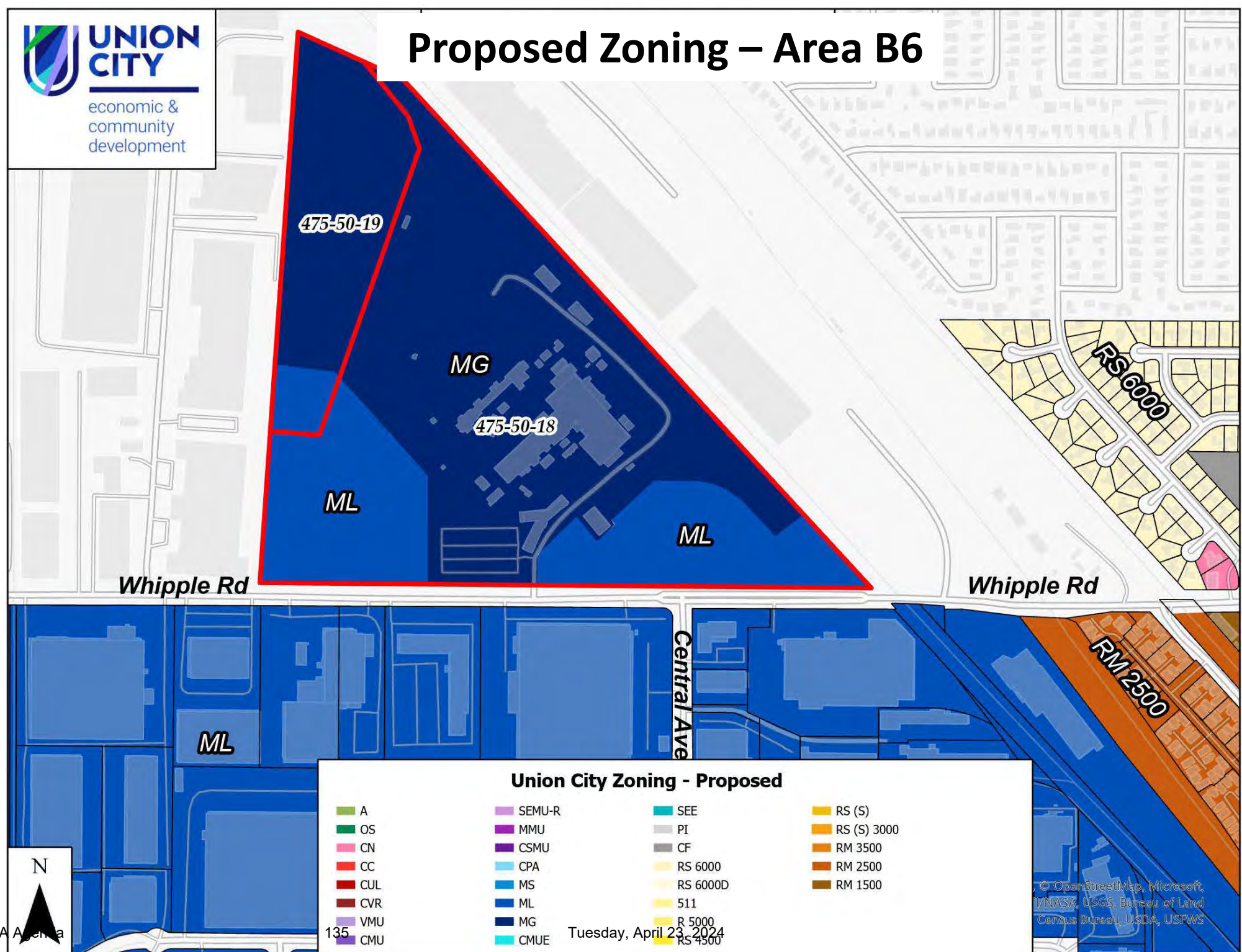
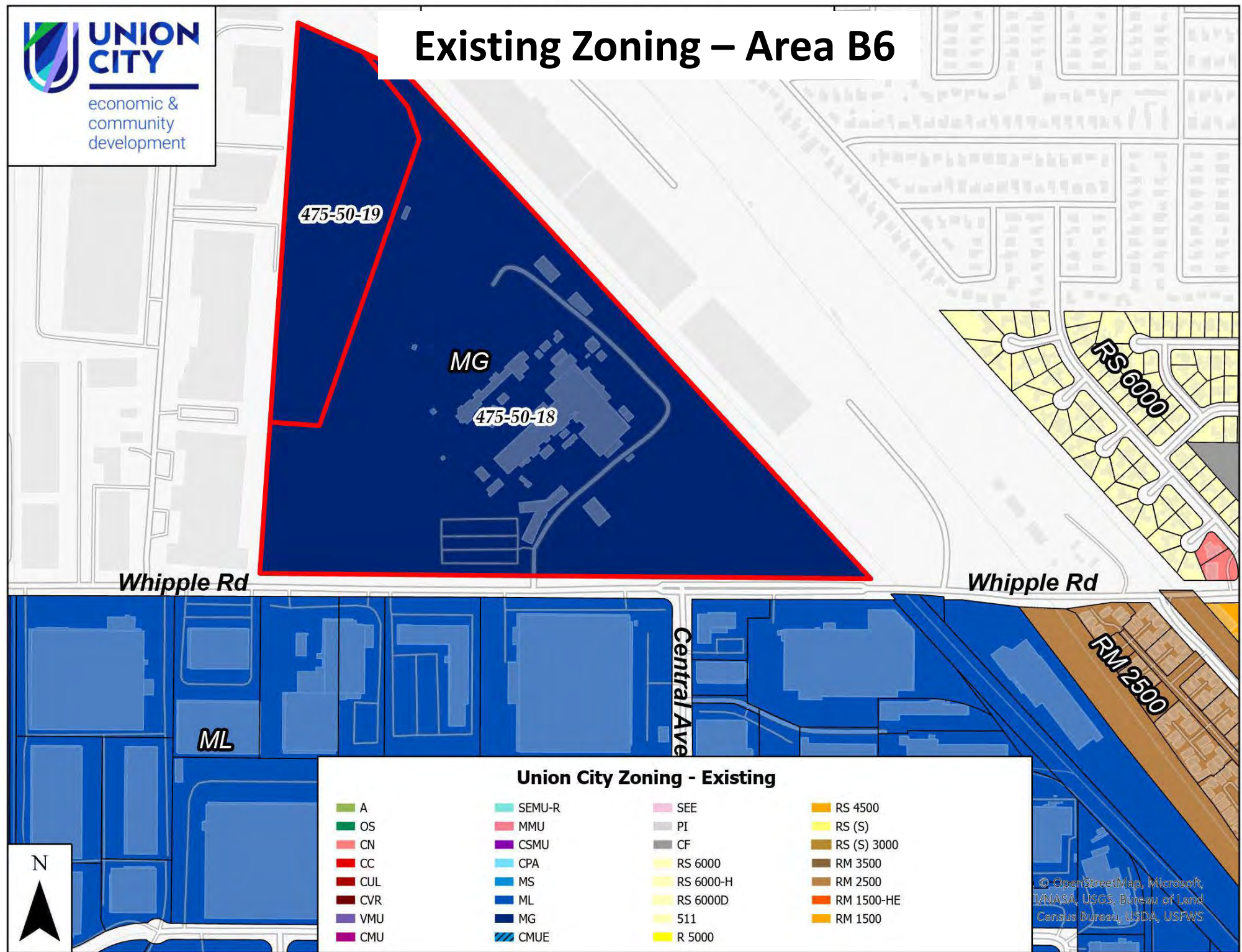


Exhibit B: Existing and Proposed Zoning

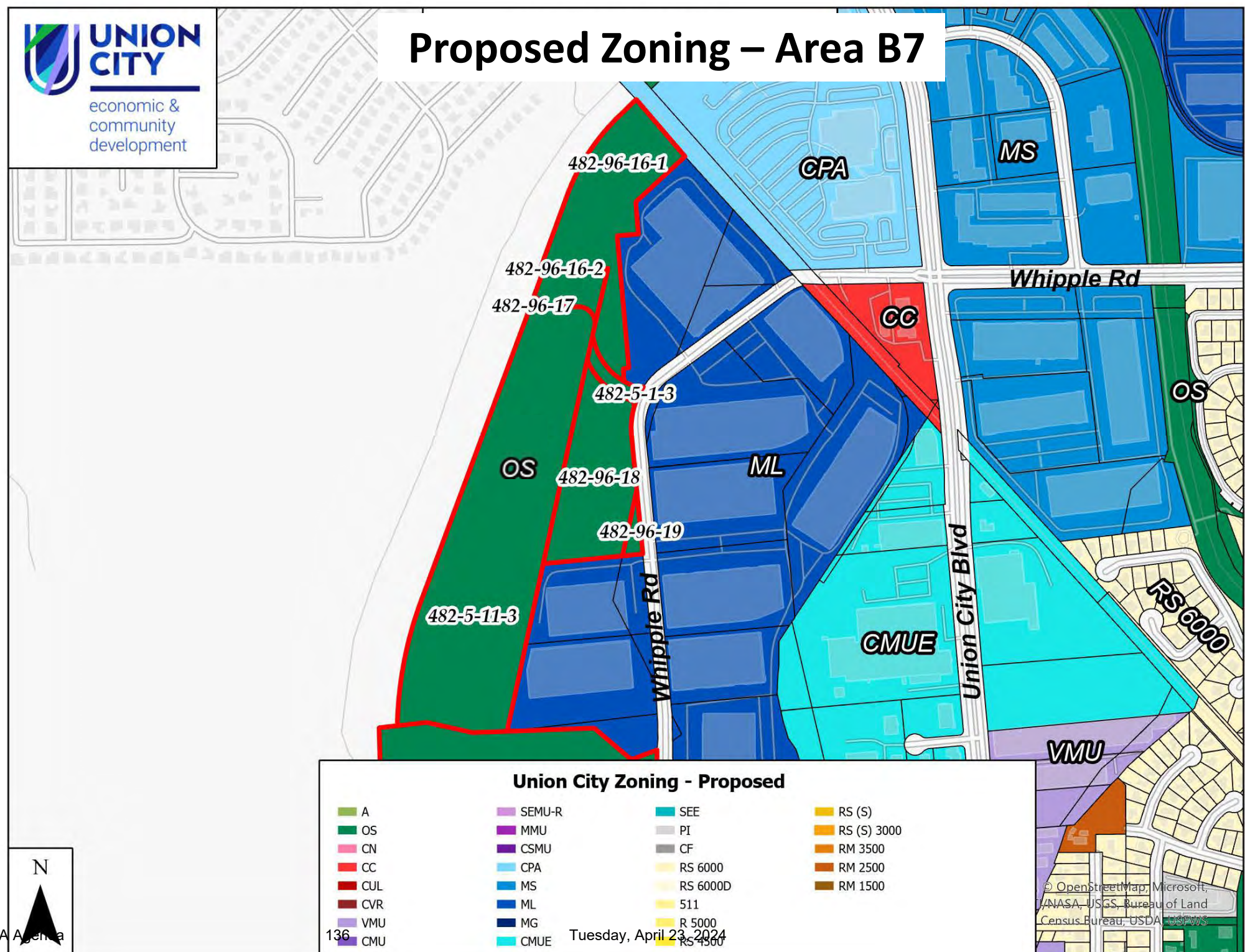
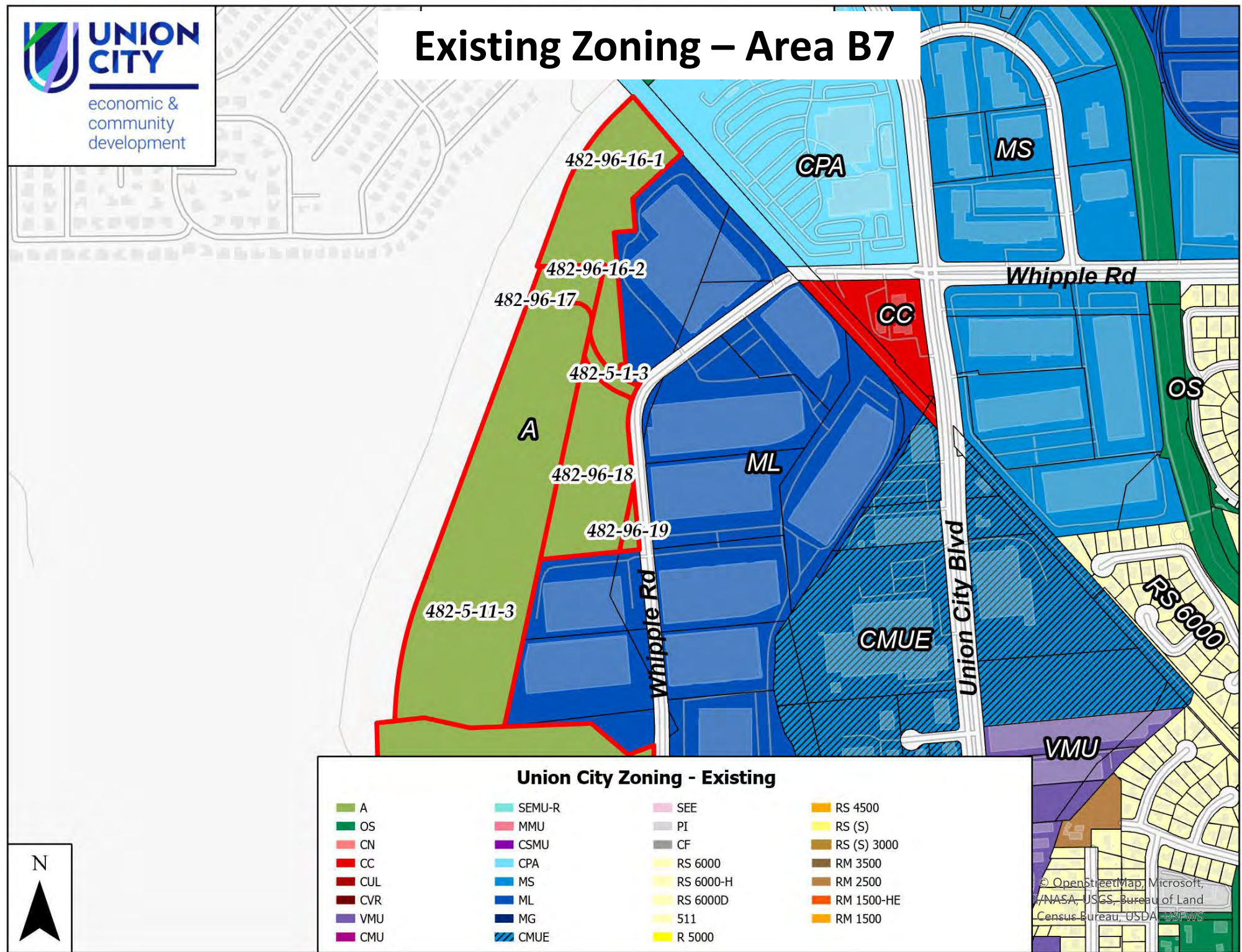


Exhibit B: Existing and Proposed Zoning

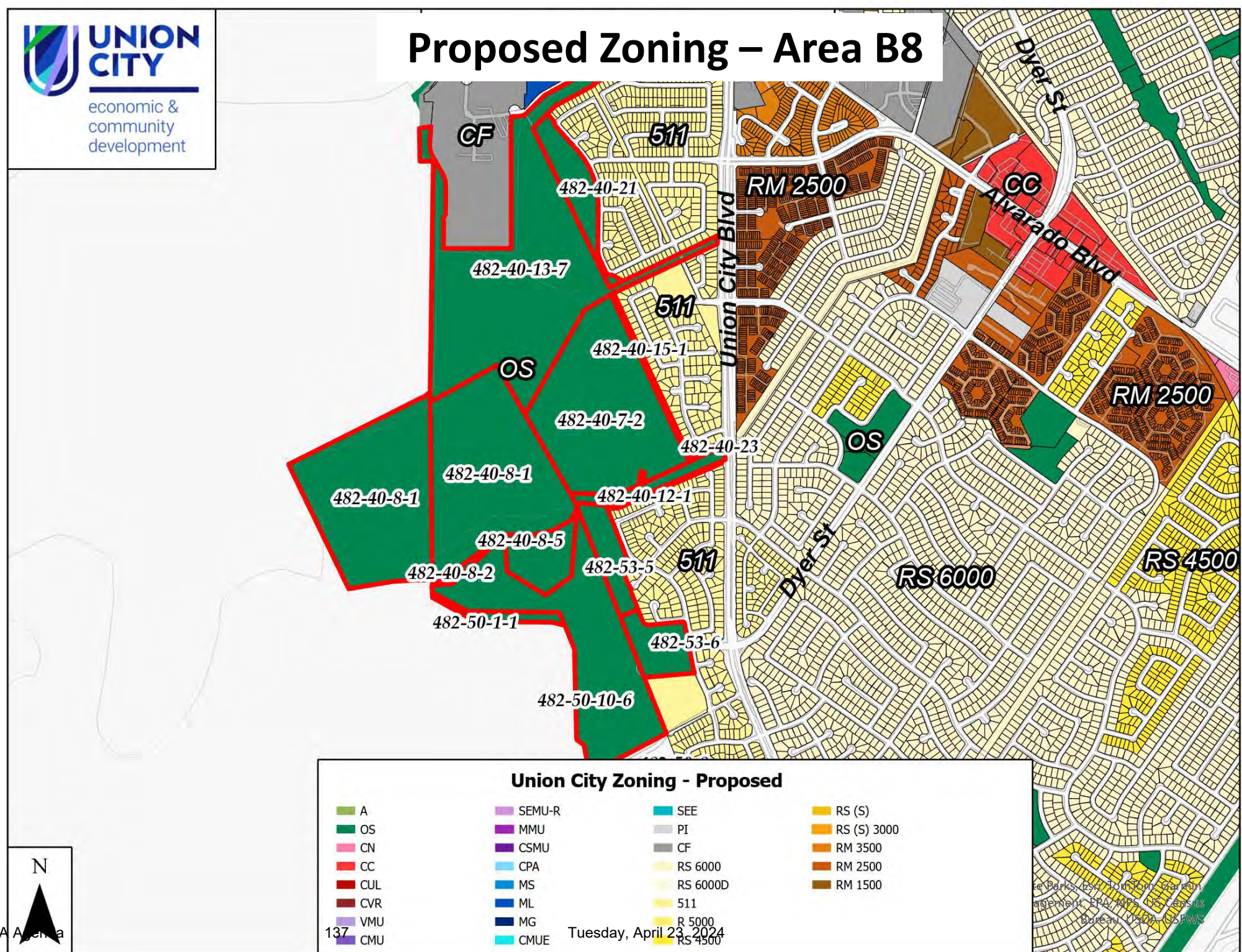
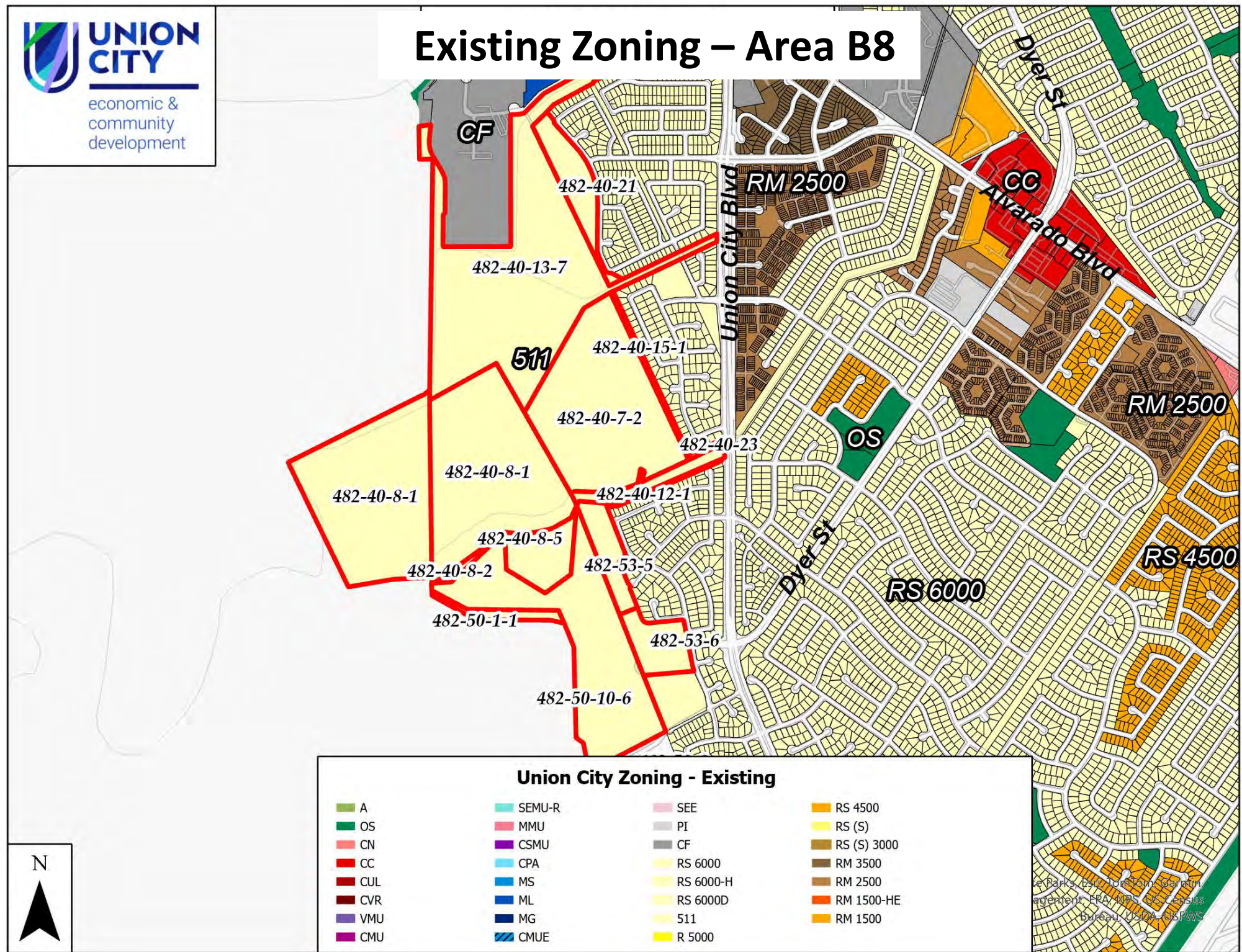


