



## AGENDA

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

GARY SINGH, Mayor  
SCOTT SAKAKIHARA, Vice Mayor (District 4)  
LANCE NISHIHARA, Councilmember (District 1)  
JAIME PATIÑO Councilmember (District 2)  
JEFF WANG, Councilmember (District 3)

Tuesday, June 10, 2025  
7:00 PM

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

**NOTICE OF PARTICIPATION:** Councilmember Wang will participate in the meeting via teleconference from the site listed below. The meeting agenda will be posted on the teleconference site, which is accessible to the public. Anyone wishing to address the Council from the teleconference site will be provided with an opportunity to do so. Location: The Kinglong Hotel, East 200 meters north of the intersection of Fuhe South Main Street and Xueyuan Road, Hanshan District, Handan, Hebei, 056001, China

#### 1. CALL TO ORDER

1.1. Pledge of Allegiance

1.2. Roll Call

#### 2. UNFINISHED BUSINESS - None

#### 3. PROCLAMATIONS AND PRESENTATIONS

3.1. Proclamation Recognizing June 15, 2025, as World Elder Abuse Awareness Day

3.2. Proclamation Recognizing June 19, 2025, as Juneteenth

#### 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.*

#### 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.*

- 5.1. Approve the May 27, 2025 City Council Special Study Session Action Minutes
- 5.2. Approve the May 27, 2025 City Council Regular Meeting Action Minutes
- 5.3. Approve the June 3, 2025 City Council Special Study Session Action Minutes
- 5.4. Adopt A Resolution Approving The Mayor's Appointment Of Anita Roque To The Senior Citizens Commission As An Alternate Commissioner
- 5.5. Adopt a Resolution Approving a List of Projects for Fiscal Year 2025-2026 Funded by SB-1: The Road Repair and Accountability Act of 2017
- 5.6. Waive Further Reading and Adopt an Ordinance of the City Council of the City of Union City Designating Local Responsibility Area Fire Hazard Severity Zones
6. PUBLIC HEARINGS - None
7. CITY MANAGER REPORTS
  - 7.1. Introduction of an Ordinance of the City Council of the City of Union City Approving and Re-Adopting a Military Equipment Use Policy as Stated in Chapter 2.62 "Military Equipment Use Policy" of the Union City Municipal Code; and Review of 2024 Annual Military Equipment Report in Compliance with Assembly Bill 481
  - 7.2. Adopt a Resolution Amending the Norms and Guidelines for Boards, Commissions, and Committees; Waive Full Reading and Introduce by Title Only an Ordinance of the City Council of the City of Union City Amending Section 2.20.040 "Commissioner Attendance Standards" and Section 2.20.100 "Ethics/AB 1234 Training Requirements" of the Union City Municipal Code Related to Commission Standards
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

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Regular City Council meetings are held in person on the second and fourth Tuesday of each month at 7:00 p.m. in the Council Chambers, City Hall, 34009 Alvarado-Niles Road, Union City, CA 94587.

Meetings can also be observed via Zoom: <http://citycouncil-live.unioncity.org>

Meetings are broadcast live on UCTV Channel 15 and live-streamed on the City's website: <https://www.unioncity.org/199/City-Meetings-Video>.

**Public Comment:** Members of the public cannot provide comments via Zoom unless specifically permitted, as detailed below. Remote access is subject to technical availability. If the Zoom platform or other technology fails, the City Council will proceed with the meeting in person unless prohibited by law.

**Public Records:** Documents related to agenda items are available for review on the City's website (<https://www.unioncity.org>) or during business hours at the City Clerk's Office, 34009 Alvarado-Niles Road, Union City, CA 94587.

**Accessibility:** If you require special assistance to participate in the meeting, please contact the City Clerk's Office at (510) 675-5448 at least 72 hours before the meeting. Closed captioning is available for all regular City Council meetings.

## **ADDRESSING THE CITY COUNCIL**

### **In-Person Public Comment:**

Members of the public may address the Council on any agenda item or during the Public Input portion of the meeting. To speak, please fill out a speaker card with your name and city of residence. If you would like a follow-up from the City, you may also provide your mailing address. Completing a speaker card and providing your name, city, or mailing address are not required to make a public comment but are requested for record-keeping purposes.

### **Written Comment:**

To submit written comments on an agenda item or during Public Comment, please email: [publiccomment@unioncity.org](mailto:publiccomment@unioncity.org). Include "public comment" in the subject line and reference the agenda item number. Written comments will be forwarded to the City Council and made publicly available.

### **Public Comment via Zoom:**

As noted above, the public may not address the Council via Zoom unless required by AB 2449. If the City is required to provide this opportunity, the Mayor will announce it at the beginning of the meeting. If allowed, raise your virtual hand on Zoom to indicate that you would like to speak on a specific agenda item.

## **CITY COUNCIL NORMS AND GUIDELINES**

*(Resolution No. 6129-23; Adopted May 23, 2023)*

The Union City Council abides by 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 and agenda were posted on the City's website and the City Hall bulletin board at least 72 hours prior to the meeting date, in compliance with the Ralph M. Brown Act.

/s/Thai Nam Pham, MMC, CPMC  
City Clerk/Secretary to the City of Union City Successor Agency



## **Agenda Item**



## Agenda Item

**ATTACHMENTS:**

Description		Type
	Proclamation	Attachment

# CITY OF UNION CITY PROCLAMATION



## Recognizing June 15, 2025, as World Elder Abuse Awareness Day

**WHEREAS**, elder abuse is a serious global issue that affects millions of older adults each year, denying them the right to age with dignity, safety, and respect; and

**WHEREAS**, in the United States, 1 in 10 people over the age of 60 experiences some form of elder abuse—whether physical, emotional, financial, or through neglect—with many cases going unreported; and

**WHEREAS**, World Elder Abuse Awareness Day is a time to help people learn the signs of elder abuse, support survivors, and promote resources that help protect our seniors; and

**WHEREAS**, the City of Union City is committed to raising awareness, educating the community, and working to prevent elder abuse in all its forms; and

**WHEREAS**, this day reminds us that preventing elder abuse starts with understanding and recognizing it, including physical harm, emotional mistreatment, neglect, and scams or financial exploitation; and

**WHEREAS**, Union City supports programs and services that protect older adults—like Adult Protective Services, medical and mental health care, and legal and financial assistance; and

**WHEREAS**, we stand in solidarity with efforts across the country and around the world to protect the elderly and ensure they are treated with the dignity and respect they deserve.

**NOW, THEREFORE, I, Gary Singh**, Mayor of the City of Union City, and on behalf of the entire City Council, do hereby proclaim June 15, 2025, as **World Elder Abuse Awareness Day** in the City of Union City, and encourage everyone to learn more, speak out, and support a safer, more respectful community for our seniors.

**DATED: June 10, 2025**

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GARY SINGH, Mayor

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SCOTT SAKAKIHARA, Vice Mayor

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LANCE NISHIHARA, Councilmember

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JAIME PATIÑO, Councilmember

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JEFF WANG, Councilmember  
Tuesday, June 10, 2025



# Agenda Item

**ATTACHMENTS:**

Description		Type
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# CITY OF UNION CITY

## PROCLAMATION



### Recognizing June 19, 2025, as Juneteenth

**WHEREAS**, President Abraham Lincoln signed the Emancipation Proclamation on January 1, 1863, declaring that those enslaved in Confederate states were free, paving the way for the 13<sup>th</sup> Amendment, which officially ended slavery in the United States; and

**WHEREAS**, it wasn't until June 19, 1865—more than two years later—that Union troops led by Major General Gordon Granger arrived in Galveston, Texas, to enforce the Emancipation Proclamation and ensure freedom for the last enslaved Black Americans in the South; and

**WHEREAS**, June 19<sup>th</sup>—known as “Juneteenth”—has been celebrated for over 150 years and holds deep meaning in the African American community as a day of freedom and reflection; and

**WHEREAS**, on June 17, 2021, President Joseph R. Biden, Jr. signed the Juneteenth National Independence Day Act, making Juneteenth a federal holiday and recognizing its importance to our shared American history; and

**WHEREAS**, Juneteenth is not only a celebration of freedom, but also a time for all Americans—and especially in Union City—to reflect on the ongoing journey toward racial justice, equity, and opportunity for all; and

**WHEREAS**, the story of Juneteenth reminds us of the strength, resilience, and contributions of Black Americans and calls on us to keep working toward a more just, fair, and united future.

**NOW, THEREFORE, I, Gary Singh**, Mayor of the City of Union City, and on behalf of the entire City Council, do hereby proclaim June 19, 2025, as **Juneteenth** in the City of Union City and encourage all residents to honor this important day in our nation's history.

**DATED: June 10, 2025**

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GARY SINGH, Mayor

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SCOTT SAKAKIHARA, Vice Mayor

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LANCE NISHIHARA, Councilmember

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JAIME PATIÑO, Councilmember

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JEFF WANG, Councilmember  
Tuesday, June 10, 2025



# Agenda Item

**ATTACHMENTS:**

Description		Type
	Action Minutes	Attachment



## MINUTES

### CITY OF UNION CITY CITY COUNCIL SPECIAL STUDY SESSION

**GARY SINGH, Mayor**  
**SCOTT SAKAKIHARA, Vice Mayor (District 4)**  
**LANCE NISHIHARA, Councilmember (District 1)**  
**JAMIE PATIÑO, Councilmember (District 2)**  
**JEFF WANG, Councilmember (District 3)**

**Tuesday, May 27, 2025 | 5:00 PM**

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

#### 1. CALL TO ORDER

Mayor Singh called the meeting to order at 5:08 PM. He announced that Councilmember Wang would be participating remotely via teleconference, pursuant to California Government Code Section 54953, and that his location had been properly noticed in accordance with the Brown Act.

#### 2. ROLL CALL

Attendee Name	Present
Councilmember Nishihira	Yes
Councilmember Patiño	Yes
Councilmember Wang	No
Vice Mayor Sakakihara	Yes
Mayor Singh	Yes

#### 3. ORAL COMMUNICATIONS

Mayor Singh opened Public Comment. There being no speakers, Mayor Singh closed Public Comment.

## **STUDY SESSION**

### **4.a. Overview of Other City Funds (non-General Fund & Non-CIP Funds)**

Finance Director Acosta provided staff presentation and responded to questions from council members.

Council received the report.

## **4. ADJOURNMENT**

Mayor Singh adjourned the meeting at 5:42 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 on June 10, 2025.**

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



# Agenda Item

**ATTACHMENTS:**

Description		Type
	Action Minutes	Attachment



1

## MINUTES

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

GARY SINGH, Mayor  
SCOTT SAKAKIHARA, Vice Mayor (District 4)  
LANCE NISHIHARA, Councilmember (District 1)  
JAMIE PATIÑO, Councilmember (District 2)  
JEFF WANG, Councilmember (District 3)

Tuesday, May 27, 2025 | 7:00 PM

City Hall - Tom Kitayama City Council Chambers  
34009 Alvarado-Niles Road, Union City, CA 94587

#### 1. CALL TO ORDER

##### 1.1. Pledge of Allegiance

Mayor Singh called the meeting to order at 7:01 PM. He announced that Councilmember Wang was participating remotely via teleconference, pursuant to California Government Code Section 54953, and that his location had been properly noticed in accordance with the Brown Act.

##### 1.2. Roll Call

Attendee Name	Present
Councilmember Nishihira	Yes
Councilmember Patiño	Yes
Councilmember Wang	Yes (Remote)
Vice Mayor Sakakihara	Yes
Mayor Singh	Yes

#### 2. UNFINISHED BUSINESS

There were none.

### 3. PROCLAMATIONS AND PRESENTATIONS

#### 3.1. Proclamation Recognizing June 2025 as LGBTQ+ Pride Month

Mayor Singh read the proclamation aloud.

#### 3.2. Proclamation Recognizing May 2025 as Mental Health Awareness Month

Mayor Singh read the proclamation aloud and presented it to the National Alliance on Mental Illness of Alameda County President Peggy Rahman. She briefly made remarks afterward.

### 4. ORAL COMMUNICATIONS

Mayor Singh opened Oral Communications. Shamsa Rafay spoke during Oral Communications. There being no further speakers, Mayor Singh Closed Oral Communications.

### 5. CONSENT CALENDAR

Councilmember Patiño requested Consent Calendar Item No. 5.7. to be pulled from the Consent Calendar.

**Motion: Approve the Consent Calendar Items 5.1 – 5.6, 5.8, and 5.9.**

**RESULT:** Pass

**MOVER:** Councilmember Nishihira

**SECONDER:** Vice Mayor Sakakihara

**AYES:** Councilmembers Nishihira, Patiño, Wang, Vice Mayor Sakakihara, and Mayor Singh

**NOES:** None

**ABSENT:** None

#### 5.1. Approve the May 13, 2025 City Council Special Closed Session Action Minutes

A motion was made to approve the minutes.

#### 5.2. Approve the May 13, 2025 City Council Regular Meeting Action Minutes

A motion was made to approve the minutes.

#### 5.3. Approve the May 20, 2025 City Council Special Meeting Action Minutes

A motion was made to approve the minutes.

#### 5.4. Adopt a Resolution Requiring Annual Approval of Commission Meeting Calendars

A motion was made to adopt the resolution.

**Enactment No.: Resolution No. 2025-068**

#### 5.5. Adopt a Resolution Appointing Members to the Sales Tax and Utility Users' Tax Committee and Approving Structural and Term Modifications

A motion was made to adopt the resolution.

**Enactment No.: Resolution No. 2025-069**

**5.6. Adopt a Resolution Authorizing the Formation of a Climate Action Plan Task Force**

A motion was made to adopt the resolution.

**Enactment No.: Resolution No. 2025-070**

**5.7. Adopt a Resolution Approving the Redistribution of Unspent and Relinquished Funds for the City Council's Travel and Training Budget in FY 2024-2025, in Addition to Returning Unused Funds to the General Fund**

The item was pulled from the Consent Calendar.

**5.8. Adopt a Resolution Authorizing the Filing of an Application for Funding Assigned by MTC and Committing Any Necessary Matching Funds and Stating Assurance to Complete the Block 5 Mobility Hub Project, City Project No. 25-22**

A motion was made to adopt the resolution.

**Enactment No.: Resolution No. 2025-071**

**5.9. Adopt a Resolution Authorizing the City Manager to Execute the Third Amendment to the Consulting Services Agreement with Richard K. Tanaka, in the Amount of \$30,000, for a Total Not-To-Exceed Contract Amount of \$354,800, for Project Management Services for the Union City Boulevard Bike Lanes Project, City Project No. 17-29**

A motion was made to adopt the resolution.

**Enactment No.: Resolution No. 2025-072**

**5.7. Adopt a Resolution Approving the Redistribution of Unspent and Relinquished Funds for the City Council's Travel and Training Budget in FY 2024-2025, in Addition to Returning Unused Funds to the General Fund**

Councilmember Patiño and Vice Mayor Sakakihara commented on the item.

**Motion: Adopt a resolution approving the redistribution of unspent and relinquished funds for the City Council's Travel and Training Budget in FY 2024-2025, in addition to returning unused funds to the General Fund.**

**RESULT:** **Pass**

**MOVER:** Councilmember Patiño

**SECONDER:** Vice Mayor Sakakihara

**AYES:** Councilmembers Nishihira, Patiño, Wang, Vice Mayor Sakakihara, and Mayor Singh

**NOES:** None

**ABSENT:** None

**Enactment No.: Resolution No. 2025-073**

**6. PUBLIC HEARINGS**

There were none.



## 7. CITY MANAGER REPORTS

### 7.1. Adopt a Resolution Authorizing the City Manager to Execute the First Amendment to the Agreement Between the City of Union City and Alameda County Fire Department for Fire and Emergency Response Services

City Manager Malloy provided their presentation to the Council and responded to questions from council members.

Mayor Singh opened Public Comment. The following speakers spoke on the item:

Suzie Garcia  
Sean Burrows

Seeing no further speakers, Mayor Singh closed Public Comment.

**Motion: Adopt a resolution authorizing the City Manager to execute the first amendment to the agreement between the City of Union City and Alameda County Fire Department for Fire and Emergency Response Services.**

**RESULT:** Pass

**MOVER:** Councilmember Nishihira

**SECONDER:** Councilmember Patiño

**AYES:** Councilmembers Nishihira, Patiño, Wang, Vice Mayor Sakakihara, and Mayor Singh

**NOES:** None

**ABSENT:** None

**Enactment No.: Resolution No. 2025-074**

### 7.2. Adopt Resolutions Approving and Authorizing the City Manager to Execute an Amended and Restated Franchise Agreement for Landfill, Compost, and Recycle Collection Services with Republic Services for an Additional Ten-year Term Commencing July 1, 2025 Through June 30, 2035 and an Amended and Restated Franchise Agreement for Recycle Collection and Processing Services with Tri-City Economic Development Corporation (Tri-CED) for an Additional Ten-year Term Commencing July 1, 2025 Through June 30, 2035

Recycling & Solid Waste Program Manager Feldman provided staff presentation and responded to questions from the council members.

Mayor Singh opened Public Comment. The following speakers spoke on the item:

Joe Chu  
Jason Toro

Seeing no further speakers, Mayor Singh closed Public Comment.

**Motion: Adopt resolutions approving and authorizing the city manager to execute an amended and restated franchise agreement for landfill, compost, and recycle collection services with Republic Services for an additional ten-year term commencing July 1, 2025 through June 30, 2035, and an amended and restated franchise agreement for recycle collection and processing services with Tri-City Economic Development Corporation (Tri-CED) for an additional**

**ten-year term commencing July 1, 2025 through June 30, 2035.**

**RESULT:** **Pass**

**MOVER:** Councilmember Patiño

**SECONDER:** Vice Mayor Sakakihara

**AYES:** Councilmembers Nishihira, Patiño, Wang, Vice Mayor Sakakihara, and Mayor Singh

**NOES:** None

**ABSENT:** None

**Enactment Nos.: Resolution No. 2025-075 and 2025-076**

**7.3. Adopt Two Resolutions: 1) Approving the Annual Engineer's Report for the Landscape and Lighting Maintenance District (LLAD) No. 3; and 2) Declaring the City Council's Intent to Levy and Collect Assessments, Setting June 24, 2025, as the Public Hearing Date**

City Engineer Azim provided staff presentation and responded to questions from the council members.

Councilmember Wang left the meeting at 8:17 PM.

Mayor Singh opened Public Comment. Seeing no speakers, Mayor Singh closed the Public Comment Period.

Council directed Staff to return with a standalone agenda item on options to address the LLAD funding deficit, including possible assessment increases under Proposition 218 at a future City Council meeting.

**Motion: Adopt two resolutions: 1) approving the annual engineer's report for the Landscape and Lighting Maintenance District (LLAD) No. 3; and 2) declaring the City Council's intent to levy and collect assessments, setting June 24, 2025, as the public hearing date.**

**RESULT:** **Pass**

**MOVER:** Councilmember Patiño

**SECONDER:** Vice Mayor Sakakihara

**AYES:** Councilmembers Nishihira, Patiño, Vice Mayor Sakakihara, and Mayor Singh

**NOES:** None

**ABSENT:** Councilmember Wang

**Enactment Nos.: Resolution No. 2025-077 and 2025-078**

**7.4. Waive Full Reading and Introduce by Title Only an Ordinance of the City Council of the City of Union City Designating Local Responsibility Area Fire Hazard Severity Zones**

Redwood Public Law Senior Associate Gonzalez provided staff presentation. She and City Attorney Kokotaylo responded to questions from the council members.

Mayor Singh opened Public Comment. Liz Ames spoke on the item. Seeing no further speakers, Mayor Singh closed the Public Comment Period.

**Motion: Waive full reading and introduce by title only an ordinance of the City Council of the City of Union City designating Local**

**Responsibility Area fire hazard severity zones.**

**RESULT:** **Pass**

**MOVER:** Councilmember Patiño

**SECONDER:** Councilmember Nishihira

**AYES:** Councilmembers Nishihira, Patiño, Vice Mayor Sakakihara, and Mayor Singh

**NOES:** None

**ABSENT:** Councilmember Wang

**8. SUCCESSOR AGENCY TO REDEVELOPMENT AGENCY**

There were none.

**9. AUTHORITIES AND AGENCIES**

There were none.

**10. CITY COMMISSION / COMMITTEE REPORTS**

There were none.

**11. ITEMS REFERRED BY COUNCIL**

Councilmember Patiño reported that although he had no official meetings, he will participate in a League of California Cities Nominating Committee Meeting on May 29, 2025.

Vice Mayor Sakakihara reported attending the Housing Authority of County of Alameda and Personnel Committee Meeting on May 14, 2025, where funding shortfalls were discussed. He also attended the Parks and Recreation Commission Meeting on the same day and the Ava Community Energy Full Commission Meeting on May 21, 2025, where budget constraints and legislative positions were reviewed.

Councilmember Nishihira had no official meetings to report. He noted that the next Human Relations Commission Meeting is scheduled for May 28, 2025, but he will be unable to attend due to a personal commitment. He also reported no activity for the Legislation and Policy Committee or the Chamber of Commerce.

Mayor Singh reported attending the Alameda County Transportation Commission Programs and Projects Committee Meeting in Oakland, where \$4 million in funding was approved for the design phase of the Quarry Lakes Parkway Project. He expressed his gratitude to Alameda County Supervisors Elisa Márquez and David Haubert, ACTC staff, and Mayors Hannon (Newark) and Brown (Pleasanton) for their support.

