



AGENDA

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

**Tuesday, May 8, 2018
7:00 PM**

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

1. CALL TO ORDER

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

*Mayor Carol Dutra-Vernaci
Vice Mayor Lorrin Ellis
Councilmember Emily Duncan
Councilmember Pat Gacoscos
Councilmember Gary Singh*

2. UNFINISHED BUSINESS - None

3. PROCLAMATIONS AND PRESENTATIONS - None

4. ORAL COMMUNICATIONS

Comments from the audience on non-agenda items will be accepted for a period of 30 minutes. Speakers are limited to three minutes each. Persons wishing to speak must complete a speaker card available at the rear of the Council Chamber or from the City Clerk. If the number of speakers exceeds the time allotment, cards will be shuffled and 10 speakers chosen at random. The remaining speakers may speak under Section XI of the agenda.

5. CONSENT CALENDAR

All matters listed on the Consent Calendar are considered routine in

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

5.a. Waived Further Reading of Proposed Ordinance

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

5.b. Approve the Minutes of the Special and Regular City Council Meetings of April 24, 2018

5.c. Adopt a Resolution to authorize the City Manager (or designee) to obtain an Appraisal and take other Actions considered necessary to evaluate the potential Sale of all, or a portion of, the contiguous Vacant Parcels on Tartarian Way (APN 486-97-15, APN 486-97-35, and APN 486-97-38).

5.d. Adopt a Resolution Eliminating a Civil Engineer Position, Creating a New Job Classification and Job Specification for Environmental Analyst and Amending the Authorized Position List and the Salary Compensation Plan

5.e. Adopt A Resolution Authorizing the Filing of an Application for Funding through the Metropolitan Transportation Commission's Life Line Transportation Program (Cycle 5) and Committing the Necessary Non-Federal Match and Stating the Assurance to Complete the Project

5.f. Adopt a Resolution for the Award of Contract to National Auto Fleet Group in the Not-to-Exceed Amount of \$50,000.00 for the Purchase of One 2018 Chevrolet Tahoe Police Canine Vehicle

5.g. Adopt a Resolution Approving a Side Letter Agreement to Existing Memorandum of Understanding with the Police Officers' Association (POA) to Resolve CalPERS Audit Finding Regarding Education Incentive

6. PUBLIC HEARINGS

6.a. Conduct a Public Hearing Regarding the Proposal of a Charter and the Content of the Proposed Charter

7. CITY MANAGER REPORTS

7.a. Direct Staff to Prepare an Amendment to the Municipal Code to Revise the Affordable Housing Ordinance

7.b. General Plan Update - Review of Draft Public Facilities and Services Element

7.c. Report of the Fiscal Sustainability Advisory Committee

8. SUCCESSOR AGENCY TO REDEVELOPMENT AGENCY - None

9. AUTHORITIES AND AGENCIES - None

10. CITY COMMISSION / COMMITTEE REPORTS

- 10.a. Staff Transmittal of Human Relations Commission Report:
Review the Human Relations Commission report on Alameda
County Measure A and consider approval of the Human
Relations Commission recommendation to endorse Measure A

11. SECOND ORAL COMMUNICATIONS

12. SCHEDULED ORAL COMMUNICATION - None

13. ITEMS REFERRED BY COUNCIL

Oral Reports by Mayor and Councilmembers on meetings of County or
Regional Board and Commissions

*Alameda County Fire Department Advisory Commission
Alameda County Library Advisory Commission
Alameda County Mayors Conference
Alameda County Transportation Commission (ACTC)
Alameda County Waste Management Authority (WMA)
Association of Bay Area Governments (ABAG)
City of Union City Audit Subcommittee
City of Union City Municipal Code Subcommittee
City of Union City Youth Violence Prevention & Intervention
Advisory Committee (YVIP)
Disaster Council
Dumbarton Rail Corridor Policy Advisory Committee
East Bay Community Energy Board of Directors (EBCE)
East Bay Economic Development Alliance (EDA)
Economic Development Advisory Team (EDAT)
General Plan Advisory Committee (GPAC)
Housing Authority of the County of Alameda (HACA)
League of California Cities, East Bay Division (LOCC)
Metropolitan Transportation Commission (MTC)
New Haven Unified School District Joint Sub-Committee
Oakland Airport Community Noise Management Forum
Teen Center Project Updates
Union City Chamber of Commerce
US Conference of Mayors*

14. GOOD OF THE ORDER

15. CLOSED SESSION - None

16. ADJOURNMENT

*A complete agenda packet is available for review at City Hall or on our
website www.unioncity.org*

Any writings or documents provided to a majority of City Council members regarding any item on this agenda will be made available for public inspection at the City Clerk's Counter at City Hall, located at 34009 Alvarado-Niles Road, Union City, California, during normal business hours.

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested person must request the accommodation at least two working days in advance of the meeting by contacting the City Clerk at (510) 675-5348.



Agenda Item

ATTACHMENTS:

Description	Type
❏ Draft Minutes for the Special Meeting of April 24, 2018	Attachment
❏ Draft Minutes for the Regular City Council Meeting of April 24, 2018	Attachment



MINUTES

CITY OF UNION CITY CITY COUNCIL SPECIAL MEETING

Tuesday, April 24, 2018

6:30 PM

**City Hall - City Council Conference Room
34009 Alvarado-Niles Road
Union City, CA 94587**

1. CALL TO ORDER

Mayor Dutra-Vernaci called the meeting to order at 6:35 p.m.

Roll Call

Present: Councilmembers Duncan, Singh, Gacoscas, Mayor Dutra-Vernaci

Absent: Vice Mayor Ellis

2. ORAL COMMUNICATIONS - comments limited to items on the Special Meeting Agenda

3. CLOSED SESSION

3.a. Conference with Legal Counsel - Anticipated Litigation

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9

Number of Potential Cases: One (1)

4. ADJOURNMENT

Mayor Dutra-Vernaci adjourned the meeting at 6:57 p.m. with no reportable action.

Respectfully submitted,

Anna M. Brown, CMC
City Clerk



MINUTES

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

**Tuesday, April 24, 2018
7:00 PM**

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

1. CALL TO ORDER

Mayor Dutra-Vernaci called the meeting to order at 7:12 p.m.

1.a. Pledge of Allegiance

Mayor Dutra-Vernaci led the salute to the flag.

1.b. Roll Call

Present: Councilmembers Duncan, Gacoscas, Singh, Vice Mayor
Ellis, Mayor Dutra-Vernaci

Absent: None

Before beginning, Mayor Dutra-Vernaci stated staff requested that the City Council add an urgency item to the evening's agenda. Staff has requested that the City Council add item 7.B: Adopt a Resolution to Approve a List of Projects to be Funded by SB1: The Road Repair and Accountability Act.

In order to add the item, 4/5 of the City Council must determine that there is a need for immediate action and the need to take action came to the attention of the local agency subsequent to the agenda being posted. Item 7.B must be acted upon immediately because the City must submit the Resolution to the California Transportation Commission by May 1 and the City Council will not meet again until May 8. Failure to submit the Resolution will result in the City losing SB1 funding for this year. Additionally, the need to take action came to the attention of City Staff after the agenda was posted.

Mayor Dutra-Vernaci entertained a motion to add urgency item 7.B with the findings that immediate action is required and the need for immediate action came to the attention of City Staff after the posting of tonight's agenda as previously stated.

It was moved by Councilmember Duncan and seconded by Councilmember Singh to add Item 7.b. to the agenda. The motion was carried by a unanimous voice vote.

With concurrence from Council, Mayor Dutra-Vernaci moved Item 10.a. be heard following Oral Communications.

2. UNFINISHED BUSINESS - None

3. PROCLAMATIONS AND PRESENTATIONS

3.a. Proclamation in Recognition of Turban Day

Mayor Dutra-Vernaci read the proclamation aloud and Councilmember Singh spoke about the importance of Turban Day.

Mayor Dutra-Vernaci presented the proclamation to Gurpreet Singh, head priest of Fremont Gurdwara. Speakers included Justin Aulakh, Ekamjot Sahi, Japleen Kaur, and Satinder Malhi.

Mayor Dutra-Vernaci recognized Amarjit Singh Khalra , brother of Sikh martyr Sardar Jaswant Singh Khalra,.

Public comment was given by Sarabjit Cheema

3.b. Proclamation Recognizing May 10 to May 20, 2018 as the 22nd Annual East Bay Affordable Housing Week

Mayor Dutra-Vernaci read the proclamation aloud for the record.

3.c. Proclamation Marking the 50th Anniversary of the Passage of the Fair Housing Act

Mayor Dutra-Vernaci read the proclamation aloud and presented it to Angie Watson-Hajjem of Eden Council for Hope and Opportunity Housing and Will Doerlich, Past President of Bay East Association of REALTORS®

4. ORAL COMMUNICATIONS

Speaker announced a Brahma Kumaris event taking place in Milpitas on June 2.

5. CONSENT CALENDAR

Mayor Dutra-Vernaci pulled Item 5.c. from the consent calendar.

It was moved by Vice Mayor Ellis and seconded to Councilmember Duncan, to approve consent calendar items 5.a., 5.b. and 5.d. The motion was approved by a unanimous voice vote.

5.a. Waived Further Reading of Proposed Ordinance

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

Approved the Minutes of the Special and Regular City Council Meetings of April 10, 2018

5.b. Adopted **Resolution No. 5221-18** in Support of Proposition 68, The California Drought, Water, Parks, Climate, Coastal Protection and Outdoor Access for All Act of 2018

5.d. Second Reading And Adoption of **Ordinance No. 850-18** (1) Approving Zoning Text Amendment (At-18-002) to Modify Chapter 18.116, Housing Element (HE) Overlay Zone, to Allow for Broader Applicability; and (2) **Ordinance No. 851-18** Approving Zoning Map Amendment (A-18-001) to Implement the 2015-2023 Housing Element by Rezoning Properties Identified as 3995 Smith Street (APN 483- 10-22-3), 3969 Smith Street (APN 483-10-21-1), 3955 Smith Street (APN 483-10-20), 30971 Vallejo Street (APN 483-10-19-1), and 30968 Union City Boulevard (APN 483- 10-25) to Apply The Housing Element Overlay Zone to Build Additional Housing Capacity (Introduced April 10, 2018)

Item 5.c.

Councilmember Gacoscas orally announced for the record that she had a conflict under the Political Reform Act due to a real property interest in her residence. Councilmember Gacoscas stated she has applied to the City for an accessory dwelling unit and the proposed ordinance changes the development potential of her residence. Councilmember Gacoscas then left the Council Chambers.

It was moved by Councilmember Duncan and Councilmember Singh to Adopt **Ordinance No. 849-18** Approving Zoning Text Amendment, AT-18-001, to Amend Chapters 18.32, Residential Districts, and 18.88, R-5000 Zoning District, of Title 18, Zoning, of The Union City Municipal Code Regarding Accessory Dwelling Units and Home Occupations. The motion was carried by the following voice vote:

AYES: Councilmembers Duncan and Singh, Vice Mayor Ellis and Mayor Gacoscas

NOES: None

ABSTAIN: Councilmember Gacoscas

ABSENT: None

6. PUBLIC HEARINGS

6.a. Conduct a Public Hearing and Adopt a Resolution Declaring Intent to Award Commercial Cannabis Permits to Eden Campus Holdings, LLC for

Cultivation, Distribution, Manufacturing, and a Medical Cannabis Dispensary Subject to Compliance with Necessary Conditions

Prior to the presentation, Mayor Dutra-Vernaci orally announced for the record that she had an economic conflict of interest under the Political Reform Act. She has a real property interest in her residence, located close to the property under discussion. Further, the parcel under discussion is owned by the Franco Trust, clients of her tax business and a source of income to her. Mayor Dutra-Vernaci then left the Council Chambers.

City Manager Acosta presented the staff report, detailing the Commercial Cannabis Permit process undertaken by the applicant thus far and the components of their application that led them to tonight's consideration. City Manager Acosta explained the remaining process should Council adopt the resolution of intent. Staff responded to questions from Council. Councilmembers provided comment.

Vice Mayor Ellis opened the public hearing and called for public comment in favor of the proposed resolution.

Shareef El-Sissi principal for Garden of Eden, spoke in favor of the resolution and responded to questions from Council.

Pamela Epstein of Greenwise, counsel for the applicant, spoke in favor of the resolution and detailed the additional work they will conduct of behalf of Garden of Eden.

The following individuals spoke in opposition to the proposed resolution; Robert Chavez, Arnel Felizardo, and Felix Archuleta. Each expressed concerns regarding risks to children and negative impacts on the community if the commercial cannabis permits were approved.

Vice Mayor Ellis called for rebuttal to the comments in opposition.

Mr. El-Sissi returned to the podium to address the concerns expressed by the speakers in opposition. He detailed some of the actions Garden of Eden has taken to educate individuals about cannabis, keep it out of the hands of children and provide additional benefits to the communities in which they currently reside.

Vice Mayor Ellis read aloud a statement in opposition submitted by former Councilmember Jim Navarro.

Vice Mayor Ellis closed the public hearing and called for discussion from Council. Councilmembers sought clarification on proximity and security issues brought forth by speakers in opposition. Council reiterated that there will still be opportunities for additional public comment, study, and deliberation during the conditions of approval process.

It was moved by Councilmember Duncan and seconded by Councilmember Gacoscos to adopt **Resolution No. 5222-18** Declaring Intent to Award Commercial Cannabis Permits to Eden Campus Holdings,

LLC for Cultivation, Distribution, Manufacturing, and a Medical Cannabis Dispensary Subject to Compliance with Necessary Conditions. The motion was carried by the following roll call vote:

AYES: Councilmembers Duncan and Gacoscos, Vice Mayor Ellis
NOES: Councilmember Singh
ABSTAIN: Mayor Dutra-Vernaci
ABSENT: None

Vice Mayor Ellis recessed the meeting at 9:45 p.m.
Mayor Dutra-Vernaci reconvened the meeting at 9:52 p.m.