Exhibit B: Existing and Proposed Zoning

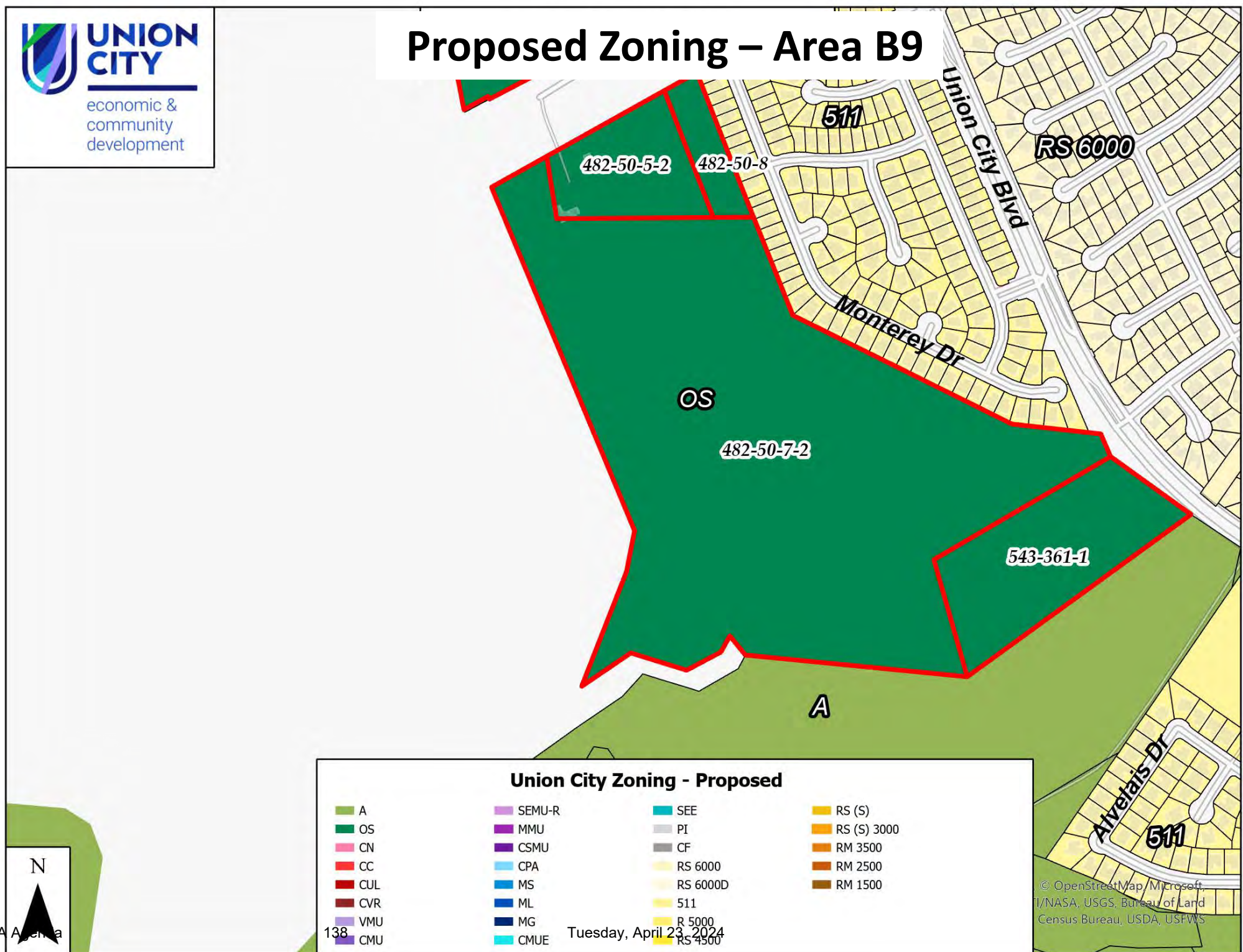
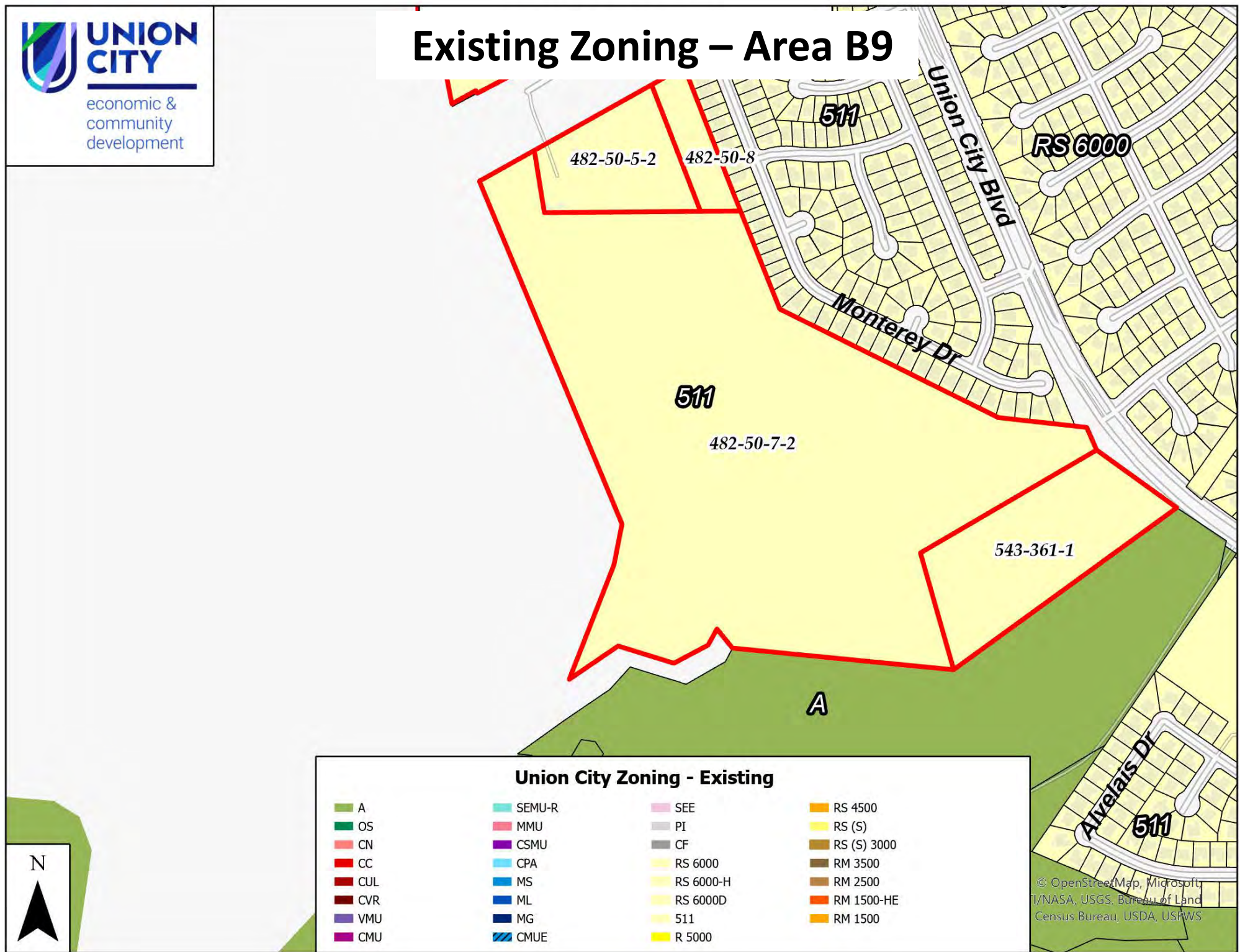


Exhibit B: Existing and Proposed Zoning

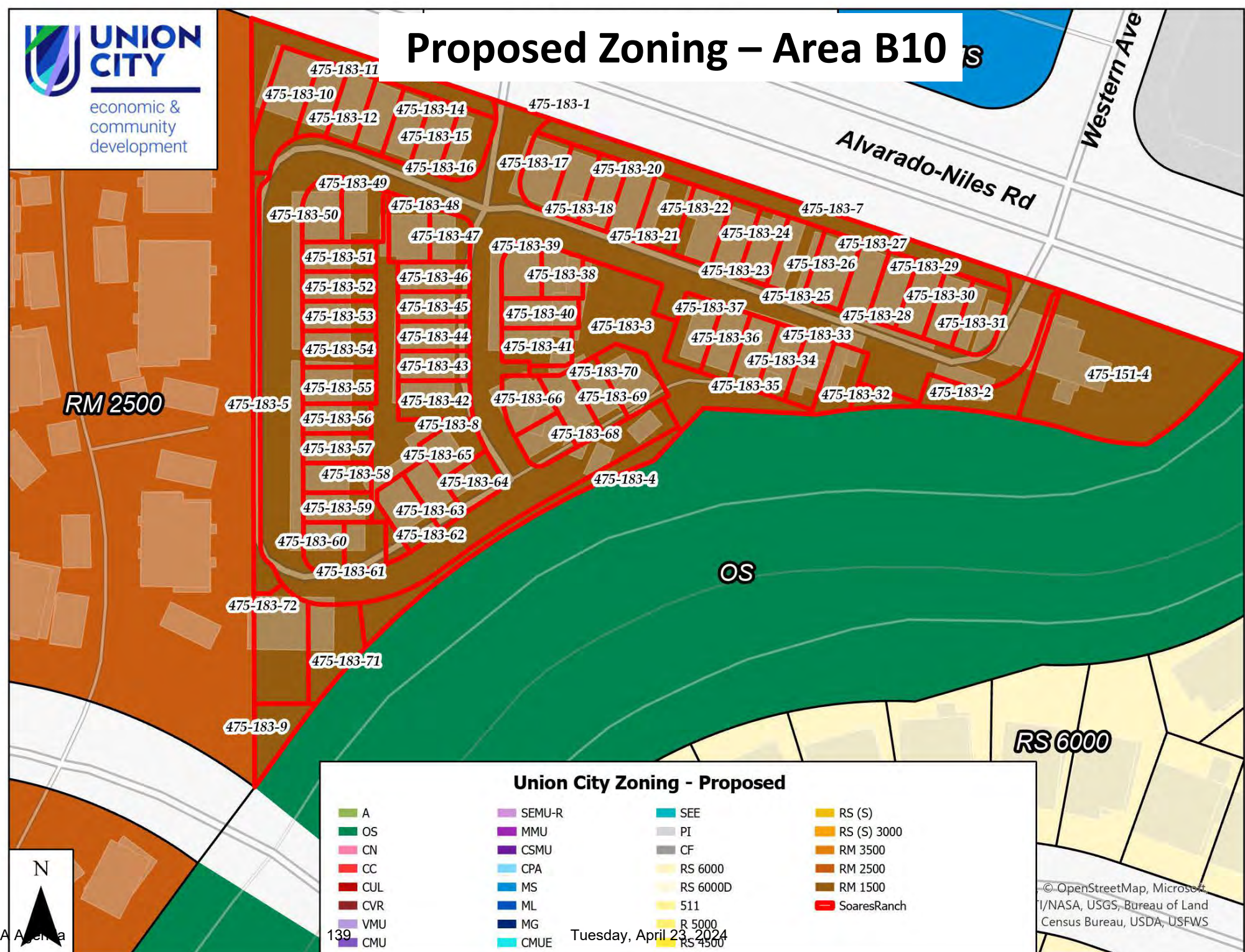
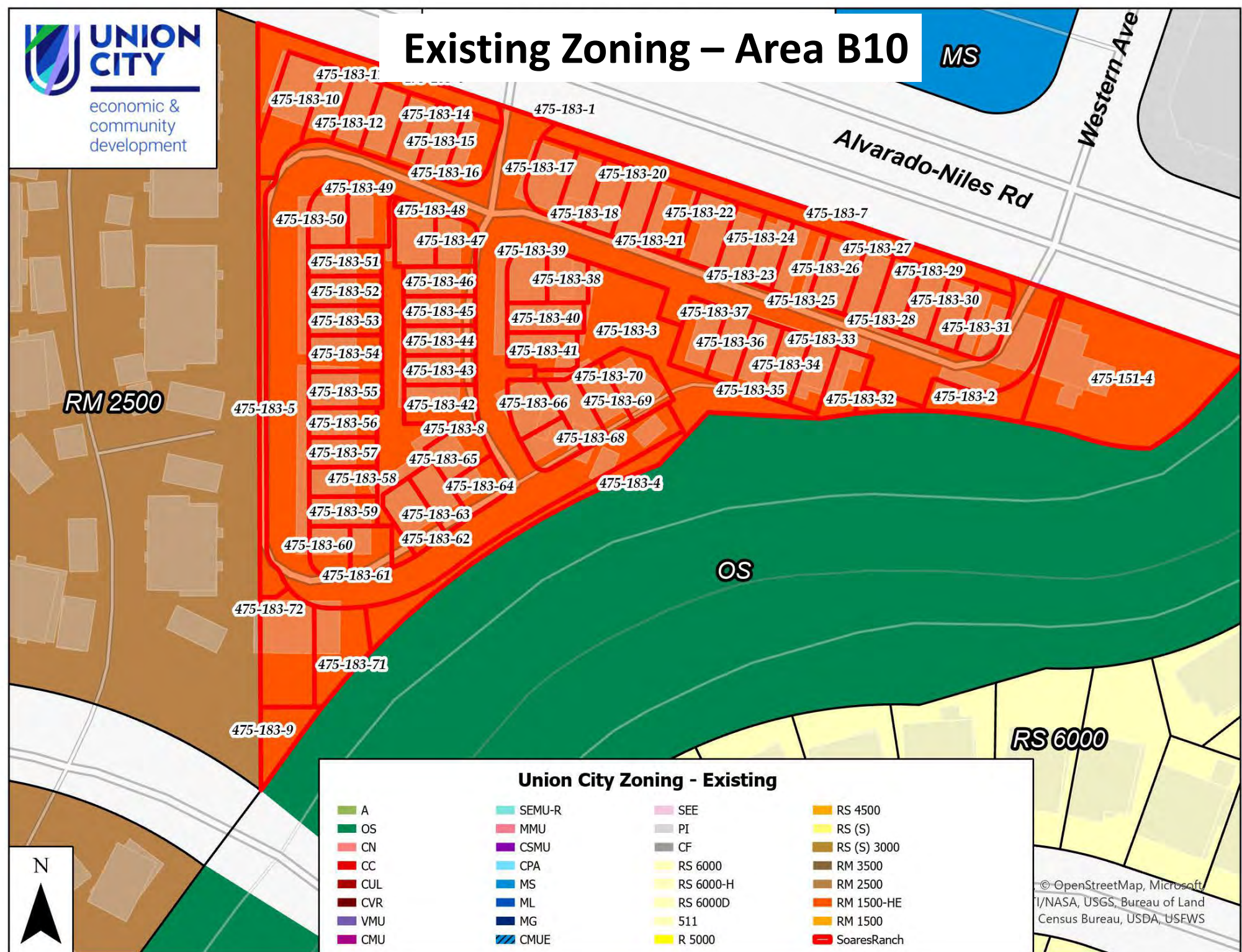