**12. GOOD OF THE ORDER**

Councilmember Patiño reported attending a National League of Cities (NLC) Hispanic Elected Local Offices (HELO) Meeting on May 22, 2025, to help plan the NLC Summer Leadership Meeting in Columbus, Ohio, and the NLC City Summit in Salt Lake City, Utah. On the same day, he met with Julia Mates of the Jewish Community Relations Council to discuss community education. He also attended a farewell dinner for Nancy Soto, the outgoing Board President of Tiburcio Vazquez Health Center. On May 26, 2025, he delivered the keynote speech at the Memorial Day Ceremony at the Chapel of the Chimes in Hayward. He expressed appreciation for the Union City Police Department's presence at

the event. He proposed that the Council increase the overall travel budget from \$30,000 to \$40,000 to reflect the growing advocacy needs, with allocations of \$10,000 for the Mayor and \$7,500 for each Council member. His request received consensus for future discussion and consideration by the Council.

Vice Mayor Sakakihara reported attending the Hillview Crest Elementary School Robotics and Coding Showcase on May 15, 2025, alongside Councilmember Nishihira.

Councilmember Nishihira elaborated on the Hillview Crest Showcase, noting the implementation of the C-STEM curriculum and the school's designation as a STEM Magnet School. He also participated in the Energizer Station for Bike to Wherever Day on May 15, 2025, and the Sales and Utility Users' Tax Oversight Committee interviews on May 20, 2025. He requested Council direction for staff to align Council health insurance benefits with those of SEIU, POA, and PMA. His request received consensus for future discussion and consideration by the Council.

Mayor Singh reported attending the Burmese New Year Celebration alongside regional mayors.

**13. CLOSED SESSION**

There were none.

**14. ADJOURNMENT**

Mayor Singh adjourned the meeting at 8:47 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 on June 10, 2025.**

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



# Agenda Item

**ATTACHMENTS:**

Description		Type
	Action Minutes	Attachment



## MINUTES

### CITY OF UNION CITY CITY COUNCIL SPECIAL STUDY SESSION

**GARY SINGH, Mayor**  
**SCOTT SAKAKIHARA, Vice Mayor (District 4)**  
**LANCE NISHIHARA, Councilmember (District 1)**  
**JAMIE PATIÑO, Councilmember (District 2)**  
**JEFF WANG, Councilmember (District 3)**

**Tuesday, June 3, 2025 | 5:00 PM**

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

#### 1. **CALL TO ORDER**

Mayor Singh called the meeting to order at 5:03 PM. He announced that Councilmember Wang would be participating remotely via teleconference, pursuant to California Government Code Section 54953, and that his location had been properly noticed in accordance with the Brown Act.

#### 2. **ROLL CALL**

Attendee Name	Present
Councilmember Nishihira	Yes
Councilmember Patiño	Yes
Councilmember Wang	Yes (Remote, arrived at 5:06 PM)
Vice Mayor Sakakihara	Yes
Mayor Singh	Yes

#### 3. **ORAL COMMUNICATIONS**

Mayor Singh opened Public Comment. There being no speakers, Mayor Singh closed Public Comment.

## **STUDY SESSION**

### **4.a. Overview of Other City Funds (non-General Fund & Non-CIP Funds)**

Finance Director Acosta provided staff presentation and responded to questions from council members.

Council received the report.

## **4. ADJOURNMENT**

Mayor Singh adjourned the meeting at 5:46 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 on June 10, 2025.**

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



## Agenda Item

**DATE:** 6/10/2025

**TO:** HONORABLE MAYOR AND CITY COUNCIL

**FROM:** JOAN MALLOY, CITY MANAGER

**SUBJECT:** ADOPT A RESOLUTION APPROVING THE MAYOR'S APPOINTMENT OF ANITA ROQUE TO THE SENIOR CITIZENS COMMISSION AS AN ALTERNATE COMMISSIONER

### **EXECUTIVE SUMMARY**

Staff has prepared a resolution to approve the Mayor's appointment of Anita Roque to the Senior Citizens Commission as an alternate commissioner.

This appointment fills the vacancy created when former Alternate Commissioner Claudette Begin was appointed to a regular seat on April 8, 2025.

### **STRATEGIC PLAN ALIGNMENT**

**Goal E. Communication and Outreach:** Build strong connections with community partners, residents, and employees.

### **BACKGROUND**

Former Alternate Commissioner Claudette Begin was appointed to a regular seat on the Senior Citizens Commission on April 8, 2025, creating a vacancy in the alternate position. Ms. Roque is a qualified candidate and previously served on the Commission. Her new term will begin upon appointment and expire on December 31, 2029. This appointment supports Union City's strategic goal of building strong connections with community members and promoting civic engagement.

### **DISCUSSION**

Pursuant to the City's process, board and commission members are appointed by the Mayor with the approval of the City Council. At the request of Mayor Singh, a resolution has been prepared to appoint Anita Roque to the Senior Citizens Commission as an alternate commissioner.

Ms. Roque was last appointed as a Senior Citizens Commissioner on November 10, 2020, and has demonstrated dedication to the commission's mission. Her reappointment to the alternate seat ensures continuity and active community representation. Her new term will expire on December 31, 2029.

### **FISCAL IMPACT**

There is no fiscal impact associated with this appointment.

### **RECOMMENDATION**



Staff recommends that the City Council adopt a resolution appointing Anita Roque to the Senior Citizens Commission as an alternate commissioner expiring December 31, 2029.

**Prepared by:**

Thai Nam Pham, City Clerk

**Submitted by:**

Thai Nam Pham, City Clerk

**ATTACHMENTS:**

Description		Type
	Draft Resolution	Resolution

**RESOLUTION NO. 2025-XXX**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY  
APPOINTING ANITA ROQUE TO SERVE AS AN ALTERNATE  
COMMISSIONER ON THE SENIOR CITIZENS COMMISSION**

**WHEREAS**, the City of Union City has a vacancy on the Senior Citizens Commission due to the appointment of former Alternate Commissioner Claudette Begin to a regular seat on the advisory body; and

**WHEREAS**, on May 19, 2025, Anita Roque submitted an application and expressed interest in serving as an Alternate Commissioner; and

**WHEREAS**, the Mayor has recommended, and the City Council concurs, that Anita Roque be appointed to the Senior Citizens Commission as an Alternate Commissioner; and

**WHEREAS**, Anita Roque's term will begin upon appointment and expire on December 31, 2029.

**NOW THEREFORE BE IT RESOLVED** that the City Council of the City of Union City hereby appoints **Anita Roque** as an **Alternate Commissioner** on the **Senior Citizens Commission** for a term expiring on December 31, 2029.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Union City at a special meeting held on the 5<sup>th</sup> day of June 2025 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

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GARY SINGH  
Mayor

ATTESTED:

APPROVED AS TO FORM:

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THAI NAM N. PHAM  
City Clerk

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KRISTOPHER J. KOKOTAYLO  
City Attorney



## Agenda Item

**DATE:** 6/10/2025

**TO:** HONORABLE MAYOR AND CITY COUNCIL

**FROM:** JOAN MALLOY, CITY MANAGER

**SUBJECT:** ADOPT A RESOLUTION APPROVING A LIST OF PROJECTS FOR FISCAL YEAR 2025-2026 FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017

### **EXECUTIVE SUMMARY**

Staff recommends that City Council adopt a resolution approving a List of Projects for Fiscal Year 2025-2026 funded by SB 1: The Road Repair and Accountability Act of 2017.

### **STRATEGIC PLAN ALIGNMENT**

This is an efficiency and safety improvement project and is aligned with the following:

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

### **BACKGROUND**

On April 28, 2017, the Governor signed Senate Bill (SB) 1 (Beall, Chapter 5, Statutes of 2017), which is known as the Road Repair and Accountability Act of 2017. In order to raise funds to address basic road maintenance, rehabilitation and critical safety needs on both the state highway and local streets and roads systems, SB 1 increased per gallon fuel excise taxes, increased diesel fuel sales taxes, and increased vehicle registration fees. It also provides adjustments to tax rates in future years.

As of November 1, 2017, the State Controller began depositing various portions of these funds into the Road Maintenance and Repair Account (RMRA). A percentage of these are to be apportioned by formula to eligible cities and counties, pursuant to Streets and Highway Code (SHC) Section 2032(h), and are intended for basic road maintenance, rehabilitation, and critical safety projects on the local streets and roads system.

SB 1 is projected to generate about \$1,838,989 in FY 2025-2026 for the City's share of the Local Streets and Roads (LSR) Program which will be deposited into Union City's SB 1 RMRA Account (Fund 2515) for the maintenance of the City's local street and transportation systems.

The California Transportation Commission (CTC) has set a deadline of July 1, 2025, for the recipients of SB 1 grants to submit a City Council-approved list of projects nominated for funding in FY 2025-2026. Per Streets and Highways Code Section 2034, cities must adopt their project lists by resolution and may not use adopted budgets to apply for SB 1 funding.

Adopted project lists shall comply with the goals of SB 1 legislation in maintaining state and local transportation systems. SB 1 is planned to invest \$5 billion annually over the next decade to fix California's transportation system and will address a backlog of repairs and upgrades while ensuring a cleaner and more sustainable travel network for the future.

### **DISCUSSION**

SB 1 funding will enable the City to continue essential road maintenance and rehabilitation projects, safety improvements, repairing and replacing aging bridges, and increasing access and mobility options for the traveling public that would not have otherwise been possible.

SB 1 will also help the City maintain and rehabilitate major arterial roads throughout the City, maintain sidewalks, streetlights and traffic signals in a safe condition, upgrade traffic signals, streetlights, and street signs, and implement active transportation infrastructure throughout the City.

The List of Projects proposed to be funded by SB 1 revenues, which are projected to be \$1,838,989 for Fiscal Year 2025-2026, are noted below.

The following list of newly proposed projects will be funded, in-part, with Fiscal Year 2025-2026 Road Maintenance and Rehabilitation Account (RMRA) revenues:

**Project Title:** Annual Citywide Pavement Rehab Project, City Project No. 25-01  
**Project Description:** This annual project will restore the City's surface pavement along its roadway network. Based on Pavement Condition Index (PCI) assessments through the City's latest Pavement Management Plan (PMP), staff will direct a specific number of streets and roadways to be repaired using several different methods that will cover light maintenance, heavy maintenance, light rehab, heavy rehab, and reconstruction.  
**Project Location:** Decoto Rd./Casa Verde neighborhoods, Regents Blvd., and Alvarado Blvd. Subject to change based on preliminary engineering determinations.  
**Estimated Project Schedule:** Start (09/25) - Completion (12/25) based on component being funded with RMRA funds.  
**Estimated Project Useful Life:** 20 years

**Project Title:** Citywide Sidewalk, Curb & Gutter Replacement Project, City Project No. 25-03  
**Project Description:** Our citywide project will replace approximately 60 to 125 locations where there are deficiencies or tripping hazards in the City's sidewalks, curbs & gutters. This routine maintenance of infrastructure will ensure proper upkeep to minimize injuries to pedestrians and bicyclists of all ages and abilities.  
**Project Location:** Dyer St./Alvarado Blvd. neighborhoods, Decoto Rd/Whipple Rd./H St. neighborhoods. Subject to change based on preliminary engineering determinations.  
**Estimated Project Schedule:** Start (09/25) - Completion (06/26) based on component being funded with RMRA funds.  
**Estimated Project Useful Life:** 20 years.

**Project Title:** Dyer Street Resurfacing Project Phase 2, City Project No. 25-38  
**Project Description:** Project will apply a roadway surface treatment and install new buffered bike lanes between Deborah St. and Union City Blvd. to connect a bikeway network gap.  
**Project Location:** Dyer St. between Deborah St. and Union City Blvd.  
**Estimated Project Schedule:** Start 09/25 and Completion by 12/26 based on component being funded with RMRA funds  
**Estimate Project Useful Life:** 10 Years

**Project Title:** Arizona Street Bike Boulevard Project, City Project No. 25-55  
**Project Description:** Arizona St. will apply a roadway surface treatment and include new signing and striping to convert the street into a Bicycle Boulevard, appropriate for all ages and abilities bicyclist to travel as an alternate parallel route to Alvarado-Niles Blvd.  
**Project Location:** Arizona St. from Hop Ranch Rd. to Royal Ann Dr.  
**Estimated Project Schedule:** Start 07/25 and Completion by 06/26 based on component being funded with RMRA funds  
**Estimate Project Useful Life:** 10 Years

The following previously proposed and adopted projects may utilize Fiscal Year 2024-2025 Road Maintenance and Rehabilitation Account revenues in their delivery. With the relisting of these projects in the adopted fiscal year resolution, the City is reaffirming to the public and the State our intent to fund this project with Road Maintenance and Rehabilitation Account revenues:

**Project Title:** Union City Boulevard Bike Lanes Project, City Project No. 17-29 (includes pavement rehabilitation)  
**Project Description:** The project proposes to widen Union City Blvd. (UCB) to accommodate a buffer Class II in each direction by reconstructing the median island and rehabilitate/overlay the existing pavement before implementing the new bikeway facilities including Complete Streets improvements. Other improvements include traffic signals, streetlights, signage/striping and landscaped medians. When completed, the UCB will serve as Union City's segment of the San Francisco Bay Trail.  
**Project Location:** UCB between Smith Street and southern City limits (approximately two miles)  
**Estimated Project Schedule:** Started 07/23 and Completion by 11/25 based on component being funded with RMRA funds  
**Estimate Project Useful Life:** 10 Years

**Project Title:** Quarry Lakes Parkway, City Project No. 18-04  
**Project Description:** Construct a new four-lane multimodal corridor, parallel to Decoto Road, from Old Alameda Creek to Mission Blvd, with landscape median, buffer bike lanes and separated Class I bikeway/trail. Creates a new access roadway into Union City BART Station and 100-acre Transit-Oriented District (TOD) site/Station District area. New intersections at Alvarado-Niles Road, 11th Street, and 7th Street, realigning Quarry Lakes Drive closer to Old Alameda Creek.  
**Project Location:** Southern city limits  
**Estimated Project Schedule:** Start (07/23) -Completion (12/26) based on component being funded with RMRA funds

**Estimated Project Useful Life:** 15 years

**Project Title:** Citywide Streetlight LED Conversion Project, City Project No. 22-16

**Project Description:** This proposes to convert existing induction bulb streetlights to energy-efficient LED streetlights with the city limits. There are approximately 4,000 streetlights throughout the city and this project will also evaluate the required illumination level of these existing streetlights.

**Project Location:** Decoto Rd., Alvarado Niles Rd., Whipple Rd., Dyer St., & Union City Blvd. (north of Smith St. to City limits).

**Estimated Project Schedule:** Start (10/25) - Completion (12/27) based on component being funded with RMRA funds

**Estimated Project Useful Life:** 20 years

**Project Title:** BART Pedestrian At-Grade Crossing, City Project No. 14-14

**Project Description:** Construct a new pedestrian at-grade (Oakland Sub) crossing to make a new east entrance to Union City BART. Also, improve Decoto Road at-grade crossing and close I Street at-grade (Oakland Sub). Improve other distance at-grade crossings (Coast Sub/Oakland Sub/Niles Sub)

**Project Location:** East of Union City BART Station

**Estimated Project Schedule:** Start (7/25) - Completion (12/26) based on component being funded with RMRA funds

**Estimated Project Useful Life:** 20 years

**Project Title:** Alvarado-Niles Road Multimodal Study, City Project No. 23-25

**Project Description:** Alvarado-Niles Road is a major transportation corridor within Union City used by automobiles, transit, bicycles and pedestrians enroute to jobs, schools and neighborhoods. It is a major transit route serving UC Transit and AC Transit. This corridor has minimum facilities for bikes and pedestrians with existing Class II bike lanes and 5-foot sidewalk. This project will consider how to enhance all modes of transportation along the corridor.

**Project Location:** Alvarado-Niles Road between I-880 and Decoto Road

**Estimated Project Schedule:** Start (10/23) -Completion (12/25) based on component being funded with RMRA funds.

**Estimated Project Useful Life:** 20 years

The List of Projects will also include potential funding from a combination of Measure, BB, VRF, State Gas Tax, Local Highway Safety Improvement Program, Active Transportation Program Cycle 7, and Alameda CTC funding grants. SB 1 funds provide additional revenues and capacity to fund other local street and road projects. These projects will comply with the goals of the SB 1 legislation in maintaining state and local transportation systems.

## **FISCAL IMPACT**

SB 1 is projected to generate approximately \$1,813,927 for FY 2025-2026 from the LSR Program which will be deposited into the Union City RMRA Account (Fund 2515) to fund the rehabilitation of local streets and roads.

## **RECOMMENDATION**

Staff recommends that City Council adopt a resolution approving a List of Projects for Fiscal Year 2025-2026 funded by SB 1: The Road Repair and Accountability Act of 2017.

### **Prepared by:**

Trieu Tran, Civil Engineer III

### **Submitted by:**

Marilou Ayupan, Public Works Director

## **ATTACHMENTS:**

Description		Type
	Attachment 1 - Local Streets & Roads - Projected FY25-26 Revenue	Attachment
	Draft Resolution	Resolution

# Local Streets and Roads - Projected Revenues

Based on State Dept of Finance statewide R

Estimated January 2025

ALAMEDA COUNTY		
ALAMEDA		
ALBANY		
BERKELEY		
DUBLIN		
EMERYVILLE		
FREMONT		
HAYWARD		
LIVERMORE		
NEWARK		
OAKLAND		
PIEDMONT		
PLEASANTON		
SAN LEANDRO		
UNION CITY		
County of Alameda		
Total Cities & County: Alameda		
ALPINE COUNTY		
County of Alpine		
AMADOR COUNTY		
AMADOR		
IONE		
JACKSON		
PLYMOUTH		
SUTTER CREEK		
County of Amador		
Total Cities & County: Amador		
BUTTE COUNTY		
BIGGS		
CHICO		
GRIDLEY		
OROVILLE		
PARADISE		
County of Butte		
Total Cities & County: Butte		

2024-25		
Hwy Users Tax Account	Road Mntnc Rehab Acct	TOTAL
2,179,998	1,979,466	4,159,464
595,184	534,552	1,129,736
3,541,868	3,220,795	6,762,663
2,071,083	1,880,009	3,951,092
375,936	336,169	712,104
6,377,264	5,809,979	12,187,244
4,550,245	4,141,610	8,691,855
2,438,970	2,215,950	4,654,920
1,322,833	1,198,102	2,520,935
11,991,457	10,936,663	22,928,121
319,363	284,509	603,872
2,218,902	2,014,991	4,233,893
2,526,373	2,295,763	4,822,136
1,950,362	1,769,771	3,720,133
30,097,604	24,647,940	54,745,544
72,557,444	63,266,268	135,823,712
625,559	478,473	1,104,032
11,549	5,050	16,599
261,377	223,607	484,984
151,422	127,029	278,451
36,472	26,941	63,413
81,805	66,759	148,564
2,413,265	2,438,818	4,852,083
2,955,891	2,888,204	5,844,095
60,708	49,564	110,273
3,080,184	2,767,040	5,847,225
211,720	184,976	396,696
568,485	505,212	1,073,697
315,128	269,940	585,068
7,758,580	8,035,513	15,794,093
11,994,805	11,812,246	23,807,051

2025-26		
Hwy Users Tax Account	Road Mntnc Rehab Acct	TOTAL
2,179,448	2,056,885	4,236,334
595,035	555,459	1,150,494
3,540,974	3,346,764	6,887,738
2,070,562	1,953,539	4,024,100
375,842	349,317	725,159
6,375,652	6,037,216	12,412,867
4,549,096	4,303,594	8,852,689
2,438,355	2,302,619	4,740,974
1,322,500	1,244,962	2,567,462
11,988,421	11,364,411	23,352,832
319,284	295,636	614,920
2,218,342	2,093,800	4,312,143
2,525,735	2,385,553	4,911,289
1,949,871	1,838,989	3,788,860
30,117,924	25,611,955	55,729,879
72,567,042	65,740,699	138,307,741
622,848	497,186	1,120,034
11,550	5,247	16,797
261,392	232,353	493,745
151,431	131,997	283,428
36,474	27,995	64,469
81,810	69,370	151,180
2,409,901	2,534,203	4,944,104
2,952,557	3,001,165	5,953,722
60,700	51,503	112,202
3,079,697	2,875,263	5,954,960
211,688	192,211	403,898
568,396	524,972	1,093,367
311,583	280,497	592,080
7,747,096	8,349,793	16,096,889
11,979,158	12,274,239	24,253,397

## RESOLUTION NO. 2025-XXX

### RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2025-2026 FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017

**WHEREAS**, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017), was passed by the Legislature and signed into law by the Governor in April 2017, to address the significant multi-modal transportation funding shortfalls statewide; and

**WHEREAS**, SB 1 includes accountability and transparency provisions that will ensure the residents of our City are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year; and

**WHEREAS**, the City must adopt by resolution a list of project(s) proposed to receive fiscal year funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement; and

**WHEREAS**, the City will receive an estimated \$1,838,989 in RMRA funding in Fiscal Year 2025-2026 from SB 1; and

**WHEREAS**, this is the ninth year in which the City is receiving SB 1 funding and will enable the City to continue essential road maintenance and rehabilitation projects, safety improvements, repairing and replacing aging bridges, and increasing access and mobility options for the traveling public that would not have otherwise been possible without SB 1; and

**WHEREAS**, the City has undergone a robust public process to ensure public input into our community's transportation priorities/the project list; and

**WHEREAS**, the City used a Pavement Management System to develop the SB 1 project list to ensure revenues are being used on the highest-priority and cost-effective projects that also meet the community's priorities for transportation investment; and

**WHEREAS**, the funding from SB 1 will help the City maintain and rehabilitate four major existing arterial roads (and one future roadway project) and over thirty additional roads throughout the City, maintain sidewalks, streetlights and traffic signals in a safe condition, upgrade traffic signals, streetlights, and street signs, implement active transportation infrastructure throughout the City; and

**WHEREAS**, the 2023 California Statewide Local Streets and Roads Needs Assessment found that the City's streets and roads are in a "good" condition and this revenue will help us increase the overall quality of our road system and, over the next decade will bring our streets and roads into "excellent" condition; and

**WHEREAS**, the SB 1 project list and overall investment in our local streets and roads infrastructure, with a focus on basic maintenance and safety, investing in complete

streets infrastructure, and using cutting-edge technology, materials, and practices, will have significant positive co-benefits statewide.