- 6.b. Conduct a Public Hearing and Adopt a Resolution Declaring Intent to Award a Commercial Cannabis Permit to Jiva Life, LLC for a Medical Dispensary Subject to Compliance with Necessary Conditions

City Manager Acosta presented the staff report, detailing the Commercial Cannabis Permit process undertaken by the applicant thus far and the components of their application that led them to tonight's consideration. City Manager Acosta explained the remaining process should Council adopt the resolution of intent. City Manager Acosta explained additional issues related to the property owner and an HOA for the complex.

Staff responded to questions from Council. Mayor Dutra-Vernaci expressed concerns about parking. City Manager Acosta deferred to the applicant for response.

Mayor Dutra-Vernaci opened the public hearing and called for comments in favor of the resolution.

John Handel, Principal of Jiva Life, LLC spoke in favor of the resolution and responded to questions from Council.

Additional speakers on behalf of Jiva Life, LLC included Dr. Kartheek Reddy, Dr. Harry Sachdev, and Nina Parks, Jiva Partner.

Mayor Dutra-Vernaci called for public comment from those opposed to the resolution.

Joselito Iringan, Evelyn Abellara, Marcus Lin, Ravi Salveraj and Felix Archuleta spoke in opposition. All reported being co-tenants and direct neighbors of the potential business. Each expressed concern over the potential negative impacts to their businesses, such as parking and the loss of business clientele.

Myrla Reymundo stated she was opposed to awarding a commercial cannabis permit to Jiva Life, LLC.

Mr. Handel, Gaurav Bali, Chief Compliance Officer and Rajiv J. Pottabathni, Chief Strategy Officer provided a rebuttal on behalf of Jiva Life, LLC and addressed the topics raised by those who spoke in opposition.

Mayor Dutra-Vernaci closed the public hearing and called for comments from Council.

Councilmembers expressed concern over the potential impact to neighboring businesses, including issues with parking.

Mayor Dutra-Vernaci opened the public hearing again so the applicant could respond to a question from Councilmember Gacoscas regarding communication with the HOA and Jiva's noticing to the tenants. Jiva's Chief Compliance Officer, Gaurav Bali, provided response.

Mayor Dutra-Vernaci closed the public hearing.

Mayor Dutra-Vernaci asked for clarification as to what would happen if the resolution was not approved this evening. City Attorney Kokotaylo provided response, stating Council would have to restart the process again to get an additional two applicants if they wanted to award all three commercial cannabis permits. City Attorney Kokotaylo provided alternative actions that Council could take if they were not comfortable with adopting the proposed resolution this evening.

Council consensus was to continue the public hearing in an effort to gather additional information regarding their concerns on the location.

It was moved by Councilmember Duncan and seconded by Councilmember Gacoscas that the Council take no action tonight and plan a future public hearing to review further information on a date to be determined. The motion was carried by the following voice vote:

AYES:	Councilmembers Duncan and Gacoscas, Vice Mayor Ellis, Mayor Dutra-Vernaci
NOES:	Councilmember Singh
ABSTAIN:	None
ABSENT:	None

Due to the required 15 day notice, staff anticipated the continuation of the public hearing would likely take place during the month of June.

7. CITY MANAGER REPORTS

7.a. Discussion Regarding Agenda Topics for the City Council Retreat

Council discussed potential topics for the City Council Retreat being held on Saturday, June 2. Topics included Charter City, School Safety, and Fiscal Stability.

This item was informational only and did not require formal action of the Council.

7.b. Urgency Resolution: Adopt a Resolution Approving a List Of Projects Funded by SB1: The Road Repair and Accountability Act

Deputy City Manager Evanoff stated the streets selected included portions of Decoto Road, portions of Alvarado-Niles Road, portions of Union City Boulevard and portions of Tamarack Drive. The amount of money available to Union City for 2017-18 is \$1.2 million. There were no questions or comments from Council.

It was moved by Vice Mayor Ellis and seconded by Councilmember Singh to adopt **Resolution No. 5223-18** approving a List of Projects Funded by SB1: The Road Repair and Accountability Act. The motion was carried by a unanimous voice vote.

8. SUCCESSOR AGENCY TO REDEVELOPMENT AGENCY - None

9. AUTHORITIES AND AGENCIES - None

10. CITY COMMISSION / COMMITTEE REPORTS

10.a. Annual Report from the Union City Youth Commission

Presented immediately following Oral Communications.

Youth Commissioner Chair Taylor Turner spoke about the Youth Commission's accomplishments: including the Halloween Carnival, the Running Dead Fun Run, Spring Egg Hunt, and Super Hero Fun Run. Vice Chair Nihil Kona spoke about the Commission's extensive involvement with the Kennedy Youth Center, including the input they provided in the design, selection of the murals/public art, selections of programs being offered, and planning the grand opening on May 11. Chair Turner provided event flyers for the grand opening.

Vice Chair Kona stated continued support for the Kennedy Youth Center will be an ongoing action of the Commission.

Council expressed their excitement for the opening of the Kennedy Youth Center and congratulated the Commissioners on all their hard work towards the effort.

City Manager Acosta recounted the 8 year process in getting the Kennedy Youth Center project to phase 1 and features still to come in future phases. City Manager Acosta noted the Center is the first building in Union City to have extensive public art, made possible by the youth and led by the City's contractor, the Illuminaries.

11. SECOND ORAL COMMUNICATIONS

12. SCHEDULED ORAL COMMUNICATION - None

13. ITEMS REFERRED BY COUNCIL

Oral Reports by Mayor and Councilmembers on meetings of County or Regional Board and Commissions

Alameda County Fire Department Advisory Commission – No report.

Alameda County Library Advisory Commission – No report.

Alameda County Mayors Conference – Mayor Dutra-Vernaci attended the conference in Pleasanton on April 11, where they program was about Urban Shield. Mayor Dutra-Vernaci expressed gratitude for Union City's involvement with Urban Shield.

Alameda County Transportation Commission (ACTC) – No report.

Alameda County Waste Management Authority (WMA) – Vice Mayor Ellis stated he attended the Programs & Administration Committee meeting on April 12 and will attend the full meeting on April 25.

Association of Bay Area Governments (ABAG) – No report.

City of Union City Audit Subcommittee – No report.

City of Union City Municipal Code Subcommittee – No report.

City of Union City Youth Violence Prevention & Intervention Advisory Committee (YVPIP) – No report.

Disaster Council – No report.

Dumbarton Rail Corridor Policy Advisory Committee – No report.

East Bay Community Energy Board of Directors (EBCE) – Mayor Dutra-Vernaci attended the April EBCE meeting where they approved a third energy product, additional information still to come.

East Bay Economic Development Alliance (EDA) – No report.

Economic Development Advisory Team (EDAT) – No report.

Fiscal Stability Committee – Councilmember Duncan reported on the meeting of April 17. A full report will be presented to the Council on May 8.

General Plan Advisory Committee (GPAC) – Councilmember Duncan stated she attended the GPAC meeting on April 18, where they reviewed they reviewed the Public Facilities and Services Element.

Housing Authority of the County of Alameda (HACA) – Councilmember Gacoscos stated she attended the HACA meeting of April 12 where the HUD budget was discussed. Councilmember Gacoscos also noted that the repainting and repair of a Union City complex were almost complete.

League of California Cities, East Bay Division (LOCC) – No report.

Metropolitan Transportation Commission (MTC) – Mayor Dutra-Vernaci stated she will attend MTC on April 25. On agenda was an action item regarding an \$800,000 grant for PDA and DIPSA.

New Haven Unified School District Joint Sub-Committee – Councilmembers Gacoscos and Duncan reported on their attendance of the subcommittee

meeting on April 22. Topics of discussion included school safety, the Student Resource Officer program and the City-District parcel transfer.

Oakland Airport Community Noise Management Forum – Councilmember Singh reported on his attendance of April 18 meeting where quarterly noise reports were presented.

Teen Center Project Updates – No report.

Union City Chamber of Commerce – Councilmember Gacoscos stated she attended the Chamber meeting of April 17 and announced the May 11 Small Business breakfast at Mexico Tipico and the May 17 General Membership Meeting. New businesses in Union Landing included a soon-to-be opened sea food restaurant at the former Applebees and the Pour House at the former Pasta Pomodoro.

US Conference of Mayors – No report.

14. GOOD OF THE ORDER

Vice Mayor Ellis noted his and the Mayor's participation in the Kitayama PTA Fundraiser Basketball game against the Harlem Wizards. Vice Mayor Ellis congratulated the Kitayama PTA on a successful event.

Councilmember Gacoscos invited everyone to attend the 25th Annual Asian American Heritage Festival. The event will be held on Saturday, May 26 at the Southern Alameda County Buddhist Church, 11:00 a.m. – 5:00 p.m.

Councilmember Singh reported a couple dead trees on Central Avenue, close to the fire station.

Mayor Dutra-Vernaci attended the community garden renaming ceremony in honor of John Haley. The Mayor stated that she was happy to see Mr. Haley receive recognition for all of the contributions he's made to Union City.

Mayor Dutra-Vernaci provided additional detail on the Harlem Wizards v. Union City All-Stars basketball game and congratulated the Kitayama PTA for the successful event.

15. CLOSED SESSION - None

16. ADJOURNMENT

Mayor Dutra-Vernaci adjourned the meeting at 11:26 p.m.

Respectfully submitted,

Anna M. Brown, CMC
City Clerk



Agenda Item

ATTACHMENTS:

Description	Type
▣ Staff Report	Staff Report
▣ Resolution	Resolution

In 2006 the City Council approved offering the property for sale. To prepare the property for sale the City vacated the dead-end portion of Perry Road from Tartarian Way to the flood control channel, with one-half of the former roadway going to the owner on each side of the road segment. Additionally, a 10 foot wide public access easement was reserved on the City's portion of the vacated property to provide ingress and egress to the Alameda County Flood Control channel.

The adjacent property owner subsequently objected to vacation of the roadway. A Settlement Agreement was eventually reached such that, among other things, a private road was reestablished and the adjacent property owner would be given a right of first refusal before the property could be sold by the City to a third party. The City chose not to pursue a sale of the property at that time.

DISCUSSION

Given the shortage of buildable land and the high value of the property the City Council may wish to consider selling the parcel on Tartarian Way at this time. Below is an aerial view of the property and surrounding area.



In 2004, assuming a buildable lot, the property (consisting only of APN 486-97-15 and 486-97-35) was appraised at \$260,000. For the upcoming appraisal the City would request that the appraiser re-appraise this property, along with two alternatives; the first adding in 5 feet of the vacated roadway owned by the City (APN 486-97-38, portion) and the second adding in the entire vacated roadway owned by the City (APN 486-97-38).

Concurrently, the City would discuss the potential sale with the adjacent property owner in compliance with the Settlement Agreement and with the objective of exploring improvements to that Settlement Agreement that may be of benefit to both parties.

FISCAL IMPACT

There will be an approximate cost of \$5,000 to \$10,000 to the General Fund for the appraisal and related property consolidation matters. If the City Council subsequently decides to sell the property, the net sales proceeds will be deposited into the General Fund.

RECOMMENDATION

Staff recommends that the City Council of the City of Union City adopt a Resolution to authorize the City Manager (or designee) to obtain an Appraisal and take other Actions considered necessary to evaluate the potential Sale of all, or a portion of, the contiguous Vacant Parcels on Tartarian Way (APN 486-97-15, APN 486-97-35, and APN 486-97-38).

Prepared by

Steve Sprotte, Management Analyst III

Submitted by

Mark Evanoff, Deputy City Manager

RESOLUTION NO.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY
AUTHORIZING THE CITY MANAGER (OR DESIGNEE) TO OBTAIN AN
APPRAISAL AND TAKE OTHER ACTIONS CONSIDERED NECESSARY TO
EVALUATE THE POTENTIAL SALE OF ALL, OR A PORTION OF, THE
CONTIGUOUS VACANT PARCELS ON TARTARIAN WAY (APN 486-97-15,
APN 486-97-35, AND APN 486-97-38)**

WHEREAS, Union City owns contiguous vacant parcels on Tartarian Way (APN 486-97-15, APN 486-97-35, and APN 486-97-38); and

WHEREAS, the property was defined as Lot 17 of Tract 3563 in 1974 as part of a planned residential single family home development on Tartarian Way and was dedicated to the City of Union City by the developer; and

WHEREAS, it is likely that Lot 17 was not developed at that time, at least in part, because of the 15 foot easements for water and sewer abutting the tract boundary.

WHEREAS, in 2006 the City Council approved offering the property for sale; and

WHEREAS, to prepare the property for sale the City vacated the dead-end portion of Perry Road from Tartarian Way to the flood control channel, with one-half of the former roadway going to the owner on each side of the road segment; and

WHEREAS, the adjacent property owner subsequently objected to vacation of the roadway. A Settlement Agreement was eventually reached such that, among other things, a private road was reestablished and the adjacent property owner would be given a right of first refusal before the property could be sold by the City to a third party; and

WHEREAS, the City chose not to pursue a sale of the property at that time.

WHEREAS, given the shortage buildable land and high value of this property the City Council would like to consider selling at this time.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Union City to authorize the City Manager (or designee) to obtain an Appraisal and take other Actions considered necessary to evaluate the potential Sale of all, or a portion of, the contiguous Vacant Parcels on Tartarian Way (APN 486-97-15, APN 486-97-35, and APN 486-97-38).