Exhibit B: Existing and Proposed Zoning

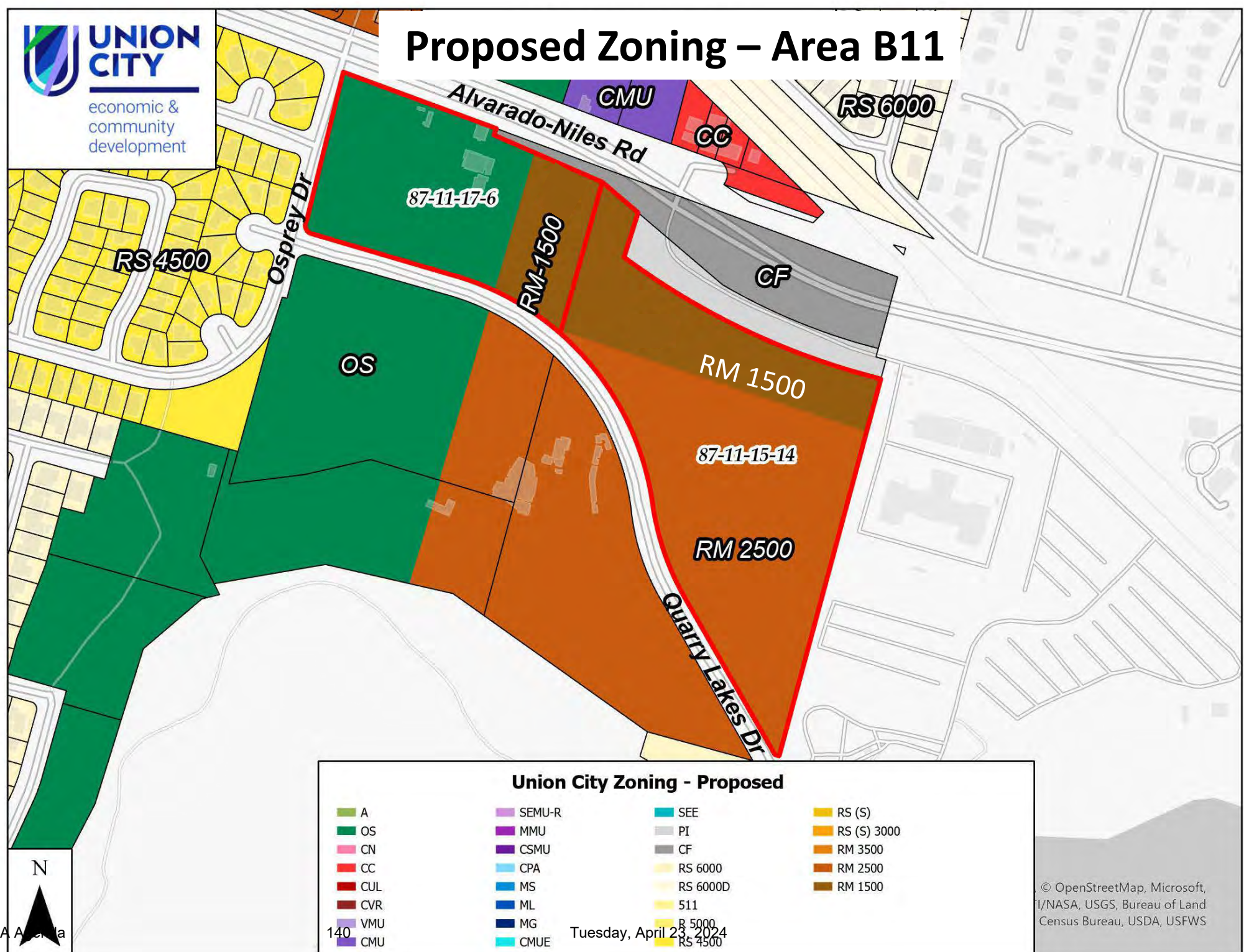
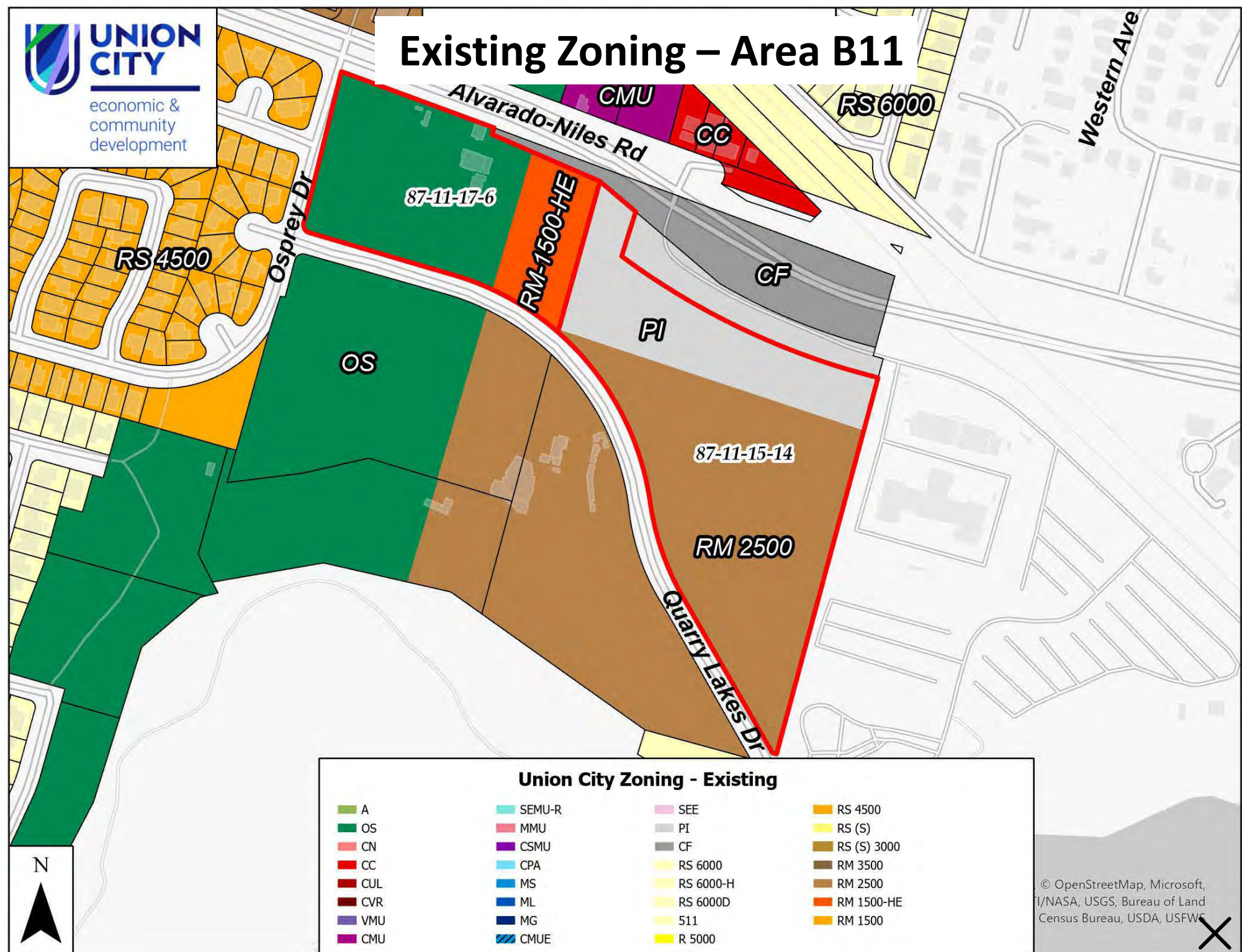
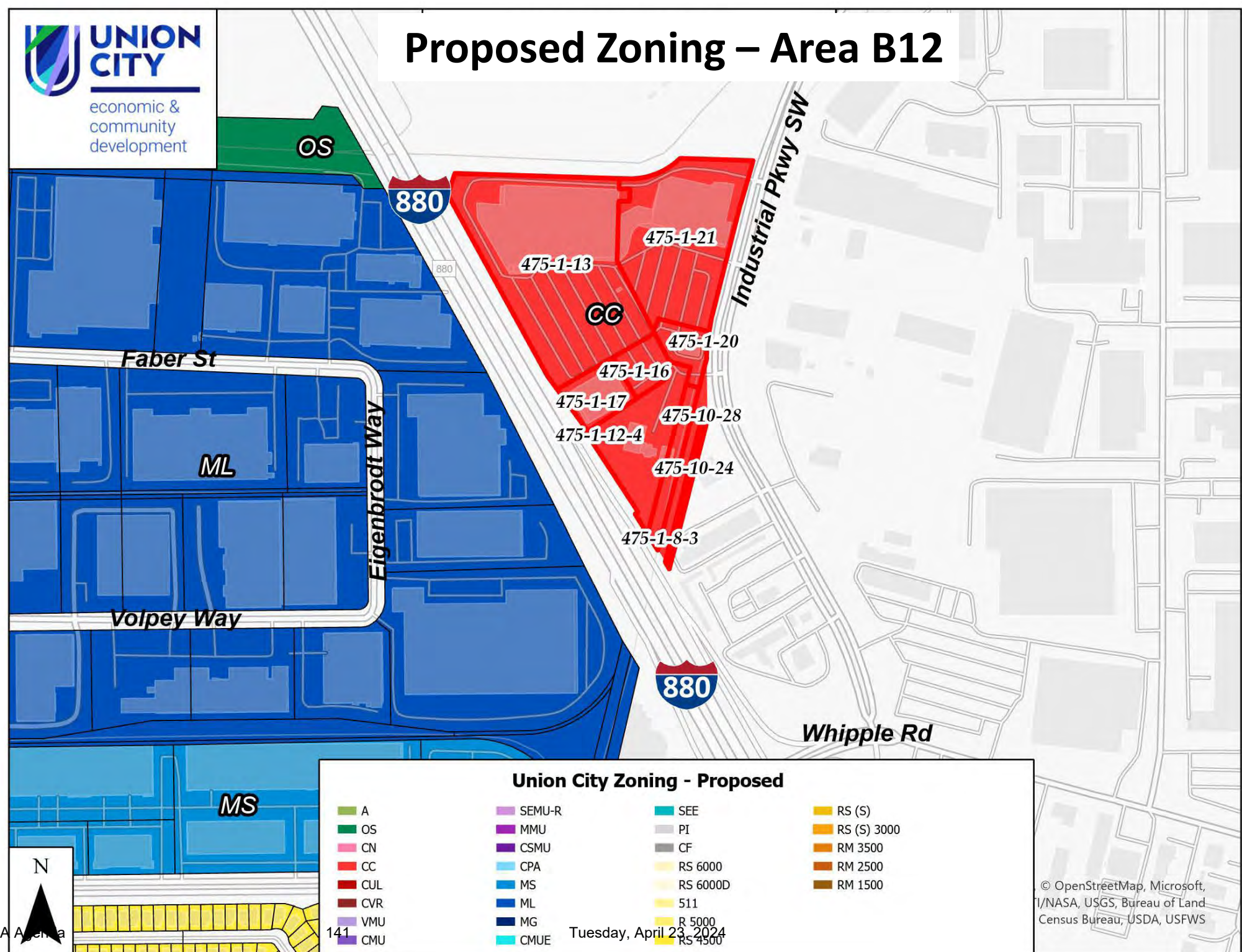
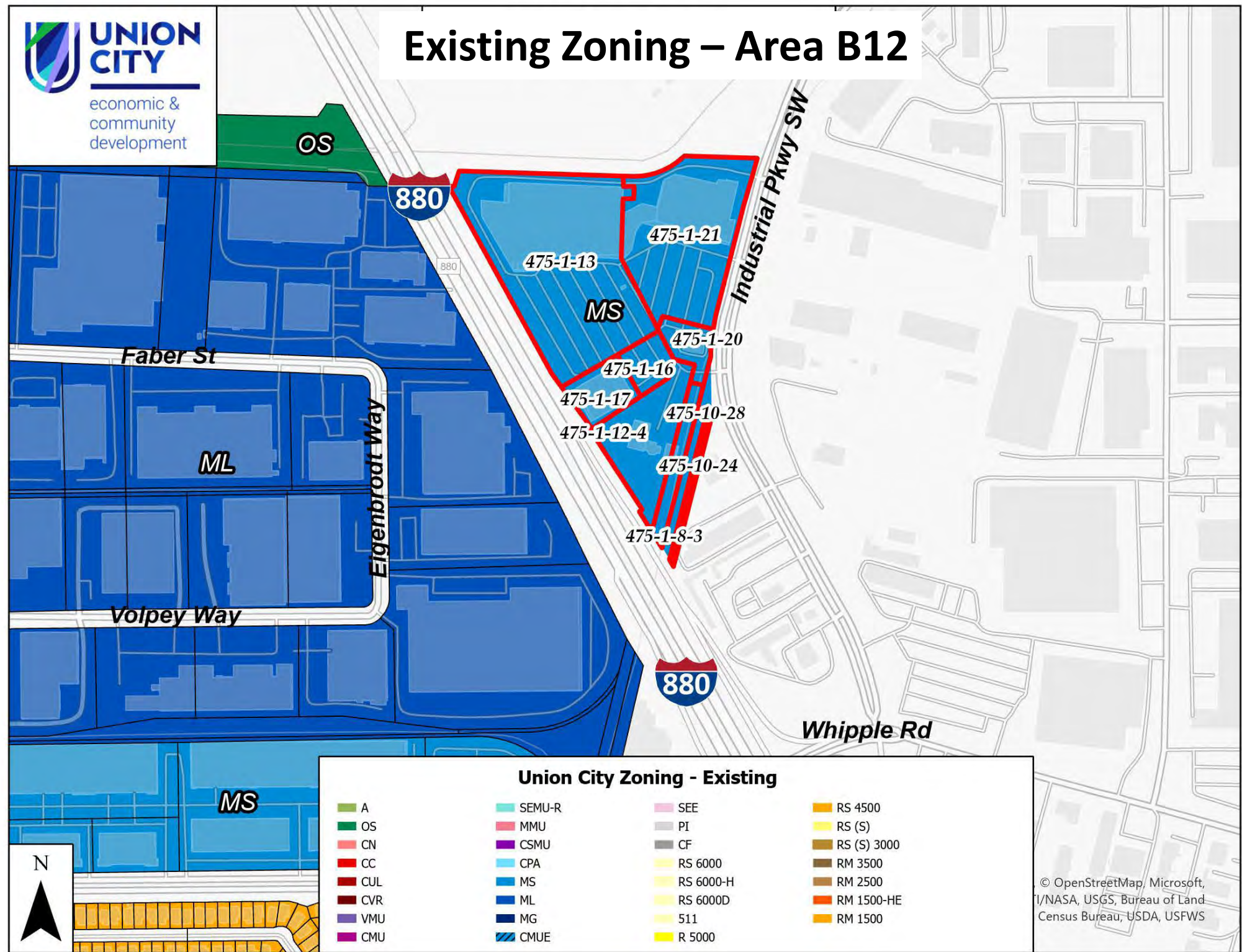


Exhibit B: Existing and Proposed Zoning





Agenda Item

DATE: 4/23/2024

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: KRIS KOKOTAYLO, CITY ATTORNEY

SUBJECT: WAIVE FURTHER READING AND ADOPT AN ORDINANCE TO AMEND CHAPTER 2.05 "CAMPAIGN REPORTING REQUIREMENTS" IN THE UNION CITY MUNICIPAL CODE FOR ENHANCED CLARITY AND TRANSPARENCY IN CAMPAIGN REPORTING

Staff recommends that the City Council waive the full further reading adopt the proposed ordinance amending Chapter 2.05 "Campaign Reporting Requirements" of the Union City Municipal Code. This ordinance aims to clarify the campaign reporting requirements for candidates for elective office, ensuring increased transparency and understanding among candidates and the public. Specifically, the ordinance introduces a more precise filing deadline and clearly defines the coverage period for pre-election campaign statements in accordance with the Political Reform Act of 1974 and the City's commitment to transparent electoral processes.

STRATEGIC PLAN ALIGNMENT

Goal B. Governance and Organization Effectiveness: Produce high-quality services to the community through a commitment to local government best practices and employee development, support, and retention.

This Ordinance seeks to enhance the transparency and accountability of the City's electoral processes by refining campaign finance reporting requirements. This initiative will facilitate candidates' compliance with reporting obligations and contribute to an informed electorate, thereby upholding the integrity of Union City's elections.

BACKGROUND

At the April 9, 2024 City Council Regular Meeting, the City Council introduced an ordinance amending Chapter 2.05 "Campaign Reporting Requirements" with a 5-0 vote. Key aspects of the ordinance introduced include:

1. Codification of existing provisions for clarity and ease of access within the Municipal Code;

2. Specification of precise filing deadlines and coverage periods to eliminate ambiguities around campaign statement submissions; and
3. Introduction of Section 2.05.015, requiring candidates to acknowledge receipt of Union City Municipal Code Chapter 2.05.

DISCUSSION

The ordinance presented for adoption remains unchanged from that introduced at the City Council meeting on April 9, 2024. The April 9, 2024 staff report is attached.

FISCAL IMPACT

The adoption of this ordinance does not entail a direct fiscal impact on the City. The amendments are designed to improve clarity and compliance without necessitating additional resources.

RECOMMENDATION

Staff recommends that the City Council waive further reading and adopt the proposed ordinance amending Chapter 2.05 “Campaign Reporting Requirements” in the Union City Municipal Code.

Prepared by:

Thai Nam Pham, City Clerk

Submitted by:

Thai Nam Pham, City Clerk

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Draft Ordinance - Chapter 2.05	Ordinance
<input type="checkbox"/> Exhibit A - Amended Chapter 2.05 - Clean Copy	Exhibit
<input type="checkbox"/> Exhibit B - Amended Chapter 2.05 - Redlined Copy	Exhibit
<input type="checkbox"/> April 9, 2024 Staff Report	Attachment

ORDINANCE NO. XXX-24

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UNION CITY AMENDING CHAPTER 2.05 “CAMPAIGN REPORTING REQUIREMENTS” OF THE UNION CITY MUNICIPAL CODE TO CLARIFY CAMPAIGN REPORTING REQUIREMENTS FOR ELECTIVE OFFICE CANDIDATES

WHEREAS, the City of Union City previously adopted Ordinance No. 410-93, establishing foundational campaign reporting requirements to enhance transparency and accountability in electoral processes; and

WHEREAS, comprehensive campaign reporting is essential to inform the public about the sources of electoral funding and how such funds are expended; and

WHEREAS, the Political Reform Act of 1974 provides a foundational framework for campaign reporting, yet the City recognizes the need for additional clarity and specificity to better serve the unique needs and expectations of the Union City community; and

WHEREAS, in pursuit of continuing transparency and accountability, and to provide clearer guidance to candidates and committees, the City Council finds it necessary to further amend the Union City Municipal Code to refine and clarify campaign reporting requirements; and

WHEREAS, the adoption of additional pre-election campaign statement requirements under this ordinance enhances the City's commitment to transparent and accountable election campaigns, ensuring voters are well-informed about candidate funding and spending; and

WHEREAS, the City recognizes the importance of keeping pace with evolving best practices in governance and electoral management to foster an informed electorate and fair elections;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF UNION CITY DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Recitals.

The above recitals (“Recitals”) are true and correct and made a part of this Ordinance.

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. Chapter 2.05 of the Union City Municipal Code entitled "Campaign Reporting Requirements" is hereby amended to read as displayed in **Exhibit A** (clean copy), and for reference **Exhibit B** (redlined), incorporated and made a part of this Ordinance.

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 the Tri-City Voice, 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 this X day of X 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

CAROL DUTRA-VERNACI
Mayor

ATTESTED:

APPROVED AS TO FORM:

THAI NAM N. PHAM
City Clerk

KRISTOPHER J. KOKOTAYLO
City Attorney

Attachments:

1. Exhibit A – Amended Chapter 2.05 “Campaign Reporting Requirements”
2. Exhibit B – Amended Chapter 2.05 “Campaign Reporting Requirements” (Red-lined)

Exhibit A (Clean Copy)

Chapter 2.05

CAMPAIGN REPORTING REQUIREMENTS

§ 2.05.010 Campaign Filing and Reporting Requirements

A. Standard Reporting: All candidates for elective office in the City of Union City must adhere to the campaign reporting requirements established under the Political Reform Act of 1974, including the filing of campaign statements as prescribed by state law.

B. Additional Pre-Election Statement Requirement:

(i) **Filing Requirement:** In addition to the state law required filing of campaign statements, each recipient committee formed in conjunction with an election for a municipal office shall file one additional recipient committee pre-election campaign statement with the City Clerk.

(ii) **Filing Deadline:** This statement must be filed four (4) calendar days before the election, no later than 2:00 p.m.

(iii) **Coverage Period:** The additional pre-election statement shall cover the period from the day after the last date of the most recent pre-election statement required by state law to seven (7) calendar days before the election.

C. Definitions: For the purposes of this Chapter, all definitions included in the Political Reform Act of 1974 as they relate to reporting requirements shall apply.

§ Section 2.05.015 Acknowledgment of Requirements

Each candidate shall sign and submit a form provided by the City Clerk acknowledging receipt of Union City Municipal Code Chapter 2.05 and understanding of the campaign filing and reporting requirements specified in the Union City Municipal Code.

§ 2.05.020 Contributions included in report.

The reports submitted in accordance with this chapter shall include contributions received and expenditures made by candidates up to midnight of the Wednesday before the scheduled general municipal election.

§ 2.05.030 Applicable definitions.

All definitions included in the Political Reform Act of 1974 as they relate to reporting requirements shall be used by candidates in submitting this additional report.

§ 2.05.040 Reserved

§ 2.05.050 Electronic filing.

A. Any elected officer, candidate, committee, or other person required to file statements, reports, or other documents required by Government Code Chapter 4 (commencing with Section 84100), except an elected officer, candidate, committee, or other person who receives contributions totaling less than two thousand dollars, and makes expenditures totaling less than two thousand dollars in a calendar year, shall file those statements, reports, or other documents online or electronically with the City Clerk.

- B. In any instance in which an original statement, report or other document must be filed with the California Secretary of State and a copy of that statement, report or other document is required to be filed with the City Clerk, the filer may, but is not required to, file the copy electronically.
- C. If the City Clerk's electronic system is not capable of accepting a particular type of statement, report, or other document, an elected officer, candidate, committee or other person shall file that document with the City Clerk in an alternative format.
- D. The electronic filing system will operate securely and effectively and will not unduly burden filers. Specifically, the electronic filing system will ensure the integrity of the data and includes safeguards against efforts to tamper with, manipulate, alter, or subvert data; the electronic filing system will only accept a filing in the standardized record format developed by the Secretary of State and compatible with the Secretary of State's system for receiving an online or electronic filing; and the electronic filing system will be available free of charge to filers and to the public for viewing filings.