**NOW, THEREFORE, IT IS HEREBY RESOLVED, ORDERED AND FOUND** by the City Council of the City of Union City, State of California, as follows:

1. The foregoing recitals are true and correct.
2. The following list of newly proposed projects will be funded, in-part, with Fiscal Year 2025-2026 Road Maintenance and Rehabilitation Account (RMRA) revenues:

**Project Title: Annual Citywide Pavement Rehab Project, City Project No. 25-01**

**Project Description:** This annual project will restore the City's surface pavement along its roadway network. Based on Pavement Condition Index (PCI) assessments through the City's latest Pavement Management Plan (PMP), staff will direct a specific number of streets and roadways to be repaired using several different methods that will cover light maintenance, heavy maintenance, light rehab, heavy rehab, and reconstruction.

**Project Location:** Decoto & Casa Verde neighborhoods, Regents Blvd., and Alvarado Blvd. Subject to change based on preliminary engineering determinations.

**Estimated Project Schedule:** Start (09/25) - Completion (12/25) based on component being funded with RMRA funds.

**Estimated Project Useful Life:** 20 years

**Project Title: Citywide Sidewalk, Curb & Gutter Replacement Project, City Project No. 25-03**

**Project Description:** Our citywide project will replace approximately 60 to 125 locations where there are deficiencies or tripping hazards in the City's sidewalks, curbs & gutters. This routine maintenance of infrastructure will ensure proper upkeep to minimize injuries to pedestrians and bicyclists of all ages and abilities.

**Project Location:** Dyer St./Alvarado Blvd. neighborhoods, Decoto Rd/Whipple Rd./H St. neighborhoods. Subject to change based on preliminary engineering determinations.

**Estimated Project Schedule:** Start (09/25) -Completion (06/26) based on component being funded with RMRA funds.

**Estimated Project Useful Life:** 20 years.

**Project Title: Dyer Street Resurfacing Project Phase 2, City Project No. 25-38**

**Project Description:** Project will apply a roadway surface treatment and install new buffered bike lanes between Deborah St. and Union City Blvd. to connect a bikeway network gap.

**Project Location:** Dyer St. between Deborah St. and Union City Blvd.

**Estimated Project Schedule:** Start 09/25 and Completion by 12/26 based on component being funded with RMRA funds

**Estimate Project Useful Life:** 10 Years

**Project Title: Arizona Street Bike Boulevard Project, City Project No. 25-55**

**Project Description:** Arizona St. will apply a roadway surface treatment and include new signing and striping to convert the street into a Bicycle Boulevard, appropriate for all ages and abilities bicyclist to travel as an alternate parallel route to Alvarado-Niles Blvd.

**Project Location:** Arizona St. from Hop Ranch Rd. to Royal Ann Dr.



**Estimated Project Schedule:** Start 07/25 and Completion by 06/26 based on component being funded with RMRA funds

**Estimate Project Useful Life:** 10 Years

3. The following previously proposed and adopted project may utilize Fiscal Year 2025-2026 Road Maintenance and Rehabilitation Account revenues in their delivery. With the relisting of these projects in the adopted fiscal year resolution, the City is reaffirming to the public and the State our intent to fund this project with Road Maintenance and Rehabilitation Account revenues:

**Project Title: Union City Boulevard Bike Lanes Project, City Project No. 17-29 (includes pavement rehabilitation)**

**Project Description:** The project proposes to widen Union City Blvd. (UCB) to accommodate a buffer Class II in each direction by reconstructing the median island and rehabilitate/overlay the existing pavement before implementing the new bikeway facilities including Complete Streets improvements. Other improvements include traffic signals, streetlights, signage/stripping and landscaped medians. When completed, the UCB will serve as Union City's segment of the San Francisco Bay Trail.

**Project Location:** UCB between Smith Street and southern City limits (approximately two miles)

**Estimated Project Schedule:** Started 07/23 and Completion by 11/25 based on component being funded with RMRA funds

**Estimate Project Useful Life:** 10 Years

**Project Title: Quarry Lakes Parkway, City Project No. 18-04**

**Project Description:** Construct a new four-lane multimodal corridor, parallel to Decoto Road, from Old Alameda Creek to Mission Blvd, with landscape median, buffer bike lanes and separated Class I bikeway/trail. Creates a new access roadway into Union City BART Station and 100-acre Transit-Oriented District (TOD) site/Station District area. New intersections at Alvarado-Niles Road, 11<sup>th</sup> Street, and 7<sup>th</sup> Street, realigning Quarry Lakes Drive closer to Old Alameda Creek.

**Project Location:** Southern city limits

**Estimated Project Schedule:** Start (07/23) - Completion (12/25) based on component being funded with RMRA funds

**Estimated Project Useful Life:** 15 years

**Project Title: Citywide Streetlight LED Conversion Project, City Project No. 22-16**

**Project Description:** This proposes to convert existing induction bulb streetlights to energy-efficient LED streetlights with the city limits. There are approximately 4,000 streetlights throughout the city and this project will also evaluate the required illumination level of these existing streetlights.

**Project Location:** Decoto Rd., Alvarado Niles Rd., Whipple Rd., Dyer St., & Union City Blvd. (north of Smith St. to City limits).

**Estimated Project Schedule:** Start (10/25) - Completion (12/27) based on component being funded with RMRA funds

**Estimated Project Useful Life:** 20 years

**Project Title: BART Pedestrian At-Grade Crossing, City Project No. 14-14**

**Project Description:** Construct a new pedestrian at-grade (Oakland Sub) crossing to make a new east entrance to Union City BART. Also, improve Decoto Road at-grade crossing and close I Street at-grade (Oakland Sub). Improve other distance at-grade crossings (Coast Sub/Oakland Sub/Niles Sub)

**Project Location:** East of Union City BART Station

**Estimated Project Schedule:** Start (7/25) - Completion (12/26) based on component being funded with RMRA funds

**Estimated Project Useful Life:** 20 years

**Project Title:** Alvarado-Niles Road Multimodal Study, City Project No. 23-25

**Project Description:** Alvarado-Niles Road is a major transportation corridor within Union City used by automobiles, transit, bicycles and pedestrians enroute to jobs, schools and neighborhoods. It is a major transit route serving UC Transit and AC Transit. This corridor has minimum facilities for bikes and pedestrians with existing Class II bike lanes and 5-foot sidewalk. This project will consider how to enhance all modes of transportation along the corridor.

**Project Location:** Alvarado-Niles Road between I-880 and Decoto Road

**Estimated Project Schedule:** Start (10/23) - Completion (12/25) based on component being funded with RMRA funds.

**Estimated Project Useful Life:** 20 years

The List of Projects will also include potential funding from a combination of Measure, BB, VRF, State Gas Tax, Local Highway Safety Improvement Program, Active Transportation Program Cycle 7, and Alameda CTC funding grants. SB 1 funds provide additional revenues and capacity to fund other local street and road projects. These projects will comply with the goals of the SB 1 legislation in maintaining state and local transportation systems.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Union City this 10<sup>th</sup> day of June 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

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GARY SINGH  
Mayor

ATTESTED:

APPROVED AS TO FORM:

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THAI NAM N. PHAM  
City Clerk

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KRISTOPHER J. KOKOTAYLO  
City Attorney



## Agenda Item

**DATE:** 6/10/2025

**TO:** HONORABLE MAYOR AND CITY COUNCIL

**FROM:** KRISTOPHER J. KOKOTAYLO, CITY ATTORNEY

**SUBJECT:** WAIVE FURTHER READING AND ADOPT AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UNION CITY DESIGNATING LOCAL RESPONSIBILITY AREA FIRE HAZARD SEVERITY ZONES

### **EXECUTIVE SUMMARY**

On May 27, 2025, the City Council introduced the attached ordinance adopting the Local Fire Severity Zones within the jurisdiction of the City of Union City as recommended by the State Fire Marshal and California Department of Forestry and Fire Protection (CalFire), in accordance with Government Code Section 51179. Staff now recommends that the City Council waive further reading and adopt the ordinance.

Government Code Section 51179 requires local agencies to adopt updated fire hazard severity zones within their jurisdiction by ordinance within 120 days of receiving recommendations from the State Fire Marshal outlining areas at moderate, high, and very high risk of wildfire. These maps help guide land use planning, building codes, and wildfire mitigation efforts. Local agencies may not reduce the severity levels assigned by the State Fire Marshal; however, they may increase the designation levels.

On February 24, 2025, the State Fire Marshal released updated Fire Hazard Severity Maps triggering the City's duty to adopt such an ordinance no later than June 24, 2025. The proposed ordinance adopts, without modification, the Local Fire Hazard Severity Zone within the City's boundaries as recommended by the State Fire Marshal and CalFire.

### **STRATEGIC PLAN ALIGNMENT**

This item is not directly related to the strategic plan.

### **BACKGROUND**

The State of California regularly reviews and updates the Fire Hazard Severity Zone (FHSZ) maps within Local Responsibility Areas (LRAs) in accordance with Government Code Sections 51178 and 51179. LRAs are those areas where fire protection is primarily the responsibility of the local agency. The FHSZ Maps depict Moderate, High, and Very High Fire Hazard Severity Zones within the LRAs indicating the risk of wildfire within the designated zone.

The purpose of these designations is to increase life safety and reduce the potential for structure ignitability by reducing fuels (creating defensible space) and improving construction features that would prevent ignition and ember intrusion, thereby reducing the threat of life or structure loss during a wildfire event. The adoption of these maps does not change property ownership or land-use entitlements but may trigger additional requirements under the California Building Code for new development, as well as disclosure requirements for certain property sales.

Pursuant to Government Code Section 51179, local jurisdictions are required to adopt, by ordinance, updated FHSZ Maps within its jurisdiction within 120 days of receiving updated recommendations from the State Fire Marshal. This process ensures consistency between state and local wildfire planning efforts and provides the legal basis for implementing wildfire mitigation strategies, building standards, and public safety measures in fire-prone areas. The City is authorized to establish more stringent wildfire safety standards but cannot decrease the fire hazard severity zone level or to remove areas from the recommended map.

**DISCUSSION**

On May 27, 2025, the City Council received a presentation regarding the maps created by the State Fire Marshal and relevant state law. Staff recommended that the City Council adopt the proposed ordinance designating the fire hazard severity zones within the City of Union City, as recommended by the State Fire Marshal and CalFire without modification, to ensure local alignment with state wildfire resilience efforts and to comply with state law. Nothing prevents the City from adopting future regulations to expand the local fire severity zones if desired.

Upon review and consideration of public input, the City Council voted unanimously to introduce by title only the attached ordinance adopting the Local Fire Severity Zones within the jurisdiction of the City of Union City as recommended by the State Fire Marshal and CalFire, in compliance with Government Code Section 51179. The City's official map is located electronically on the City's website. Upon adoption of the ordinance, the City must transmit a copy to CalFire within thirty (30) days as required by state law.

**FISCAL IMPACT**

There is no fiscal impact with the adoption of the proposed ordinance.

**RECOMMENDATION**

Staff recommends that the City Council waive further reading and adopt an ordinance designating the Local Fire Hazard Severity Zones within the City of Union City's Local Responsibility Area as recommended by the State Fire Marshal pursuant to Government Code Section 51179.


**Prepared by:**

Erica C. Gonzalez, Senior Associate

**Submitted by:**

Kristopher J. Kokotaylo, City Attorney

**ATTACHMENTS:**

Description		Type
	Proposed Ordinance	Ordinance
	Exhibit A Fire Zone Map	Exhibit

## ORDINANCE NO. 2025-XXX

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UNION CITY DESIGNATING LOCAL RESPONSIBILITY AREA FIRE HAZARD SEVERITY ZONES

**WHEREAS**, on February 24, 2025, the State Fire Marshal released maps for the Local Responsibility Area Fire Hazard Severity Zones pursuant to Government Code Sections 51177-51179; and

**WHEREAS**, the City of Union City (“the City”) is required to adopt, by ordinance, updated fire hazard severity zones (FHSZ) within its jurisdiction within 120 days of receipt of recommendations from the State Fire Marshal pursuant to California Government Code Section 51179; and

**WHEREAS**, notwithstanding the minimum fire safety standards required by state law, under the authority included in Government Code 51175, the City has the authority to establish more stringent wildfire safety standards. While the City can increase the severity zone level, Government Code Section 51179 does not allow local agencies to decrease the level of FHSV or to remove areas from the recommended map; and

**WHEREAS**, the City desires to designate the “Moderate”, “High”, and “Very High” fire hazard severity zones within the City of Union City as recommended by the California Department of Forestry and Fire Protection pursuant to Government Code Section 51178.

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

**Section 1. Findings.** The above recitals are true and correct and hereby made a part of this Ordinance.

**Section 2. Approval of Map.** The fire hazard severity zone map entitled “City of Union City Fire Hazard Severity Zones” dated February 24, 2025, attached hereto as **Exhibit A** and incorporated herein, is hereby adopted.

The official map depicting the designated fire hazard severity zones shall be maintained on and accessible from the City of Union City official website.

**Section 3. Severability.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed the Ordinance, and each and every section, subsection, sentence, clause, phrase or portion not declared invalid or unconstitutional without regard to whether any portion of this Ordinance would be subsequently declared invalid or unconstitutional.

**Section 4. CEQA.** The Union City Council finds that this Ordinance is exempt from the requirements of the California Environmental Quality Act (“CEQA”) because CEQA only applies to the discretionary decisions of the City. Because the City Council is required by Government Code Section 51179 to adopt this ordinance, it is not exercising any discretion subject to CEQA review.

**Section 5.** **Effective Date.** This Ordinance shall take effect and be enforced thirty (30) days following its final adoption.

**Section 6.** **Publication and effective date.** Within fifteen (15) days from and after adoption, this Ordinance shall be published once in a newspaper of general circulation printed and published in Alameda County and circulated in the City of Union City, in accordance with California Government Code Section 36933. This Ordinance shall take effect thirty (30) days after its adoption.

Upon adoption of the Ordinance, the City Clerk is directed to transmit a copy to the State Board of Forestry and Fire Protection within thirty (30) days as required by Government Code Section 51179 (c).

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Union City at a regular meeting held on this 10<sup>th</sup> day of June 2025 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

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GARY SINGH  
Mayor

ATTESTED:

APPROVED AS TO FORM:

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THAI NAM N. PHAM  
City Clerk

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KRISTOPHER J. KOKOTAYLO  
City Attorney

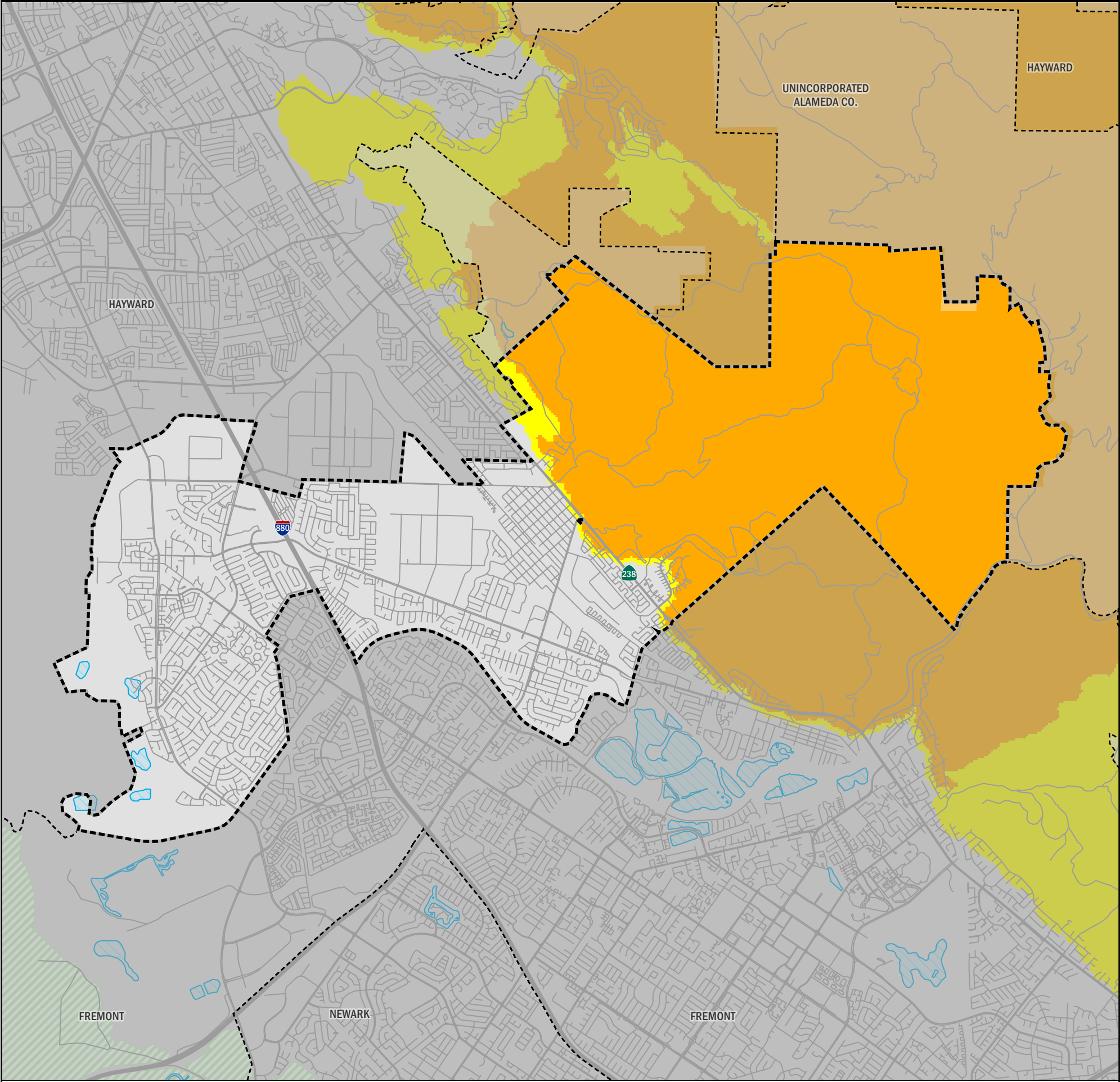
**Attachments:**

1. Exhibit A - City of Union City Fire Hazard Severity Zones



# Local Responsibility Area Fire Hazard Severity Zones

As Identified by the  
State Fire Marshal  
February 24, 2025



**Fire Hazard Severity Zones (FHSZ) in Local Responsibility Area (LRA), as Identified by the State Fire Marshal**

High       Moderate

**Fire Hazard Severity Zones in State Responsibility Area (SRA), Effective April 1, 2024**

High       Moderate

Mi 012

Km 01234

Projection: NAD 83 California Teale Albers  
Scale: 1:58,000 at 11" x 17"

Incorporated City

Unzoned LRA

Waterbody

Federal Responsibility Area (FRA)

Government Code section 51178 requires the State Fire Marshal to identify areas in the state as moderate, high, and very high fire hazard severity zones based on consistent

statewide criteria and based on the severity of fire hazard that is expected to prevail in those areas. Moderate, high, and very high fire hazard severity zones shall be based on fuel loading, slope, fire weather,

and other relevant factors including areas where winds have been identified by the Office of the State Fire Marshal as a major cause of wildfire spread.

The State of California and the Department of Forestry and Fire Protection make no representations or warranties regarding the accuracy of data or maps. Neither the State nor the Department shall be liable under any circumstances for any direct, special, incidental, or consequential damages with respect to any claim by any user or third party on account of, or arising from, the use of data or maps.

Gavin Newsom, Governor, State of California  
Wade Crowfoot, Secretary for Natural Resources, CA Natural Resources Agency  
Joe Tyler, Director/Fire Chief, CA Department of Forestry and Fire Protection  
Daniel Berlant, State Fire Marshal, CA Department of Forestry and Fire Protection

Data Sources:  
CAL FIRE Fire Hazard Severity Zones (FHSZSRA23\_3, FHSZLRA\_25\_1)  
CAL FIRE State Responsibility Areas (SRA25\_1)  
City and County boundaries as of 10/22/24 (CA Board of Equalization)





## Agenda Item

**DATE:** 6/10/2025

**TO:** HONORABLE MAYOR AND CITY COUNCIL

**FROM:** JOAN MALLOY, CITY MANAGER

**SUBJECT:** INTRODUCTION OF ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UNION CITY APPROVING AND RE-ADOPTING A MILITARY EQUIPMENT USE POLICY AS STATED IN CHAPTER 2.62 "MILITARY EQUIPMENT USE POLICY" OF THE UNION CITY MUNICIPAL CODE; AND REVIEW OF 2024 ANNUAL MILITARY EQUIPMENT REPORT IN COMPLIANCE WITH ASSEMBLY BILL 481

### **EXECUTIVE SUMMARY**

Staff recommends that the City Council:

- 1) Waive full reading and introduce by title only an Ordinance approving and re-adopting a Military Equipment Use Policy as stated in Chapter 2.62 "Military Equipment Use Policy" of the Union City Municipal Code, and,
- 2) Review and approve the 2024 Annual Military Equipment report, in compliance with Assembly Bill 481.