Agenda Item

DATE: 5/8/2018

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: ANTONIO E. ACOSTA, CITY MANAGER

SUBJECT: ADOPT A RESOLUTION ELIMINATING A CIVIL ENGINEER POSITION, CREATING A NEW JOB CLASSIFICATION AND JOB SPECIFICATION FOR ENVIRONMENTAL ANALYST I/II AND AMENDING THE AUTHORIZED POSITION LIST AND THE SALARY COMPENSATION PLAN

This staff report proposes a modest staffing reorganization within the Department of Public Works.

BACKGROUND

Staff is recommending that the City Council adopt a resolution eliminating a Civil Engineer I/II position, creating a new job classification and job specification (Environmental Analyst I/II), and amending the Authorized Position list and the Salary Compensation Plan to reflect addition of this new classification.

DISCUSSION

With the appointment of a new Public Works Director, staff has engaged in a review of both short and long-term staffing needs. The initial recommendation resulting from this analysis is to eliminate an existing Civil Engineer I/II position and add an Environmental Analyst I/II.

The Environmental Analyst position will be engaged in work in support of Clean Water Program compliance, the green infrastructure plan and the Municipal Storm Water Regional Permit (MRP) 2.0 program. Additional responsibilities will include coordinating with Engineering and CUPA staff to develop programs, reports and policies. Support of these programs requires full-time effort and this work is more appropriately staffed by an individual with a background in environmental science or a closely related field. While the new classification will require a Bachelor's degree, the work in which the Environmental Analyst would engage, would not require an incumbent to either obtain or maintain registration as a professional engineer. This reduction in the scope of requirements resulted in a recommendation to lower the proposed salary range.

The Public Works Director has identified a vacant Civil Engineer I/II position which may be eliminated to allow for creation of the Environmental Analyst position.

Staff has completed the meet and confer process with representatives from the Professional bargaining unit.

FISCAL IMPACT

The fiscal impact resulting from elimination of the Civil Engineer position and addition of an Environmental Analyst I/II, with overhead, results in a net savings of approximately \$5,000 annually.

RECOMMENDATION

Staff recommends that the City Council adopt a resolution eliminating a Civil Engineer I/II position, creating a new job classification/job specification (Environmental Analyst I/II), and amending the Authorized Position List and the Salary Compensation Plan to reflect addition of this new classification.

Prepared by:

Bonnie Roland-Williams, Human Resources Director

Submitted by:

Bonnie Roland-Williams, Human Resources Director

ATTACHMENTS:

Description	Type
☐ Resolution for PW Reorganization - delete civil engineer I/II and add environmental analyst	Resolution
☐ Job Specification (Exhibit A)	Exhibit
☐ Salary Compensation Plan - (Exhibit B)	Exhibit
☐ Authorized Position List (Exhibit C)	Exhibit

RESOLUTION NO.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY
ELIMINATING A CIVIL ENGINEER POSITION, CREATING A NEW JOB
CLASSIFICATION AND JOB SPECIFICATION FOR ENVIRONMENTAL ANALYST
AND AMENDING THE AUTHORIZED POSITIONS LIST AND SALARY
COMPENSATION PLAN**

WHEREAS, the Personnel Rules and Regulations of the City of Union City require that the City Council adopt a Classification Plan, Compensation Plan, and Authorized Positions List for all authorized positions and any changes thereto; and

WHEREAS, the classification Environmental Analyst has been created and is recommended to address the need for specialized expertise in the Public Works Department; and

WHEREAS, a vacant Civil Engineer position is recommended for elimination to provide for addition of the Environmental Analyst position; and

WHEREAS, City has met its obligation to meet and confer regarding this item; and

WHEREAS, a job specification has been created to identify scope of work and experience and education requirements (Exhibit A), and is attached hereto and incorporated herein by reference; and

WHEREAS, the Salary Compensation Plan has been amended to reflect the proposed salary range for the Environmental Analyst I/II classification and is attached hereto (Exhibit B); and

WHEREAS, the Authorized Position List has been amended to reflect the requested elimination of one (1) Engineer I/II (Civil) position and the addition of one (1) Environmental Analyst I/II position and is attached hereto and incorporated herein by reference (Exhibit C).

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Union City hereby approves eliminating a Civil Engineer I/II position, creating a new job classification and job specification for Environmental Analyst I/II and amending the Authorized Position List and Salary Compensation Plan accordingly.



34009 ALVARADO-NILES ROAD
UNION CITY, CA 94587
(510) 471-3232

ENVIRONMENTAL ANALYST I/II

DEFINITION

Under general direction of the Public Works Director, administers the City's storm water and environmental pollution control programs in compliance with established Federal, State and local regulatory standards and permit requirements; performs highly technical and specialized functions to preserve environmental resources and to provide public protection in the areas of storm water, Clean Water and other related programs.

EXAMPLES OF DUTIES (illustrative only):

- Investigates and traces the sources of illegal discharges entering the City's storm water collection system.
- Prepares memoranda, written, oral, tabular, and graphic reports which often require calculations; prepares notices of requirements and violations of City regulations; makes and/or participates in presentations to technical and non-technical audiences.
- Assists in the development, implementation and monitoring of goals, objectives, policies and procedures, work standards and the biennial budget for the division.
- Plans and coordinates projects and may lead assigned staff and consultants; prepares and reviews analyses and work products developed by project team members regarding Clean Water and water resource management issues and policy recommendations.
- Participates in and leads discussions at meetings, workshops and conferences with technical and management representatives of state, federal, local water agencies, and other stakeholder groups; exchanges technical information regarding water supply, water quality, and water reclamation activities impacting the City.
- Establishes water quality monitoring programs in compliance with state and federal regulations; reviews proposed regulations and legislation to determine potential operational and/or fiscal impact on the City.
- Prepares project documents including project justifications, budget analyses, preliminary cost estimates, project authorizations and schedules.
- Develops, reviews and administers contract agreements with a variety of outside agencies, including writing and issuing request for qualifications/request for proposal, interviewing consultants, reviewing and evaluating proposals, writing contracts and issuing the notice to proceed in order.

- Conducts and/or participates in routine inspections to ensure compliance with applicable storm water codes, regulations, laws and MRP requirements.
- Assists in the development and administration of wastewater, storm water and other discharge/pollution prevention programs.
- Develops, administers and maintains an action plan that details methods to be used to study and evaluate pollution in the City's storm drainage.
- Develops and administers an Urban Runoff Management Program, Green Infrastructure Plan and a Storm Water Resource Plan.
- Conducts field screening, sampling, testing and analysis of flood control channels and storm drains pursuant to the National Pollution Discharge Elimination System (NPDES) permit application requirements.
- Develops a storm drainage enterprise which addresses EPA storm water control requirements and identifies program financing sources.
- Conducts inspections and field investigations to ensure compliance with the City's pollution source control programs.
- Prepares, reviews and submits periodic reports on the status of the City's Clean Water program and wastewater and storm water discharge programs.
- Acts as a primary resource, team or project lead, and/or City/departmental representative in designated area(s), including integrated waste management, resource conservation, urban runoff/clean water program, legislative advocacy, and/or resource development and planning.
- Builds and maintains positive work relationships with coworkers, other City employees, other organizations and their representatives, political officials and their representatives, and the general public, including exhibiting effective customer service and communication skills.
- Reviews and coordinates with appropriate personnel the implementation of local, state and federal laws and regulations pertaining to water quality and water reclamation projects.
- Performs data collection, interpretation, econometric and trend forecasting, regression and other technical analysis and research in support of water resources planning, environmental planning, urban runoff, Clean water, and other water and pollution management programs.

QUALIFICATIONS

Knowledge Of:

- Principles and practices of policy development and implementation;
- Principles and practices of business correspondence and report writing;
- Standard computer hardware and software;
- Urban Runoff Pollution Control including administration of a Municipal storm water permit program and storm water fee and rate setting;
- Federal, state and local rules, regulations and standards governing potable and recycled water supplies and urban runoff pollution control;
- Scientific and environmental principles, practices and methods related to potable and recycled water supplies and urban runoff pollution control;
- Principles of algebra, geometry and trigonometry sufficient to perform scientific calculations and interpret findings of scientific reports;
- Budgeting procedures and applications;
- Symbols and techniques used in water resources planning;
- Basic water chemistry;
- Principles and practices of contract management.

Ability To:

- Design and implement a comprehensive environmental services program;
- Gain cooperation and agreement through discussion, persuasion and negotiations;
- Read, understand, apply and explain pertinent departmental, local, state, and federal laws, rules, regulations, policies and procedures;
- Establish and maintain a positive and effective working relationship with those contacted in the course of work;
- Communicate clearly and concisely, both orally and in writing;
- Work effectively as a member of team or workgroup;
- Perform and verify scientific computations;
- Organize and manage multiple tasks concurrently;
- Operate a personal computer and use general office and specialized software programs;
- Analyze and evaluate technical and statistical data and to reach sound conclusions;
- Represent City interests effectively in meetings with other local, State and/or Federal agency representatives and/or members of the public;
- Coordinate and manage assigned projects;
- Conduct studies, evaluate data, and form accurate conclusions;
- Exercise sound, independent judgment and initiative within established guidelines;
- Apply scientific principles and techniques to the solution of technical problems;

REQUIREMENTS

Any combination of education and experience that has led to the acquisition of the requisite knowledge, skills and abilities may be considered. Typical ways of acquiring these knowledges, skills and abilities are **for both positions**:

- Equivalent to a Bachelor's degree from an accredited college or university with major course work in Environmental Science, Environmental Engineering, Geography, Geology, Chemistry, or a closely related field.

Additional Requirements

ENVIRONMENTAL ANALYST II

In addition to the above, two years of full time experience in water resources planning, water reclamation, water quality monitoring or related experience comparable to that of an Environmental Analyst I.

ADVANCEMENT

Incumbents may advance from the Environmental Analyst I to the Environmental Analyst II level, after two years of demonstrated ability to effectively perform the full range of duties of the lower level position, as recommended by the supervisor and approved by the Public Works Director.

OTHER REQUIREMENTS:

- Must possess and maintain a valid California Driver's license and have a satisfactory driving record.
- Must successfully complete a background check which includes verification of education and experience.

WORKING CONDITIONS/PHYSICAL REQUIREMENTS:

On a routine basis, sit at a desk for periods of time in front of a computer screen; intermittently twist to reach equipment or supplies surrounding desk; perform simple grasping and fine manipulation; use telephone and computer keyboard on a daily basis. Must be able to stand, walk, kneel, squat, climb and lift, push or pull up to 20 lbs. frequently and occasionally up to 30 pounds; intermittently work out of doors under varying climatic conditions on irregular terrain. Must have a good field of vision and ability to distinguish basic colors. Must be able to work weekends, holidays and off-hours as necessary. Must be able to perform the essential functions of the job including the ability to sit for extended periods of time; to reach above and below shoulder height; hear, speak, and see sufficiently to perform essential job functions; periodically drive vehicle on paved as well as dirt roadways.

CITY OF UNION CITY
Salary Compensation Plan
FY 2017-18

Effective: July 1, 2017

Amendments:	July 11 , 2017 CC	(1)
	July 17 , 2017	(2)
	Nov 28, 2017 CC	(3)
	Jan 5, 2018 CC	(4)
	Jan 23, 2018 CC	(5)
	Feb 13, 2018 CC	(6)
	May 8, 2018 CC	(7)

CITY OF UNION CITY - Salary Compensation Plan - FY 2017-18

<u>Bargaining</u> <u>Unit</u>	<u>#</u>	<u>Classification</u> <u>Title</u>	<u>Step</u> <u>1</u>	<u>Step</u> <u>2</u>	<u>Step</u> <u>3</u>	<u>Step</u> <u>4</u>	<u>Step</u> <u>5</u>
FULL-TIME (monthly rates shown.)							
City Council	10010	Mayor	2,437				
City Council	10020	Council Member	1,625				
City Manager	20010	City Manager	21,728				
			<u>Min.</u>	<u>← Range →</u>			<u>Max.</u>
Dept. Heads	20020	Deputy City Manager	14,993				17,983
Dept. Heads	20515	ECD Director	14,604				17,511
Dept. Heads	20275	Finance Director	14,621				17,529
Dept. Heads	20280	Human Resources Director	14,621				17,529
Dept. Heads	20470	CRS Director	14,604				17,511
Dept. Heads	40010	Police Chief	16,078				19,306
Dept. Heads	20710	Public Works Director	14,896				17,865
Management	20065	Assistant to the City Manager	8,633	9,023	9,433	9,860	10,311
Management	20360	Budget Manager/Purchasing Agent	10,499	10,983	11,488	12,020	12,578
Management	20580	Chief Building Official	12,561	13,145	13,759	14,405	15,083
Management	20030	City Clerk	10,427	10,905	11,407	11,935	12,487
Management	20810	City Engineer	12,543	13,128	13,741	14,385	15,061
Management	20505	Clinical Supervisor	7,358	7,683	8,025	8,384	8,761
Management	20650	Communications & Marketing Mgr.	10,055	10,551	11,048	11,538	12,035
Management	20630	Economic Development Manager	10,055	10,551	11,048	11,538	12,035
Management	20600	Environmental Program Manager	10,859	11,360	11,885	12,437	13,016
Management	20540	HCD Coordinator	10,769	11,266	11,786	12,333	12,905
Management	20145	Human Resources Analyst I	7,060	7,369	7,695	8,038	8,398
Management	20155	Human Resources Analyst II	8,633	9,023	9,432	9,860	10,310
Management	20500	Intervention Counselor I	6,366	6,643	6,931	7,236	7,554
Management	20310	IT Manager	12,561	13,145	13,759	14,405	15,083
Management	20450	CRS Manager	10,590	11,076	11,588	12,125	12,689
Management	20080	Management Analyst I	7,060	7,369	7,695	8,038	8,398
Management	20090	Management Analyst II	8,633	9,023	9,432	9,860	10,310
Management	20100	Management Analyst III	10,499	10,983	11,488	12,020	12,578
Management	20510	Neigh. Pres. Coord.	10,054	10,551	11,048	11,538	12,035
Management	20560	Planning Manager	11,224	11,740	12,284	12,854	13,454
Management	20860	Principal Civil Engineer	11,248	11,769	12,315	12,890	13,490
Management	20730	Public Works Superintendent	10,950	11,454	11,985	12,540	13,126
Management	20920	PW Grounds Supervisor	9,422	9,851	10,300	10,774	11,269
Management	20910	PW Streets Supervisor	9,422	9,851	10,300	10,774	11,269
Management	20700	Recycling & Solid Waste Prog Mgr	9,782	10,230	10,700	11,194	11,712
Management	20620	Redevelopment Manager	10,859	11,360	11,885	12,437	13,016
Management	20370	Revenue Collections Manager	10,499	10,983	11,488	12,020	12,578
Management	20350	Supervising Accountant	9,800	10,247	10,717	11,211	11,728
Management	20170	Supervising Personnel Analyst	8,487	8,877	9,285	9,712	10,159
Management	20912	Transit Manager	10,590	11,076	11,588	12,125	12,689
Management	20190	Web Manager	8,448	8,870	9,314	9,779	10,268
Management	20508	Youth & Family Services Mgr	8,953	9,359	9,786	10,234	10,704
Police Mgmt.	40020	Police Captain	14,140	14,806	15,506	16,239	17,011
Police Mgmt.	40040	Police Lieutenant	11,988	12,574	13,191	13,844	14,530
Police Mgmt.	40015	Deputy Police Chief	14,832	15,527	16,259	17,023	17,830
Police Mgmt.	40045	Police Commander	12,582	13,195	13,840	14,522	15,238