Chapter 2.05
CAMPAIGN REPORTING REQUIREMENTS

§ 2.05.010 **Campaign Filing and Reporting Requirements**~~(Reserved)~~

A. Standard Reporting: All candidates for elective office in the City of Union City must adhere to the campaign reporting requirements established under the Political Reform Act of 1974, including the filing of campaign statements as prescribed by state law.

B. Additional Pre-Election Statement Requirement:

(i) Filing Requirement: In addition to the state law required filing of campaign statements, each recipient committee formed in conjunction with an election for a municipal office shall file one additional recipient committee pre-election campaign statement with the City Clerk.

(ii) Filing Deadline: This statement must be filed four (4) calendar days before the election, no later than 2:00 p.m.

(iii) Coverage Period: The additional pre-election statement shall cover the period from the day after the last date of the most recent pre-election statement required by state law to seven (7) calendar days before the election.

C. Definitions: For the purposes of this Chapter, all definitions included in the Political Reform Act of 1974 as they relate to reporting requirements shall apply.

§ Section 2.05.015 **Acknowledgment of Requirements**

Each candidate shall sign and submit a form provided by the City Clerk acknowledging receipt of Union City Municipal Code Chapter 2.05 and understanding of the campaign filing and reporting requirements specified in the Union City Municipal Code.

§ 2.05.020 **Contributions included in report.**

The reports submitted in accordance with this chapter shall include contributions received and expenditures made by candidates up to midnight of the Wednesday before the scheduled general municipal election.

§ 2.05.030 **Applicable definitions.**

All definitions included in the Political Reform Act of 1974 as they relate to reporting requirements shall be used by candidates in submitting this additional report.

§ 2.05.040 **Reserved**~~Receipt of copy of ordinance.~~

~~Candidate shall sign a form acknowledging receipt of a copy of City Ordinance 410-93 requiring the filing of expenditures and contribution reports as required by the Union City Municipal Code.~~

§ 2.05.050 **Electronic filing.**

- A. Any elected officer, candidate, committee, or other person required to file statements, reports, or other documents required by Government Code Chapter 4 (commencing with Section 84100), except an elected officer, candidate, committee, or other person who receives contributions totaling less than two thousand dollars, and makes expenditures totaling less than two thousand dollars in a calendar year, shall file those statements, reports, or other documents online or electronically with the City Clerk.
- B. In any instance in which an original statement, report or other document must be filed with the California Secretary of State and a copy of that statement, report or other document is required to be filed with the City Clerk, the filer may, but is not required to, file the copy electronically.

Exhibit B

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- C. If the City Clerk's electronic system is not capable of accepting a particular type of statement, report, or other document, an elected officer, candidate, committee or other person shall file that document with the City Clerk in an alternative format.
- D. The electronic filing system will operate securely and effectively and will not unduly burden filers. Specifically, the electronic filing system will ensure the integrity of the data and includes safeguards against efforts to tamper with, manipulate, alter, or subvert data; the electronic filing system will only accept a filing in the standardized record format developed by the Secretary of State and compatible with the Secretary of State's system for receiving an online or electronic filing; and the electronic filing system will be available free of charge to filers and to the public for viewing filings.

Exhibit B



Agenda Item

DATE: 4/9/2024

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: KRIS KOKOTAYLO, CITY ATTORNEY

SUBJECT: INTRODUCTION OF AN ORDINANCE TO AMEND CHAPTER 2.05 "CAMPAIGN REPORTING REQUIREMENTS" IN THE UNION CITY MUNICIPAL CODE FOR ENHANCED CLARITY AND TRANSPARENCY IN CAMPAIGN REPORTING

Staff recommends that the City Council waive the full reading and introduce by title only the proposed ordinance amending Chapter 2.05 "Campaign Reporting Requirements" of the Union City Municipal Code. This ordinance aims to clarify the campaign reporting requirements for candidates for elective office, ensuring increased transparency and understanding among candidates and the public. Specifically, the ordinance introduces a more precise filing deadline and clearly defines the coverage period for pre-election campaign statements in accordance with the Political Reform Act of 1974 and the City's commitment to transparent electoral processes.

STRATEGIC PLAN ALIGNMENT

Goal B. Governance and Organization Effectiveness: Produce high-quality services to the community through a commitment to local government best practices and employee development, support, and retention.

This Ordinance seeks to enhance the transparency and accountability of the City's electoral processes by refining campaign finance reporting requirements. This initiative will facilitate candidates' compliance with reporting obligations and contribute to an informed electorate, thereby upholding the integrity of Union City's elections.

BACKGROUND

Since the enactment of Ordinance No. 410-93, which established foundational campaign reporting requirements, there has been a recognized need for further clarity and specificity in these regulations. This has been highlighted by the evolving requirements of campaign finance reporting and stakeholder feedback, indicating areas for improvement to ensure clarity and ease of compliance.

DISCUSSION

The proposed ordinance amends Chapter 2.05 "Campaign Reporting Requirements" of the Union City Municipal Code to enhance clarity and ensure transparency in campaign reporting by candidates for elective office. This amendment focuses on three main areas:

- 1. Precise Filing Deadlines and Coverage Periods:** The amendment specifies that the additional pre-election campaign statement must be filed four (4) calendar days before the election, no later than 2:00 p.m. This clarification ensures that all candidates understand the exact timing for their reporting obligations. Additionally, it defines the coverage period for this statement to extend from the day after the last date of the most recent pre-election statement required by state law to seven (7) calendar days before the election. This adjustment aims to eliminate any ambiguity regarding the reporting timeline, facilitating accurate and timely submissions.
- 2. Acknowledgment of Reporting Requirements:** An addition to the ordinance is Section 2.05.015, "Acknowledgment of Requirements." This new section mandates that each candidate must sign and submit a form, provided by the City Clerk, acknowledging their receipt of Union City Municipal Code Chapter 2.05. This is similar to the previous requirement, but now referencing the municipal code instead of Ordinance No. 410-93.
- 3. Repeal of Redundant Section:** To streamline the Municipal Code and avoid redundancy, Section 2.05.040 has been repealed and reserved for future use. This section previously required candidates to acknowledge receipt of City Ordinance 410-93, a requirement now comprehensively covered by the newly added Section 2.05.015.

FISCAL IMPACT

The introduction and implementation of the proposed ordinance are not expected to incur any significant fiscal impact on the City. The amendments are designed to refine and clarify existing procedures without requiring additional resources.

RECOMMENDATION

Staff recommends Council to waive the full reading and introduce by title only the proposed ordinance amending Chapter 2.05 “Campaign Reporting Requirements” in the Union City Municipal Code.

Prepared by:

Thai Nam Pham, City Clerk

Submitted by:

Thai Nam Pham, City Clerk

ATTACHMENTS:

Description		Type
<input type="checkbox"/>	Draft Ordinance - Chapter 2.05	Ordinance
<input type="checkbox"/>	Exhibit A - Amended Chapter 2.05 - Clean Copy	Exhibit
<input type="checkbox"/>	Exhibit B - Amended Chapter 2.05 - Redlined Copy	Exhibit
<input type="checkbox"/>	Item 7.c. Powerpoint	Attachment

REVIEWERS:

Department	Reviewer	Action	Date
City Manager's Department	Malloy , Joan	Approved	4/3/2024 - 4:13 PM
City Manager's Department	Malloy , Joan	Approved	4/3/2024 - 5:17 PM



Agenda Item

DATE: 4/23/2024

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: CARMELA CAMPBELL, ECONOMIC AND COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: HOLD A PUBLIC HEARING AND CONTINUE TO A DATE UNCERTAIN TO ADOPT A RESOLUTION 1) APPROVING THE 2024-2025 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ANNUAL ACTION PLAN AND 2) AUTHORIZING THE CITY MANAGER TO SUBMIT THE 2024/2025 CDBG ANNUAL ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND TO EXECUTE ALL DOCUMENTS NECESSARY TO SECURE AND AWARD FUNDING FOR THE CITY

Staff is requesting that the City Council open the public hearing for consideration of the FY 2024-2025 Community Development Block Grant ("CDBG") Annual Action Plan and then continue the item to a date uncertain.

STRATEGIC PLAN ALIGNMENT

There is not specific Strategic Plan goal or strategy to address the review and approval of the CDBG Annual Action Plan.

BACKGROUND

Each year the City Council is required to hold a public hearing to approve the City's CDBG Annual Action Plan to receive its CDBG allocation. The Annual Action Plan outlines how the CDBG funds are going to be spent for the coming year. The City Council can view a draft of the Annual Action Plan on the City's CDBG webpage at Community Development Block Grant Program | Union City, CA .

DISCUSSION

The request to continue the public hearing is because the Department of Housing and Urban Development ("HUD") has not yet released the City's CDBG allocation. Based on initial communications with HUD, staff anticipated that this information would be available in time for the April 23 City Council meeting and published a public hearing notice in the Tri-City Voice, as required. Now, the public hearing must be opened to accept any comments from the public who may be attending. Staff is then requesting that the City Council continue the item to a date uncertain.

Based on the most recent feedback from the City's HUD representative, it is anticipated that staff will bring back the item to the City Council for review in the May/June timeframe.

For the purposes of the draft report that is posted on the City's website and attached via the link above, staff utilized the FY 2023/2024 allocation amount as a placeholder in the draft Annual Action Plan in anticipation of receiving the updated allocation amount prior to approval by the City Council. The allocation amount does not vary much from year-to-year so it is not anticipated that there will be a significant difference between the FY 2023/2024 and FY 2024/2025 allocations.

FISCAL IMPACT

There is no fiscal impact to the General Fund to open and continue the review of the CDBG Annual Action Plan.

RECOMMENDATION

Hold the public hearing and approve the request for a continuance to a date uncertain for 1) approval of the 2024-2025 Community Development Block Grant (CDBG) Annual Action Plan and 2) Authorization for the City Manager to submit the 2024-2025 CDBG Annual Action Plan to the U.S. Department of Housing and Urban Development and to Execute All Documents Necessary to Secure and Award Funding for the City.

Prepared by:

Francisco Gomez Jr., Housing & Community Development Manager

Submitted by:

Francisco Gomez Jr., Housing & Community Development Manager



Agenda Item

DATE: 4/23/2024

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: JOAN MALLOY, CITY MANAGER

SUBJECT: ADOPT A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE LANDFILL, COMPOST, AND RECYCLE COLLECTION SERVICES FRANCHISE AGREEMENTS WITH REPUBLIC SERVICES AND TRI-City COMMUNITY RECYCLING TO INCLUDE COSTS IN THE CONTRACTOR'S COMPENSATION AND RATES IN FY 2024-2025 THAT ARE ASSOCIATED WITH NEW AGREEMENTS FOR SERVICES FROM FY 2025-2026 THROUGH FY 2034-2035 AND DIRECTING STAFF TO FINALIZE THE NEW AGREEMENTS PROVIDING FOR AN ADDITIONAL TEN-YEAR TERM OF SERVICES

Staff recommends that the City Council adopt a resolution authorizing the City Manager to execute an amendment to the current Franchise Agreements (Agreements) for Landfill, Compost, and Recycle collection services (Services) with Republic Services and Tri-City Economic Development Corporation (Tri-CED), in a form approved by the City Attorney, that will formalize the parties' intent to proceed with drafting new agreements to provide Services for a ten (10) year term commencing July 1, 2025 through June 30, 2035 (the New Agreements) and include related costs in the FY 2024-2025 compensation paid to Republic Services and Tri-CED. Staff will bring the New Agreements, once finalized, before City Council at a future meeting date for approval.

STRATEGIC PLAN ALIGNMENT

This report is in alignment with the following City Council priority:

Goal D: Environmental Sustainability and Infrastructure

Strategy 12: Coordinate with City departments, commercial and residential customers to implement the requirements of state organics and food recovery legislation.

BACKGROUND

The City executed eight (8) and ten (10) year extensions to the Agreements for Landfill, Compost and Recycle collection services with Republic Services and Tri-CED in 2015 and 2017, respectively. The term of these Franchise Agreements expire on June 30, 2025. On March 26, 2024, the City Council provided staff direction to proceed with the New Agreements with Republic Services and Tri-CED on the condition that the City, Republic Services, and Tri-CED explore additional cost savings.

DISCUSSION

The City and its franchise collection services partners, Republic Services and Tri-CED, commenced ten (10) year contract extension discussions in October 2023 and concluded these negotiations recently. The City received cost proposals from the companies that address several program and service needs that are deficient in the current contracts. These needs include providing new residential carts to customers and repainting the commercial bins to ensure color-coding compliance with SB 1383. For example, SB 1383 requires recycling containers to be blue, but Union City's recycling containers are currently gray for residential and white for commercial, and it requires landfill containers to be gray or black, but Union City's landfill containers are currently blue for both residential and commercial.

As part of the New Agreements, both companies are requiring cost increases in current services provided such as compost processing costs (Republic Services, 107.0% increase but spread over two years to reduce the rate impact) and recycling processing costs (Tri-CED, 117.9% increase commencing FY 2024-2025), as well as ample compensation to provide new programs/services. Below is a list of the programs and services that are included in the cost increases associated with the New Agreements:

- Blue Residential Recycling Carts (Tri-CED)
- Green Residential Compost Carts (Republic Services/Tri-CED)
- Black Residential Landfill Carts (Republic Services)
- Blue Commercial Bins (repainted) (Republic Services)
- Black Commercial Bins (repainted) (Republic Services)
- Additional public education and outreach staffing (Tri-CED)
- Increased Composting Cost (Republic Services)
- Increased Recycling Processing Cost (Tri-CED)
- Providing Compost Carts and Service to Underserved Residential Customers (Republic Services/Tri-CED)
- Providing Residential Customers Direct Billing Services (Republic Services – will commence in FY 2025-2026)

In addition, both Republic Services and Tri-CED agreed to proceed with components of the ten (10) year contract extensions a year early, during FY 2024-2025, with the caveat that the City begin including certain costs a year early as well. Included in the proposed rates for FY 2024-2025 is compensation to the respective companies for the following:

Republic Services (7.29% Single-family rate increase for FY 2024-2025)

- Increased Compost Processing Expense
- Green Residential Compost Carts
- Black Residential Landfill Carts
- Blue Commercial Bins (repainted)
- Black Commercial Bins (repainted)
- Green Commercial Bins (repainted)

Tri-CED (24.65% Single-family rate increase for FY 2024-2025)

- Increased Recycling Processing Expense

- Blue Residential Recycling Carts

At the March 26, 2024 City Council meeting, the City Council provided direction to staff to proceed with moving forward with the New Agreements with Republic Services and Tri-CED on the condition that Republic Services, Tri-CED, and the City explore additional cost savings. The contractually prescribed index-based compensation adjustment for FY 2024-2025 and additional compensation for New Agreement related costs that are applied to FY 2024-2025 results in the following compensation and hence rate increases for FY 2024-2025:

- **7.29% for Republic Services (Index-based Only 2.65%)**
- **24.65% for Tri-CED (Index-based Only 2.99%)**
- **12.01% Combined for Single-Family Customers (Index-based Only 2.74%)**

Prior to that meeting, Tri-CED offered concessions resulting in cost savings via a \$45,000 annual deduction in vehicles expense and reducing its recycling processing cost commencing in year 4 of the New Agreement by 13.1% through the end of the contract. The reduction in vehicles expense lowers their FY 2024-2025 rate increase from 26.19% to 24.65%. For context, if the future recycling processing cost savings were applied to FY 2024-2025, it would reduce Tri-CED's FY 2024-2025 compensation/rate increase from 24.65% to 21.23%.

Republic Services agreed to a variety of cost savings measures including reducing their cost of borrowing for capital expense from a 10.0% to 7.0% interest rate, reducing their compost processing cost per ton from \$125.00 to \$120.00, and reducing compost collection vehicles expense. These savings total approximately \$106,000 annually and equate to reducing their FY 2024-2025 compensation and rate increase from 7.79% to 7.29%.

The City reduced an index-based adjustment to some City fees accrued, resulting in savings of \$97,300, which results in decreasing Republic Services compensation/rate increase from 7.80% to 7.29%. Combined, the Republic Services and City direct savings result in reducing Republic Services rate increase from 8.25% to 7.29% or the combined Republic Services and Tri-CED rate increase from 12.90% to 12.01%.

Lastly, an option to save additional cost is to forego replacing the green compost collection service carts which have been in service for twenty (20) years. Retaining these carts for future use would entail relabeling them to be SB 1383 compliant and require additional expense to purchase replacement carts. These expenses to use the old green carts offset the potential savings of foregoing purchase of new carts and the resulting reduction equates to reducing the combined Republic Services and Tri-CED rate increase from 12.22% to 11.79% for FY 2024-2025. (Single-family rate reduction of \$0.30 per month or \$3.60 per year.)

It is important to note that the key service delivery change that will be realized by residents associated with the New Agreements and additional expense for the extension in the FY 2024-2025 rates, is related to the delivery of new carts to residents. Republic Services, Tri-CED, and the City are anticipating deployment of the new carts in the spring of 2025 and the current cost package includes delivery of a new complete set of carts to all households (Blue Recycle cart, Green Compost cart, Black Landfill cart).

FY 2024-2025 Compensation and Rate Increase

Tables 1 and 1.A below show the calculated annual and monthly rates for Single-family customers for the contractually obligated index-based only compensation/rate increase for FY 2024-2025.

TABLE 1 Annual Single-Family Tax Roll Assessments Index-based Adjustment Only				
Service	FY 23-24 (Current)	FY 24-25 (Proposed)	Annual Increase	Percent Increase
Landfill/Compost	\$504.00	\$517.32	\$13.32	2.6%
Recycle ¹	\$200.16	\$206.16	\$6.00	3.0%
Total	\$704.16	\$723.48	\$19.32	2.7%
¹ Includes Recycling Processing Expense.				

TABLE 1.A Monthly Single-Family Tax Roll Assessments Index-based Adjustment Only				
Service	FY 23-24 (Current)	FY 24-25 (Proposed)	Monthly Increase	Percent Increase
Landfill/Compost	\$42.00	\$43.11	\$1.11	2.6%
Recycle ¹	\$16.68	\$17.18	\$0.50	3.0%
Total	\$58.68	\$60.29	\$1.61	2.7%
¹ Includes Recycling Processing Expense.				

Tables 2 and 2.A below show the calculated annual and monthly rates for Single-family customers for the contractually obligated index-based only compensation/rate increase and the additional costs associated with the New Agreements applied to FY 2024-2025.

TABLE 2 Annual Single-Family Tax Roll Assessments Index-based & 10-Year Extension Adjustment				
Service	FY 23-24 (Current)	FY 24-25 (Proposed)	Annual Increase	Percent Increase
Landfill/Compost	\$504.00	\$540.72	\$36.72	7.3%
Recycle ¹	\$200.16	\$249.48	\$49.32	24.6%
Total	\$704.16	\$790.20	\$86.04	12.2%
¹ Includes Recycling Processing Expense.				

TABLE 2.A Monthly Single-Family Tax Roll Assessments Index-based & 10-Year Extension Adjustment				
Service	FY 23-24 (Current)	FY 24-25 (Proposed)	Monthly Increase	Percent Increase
Landfill/Compost	\$42.00	\$45.06	\$3.06	7.3%
Recycle ¹	\$16.68	\$20.79	\$4.11	24.6%
Total	\$58.68	\$65.85	\$7.17	12.2%
¹ Includes Recycling Processing Expense.				

Tables 3 and 3.A below show the calculated annual and monthly rates for parcelized multi-family customers for the contractually obligated index-based only compensation/rate increase for FY 2024-2025.

TABLE 3 Annual Parcelized Multi-Family Tax Roll Assessments Index-based Adjustment Only				
Service	FY 23-24 (Current)	FY 24-25 (Proposed)	Annual Increase	Percent Increase
Landfill	\$337.80	\$346.80	\$9.00	2.7%
Recycle ¹	\$200.16	\$206.16	\$6.00	3.0%
Total	\$537.96	\$552.96	\$15.00	2.8%
¹ Includes Recycling Processing Expense.				