Assembly Bill 481 (AB 481) requires the City of Union City Police Department (UCPD) to submit to the City Council an annual military equipment report for each type of military equipment approved within one year of approval and annually thereafter, and based upon the annual report, obtain City Council approval to renew the military equipment use policy via adoption of an ordinance.

The City Council originally adopted an ordinance approving a Military Equipment Use Policy identified as UCPD Policy 709 on June 14, 2022, and most recently approved and reaffirmed UCPD's policy on June 11, 2024. AB 481 requires that UCPD submit to the City Council an annual military equipment report for each type of military equipment approved within one year of approval, and annually thereafter for as long as the military equipment is available for use.

### **STRATEGIC PLAN ALIGNMENT**

Strategic Plan Alignment: Goal C: Economic, Community development and Public Safety

Strategy 13: Align public safety services with community needs

### **BACKGROUND**

Effective January 1, 2022, AB 481 codified at Government Code (GC) section 7070, et seq., requires that UCPD obtain City Council approval of a military equipment use policy via adoption of an ordinance before purchasing, raising funds for, acquiring or using "military equipment" as defined in Government Code §7070(c).

Under AB 481, the City Council may only approve the policy if it makes specific findings regarding the equipment including safeguards, cost effectiveness, reasonableness of use, and fiscal impact. In 2022, 2023 and 2024 the City Council unanimously approved the Department's policy (identified as UCPD Policy 709) finding it meets the requirements under AB 481 and introduced an ordinance adding Chapter 2.62, "Military Equipment Use Policy" to the Union City Municipal Code. The City Council subsequently adopted this ordinance. The Policy establishes procedures associated with the continued and future use of military equipment by the Union City Police Department.



Additionally, under AB 481 the City Council must review the ordinance that it has adopted, approving of the funding, acquisition, or use of military equipment, at least annually, and vote on whether to renew the ordinance at a regular meeting. During the review process, the City Council must determine, based on the military equipment report submitted under § 7072, whether each type of military equipment in the report has complied with the standards for approval set forth in §7071(d)(1) and §7071(e)(2). If it determines a type of equipment identified in the report has not complied with the standards for approval, the City Council must either disapprove of the renewal of the ordinance or require modifications to the military equipment use policy in a manner that will resolve the lack of compliance.

**DISCUSSION**

**Annual Report**

A law enforcement agency that has a military equipment use policy shall submit to the City Council an annual military equipment report for each type of military equipment that has been approved over the past year, and annually thereafter for as long as the military equipment is available for use. The law enforcement agency shall also make each annual military equipment report publicly available on its internet website for as long as the military equipment is available for use. This annual report must include the following information:

- A summary of any complaints or concerns received regarding the military equipment.
- The results of any internal audits or information about violations of the military equipment use policy. This includes any actions taken in response.
- The total annual cost for each type of military equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the military equipment in the calendar year following submission of the annual military equipment report.
- The quantity possessed for each type of military equipment.
- If the law enforcement agency intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment.
- A summary of how the military equipment was used and the purpose of its use.

Pursuant to AB 481, UCPD must also make its annual military equipment report available on its internet website for as long as the military equipment is available for use and within 30 days of submitting and publicly releasing an annual military equipment report, UCPD is required to hold at least one well-publicized and conveniently located community engagement meeting where the general public may discuss and ask questions regarding the annual military equipment report and the law enforcement agency's funding, acquisition, or use of military equipment. Outreach efforts to publicize the meeting include posting notices of this meeting on the Department's website and social media platforms.

UCPD released its 2024 report on May 28th, 2025. A community engagement meeting was held on June 3rd, 2025.

The attached 2024 Annual Use Report outlines UCPD's military equipment inventory and usage, community complaints over use of military equipment, and internal audits. An inventory was completed at the end of 2024, which identified all the Department's military equipment in preparation to fulfill the obligations set by Assembly Bill 481. Equipment used by the Department during the preceding year is found to be consistent with current Policy. No complaints concerning the equipment were made to the Department.

**Renewal of Military Equipment Use Policy**

UCPD is required to re-submit the previously approved policy for re-approval consideration, as an agenda item during a regular City Council meeting. The previously approved policy is attached to this report. The City Council must determine, based on the annual military equipment report, whether each type of military equipment identified in the report has complied with the following:

- 1.The military equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.
- 2.The policy will safeguard the public’s welfare, safety, civil rights, and civil liberties.
- 3.If purchasing the equipment, the equipment is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety.

Prior military equipment use complied with the military equipment use policy that was in effect at the time, or if prior uses did not comply with the accompanying military equipment use policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance.

UCPD does not anticipate any significant change in the previously approved policy or previously authorized military equipment. At this time, UCPD does not intend to acquire additional types of military equipment, however, future acquisition of new equipment will comply with procedures set forth in the Government Code and the approved Military Equipment Use Policy; this includes a public hearing and City Council approval prior to acquisition. At this time, forecasted purchases for UCPD in 2025 only include additional ammunition that needs to be replenished after being used in training environments. All items needing to be replenished are included in the policy and attached inventory that was previously approved by the City Council.

UCPD inventory and all costs associated with the use of this equipment is consistent with the Military Equipment inventory list, City policy, and the Department's budget, which also was approved by the City Council. It should be noted, these operating costs are reasonable estimates that are subject to changes made by vendors and/or manufacturers based on variables related to availability, shipping, and general market increases.

In compliance with the Government Code, the Military Equipment Use Policy has remained on the Police Department's transparency portal continuously since prior to City Council adoption in 2022, and the 2024 Annual Military Equipment Use report was released to the community via the Police Department's transparency portal in May of 2025.

**FISCAL IMPACT**

There is no fiscal impact to the General Fund. The development and ongoing compliance with the provisions of AB 481 will be managed by existing staff and funded through the UCPD budget, which was approved by the City Council.

**RECOMMENDATION**

Staff recommends the City Council:

- 1) Waive full reading and introduce by title only an Ordinance Approving and Re-Adopting a Military Equipment Use Policy as Stated in Chapter 2.62 "Military Equipment Use Policy" of the Union City Municipal Code, and,
- 2) Review and approve the 2024 Annual Military Equipment Report in compliance with Assembly Bill 481.

**Prepared by:**

Brian Baumgartner, Police Captain

**Submitted by:**

Jared Rinetti, Police Chief

**ATTACHMENTS:**

Description		Type
<input type="checkbox"/>	Military Equipment Ordinance	Ordinance
<input type="checkbox"/>	Military Equipment Policy	Attachment
<input type="checkbox"/>	Military Equipment Inventory 2024	Attachment
<input type="checkbox"/>	Military Annual Equipment Use Report	Attachment
<input type="checkbox"/>	Power Point Presentation	Attachment

**ORDINANCE NO. 2025-XXX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UNION CITY APPROVING AND RE-ADOPTING A MILITARY EQUIPMENT USE POLICY AS STATED IN CHAPTER 2.62 “MILITARY EQUIPMENT USE POLICY” OF THE UNION CITY MUNICIPAL CODE IN COMPLIANCE WITH ASSEMBLY BILL 481**

**WHEREAS**, on September 30, 2021, Governor Gavin Newsom signed into law Assembly Bill 481 relating to the use of military equipment by California law enforcement agencies; and

**WHEREAS**, Assembly Bill 481 seeks to provide transparency, oversight, and an opportunity for meaningful public input on decisions regarding whether and how military equipment is funded, acquired, or used by law enforcement agencies; and

**WHEREAS**, Assembly Bill 481, codified at California Government Code section 7070, et. seq., requires law enforcement agencies obtain approval of the applicable governing body, by an ordinance adopting a “military equipment” use policy, at a regular meeting held pursuant to open meeting laws, prior to taking certain actions relating to the funding, acquisition, or use of military equipment. The term “military equipment” is defined in California Government Code section 7070(c); and

**WHEREAS**, the policy must be a document covering the inventory, description, purpose, use, acquisition, maintenance, fiscal impacts, procedures, training, oversight, and complaint process, applicable to the police department’s use of such equipment; and

**WHEREAS**, Assembly Bill 481 allows the governing body of a city to approve the military equipment use policy for continued or future funding, acquisition, or use of military equipment within its jurisdiction only if it makes specified determinations specified in Government Code section 7071(d); and

**WHEREAS**, on June 14, 2022, the City Council adopted Ordinance 899-22 approving and adopting a military equipment use policy identified as Union City Police Department Policy 709, having received the information required under Assembly Bill 481 regarding the Union City Police Department’s use of military equipment as defined in said law and upon a finding of the specified determinations required under Government Code Section 7071(d); and

**WHEREAS**, Government Code section 7072 provides that a law enforcement agency that receives approval for a military equipment use policy pursuant to Section 7071 shall submit to the governing body an annual military equipment report for each type of military equipment approved by the governing body within one year of approval, and annually thereafter for as long as the military equipment is available for use; and

**WHEREAS**, the law enforcement agency shall also make each annual military equipment report publicly available on its internet website for as long as the military equipment is available for use; and

**WHEREAS**, the annual military report shall include the following information for the immediately preceding calendar year for each type of military equipment:

- a. A summary of how the military equipment was used and the purpose of its use;
- b. A summary of any complaints or concerns received concerning the military equipment;
- c. The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response;
- d. The total annual cost for each type of military equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the military equipment in the calendar year following submission of the annual military equipment report;
- e. The quantity possessed for each type of military equipment;
- f. If the law enforcement agency intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment; and

**WHEREAS**, Government Code section 7071(d) provides the governing body shall determine, based on the annual military equipment report submitted pursuant to Section 7072, whether each type of military equipment identified in that report has complied with the following standards for approval:

- a. The military equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety;
- b. The proposed military equipment use policy will safeguard the public's welfare, safety, civil rights, and civil liberties;
- c. If purchasing the equipment, the equipment is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety;
- d. Prior military equipment use complied with the military equipment use policy that was in effect at the time, or if prior uses did not comply with the accompanying military equipment use policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance; and

**WHEREAS**, if the governing body determines that a type of military equipment identified in that annual military equipment report has not complied with the standards for approval set forth above, the governing body shall either disapprove a renewal of the authorization for that type of military equipment or require modifications to the military equipment use policy in a manner that will resolve the lack of compliance; and

**WHEREAS**, the governing body shall review any ordinance that it has adopted approving the funding, acquisition, or use of military equipment at least annually and vote on whether to renew the ordinance at a regular meeting held pursuant to open meeting laws; and

**WHEREAS**, the Union City Police Department's annual military equipment report and policy was posted on the department's internet website on May 28, 2025, and no

more than thirty (30) days prior to the well-publicized public meeting concerning the renewal of the military equipment on June 3, 2025, at issue in compliance with Government Code Section 7072 (b); and

**WHEREAS**, the Union City Police Department seeks renewal of Policy 709, presented to the City Council on June 10, 2025; and

**WHEREAS**, the City Council of the City of Union City, having received the information required under Assembly Bill 481 regarding the Union City Police Department's renewed use of military equipment as defined in said law, and makes the specified determinations required under Government Code Section 7070, et. seq., deems it to be in the best interest of the City to approve and renew the Union City Police Department's Military Equipment Funding, Acquisition and Use Policy as set forth in the policy identified as Union City Police Department Policy 709.

**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. Determinations.**

Based on the findings above, in addition to information provided to the City Council at the public meeting, the City Council determines as follows:

1. The military equipment identified in the annual military equipment report has complied with the standards for approval as set forth in Government Code section 7071 subdivision (d).
2. The Union City Police Department's Military Equipment Use Policy is necessary because there are no reasonable alternatives that can achieve the same objectives of officer and civilian safety.
3. The Union City Police Department's Military Equipment Use Policy will safeguard the public's welfare, safety, civil rights, and civil liberties.
4. The military equipment identified in the Union City Police Department's Military Equipment Use Policy is reasonably cost effective compared to available alternatives that can achieve the same objectives of officer and civilian safety.
5. Prior military equipment use by the Union City Police Department complied with the Military Equipment Use Policy although it was not yet in effect at the time, or if prior uses did not comply with the accompanying military equipment use policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance.
6. The Union City Police Department's Military Equipment Use Policy, Policy 709, setting forth the City's military equipment use policy is approved and renewed.

**SECTION 3. Severability.**

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each of every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

#### **SECTION 4. CEQA.**

Approval of the ordinance 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 that do not authorize any new activity, it can be seen with certainty that there is no possibility that the ordinance will have a significant effect on the environment.

#### **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 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 June 24, 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

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GARY SINGH  
Mayor

ATTESTED:

APPROVED AS TO FORM:

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THAI NAM N. PHAM  
City Clerk

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KRISTOPHER J. KOKOTAYLO  
City Attorney

## Military Equipment

### 709.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the approval, acquisition, and reporting requirements of military equipment (Government Code § 7070; Government Code § 7071; Government Code § 7072). This policy applies to all members of the Union City Police Department.

#### 709.1.1 DEFINITIONS

Definitions related to this policy include (Government Code § 7070):

**Governing body** – The City of Union City's elected City Council.

**Military equipment** – Defined by Government Code § 7070 (c) as including but not being limited to the following:

- Unmanned, remotely piloted, powered aerial or ground vehicles.
- Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers, excluding police versions of standard consumer vehicles.
- High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached, specifically excluding unarmored all-terrain vehicles (ATVs) and motorized dirt bikes.
- Tracked armored vehicles that provide ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion.
- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- Weaponized aircraft, vessels, or vehicles of any kind.
- Battering rams, slugs, and breaching apparatuses that are explosive in nature. This does not include a handheld, one-person ram.
- Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition.
- Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons in Penal Code § 30510 and Penal Code § 30515, with the exception of standard-issue firearms.
- Any firearm or firearm accessory that is designed to launch explosive projectiles.
- Noise-flash diversionary devices and explosive breaching tools.
- Munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray.
- TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs).
- Kinetic energy weapons and munitions.

# Union City Police Department

Union City PD Policy Manual

## *Military Equipment*

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- Any other equipment as determined by a governing body or a state agency to require additional oversight.

### **709.2 POLICY**

It is the policy of the Union City Police Department that members of this department comply with the provisions of Government Code §§ 7070-7072 with respect to military equipment.

### **709.3 MILITARY EQUIPMENT COORDINATOR**

The Professional Standards Lieutenant ("PSU Lieutenant"), or designee shall act as the military equipment coordinator. The responsibilities of the military equipment coordinator include but are not limited to:

- (a) Acting as liaison to the City Council for matters related to the requirements of this policy.
- (b) Identifying department equipment that qualifies as military equipment in the current possession of the Department, or the military equipment the Department intends to acquire that requires approval by the governing body.
- (c) Conducting an inventory of all military equipment at least annually.
- (d) Collaborating with any allied agency that may use military equipment within the jurisdiction of Union City Police Department (Government Code § 7071).
- (e) Preparing for, scheduling, and coordinating the annual community engagement meeting to include:
  1. Publicizing the details of the meeting.
  2. Preparing for public questions regarding the department's funding, acquisition, and use of equipment.
- (f) Preparing the annual military equipment report for submission to the Chief of Police and ensuring that the report is made available on the department website (Government Code § 7072).
- (g) Ensuring this policy is posted on our city website at least thirty (30) days prior to any public hearing concerning the military equipment at issue and for as long as the equipment is made for use, and includes directions explaining how a community member may submit a question or concern about the use of a type of military equipment, and how the Department will respond in a timely manner.
- (h) Ensuring compliance with the military equipment use policy and managing investigations / accountability in the event there are suspected violations of this policy. If applicable, the PSU Lieutenant shall ensure legally enforceable sanctions are put in place for violations of the policy.

### **709.4 MILITARY EQUIPMENT INVENTORY**

The following constitutes a list of qualifying equipment for the Department:

See attachment: UCPD Military Equipment.pdf



# Union City Police Department

## Union City PD Policy Manual

### *Military Equipment*

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#### **709.5 APPROVAL**

The Chief of Police or the authorized designee shall obtain approval from the governing body by way of an ordinance adopting the military equipment policy. As part of the approval process, the Chief of Police or the authorized designee shall ensure the proposed military equipment policy is submitted to the governing body and is available on the department website at least 30 days prior to any public hearing concerning the military equipment at issue (Government Code § 7071). The military equipment policy must be approved by the governing body prior to engaging in any of the following (Government Code § 7071):

- (a) Requesting military equipment made available pursuant to 10 USC § 2576a.
- (b) Seeking funds for military equipment, including but not limited to applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.
- (c) Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.
- (d) Collaborating with another law enforcement agency in the deployment or other use of military equipment within the jurisdiction of this department.
- (e) Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the governing body.
- (f) Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of military equipment.
- (g) Acquiring military equipment through any means not provided above.

#### **709.6 COORDINATION WITH OTHER JURISDICTIONS**

Military equipment should not be used by any department member or other law enforcement agency engaged in a collaborative effort with the department within this jurisdiction unless the military equipment is approved for use in accordance with this policy. Outside agencies providing mutual aid in Union City or otherwise independently engaged in law enforcement operations within Union City, shall comply with their respective departmental policies.

#### **709.7 ANNUAL REPORT**

Upon approval of a military equipment policy, the Chief of Police or the authorized designee should submit a military equipment report to the governing body for each type of military equipment approved within one year of approval, and annually thereafter for as long as the military equipment is available for use (Government Code § 7072).

The Chief of Police or the authorized designee should also make each annual military equipment report publicly available on the department website for as long as the military equipment is available for use. The report shall include all information required by Government Code § 7072 for the preceding calendar year for each type of military equipment in department inventory.

# Union City Police Department

Union City PD Policy Manual

## *Military Equipment*

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### **709.8 COMMUNITY ENGAGEMENT**

Within 30 days of submitting and publicly releasing the annual report, the Department shall hold at least one well-publicized and conveniently located community engagement meeting, at which the Department should discuss the report and respond to public questions regarding the funding, acquisition, or use of military equipment. A virtual community engagement meeting can be used to meet this requirement in the event an in-person venue is not ideal.

#### **709.8.1 COMMUNITY FEEDBACK AND QUESTIONS**

Pursuant to California Government Code §7070(d)(7), members of the public may submit complaints, concerns, or questions regarding this policy in the following ways:

- (a) In person at the Union City Police Station
- (b) By email: [UCPDProfessionalStandards@UnionCity.org](mailto:UCPDProfessionalStandards@UnionCity.org)
- (c) Through the following website: <https://www.unioncity.org/357/File-a-Compliment-or-a-Complaint>
- (d) By phone: (510) 471-1365
- (e) By USPS mail sent to:

Union City Police Department  
Attn: Professional Standards Unit  
34009 Alvarado Niles Road  
Union City, CA 94587

The Union City Police Department is committed to responding to complaints, concerns, and/or questions received through any of the above methods in a timely manner.

### **709.9 CITY COUNCIL APPROVAL**

Pursuant to California Government Code § 7071, the Union City City Council approved this Policy pursuant to Ordinance No. 2.62, "Military Equipment Use Policy" on June 14, 2022. Further substantive amendments to the Policy need to be reviewed and approved by the City Council.

### **709.10 REVISIONS**

Adopted: April 13, 2022



## UNION CITY POLICE DEPARTMENT

### 2024 MILITARY EQUIPMENT INVENTORY

<b>Equipment Name:</b> Lenco Bearcat G2 (Armored Rescue Vehicle - ARV)
<b>Legal/Procedural Rules Governing Use:</b> California Government Codes §7071 - §7075
<b>UCPD Policy:</b> UCPD Policy #705 (Special Purpose Vehicle). The policy describes when it is authorized to use the ARV, and the guidelines pertaining to its operational readiness, as well as inspections.
<b>Description:</b> The Lenco Bearcat G2 is the standard tactical armored vehicle for special operations units within the US Law Enforcement community. The G2 has excellent on-road driving characteristics and maneuverability in tight urban settings. The large floor plans seat 10-12 fully equipped officers with a long list of tactical features only found on the Lenco Bearcat line of armored SWAT vehicles for Police and Government.
<b>Quantity Owned:</b> 1
<b>Lifespan:</b> Approximately 25 years.
<b>Equipment Capabilities:</b> ARV's are designed to protect the lives of victims, officers, and even suspects.
<b>Purpose/Authorized Use:</b> The ARV may be deployed in situations where its use would enhance the tactical advantage of officers, aid in the rescue of injured persons, protect life and property, or improve the likelihood that an incident would be resolved without the use of deadly force or other force options. The ARV is primarily used for SWAT incidents. Safe transport of SWAT personnel to and from critical incidents, high risk warrant service operations, dangerous high risk tactical operations, high risk rescue operations, training, community engagement efforts, and other applications deemed appropriate and approved by the SWAT Commander, Division Captain, or Chief of Police.
<b>Training:</b> Officers should be trained in the operation of the ARV prior to using it or driving it. The training is typically conducted by SWAT operators during the orientation phase of Field Training for new officers. Training will include knowledge of this procedure, rules of the road, and basic knowledge of electronic/mechanical functions of the vehicle. SWAT personnel will receive advanced training and are expected to maintain a higher level of operational knowledge and expertise. Only Union City PD personnel who have completed training and possess a valid California Driver's license will be authorized to drive/operate the ARV, unless a delayed deployment of the ARV would result in death or serious bodily injury. The SWAT Commander or his/her designee is responsible for training officers on proper use, driving techniques, and ensuring the vehicle is properly serviced and maintained.
<b>Maintenance:</b> The SWAT program manager is responsible for the general maintenance of this vehicle, and it is serviced by the Union City Corp Yard.
<b>Storage:</b> The ARV is stored at UCPD.
<b>Course Required by CA POST:</b> N/A
<b>Fiscal Impacts:</b> The initial cost of the ARV was approximately \$350,000.00 and its purchase was approved by the City Council.