Note: Total Compensation is the reported salary range for City Manager, Department Heads, Management, and Police Management.

CITY OF UNION CITY - Salary Compensation Plan - FY 2017-18

<u>Bargaining</u> <u>Unit</u>	<u>#</u>	<u>Classification</u> <u>Title</u>	<u>Step</u> <u>1</u>	<u>Step</u> <u>2</u>	<u>Step</u> <u>3</u>	<u>Step</u> <u>4</u>	<u>Step</u> <u>5</u>	<u>Step</u> <u>6</u>	<u>Step</u> <u>7</u>
UCPOA	40220	Community Relations Officer	5,852	6,144	6,451	6,775	7,115		
UCPOA	40095	Community Resources Coord	5,078	5,332	5,599	5,878	6,172		
UCPOA	40090	Community Service Aide	5,010	5,233	5,467	5,715	5,975		
UCPOA	40240	Confidential Operations Assistant	5,829	6,121	6,427	6,748	7,085		
UCPOA	40080	Crime Analyst	7,115	7,470	7,844	8,236	8,648		
UCPOA	40070	Dispatch Clerk	5,539	5,691	5,948	6,219	6,502		
UCPOA	40170	Dispatch Clerk Trainee	4,796						
UCPOA	40130	Police Corporal	9,254						
UCPOA	40230	Police Dept. Office Coord.	5,042	5,295	5,560	5,837	6,130		
UCPOA	40140	Police Office Assistant	4,596	4,825	5,067	5,320	5,587		
UCPOA	40050	Police Officer	6,722	7,032	7,350	7,663	8,049	8,452	8,874
UCPOA	40150	Police Officer Recruit I	5,386						
UCPOA	40160	Police Officer Recruit II	6,008						
UCPOA	40060	Police Records Supervisor	5,852	6,144	6,451	6,775	7,115		
UCPOA	40030	Police Sergeant	8,341	8,704	9,085	9,493	9,915	10,410	10,931
UCPOA	40120	Prisoner Transportation Officer	5,010	5,233	5,467	5,715	5,975		
UCPOA	40100	Property Clerk	5,010	5,233	5,467	5,715	5,975		
UCPOA	40065	Property Supervisor	5,852	6,144	6,451	6,775	7,115		
UCPOA	40110	Public Services Officer I	5,078	5,332	5,599	5,878	6,172		
UCPOA	40180	Public Services Officer II	5,346	5,613	5,894	6,187	6,497		
SEIU 1021	50520	Administrative Assistant I	4,398	4,601	4,812	5,037	5,268		
SEIU 1021	50525	Administrative Assistant II	4,812	5,037	5,268	5,514	5,769		
SEIU 1021	50530	Administrative Assistant III	5,268	5,514	5,769	6,039	6,323		
SEIU 1021	50290	Bldg./Code Comp. Insp.	6,347	6,641	6,945	7,264	7,596		
SEIU 1021	50201	Bldg./Code Comp. Insp. - Trainee	5,597	5,858	6,126	6,407	6,701		
SEIU 1021	50250	Building Permit Clerk	4,151	4,346	4,548	4,762	4,987		
SEIU 1021	50255	Building Permit Technician	5,060	5,314	5,570	5,827	6,081		
SEIU 1021	50256	Community Development Technician	4,937	5,184	5,434	5,685	5,933		
SEIU 1021	50565	Digital Marketing Specialist	4,398	4,601	4,812	5,037	5,268		
SEIU 1021	50371	Facilities Maint Attendant	3,674	3,857	4,051	4,254	4,467		
SEIU 1021	50351	Facility Maint - Worker	4,889	5,109	5,339	5,585	5,837		
SEIU 1021	50080	Finance Specialist I	4,095	4,277	4,484	4,694	4,913		
SEIU 1021	50090	Finance Specialist II	4,484	4,694	4,913	5,149	5,393		
SEIU 1021	50100	Finance Specialist III	4,913	5,149	5,393	5,649	5,921		
SEIU 1021	50332	Lead Facilities Maintenance Worker	5,730	5,990	6,266	6,544	6,849		
SEIU 1021	50537	Lead Outreach Worker	4,721	4,958	5,206	5,466	5,739		
SEIU 1021	50323	Lead Veh. Heavy Eqpt. Mech.	5,730	5,990	6,266	6,544	6,849		
SEIU 1021	50361	Leisure Services Maintenance Worker	4,344	4,561	4,789	5,028	5,280		
SEIU 1021	50360	Maint I - Parks & Grounds	4,471	4,682	4,901	5,130	5,374		
SEIU 1021	50330	Maint I - Streets	4,471	4,682	4,901	5,130	5,374		
SEIU 1021	50342	Maint II - Parks & Grounds	4,950	5,183	5,424	5,680	5,949		
SEIU 1021	50320	Maint II - Streets	4,950	5,183	5,424	5,680	5,949		
SEIU 1021	50325	Maint Trainee-Parks & Grounds	3,832	4,009	4,197	4,391	4,596		
SEIU 1021	50350	Maint Trainee-Streets	3,832	4,009	4,197	4,391	4,596		
SEIU 1021	50200	Neighborhood Pres Specialist	5,846	6,116	6,395	6,688	6,995		
SEIU 1021	50500	Office Specialist I	3,459	3,618	3,778	3,947	4,126		
SEIU 1021	50505	Office Specialist II	3,778	3,947	4,126	4,314	4,508		
SEIU 1021	50510	Office Specialist III	4,025	4,209	4,398	4,601	4,812		
SEIU 1021	50560	Preschool Site Supervisor II	3,462	3,635	3,817	4,008	4,208		
SEIU 1021	50291	Public Works Inspector	6,249	6,601	6,920	7,254	7,605		
SEIU 1021	50370	Public Works Maintenance II	4,950	5,183	5,424	5,680	5,949		
SEIU 1021	50110	Recreation Administrative Technician	5,410	5,680	5,964	6,263	6,576		
SEIU 1021	50160	Recreation Program Coordinator	4,924	5,164	5,418	5,688	5,966		
SEIU 1021	50600	Recycling Programs Coordinator	5,047	5,293	5,554	5,830	6,115		
SEIU 1021	50292	Senior Public Works Inspector	6,552	6,875	7,204	7,552	7,913		
SEIU 1021	50380	Special Projects Coordinator	4,606	4,823	5,047	5,284	5,535		
SEIU 1021	50538	Street Outreach Worker	3,535	3,712	3,899	4,094	4,298		
SEIU 1021	50341	Street Sweeper Operator	4,769	4,985	5,209	5,449	5,694		
SEIU 1021	50321	Veh. Heavy Eqpt. Mech.	5,116	5,348	5,592	5,846	6,116		
SEIU 1021	50324	Veh. Heavy Eqpt. Mech. - Trainee	4,179	4,398	4,630	4,874	5,132		
SEIU 1021	50326	Vehicle Equipment Technician	4,252	4,463	4,688	4,922	5,167		
SEIU 1021	50536	Youth Employment Coordinator	4,721	4,958	5,206	5,466	5,739		

CITY OF UNION CITY - Salary Compensation Plan - FY 2017-18

<u>Bargaining Unit</u>	<u>#</u>	<u>Classification Title</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>
Professionals	30060	Accountant	6,362	6,680	7,007	7,365	7,730
Professionals	30250	Assistant Planner	5,873	6,166	6,472	6,797	7,137
Professionals	30230	Associate Planner	7,033	7,382	7,750	8,139	8,543
Professionals	30090	Case Manager	4,840	5,082	5,335	5,603	5,882
Professionals	30700	Deputy City Clerk	5,654	5,938	6,234	6,547	6,875
Professionals	30150	Engineer I (Civil)	5,908	6,200	6,512	6,839	7,180
Professionals	30130	Engineer II (Civil)	6,738	7,075	7,420	7,798	8,185
Professionals	30120	Engineer III (Civil)	7,599	7,979	8,372	8,791	9,231
Professionals	30030	Environmental Analyst I	5,654	5,938	6,234	6,547	6,875
Professionals	30031	Environmental Analyst II	6,383	6,719	7,073	7,445	7,837
Professionals	30040	Environmental Programs Inspector	8,223	8,656	9,111	9,588	10,095
Professionals	30600	Fire Prevention Specialist	7,487	7,861	8,254	8,666	9,099
Professionals	30050	Haz. Materials Inspect.	6,783	7,113	7,471	7,844	8,233
Professionals	30080	Intervention Counselor	5,651	5,934	6,231	6,543	6,870
Professionals	30065	Payroll Technician	6,207	6,517	6,836	7,185	7,541
Professionals	30100	Recreation Supervisor	5,966	6,264	6,577	6,905	7,250
Professionals	30020	Senior Accountant	7,258	7,628	8,008	8,405	8,820
Professionals	30210	Senior Planner	8,018	8,439	8,885	9,351	9,843
Professionals	30400	Senior Recreation Supervisor	7,527	7,894	8,278	8,684	9,106
Professionals	30260	Senior Systems Analyst	9,232	9,714	10,198	10,679	11,161
Professionals	30055	Sr. Building/Code Compliance Inspect	8,223	8,656	9,111	9,588	10,095
Professionals	30261	Sr. Haz. Materials Inspect.	7,487	7,861	8,254	8,666	9,099
Professionals	30500	Transit Planner	7,203	7,562	7,939	8,337	8,752

PART-TIME (hourly rates shown)

		<u>Min.</u>	<u>Range</u>	<u>Max.</u>
UCPOA PT	40070 Dispatcher Clerk (PT)	31.96	32.83 34.31	37.51
UCPOA PT	40120 Transportation Officer (PT)	28.90	30.19 31.54	34.47
UCPOA PT	40181 Public Services Officer I (PT)	29.30	30.76 32.30	35.61
UCPOA PT	40182 Public Services Officer II (PT)	30.84	32.38 34.00	37.48

		<u>Min.</u>	<u>Range</u>	<u>Max.</u>
Unrep. Police PT	60140 Per Diem Police Dispatcher	36.00		50.00
Unrep. Police PT	60120 Police Cadet	13.80	14.37 15.01	
Unrep. Police PT	60130 Police Reserve	10.73		
Unrep. Police PT	60150 Police Officer Trainee	31.08		

SEIU 1021 PT	50373 Facilities Maint Attendant (PT)	21.20	22.25 23.37 24.54	25.77
SEIU 1021 PT	50533 CRS Program Manager	16.75	17.57 18.46 19.36	20.33
SEIU 1021 PT	50500 Office Specialist I (PT)	19.97	20.88 21.79 22.76	23.80
SEIU 1021 PT	50505 Office Specialist II (PT)	21.80	22.77 23.80 24.89	26.01
SEIU 1021 PT	50510 Office Specialist III (PT)	23.21	24.25 25.35 26.51	27.70
SEIU 1021 PT	50561 Preschool Site Supv. I	16.19	16.99 17.84 18.73	19.67
SEIU 1021 PT	50532 Program Coordinator (PT)	21.40	22.48 23.60 24.79	26.03
SEIU 1021 PT	50531 Senior Recreation Leader	13.75	14.46 15.18 15.94	16.75
SEIU 1021 PT	50538 PT Street Outreach Worker	20.40	21.42 22.49 23.62	24.79

		<u>Min.</u>	<u>Range</u>	<u>Max.</u>
Unrep. Gen. PT	60069 CRS Program Manager	17.06	17.91 18.80 19.74	20.72
Unrep. Gen. PT	60100 Preschool Aide	11.00	11.00 11.42 11.99	12.59
Unrep. Gen. PT	60090 Preschool Teacher	12.59	13.22 13.88 14.57	15.29
Unrep. Gen. PT	60072 Program Coordinator (PT)	20.72	21.75 22.83 23.97	25.16
Unrep. Gen. PT	60232 Recreation Aide	11.00	11.50 12.00	
Unrep. Gen. PT	60233 Recreation Leader	12.00	12.14 12.74 13.37	14.05
Unrep. Gen. PT	60234 Senior Recreation Leader	14.05	14.75 15.48 16.25	17.06
Unrep. Gen. PT	60600 Intern	11.00		54.64
Unrep. Gen. PT	60570 Project Specialist	11.00		54.64

Fiscal Year Modifications

- 1) New Position-Community Development Technician (Position # 50256,SEIU 1021 group)
- 2) New Position-Human Resources Director (Position # 20280, Dept. Heads group); Eliminate Human Resources Manager
- 3) 2.5% Salary Increase for (9) SEIU positions effective January 1, 2018.
- 4) Minimum Wage increase effective January 1, 2018 for unrepresented part-time positions; adjust Recreation Supervisor salary steps; change the Rec Aide I and II titles to a general Rec Aide classification
- 5) 2.5% Equity Increase per PEG MOU-Accountant, Associate Planner, Civil Engineer I, Civil Engineer II, Case Manager, and Intervention Counselor
- 6) 2.5% for Planning Manager effective July 1, 2017.
- 7) New Position-Environmental Analyst I & II (Position # 30030/30031, PEG); Eliminate Civil Engineer I & II positions.