TABLE 3.A Monthly Parcelized Multi-Family Tax Roll Assessments Index-based Adjustment Only				
Service	FY 23-24 (Current)	FY 24-25 (Proposed)	Monthly Increase	Percent Increase
Landfill	\$28.15	\$28.90	\$0.75	2.7%
Recycle ¹	\$16.68	\$17.18	\$0.50	3.0%
Total	\$44.83	\$46.08	\$1.25	2.8%
¹ Includes Recycling Processing Expense.				

Tables 4 and 4.A below show the calculated annual and monthly rates for parcelized multi-family customers for the contractually obligated index-based only compensation/rate increase and the additional costs associated with the New Agreements applied to FY 2024-2025.

TABLE 4 Annual Parcelized Multi-Family Tax Roll Assessments Index-based & 10-Year Extension Adjustment				
Service	FY 23-24 (Current)	FY 24-25 (Proposed)	Annual Increase	Percent Increase
Landfill	\$337.80	\$362.40	\$24.60	7.3%
Recycle ¹	\$200.16	\$249.48	\$49.32	24.6%
Total	\$537.96	\$611.88	\$73.92	13.7%
¹ Includes Recycling Processing Expense.				

TABLE 4.A Monthly Parcelized Multi-Family Tax Roll Assessments Index-based & 10-Year Extension Adjustment				
Service	FY 23-24 (Current)	FY 24-25 (Proposed)	Monthly Increase	Percent Increase
Landfill	\$28.15	\$30.20	\$2.05	7.3%
Recycle ¹	\$16.68	\$20.79	\$4.11	24.6%
Total	\$44.83	\$50.99	\$6.16	13.7%
¹ Includes Recycling Processing Expense.				

Tables 5 and 5.A below show the calculated monthly rates for common service levels for commercial customers for the contractually obligated index-based only compensation/rate increase (**Table 5**) and the additional costs associated with the New Agreements applied to FY 2024-2025 (**Table 5.A**).

TABLE 5 Monthly Commercial Collection Rates (Containers serviced one time per week) Index-based Adjustment Only				
Service	FY 23-24 (Current)	FY 24-25 (Proposed)	Monthly Increase	Percent Increase
Landfill (3yd bin)	\$457.23	\$469.35	\$12.12	2.65%
Recycle (3yd bin)	\$274.32	\$281.59	\$7.27	2.65%
Compost (3yd bin)	\$274.32	\$281.59	\$7.27	2.65%
Compost (64-gal cart)	\$50.67	\$52.01	\$1.34	2.65%

TABLE 5.A Monthly Commercial Collection Rates (Containers serviced one time per week) Index-based & 10-Year Extension Adjustment				
Service	FY 23-24 (Current)	FY 24-25 (Proposed)	Monthly Increase	Percent Increase
Landfill (3yd bin)	\$457.23	\$490.56	\$33.33	7.3%
Recycle (3yd bin)	\$274.32	\$294.32	\$20.00	7.3%
Compost (3yd bin)	\$274.32	\$294.32	\$20.00	7.3%
Compost (64-gal cart)	\$50.67	\$54.36	\$3.69	7.3%

FISCAL IMPACT

There is no fiscal impact with staff's recommendation to adopt a resolution authorizing the City Manager to execute an amendment to the Agreements which accomplishes formalizing agreements with Republic Services and Tri-CED to include New Agreement related costs in the FY 2024-2025 compensation/rates and directing staff to finalize the New Agreements. The associated fiscal impact with this recommendation will be realized when the City Council approves rates for FY 2024-2025 with the conclusion of the Proposition 218 noticing and public hearing scheduled for June 11, 2024.

RECOMMENDATION

Staff recommends that the City Council adopt a resolution authorizing the City Manager to execute an amendment to the current Franchise Agreements for Landfill, Compost, and Recycle collection services with Republic Services and Tri-CED, in a form approved by the City Attorney, that will formalize the parties' intent

to proceed with drafting new agreements to provide Services for a ten (10) year term commencing July 1, 2025 through June 30, 2035 and include related costs in the FY 2024-2025 compensation paid to Republic Services and Tri-CED. Staff will bring the New Agreements, once finalized, before City Council at a future meeting date for approval.

Prepared by:

Cliff Feldman, Recycling and Solid Waste Program Manager

Submitted by:

Jennifer Phan, Deputy City Manager

ATTACHMENTS:

Description		Type
□	Resolution - Republic and TriCED Agreements	Resolution
□	Exhibit A – Draft First Amendment to the Franchise Agreement with Republic Services for Landfill, Compost and Recycle Collection Services	Exhibit
□	Exhibit B – Draft First Amendment to the Franchise Agreement with Tri-CED for Recycling Collection and Processing Services	Exhibit

RESOLUTION NO. XXXX-24

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE LANDFILL, COMPOST, AND RECYCLE COLLECTION SERVICES FRANCHISE AGREEMENTS WITH REPUBLIC SERVICES AND TRI-CITY COMMUNITY RECYCLING TO INCLUDE COSTS IN THE CONTRACTOR'S COMPENSATION AND RATES IN FY 2024-2025 THAT ARE ASSOCIATED WITH NEW AGREEMENTS FOR SERVICES FROM FY 2025-2026 THROUGH FY 2034-2035 AND DIRECTING STAFF TO FINALIZE THE NEW AGREEMENTS PROVIDING FOR AN ADDITIONAL TEN-YEAR TERM OF SERVICE

WHEREAS, the City entered into separate Franchise Agreements (“Agreements”) with Republic Services (formerly Allied Waste Services) and Tri-City Economic Development Corporation (“Tri-CED”) to provide landfill (solid waste), compost (organic waste), and recycle collection and processing service (the “Services”); and

WHEREAS, the term of the Agreements with Republic Services and Tri-CED both expire on June 30, 2025; and

WHEREAS, under the terms of the Agreements, Republic Service, Tri-CED, and the City may explore extending the Agreements based on mutually agreed terms and conditions, including the duration of an Agreement extension; and

WHEREAS, the City, Republic Services, and Tri-CED have agreed in principle to the terms, conditions, and costs to provide the Services for an additional ten (10) years that will commence on July 1, 2025 and last through June 30, 2035 (the “New Agreements”); and

WHEREAS, the City, Republic Services, and Tri-CED have further agreed to include costs related to the New Agreements in the compensation paid to the companies and rates charged to ratepayers for FY 2024-2025; and

WHEREAS, both Republic Services and Tri-CED have agreed to execute a First Amendment (“Amendment”) to their respective Agreements in order to formalize the inclusion of specific costs in each company’s respective FY 2024-2025 compensation application(s) that are related to the New Agreements; and

WHEREAS, both Republic Services and Tri-CED have reviewed the draft Amendment(s), attached hereto and incorporated herein by reference as Exhibit A and Exhibit B, respectively, and have committed in principle to executing the Amendment timely with the City in order to facilitate including the identified costs related to the New Agreements in their FY 2024-2025 compensation applications.

NOW, THEREFORE, BE IT RESOLVED that the recitals above are hereby incorporated herein by reference.

BE IT FURTHER RESOLVED that the City Council of the City of Union City hereby directs staff to prepare the New Agreements with both Republic Services and Tri-CED.

BE IT FURTHER RESOLVED that the City Council of the City of Union City hereby authorizes the City Manager to execute the First Amendment to the Agreement with Republic Services to provide Landfill, Compost, and Recycle Collection Services in a form approved by the City Attorney.

BE IT FURTHER RESOLVED that the City Council of the City of Union City hereby authorizes the City Manager to execute the First Amendment to the Agreement with Tri-CED to provide Recycling Collection Service and Processing Services in a form approved by the City Attorney.

BE IT FURTHER RESOLVED that the City Manager is authorized to take all actions necessary and execute all documents necessary, in a form approved by the City Attorney, to effectuate the intent of this Resolution.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Union City at a regular meeting held on the 23rd day of April 2024, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:

CAROL DUTRA-VERNACI
Mayor

ATTESTED:

APPROVED AS TO FORM:

THAI NAM PHAM
City Clerk

KRISTOPHER J. KOKOTAYLO
City Attorney

FIRST AMENDMENT BY UNION CITY AND ALLIED WASTE SERVICES OF NORTH AMERICA, LLC TO THE AMENDED AND RESTATED FRANCHISE AGREEMENT BETWEEN THE CITY OF UNION CITY AND ALLIED WASTE SERVICES OF NORTH AMERICA, LLC FOR SOLID WASTE, RECYCLABLE MATERIALS, AND ORGANIC MATERIALS COLLECTION SERVICES

This First Amendment ("First Amendment") to the Amended and Restated Agreement Between the City of Union City and Allied Waste Services of North America, LLC ("Republic Services") for Solid Waste, Recyclable Materials, and Organic Materials Collection Services ("Original Agreement"), effective as of the last date of execution below ("Effective Date"), is made by and between THE CITY OF UNION CITY, a political subdivision of the State of California ("City"), and ALLIED WASTE SERVICES OF NORTH AMERICA, LLC, a California limited liability company ("Contractor"). The City and Contractor are sometimes hereinafter each referred to as a "Party" or collectively as the "Parties."

RECITALS

- A. The City and Contractor are parties to the Original Agreement dated June 17, 2017.
- B. The Parties are presently engaged in ongoing discussions regarding the terms, conditions and costs associated with a ten (10) year contract with Republic Services for solid waste, recyclable materials, and organic materials collection services from July 1, 2025 through June 30, 2035 (the "New Agreement").
- C. The Parties are in agreement that the term of the New Agreement shall commence upon expiration of the Term of the Original Agreement.
- D. The Parties are in agreement with several terms, conditions and costs associated with the New Agreement that the Parties seek to implement as soon as possible and shall commence during FY 2024-2025.
- E. On March 26, 2024, the City Council passed a motion to direct staff to negotiate the New Agreement with the condition that the Parties revisit and explore possibilities for cost savings.
- F. This First Amendment to the Original Agreement is intended to memorialize the agreements made concerning the New Agreement that shall apply to FY 2024-2025.
- K. The City and Contractor have agreed to the following revisions to the

Original Agreement.

NOW THEREFORE, in consideration of the mutual promises, covenants, and conditions contained herein, and for other good and valuable consideration, the City and Contractor hereby agree to amend the Original Agreement through this First Amendment as follows:

TERMS OF THE FIRST AMENDMENT

1. SINGLE-FAMILY, PARCELIZED MULTI-FAMILY, NON-PARCELIZED MULTI-FAMILY AND COMMERCIAL SOLID WASTE AND ORGANIC MATERIALS CARTS

1.1 Cart Procurement, Deployment and Removal. Contractor shall procure new Solid Waste Carts for deployment to all Customers and Contractor shall remove all existing Carts at the time the new Carts are deployed to Customers. Contractor shall make reasonable efforts to promptly procure said Solid Waste Carts to facilitate deployment of new Carts to all Customers during September-October 2024. In the event all reasonable efforts to procure Carts are demonstrated and Contractor is unable to take delivery of Carts for deployment during September-October 2024, then Contractor and City shall meet in good faith to agree on an alternative timeframe for Cart deployment which is anticipated to transpire during February to April 2025.

- a. Contractor shall ensure that the new Carts deployed to all Customers shall be the same sizes and number as the current Cart sizes and number deployed to each Customer.
- b. Contractor shall ensure that the existing Cart(s) is removed from the premises of each Customer on the same day that the new Cart(s) is deployed to each Customer.
- c. Contractor shall ensure that its inventory of Carts that is used to deploy replacement Carts to Customers whose Carts have been lost, stolen, damaged or destroyed, shall solely consist of new Carts.

1.2 Cart Colors. Contractor shall procure new Carts that conform to the following colors.

- a. Solid Waste Carts shall be black. The specific color specification shall be approved in writing by the City.
- b. Organic Materials Carts shall be green. The specific color specification shall be approved in writing by the City.

1.3 Cart Hot Stamp, Labelling and Identification Markings. Contractor shall ensure

that the hot stamp, labelling and identification markings of new Carts are approved in writing by the City as prescribed in Exhibit 8.4.

- 1.4 Cart Specifications. Contractor shall ensure that all new Carts procured adhere to the Cart Specifications prescribed in Exhibit 8.4 of the Original Agreement.

2. NON-PARCELIZED MULTI-FAMILY AND COMMERCIAL SOLID WASTE, RECYCLABLE MATERIALS AND ORGANIC MATERIALS BINS

- 2.1 Bin Refurbishment. Contractor shall refurbish all Bins by repainting and repairing the Bins in service at all Customers and all Bins in inventory that will be used for Customers. Contractor shall ensure that all Bins removed for refurbishment from Customers premises are replaced with a refurbished Bin at the time of removal of the non-refurbished Bin to ensure no disruption in capacity for the Customer.
- 2.2 Bin Colors. Contractor shall ensure that the painting of all Bins conform to the following colors.
 - a. Solid Waste Bins shall be black. The specific color specification shall be approved in writing by the City.
 - b. Recyclable Materials Bins shall be blue. The specific color specification shall be approved in writing by the City.
 - c. Organic Materials Bins shall be green. The specific color specification shall be approved in writing by the City.
- 2.3 Bin Labelling and Identification Markings. Contractor shall ensure that the labelling and identification markings of all Bins are approved in writing by the City.

3. ORGANIC MATERIALS PROCESSING

- 3.1 Organic Materials Processing Expense. Contractor and City agree to increase the Organic Materials Processing expense applicable to FY 2024-25 as follows.
 - a. Residential Organic Materials. The per ton expense shall be \$85.73.
 - b. Commercial Organic Materials. The per ton expense shall be \$103.26.

4. CONTRACTOR'S COMPENSATION

- 4.1 Organic Materials Processing Expense. Contractor and City agree to replace the current Organic Materials Processing expense with the aforementioned Organic Materials Processing expense for inclusion in Contractor's Application for a Compensation Adjustment for FY 2024-25.
- a. The Parties agree that the total expense for Organic Materials Processing that shall be included in Contractor's Application for a Compensation Adjustment for FY 2024-25 is delineated in section 3.1 of this First Amendment. This increased expense shall be applied to Contractor's Application for a Compensation Adjustment in the "pass-through" cost category.
- 4.2 Carts. Contractor and City agree to include the expense to procure and deploy new carts and remove existing Carts in Contractor's Application for a Compensation Adjustment for FY 2024-25. The specific expense that shall be applied to Contractor's Application for a Compensation Adjustment for FY 2024-25 shall be amortized for a period of eleven (11) years.
- a. The Parties agree that the total expense for new Carts that shall be included in Contractor's Application for a Compensation Adjustment for FY 2024-25 shall be \$241,956.83 in direct depreciation and \$112,975.93 in interest expense.
- 4.3 Bins. Contractor and City agree to include the expense to refurbish and replace Bins in Contractor's Application for a Compensation Adjustment for FY 2024-25. The specific expense that shall be applied to Contractor's Application for a Compensation Adjustment for FY 2024-25 shall be amortized for a period of eleven (11) years.
- a. The Parties agree that the total expense for refurbishing Bins that shall be included in Contractor's Application for a Compensation Adjustment for FY 2024-25 shall be \$62,279.18 in direct depreciation and \$29,079.77 in interest expense.

5. MISCELLANEOUS PROVISIONS

5.1 Recitals and Headings. The above recitals are incorporated herein by reference and are made a part of this First Amendment. However, headings in this document are for convenience of reference only and are not to be considered in any interpretation of this First Amendment.

5.2 Capitalized Terms. All capitalized terms used herein and not otherwise defined shall have the respective meanings ascribed to them in the Original Agreement.

5.3 Entire Agreement. This First Amendment contains the entire understanding of the Parties with respect to the subject matter hereof and supersedes all prior and contemporaneous agreements and commitments with respect thereto. Except as expressly modified by this First Amendment, all other terms and conditions of the Original Agreement remain in full force and effect, unmodified, and apply to this First Amendment as though fully set forth herein.

5.4 Counterparts. This First Amendment may be executed in counterparts, each of which shall constitute an original, and all of which, when taken together, shall constitute one and the same instrument.

IN WITNESS WHEREOF, the Parties have executed this First Amendment as of the date last entered below:

**CITY OF UNION
CITY**

**ALLIED WASTE OF
NORTH AMERICA,
LLC**

Joan Malloy
City Manager

Name
Title

Approved as to form:

Approved as to Form:

Kristopher J. Kokotaylo
City Attorney

Name
Title

Attest:

Thai Nam Pham
City Clerk

FIRST AMENDMENT BY UNION CITY AND TRI-CITY ECONOMIC DEVELOPMENT CORPORATION TO THE AMENDED AND RESTATED FRANCHISE AGREEMENT BETWEEN THE CITY OF UNION CITY AND TRI-CITY ECONOMIC DEVELOPMENT CORPORATION (Tri-CED) FOR RECYCLABLE MATERIALS COLLECTION AND PROCESSING SERVICES

This First Amendment ("First Amendment") to the Amended and Restated Agreement Between the City of Union City and Tri-City Economic Development Corporation ("Tri-CED") for Recyclable Materials Collection and Processing Services ("Original Agreement"), effective as of the last date of execution below ("Effective Date"), is made by and between THE CITY OF UNION CITY, a political subdivision of the State of California ("City"), and TRI-CITY ECONOMIC DEVELOPMENT CORPORATION ("Contractor"). The City and Contractor are sometimes hereinafter each referred to as a "Party" or collectively as the "Parties."

RECITALS

- A. The City and Contractor are parties to the Original Agreement dated October 27, 2015.
- B. The Parties are presently engaged in ongoing discussions regarding the terms, conditions and costs associated with a ten (10) year contract with Tri-CED for recyclable materials collection and processing services from July 1, 2025 through June 30, 2035 (the "New Agreement").
- C. The Parties are in agreement that the term of the New Agreement shall commence upon expiration of the Term of the Original Agreement.
- D. The Parties are in agreement with several terms, conditions and costs associated with the New Agreement that the Parties seek to implement as soon as possible and shall commence during FY 2024-2025.
- E. On March 26, 2024, the City Council passed a motion to direct staff to negotiate the New Agreement with the condition that the Parties revisit and explore possibilities for cost savings.
- F. This First Amendment to the Original Agreement is intended to memorialize the agreements made concerning the New Agreement that shall apply to FY 2024-2025.
- K. The City and Contractor have agreed to the following revisions to the Original Agreement.

NOW THEREFORE, in consideration of the mutual promises, covenants, and conditions contained herein, and for other good and valuable consideration, the City and Contractor hereby agree to amend the Original Agreement through this First Amendment as follows:

TERMS OF THE FIRST AMENDMENT

1. SINGLE-FAMILY RECYCLABLE MATERIALS CARTS

- 1.1 Cart Procurement, Deployment and Removal. Contractor shall procure new Recyclable Materials Carts for deployment to all Customers and Contractor shall remove all existing Carts at the time the new Carts are deployed to Customers. Contractor shall make reasonable efforts to promptly procure said Recyclable Materials Carts to facilitate deployment of new Carts to all Customers during September-October 2024. In the event all reasonable efforts to procure Carts are demonstrated and Contractor is unable to take delivery of Carts for deployment during September-October 2024, then Contractor and City shall meet in good faith to agree on an alternative timeframe for Cart deployment which is anticipated to transpire during February to April 2025.
- a. Contractor shall ensure that the new Carts deployed to all Customers shall be the same sizes and number as the current Cart sizes and number deployed to each Customer.
 - b. Contractor shall ensure that the existing Cart(s) is removed from the premises of each Customer on the same day that the new Cart(s) is deployed to each Customer.
 - c. Contractor shall ensure that its inventory of Carts that is used to deploy replacement Carts to Customers whose Carts have been lost, stolen, damaged or destroyed, shall solely consist of new Carts.
- 1.2 Cart Colors. Contractor shall procure new Carts that conform to the following color and the Cart color prescribed in Exhibit F, Section 4 shall no longer apply.
- a. Recyclable Materials Carts shall be blue. The specific color specification shall be approved in writing by the City.
- 1.3 Cart Hot Stamp, Labelling and Identification Markings. Contractor shall ensure that the hot stamp, labelling and identification markings of new Carts are approved in writing by the City as prescribed in Exhibit F.
- 1.4 Cart Specifications. Contractor shall ensure that all new Carts procured adhere to the Cart Specifications prescribed in Exhibit F of the Original Agreement.