<b>Equipment Name: Mobile Command Vehicle (MCV)</b>
<b>Legal/Procedural Rules Governing Use:</b> California Government Codes §7070(c)(14).
<b>UCPD Policy:</b> UCPD Policy #705 (Special Purpose Vehicle). The policy describes when it is authorized to use the MCV, and the guidelines pertaining to its operational readiness, maintenance, and storage.
<b>Description:</b> The MT-55 Freightliner is a command vehicle capable of providing transportation and storage of equipment. It was built on a forward control chassis and features two hand fabricated flat floor slide-outs which maximize interior workspace. The MCV is also equipped with the following: a vehicle leveling system, Intel-I-Touch vehicle automation touch screens, an emergency lighting and siren package, bright LED scene lighting, several extreme duty body storage compartments, a weatherproof exterior workstation with 32 inch display monitor, a front conference room with fixed center table, two workstations in the curbside slide out with dual monitors, magnetic surface dry erase white boards throughout, multiple interior work stations, an electronics rack with a multi-function printer and custom aluminum cabinetry for storage, a conference table, fixed bench seating, aluminum cabinets with dry erase writing surface on the overhead cabinets, a 20kW liquid generator, a full vehicle surge suppression system which protects all of the installed electrical components, two 55 inch QLED 4K Smart TV monitor in the rear room, an HDMI matrix switcher, multiple radios, and computers.
<b>Quantity Owned: 1</b>
<b>Lifespan:</b> Approximately 10-12 years, depending on usage.
<b>Equipment Capabilities:</b> The MCV stands as a command post during critical incidents and can be used to provide a mobile workspace for large scale operations such as multi-jurisdictional operations, DUI checkpoints, or community events.
<b>Purpose/Authorized Use:</b> The MCV is a dedicated recreational vehicle designed to respond to critical incidents, training events, community events, or any other incident/event where its use would be beneficial and prior approval has been obtained from a Lieutenant, Captain, or Police Chief. The MCV brings a number of resources to the scene including communication capabilities, radios, telephones, mobile command documents and supplies.
<b>Training:</b> Critical Response Unit (CRU) team members, command staff or their designees properly trained to operate the vehicle are authorized to respond to an incident or training site. Non-trained staff with a valid California "Class C" driver's license can drive the vehicle to the incident or training site only if approved by a Lieutenant, Captain, or the Police Chief
<b>Maintenance:</b> The Union City Corp Yard will be servicing the MCV when it reaches 5000 miles.
<b>Storage:</b> The MCV is stored at the FALCK/CATT Team station located at 35000 Eastin Court in Union City, California.
<b>Course Required by CA POST:</b> N/A
<b>Fiscal Impacts:</b> The initial cost of the MCV was approximately \$480,000.00. Other than fuel, the on-going costs associated with the MCV have not yet been established.

<b>Equipment Name: ICOR Mini-Caliber (Robot)</b>
<b>Legal/Procedural Rules Governing Use:</b> California Government Codes §7070(c)(14).
<b>UCPD Policy:</b> UCPD Policy #408 (Crisis Response Unit) and UCPD Policy # 414. These policies provide guidelines for situations where officers have legal cause to contact, detain or arrest a person, and the person refuses to submit to lawful requests of the officers by remaining in a structure or vehicle and/or by taking a hostage.
<b>Description:</b> The Robot is a compact, lightweight, remote controlled robotic platform and designed for portability, expandability, and ease-of-use.
<b>Quantity Owned: 1</b>
<b>Lifespan:</b> Approximately 10-15 years.
<b>Equipment Capabilities:</b> The Robot is a tool that can be used in dangerous situations by helping officers clear treacherous areas without being present. Additionally, the Robot may allow officers to see into that area without being physically present and/or communicate with hostile subjects from a position of safety. The Robot is equipped with a PTX (pan, tilt, zoom) camera, headlight, and infrared light.
<b>Purpose/Authorized Use:</b> The Robot may be used during high-risk warrant service, when there is a barricaded subject, and/or hostage negotiation/rescue. Before entering a structure, particularly in a tactically compromised and dangerous situation, knowledge of a subject's location
<b>Training:</b> All SWAT team members have been trained in the use of this device. Additionally, other members of our department are trained in its use periodically during briefings. Only assigned operators who have completed the required training shall be permitted to operate the robot unless a delayed deployment would result in death or serious bodily injury. In such instances, authorized use of the Robot will be established by the Incident Commander
<b>Maintenance:</b> The SWAT program manager is responsible for the general maintenance of the Robot. The Robot may be sent back to a purveyor in the event it cannot be serviced by UCPD personnel.
<b>Storage:</b> This device is stored at UCPD.
<b>Course Required by CA POST:</b> None.
<b>Fiscal Impacts:</b> The initial cost of all of the equipment associated with the robot was approximately \$74,000.00. Anticipated ongoing yearly costs range between \$0-\$1000.

<b>Equipment Name: Unmanned Aerial Systems (UAS)</b>
<b>Legal/Procedural Rules Governing Use:</b> Federal Aviation Regulations (14 CFR Part 107) and California Government Codes § 7071- § 7075.
<b>UCPD Policy:</b> UCPD Policy #615 (Unmanned Aerial System (UAS) Operations). The purpose of this policy is to establish guidelines for the safe, efficient, and lawful use of an unmanned aerial system (UAS) and for the storage, retrieval, and dissemination of images and data captured by the UAS.
<b>Description:</b> An unmanned aircraft that is capable of sustaining directed flight, whether pre-programmed or remotely controlled (commonly referred to as an unmanned aerial system (UAS), and all of the supporting or attached systems designed for gathering information through imaging, recording, or any other means. All of these devices may be described as business level foldable, portable, long-range flying camera, and accessory systems that adapts well to uses by first responders and businesses that routinely inspect hard-to-reach assets.
<b>Quantity Owned:</b> UCPD currently operates 10 UAS's in total consisting of: <b>3</b> x DJI MAVIC PRO, <b>1</b> x DJI ENTERPRISE PRO DUAL, <b>1</b> x DJI AIR 2, <b>2</b> x DJI MAVIC ENTERPRISE 2 ADVANCED, <b>2</b> x DJI MINI 2, and <b>1</b> x DJI AVATA.
<b>Lifespan:</b> All UAS equipment has an expected lifespan of 5-7 years.
<b>Equipment Capabilities:</b> A UAS may be used to protect lives and property when other means and resources are not available or are less effective. UCPD may also use the UAS in situations that would benefit from an aerial perspective and/or enable first responders to detect dangers that might otherwise not be seen, and for approved training missions.
<b>Purpose/Authorized Use:</b> Typical uses of UAS include exigent public safety and life preservation missions (ex. barricaded subjects, hostage situations, active shooters, searches for armed suspects, etc.), searches for missing persons, disaster response and recovery operations, response to suspected explosive devices, response to HAZMAT incidents, crime scene review and documentation, authorized training missions, and public demonstrations. The use of a UAS in such situations enhances safety by providing observation of possible threats from a position of safety. This advantage decreases the likelihood of uses of force and exposure to dangerous devices and materials by increasing the likelihood of better coordination, planning, and employment of de-escalation techniques. The only other known options that may be able to provide similar advantages are piloted aircraft, but the cost of such options greatly exceed the costs to acquire and use a UAS. Additionally, such aircraft are not able to maneuver in the same areas, are far louder, and require much more training, maintenance, and other logistics costs.
<b>Training:</b> The FAA requires 14 CFR Part 107 pilots to minimally conduct three daytime take-offs and landings, and three nighttime take-offs and landings, if they will fly at night, every 90 days. It is anticipated that UCPD's UAS pilots will train during downtime on their regular workdays. However, UAS pilots should also plan to participate in our own in-house training, including cross-training with other special units and other local UAS programs.
<b>Maintenance:</b> The UAS program manager is responsible for the general maintenance of all UAS devices. A UAS may be sent back to a purveyor in the event equipment cannot be serviced by UCPD personnel.
<b>Storage:</b> All UAS devices are stored at UCPD.
<b>Course Required by CA POST:</b> N/A
<b>Fiscal Impacts:</b> The estimated costs of the above-listed equipment were approximately \$15,000.00. In 2024, the cost for upkeep, replacement parts, additional equipment, and training for UAS operators totaled \$10,898.79.

<b>Equipment Name:</b> COLT AR-15 (5.56/223mm) Automatic/Semi-Automatic Rifles and Ammunition.
<b>Legal/Procedural Rules Governing Use:</b> California Government Code §7070(c)(10), Government Code § 7286, Penal Code § 13514.1, and California Government Codes § 7071- § 7075.
<b>UCPD Policy:</b> The following policies govern the use of these weapons: 1) UCPD Policy #312 (Firearms). This policy provides guidelines for issuing firearms, the safe and legal carrying of firearms, as well as firearms maintenance, training, and qualifications, 2) UCPD Policy #300 (Use of Force). This policy provides guidelines on the reasonable use of force and force options.
<b>Description:</b> A COLT AR-15 Rifle is a 5.56/.223mm NATO, air-cooled, gas-operated, magazine-fed, shoulder fired weapon, designed for semi-automatic and selective fire. The Winchester .223 Remington, 64 grain, Power-Point (RA223R2) cartridge is the primary duty ammunition for all Patrol and SWAT rifles.
<b>Quantity Owned:</b> 12 x Fully-Automatic AR-15 Rifles, 51 x Semi-Automatic AR-15 Rifles, 18800 x 5.56/.223mm cartridges.
<b>Lifespan:</b> The lifespan of these weapons is subject to a myriad of factors which determine wear and tear. Therefore, there is no true metric to make such an estimation. There is no expiration on the cartridges.
<b>Equipment Capabilities:</b> UCPD's SWAT team utilizes COLT M4, 5.56/.223 fully automatic rifles. Patrol officers utilize COLT Model 6920, 5.56/.223 semi-automatic rifles. These rifles are industry standard for law enforcement and utilized for high-risk situations and entries in critical incidents for accuracy, precision, ammunition capacity (30 Rounds), and quicker target acquisition. The .223/5.56 cartridge is used as a lethal option designed to stop a violent encounter. The projectile is capable of penetrating soft body armor being worn by armed subjects. The projectile is ideal for close and long-range combat situations.
<b>Purpose/Authorized Use:</b> The above stated rifles are capable of providing superior fire power during extremely violent situations. These rifles can typically be used for precision shooting from distance and are ideal for close confrontations because the projectile is less likely to over penetrate their intended target.
<b>Training:</b> Officers must successfully complete a 16-hour patrol rifle course as well as regular department firearms training, and qualifications as required by law and policy. SWAT personnel must complete an 80-hour basic SWAT team course.
<b>Maintenance:</b> The Firearms program manager is responsible for the general maintenance of these weapons and cartridges. Weapons and cartridges may be sent back to a purveyor in the event equipment cannot be serviced by UCPD personnel.
<b>Storage:</b> These firearms and cartridges are stored at UCPD.
<b>Course Required by CA POST:</b> Officers must successfully complete a 16-hour patrol rifle course. SWAT team operators and SWAT supervisors/team leaders should complete a POST-certified basic SWAT course or its equivalent (as determined by the agency). Training may be considered equivalent when the hours, topics, and content meets or exceeds POST's standardized training recommendations.
<b>Fiscal Impacts:</b> The above-listed firearms had an initial cost of approximately \$76,500.00. In 2024, the Firearms Program had an estimated cost of \$24,500.00 for firearms related equipment/maintenance and ammunition.

<b>Equipment Name: Precision Rifles</b>
<b>Legal/Procedural Rules Governing Use:</b> California Government Code §7070(c)(10), Government Code § 7286, Penal Code § 13514.1, and California Government Codes § 7071- § 7075.
<b>UCPD Policy:</b> The following policies govern the use of these weapons: 1) UCPD Policy #312 (Firearms). This policy provides guidelines for issuing firearms, the safe and legal carrying of firearms, as well as firearms maintenance, training, and qualifications. 2) UCPD Policy #300 (Use of Force). This policy provides guidelines on the reasonable use of force and force options. 3) UCPD Policy #408 (Crisis Response Unit). This policy is written to comply with the guidelines established in the Attorney General's Commission on Special Weapons and Tactics Report (September 2002) and the POST 2005 SWAT Operational Guidelines and Standardized Training Recommendations.
<b>Description:</b> The Precision Rifle Team currently utilizes three different types of precision rifles: 1) Remington model 700 bolt action rifle chambered in .308, 2) Springfield model M1 bolt action rifle chambered in .30, and 3) JP Enterprises, AR-10 chambered in .308. UCPD Precision shooters use the Hornady Tactical Application Police .308, 168 grain A-MAX, #80965 cartridge.
<b>Quantity Owned:</b> 9 x Springfield model M1 bolt action rifles chambered in .308, 3 x Remington model 700 bolt action rifles chambered in .308, and 2 x JP Enterprises, AR-10 chambered in .308. 1640 x .308 cartridges.
<b>Lifespan:</b> The lifespan of these weapons is subject to a myriad of factors which determine wear and tear. Therefore, there is no true metric to make such an estimation. There is no expiration on the cartridges.
<b>Equipment Capabilities:</b> These firearms and cartridges are used for long range precision rifle shots in hostage situations to effectively reduce collateral damage to a potential victim/hostage. They are also used to thwart active shooters/terrorist attacks involving firearms.
<b>Purpose/Authorized Use:</b> Precision rifles and .308 cartridges are used for precision shooting in situations where other means of force would be futile due to range or urgency.
<b>Training:</b> Precision rifle operators should not be deployed until completion of a POST-certified precision rifle course, or its equivalent. Precision rifle operators should participate in documented training on a monthly basis to maintain individual and team core competencies consistent with the type of SWAT missions performed.
<b>Maintenance:</b> The Firearms program manager is responsible for the general maintenance of these weapons. A weapon may be sent back to a purveyor in the event equipment cannot be serviced by UCPD personnel
<b>Storage:</b> These firearms and cartridges are stored at UCPD.
<b>Course Required by CA POST:</b> Precision rifle operators should participate in documented training on a monthly basis to maintain individual and team core competencies consistent with the type of SWAT missions performed.
<b>Fiscal Impacts:</b> The initial cost of the above-listed rifles was approximately \$8,000.00. In 2024, training costs for Precision Rifle Team members was approximately \$1606.00. The total cost of all .308 cartridges on-hand is approximately \$480.00. The ongoing costs associated with cartridges is estimated to range between \$0 and \$3,560.00 each year.



<b>Equipment Name: Less Lethal Launchers, Kinetic Energy Devices, and the FN-303 System</b>
<b>Legal/Procedural Rules Governing Use:</b> California Government Code §7070(c)(14).
<b>UCPD Policy:</b> The following policies govern the use of these munitions 1) UCPD Policy #312 (Firearms). This policy provides guidelines for issuing firearms, the safe and legal carrying of firearms, as well as firearms maintenance, training, and qualifications. 2) UCPD Policy #300 (Use of Force). This policy provides guidelines on the reasonable use of force and force options. 3) UCPD Policy #308 (Control Devices and Techniques). This policy provides guidelines for the use and maintenance of control devices. 4) UCPD Policy #467 (First Amendment Assemblies). This policy provides guidance for responding to public assemblies or demonstrations. 5) UCPD Policy #408 (Crisis Response Unit). This policy is written to comply with the guidelines established in the Attorney General's Commission on Special Weapons and Tactics Report (September 2002) and the POST 2005 SWAT Operational Guidelines and Standardized Training Recommendations.
<p><b>Description:</b> UCPD currently utilizes five different 40 mm launchers: 1) Defense Technology single-shot launcher, 2) Defense Technology multi-launcher, 3) Penn Arms single shot launcher, 4) Defense Technology LMT model 1425, and 5) Defense Technology LMT model 1426. UCPD currently has one 37mm launcher: Penn Arms multi-launcher. The Defense Technology single shot 40mm launcher holds one round of munition at a time and has a pistol grip, forward grip, and a plastic stock. The Defense Technology LMT model 1425 40mm launcher holds one round of munition at a time, and has a pistol grip, forward grip, and a plastic expandable stock. The Defense Technology LMT model 1426 40mm launcher holds one round of munition at a time, and has a pistol grip, a forward grip, and a plastic folding stock. The Defense Technology 40mm multi-launcher holds four rounds of munition at a time, which provides multi-shot capabilities, and has a pistol grip, a forward grip, and a plastic expandable stock. The Penn Arms single 40mm launcher holds one round of munition at a time and features a folding stock and collapsing vertical fore grip. The Penn Arms 37mm multi-launcher is capable of holding eight rounds of munition at a time and provides multi-shot capabilities.</p> <p>UCPD utilizes the Remington model 870 shotgun for less-lethal “Super-Sock” munitions and chemical munitions. The Remington shotgun is 12 gauge with an 18” barrel and 2 ¾” chamber and is outfitted with an orange butt stock. The less-lethal Shotgun deploys less-lethal “Super-Sock” munitions Model 2581. When deployed, Super-Sock presents a consistent aerodynamic shape every time, delivering consistent and predictable terminal performance. Super-Sock munitions will fit cylinder and improved cylinder 12-gauge shotguns chambered for 2.75" and 3" cartridges.</p> <p>The FN 303 is a semi-automatic less-lethal riot gun designed and manufactured by Fabrique Nationale de Herstal. It is 29.1” in length and allows for standard size projectiles</p>
<b>Quantity Owned:</b> 40mm launchers: <b>1</b> x Defense Technology single-shot launcher, <b>1</b> x Defense Technology multi-launcher, <b>2</b> x Defense Technology LMT model 1425, <b>1</b> x Defense Technology LMT model 1426, and <b>1</b> x Penn Arms single-launcher. <b>28</b> x 40mm foam round. <b>12</b> x 37mm/40mm foam baton. <b>2</b> x Super Sock 40mm round. <b>11</b> x 40mm Stingballs. <b>1</b> x Penn Arms 37 mm multi-launcher. <b>38</b> x Remington model 870 12-gauge less-lethal “Super-Sock” shotguns, and <b>2500</b> CTS 12-gauge “Super-Sock” bean bag impact rounds. <b>2</b> x Remington model 870 12-gauge gas launchers. <b>2</b> x FN 303 less-lethal riot gun.
<b>Lifespan:</b> The lifespan of these less-lethal systems is subject to myriad factors which determine wear and tear. Therefore, there is no set metric to make such an estimation. Super-Sock rounds do not have an expiration date.
<b>Equipment Capabilities:</b> When properly used, less-lethal systems can assist officers in controlling a violent individual with less likelihood of serious injury to both the subject and the involved officers.
<b>Purpose/Authorized Use:</b> These devices may be used to control subjects who are violent or who demonstrate the intent to be violent.

**Training:** The Training Manager shall ensure that all personnel who are authorized to carry a control device have been properly trained and certified to carry the specific control device and are retrained or recertified as necessary. Proficiency training shall be monitored and documented by a certified, control-device weapons or tactics instructor. All training and proficiency for control devices will be documented in the officer's training file. Officers who fail to demonstrate proficiency with the control device or knowledge of this agency's Use of Force Policy will be provided remedial training. If an officer cannot demonstrate proficiency with a control device or knowledge of this agency's Use of Force Policy after remedial training, the officer will be restricted from carrying the control device and may be subject to discipline. The SWAT Commander shall ensure that all personnel who are authorized to carry a control device have been properly trained and certified to carry the specific control device and are retrained or recertified as necessary. Proficiency training shall be monitored and documented by a certified, control-device weapons or tactics instructor.

**Maintenance:** The Firearms program manager is responsible for the general maintenance of these firearms and systems. These items may be sent back to a purveyor in the event equipment cannot be serviced by UCPD personnel.

**Storage:** The listed firearms and munitions are stored at UCPD

**Course Required by CA POST:** SWAT team operators and SWAT supervisors/team leaders should complete a POST-certified basic SWAT course or its equivalent (as determined by the agency). Training may be considered equivalent when the hours, topics, and content meets or exceeds POST's standardized training recommendations. Agencies should consider the role in which they assign SWAT members who have not yet completed a basic SWAT course or its equivalent

**Fiscal Impacts:** The initial cost of all of the firearms and systems listed above to be approximately \$25,026.09. Additionally, the ongoing costs associated with the program is estimated to range between \$0 and \$7,047.00 per year. The total cost of Super-Sock rounds on-hand is estimated to have cost approximately \$4,544.00 and the on-going yearly estimated cost is anticipated to be \$5,440.00.