AUTHORIZED POSITION LIST
FY 2017-18 and 2018-19

Position Title	Position No.	FY 16-17	Change	FY 17-18	FY 18-19
Mayor	10010	1.00	0.00	1.00	1.00
Council Member	10020	4.00	0.00	4.00	4.00
City Manager	20010	1.00	0.00	1.00	1.00
Deputy City Manager	20020	1.00	0.00	1.00	1.00
City Clerk	20030	1.00	0.00	1.00	1.00
Assistant to the City Manager	20065	1.00	0.00	1.00	1.00
Management Analyst III	20100	1.00	0.00	1.00	1.00
Human Resources Analyst I	20145	0.00	1.00	1.00	1.00
Human Resources Analyst II	20155	2.00	(1.00)	1.00	1.00
Human Resources Manager	20180	1.00	0.00	1.00	1.00
Web Manager	20190	1.00	0.00	1.00	1.00
Finance Director	20275	1.00	0.00	1.00	1.00
IT Manager	20310	1.00	0.00	1.00	1.00
Supervising Accountant	20350	1.00	0.00	1.00	1.00
Budget Manager/Purchasing Agent	20360	1.00	0.00	1.00	1.00
Revenue Collection Manager	20370	1.00	0.00	1.00	1.00
CRS Manager	20450	1.00	0.00	1.00	1.00
Sr. Recreation Services Manager	20455	1.00	(1.00)	0.00	0.00
Recreation Services Manager	20460	2.00	(2.00)	0.00	0.00
CRS Director	20470	1.00	0.00	1.00	1.00
Intervention Counselor I	20500	0.00	1.00	1.00	1.00
Clinical Supervisor	20505	1.00	0.00	1.00	1.00
Youth & Family Services Mgr	20508	1.00	0.00	1.00	1.00
ECD Director	20515	1.00	0.00	1.00	1.00
HCD Coordinator	20540	1.00	0.00	1.00	1.00
Planning Manager	20560	1.00	0.00	1.00	1.00
Chief Building Official	20580	1.00	0.00	1.00	1.00
Environmental Programs Manager	20600	1.00	0.00	1.00	1.00
Economic Development Manager	20630	1.00	0.00	1.00	1.00
Communications & Marketing Mgr.	20650	1.00	0.00	1.00	1.00
Recycling & Solid Waste Prog Mgr	20700	1.00	0.00	1.00	1.00
Public Works Director	20710	1.00	0.00	1.00	1.00
Public Works Superintendent	20730	1.00	0.00	1.00	1.00
City Engineer	20810	1.00	0.00	1.00	1.00
Principal Civil Engineer	20860	1.00	0.00	1.00	1.00
PW Streets Supervisor	20910	1.00	0.00	1.00	1.00
Transit Manager	20912	1.00	0.00	1.00	1.00
PW Grounds Supervisor	20920	1.00	0.00	1.00	1.00
Senior Accountant	30020	1.00	0.00	1.00	1.00
Environmental Analyst I	30030	0.00	1.00	1.00	1.00
Environmental Analyst II	30031	0.00	0.00	0.00	0.00
Environmental Programs Inspector	30040	1.00	0.00	1.00	1.00
Sr. Building/Code Compliance Inspector	30055	3.00	(1.00)	2.00	2.00
Accountant	30060	1.00	0.00	1.00	1.00
Payroll Technician	30065	1.00	0.00	1.00	1.00
Intervention Counselor (PEG)	30080	3.00	(2.00)	1.00	1.00
Case Manager	30090	2.00	0.00	2.00	2.00
Recreation Supervisor	30100	0.00	2.00	2.00	2.00
Engineer III (Civil)	30120	2.00	0.00	2.00	2.00
Engineer II (Civil)	30130	0.00	0.00	0.00	0.00

AUTHORIZED POSITION LIST
FY 2017-18 and 2018-19

Position Title	Position No.	FY 16-17	Change	FY 17-18	FY 18-19
Engineer I (Civil)	30150	1.00	(1.00)	0.00	0.00
Senior Planner	30210	1.00	0.00	1.00	1.00
Associate Planner	30230	1.00	0.00	1.00	1.00
Senior Systems Analyst	30260	3.00	0.00	3.00	3.00
Senior Recreation Supervisor	30400	0.00	1.00	1.00	1.00
Transit Planner	30500	1.00	0.00	1.00	1.00
Deputy City Clerk	30700	1.00	0.00	1.00	1.00
Police Chief	40010	1.00	0.00	1.00	1.00
Police Captain	40020	2.00	0.00	2.00	2.00
Police Sergeant	40030	13.00	0.00	13.00	13.00
Police Lieutenant	40040	6.00	0.00	6.00	6.00
Police Officer	40050	59.00	(7.00)	52.00	52.00
Police Records Supervisor	40060	1.00	0.00	1.00	1.00
Property Supervisor	40065	1.00	0.00	1.00	1.00
Crime Analyst	40080	1.00	0.00	1.00	1.00
Community Service Aide	40090	1.00	0.00	1.00	1.00
Community Resources Coordinator	40095	1.00	0.00	1.00	1.00
Property Clerk	40100	1.00	0.00	1.00	1.00
Public Services Officer I	40110	2.00	0.00	2.00	2.00
Police Office Assistant	40140	5.00	0.00	5.00	5.00
Police Officer Recruit II	40160	0.00	3.00	3.00	3.00
Public Services Officer II	40180	1.00	0.00	1.00	1.00
Police Dept. Office Coord.	40230	1.00	0.00	1.00	1.00
Confidential Operations Assistant	40240	3.00	0.00	3.00	3.00
Finance Specialist I	50080	3.00	(1.00)	2.00	2.00
Finance Specialist II	50090	0.00	1.00	1.00	1.00
Finance Specialist III	50100	0.00	0.00	0.00	0.00
Recreation Administrative Technician	50110	1.00	0.00	1.00	1.00
Recreation Program Coordinator	50160	3.00	0.00	3.00	3.00
Building Permit Technician	50255	1.00	0.00	1.00	1.00
Community Development Technician	50256	0.00	0.50	0.50	0.50
Public Works Inspector	50291	2.00	0.00	2.00	2.00
Maint II - Streets	50320	2.00	0.00	2.00	2.00
Veh. Heavy Eqpt. Mech.	50321	2.00	0.00	2.00	2.00
Lead Heavy Eqpt. Mechanic	50323	1.00	0.00	1.00	1.00
Vehicle Equipment Technician	50326	1.00	0.00	1.00	1.00
Maint I - Streets	50330	7.00	(1.00)	6.00	6.00
Lead Facilities Maintenance Worker	50332	1.00	0.00	1.00	1.00
Street Sweeper Operator	50341	2.00	0.00	2.00	2.00
Maint II - Parks & Grounds	50342	5.00	0.00	5.00	5.00
Maint Trainee-Streets	50350	0.00	1.00	1.00	1.00
Facility Maint - Worker	50351	3.00	0.00	3.00	3.00
Maint I - Parks & Grounds	50360	14.00	0.00	14.00	14.00
CRS Maintenance Worker	50361	1.00	0.00	1.00	1.00
Public Works Maintenance II	50370	1.00	0.00	1.00	1.00
Facilities Maint. Attendant (PT)	50373	0.50	0.00	0.50	0.50
Special Projects Coordinator	50380	1.00	0.00	1.00	1.00
Office Specialist I	50500	1.00	0.00	1.00	1.00
Office Specialist I (PT)	50501	0.10	0.40	0.50	0.50
Office Specialist II	50505	0.00	0.00	0.00	0.00

AUTHORIZED POSITION LIST
FY 2017-18 and 2018-19

Position Title	Position No.	FY 16-17	Change	FY 17-18	FY 18-19
Office Specialist II (PT)	50506	1.80	(0.60)	1.20	1.20
Office Specialist III	50510	1.00	1.00	2.00	2.00
Office Specialist III (PT)	50511	1.25	(1.25)	0.00	0.00
Administrative Assistant I	50520	2.00	(2.00)	0.00	0.00
Administrative Assistant II	50525	7.00	2.00	9.00	9.00
Administrative Assistant III	50530	5.00	(2.00)	3.00	3.00
Senior Recreation Leader (PT)	50531	3.31	(3.31)	0.00	0.00
Program Coordinator (PT-SEIU)	50532	4.33	0.17	4.50	4.50
CRS Program Manager (PT)	50533	2.91	(0.91)	2.00	2.00
Lead Youth Employment Coordinator	50534	1.00	(1.00)	0.00	0.00
Youth Employment Coordinator	50536	2.00	0.00	2.00	2.00
Lead Outreach Worker	50537	1.00	1.00	2.00	2.00
Street Outreach Worker	50538	2.00	(1.00)	1.00	1.00
Preschool Site Supervisor II	50560	2.00	0.00	2.00	2.00
Preschool Site Supervisor I	50561	1.50	(0.25)	1.25	1.25
Digital Marketing Specialist	50565	1.00	0.00	1.00	1.00
Recycling Programs Coordinator	50600	1.00	0.00	1.00	1.00
CRS Program Manager	60069	6.64	0.31	6.95	6.95
Program Coordinator (PT)	60072	0.55	(0.36)	0.19	0.19
Preschool Teacher	60090	1.10	1.28	2.38	2.38
Preschool Aide	60100	2.25	(1.72)	0.53	0.53
Police Cadet	60120	5.05	(0.85)	4.20	4.20
Police Reserve	60130	6.00	(6.00)	0.00	0.00
Police Officer Trainee	60150	0.00	5.00	5.00	5.00
Recreation Aide I	60231	2.85	(0.19)	2.66	2.66
Recreation Aide II	60232	7.15	(3.77)	3.38	3.38
Recreation Leader	60233	30.48	(4.90)	25.58	25.58
Senior Recreation Leader	60234	13.51	(6.85)	6.66	6.66
Project Specialist	60570	4.13	5.89	10.02	10.02
Intern	60600	0.00	4.09	4.09	4.09
Planning Commissioner	60700	0.00	0.06	0.06	0.06
Total Staffing		334.41	(21.26)	313.15	313.15

Dept	FY 16-17	Change	FY 17-18	FY 18-19
City Council	5.00	-	5.00	5.00
City Clerk	2.00	-	2.00	2.00
City Manager	13.00	-	13.00	13.00
CRS	113.05	(18.73)	94.32	94.32
ECD	17.00	(0.44)	16.56	16.56
Finance	16.00	(2.00)	14.00	14.00
PD	110.55	(1.35)	109.20	109.20
PW	57.81	1.26	59.07	59.07
Total	334.41	(21.26)	313.15	313.15

1) Create new positions in PEG-Environmental Analyst I & II; and eliminate Engineer I & II

CC Date

5/8/2018



Agenda Item

DATE: 5/8/2018

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: THOMAS E. RUARK, PUBLIC WORKS DIRECTOR

SUBJECT: ADOPT A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR FUNDING THROUGH THE METROPOLITAN TRANSPORTATION COMMISSION'S LIFELINE TRANSPORTATION PROGRAM (Cycle 5) AND COMMITTING THE NECESSARY NON-FEDERAL MATCH AND STATING THE ASSURANCE TO COMPLETE THE PROJECT

The attached resolution authorizes the filing of an application for funding through the Metropolitan Transportation Commission's Lifeline Transportation Program (Cycle 5) and committing the necessary non-federal match and stating the assurance to complete the project. Staff recommends approval of the proposed resolution.

BACKGROUND

The Metropolitan Transportation Commission's (MTC's) Lifeline Transportation program is intended to fund projects that result in improved mobility for low-income residents of the nine San Francisco Bay Area counties. The Lifeline Program supports community-based transportation projects that are developed through a collaborative planning process, improves a range of transportation choices, and addresses transportation gaps and/or barriers identified in a Community-Based Transportation Program (CBTP) or other substantive local planning effort involving outreach to low-income populations. A project may also apply findings from a CBTP to another low-income area.

The Cycle 5 Lifeline Program is funded with a mix of federal Job Access Reverse Commute (JARC) and Surface Transportation Program (STP) funds, State Transit Assistance (STA), and State Proposition 1B Transit Funds. The JARC, STA, and STP funds are available on a discretionary (competitive) basis to capital and operations projects, while MTC is distributing the Proposition 1B Transit (capital) funds by formula (non-discretionary basis) to eligible transit operators.