2. RECYCLABLE MATERIALS PROCESSING

2.1 Recyclable Materials Processing Expense. Contractor and City agree to include the expense for Recyclable Materials Processing to Contractor's Application for an Adjustment to Compensation for FY 2024-2025 as follows.

- a. Recyclable Materials Processing. The per ton expense shall be \$124.35. The total allowable expense for FY 2024-2025 is \$706,089.79.

3. CONTRACTOR'S COMPENSATION

3.1 Recyclable Materials Processing Expense. Contractor and City agree to include a Recyclable Materials Processing expense in Contractor's Application for a Compensation Adjustment for FY 2024-25.

- a. The Parties agree that the total expense for Recyclable Materials Processing that shall be included in Contractor's Application for a Compensation Adjustment for FY 2024-25 is delineated in section 3.1 of this First Amendment. The disposal expense component of the Recyclable Materials Processing expense shall be applied to Contractor's Application for a Compensation Adjustment in the "pass-through" cost category.

3.2 Carts. Contractor and City agree to include the expense to procure and deploy new carts and remove existing Carts in Contractor's Application for a Compensation Adjustment for FY 2024-2025. The specific expense that shall be applied to Contractor's Application for a Compensation Adjustment for FY 2024-25 shall be amortized for a period of eleven (11) years.

- a. The Parties agree that the total expense for new Carts that shall be included in Contractor's Application for a Compensation Adjustment for FY 2024-2025 shall be \$115,317.00 in direct depreciation and \$8,072 in interest expense.

4. MISCELLANEOUS PROVISIONS

4.1 Recitals and Headings. The above recitals are incorporated herein by reference and are made a part of this First Amendment. However, headings in this document are for convenience of reference only and are not to be considered in any interpretation of this First Amendment.

4.2 Capitalized Terms. All capitalized terms used herein and not otherwise defined shall have the respective meanings ascribed to them in the Original Agreement.

4.3 Entire Agreement. This First Amendment contains the entire understanding of the Parties with respect to the subject matter hereof and supersedes all prior and contemporaneous agreements and commitments with respect thereto. Except as expressly modified by this First Amendment, all other terms and conditions of the Original Agreement remain in full force and effect, unmodified, and apply to this First Amendment as though fully set forth herein.

4.4 Counterparts. This First Amendment may be executed in counterparts, each of which shall constitute an original, and all of which, when taken together, shall constitute one and the same instrument.

IN WITNESS WHEREOF, the Parties have executed this First Amendment as of the date last entered below:

**CITY OF UNION
CITY**

**TRI-CITY ECONOMIC
DEVELOPMENT
CORPORATION**

Joan Malloy
City Manager

Name
Title

Approved as to form:

Approved as to Form:

Kristopher J. Kokotaylo
City Attorney

Name
Title

Attest:

Thai Nam Pham
City Clerk



Agenda Item

DATE: 4/23/2024

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: JOAN MALLOY, CITY MANAGER

SUBJECT: ADOPT A RESOLUTION APPROVING THE ISSUANCE OF A PROPOSITION 218 NOTICE AND SCHEDULING A PUBLIC HEARING ON THE PROPOSED INCREASE OF LANDFILL, COMPOST, AND RECYCLE COLLECTION SERVICE RATES FOR FISCAL YEAR 2024-2025

The City's Franchise Agreements for landfill (solid waste), compost (organic waste), and recycle collection services with Republic Services (Republic) and Tri-City Economic Development Corporation (Tri-CED), prescribe an annual increase in compensation. The compensation increase for FY 2024-2025 will result in rate increases effective July 1, 2024. Solid waste fees for residential customers are currently billed through the property tax roll. Commercial customers are billed directly by Republic Services. California Constitution Article XIII D § 6(a), commonly referred to as Proposition (Prop) 218, requires written notification to all affected property owners, and a 45-day period for property owners to submit written protests if they oppose the proposed maximum rate adjustments.

Staff recommends that the City Council adopt a resolution approving the issuance of a Proposition 218 Notice and scheduling a Public Hearing on the proposed increase of landfill, compost, and recycle collection service rates for FY 2024-2025.

STRATEGIC PLAN ALIGNMENT

While not directly mentioned as a strategy, this report is in alignment with the overarching **Goal D: Environmental Sustainability and Infrastructure**. Annually reviewing the City's collection service agreements and rates enables the City to meet the State's requirements and waste reduction targets

BACKGROUND

The City's Franchise Agreements with Republic and Tri-CED specify that landfill (solid waste), compost (organic waste), and recycle collection service rates shall be adjusted annually. Residential and commercial service rates are set to generate sufficient revenue to compensate the two collection service providers. Staff

recently completed its review of Compensation Adjustment Applications for FY 2024-2025 submitted by Republic and Tri-CED. For FY 2024-2025, the adjustment to contractor's compensation was determined using the index-based adjustment method. The index-based compensation adjustment is based on the annual percentage changes in indices (e.g., consumer price index for wages).

This review resulted in decreasing the 3.13% increase included in Republic Compensation Application to 2.65%, and there was no change to the 2.99% increase included in the Tri-CED Compensation Application. While a variety of factors and adjustments were applied to the contractors' respective Compensation Applications, the reductions were primarily due to the calculation and treatment of City fees in the calculations.

The index-based increases in Total Contractor's Compensation for FY 2023-2024 is as follows:

- 2.65% for Republic
- 2.99% for Tri-CED
- 2.74% Combined for Single-Family Customers

In addition, at the March 26, 2024 City Council meeting, the City Council provided direction to staff to proceed with moving forward with ten (10) year term extensions to the Franchise Agreements with Republic and Tri-CED on the condition that Republic, Tri-CED, and the City explore additional cost savings. The below compensation/rate increases for FY 2024-2025 incorporates the cost savings from all parties and includes the index-based increases in Total Contractor's Compensation (above):

- 7.29% for Republic
- 24.65% for Tri-CED
- 12.01% Combined for Single-Family Customers

DISCUSSION

The current Franchise Agreements for collection of landfill (solid waste), compost (organic waste), and recycle collection services with Republic and Tri-CED prescribe an annual adjustment to the contractor's compensation based on either their actual costs (i.e., cost-based) for the preceding year, or a year-over-year changes in various indices (i.e., index-based). The cost-based process occurs every third year and was last applied for FY 2022-2023, whereas the index-based method occurred the prior two years (FY 2020-2021, FY 2021-2022), for FY 2023-2024, and again for FY 2024-2025. When compensation is adjusted, the rates charged to all customers are also adjusted to generate the required revenue.

In addition, the rates paid by residential single-family customers and commercial customers include City fees which contribute to the General Fund (i.e., franchise fees) and specific City expenses (i.e., vehicle impact fee, stormwater mitigation compliance fee, AB 939 fee, franchise agreement administrative fee, SB 1383 fee). The AB 939 and franchise agreement administrative fees fund staff salaries and related program expenses to ensure the City's compliance with State and County mandated waste reduction and recycling activities, and the SB 1383 fee is reserved specifically for expenses associated with the unfunded mandates associated with SB 1383.

The Franchise Agreements obligate the City to increase the compensation paid to Republic and Tri-CED in accordance with the results of the index-based and cost-based compensation adjustment results annually. However, pursuant to the City Council's direction at the March 26, 2024 City Council meeting to proceed with ten (10) year term extensions to the Franchise Agreements, the compensation and rates charged to customers for FY 2024-2025 will include costs and services related to the term extension that commences in FY 2025-2026.

Below, staff has provided the **index-based only annual** assessments and the comprehensive assessments

associated with the **10-year contract extension** that was discussed at the March 26 City Council meeting. Staff is providing both analyses because the current Franchise Agreements stipulate an index-based only annual assessment. The 10-year contract extension will be prepared in the coming months consistent with the framework presented to the City Council and would be effective in FY 24-25.

Residential Collection Service Rates

Union City homeowners currently pay for curbside collection of landfill (solid waste), compost (organic waste), and recycling by way of special assessments applied to annual property tax statements issued by the Alameda County Tax Collector. The fees for basic service are based on weekly servicing of a 35-gallon landfill cart, a 96-gallon organics cart, and a 64-gallon recycling cart. Homeowners requesting larger carts or extra services are billed directly by Republic for the difference in the standard service rate and the elective service they subscribe to. Commercial customers are also billed directly by Republic monthly.

Single Family Proposed Rates

The proposed **index-based only annual** assessment for FY 2024-2025 for single-family households with 3-cart service is \$517.32 for landfill and compost collection, and \$206.16 for recycle collection. **Table 1** provides the **annual rates** that were approved FY 2023-2024 and the proposed FY 2024-2025 rates for Single-Family customers. **Table 2** provides the **monthly rates** that were approved for FY 2023-2024 and the proposed monthly rates for FY 2024-2025 adjusted pursuant to the index-based method only.

TABLE 1 Annual Single-Family Tax Roll Assessments Index-based Adjustment Only				
Service	FY 23-24 (Current)	FY 24-25 (Proposed)	Annual Increase	Percent Increase
Landfill/Compost	\$504.00	\$517.32	\$13.32	2.6%
Recycle ¹	\$200.16	\$206.16	\$6.00	3.0%
Total	\$704.16	\$723.48	\$19.32	2.7%
¹ Includes Recycling Processing Expense.				

TABLE 2 Monthly Single-Family Tax Roll Assessments Index-based Adjustment Only				
Service	FY 23-24 (Current)	FY 24-25 (Proposed)	Monthly Increase	Percent Increase
Landfill/Compost	\$42.00	\$43.11	\$1.11	2.6%
Recycle ¹	\$16.68	\$17.18	\$0.50	3.0%
Total	\$58.68	\$60.29	\$1.61	2.7%
¹ Includes Recycling Processing Expense.				

The proposed **index-based and 10-year term extension annual** assessment for FY 2024-2025 for single-family households with 3-cart service is \$540.72 for landfill and compost collection, and \$249.48 for recycle

collection. **Table 1.A** provides the **annual rates** that were approved FY 2023-2024 and the proposed FY 2024-2025 rates for Single-Family customers. **Table 2.A** provides the **monthly rates** that were approved for FY 2023-2024 and the proposed monthly rates for FY 2024-2025 adjusted pursuant to the index-based method and includes costs associated with the 10-year term extensions.

TABLE 1.A Annual Single-Family Tax Roll Assessments Index-based & 10-Year Extension Adjustment				
Service	FY 23-24 (Current)	FY 24-25 (Proposed)	Annual Increase	Percent Increase
Landfill/Compost	\$504.00	\$540.72	\$36.72	7.3%
Recycle ¹	\$200.16	\$249.48	\$49.32	24.6%
Total	\$704.16	\$790.20	\$86.04	12.2%
¹ Includes Recycling Processing Expense.				

TABLE 2.A Monthly Single-Family Tax Roll Assessments Index-based & 10-Year Extension Adjustment				
Service	FY 23-24 (Current)	FY 24-25 (Proposed)	Monthly Increase	Percent Increase
Landfill/Compost	\$42.00	\$45.06	\$3.06	7.3%
Recycle ¹	\$16.68	\$20.79	\$4.11	24.6%
Total	\$58.68	\$65.85	\$7.17	12.2%
¹ Includes Recycling Processing Expense.				

The City Council authorized Recycling Processing Surcharge (RPS) payments to Tri-CED per Resolution No. 5628-20 adopted on July 30, 2020, and Resolution No. 5687-20 adopted on November 24, 2020. **Table 4** provides the RPS fees and total amount of RPS compensation for Tri-CED for FY 2021-2022, FY 2022-2023, FY 2023-2024, and the amount proposed for FY 2024-2025. A deduction in the company's requested RPS was made in FY 2021-2022 because the facility was still closed due to a fire that occurred in the previous year. A deduction in the company's requested RPS was also made for FY 2023-2024 to bridge a deficit in revenue collected from Tri-CED billings due to Tri-CED erroneously reporting the number of households the company serves. In addition, the RPS for FY 2023-2024 was apportioned into two equal \$162,010.50 payments, with the second payment contingent on the company's progress with achieving a 75% recycling diversion from landfill of the material processed at its materials recovery facility (MRF).

Although Tri-CED had not yet achieved the desired recycling diversion rate, the City Council awarded Tri-CED payment of \$324,021.00 in FY 2023-2024 for recycling processing in alignment with staff's recommendation that the cost requested by the company was reasonable based on industry standards and that the company had made good faith efforts to improve its performance. Similar to the results shared by the company in 2023, approximately 50% of all recycling separated by residents and placed curbside for recycling is sent directly to landfill by Tri-CED.

For FY 2024-2025, Tri-CED's proposed recycling processing cost increases 117.9% from \$324,000 to

\$706,000 and this amount will be further increased annually for the 10-year term extension commencing FY 2025-2026 based on the annual index changes.

TABLE 4				
<u>Tri-CED Recycling Processing Cost</u>	<u>FY 21-22 Approved RPS ¹</u>	<u>FY 22-23 Approved RPS</u>	<u>FY 23-24 Approved RPS ²</u>	<u>FY 24-25 Proposed Expense ³</u>
Recycling Processing Compensation	\$327,776	\$437,050	\$324,021	\$706,090
Percent Increase				117.9%
¹ 25.0% of the approved RPS compensation deducted in FY 21-22 due to no recycling processing while the Tri-CED Materials Recovery Facility (MRF) was non-operational for three months.				
² 26% of the previously approved RPS compensation deducted in FY 23-24 to cover a revenue deficit related to Tri-CED household count.				
³ Recycling Processing Expense to be included in 10-year Franchise Agreement extension effective 7/1/2025 and this expense to commence one-year early in FY 2024-2025.				

Parcelized Single-Family Proposed Rates

Because of space constraints, most townhome and condominium properties do not currently receive compost (organics waste) cart service. For these parcelized multi-family parcels, the proposed **index-based only** annual assessment for FY 2024-2025 is \$346.80 for landfill collection and \$206.16 for recycle collection. **Table 5** below provides the **annual rates** that were approved FY 2023-2024 and the proposed FY 2024-2025 rates adjusted pursuant to the index-based method only for Parcelized Multi-Family customers. **Table 6** provides the **monthly rates** that were approved for FY 2023-2024 and the proposed monthly rates for FY 2024-2025 adjusted pursuant to the index-based method only.

TABLE 5 Annual Parcelized Multi-Family Tax Roll Assessments Index-based Adjustment Only				
Service	FY 23-24 (Current)	FY 24-25 (Proposed)	Annual Increase	Percent Increase
Landfill	\$337.80	\$346.80	\$9.00	2.7%
Recycle ¹	\$200.16	\$206.16	\$6.00	3.0%
Total	\$537.96	\$552.96	\$15.00	2.8%
¹ Includes Recycling Processing Expense.				

TABLE 6 Monthly Parcelized Multi-Family Tax Roll Assessments Index-based Adjustment Only				
Service	FY 23-24 (Current)	FY 24-25 (Proposed)	Monthly Increase	Percent Increase
Landfill	\$28.15	\$28.90	\$0.75	2.7%
Recycle ¹	\$16.68	\$17.18	\$0.50	3.0%
Total	\$44.83	\$46.08	\$1.25	2.8%
¹ Includes Recycling Processing Expense.				

The proposed **index-based and 10-year term extension annual** assessment for FY 2024-2025 for parcelized multi-family households \$362.40 for landfill collection, and \$249.48 for recycle collection. **Table 5.A** provides the **annual rates** that were approved FY 2023-2024 and the proposed FY 2024-2025 rates for parcelized multi-family customers pursuant to the index-based method and includes cost associated with the 10-year term extensions. **Table 6.A** provides the **monthly rates** that were approved for FY 2023-2024 and the proposed monthly rates for FY 2024-2025 adjusted pursuant to the index-based method and includes cost associated with the 10-year term extensions.

TABLE 5.A Annual Parcelized Multi-Family Tax Roll Assessments Index-based & 10-Year Extension Adjustment				
Service	FY 23-24 (Current)	FY 24-25 (Proposed)	Annual Increase	Percent Increase
Landfill	\$337.80	\$362.40	\$24.60	7.3%
Recycle ¹	\$200.16	\$249.48	\$49.32	24.6%
Total	\$537.96	\$611.88	\$73.92	13.7%
¹ Includes Recycling Processing Expense.				

TABLE 6.A Monthly Parcelized Multi-Family Tax Roll Assessments Index-based & 10-Year Extension Adjustment				
Service	FY 23-24 (Current)	FY 24-25 (Proposed)	Monthly Increase	Percent Increase
Landfill	\$28.15	\$30.20	\$2.05	7.3%
Recycle ¹	\$16.68	\$20.79	\$4.11	24.6%
Total	\$44.83	\$50.99	\$6.16	13.7%
¹ Includes Recycling Processing Expense.				

Commercial Collection Service Rates

An increase of 2.65% in commercial rates for landfill (solid waste), compost (organics waste), and recycle collection services is proposed for FY 2024-2025 based on the index-based only adjustment and 7.29% based on the index-based method and 10-year term extension costs. The proposed **index-based only** rate for a standard three cubic yard landfill bin serviced one time per week for FY 2024-2025 for commercial customers is \$469.35. The proposed **index-based rate that includes 10-year extension** costs is \$490.56.

The recycle and compost collection service is reduced by 40% to encourage diversion from landfill. The proposed **index-based only** rate for a standard three cubic yard recycle or compost bin serviced one time per week for FY 2024-2025 for commercial customers is \$281.59. The proposed **index-based rate that includes 10-year extension** costs is \$294.32.

Table 7 provides the rates that were approved FY 2023-2024 and the **index-based only** proposed FY 2024-2025 rates for commercial customers for a standard three cubic yard solid waste bin. **Table 7.A** provides the rates that were approved FY 2023-2024 and the **index-based and 10-year term extension** proposed FY 2024-2025 rates for commercial customers for a standard three cubic yard solid waste bin.

TABLE 7 Monthly Commercial Collection Rates (Containers serviced one time per week) Index-based Adjustment Only				
Service	FY 23-24 (Current)	FY 24-25 (Proposed)	Monthly Increase	Percent Increase
Landfill (3yd bin)	\$457.23	\$469.35	\$12.12	2.65%
Recycle (3yd bin)	\$274.32	\$281.59	\$7.27	2.65%
Compost (3yd bin)	\$274.32	\$281.59	\$7.27	2.65%
Compost (64-gal cart)	\$50.67	\$52.01	\$1.34	2.64%

TABLE 7.A Monthly Commercial Collection Rates (Containers serviced one time per week) Index-based & 10-Year Extension Adjustment				
Service	FY 23-24 (Current)	FY 24-25 (Proposed)	Monthly Increase	Percent Increase
Landfill (3yd bin)	\$457.23	\$490.56	\$33.33	7.3%
Recycle (3yd bin)	\$274.32	\$294.32	\$20.00	7.3%
Compost (3yd bin)	\$274.32	\$294.32	\$20.00	7.3%
Compost (64-gal cart)	\$50.67	\$54.36	\$3.69	7.3%

Proposition 218 and Majority Protest Process

The City’s process to adjust contractor’s compensation, City fees, and associated rates is prescribed in the Franchise Agreements and also governed by California’s Proposition (Prop) 218. Prop 218 specifies that a property related fee must not exceed the funds required to provide the service, and revenues from the fee must not be used for any purpose other than that for which the fee is imposed.

In addition, Prop 218 requires that certain procedures be followed with regard to “property-related” fee

increases imposed by governmental agencies. Any agency imposing or increasing any property-related fee or charge must provide written notice to the affected property owner of record.