<b>Equipment Name: CS Chemical Munitions, Pepperball, and Smoke Canisters</b>
<b>Legal/Procedural Rules Governing Use:</b> California Government Code §7070(c)(14)
<b>UCPD Policy:</b> 1) UCPD Policy #300 (Use of Force). This policy provides guidelines on the reasonable use of force and force options. 2) UCPD Policy #308 (Control Devices and Techniques). This policy provides guidelines for the use and maintenance of control devices. 3) UCPD Policy #467 (First Amendment Assemblies). This policy provides guidance for responding to public assemblies or demonstrations. 4) UCPD Policy #408 (Crisis Response Unit). This policy is written to comply with the guidelines established in the Attorney General's Commission on Special Weapons and Tactics Report (September 2002) and the POST 2005 SWAT Operational Guidelines and Standardized Training Recommendations.
<b>Description:</b> See below itemized list.
<b>Quantity Owned:</b> See below itemized list.
<b>Lifespan:</b> Varies from 3 – 8 years depending on use and storage.
<b>Equipment Capabilities:</b> Chemical agents may be used to deny a designated area to a subject, force a subject to move to a desired area, and to disable or disorient a subject. Smoke Cannisters may be used as a signaling device, as a target or marking device, or as a screening device for unit movements, usually in violent crowd situations.
<b>Purpose/Authorized Use:</b> Department-approved chemical agents may be used for crowd control, crowd dispersal, or against barricaded suspects based on the circumstances.
<b>Training:</b> Agency instructors attend a 40-Hour Chemical Agent Instructor course. These instructors train SWAT team members in the use of chemical agents. SWAT personnel must complete an 80-hour basic SWAT team course. Additionally, The SWAT Commander shall ensure that all personnel who are authorized to carry a control device have been properly trained and certified to carry the specific control device and are retrained or recertified as necessary. Proficiency training shall be monitored and documented by a certified, control-device weapons or tactics instructor.
<b>Maintenance:</b> The SWAT program manager is responsible for the general maintenance of these munitions. A weapon may be sent back to a purveyor in the event equipment cannot be serviced by UCPD personnel
<b>Storage:</b> These munitions are stored at UCPD.
<b>Course Required by CA POST:</b> SWAT team operators and SWAT supervisors/team leaders should complete a POST-certified basic SWAT course or its equivalent (as determined by the agency). Training may be considered equivalent when the hours, topics, and content meets or exceeds POST's standardized training recommendations. Agencies should consider the role in which they assign SWAT members who have not yet completed a basic SWAT course or its equivalent.

CHEMICAL MUNITIONS	#	Purpose	Burn Time	Indv. Cost	Total
Defense Technology smoke grenade red #1067	7	Crowd control; smoke	30-40 secs	\$35.21	\$246.47
Defense Technology saf-smoke grenade #1063	6	Crowd control; smoke	30-40 secs	\$35.21	\$211.26
Defense Technology max coverage HC smoke #1073	4	Crowd control; smoke	30-40 secs	\$61.80	\$247.20
Defense Technology max HC military smoke #1083	10	Crowd control; smoke	30-40 secs	\$61.80	\$618.00
Defense Technology Flameless tri-chamber CS #1032	7	Primarily for indoor tactical situations to detect and/or dislodge a barricaded subject	20-25 secs	\$53.15	\$372.05
Defense Technology pocket tactical smoke #1016	30	Smoke for signaling or cover	20-30 secs	\$31.85	\$955.50
Defense Technology pocket tactical smoke #1017	4	Smoke for signaling or cover	20-30 secs	\$30.75	\$123.00
Defense Technology instantaneous blast CS #1042	3	Crowd control; CS	instantaneous	\$64.90	\$194.70
Defense Technology riot control CS #1082	28	Crowd control; CS	instantaneous	\$33.70	\$943.60
Defense Technology spede-heat CS #1072	12	Crowd control; CS	20-40 secs	\$38.00	\$456.00
Defense Technology 37mm liquid ferret round #1162	4	Penetrating round loaded w/ CS liquid chemical agents to address barricaded subjects	instantaneous	\$15.08	\$60.32
Defense Technology ferret 40mm powder #1292	1	Penetrating round loaded w/ CS powder chemical agents to address barricaded subjects	instantaneous	\$32.95	\$32.95
Defense Technology ferret 40mm liquid #1262	10	Penetrating round loaded w/ CS liquid chemical agents to address barricaded subjects	instantaneous	\$32.35	\$323.50
Defense Technology han-ball grenade CS #1092	30	Pyro; flameless; to address barricaded subjects	20-30 secs	\$46.25	\$1387.50
Defense Technology 37mm muzzle blast CS #1142	10	Powder dispersion round	instantaneous	\$25.60	\$256.00
Defense Technology 12-gauge CS ferret round #3092	7	Penetrating round loaded w/ CS chemical agents to address barricaded subjects	instantaneous	\$24.50	\$171.50
Defense Technology 12-gauge CN ferret round #2320	5	Penetrating round loaded w/ CN chemical agents to address barricaded subjects	instantaneous	\$24.50	\$122.50
Defense Technology 12-gauge CS ferret liquid round #3012	7	Penetrating round loaded w/ CS liquid chemical agents to address barricaded subjects	instantaneous	\$24.50	\$171.50
Defense Technology triple chaser CS canister #1026	11	Powder; indoor/outdoor	instantaneous	\$49.20	\$41.20

Pepperball Live	525	PAVA projectile used for direct impact and area saturation in interior spaces	instantaneous	\$250.00 / 90 count	\$1458.33
Pepperball Live X	80	PAVA projectile used for direct impact, area saturation and crowd control	instantaneous	\$369.99 / 90 count	\$328.88
Pepperball Inert	250	Non-PAVA projectile used for direct impact	instantaneous	\$21.99 / 20 count	\$274.88
Combined Systems baffled riot CS smoke #5210B	2	Pyrotechnic smoke grenade used for concealment or as a signaling device	instantaneous	\$47.30	\$94.60
Combined Systems baffled riot CS smoke #5230B	20	Pyro, low flame, indoor	instantaneous	\$49.75	\$995.00
Combined Systems liquid CS 40mm #4330	39	Liquid CS projectile penetrates intermediate barriers and delivers irritant agents	instantaneous	\$36.05	\$1405.95
				<b>TOTAL COST:</b>	<b>\$11,492.39</b>

**Fiscal Impacts:** This itemized list contains the combination of original purchases and additional on-going equipment purchases to correlate with the current inventory. Any increase is based on usage and/or expiration dates which could range between \$1000-\$5000.

<b>Equipment Name:</b> Noise and Flash Distraction Device
<b>Legal/Procedural Rules Governing Use:</b> California Government Code §7070(c)(14).
<b>UCPD Policy:</b> 1. UCPD Policy #300 (Use of Force). This policy provides guidelines on the reasonable use of force and force options. 2. UCPD Policy #408 (Crisis Response Unit). This policy is written to comply with the guidelines established in the Attorney General's Commission on Special Weapons and Tactics Report (September 2002) and the POST 2005 SWAT Operational Guidelines and Standardized Training Recommendations.
<b>Description:</b> An explosive device that creates a blinding flash of light and sudden, loud noise. UCPD uses the Combined Tactical Systems "Flashbang," Model 7290 with 1.5 second delay. The CTS 7290 is the standard for diversionary flash-bang devices. The 7290 produces a 165-180db and 6-8 million candelas of light output. The patented design of the 7290 incorporates a porting system that eliminates movement of the body at detonation even if the top or bottom of the device should be in contact with a hard surface. In addition, internal adjustments have greatly reduced smoke output.
<b>Quantity Owned:</b> 33 x CTS 7290 flash bangs and 20 training charges.
<b>Lifespan:</b> Approximately five years.
<b>Equipment Capabilities:</b> A Noise Flash Diversionary Devices (NFDD) is a device that creates a bright flash and loud sound to temporarily divert the attention of subjects in the immediate area. NFDDs are used to distract and temporarily incapacitate dangerous suspects by overwhelming their senses of vision and hearing. The distraction allows officers to seize a moment of opportunity to take control of high-risk situations.
<b>Purpose/Authorized Use:</b> The purpose of the NFDD is to produce atmospheric over-pressure and brilliant white light and, as a result, can cause short-term (approximately 6-8 seconds) physiological/psychological sensory deprivation to give officers a tactical advantage. With SWAT supervisory approval, authorized SWAT personnel may deploy noise flash diversionary devices in planned and unplanned high-risk operations, or when an immediate distraction is needed during a high-risk situation. The NFDD must be utilized within the line of sight.
<b>Training:</b> SWAT personnel must complete an 80-hour basic SWAT team course, as well as periodic perishable skills training.
<b>Maintenance:</b> The SWAT program manager is responsible for the general maintenance of this device.
<b>Storage:</b> These devices are stored at UCPD.
<b>Course Required by CA POST:</b> SWAT team operators and SWAT supervisors/team leaders should complete a POST-certified basic SWAT course or its equivalent (as determined by the agency). Training may be considered equivalent when the hours, topics, and content meets or exceeds POST's standardized training recommendations. Agencies should consider the role in which they assign SWAT members who have not yet completed a basic SWAT course or its equivalent.
<b>Fiscal Impacts:</b> The initial total cost of NFDD's was approximately \$1,373.00. Any increase is based on usage and/or expiration dates which could range between \$1000-\$5000.

<b>Equipment Name: Breaching Shotgun and Frangible Ammunition</b>
<b>Legal/Procedural Rules Governing Use:</b> California Government Code §7070(c)(14).
<b>UCPD Policy:</b> 1) UCPD Policy #313 (Breaching Shotgun). This policy outlines the use, inspection, and storage of the breaching shotgun 2) UCPD Policy #300 (Use of Force). This policy provides guidelines on the reasonable use of force and force options. 3) UCPD Policy #312 (Firearms). This policy provides guidelines for issuing firearms, the safe and legal carrying of firearms, as well as firearms maintenance, training, and qualifications.
<b>Description:</b> UCPD currently uses a modified Remington model 870 12-gauge shotgun with a breaching stand-off tip as a breaching shotgun. The ammunition for this weapon is Royal Arms 12 Gauge, frangible ammunition.
<b>Quantity Owned:</b> 4 x breaching shotguns and 2400 x frangible ammunition.
<b>Lifespan:</b> The lifespan of these weapons is subject to a myriad of factors which determine wear and tear. Therefore, there is no true metric to make such an estimation. Although there is no expiration date on frangible ammunition if stored properly, it should be replaced approximately every five years.
<b>Equipment Capabilities:</b> The use of the breaching shotgun allows officers to defeat doors that mechanical breaching tools would normally be unable to open. The primary function of the breaching shotgun is for forcing entry.
<b>Purpose/Authorized Use:</b> Officers are allowed to utilize the breaching shotgun in instances where an exigent situation exists, and a door must be opened quickly.
<b>Training:</b> Only officers trained and having shown adequate proficiency in the use of the breaching shotgun and this agency's Use of Force Policy are authorized to carry the device.
<b>Maintenance:</b> The Firearms program manager is responsible for the general maintenance of breaching shotguns. A breaching shotgun may be sent back to a purveyor in the it cannot be serviced by UCPD personnel.
<b>Storage:</b> These devices are stored at UCPD
<b>Course Required by CA POST:</b> None.
<b>Fiscal Impacts:</b> The initial cost of the breaching shotguns totaled approximately \$1,400.00. The total cost of all frangible ammunition on-hand is approximately \$10,000.

**2024 ANNUAL MILITARY EQUIPMENT USE REPORT**

The acquisition and use of military equipment in our community may impact the public's safety and welfare. Our community has a right to know about funding, acquisition, or use of military equipment by UCPD, as well as a right to participate in the local government's decision to fund, acquire, or use such equipment.

Our Military Equipment policy requires UCPD to publish an Annual Military Equipment Usage Report. Per Government Code § 7072, our annual report must include the following information:

- A summary of any complaints or concerns received concerning the military equipment.
- The results of any internal audits or information about violations of the military equipment use policy. This includes any actions taken in response.
- The total annual cost for each type of military equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the military equipment in the calendar year following submission of the annual military equipment report.
- The quantity possessed for each type of military equipment.
- If the law enforcement agency intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment.
- A summary of how the military equipment was used and the purpose of its use.

**Complaints & Audits**

All use of force incidents are reviewed by assigned supervisors and Watch Commanders. In addition, our Professional Standards Unit conducts quarterly use of force audits to ensure employees are performing their duties within the guidelines set by department policy and applicable law. Reviews and audits provide opportunities to reflect on our actions, policies, procedures, legislation, and best practices within our industry. Audits may also highlight opportunities for future growth and assist in evaluating practices related to training and daily operations. During our quarterly audits, no violations were discovered, and officers were found to be operating in a manner which met or exceeded department and community expectations. As listed below in our use summary, UCPD did not receive any complaints or concerns related to the use of military equipment.



**Inventory & Associated Costs**

At this time, UCPD does not intend to acquire additional types of military equipment, however, future attempts to obtain new equipment will include adhering to procedures set forth in the Government Code and our Military Equipment policy; this includes a public hearing and City Council approval prior to acquisition. At this time, forecasted purchases for UCPD in 2025 only include items needed to maintain inventory for previously approved military equipment which need to be repaired or replenished after being used in either the field or training environments. All items needing to be repaired or replenished are included in our policy and attached inventory which was previously approved by the City Council.

Our department inventory and all costs associated with the use of this equipment is believed to be consistent with the Military Equipment inventory list, policy, and department budget, previously approved by the City Council. These operating costs are good faith estimates which are subject to change made by vendors and/or manufacturers based on variables related to availability, shipping, and general market increases. I have attached a copy of our approved inventory and policy to the end of this report.

**Public Hearing**

UCPD considers the public's welfare, safety, civil rights, and civil liberties. In a continued effort to achieve greater transparency, our department places high regard for meaningful public input related to the use of military equipment in our community.

Department policy requires UCPD to hold at least one well-publicized and conveniently located community engagement meeting where community members may discuss and ask questions regarding the annual military equipment report. Meetings must be held within thirty days of posting this report on our department website. UCPD will provide this opportunity on a later date to be determined during the city's regularly scheduled City Council meeting. The meeting will take place in the City Council chambers and will include a presentation as well as opportunities to discuss this report with the Chief of Police and/or City Council.

**Use Summary**

UCPD used military equipment during 29 incidents in 2024. A significant percentage of these usages solely entailed UAS (drone) deployments. The determining factors that led up to the decision to use military equipment varied from situation to situation. In the following incidents, military equipment either: 1) provided UCPD with a distinct tactical advantage, 2) provided additional protection for UCPD personnel and/or citizens, 3) allowed UCPD personnel to utilize distance, 4) aided in searching large areas, or 5) aided

in searching unsecured areas that may have otherwise placed UCPD employees in tactically compromised situations.

<b>UCPD Case #240124008</b>
<b>Summary of Incident:</b> UCPD SWAT assisted ACSO with a high-risk warrant service On Dowe Avenue in Union City after a Deputy was shot.
<b>Military Equipment Utilized:</b> ARV, SWAT rifles, less-lethal shotgun, UAS, and SWAT Robot. The SWAT rifles and less-lethal shotgun were deployed but were not fired.
<b>Complaints related to this Deployment:</b> None.
<b>Internally known violations:</b> None.

<b>UCPD Case # 240210013</b>
<b>Summary of Incident:</b> Patrol response to a mental health/person in crisis call involving a firearm
<b>Military Equipment Utilized:</b> ARV, UAS
<b>Complaints related to this Deployment:</b> None.
<b>Internally known violations:</b> None.

<b>UCPD Case #240502015</b>
<b>Summary of Incident:</b> UCPD SWAT assisted Fremont PD with a high-risk arrest warrant service for firearm related domestic violence suspect located at an address in Union City.
<b>Military Equipment Utilized:</b> MCV, ARV, SWAT rifles, precision rifles, SWAT Robot, gas and UAS. The SWAT rifles and precision rifles were deployed but were not fired.
<b>Complaints related to this Deployment:</b> None.
<b>Internally known violations:</b> None.

<b>UCPD Case #230830027</b>
<b>Summary of Incident:</b> UCPD SWAT arrested multiple murder suspects.
<b>Military Equipment Utilized:</b> MCV, ARV, SWAT rifles, and UAS. The SWAT rifles and precision rifles were deployed but were not fired.
<b>Complaints related to this Deployment:</b> None.
<b>Internally known violations:</b> None.

<b>UCPD Case #240803004</b>
<b>Summary of Incident:</b> Patrol conducted a search warrant service after a suspect was arrested for possessing a firearm during a traffic stop.
<b>Military Equipment Utilized:</b> ARV, UAS.
<b>Complaints related to this Deployment:</b> None.
<b>Internally known violations:</b> None.

<b>UCPD Case #241012010</b>
<b>Summary of Incident:</b> UCPD SWAT arrested a violent robbery and pimping suspect in the city of Oakland.
<b>Military Equipment Utilized:</b> MCV, ARV, SWAT rifles, and UAS. The SWAT rifles and precision rifles were deployed but were not fired.
<b>Complaints related to this Deployment:</b> None.
<b>Internally known violations:</b> None.

Listed below are incidents in which the Union City Police Department used the UAS (drone) to assist in an investigation:

<b>240103013:</b> UAS provided overwatch during a search of a property crime suspect.
<b>240106002:</b> UAS assisted with an area search for a wanted hit and run suspect.
<b>240124008:</b> UAS overhead search / interior search for ACSO deputy shooting suspect.
<b>240125021:</b> UAS overhead yard search.
<b>240208022:</b> UAS overhead area search for At-Risk missing.
<b>240216015:</b> UAS overhead yard search.
<b>240123019:</b> UAS area search for subject who fled from ACSO.
<b>240228003:</b> UAS overheard yard search.
<b>240309003:</b> UAS interior search for commercial burglary suspect.
<b>240320019:</b> UAS overhead yard search.
<b>240402008:</b> UAS overhead neighborhood search for a hit and run suspect.
<b>240412019:</b> UAS overhead yard search for a residential burglary suspect.

<b>240414001:</b> UAS interior search for a commercial burglary suspect.
<b>240427005:</b> UAS overhead search for a residential burglary suspect.
<b>240428003:</b> UAS deployed as part of an exterior search for a commercial burglary suspect.
<b>240502015:</b> UAS deployed for exterior and interior search during a high-risk warrant service.
<b>230830027:</b> UAS deployed for an exterior and interior search for a murder suspect.
<b>240606009:</b> UAS deployed to search for a suspect who fled from a stolen vehicle.
<b>240614014:</b> UAS deployed for a commercial alarm.
<b>240630002:</b> UAS area search for stolen vehicle suspects.
<b>240704015:</b> UAS deployed for a suspect who brandished a firearm.
<b>240803004:</b> UAS deployed for interior search during a high-risk search warrant.
<b>240810005:</b> UAS area search for a suspect fleeing from officers.
<b>240824022:</b> UAS deployed for high-risk stop on suicidal subject possibly armed.
<b>240916013:</b> UAS interior search for a residential burglary suspect.
<b>241025009:</b> UAS interior search for probation search with possible drug lab/HAZMAT.

<b>241025012:</b> UAS interior search for residential burglary suspect.
<b>241124011:</b> UAS exterior search for an arson suspect.
<b>241230018:</b> UAS aerial search of rooftop for a commercial alarm with a roof hatch activation.

**Conclusion**

Any member of the public can submit a question or concern regarding military equipment use by contacting the Union City Police Department's Professional Standards Unit via email at [ucpdprofessionalstandards@unioncity.org](mailto:ucpdprofessionalstandards@unioncity.org). Our department strives to provide a timely response to the community's questions and concerns regarding the use of military equipment. Any member of the public can submit a complaint to any member of the police department in any form (i.e., in person, telephone, email, etc.). Once the complaint is received, it should be routed to the Professional Standards Unit in compliance with Union City Police Department Policy # 1020 (Personnel Complaints)