The Lifeline Program Administrator for Alameda County is the Alameda County Transportation Commission

(ACTC). The Commission's staff is responsible for soliciting, scoring and prioritizing Lifeline Program applications throughout the County.

DISCUSSION

Union City submitted an application for Operations Support for the Route 2-Whipple for two (2) years. Route 2 operates in the Decoto District (census tract 4402) which MTC has identified as a community of concern. Route 2 provides vital lifeline public transportation access for the community to other areas of the City including the Union Landing Shopping Center and the Union City BART Intermodal Station (which then connects to other vital regional transportation services).

Union City's application was evaluated by ACTC's review team and is recommended for inclusion in Alameda County's final program. Of the \$1,565,514 total project cost, \$1,252,411 is recommended for approval from the STA sub-program. Union City Transit will provide the rest of the \$313,103 out of its normal operating budget. Union City Transit normally funds its operations with local Transportation Development Act (TDA) funds, local STA funds, Alameda County Measures B/BB Transportation Sales Taxes and passenger fares.

FISCAL IMPACT

Union City uses its annual local TDA, local STA, and Alameda County Measures B/BB funds along with passenger fares to operate service. The acceptance of these Lifeline Program Funds will not affect those other funding sources. There will be no impact on the General Fund.

RECOMMENDATION

It is recommended that the City Council adopt the attached resolution authorizing the filing of an application for funding through MTC's Lifeline Transportation Program (Cycle 5) and committing the necessary non-federal match and stating the assurance to complete the project.

Prepared by:

Stephen Adams, Transit Manager

Submitted by:

Thomas E. Ruark, Public Works Director

ATTACHMENTS:

Description	Type
□ Resolution	Resolution

RESOLUTION NO.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY
AUTHORIZING THE FILING OF AN APPLICATION FOR FUNDING
THROUGH THE METROPOLITAN TRANSPORTATION COMMISSION'S
LIFELINE TRANSPORTATION PROGRAM (CYCLE 5) AND COMMITTING
THE NECESSARY NON-FEDERAL MATCH AND STATING THE ASSURANCE
TO COMPLETE THE PROJECT**

WHEREAS, the Metropolitan Transportation Commission (MTC) has established a Lifeline Transportation Program to assist in funding projects that 1) are intended to result in improved mobility for low-income residents of the nine San Francisco Bay Area counties, 2) are developed through a collaborative and inclusive planning process and 3) are proposed to address transportation gaps and/or barriers identified through a substantive community-based transportation plan or are otherwise based on a documented assessment of needs; and

WHEREAS, MTC has adopted principles, pursuant to MTC Resolution No. 4309, to guide implementation of the Lifeline Transportation Program for the two year period from Fiscal Year 2016-17 and Fiscal Year 2017-18, and has designated the County Congestion Management Agency (or another countywide entity) in each of the nine bay area counties to help with recommending project selections and project administration; and

WHEREAS, the Alameda County Transportation Commission (ACTC) has been designated by MTC to assist with the Lifeline Transportation Program in Alameda County; and

WHEREAS, ACTC conducted a competitive call for projects for the Lifeline Transportation Program in Alameda County; and

WHEREAS, the City of Union City submitted a project in response to the competitive call for projects; and

WHEREAS, ACTC has confirmed that the City of Union City's proposed project, described more fully on Attachment A to this Resolution, attached to and incorporated herein as though set forth at length, is consistent with the Lifeline Transportation Program goals as set out in MTC Resolution No. 4309; and

WHEREAS, ACTC, after review, recommends the City of Union City's proposed project, described more fully on Attachment A to this Resolution, attached to and incorporated herein as though set forth at length, be funded in part under the Lifeline Transportation Program; and

WHEREAS, the City of Union City agrees to meet project delivery and obligation deadlines, comply with funding conditions placed on the receipt of funds allocated to the Lifeline Transportation Program, provide for the required local matching funds, and satisfy all other conditions set forth in MTC Resolution No. 4309; and

WHEREAS, the City of Union City certifies that the project and purpose(s) for which funds are being requested is in compliance with the requirements of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.), and with the State Environmental Impact Report Guidelines (14 California Code of Regulations Section 1500 et seq.) and if relevant the National Environmental Policy Act (NEPA), 42 USC Section 4-1 et seq. and the applicable regulations thereunder; and

WHEREAS, there is no legal impediment to the City of Union City making the funding request; and

WHEREAS, there is no pending or threatened litigation which might in any way adversely affect the ability of the City of Union City to deliver the proposed project(s) for which funds are being requested,

NOW, THEREFORE, BE IT RESOLVED, that the City of Union City requests that MTC program funds available under its Lifeline Transportation Program, in the amounts requested for which the City of Union City is eligible, for the project described in Attachment A of this Resolution; and

BE IT FURTHER RESOLVED, that staff of the City of Union City shall forward a copy of this Resolution, and such other information as may be required, to MTC, ACTC, and other such agencies as may be appropriate.

ATTACHMENT A
Lifeline Transportation Program Cycle 5 Projects

Project Name	Project Description	Lifeline Transportation Program Funding Amounts				Local Match Amount	Total Project Cost
		Prop 1B	STA	5307/JARC	Total Lifeline Funding		
Operations Support for Route 2	Operations support for Route 2 that operates in an identified community of concern.	\$	\$1,252,411	\$	\$1,252,411	\$313,103	\$1,565,514
Total		\$	\$1,252,411	\$	\$1,252,411	\$313,103	\$1,565,514



Agenda Item

DATE: 5/8/2018

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: THOMAS E. RUARK, PUBLIC WORKS DIRECTOR

SUBJECT: AWARD OF CONTRACT TO NATIONAL AUTO FLEET GROUP IN THE NOT-TO-EXCEED AMOUNT OF \$50,000 FOR THE PURCHASE OF ONE, 2018 CHEVROLET TAHOE POLICE CANINE VEHICLE

Public Works staff recommends the purchase of one 2018 Chevrolet Tahoe Police Vehicle for the Police Department use in the not-to-exceed amount of \$50,000.

BACKGROUND

On February 13, 2018, the City Council accepted a private donation in the amount of \$103,649.54 from a trust fund established by Alba Adelaide Lavino, a Union City resident and longtime supporter of the Union City Police Department's canine unit. These proceeds were appropriated to a General Fund project account so they could be tracked and used to enhance the canine program. The Police Department is now moving forward with adding a new canine team to their services. This has created the need to add an additional vehicle to the Police Department's fleet.

DISCUSSION

The Public Works Fleet Division sought and received a proposal from National Auto Fleet Group for \$45,272.73 to build and paint the police vehicle to the Police Department's requirement. The vehicle purchase is available under the National Joint Powers Alliance (NJPA) cooperative agreement, master vehicle contract #120716-NAF. The NJPA ensures competitive pricing through a request for proposal process that leverages the national purchasing power of more than 50,000 member agencies, while streamlining the required purchasing process through awarded contracts. This enables the City to legally purchase vehicles through NJPA awarded contracts.

Public Works staff recommends that the City purchase one 2018 Chevrolet Tahoe Police Vehicle for the Police Department from National Auto Fleet Group for a total not-to-exceed cost of \$50,000. This includes the estimated purchase price plus approximately 10% as a contingency for any additional unforeseen costs.

FISCAL IMPACT

Funding for the police canine vehicle has been provided through donations from the Lavino Family Trust, which has been placed into the City's General Fund, K-9 Provisions Account 1110-2104-21196-53202. The impact to the General Fund will therefore be limited to future maintenance and servicing of the vehicle. It is recommended that the vehicle purchase be made from this account.

RECOMMENDATION

It is recommended that the City Council adopt the attached resolution authorizing the purchase of One 2018 Chevrolet Tahoe Police Vehicle by awarding the contract to National Auto Fleet Group of Watsonville, CA in the not-to-exceed amount of \$50,000.

Prepared by:

Farooq Azim, Principal Civil Engineer

Submitted by:

Thomas E. Ruark, Public Works Director

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Resolution	Resolution

RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY
AWARDING A CONTRACT TO NATIONAL AUTO FLEET GROUP IN THE
NOT-TO-EXCEED AMOUNT OF \$50,000 FOR THE PURCHASE OF
ONE, 2018 CHEVROLET TAHOE POLICE CANINE VEHICLE**

WHEREAS, the Union City Public Works Department desires to purchase one, 2018 Chevrolet Tahoe Police Vehicle to accommodate a new canine team that will be added to Police Department services; and

WHEREAS, the vehicle is available through a National Joint Powers Alliance (NJPA) cooperative purchasing agreement through National Auto Fleet Group of Watsonville, California; and

WHEREAS, the vehicle purchase plus contingency for any additional unforeseen costs is estimated not to exceed \$50,000; and

WHEREAS, funding for the vehicle purchase is available through donations from the Lavino Family Trust, which have been placed into the City's General Fund, K-9 Provisions Account 1110-2104-21196-53202.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Union City hereby authorizes the purchase of one 2018 Chevrolet Tahoe Police Vehicle, and awards the contract in the not-to-exceed amount of \$50,000 to the National Auto Fleet Group of Watsonville, California.

PASSED AND ADOPTED by the City Council of the City of Union City, State of California this 8th day of May, 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

CAROL DUTRA-VERNACI
Mayor

ATTESTED:

APPROVED AS TO FORM:

ANNA M. BROWN
City Clerk

KRIS KOKOTAYLO
City Attorney



Agenda Item

DATE: 5/8/2018

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: BONNIE ROLAND-WILLIAMS, HUMAN RESOURCES DIRECTOR

SUBJECT: ADOPT A RESOLUTION APPROVING A SIDE LETTER AGREEMENT TO EXISTING MEMORANDUM OF UNDERSTANDING WITH THE POLICE OFFICERS' ASSOCIATION (POA) TO RESOLVE CalPERS AUDIT FINDING REGARDING EDUCATION INCENTIVE

A recent CalPERS audit resulted in a finding that the Education Incentive Program as specified in the Memorandum of Understanding (MOU) with the Police Officers' Association (POA) is not in compliance with the State Government Code.

A side letter agreement to the existing MOU is required to clarify the intent of the parties, preserve the benefit for current and future employees, and bring the program into compliance. A resolution has been prepared approving the "Education Incentive side letter" that has already been agreed to by the POA, and staff recommends adoption of the proposed resolution.

BACKGROUND

A recent CalPERS audit resulted in a finding that the City's long-standing Education Incentive program as specified in the Police Officers' Association MOU, was inconsistent with Government Code section 20636 and the California Code of Regulations section 571.

DISCUSSION

Per the CalPERS finding, the requirement that employees who obtained Intermediate/Advanced Post certificates or Bachelor's/Master's degrees work for the City of Union City for a certain number of years before receiving either a 5.0% or 7.5% education incentive, is inconsistent with the Government Code and California Code of Regulations.

After numerous meetings and discussions with the POA, staff recommends some clarifications of the Education Incentive program for Sworn (those who are required to carry a firearm), and Non-Sworn (all other staff represented by the POA). The clarified program for Sworn employees eliminates the years of service

requirement at all levels and caps the maximum Education Incentive at 5.0%, down from the existing 7.5 percent. A separate program, that is fully compliant with the Government Code, the Longevity program, has also been modified to add a 2.5% longevity pay after 12 years of service. The combined benefit of the clarified Education Incentive and Longevity Pay programs is 7.5%, which is the maximum benefit that employees receive today. The clarified program for Non-Sworn employees eliminates the years of service requirement at all levels. Non-Sworn employees are not eligible for longevity pay after twelve years of service. The maximum benefit allowed under this restructured program is 7.5% and is consistent with the maximum benefit that employees receive today.

FISCAL IMPACT

City payroll records date back to 2007. Thus staff cannot provide a definitive figure for the fiscal impact of any potential retroactive incentive payments and/or contributions to CalPERS. Staff estimates that the one-time cost moving forward is approximately \$10,000. This figure reflects the cost of providing the education incentive to employees who would, under the existing program, have been required to satisfy the “years of service” requirement. Monies are available in the general fund to cover the cost of any retroactive payments as well as the “go forward” costs.

City staff has advised CalPERS that upon approval of the restructured programs by City Council, to accurately calculate retroactive costs associated with the clarified program, the City will provide a window of time for potentially affected current employees to come forward and present documentation in support of their claim. .

RECOMMENDATION

Staff recommends that the City Council approve the resolution to adopt the side letter amending the existing Memorandum of Understanding language regarding Education Incentive and Longevity Pay as approved by California Public Employee Retirement System (CalPERS).

This side letter language will be incorporated into a subsequent MOU.

Prepared by:

Bonnie Roland-Williams, Human Resources Director

Submitted by:

Bonnie Roland-Williams, Human Resources Director

ATTACHMENTS:

Description	Type
<input type="checkbox"/> Resolution	Resolution
<input type="checkbox"/> Side Letter Agreement	Attachment

RESOLUTION NO.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY
APPROVING A SIDE LETTER OF AGREEMENT CLARIFYING THE EDUCATION
INCENTIVE AND LONGEVITY PAY PROGRAMS WITH THE POLICE OFFICERS
ASSOCIATION (POA)**

WHEREAS, the California Public Employee Retirement System (CalPERS) conducted an audit of the City of Union City's (the City) retirement processes and determined that, based on the language in the Police Officers Association MOU, the city's program was not in compliance with the State Government Code; and

WHEREAS, the City and the POA have met and clarified the Education and Incentive Program to address the concerns raised by CalPERS as described in the attached side letter of agreement; and

WHEREAS, CalPERS accepts that the intent of the parties was to have education incentive pay benefits at all levels included in pensionable compensation; and

WHEREAS, side letter language to the existing MOU which clarifies the intent of all parties has been approved by CalPERS and ratified by the authorized employee bargaining group.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Union City approves the side letter agreement attached hereto and incorporated herein by reference.