Attachment 1 is the draft Prop 218 Notice of Public Hearing on Proposed Increase in Landfill (Solid Waste), Compost (Organic Waste), and Recycle Service Rates Effective July 1, 2024 that have been increased based on the index-based method and includes 10-year term extension costs. **Attachment 2** includes Rate Schedule A – Proposed FY 2024-2025 Republic Services Residential and Commercial Landfill, Compost, and Recycle Collection Service Rates, and Rate Schedule B – Proposed FY 2024-2025 Tri-CED Recycling Collection Service Rates that have been increased based on the index-based method and includes 10-year term extension costs.

The City Council is asked to adopt a resolution approving the issuance of the Prop 218 Notice of Public Hearing to potentially increase rates for FY 2024-2025. Following adoption of the resolution, City staff will mail the notice to approximately 17,000 residential and commercial property owners in Union City. Prop 218 requires the notice be mailed at least 45 days before the public hearing which will be scheduled for the June 11, 2024 City Council meeting.

The Public Hearing Notice describes the amount of the proposed rate increases, rationale for the increase, calculation of fee, and the procedure for property owners to protest the proposed rate increases. This procedure entails submittal of written protests to the City before the close of the public hearing on June 11, 2024. In accordance with the requirements of Prop 218, a “majority protest” exists if written protests against the proposed fee or charge are presented by a majority of owners of the identified parcels. While oral testimony will be accepted during the public hearing, these verbal objections will not be counted toward a “majority protest” since valid protests must be submitted in writing and timely. If a majority of property owners protest, then the fee cannot be adopted or increased, and the rates will remain unchanged. If a majority protest is not received, the City Council may adopt the proposed landfill (solid waste), compost (organic waste), and recycle collection service rates for FY 2024-2025. The Prop 218 noticing process is intended to provide ratepayers advance notice and an opportunity to file a formal protest regarding the proposed solid waste property related fees.

City Council approval of the issuance of the Prop 218 Notice simply allows for the rate adjustment process to proceed; it is not an approval of the proposed rates. City Council consideration to adopt the final rates will occur at the June 11, 2024 City Council meeting/public hearing, pending the results of the majority protest count. The final approved rates cannot exceed the rates delineated in the Prop 218 Notice issued.

FISCAL IMPACT

Funds to cover the expense of preparation, printing, and mailing of the Public Hearing Notice to approximately 17,000 households and commercial customers are available in Solid Waste Management Fund Account No. 2030-1201-20021-54214. No General Fund monies will be used.

The annual adjustment to contractor’s compensation prescribed in the Franchise Agreement contributes to the generation of City fees totaling \$7,949,263 in FY 2024-2025. Approximately \$7,149,413 through Republic Services and \$799,850 from Tri-CED will be accrued under the proposed rate schedules. It is important to note that these are unaudited, preliminary revenue figures based on comparisons of proposed past revenues and are therefore subject to change and City Council approval of the final rates to become effective July 1, 2024.

RECOMMENDATION

Staff recommends that the City Council adopt a resolution approving the issuance of a Proposition 218 Notice and scheduling a Public Hearing on the proposed increase of landfill (solid waste), compost (organic waste), and recycle collection service rates for FY 2024-2025.

Prepared by:

Cliff Feldman, Recycling and Solid Waste Manager

Submitted by:

Jennifer Phan, Deputy City Manager

ATTACHMENTS:

Description	Type
❑ Draft Resolution	Resolution
❑ Attachment 1 – Proposition 218 Notice	Attachment
❑ Attachment 2 – Rate Schedule A – Proposed FY 2024-2025 Republic Services Rates and Rate Schedule B – Proposed FY 2024-2025 Tri-CED Rates	Attachment

RESOLUTION NO. XXXX-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY APPROVING THE ISSUANCE OF A PROPOSITION 218 NOTICE AND SCHEDULING A PUBLIC HEARING ON THE PROPOSED INCREASE TO LANDFILL, COMPOST, AND RECYCLE COLLECTION SERVICE RATES FOR FISCAL YEAR 2024-2025

WHEREAS, the City entered into separate Franchise Agreements (Agreements) with Republic Services (formerly Allied Waste Services) and Tri-City Economic Development Corporation (Tri-CED) to provide landfill (solid waste), compost (organic waste), and recycle collection and processing service; and,

WHEREAS, under the terms of the Agreements, Republic Services and Tri-CED may submit an application to adjust the compensation they receive and rates charged for providing services; and,

WHEREAS, Republic Services and Tri-CED submitted rate adjustment applications for Fiscal Year 2024-2025; and,

WHEREAS, the City Council reviewed the proposed rates for landfill, compost, and recycle collection and processing services and found them to be complete; and,

WHEREAS, on March 26, 2024, the City Council directed staff to proceed with ten (10) year extensions to the term of the Republic Services and Tri-CED Franchise Agreement that will commence on July 1, 2025; and

WHEREAS, as part of the ten (10) year extensions to the term of the Republic Services and Tri-CED Franchise Agreements that will commence on July 1, 2025, the City has agreed to include compensation related to the extensions in the company's FY 2024-2025 compensation for programs and services related to said term extensions; and

WHEREAS, landfill, compost, and recycle rate adjustments must go through the proper Proposition 218 noticing requirements and majority protest proceedings; and,

WHEREAS, the protest hearing will be conducted during a Public Hearing at a duly noticed City Council meeting.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Union City does as follows:

1. That the above recitals are all true and correct.
2. That a Proposition 218 Notice of Public Hearing be issued to all property owners in Union City regarding a proposed increase in landfill, compost, and recycle collection services for Fiscal Year 2024-2025.
3. That a Public Hearing be conducted to count any protest votes at the June 11, 2024 regularly scheduled City Council Regular Meeting.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Union City
at a regular meeting held on the 23rd day of April 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

CAROL DUTRA-VERNACI
Mayor

ATTESTED:

APPROVED AS TO FORM:

THAI NAM N. PHAM
City Clerk

KRISTOPHER J. KOKOTAYLO
City Attorney



CITY OF UNION CITY

NOTICE OF PUBLIC HEARING ON PROPOSED

LANDFILL (GARBAGE), COMPOST (ORGANIC WASTE) AND

RECYCLE COLLECTION SERVICES RATES INCREASE FOR

2024-25

The City Council will conduct a Public Hearing to consider all public comment in support of and in opposition to the proposed landfill (garbage), compost (organic waste) and recycle rates increase for Fiscal Year 2024-25 on:

June 11, 2024 at 7:00 p.m.
Council Chamber at City Hall
34009 Alvarado Niles Rd., Union City, CA

If approved, the proposed rates would become effective July 1, 2024.

Reason and Basis for the Proposed Increase in Rates

Landfill (garbage), compost (organic waste) and recycle collection services are provided to residents and businesses within the City of Union City (Union City) by Republic Services and Tri-City Economic Development Corporation (Tri-CED), who have the exclusive right to provide those services through franchise agreements with Union City. The amount the two service providers may charge for their services is regulated by the franchise agreements. This amount is adjusted each year to reflect inflationary increases in the cost to provide safe, environmentally sound, and reliable landfill, compost and recycle transportation and disposal or processing services to Union City. These costs include, without limitation, labor, fuel, transfer and landfill fees. These costs serve as the basis of the fees paid by customers, which also include amounts to cover related City expenses including, but not limited to contract and solid waste management, public education, customer service, and collection service impacts on local streets. The rates for landfill, compost and recycle collection services are proposed to increase based on a 7.29% adjustment in compensation for Republic Services attributed to inflation, disposal expense and increases associated with a contract term extension, and an 24.65% adjustment in compensation for Tri-CED attributed to inflation and increases associated with a contract term extension.

Proposed Increase: Residential Rates

Union City residential property owners currently pay for minimum curbside collection of landfill, compost and recycle by way of assessments which appear on the annual property tax statement, and this will remain unchanged for rates effective July 1, 2024. Commencing in one-year for rates effective July 1, 2025, property owners will be directly billed for these collection services by Republic Services. The fees for basic service are based on weekly servicing of a 35-gallon landfill cart, a 64-gallon recycle cart and a 96-gallon compost cart.

Annual Assessments for Single-Family Households (3-cart weekly service)			
Service Type	2023/24 (Current)	2024/25 (Proposed)	Annual Increase
Landfill/Compost/Storm Water	\$504.00	\$540.72	\$36.72
Recycle	\$200.16	\$249.48	\$49.32

The proposed rate adjustments combined equate to **\$790.20 per year** cost to single-family homeowners, for weekly servicing of the three (3) carts, or an increase of \$86.04 per year compared to the combined annual rate for Fiscal Year 2023-24.

Parcelized Multi-Family properties (townhomes, condominiums) will pay for servicing of two (2) carts (landfill and recycle, no compost) based on the following proposed annual assessments.

Annual Assessments for Parcelized Multi-Family Households (2-cart weekly service)			
Service Type	2023/24 (Current)	2024/25 (Proposed)	Annual Increase
Landfill/Storm Water	\$337.80	\$362.40	\$24.60
Recycle	\$200.16	\$249.48	\$49.32

The proposed rate adjustments combined equate to **\$611.88 per year** cost to parcelized multi-family homeowners, for weekly servicing of the two (2) carts, or an increase of \$73.92 per year compared to the combined annual rate for Fiscal Year 2023-24.

The complete list of the proposed residential landfill, compost, and recycle collection services rates is available for viewing at: <https://www.unioncity.org/160/Rates-for-Recycling-Garbage>.

Proposed Increase: Commercial Rates

An increase of 7.29% is proposed for commercial customers billed monthly by Republic Services. The table below shows the most common service levels and proposed rates if the containers are serviced one time a week.

Examples of Monthly Rates for Commercial Collection			
Service Type	2023/24 (Current)	2024/25 (Proposed)	Monthly Increase
Landfill (3yd bin)	\$457.23	\$490.56	\$33.33
Recycle (3yd bin)	\$274.32	\$294.32	\$20.00
Compost (3yd bin)	\$274.32	\$294.32	\$20.00
Compost (64-gal cart)	\$50.67	\$54.36	\$3.69

The complete list of the proposed commercial and high-density multi-family landfill, compost, and recycle collection services rates is available for viewing at: <https://www.unioncity.org/330/Commercial-Recycling>.

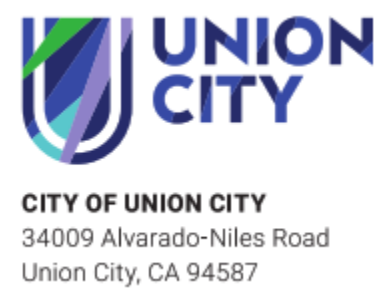
Comments on and Protests to the Proposed Rate Adjustments

The City Council will conduct a public hearing to consider approving the proposed rates on June 11, 2024 at 7:00 p.m. at City Hall. Any members of the public may attend the meeting to provide oral comments. Any property owner (or customer of record if different) may submit a written protest for the proposed rates. At the end of the public hearing, if written protests have been submitted on behalf of a majority of the parcels subject to the proposed rates, the City Council will not adopt the proposed rates. All protests must be in writing and include: 1) an original signature, 2) your printed name, 3) your street address or Assessor Parcel Number (APN), and 4) a statement that you protest the Proposed Rate Increase. Protests submitted by e-mail or facsimile, as well as verbal protests, will not be counted toward a "majority protest." Written protests must be received prior to the conclusion of the public hearing to be counted. You may file a written protest in one of two ways:

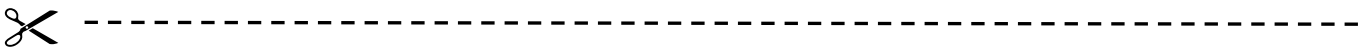
- 1. Written Protests may be submitted by mail to:
City Clerk, City of Union City, 34009 Alvarado-Niles Road, Union City, CA 94587.
- 2. Written Protests may be submitted in person at the Public Hearing on June 11, 2024.

Please identify on the front of your envelope that the enclosed letter is for the "2024/25 Landfill, Compost and Recycle Collection Services Rate Increase Public Hearing." If adopted by the City Council, the proposed rate changes will become effective on July 1, 2024 and apply to all residential parcels and commercial customers located within the City of Union City.

For additional information regarding the proposed rate increase, please call the City Manager's office at (510) 675-5466 or email CliffF@UnionCity.Org.



Postal endorsement line
APN:
Property Owner
Address
City, St Zip
Postal barcode



OFFICIAL PROTEST FROM:

Property owner or an authorized representative may complete this form and hand deliver or mail to:
City of Union City, Office of the City Clerk, 34009 Alvarado-Niles Road, Union City, CA 94587. All written protests must be received (not postmarked) before the close of the City Council public hearing set for Tuesday, June 11, 2024.

_____ I protest the proposed increases in landfill, compost and recycle rates.

Name: _____
(Print first and last name, must be legible)

Property Address or Assessor's Parcel Number (APN) _____

Please sign: _____ Date: _____

If you have any questions, please call the City Manager's office at (510) 675-5466.

City of Union City
Service Provided by Republic Services
Residential Rates
(Includes Multi-Family Dwellings Receiving Cart Service)

Single-Family Dwelling: Regularly Scheduled Curbside Collection Services

Basic Service (Monthly Rate for Landfill (Solid Waste) and Compost (Organic Materials) Collection Services)

Size of Landfill Container	Service Frequency	2024 Rates (July 1, 2024 - June 30, 2025)
20-gal cart	1 pick-up/wk	\$36.04
35-gal cart	1 pick-up/wk	\$45.06
64-gal cart	1 pick-up/wk	\$90.19
96-gal cart	1 pick-up/wk	\$135.23

Extra Compost (Organic Materials) Containers (Monthly Rate)

Extra Compost cart*	1 pick-up/wk	\$26.93
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*Rate shall be applicable for any cart size selected by customer.

Parcelized Multi-Family Dwelling: Regularly Scheduled Curbside Collection Services

Basic Service (Monthly Rate for Landfill (Solid Waste) Collection Services)

Size of Landfill Container	Service Frequency	2024 Rates (July 1, 2024 - June 30, 2025)
20-gal cart	1 pick-up/wk	\$24.15
35-gal cart	1 pick-up/wk	\$30.20
64-gal cart	1 pick-up/wk	\$60.40
96-gal cart	1 pick-up/wk	\$90.63

Extra Pick-Ups/On-Call Collection Services (Rate per pick-up) for Single-Family and Parcelized Multi-Family Customers

Type of Service	Additional Description	2024 Rates (July 1, 2024 - June 30, 2025)
Extra 32-gal bag of Compost collected on customer's regularly scheduled collection day		\$30.22
Extra 32-gal bag of Landfill collected on customer's regularly scheduled collection day		\$30.22
Extra 32-gal bag of Landfill collected on a day other than the customer's regularly scheduled collection day		\$58.90
Each Additional Bulky Item Collection Service Event	Applies to services exceeding the two (2) annual Bulky Item Collection Service Events	\$100.98
Each Additional Single Bulky Item	Applies to each item exceeding the four (4) cubic yards included in the Bulky Item Collection Service Events	\$33.69
Each Additional Single Appliance Containing Refrigerants	Applies to each appliance containing refrigerants exceeding what is accepted in the Bulky Item Collection Service Events	\$78.53

City of Union City
Service Provided by Republic Services
Residential Rates
(Includes Multi-Family Dwellings Receiving Cart Service)

Miscellaneous Services (Rate per event) for Single-Family and Parcelized Multi-Family Customers

		2024 Rates (July 1, 2024 - June 30, 2025)
Type of Service	Additional Description	
6-yard bin	Maximum 3-day rental. Homeowner may not place dirt, rocks, concrete, construction materials, tires, engine parts or hazardous materials in the bin.	\$374.75
Cart delivery/pick-up	Extra fee paid if customer requests a change in Cart size more than once per year	\$78.53
Cart replacement	Extra fee paid if customer requires Cart replacement (one replacement per year at no cost)	\$145.88
Prohibited Items Fee (after issuance of warning notices) for Recycle or Compost 20-gal cart collected as Landfill ¹	Extra fee paid if contents of Recycle or Compost cart includes excessive contamination and is collected as Landfill	\$24.15
Prohibited Items Fee (after issuance of warning notices) for Recycle or Compost 35-gal cart collected as Landfill ¹	Extra fee paid if contents of Recycle or Compost cart includes excessive contamination and is collected as Landfill	\$30.20
Prohibited Items Fee (after issuance of warning notices) for Recycle or Compost 64-gal cart collected as Landfill ¹	Extra fee paid if contents of Recycle or Compost cart includes excessive contamination and is collected as Landfill	\$60.40
Prohibited Items Fee (after issuance of warning notices) for Recycle or Compost 96-gal cart collected as Landfill ¹	Extra fee paid if contents of Recycle or Compost cart includes excessive contamination and is collected as Landfill	\$90.63

¹ Rate charged is the same as: Parcelized Multi-Family Dwelling Landfill collection basic service.

City of Union City
Service Provided by Republic Services
Commercial Rates
(Includes Multi-Family Dwellings Receiving Bin Service)

Type of Service	Receptacle	Service Frequency (Pick-Ups/Week)	2024 Rates (July 1, 2024 - June 30, 2025)
Regularly Scheduled Landfill (Solid Waste) Cart Services (Monthly Rate)			
Landfill	35-gallon cart	1	\$45.27
	64-gallon cart	1	\$90.60
	96-gallon cart	1	\$135.88
	35-gallon cart*	1	\$30.20
*Tropics Mobile Home Park Customers Only			
Regularly Scheduled Landfill (Solid Waste) Bin Services (Monthly Rate)			
Landfill	1 cubic yard container	1	\$187.21
		2	\$374.43
		3	\$517.06
		4	\$659.67
		5	\$918.75
		6	\$947.53
Landfill	2 cubic yard container	1	\$350.85
		2	\$636.46
		3	\$922.21
		4	\$1,207.86
		5	\$1,493.49
		6	\$1,781.82
Landfill	3 cubic yard container	1	\$490.56
		2	\$913.77
		3	\$1,336.94
		4	\$1,760.04
		5	\$2,183.03
		6	\$2,606.34
Landfill	4 cubic yard container	1	\$635.84
		2	\$1,193.09
		3	\$1,750.25
		4	\$2,307.58
		5	\$2,864.79
		6	\$3,422.01
Landfill	6 cubic yard container	1	\$950.17
		2	\$1,785.97
		3	\$2,621.73
		4	\$3,457.58
		5	\$4,293.37
		6	\$5,129.21
Landfill	7 cubic yard container	1	\$1,089.47
		2	\$2,064.55
		3	\$3,039.60
		4	\$4,357.78
		5	\$4,989.91
		6	\$5,964.90
Landfill	8 cubic yard container	1	\$1,261.24
		2	\$2,375.64
		3	\$3,490.01
		4	\$4,735.17
		5	\$5,718.93
		6	\$6,833.35

City of Union City
Service Provided by Republic Services
Commercial Rates

(Includes Multi-Family Dwellings Receiving Bin Service)

Regularly Scheduled Recycle Materials Bin Services (Monthly Rate)

			2024 Rates (July 1, 2024 - June 30, 2025)
Recycle Materials	1 cubic yard container	1	\$112.31
		2	\$224.65
		3	\$310.21
		4	\$395.81
		5	\$551.24
		6	\$568.52
Recycle Materials	2 cubic yard container	1	\$210.53
		2	\$381.89
		3	\$553.34
		4	\$724.72
		5	\$896.09
		6	\$1,069.09
Recycle Materials	3 cubic yard container	1	\$294.32
		2	\$548.25
		3	\$802.15
		4	\$1,056.01
		5	\$1,309.81
		6	\$1,563.81
Recycle Materials	4 cubic yard container	1	\$381.51
		2	\$715.85
		3	\$1,050.16
		4	\$1,384.56
		5	\$1,718.87
		6	\$2,053.20
Recycle Materials	6 cubic yard container	1	\$570.10
		2	\$1,071.59
		3	\$1,573.05
		4	\$2,074.54
		5	\$2,576.02
		6	\$3,077.53
Recycle Materials	7 cubic yard container	1	\$653.70
		2	\$1,238.74
		3	\$1,823.77
		4	\$2,614.68
		5	\$2,993.93
		6	\$3,578.93
Recycle Materials	8 cubic yard container	1	\$756.76
		2	\$1,425.38
		3	\$2,093.99
		4	\$2,841.08
		5	\$3,431.31
		6	\$4,099.96