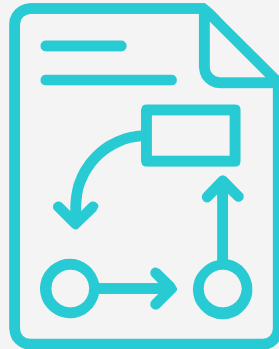
2024 MILITARY EQUIPMENT  
ANNUAL REPORT



# STRATEGIC PLAN ALIGNMENT

## Goal C

Economic,  
Community  
Development, and  
Public Safety

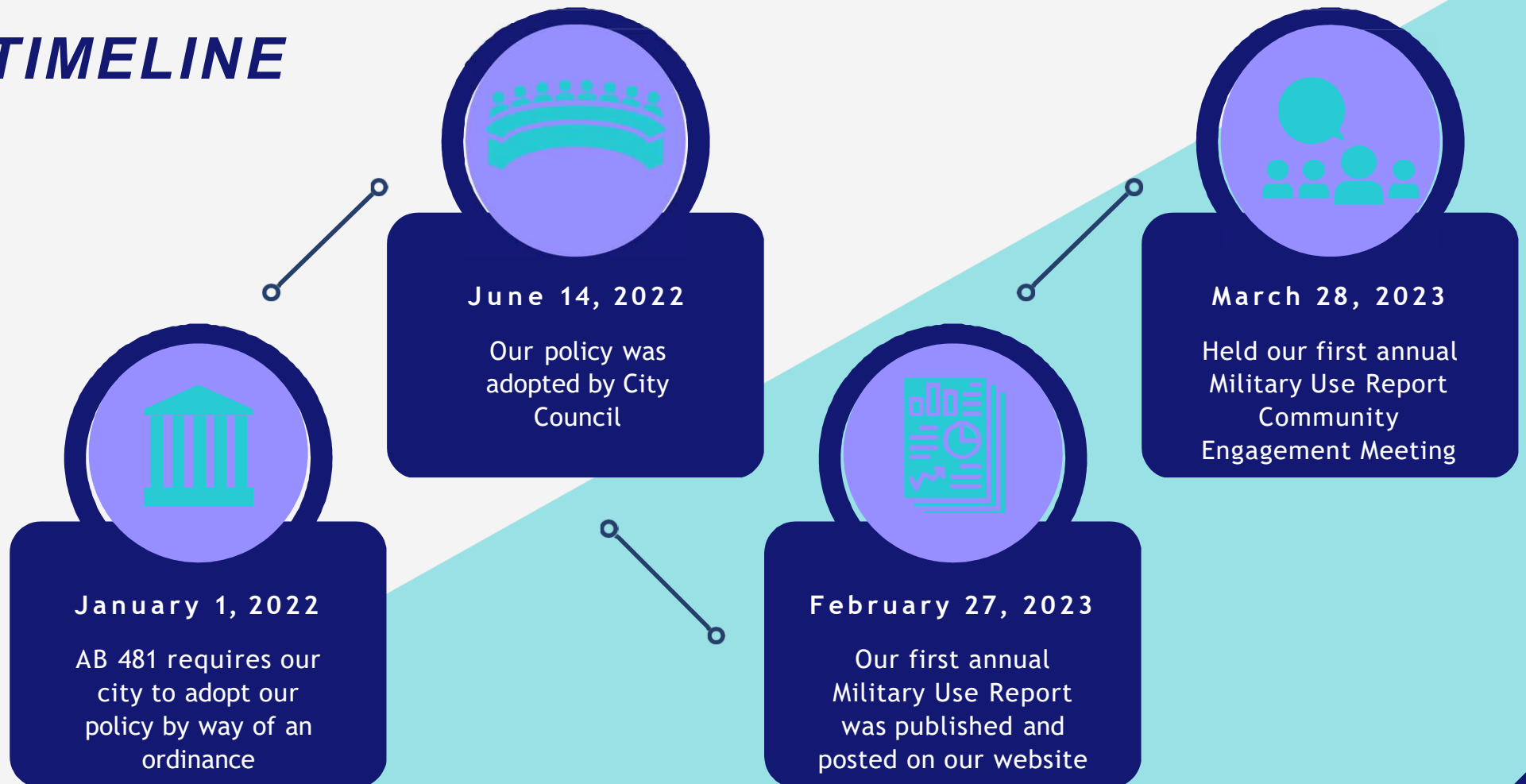


## Strategy 13

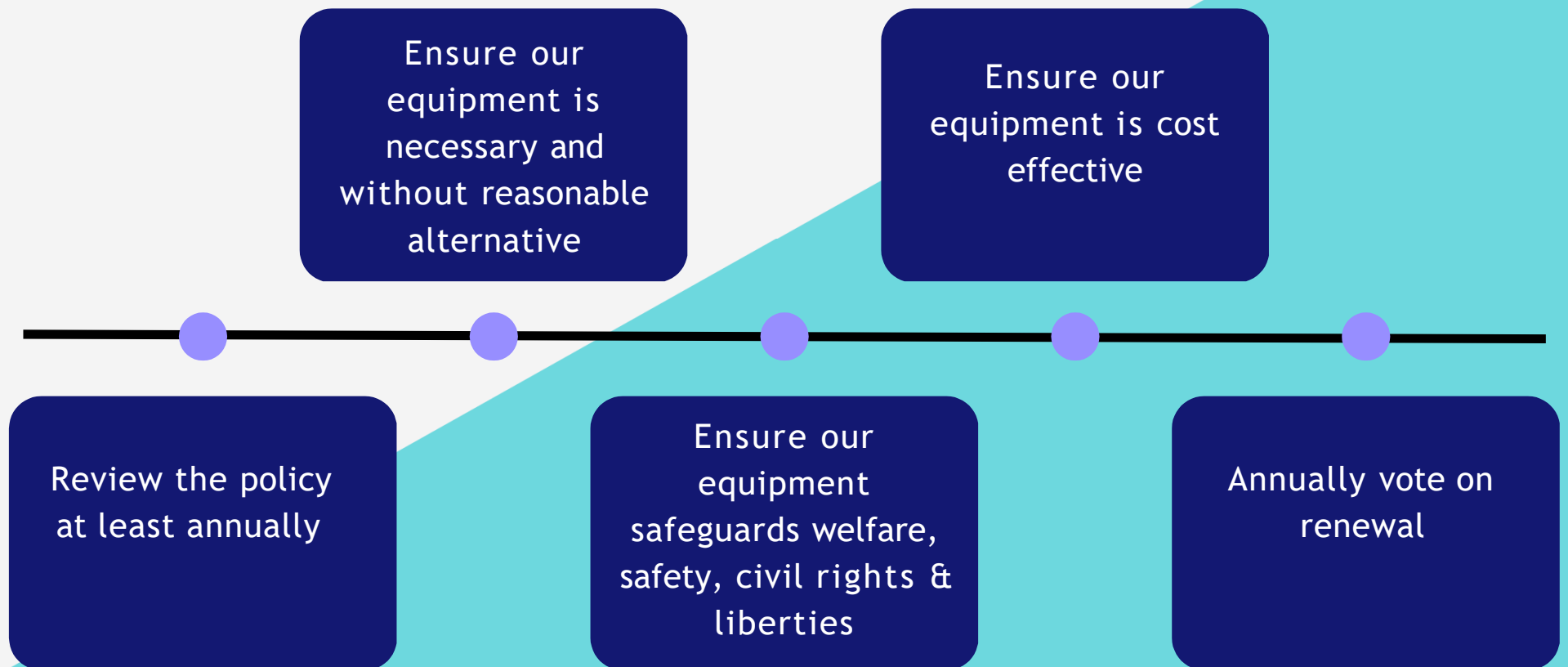
Align Public  
Safety Services  
with Community  
Needs



# TIMELINE




## *CITY COUNCIL RESPONSIBILITIES*





## ALL ITEMS ASSIST US IN ACHIEVING AT LEAST ONE OF THE FOLLOWING OBJECTIVES:


- Enhancing the tactical advantage of officers.
- Aiding in the rescue of injured community members.
- Protecting life and property or improving the likelihood that an incident would be resolved without the use of deadly force or other force options.
- Controlling and/or deescalating a violent individual with less likelihood of serious injury to both the subject and the involved officers.



Per Government Code § 7072, our annual report was posted on our website (05-28-2025) and provided to Council on 06-10-25. The report included the following information:



A summary of any complaints or concerns received concerning the military equipment.



The results of any internal audits or information about violations of the military equipment use policy. This includes any actions taken in response.



The total annual cost and quantity.



The quantity possessed for each type of military equipment & forecasted purchases for the following year.



A summary of how the military equipment was used and the purpose of its use.





Complaints



Violations



Forecasted Purchases



- At this time, UCPD does not intend to acquire additional military equipment in 2025.
- We only intend to purchase items needed to maintain inventory for previously approved military equipment.
- Our department inventory and all associated costs are believed to be consistent with our inventory list, policy, and department budget, previously approved by the City Council.
- Fiscal Impact: All current military equipment has been budgeted for and purchased. The development and ongoing compliance with the provisions of AB 481 will be managed by existing staff.



## Union City Police Department MILITARY EQUIPMENT INVENTORY



Precision & AR-15 Rifles & Ammunition



Less Lethal Launchers, Kinetic Energy Devices, Smoke Canisters & Chemical Munitions



Noise & Flash Distraction Devices (Flash Bangs)



Breaching Shotguns & Frangible Ammunition



LENCO BEARCAT G2 (ARV)



Mobile Command Center Vehicle (MCV)



Unmanned Aerial Systems



ICOR mini-caliber House Clearing Robot





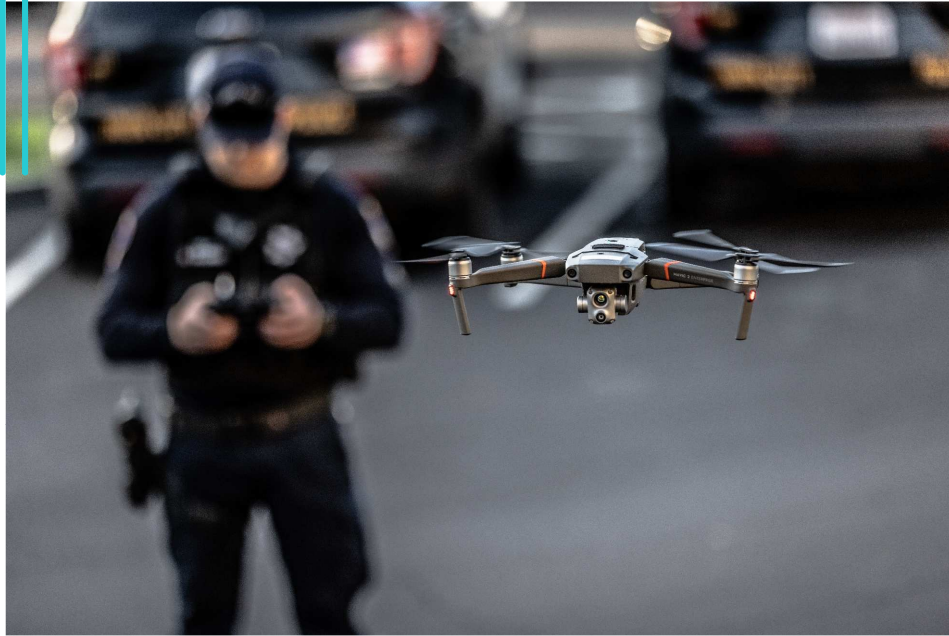
# LENCO BEARCAT G2 (ARV)





# ***MOBILE COMMAND VEHICLE (MCV)***





***UNMANNED AERIAL SYSTEMS (DRONES)***

***ICOR ROBOT (HOUSE CLEARING)***



## RECOMMENDATION

Staff recommends the City Council waive full reading and introduce by title only an Ordinance Approving and Re-Adopting a Military Equipment Use Policy as Stated in Chapter 2.62 'Military Equipment Use Policy' of the Union City Municipal Code, and review and approve the 2024 Annual Military Equipment report, in compliance with Assembly Bill 481.





# QUESTIONS?



34009 Alvarado Niles Road



510-471-1365



[UCPDProfessionalStandards@Unioncity.org](mailto:UCPDProfessionalStandards@Unioncity.org)



[www.UnionCity.org](http://www.UnionCity.org)





## Agenda Item

**DATE:** 6/10/2025

**TO:** HONORABLE MAYOR AND CITY COUNCIL

**FROM:** KRISTOPHER J. KOKOTAYLO, CITY ATTORNEY

**SUBJECT:** ADOPT A RESOLUTION AMENDING THE NORMS AND GUIDELINES FOR BOARDS, COMMISSIONS, AND COMMITTEES; WAIVE FULL READING AND INTRODUCE BY TITLE ONLY AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UNION CITY AMENDING SECTION 2.20.040 "COMMISSIONER ATTENDANCE STANDARDS" AND SECTION 2.20.100 "ETHICS/AB 1234 TRAINING REQUIREMENTS" OF THE UNION CITY MUNICIPAL CODE RELATED TO COMMISSION STANDARDS

### **EXECUTIVE SUMMARY**

The City Council has established a number of advisory commissions and boards that are formed and perform certain tasks as delegated by the City Council. These boards and commissions play a vital role in advising the City Council on community needs and policy issues.

The City's norms and policies governing commissioners are outlined in Union City Municipal Code ("UCMC") Chapter 2.20 and the Commission Norms and Guidelines (the "Norms and Guidelines"). These documents establish standards for attendance, term limits, ethics training, and conduct.

Recently, the City Council and staff have identified several areas for clarification or policy refinement. As a result, the Norms and Guidelines as well as potential revisions to the UCMC were referred to the Legislation and Policy Committee (the "Committee") for consideration and recommendation.

On April 28, 2025, the Legislation and Policy Committee (the "Committee") met and considered proposed revisions to the Norms and Guidelines and the UCMC which are outlined in this report.

Staff recommends that the City Council consider the Committee's recommendation and:

- 1) Adopt a Resolution to amend the Norms and Guidelines; and
- 2) Waive full reading and introduce by title only an ordinance amending Section 2.20.040 "Commissioner Attendance Standards" and Section 2.20.100 "Ethics/AB 1234 Training Requirements" of the Union City Municipal Code related to commission standards.

### **STRATEGIC PLAN ALIGNMENT**

The proposed ordinance and resolution are consistent with Strategic Plan Goal B: Governance and Organization Effectiveness.

### **BACKGROUND**

The City Council adopted and approved the Norms and Guidelines in 2021 and periodically reviews and amends the UCMC related to commissioner standards. The Norms and Guidelines and UCMC were reviewed by staff to evaluate whether there were other standards or provisions to include to align with best practices and Council goals. Staff presented proposals and options for consideration to the Committee on April 28, 2025.

On April 28, 2025, the Committee considered potential revisions to the Norms and Guidelines and UCMC for recommendation to the City Council. During the Committee meeting, the Committee recommended that the City Attorney's Office and staff prepare an ordinance amending the UCMC and a resolution amending the Norms and Guidelines as outlined in this report.

**DISCUSSION**

*Proposed Ordinance*

The proposed ordinance amending the UCMC makes three revisions. First, the ordinance changes the timeframe for tracking attendance requirements (currently commissioners are required to attend 75% of meetings excluding excused absences) from a rolling 12 month period to over a single calendar year period. This aligns with the Council's actions to establish consistent calendar year timelines for commissioner positions as opposed to inconsistent dates that fall throughout the calendar year.

Second, the ordinance includes a requirement that commissioners complete harassment prevention training consistent with state law and within the state mandated timeframes. Commissioners that fail to complete the harassment prevention training as required by state law will automatically vacate their position.

Third, the ordinance requires commissioners to complete and submit proof of completion of required AB 1234 ethics training and AB 1661 harassment prevention training to the City Clerk within the required timeframes. Failure to do so will result in a commissioner vacating their seat and being ineligible for any other board, commission or committee for a 24 month period. The existing UCMC does not explicitly require commissioners to submit proof of completion to the City Clerk and results in the commissioner that has vacated their seat from being eligible for the same board, commission or committee for the remainder of the term and one full term rather than being ineligible for any other boards, commissions, or committees.

*Proposed Resolution*

The proposed resolution amending the Norms and Guidelines includes the revisions identified below:

- Commissioners who arrive more than ten minutes late to a meeting without prior notice will be marked unexcused and ineligible for compensation. Commissioners who provide advance notice of tardiness may still be marked present, provided the absence does not disrupt quorum.
- The addition of a non-mandatory expectation that alternate commissioners attend at least 30 percent of regular meetings to remain engaged and informed. Alternate commissioners may sit on the dais and participate in discussions when all regular members are present but may not vote unless officially seated to fill an absence.
- Other revisions to align with the proposed ordinance identified above, related revisions for consistency, and to align with state law and administrative accuracy.

**FISCAL IMPACT**

There is no direct fiscal impact of adopting the proposed resolution and ordinance.

**RECOMMENDATION**

Staff recommends that the City Council consider the Committee's recommendation and:

- 1) Adopt a Resolution to amend the Norms and Guidelines; and
- 2) Waive full reading and introduce by title only an ordinance amending Section 2.20.040 "Commissioner Attendance Standards" and Section 2.20.100 "Ethics/AB 1234 Training Requirements" of the Union City Municipal Code related to commission standards.

**Prepared by:**

Kristopher J. Kokotaylo, City Attorney  
Thai Nam N. Pham, City Clerk

**Submitted by:**

Kristopher J. Kokotaylo, City Attorney

**ATTACHMENTS:**

Description		Type
	Norms and Guidelines Resolution	Resolution
	Norms and Guidelines Resolution Exhibit	Exhibit
	Ordinance Commission Standards	Ordinance
	PowerPoint Presentation	Attachment

**RESOLUTION NO. \_\_\_\_**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY  
APPROVING THE CITY OF UNION CITY NORMS AND GUIDELINES FOR  
BOARDS, COMMISSIONS, AND COMMITTEES AND RESCINDING A 2006 CITY  
COUNCIL POLICY ON CODE OF CONDUCT FOR CITY COMMISSIONS/BOARDS**

**WHEREAS**, the City Council last adopted the City of Union City Norms and Guidelines for Boards, Commissions, and Committees in 2021 (the “Norms and Guidelines”); and

**WHEREAS**, City commissioners, and board and committee members play a vital role in advising the City Council on policy and informing them about matters arising among the community; and

**WHEREAS**, for these reasons, it is important that members of City advisory bodies have a universal set of norms and guidelines so that they can effectively carry out their role with optimal results and impact; and

**WHEREAS**, the City periodically reviews the Norms and Guidelines to capture best practices for boards, commissions and committees; and

**WHEREAS**, the Legislation and Policy Committee (the “Committee”) reviewed the Norms and Guidelines to consider potential revisions; and

**WHEREAS**, the Norms and Guidelines contain several standards that aim to guide the behaviors, membership and activities of City advisory bodies; and

**WHEREAS**, the Committee approved proposed revisions to the Norms and Guidelines at its April 29, 2025 for City Council consideration and approval; and

**WHEREAS**, in conjunction with the proposed amendments to the Norms and Guidelines, the City Council will consider an ordinance amending Chapter 2.20 of the Union City Municipal Code regarding Boards, Commissions and Committees and the proposed amendments to the Norms and Guidelines are to take effect upon the effective date of that ordinance.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Union City that the proposed amendments to the Norms and Guidelines, attached hereto with revisions reflected in Exhibit A, is hereby approved effective as of the effective date of Ordinance No. \_\_\_\_\_.



## INTRODUCTION

~~Commission Guidelines serve as a guiding document for commissioners to carry out best practices in local governance, incorporating digital governance tools and transparency measures to enhance accessibility and efficiency. These guidelines ensure commissioners can effectively carry out their role in advising the City Council. Commission Guidelines serve as a guiding document for commissioners to carry out the best practices in local governance. While attempting not to be overly restrictive, procedures are established so that expectations and practices can be clearly articulated to guide commissioners in their actions. Commission Guidelines may also serve as a resource to educate commissioners on the composition of city government.~~

~~Commissioners are expected to uphold professional integrity, collaborate effectively, and maintain transparency in all commission activities. Commissioners should also adhere to digital communication best practices and ensure accessibility through virtual participation as appropriate. City commissioners play a vital role in advising the City Council on policy and informing them about matters arising among the community. For these reasons, these guidelines help to ensure that commissioners can effectively carry out their role with optimal results and impact.~~

The City Council is tasked with adopting these norms and guidelines into City policy and also reviews and approves any updates or modifications. These Commission Guidelines apply to all City Commissions, Boards and Committees, as well as any other bodies specified by the City Council, except where otherwise noted.

## CHAPTER 1 – GROUP NORMS

Group Norms are an adopted set of behaviors and procedures that all commissioners are expected to demonstrate for the benefit of the organization and while serving in the role as Commissioner.

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 the City's code of ethics.
2. As appointees of the City Council, we understand the importance of keeping the City Council informed about our work and endeavors as Commissioners/Committee members and that it is appropriate to take general direction from the City Council where appropriate.
3. We strive to avoid real or perceived conflicts of interest whenever possible and to disclose them to affected parties when they do exist.
4. We respect each other's opinions and 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 we act as a body, all members are equal, and policy direction is only given by a majority vote of the Commission/Committee. Once a decision is made, all members must respect the Commission's/Committee's direction.
6. We are prepared for Commission/Committee meetings and ask our questions of staff in advance so we can avoid surprising staff at our meetings.
7. We attend on time, are focused and devote our undivided attention during

Commission/Committee meetings in order to ensure that we can conduct business efficiently and effectively.

8. We do not criticize staff to them or others.

The City Council may terminate membership on a commission for failure to meet the expectations laid out in the above Group Norms.

## CITY OF UNION CITY GUIDELINES FOR COMMISSIONS / COMMITTEES

### CHAPTER 2 – SERVING ON A COMMISSION / COMMITTEE

#### Section 1. Membership

##### A. Residency Requirements and Affidavit of Residency.

As required by Union City Municipal Code (UCMC) Section 2.20.030, commissioners, board members, or committee members ("commissioners") must be Union City residents with the exception of:

- Arts & Culture Commission (must either be a resident at large or an artist).
- Economic Development Advisory Team (EDAT).
- Bicycle Pedestrian Advisory Committee (BPAC) (The bicycle community representative may be either a resident or non-resident).

~~(1) As required by Union City Municipal Code ("UCMC") Section 2.20.030, commissioners, board members or committee members ("commissioners") must be Union City residents with the exception of the Arts & Culture Commission, the Youth Commission, the Economic Development Advisory Team and the Bicycle Pedestrian and Advisory Committee ("BPAC"). Arts & Culture Commission Members must either be a resident at large, or an artist. Youth Commission Members must either be residents of Union City and/or enrolled in any school, public or private, located within Union City or operated by the New Haven Unified School District. The number of non-resident youth serving on the Youth Commission shall not exceed five. The BPAC member serving as the bicycle community representative may be either a resident or non-resident. Proof of residency is required when requested.~~

Commissioners that are required to be residents must inform the City Clerk if they are no longer residing in the City of Union City. The term of the commissioner shall expire on the date that the commissioner ceased being a resident in Union City. Commissioners that temporarily leave Union City as a result of transitory circumstances, but with the full intent to reestablish residency in Union City within one month, shall still be considered a resident of Union City. If the commissioner has not reestablished residency, the commissioner shall notify the City Clerk and automatic termination of membership will occur upon receipt of notification by the City Clerk. Commissioners are required to notify the City Clerk and the secretary of the commission of any change to contact information.

##### B. Appointments.

Commissioners are appointed by the Mayor with City Council Approval under UCMC

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Section 2.20.030. The City Clerk will advise new commissioners on training and filing requirements.

Appointments to most commissions are governed by UCMC Section 2.20.030.

After a new commissioner is appointed, the City Clerk will advise the commissioner of all training and filing requirements for the position.

Commission staff will ensure an orientation is completed to inform new commissioners of these guidelines.

**C. Oath of Office.**

Commissioners must take the Oath of Office before participating in meetings. The Oath of Office must be conducted by the City Clerk, an elected official, or staff that have been deputized to conduct the oath. Board secretaries have been deputized to administer the Oath of Office.

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Before commissioners can participate as members of their commissions, they must take the Oath of Office as required by law.