Side Letter to the 2014 – 2017
Memorandum of Understanding Between
The City Of Union City and
Union City Police Officers Association

The City of Union City ("City") and the Union City Police Officers Association ("POA") (collectively the "Parties") enter into this side letter to the Parties' 2014 - 2017 Memorandum of Understanding to clarify the Parties' existing and historical agreement regarding the Educational/Professional Achievement and Longevity programs.

WHEREAS the Educational/Professional Achievement program has historically included a requirement that participants satisfy a years of service requirement to become eligible for the 5 percent (5%) and 7.5 percent (7.5%) incentives;

WHEREAS the City of Union City and employees have paid and reported to CalPERS pension contributions for all levels of Educational/Professional Achievement incentive;

WHEREAS restructuring of the Educational/Professional Achievement program consistent with the Parties' understanding, requires a modification of the Longevity program;

WHEREAS the Parties wish to enter into a side letter clarifying and memorializing the Parties' historical agreement regarding the Educational/Professional Achievement and Longevity programs;

NOW, THEREFORE the Parties agree to strike Sections 2.13 and 7.02 of the 2014 - 2017 Memorandum of Understanding and replace it with the following language:

2.13 LONGEVITY PAY

The City will compensate each sworn bargaining unit member two and one-half percent (2.5%) of their base salary upon completion of twelve (12) years of permanent full time service with the City of Union City. For sworn employees, who are active members of the Department and hired prior to April 24, 2018, lateral experience towards the twelve (12) year service requirements will be credited at the rate of one (1) year of credit for every two (2) years of prior continual service as a full-time paid Police Officer with any other agency. Upon request of a sworn employee, the Chief of Police can recommend to the City Manager approval of additional experience credit towards the twelve year service requirement. The City Manager shall have final authority in approving credit toward the twelve year service requirement.

The City will compensate each bargaining unit member five percent (5%) of their base salary upon completion of their nineteenth year of permanent full time service with the City of Union City.

Sworn bargaining unit members with nineteen years of service will receive a maximum longevity pay premium of seven and one-half percent.

Employees with a break in service from Union City will receive credit for their prior bargaining unit employment with Union City in calculating longevity. Part-time employment or employees working in designated part-time positions or in positions not represented by the bargaining unit do not apply. All credited time must be as a permanent, full time bargaining unit member employed by Union City to be eligible.

7.02 PROFESSIONAL ACHIEVEMENT PROGRAM

The purpose of the professional achievement program is to encourage and reward the educational and professional achievements of the career law enforcement employee, who, by preparing for advancement, has contributed to raising the efficiency and effectiveness of the Police Department.

This program applies to both sworn and non-sworn. Employees may receive compensation for either the P.O.S.T. Certificate Incentive or the Education Incentive, but not both.

The employee must provide written notification and all proper documentation to the City for eligibility in this Professional Achievement Program. Academic degrees from institutions submitted for incentive pay must be from an institution listed by an accrediting agency recognized by the United States Department of Education. Requirements for eligibility are as follows:

SWORN EMPLOYEES

P.O.S.T. Incentive

2.5%: Possess Intermediate P.O.S.T. Certificate.

5.0%: Possess Advanced P.O.S.T. Certificate

Education Incentive

2.5%: Possess AA or AS Degree

5.0%: Possess BA or BS Degree

In no case will the total incentive (P.O.S.T. Incentive and/or Education Incentive) received under this Educational/Professional Achievement program for sworn employees exceed 5.0%.

NON-SWORN EMPLOYEES

2.5%: Possess AA or AS Degree

5.0%: Possess BA or BS Degree

7.5%: Possess MA or MS Degree.

In no case will the total incentive (Education Incentive) received under this Professional Achievement Program for non-sworn employees exceed 7.5%.

Employees who are receiving compensation under the Professional Achievement Program in effect prior to this Side Letter shall continue to receive the award achieved under that program. Employees shall not receive a reduction in pay due to the implementation of revised Education Incentive, P.O.S.T. Certificate Incentive and Longevity Pay. If an employee receives compensation under this paragraph the compensation granted is not pensionable.



Agenda Item

DATE: 5/8/2018

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: Kristopher J. Kokotaylo, City Attorney

SUBJECT: CONDUCT A PUBLIC HEARING REGARDING THE PROPOSAL OF A CHARTER AND THE CONTENT OF THE PROPOSED CHARTER

The City Council has previously directed staff and the City Attorney to prepare a draft charter for the City and to move forward with the necessary procedural actions for placing the charter on the November ballot for voter consideration. State law requires the City Council to hold two public hearings regarding the proposal of a charter and content of the charter prior to submitting it to the voters.

City staff and the City Attorney's Office recommend that the City Council hold a public hearing to receive public comment regarding the proposed charter.

BACKGROUND

Cities in California are organized as either general law cities or charter cities. General law cities derive their powers from general laws enacted by the State Legislature, while charter cities derive their powers from the California Constitution and their own charters. Thus, general law cities are bound by the state's general laws.

In contrast, the "home rule provision" of the California Constitution provides that charter cities have full authority over municipal affairs and are only subject to state laws regarding matters of statewide concern.

Currently there are 361 general law cities and 121 charter cities in California. Charter cities in Alameda County include Alameda, Albany, Berkeley, Emeryville, Hayward, Oakland, Piedmont, and San Leandro

Becoming a charter city requires approval by a majority of voters. A charter may be proposed either by a charter commission comprised of members selected by the voters, or by the City Council by its own action.

Regardless of the method used, the proposed charter must be submitted for approval by a majority of the voters at a general election. Amendments to the charter also require voter approval.

DISCUSSION

A. Proposed Charter

A city's charter defines the structure of the city's government and the scope of a city's authority over municipal affairs. A city charter is not required to contain any particular provision and need not set out every municipal affair that the city would like to govern. The proposed Union City charter provides that Union City will have the full power and authority to adopt laws and regulations regarding municipal affairs, except as limited by the charter itself or applicable state or federal laws. The proposed charter also provides, as further described below, that the City shall comply with California laws applicable to general law cities with respect to certain matters.

The proposed Union City charter is attached as Exhibit A, and is described in more detail below.

i. Continuation of Form of Government.

The proposed charter maintains the City's existing Council-Manager form of government. Under a Council-Manager form of government, the City Council appoints the city manager as the chief administrative officer of the City. The City Manager is responsible for appointing all department heads, except the City Attorney, who is appointed directly by the Council. The City Manager is responsible for the daily management of the City, and the City Council may only direct the City Manager, and not any subordinate employees.

This is Union City's current form of government, and it is incorporated into the proposed charter. The proposed charter does not create any new power or authority for the City Council to change this form of government. Although charter cities are permitted to have certain forms of government not available to a general law city, such as a "strong mayor" form of government, the creation of a strong mayor form of government in Union City would require a future amendment to the charter approved by a majority of the voters.

ii. Continuation of Existing Laws.

Under the proposed charter, the City's existing Municipal Code, and all other ordinances, codes, resolutions, regulations and rules will remain in full force and effect if the Charter is adopted. The City will continue to be governed by these laws and regulations unless they are amended or repealed in the future. The City Council would be able to amend or repeal portions of the Municipal Code or any other existing laws in the same manner as is currently permitted.

iii. Compliance with Certain Law Applicable to General Law Cities.

As discussed above, charter cities are not subject to the state laws regarding municipal affairs. For example, courts have held that certain aspects of public contracting and prevailing wage laws are municipal affairs, and therefore charter cities are not obligated to comply with state law requirements. However, the proposed charter identifies certain areas of law that constitute municipal affairs where the City will comply with state law. These laws are: prevailing wage laws; public contracting laws; labor relations laws; and elections law, including laws related to initiatives, referenda, and recalls. The proposed charter provides that the City will comply with California laws applicable to general law cities regarding these topics. The City will have no authority deviate from compliance with these laws absent an amendment to the charter approved by the voters.

iv. Municipal Revenue and Transfer Property Tax.

The proposed charter provides that the City may exercise all powers of a charter city to generate revenue. This includes the power to enact an enhanced real property transfer tax ("RPTT"). A RPTT is a tax imposed on the deed, instrument, or writing by which interests in real property are transferred. Under the California Revenue and Taxation Code, general law cities may impose a RPTT at the maximum amount of \$0.275 per \$500 (\$.055 per \$1,000). Union City currently has a RPTT of the maximum rate allowed for general law cities of \$0.55 per \$1,000 of value. The RPTT is paid at the time of sale of any real property, and is a negotiable

item between buyer and seller.

Charter law cities are not subject to state law regarding RPTTs because RPTTs are deemed municipal affairs. As a result, charter cities may impose RPTTs at a rate higher than the maximum statutory rate of \$0.275 per \$500 (\$.055 per \$1,000). The average RPTT rate for charter cities in Alameda County is \$11.12 per \$1,000 of value.

Under state law and the California Constitution, cities cannot impose, increase or extend any tax unless the tax is approved by the voters.

B. Process for Charter City Formation

The City Council may, on its own motion, propose a new charter and submit it directly to the voters for approval at the next established statewide general election. The City Council must vote to submit the proposed charter to the voters at least eighty eight (88) days before the election.

- Public Hearing: Prior to approving submission of the charter to the voters, the City Council must hold at least two public hearings on the proposal of the charter and the content of the charter, and notice of those hearings must be published at least twenty one (21) calendar days before the date of each hearing. The second public hearing must be held at least thirty (30) days after the first hearing, and at least one of the hearings must be held outside of normal business hours.
- Submission to the Voters: The City Council may not vote on submission of the charter to the voters until twenty one (21) days after the second public hearing.
- Amendments: A charter may be amended, revised, or repealed only with voter approval. An amendment to a charter may be proposed by the City Council or by voter initiative, but will only become effective if approved by a majority of voters.

The proposed timeline for placement of the draft charter on the ballot for November 2018, is below:

Action	Anticipated Date	Restrictions
City Council holds first public hearing on proposed charter	May 8	Notice of the hearing must be given 21 days in advance
City Council holds second public hearing on proposed charter	June 12	Must occur at least 30 days after first public hearing
City Council votes on submission of the proposed charter to the voters	July 24	Must occur at least 21 days after the second public hearing
Last day for City Council to vote on submitting proposed charter to voters	August 10	Must occur be at least 88 days before the election
Election Date: November 6, 2018		

FISCAL IMPACT

There is no direct fiscal impact from conducting this public hearing.

RECOMMENDATION

Staff and the City Attorney's Office recommend that the City Council conduct a public hearing, consider public comment and provide direction regarding the proposal of a charter and content of the proposed city charter.

Prepared by:

Kristopher J. Kokotaylo, City Attorney

Submitted by:

Kristopher J. Kokotaylo, City Attorney

ATTACHMENTS:

Description	Type
 Draft Charter	Exhibit

CHARTER OF THE CITY OF UNION CITY

STATEMENT OF PURPOSE

The City of Union City was incorporated as a general law city in 1959, combining the communities of Alvarado, New Haven, and Decoto, by residents seeking to manage local affairs. Over time, the authority of general law cities over local affairs has diminished. The State continues to add mandates for cities that require local resources to address State concerns, increase its control over local matters, and redirect much needed local revenue for its own purposes. Changes in State law have limited the ability of Union City residents to decide how to use local dollars for local needs. The power of home rule, granted by the California Constitution, makes available to charter cities a variety of tools to use to construct local policy and address local concerns. We the people of Union City, are sincerely committed to the belief that local government has the closest affinity to the people governed and are firmly convinced that the economic and fiscal independence of our local government will better serve and promote the health, safety and welfare of all the residents of Union City. Based on these principles, we do here by exercise the express right granted by the Constitution of the State of California and do ordain and establish this Charter for the City of Union City.

ARTICLE I. ESTABLISHMENT OF HOME RULE, POWER OVER MUNICIPAL AFFAIRS, GENERAL LAW POWERS

Section 100. Powers of the City. The City of Union City (the "City") shall have full power and authority to adopt, make, exercise, and enforce all legislation, laws, ordinance, resolutions, and regulations with respect to municipal affairs, subject only to the limitations and restrictions imposed on that power by this Charter, the Constitution of the State of California, and the laws of the United States.

Section 101. Municipal Affairs. Municipal affairs encompass all matters of local concern as determined by the City Council consistent with the meaning of "municipal affairs" under the constitutional, statutory, and judicially defined law of the State of California. Each of the matters set forth in this Charter are declared to be municipal affairs, consistent with the laws of the State of California. The municipal affairs set forth in this Charter are not intended to be an exclusive list of municipal affairs over which the City Council may govern. The exercise of home rule over each matter set forth in this Charter uniquely benefits the residents of the City and addresses local concerns within the City.

Section 102. Powers under State Law.

- (a) In addition to the power and authority granted by this Charter and the Constitution of the State of California, the City shall have the power and authority to adopt, make, exercise, and enforce all legislation, laws, ordinances, resolutions, and regulations and to take all actions and to exercise any and all rights, powers, and privileges heretofore or hereafter established, granted or prescribed by any law of the State of California or by any other lawful authority. In

the event of any conflict between this Charter and the general laws of the State of California related to a municipal affair, this Charter shall control.

- (b) Nothing in this Charter is intended to restrict the City in exercising any right, power or authority granted under the general laws of the State of California. However, the provisions of this Charter shall prevail in the event of any conflict with the general laws of the State of California, unless preempted by state law on matters of statewide concern.