City of Union City
Service Provided by Republic Services
Commercial Rates

(Includes Multi-Family Dwellings Receiving Bin Service)

Non-Parcelized Multi-Family Dwelling:
Regularly Scheduled Recycle Materials Services (Monthly Rate)

			2024 Rates (July 1, 2024 - June 30, 2025)
Recycle Materials	Various Bin Sizes	Per Dwelling Unit	\$8.53

Regularly Scheduled Compost (Organic Materials) Services (Monthly Rate)

Compost	64-gallon cart	1	\$54.36
		2	\$108.71
		3	\$163.07
		4	\$217.43
		5	\$271.77
		6	\$326.15
Compost	1 cubic yard container	1	\$112.31
		2	\$224.65
		3	\$310.21
		4	\$395.81
		5	\$551.24
		6	\$568.52
Compost	2 cubic yard container	1	\$210.53
		2	\$381.89
		3	\$553.34
		4	\$724.72
		5	\$896.09
		6	\$1,069.09
Compost	3 cubic yard container	1	\$294.32
		2	\$548.25
		3	\$802.15
		4	\$1,056.01
		5	\$1,309.81
		6	\$1,563.81
Compost	4 cubic yard container	1	\$381.51
		2	\$715.85
		3	\$1,050.16
		4	\$1,384.56
		5	\$1,718.87
		6	\$2,053.20

Regularly Scheduled Green Waste Materials Services (Monthly Rate)

Green Waste	64-gallon cart	1	\$67.95
		2	\$135.91
		3	\$187.68
		4	\$239.45
		5	\$333.49
Green Waste	96-gallon cart	1	\$101.89
		2	\$203.82
		3	\$281.45
		4	\$359.10
		5	\$500.13

City of Union City
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Commercial Rates

(Includes Multi-Family Dwellings Receiving Bin Service)

Regularly Scheduled Landfill (Solid Waste) Front Load Compactor Services

		2024 Rates (July 1, 2024 - June 30, 2025)
Compacted rate per yard	Per-Occurrence, Per-Cubic-Yard Rate*	\$64.85
* For example,		
If a customer has 2 cubic yard compactor bin service, 2 times per week, then monthly rate = $2 \times 2 \times \$60.44 \times 4.33 = \1046.82		
If a customer has 3 cubic yard compactor bin service, 1 time per week, then monthly rate = $3 \times 1 \times \$60.44 \times 4.33 = \785.12		

Regularly Scheduled Recycle Materials Front Load Compactor Services

Compacted rate per yard	Per-Occurrence, Per-Cubic-Yard Rate*	\$16.21
* For example,		
If a customer has 2 cubic yard compactor bin service, 2 times per week, then monthly rate = $2 \times 2 \times \$15.11 \times 4.33 = \261.71		
If a customer has 3 cubic yard compactor bin service, 1 time per week, then monthly rate = $3 \times 1 \times \$15.11 \times 4.33 = \196.28		

Regularly Scheduled Compost (Organic Materials) Front Load Compactor Services

Compacted rate per yard	Per-Occurrence, Per-Cubic-Yard Rate*	\$55.13
* For example,		
If a customer has 2 cubic yard compactor bin service, 2 times per week, then monthly rate = $2 \times 2 \times \$51.38 \times 4.33 = \889.90		
If a customer has 3 cubic yard compactor bin service, 1 time per week, then monthly rate = $3 \times 1 \times \$51.38 \times 4.33 = \667.43		

Additional Landfill (Solid Waste) Pick-Ups/On-Call Collection (Per Occurrence)

Additional Landfill bin collected on customer's regularly scheduled collection day	1 cubic yard container	Per- Occurrence Rate	\$32.96
	2 cubic yard container	Per- Occurrence Rate	\$65.85
	3 cubic yard container	Per- Occurrence Rate	\$97.70
	4 cubic yard container	Per- Occurrence Rate	\$128.71
	6 cubic yard container	Per- Occurrence Rate	\$192.96
	7 cubic yard container	Per- Occurrence Rate	\$225.20
	8 cubic yard container	Per- Occurrence Rate	\$257.36
Additional Landfill bin collected on a day other than the customer's regularly scheduled collection day	1 cubic yard container	Per- Occurrence Rate	\$77.45
	2 cubic yard container	Per- Occurrence Rate	\$110.46
	3 cubic yard container	Per- Occurrence Rate	\$142.58
	4 cubic yard container	Per- Occurrence Rate	\$173.67
	6 cubic yard container	Per- Occurrence Rate	\$238.25
	7 cubic yard container	Per- Occurrence Rate	\$270.20
	8 cubic yard container	Per- Occurrence Rate	\$308.79
Extra can or bag of Landfill collected on customer's regularly scheduled collection day	35-gal can or bag	Per- Occurrence Rate	\$39.22
	64-gal can or bag	Per- Occurrence Rate	\$61.68
	96-gal can or bag	Per- Occurrence Rate	\$77.82
Extra can or bag of Landfill collected on a day other than the customer's regularly scheduled collection day	35-gal can or bag	Per- Occurrence Rate	\$68.76
	64-gal can or bag	Per- Occurrence Rate	\$91.26
	96-gal can or bag	Per- Occurrence Rate	\$107.31

City of Union City
Service Provided by Republic Services
Commercial Rates

(Includes Multi-Family Dwellings Receiving Bin Service)

Additional Recycle Materials Pick-Ups/On-Call Collection (Per Occurrence)

			2024 Rates (July 1, 2024 - June 30, 2025)
Additional Recycle Materials bin collected on customer's regularly scheduled collection day	1 cubic yard container	Per- Occurrence Rate	\$19.77
	2 cubic yard container	Per- Occurrence Rate	\$39.51
	3 cubic yard container	Per- Occurrence Rate	\$58.62
	4 cubic yard container	Per- Occurrence Rate	\$77.25
	6 cubic yard container	Per- Occurrence Rate	\$115.78
	7 cubic yard container	Per- Occurrence Rate	\$135.12
Additional Recycle Materials bin collected on a day other than the customer's regularly scheduled collection day	1 cubic yard container	Per- Occurrence Rate	\$46.46
	2 cubic yard container	Per- Occurrence Rate	\$66.30
	3 cubic yard container	Per- Occurrence Rate	\$85.55
	4 cubic yard container	Per- Occurrence Rate	\$104.19
	6 cubic yard container	Per- Occurrence Rate	\$142.96
	7 cubic yard container	Per- Occurrence Rate	\$162.11
Extra can or bag of Recycle Materials collected on customer's regularly scheduled collection day	35-gal can or bag	Per- Occurrence Rate	\$23.53
	64-gal can or bag	Per- Occurrence Rate	\$37.02
	96-gal can or bag	Per- Occurrence Rate	\$46.71
Extra can or bag of Recycle Materials collected on a day other than the customer's regularly scheduled collection day	35-gal can or bag	Per- Occurrence Rate	\$41.25
	64-gal can or bag	Per- Occurrence Rate	\$54.76
	96-gal can or bag	Per- Occurrence Rate	\$64.40

City of Union City
Service Provided by Republic Services
Commercial Rates

(Includes Multi-Family Dwellings Receiving Bin Service)

Additional Compost (Organic Materials) Pick-Ups/On-Call Collection (Per Occurrence)

			2024 Rates (July 1, 2024 - June 30, 2025)
Additional Compost collected on customer's regularly scheduled collection day	64-gal cart	Per- Occurrence Rate	\$19.77
	1 cubic yard container	Per- Occurrence Rate	\$39.51
	2 cubic yard container	Per- Occurrence Rate	\$58.62
	3 cubic yard container	Per- Occurrence Rate	\$77.25
	4 cubic yard container	Per- Occurrence Rate	\$115.78
Additional Compost collected on a day other than the customer's regularly scheduled collection day	64-gal cart	Per- Occurrence Rate	\$46.46
	1 cubic yard container	Per- Occurrence Rate	\$66.30
	2 cubic yard container	Per- Occurrence Rate	\$85.55
	3 cubic yard container	Per- Occurrence Rate	\$104.19
	4 cubic yard container	Per- Occurrence Rate	\$142.96
Miscellaneous Charges			
Hasp & lock for bin, one time charge	Not Applicable	Per- Occurrence Rate	\$303.32
Replace lock	Not Applicable	Per- Occurrence Rate	\$58.13
Steam cleaning	Not Applicable	Per- Occurrence Rate	\$162.76
Bin delivery/pick-up	Not Applicable	Extra fee paid if customer requests a change in Bin size more than once per year	\$202.94
Non-Parcelized Multi-Family Dwellings - Bulky Item Pickup Fee per Major Appliance or Appliance Containing Refrigerants	Not Applicable	Per- Occurrence Rate	\$78.53
Non-Parcelized Multi-Family Dwellings - Bulky Item Pickup Fee per Item Including Small Appliances	Not Applicable	Per- Occurrence Rate	\$33.69
Bin and Cart push/pull charge	10- feet increments from permanent placement of container to service area	Based on Weekly Service Frequency Per 10 Feet (e.g. 2yd 2 x /wk = 2 x Rate; 3 yd 1x/wk = 1 x Rate)	\$22.58
Lock/unlock charge	Not Applicable	Per- Occurrence Rate	\$22.58
Lock/unlock charge with push/pull charge	Not Applicable	Per Weekly Service Frequency	\$5.64
Overage charge (after issuance of warning notice)	Various Bin Sizes: All Material Types	Per- Occurrence Rate	\$51.56
	1 cubic yard container	Per- Occurrence Rate	\$32.96
	2 cubic yard container	Per- Occurrence Rate	\$65.85
	3 cubic yard container	Per- Occurrence Rate	\$97.70
	4 cubic yard container	Per- Occurrence Rate	\$128.71
Prohibited Items Fee (after issuance of warning notices) for regular bin service of Recycle or Compost (Organics) collected as Landfill ¹	6 cubic yard container	Per- Occurrence Rate	\$192.96
	7 cubic yard container	Per- Occurrence Rate	\$225.20
	8 cubic yard container	Per- Occurrence Rate	\$257.36

Note: Miscellaneous charges listed on the residential rate sheet apply to commercial customers as appropriate

¹ Rate charged is the same as: Additional Landfill bin collected on customer's regularly scheduled collection day

City of Union City
Service Provided by Republic Services
Drop-Box Rates

			2024 Rates (July 1, 2024 - June 30, 2025)
Type of Service	Receptacle	Rate Information	
Regularly Scheduled Collection Service (Per Pull/Return Rate not including initial delivery fee which is charged separately)			
Landfill	6 cubic yard drop box	Per Pull/Return Rate	\$533.69
Landfill	14 cubic yard drop box	Per Pull/Return Rate	\$533.69
Landfill	20 cubic yard drop box	Per Pull/Return Rate	\$762.48
Landfill	30 cubic yard drop box	Per Pull/Return Rate	\$1,129.34
Landfill	40 cubic yard drop box	Per Pull/Return Rate	\$1,505.75
Recycle materials	6 cubic yard drop box	Per Pull/Return Rate	\$320.21
Recycle materials	14 cubic yard drop box	Per Pull/Return Rate	\$320.21
Recycle materials	20 cubic yard drop box	Per Pull/Return Rate	\$457.49
Recycle materials	30 cubic yard drop box	Per Pull/Return Rate	\$677.60
Recycle materials	40 cubic yard drop box	Per Pull/Return Rate	\$903.43
Green waste materials	6 cubic yard drop box	Per Pull/Return Rate	\$453.63
Green waste materials	14 cubic yard drop box	Per Pull/Return Rate	\$453.63
Green waste materials	20 cubic yard drop box	Per Pull/Return Rate	\$648.12
Green waste materials	30 cubic yard drop box	Per Pull/Return Rate	\$959.94
Green waste materials	40 cubic yard drop box	Per Pull/Return Rate	\$1,279.88
Compost (Organic materials)	6 cubic yard drop box	Per Pull/Return Rate	\$453.63
On-Call Collection Service (Per Pull Rate includes delivery fee; does not including demurrage fee which is charged separately)			
Landfill	6 cubic yard drop box	Per Pull Rate	\$659.28
Landfill	14 cubic yard drop box	Per Pull Rate	\$659.28
Landfill	20 cubic yard drop box	Per Pull Rate	\$887.99
Landfill	30 cubic yard drop box	Per Pull Rate	\$1,254.87
Landfill	40 cubic yard drop box	Per Pull Rate	\$1,631.27
Recycle materials	6 cubic yard drop box	Per Pull Rate	\$395.56
Recycle materials	14 cubic yard drop box	Per Pull Rate	\$395.56
Recycle materials	20 cubic yard drop box	Per Pull Rate	\$532.80
Recycle materials	30 cubic yard drop box	Per Pull Rate	\$752.93
Recycle materials	40 cubic yard drop box	Per Pull Rate	\$978.77
Green waste materials	6 cubic yard drop box	Per Pull Rate	\$560.39
Green waste materials	14 cubic yard drop box	Per Pull Rate	\$560.39
Green waste materials	20 cubic yard drop box	Per Pull Rate	\$754.80
Green waste materials	30 cubic yard drop box	Per Pull Rate	\$1,066.65
Green waste materials	40 cubic yard drop box	Per Pull Rate	\$1,386.57
Regularly Scheduled Compactor Service - Customer Owned Compactors (Per Pull/Return Rate not including initial delivery fee which is charged separately)			
Landfill and Compost	14 cubic yard drop box	Per Pull/Return Rate	\$1,067.85
Landfill and Compost	15 cubic yard drop box	Per Pull/Return Rate	\$1,144.09
Landfill and Compost	16 cubic yard drop box	Per Pull/Return Rate	\$1,220.39
Landfill and Compost	20 cubic yard drop box	Per Pull/Return Rate	\$1,525.47
Landfill and Compost	24 cubic yard drop box	Per Pull/Return Rate	\$1,830.57
Landfill and Compost	25 cubic yard drop box	Per Pull/Return Rate	\$1,906.87
Landfill and Compost	30 cubic yard drop box	Per Pull/Return Rate	\$2,288.24
Landfill and Compost	38 cubic yard drop box	Per Pull/Return Rate	\$2,898.44
Landfill and Compost	40 cubic yard drop box	Per Pull/Return Rate	\$3,050.97
Recycle materials	14 cubic yard drop box	Per Pull/Return Rate	\$640.69
Recycle materials	15 cubic yard drop box	Per Pull/Return Rate	\$686.46
Recycle materials	16 cubic yard drop box	Per Pull/Return Rate	\$732.22
Recycle materials	20 cubic yard drop box	Per Pull/Return Rate	\$915.30
Recycle materials	24 cubic yard drop box	Per Pull/Return Rate	\$1,098.34
Recycle materials	25 cubic yard drop box	Per Pull/Return Rate	\$1,144.10
Recycle materials	30 cubic yard drop box	Per Pull/Return Rate	\$1,372.94
Recycle materials	38 cubic yard drop box	Per Pull/Return Rate	\$1,739.06
Recycle materials	40 cubic yard drop box	Per Pull/Return Rate	\$1,830.58
Recycle materials	42 cubic yard drop box	Per Pull/Return Rate	\$1,922.12

City of Union City
Service Provided by Republic Services
Drop-Box Rates

			2024 Rates (July 1, 2024 - June 30, 2025)
Type of Service	Receptacle	Rate Information	
Regularly Scheduled Compactor Service - Contractor-Owned Compactors (Per Pull/Return Rate not including initial delivery fee which is charged separately. Rate does not include compactor lease and/or maintenance fees.)			
Landfill and Compost	14 cubic yard drop box	Per Pull/Return Rate	\$1,067.85
Landfill and Compost	15 cubic yard drop box	Per Pull/Return Rate	\$1,144.09
Landfill and Compost	16 cubic yard drop box	Per Pull/Return Rate	\$1,220.39
Landfill and Compost	20 cubic yard drop box	Per Pull/Return Rate	\$1,525.47
Landfill and Compost	24 cubic yard drop box	Per Pull/Return Rate	\$1,830.57
Landfill and Compost	25 cubic yard drop box	Per Pull/Return Rate	\$1,906.87
Landfill and Compost	30 cubic yard drop box	Per Pull/Return Rate	\$2,288.24
Landfill and Compost	38 cubic yard drop box	Per Pull/Return Rate	\$2,898.44
Landfill and Compost	40 cubic yard drop box	Per Pull/Return Rate	\$3,050.97
Recycle materials	14 cubic yard drop box	Per Pull/Return Rate	\$640.69
Recycle materials	15 cubic yard drop box	Per Pull/Return Rate	\$686.46
Recycle materials	16 cubic yard drop box	Per Pull/Return Rate	\$732.22
Recycle materials	20 cubic yard drop box	Per Pull/Return Rate	\$915.30
Recycle materials	24 cubic yard drop box	Per Pull/Return Rate	\$1,098.34
Recycle materials	25 cubic yard drop box	Per Pull/Return Rate	\$1,144.10
Recycle materials	30 cubic yard drop box	Per Pull/Return Rate	\$1,372.94
Recycle materials	38 cubic yard drop box	Per Pull/Return Rate	\$1,739.06
Recycle materials	40 cubic yard drop box	Per Pull/Return Rate	\$1,830.58
Recycle materials	42 cubic yard drop box	Per Pull/Return Rate	\$1,922.12
Demurrage Charge			
All Material Types	All drop box sizes	Weekly Rate*	\$82.06
Delivery Service			
All Material Types	All drop box sizes	Per-Occurrence Rate for delivery to collection site	\$121.56
Overage Charge			
All Material Types	6 cubic yard drop box	Per Occurrence Rate for Material Placed in Box In Excess of Drop Box Capacity	\$81.88
All Material Types	14, 30, 20, 30, 40 cubic yard drop box	Per-Cubic-Yard Rate For Each Yard in Excess of Drop Box Capacity	\$35.10
Relocation or Cancellation Charge			
All Material Types	All drop box sizes	Per-Relocation or Cancellation Rate	\$172.46
Prohibited Items Fee			
All Material Types			
Prohibited Items Fee (after issuance of warning notices) for regular drop box service of	6 cubic yard drop box	Per Pull/Return Rate	\$533.69
	14 cubic yard drop box	Per Pull/Return Rate	\$533.69
	20 cubic yard drop box	Per Pull/Return Rate	\$762.48
Recycle or Compost collected as Landfill ¹	30 cubic yard drop box	Per Pull/Return Rate	\$1,129.34
	40 cubic yard drop box	Per Pull/Return Rate	\$1,505.75

¹ Rate charged is the same as: Regularly Scheduled Collection Service

City of Union City
Service Provided by Tri-CED
Recycle Rates
(Includes Multi-Family Dwellings)

Parcelized Single-Family Dwelling: Regularly Scheduled Curbside Collection Services

Basic Service (Monthly Rate for Recycle Collection Services)

		2024 Rates (July 1, 2024 - June 30, 2025)
Type of Service	Level of Service	
Per Dwelling Unit	Each unit receives a cart	\$20.79

Multi-Family Dwelling: Regularly Scheduled Collection Services

Basic Service (Monthly Rate for Recycle Collection Services)

		2024 Rates (July 1, 2024 - June 30, 2025)
Type of Service	Level of Service	
Parcelized Per Unit	Each unit receives a cart	\$20.79
Non-Parcelized Per Unit	Each unit receives a cart	\$20.79
Non-Parcelized Per Unit	Shared services	\$12.61

Commercial: Regularly Scheduled Recycle Cart Services (Monthly Rate)

Basic Service (Monthly Rate for Recycle Collection Services)

		2024 Rates (July 1, 2024 - June 30, 2025)
Type of Service	Receptacle	
Recycling 1 x per week	64 or 96 Gallon Cart	\$29.01
Recycling 2 x per week	64 or 96 Gallon Cart	\$58.59
Recycling 3 x per week	64 or 96 Gallon Cart	\$80.19
Recycling 4 x per week	64 or 96 Gallon Cart	\$101.79
Recycling 5 x per week	64 or 96 Gallon Cart	\$141.04