**D. Terms of Office.**

Commissioners and alternates can serve up to 2 full consecutive terms under UCMC Section 2.20.050. Commissioners may be appointed to a partial term to complete a term of a vacancy and such partial terms shall not count as a full term. Commissioners or alternates that have served 2 full consecutive terms cannot be reappointed to their respective boards or commissions until a two-year break in service has occurred.

**E. Attendance Requirements (UCMC Section 2.20.040).**

Failure to comply with attendance rules and other requirements can result in automatic termination. It is important to note that all commissions, regardless of the frequency of meetings, are subject to these attendance regulations.

Commissioners must attend all meetings in order to avoid being marked absent. A commissioner is determined to be "absent" unless they have been granted an excused absence.

Commissioners should inform the secretary as far in advance as possible if they cannot attend a meeting. Secretaries should advise these commissioners to request an excused absence for the meeting.

Excused Absences: The following reasons shall be considered valid excuses for failing to attend a meeting.

1. Serious illness and/or injury of the Commissioner and/or their immediate family;
2. Death in the family;
3. Employment conditions requiring travel outside the Bay Area, evening meetings, etc.;
4. Lack of transportation to the meeting;
5. Previously scheduled vacation or travel.

#### Notification Deadlines for Absences:

- For serious illness, injury, or a death in the family (Subsections 1 and 2 above), commissioners and alternates must notify the Commission Secretary no later than 24 hours before the meeting.
- For employment conflicts, lack of transportation, or previously scheduled vacation or travel (Subsections 3, 4, and 5 above), commissioners and alternates must notify the Commission Secretary no later than 72 hours before the meeting.
- Failure to provide a timely notice will result in the absence being recorded as unexcused.

The commission bylaws will be updated to reflect these attendance notification procedures in accordance with Ordinance No. 2025-001, which took effect on April 10, 2025.

#### 5. (UCMC Section 2.20.040).

Absence from Three Consecutive Meetings. If a commissioner is absent from three consecutive meetings without a valid excuse, their appointment to the commission will be automatically terminated. (UCMC Section 2.20.040(B).)

Failure to Attend At Least 75% of All Scheduled Meetings of the calendar year (January 1 through December 31). If a commissioner fails to attend at least 75% all scheduled meetings during the calendar year in any twelve consecutive month period without a valid excuse, their appointment to the commission will be terminated. (UCMC Section 2.20.040(B).)

Commissioners arriving more than ten minutes late to a meeting without providing advance notice to the Commission Secretary shall be marked as unexcused and will not receive a meeting stipend. Commissioners providing notice and arriving within ten minutes may be marked present, but must not disrupt proceedings once the meeting has commenced.

#### F. Tardiness Policy.

Commissioners are expected to attend all meetings on time. A commissioner arriving more than ten (10) minutes after the official start of the meeting without providing advance notice to the Commission Secretary shall be marked as unexcused and will not receive a meeting stipend for that meeting.

If advance notice of tardiness is provided and the commissioner arrives within ten minutes of the meeting start time, the commissioner may be marked as present but must join the meeting in a manner that does not disrupt the proceedings.

When a commissioner is tardy and their absence affects quorum or voting, an alternate commissioner may be seated in accordance with established protocols.

Chronic tardiness may be considered in evaluating a commissioner's continued service and

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eligibility for reappointment.

#### **A.G. Automatic Terminations.**

The importance of complying with the requirements of being a commissioner cannot be sufficiently emphasized. Failure to recognize these requirements will result in automatic termination. The following are reasons why commissioners are automatically terminated as well as the period of time for which a commissioner is ineligible for reappointment (if applicable).

- Unexcused absence from three consecutive meetings. (UCMC Section 2.20.040(B).) Ineligible for reappointment to that commission or board until two full terms from the date of the initial appointment under UCMC Section 2.20.050.
- Failure to attend at least 75% all scheduled meetings in any twelve consecutive month period without a valid excuse. (UCMC Section 2.20.040(B).) Ineligible for reappointment to that commission or board until two full terms from the date of the initial appointment under UCMC Section 2.20.050.
- Non-residency.
- Failure to meet any eligibility requirements of the ordinance, resolution, or other law establishing the commission or regulating its membership.
- Failure to complete AB1234 Ethics Training. (UCMC Section 2.20.100.) Ineligible for reappointment to that commission or board during the unexpired portion of the vacated term and for one full term under UCMC Section 2.20.100(D).)

#### **B.H. Resignation Procedure.**

A commissioner wishing to resign shall submit a written resignation directly to the City Clerk and to the Mayor. Either an electronic or a hard copy resignation will be accepted.

Once submitted, a letter of resignation cannot be withdrawn. The effective date of the resignation is the date it is received by the City Clerk unless a future date is indicated.

#### **Section 2. Alternate Commissioners**

Alternate commissioners attend the regular and special meetings of the commission in the absence of a regular member. The alternate shall review staff reports and documents and otherwise prepare for such meetings. If, as a result of an absence of a regular member at a regular or special meeting, the alternate shall move to the seat of a regular member, then the alternate shall participate as a regular member, and shall receive such compensation, where applicable. (UCMC 2.20.020.)

Alternate commissioners are subject to the qualifications, appointment, removal and other requirements applicable to the regular members. However, alternate commissioners will not be automatically appointed where there is a vacancy created for a regular commissioner position. The Mayor, with approval of the City Council, shall appoint commissioners to vacant position pursuant to UCMC Section 2.20.030. The Mayor may consider current alternate commissioners for appointment to a vacant regular commission position and may consult with the Councilmember

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liaison to the relevant commission when considering alternate commissioners.

Alternate commissioners are encouraged to attend at least 30% of regular meetings to stay informed and ready to serve when needed. Alternates may sit on the dais and participate in discussions even when regular members are present, if authorized by the Commission Chair. However, alternates may not vote unless officially seated to fill an absence. When called upon to serve but unable to attend, the absences of alternate commissioners will be considered excused or unexcused based on timely communication with the Commission Secretary.

In accordance with the City's Tardiness Policy, if a regular commissioner has not arrived within ten (10) minutes of the scheduled meeting start time and has not provided prior notice to the Commission Secretary, the alternate commissioner may be officially seated to fill the vacancy for that meeting. Once seated, the alternate shall have full voting rights for the duration of the meeting.

If the regular commissioner arrives after the alternate has been seated, the regular commissioner may participate as a member of the public but will not be permitted to participate as a voting member for that meeting.

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### **Section 3. Accommodations for Commissioners with Disabilities**

Members of boards, commissions, and the public who have a disability have a right to reasonable accommodations necessary for them to participate in City meetings and programs. The Americans with Disabilities Act (ADA) and other laws mandate that the City provide programmatic access and effective communication in order for people with disabilities to be able to participate in the City's programs, services, and activities including public meetings.

Individuals with disabilities who need accommodations to participate at a City of Union City meeting should make their requests to the commission secretary.

### **Section 4. Stipend Information**

Pursuant to UCMC Section 2.20.080, commissioners may be entitled to payment in an amount specified by City Council Resolution.

## **CHAPTER 3 – CONFLICT OF INTEREST PROHIBITED**

### **A. Influencing the Making of Contracts and Affecting Other Financial Interests.**

The Political Reform Act and Government Code 1090 prohibit commissioners from participating in a matter in which the commissioner has an economic or contractual interest. This extends to any decisions or attempts to influence a decision involving the interest.

Under some instances, an exception to the rule may exist. Please contact the secretary of the commission should you believe you have a conflict of interest.

### **B. Disclosure Statements Required (Form 700).**

The Government Code of the State of California requires that designated commissioners file a Form 700 Statement of Economic Interests in which they disclose specified financial interests. The Union City Conflict of Interest Code specifies each commission that is subject to this requirement and the interests that must be disclosed.

**Failure to file any required Form 700 by the deadline (Assuming, Annual, Leaving) may result in the assessment of fines and/or referral to the FPPC for enforcement. Additionally, commissioners that have not timely filed a Form 700 are prohibited from attending commission meetings until the Form 700 has been filed and all outstanding fines have been paid.**

An Assuming Office Form 700 must be filed with the City Clerk Department within 30 days of appointment. Annual Form 700s must be filed by April 1 of each year. Finally, a Leaving Office Form 700 is required within 30 days of leaving office.

Commissioners, Board and Committee members are required to file pursuant to the City's Conflict of Interest Code, which is updated every two years. The City Clerk will routinely advise all commissioners affected of these requirements and deadlines. Not all commissioners are required to report the same interests. The Conflict of Interest Code is designed to require only that degree of disclosure needed to protect the public interest while balancing that need with an individual's right to privacy.

#### **C. Incompatible Public Offices.**

The common law doctrine of incompatible public offices prohibits a public official from occupying two public offices that are incompatible in terms of their duties and/or the likelihood of divided loyalties. However, in Union City, serving on two or more City boards or commissions, including quasi-judicial bodies, is permitted. A commissioner who already occupies an elected or appointed office other than a City board or commission and wants to apply for appointment to a City commission should seek the City Attorney's advice as to whether the two offices may be deemed incompatible.

#### **D. Elected Officials.**

Should a commissioner be elected to one of the following positions, the commissioner shall resign from the commission position within 30 days of the election date:

Alameda County Water District Board of Directors, BART Board of Directors, Alameda County Board of Supervisors, Alameda County Board of Education, East Bay Regional Park District Board of Directors, New Haven Unified School District Board of Education, Chabot College Board of Trustees, Ohlone College Board of Trustees, AC Transit Board of Directors, Union Sanitary District Board of Directors.

Failure to resign within 30 days shall result in the commissioner's position being placed before the City Council for removal.

### **CHAPTER 4 – COORDINATION WITH COUNCIL, STAFF, MEDIA AND COMMUNITY**

#### **A. Coordination with City Council.**

##### **(1) Relationship to City Council.**

The role of a commission is to advise the City Council. The exception is for quasi-judicial commissions that can act under their authorized ordinances or advise the City Council as appropriate. The City Council is responsible for accepting, rejecting, or modifying commission recommendations. The Council relies on the various commissions to increase the variety of viewpoints and talents brought to bear on City problems. By concentrating on specific areas, commissioners use their expertise and conduct detailed analyses that the Council itself may not

have the time to pursue. It is expected that commissions will adopt positions of advocacy within their specific purview. However, the City Council's role is to take into consideration the many varied and sometimes conflicting public needs and render its judgment of what will best serve the public good. The Council must weigh the effect of any given recommendation, not only on the particular area of interest but on all other City goals and programs.

Just as the commissions advise the City Council concerning policy but do not create policy, the commissions advise the City Council concerning various programs run by the City but do not themselves operate programs. It is the responsibility of the City Manager and the City staff to operate programs authorized by the City Council.

(2) Councilmember Liaison

In order to provide regular and consistent guidance to commissions, the City Council will designate one Councilmember to serve as a liaison to the Human Relations Commission, Senior Commission, Parks and Recreation Commission, Arts and Culture Commission and Youth Commission. Each commission is encouraged to keep the Councilmember liaison apprised of relevant developments and seek guidance from the Councilmember liaison. The Councilmember liaison will keep the City Council apprised as appropriate. The Councilmember Liaison may include the following activities:

(a) Attend Commission meetings as needed to communicate and provide guidance to Commissioners.

(b) Attend Commission retreats and planning meetings as needed to ensure guidance can be rendered to Commissioners as priorities are being shaped.

(c) Work one on one with Commission Chairs and staff to determine approaches to Commission work as needed.

(d) Keep the Mayor and City Council apprised as needed of Commission work at City Council meetings during the City Commission/Committee Reports section of the agenda.

(e) Provide the Mayor feedback regarding the Commission as needed.

(f) The Planning Commission will not have a Councilmember Liaison due to the State's legal requirement for the Planning Commissioners to act independently from the City Council on policy matters.

(3) Referrals from the City Council.

The Council may transmit referrals for information or action through formal action on an agenda item. These actions are recorded in the minutes of the Council meeting. The secretary notifies the commission of any such referrals from the Council. When appropriate, the Council may indicate a desired date for response and specify which commissions will be consulted.

Each referral response presented to the City Council on the Council agenda, shall indicate to whom the item was referred, the date of referral, and any other responses. Each commission may elect to respond by means of a separate report or communication.

**B. Council Meeting Procedures and Commission Participation.**

Regular City Council meetings are generally held twice monthly on Tuesdays. The



schedule is established annually, taking into consideration holidays and election dates.

The chair, or an authorized representative of the commission, has the right to address the City Council on relevant items within the jurisdiction of the commission. Commissioners not delegated to speak as the official representative may utilize the Public Comment period to present information to Councilmembers.

**C. Coordination with Staff.**

The City Manager has a direct interest in the work of all commissions as they often advise the City Council on issues that will affect the use of staff time and City resources. Commission secretaries are responsible to the City Manager as well as the commission, and they keep the City Manager informed of significant issues that come before their commissions.

**D. External Relationships.**

(1) Communication with the public, press and other media.

There are instances where it is appropriate for commissioners to provide public statements about city events and policy matters to the public and the press in an official capacity; however, commissioners must coordinate with City staff and seek approval first from the Mayor and Councilmember liaison prior to giving such statements. Upon approval from the Mayor and Councilmember liaison, City staff will coordinate and organize public communication and inquiries from the media related to official statements to include the chair of the commission, or a representative designated by the commission, who may clarify actions taken by the commission, fairly and accurately recap commission conversations, or outline next steps. The Chair or designee must not editorialize, offer personal opinions, or speculate on future actions when speaking in an official capacity. A commissioner may recite commission positions, activities and actions taken and state factual accounts of those actions.

(2) Community relations and engagement/Social media.

Commissioners may not, in an official capacity, represent their commission or the City to the general public without City Council approval. Commissioners may not use city logos, branding, name tag, business cards, or other collateral to represent their private, personal or political interests.

Any time that a commissioner uses their commission title, is wearing their commissioner name badge or references their membership on a city commission when speaking publicly or on social media, they must state that they are speaking in an individual capacity and not as a representative of the City of Union City.

(3) Election-related activity or personal activity.

Commissioners are prohibited from using their position as a commissioner for political or personal gain. For example, while potential ballot measures are under consideration or while candidate campaigns are being carried out, commissioners can elect to individually participate in campaign activity but cannot use City resources to support that activity. Thus, commissioners may engage in election-related activity as community members, and may use their commission title(s), current or former, for identification purposes, so long as they affirmatively declare that they do not represent the City or any legislative body of the City. As a point of reference, attached is a memorandum from the City Attorney related to campaign activities during the 2020 election.

**CHAPTER 5 – COMMISSIONER TRAINING**

**A. Training Required by City.**

- (1) Onboard ~~training~~training/orientation for new commissioners.

Certain commissions may have a training/orientation workshop conducted by the City Clerk's Office or the commission secretary. Commissioners will be contacted by the commission secretary of any necessary training/orientation.

**B. State-Mandated Training.**

- (1) Commissioners are required to complete biennial ethics training under AB 1234 and harassment prevention training under AB 1661 in accordance with State law and UCMC Section 2.20.100. Newly appointed commissioners must complete both trainings within one year of their appointment and every two years thereafter.
- (2) In addition to completing the required trainings, commissioners must submit proof of completion to the City Clerk by the required deadline. Failure to complete the training or submit proof of completion within the specified timeframe will be treated as non-compliance and will result in automatic removal from the commission.
- (4) Commissioners who fail to comply with either of these requirements will be ineligible for reappointment to any board or commission for a period of 24 months from the date of removal. Commissioners are required to complete biennial ethics training (AB 1234) under State law and UCMC Section 2.20.100. Failure to complete ethics training will result in automatic removal from the commission. The City Clerk shall provide notice to all commissioners no later than three months of the deadline for commissioners to receive training. (UCMC Section 2.20.100(E).)
- (3) Commissioners designated by the Human Resources Department are required to complete harassment prevention training (AB 1825). The Human Resources Department will notify commissioners of their obligation to complete training and when required.

**CHAPTER 6 – TELECONFERENCING AND REMOTE PARTICIPATION**

Commissioners may participate in meetings via teleconferencing under two distinct legal frameworks: Government Code Section 54953 (Brown Act Teleconferencing Rules) and AB 2449 (Temporary Teleconferencing Option). The conditions for each are outlined below:

A. Teleconferencing Under Government Code Section 54953 (Standard Brown Act Requirements):

- A quorum of the commission must be physically present at a publicly accessible location.
- All remote teleconference locations must be identified in the meeting agenda and made accessible to the public.

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- Commissioners participating remotely under this rule must publicly disclose their teleconference location and allow members of the public to attend at that location.
- All votes must be taken by roll call.

**B. Teleconferencing Under AB 2449 (Temporary, More Flexible Remote Participation):**

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- AB 2449 allows limited remote participation without requiring disclosure of the commissioner's remote location or public access to it.
- This option is available only when a commissioner has "just cause" or faces "emergency circumstances." The commissioner must notify the commission as soon as possible when invoking this provision.
- Remote participation under AB 2449 is limited to two meetings per calendar year, unless a declared state of emergency is in effect.
- Commissioners participating remotely under AB 2449 must have their video enabled throughout the meeting unless prevented by an emergency or an approved accommodation.

**Definitions Under AB 2449:**

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- "Just Cause" means any of the following circumstances requiring a commissioner's remote participation:
  1. Childcare or caregiving responsibilities for a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner.
  2. A contagious illness that prevents attendance in person.
  3. A need related to a physical or mental disability that is not otherwise accommodated.
  4. Travel while on official City business or related to the performance of official duties.
- "Emergency Circumstances" means a physical or family medical emergency that prevents the commissioner from attending the meeting in person.

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Commissioners are responsible for understanding and complying with the requirements of each teleconferencing option. Staff will provide further guidance as needed to ensure compliance.

**ORDINANCE NO. ###-##**

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

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

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

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

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

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

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

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

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

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

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

§ 2.20.040 Commissioner attendance standards.

...

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

...

§ 2.20.100 Ethics/AB 1234 and Other Training Requirements.

A. Pursuant to the requirements of Assembly Bill 1234, as codified in Government Code Section 53234 et seq., Commissioners and alternates are required to complete the following training in general ethics principles and ethics laws:

1. Each Commissioner and alternate must complete at least two hours of training in general ethics principles and ethics laws relevant to his or her public service no later than one year from the first day of service as a Commissioner or alternate pursuant to subdivision (b) of Section 53235.1 of the Government Code.

2. Each Commissioner and alternate must complete at least two hours of training in general ethics principles and ethics laws relevant to his or her public service every two years pursuant to subdivision (b) of Section 53235 of the Government Code.

B. Pursuant to the requirements of Assembly Bill 1661, as codified in Government Code Section 53237 et seq., Commissioners and alternates are required to complete the following training in harassment prevention:

1. Each Commissioner and alternate must complete at least two hours of training in harassment prevention relevant to his or her public service no later than six months from the first day of service as a Commissioner or alternate pursuant to subdivision (b) of Section 53237.1 of the Government Code.

2. Each Commissioner and alternate must complete at least two hours of training in harassment prevention relevant to his or her public service every two years pursuant to subdivision (b) of Section 53237.1 of the Government Code.

~~B~~ C. Upon failure of a Commissioner or alternate to complete the training requirements of this section and submit proof of completion to the City Clerk within the timelines identified above, ~~his/her the Commissioner's~~ seat shall be automatically vacated and an alternate member nominated by the Mayor shall be appointed to the vacated seat with the approval of the City Council.

~~C~~ D. Should an alternate member not be available to fill a vacancy created pursuant to this section, the Mayor shall appoint a replacement Commissioner in accordance with the board, commission, or committee's provisions for filling vacancies.

~~D~~ E. Commissioners or alternates that have vacated their position pursuant to this section shall not be eligible for reappointment to any City ~~the same~~ board, commission, or committee for a 24 month period from the date of vacating the position ~~during the unexpired portion of the vacated term and for one full term.~~

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

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

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



## **Item 7.2.: Commission Standards Update – Attendance and Training Requirements**

*June 10, 2025 City Council Regular Meeting*

# Background

- Norms and Guidelines adopted in 2021
- UCMC regularly reviewed for alignment with:
  - Best practices
  - Strategic Goals
  - State Law Updates
- April 28, 2025: Legislation and Policy Committee reviewed proposed revisions



# Summary of Ordinance Changes

- Attendance Tracking
  - From rolling 12 months → Calendar year basis
- Harassment Prevention Training (AB 1661)
  - Required for all commissioners
  - Failure = automatic seat vacancy
- Proof of Ethics/Harassment Training
  - Must submit to City Clerk
  - Non-compliance = 24-month ineligibility

# Summary of Resolution Changes

- Tardiness Protocol
  - 10 minutes late without notice = unexcused & no compensation
  - With notice: May still count as present if quorum maintained
- Expectations for Alternates
  - Suggested 30% attendance to stay informed
  - May sit on dais and participate (no vote unless seated officially)
- Administrative Alignment
  - Edits for consistency and state law alignment

## **Alternate Commissioners – Clarified Expectations**

- Encouraged to attend at least 30% of meetings
- May sit on dais and participate in discussions (no voting unless seated)
- If seated to vote, they must meet all training requirements
- If called but unable to attend, absences count as excused/unexcused

## Tardiness and Compensation

- **>10 minutes late** without prior notice:
  - Marked unexcused
  - No meeting stipend
- With notice and minimal disruption: marked present
- Chronic tardiness may impact reappointment eligibility

# Staff Recommendation

## Move to:

1. **Adopt a resolution** amending the Norms and Guidelines for Boards, Commissions, and Committees; and
2. **Waive full reading and introduce by title only** an ordinance of the City Council of the City of Union City amending Section 2.20.040 “Commissioner Attendance Standards” and Section 2.20.100 “Ethics/AB 1234 Training Requirements” of the Union City Municipal Code Related to Commission Standards.