ARTICLE II. CONTINUATION OF BOUNDARIES, FORM OF GOVERNMENT, AND EXISTING LAW

Section 200. Incorporation and Succession. The City shall continue to be a municipal corporation known as the City of Union City. The boundaries of the City shall continue as established prior to this Charter taking effect until changed in the manner authorized by law. The City shall remain vested with and shall continue to own, have, possess, control, and enjoy all property rights and rights of action of every nature and description owned, had, possessed, controlled, or enjoyed by it at the time this Charter takes effect. The City shall be subject to all debts, obligations, and liabilities of the City at the time this Charter takes effect.

Section 201. Form of Government. The government of the City shall continue to be the Council-Manager form of government as established by the Union City Municipal Code at the time that this Charter takes effect and by the laws of the State of California. The Council-Manager form of government of the City may be changed in the same ways and using the same procedures as a general law city.

Section 202. City Council, City Manager, and City Attorney.

- (a) The City Council shall establish the policy of the City. The City Manager shall carry out that policy.
- (b) The City Council shall appoint the City Manager.
- (c) The City Manager, as the chief administrative officer of the City, shall appoint all department heads other than the City Attorney. The City Council and its members shall deal with the administrative services of the City only through the City Manager except for the purpose of inquiry, and neither the City Council nor any member thereof shall give orders to any subordinates of the City Manager.
- (d) The City Council shall appoint the City Attorney. The City Attorney may be an employee of the City or an independent contractor providing legal services pursuant to a contract.

Section 203. Continuation of Existing Local Laws. All ordinances, codes, resolutions, regulations, rules, and portions thereof, in force at the time this Charter takes effect, and not in conflict or inconsistent herewith, shall continue in force until repealed, amended,

changed, or superseded in the manner provided by this Charter and any other applicable laws.

Section 204. General State Laws. Except as provided in this Charter and in any ordinance, code, resolution, or other law adopted by the City Council regarding a matter that is a municipal affair, the City shall be governed by the general laws of the State of California.

ARTICLE III. MUNICIPAL REVENUE

Section 300. Revenue Raising Power. The City may exercise all powers of a charter city to generate revenue, including but not limited to taxes, fees, assessments, and other charges.

Section 301. Real Property Transfer Tax. Without limiting the general power of the City to generate revenue, as expressed in Section 300 above, the City may impose a tax on the conveyance of real property based upon the price paid for the real property. Any real property transfer tax imposed by the City shall be in addition to any similar tax authorized by the general laws of the State of California.

ARTICLE IV. PREVAILING WAGES FOR PUBLIC WORKS AND PUBLIC CONTRACTING

Section 400. State Prevailing Wage Law. The City shall comply with the laws of the State of California applicable to general law cities regarding the payment of prevailing wages for public works projects.

Section 401. Contracting for Public Works. The City shall comply with the laws of the State of California applicable to general law cities regarding contracting for public works. The City's laws, ordinances, codes, resolutions, and policies implementing State laws regarding contracting for public works shall continue to apply when this Charter takes effect and may be amended thereafter.

ARTICLE V. LABOR RELATIONS

Section 500. State Labor Relations Law. The City shall comply with the laws of the State of California applicable to general law cities regarding labor relations. The City's laws, ordinances, codes, resolutions, and policies implementing State laws regarding labor relations shall continue to apply when this Charter takes effect and may be amended thereafter.

ARTICLE VI. ELECTIONS

Section 600. State Elections Law. The City shall comply with the laws of the State of California applicable to general law cities regarding elections. The City's laws, ordinances, codes, resolutions, and policies implementing State laws regarding elections shall continue to apply when this Charter takes effect and may be amended thereafter.

Section 601. Initiative, Referendum, and Recall. Without limiting the general applicability of Section 600 of this Charter, the City shall comply with the laws of the State of California applicable to general law cities regarding initiative, referendum, and recall.

ARTICLE VII. INTERPRETATION, SEVERABILITY, AND AMENDMENT

Section 700. Construction and Interpretation. The language of this Charter is intended to be permissive rather than exclusive or limiting and shall be liberally and broadly construed in favor of the exercise by the City of its power to govern with respect to any matter that is a municipal affair. Every reference in this Charter to state or federal law shall mean that law as it exists when this Charter takes effect or as it may thereafter be amended.

Section 701. Severability. If any provision of this Charter should be held by a court of competent jurisdiction to be invalid, void, or otherwise unenforceable, the remaining provisions shall remain enforceable to the fullest extent permitted by law.

Section 702. Amendment of Charter. As provided by state law, this Charter, and any of its provisions, may be amended by a majority vote of the electors voting on the question. Amendment or repeal may be proposed by initiative or by the City Council.

477.070 2941942.1



Agenda Item

DATE: 5/8/2018

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: JOAN MALLOY, ECONOMIC AND COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: DIRECT STAFF TO PREPARE AN AMENDMENT TO THE MUNICIPAL CODE TO REVISE THE AFFORDABLE HOUSING ORDINANCE

Staff is seeking final direction from the City Council to amend the Affordable Housing Ordinance in order to maximize the development of affordable housing.

BACKGROUND

On January 23, 2018, staff sought policy direction from the City Council on how to **maximize the construction of affordable housing** and to update the Affordable Housing Ordinance (“Ordinance”) accordingly. The City Council provided some direction at this meeting and requested that staff conduct additional research and analysis on the outstanding policy decision.

The Council was in general agreement to allow large, ownership projects to pay a per square foot in-lieu fee or construct affordable units. The Council also supported the payment of a per-square-foot in-lieu fee for small projects (less than 7 units) and additions/expansions. However, the Council specifically requested more information on whether large rental projects should be allowed to pay in-lieu fees, and if so, under what circumstances.

Since the January 2018 meeting, staff has conducted additional research on the cost of producing 100 percent affordable housing projects, that are stand-alone developments, operated by non-profit developers, and provide a range of supportive services for their residents. At the January meeting, the Council received public comment that collecting in-lieu fees should be the approach.

Based on recent projects in Alameda County, staff estimates that the cost to build new affordable housing is approximately \$600,000 to \$700,000 per unit, excluding the cost of the land. It is very expensive to build 100 percent affordable housing projects, and typically, such projects require the City to contribute free land and significant amounts of funding in order to make a project feasible. The City is in the process of selecting a developer to develop the city-owned site at Mission, D, E, and 2nd Streets (“Mission Block”) with affordable housing. The City plans to contribute the land, \$3.8 million in City housing funds, and the City’s full Measure

A1 allocation of \$8.7 million. Once this project is developed, the City does not own any other suitable sites for affordable housing nor does the City have any more housing funds.

The table below summarizes the policy direction the City Council has provided thus far along with the outstanding policy decisions. Included as Attachment A is a summary of the City's existing Ordinance requirements for the City Council's reference.

Development Type	City Council Direction	Outstanding Policy Decisions
Large Projects (7 units +) <i>Rental</i>	The City Council requested additional information and analysis on whether to allow an in-lieu fee option for large, rental projects.	<u>In-Lieu Fee Option</u> Keep the existing ordinance requirements in place and <i>require developers build affordable rental units (no in-lieu fee option)</i> OR <i>Allow developers to pay an in-lieu fee</i> instead of providing affordable rental units
Large Projects (7 units +) <i>Ownership</i>	<ul style="list-style-type: none"> Require developers to provide affordable units (on-site or off-site) but keep City Council's discretion to allow developers to pay an in-lieu fee. Revise how the in-lieu fee is calculated from \$180/sf of the affordable units that would have been built to \$27/sf of the square footage of the entire project. The new in-lieu fee amount is equivalent to the existing in-lieu fee but the calculation methodology is simplified In-lieu fee rate would increase annually based on the construction cost index. 	<u>In-lieu Fee Process</u> Keep the existing ordinance requirements in place and only allow an <i>in-lieu fee at City Council's discretion</i> (i.e. on a case by case basis) OR Allow developers to pay an <i>in-lieu fee by-right</i>
Small Projects (6 units or less) <i>Rental & Ownership</i>	<ul style="list-style-type: none"> Revise the existing flat rate, in-lieu fee of \$160,000 per <i>affordable unit</i> that would have been built (equates to \$24,000 per unit fee) to a per square footage fee. Accessory dwelling units (ADUs) would be exempt In-lieu fee rate would increase annually based on the construction cost index. 	<u>In-lieu Fee Rate</u> In January 2018, staff had recommended a per square foot fee of \$27 however the City Council requested additional information about a potentially lower fee rate. The City Council expressed concern that the proposed fee rate may hinder the development of small projects.
Owner-occupied, Single-unit Developments	<ul style="list-style-type: none"> Remove the existing owner-occupancy exemption for single-unit developments Require all single-unit developments to pay the in-lieu fee rate that is adopted for small projects. 	None
Additions/ Expansions	<ul style="list-style-type: none"> Establish a \$25 per square foot affordable housing impact fee on expansions exceeding 500 square feet. The fee would apply to additions and tear down/rebuilds where the net square footage exceeds 500 square feet. For 	None

	<p>example, on a 700 square foot addition, the fee would only be assessed on 200 square feet (i.e. a \$5,000 fee).</p> <ul style="list-style-type: none"> • Accessory dwelling units (ADUs) would be exempt. 	
--	---	--

DISCUSSION

Staff has conducted additional research and analysis and has provided the following recommendations for the outstanding policy decisions.

Large Projects (7 units or more) - Rentals

At the last meeting, the City Council requested additional information to help determine if payment of an in-lieu fee may be appropriate for large, rental projects. Upon closer inspection of the existing Ordinance, staff determined that the **City does not currently allow payment of an in-lieu fee for large, rental projects.**

Staff recommends keeping the ordinance as is and require developers provide affordable rental units (no in-lieu fee option) to ensure that very-low and low income rental units get built within the project. The quickest way the City can generate affordable rental units for very-low and low income households, is to **continue** requiring affordable units be provided within market-rate, rental developments.

As mentioned, it is very expensive to build 100 percent affordable housing projects and typically projects require free land and significant amounts of funding from the City. In addition, it has historically taken the City two to four years just to acquire and assemble sites and in some cases the City has had to use its eminent domain and condemnation authority in order to acquire these sites. Even if the City Council were to consider collecting in-lieu fees from rental developments, it will likely take the City several years to accumulate enough funding just to acquire a site(s) and the City would need to accumulate additional funding to contribute directly to the project.

Furthermore, many of the new State housing laws create consequences when cities do not build enough extremely-low to low income housing quickly enough or when market rate developments are built on sites identified as suitable for lower income housing in the Housing Element. So it's important that affordable housing units **get built quickly** and **within market-rate developments.**

Other Considerations

It should be noted that as affordable units are developed within market-rate projects, the City will have on-going monitoring obligations and costs to ensure that the units are rented to lower income households at affordable rental rates. Alternatively, if the City were to accumulate funds to build 100 percent affordable rental housing, the City would still have on-going monitoring obligations however these likely would be less burdensome as there would be fewer properties that contain affordable rental units to monitor.

Large Projects (7 units or more) – Ownership

The City Council already gave direction to require developers to provide affordable units but keep the discretion to allow developers to pay an in-lieu fee. Staff is seeking further direction from the City Council as to whether they want to keep the existing Ordinance as is and only allow developers to pay an in-lieu fee when approved by the City Council (i.e. on a case by case basis) or allow developers to pay an in-lieu fee by-right (at the developer's discretion).

Staff recommends that the City Council allow developers to pay an in-lieu fee for large, ownership projects by-right for the following reasons:

- Creates an objective and straight-forward process.
- Provides clarity and certainty to both staff and developers - Depending on whether a developer is paying an in-lieu fee versus providing affordable units can impact the project's unit count, unit sizes, and even unit type. This is especially true for single-family developments as its cost prohibitive for developers to sell large, luxury homes as affordable units. If a developer knows their options upfront, this can help reduce delays and changes to the project scope, which in turn gives both staff and the developer more certainty during the entitlement process especially in regards to CEQA.
- The existing Ordinance requires that 90 percent of the affordable ownership units created through the ordinance be provided to moderate income households. While providing affordable ownership units helps the City's moderate income residents, it does not help the City meet the obligations and requirements of the new State housing laws, as these new laws only give the City credit for producing extremely-low to low income units.

Staff assessed the inclusionary housing ordinances of other Alameda County cities and found that most cities either allowed developers to pay an in-lieu fee by-right or did not allow developers to pay an in-lieu at all (for additional information, see Attachment B - Summary of the Inclusionary Ordinances in Alameda County). Staff only found a few cities where it was up to the City Council to determine if a developer was allowed to pay an in-lieu fee and found that those cities had complex and subjective processes. Although staff does not recommend allowing in-lieu fees on a case by case basis, should the City Council wish to pursue this option, staff has included additional information and analysis as Attachment C – Summary of Cities with Discretionary In-Lieu Fees.

Other Considerations

Allowing a by-right alternative for ownership developments may result in some funds coming to the City for future affordable housing projects. At this time, there are no future projects outside of the Mission Block project on the horizon. Since the cost to construct affordable housing is so high, it is unlikely the City will be in a position to fund another affordable housing in the foreseeable future. Any in-lieu fees collected could also fund other types of affordable housing programs such as housing rehabilitation, first time home buyer loans, rent subsidies, or affordable housing preservation efforts (e.g. foreclosure prevention of affordable units).

The City is responsible for the oversight and management of all affordable ownership units which includes regular monitoring to ensure owners are compliance, processing refinances, and managing new sales and resales. As more affordable ownership units are built, it will require additional staff time and resources to oversee these units.

Small Projects (6 units or less) - Rental & Ownership

The City Council directed staff to revise the existing flat rate, in-lieu fee to a per square footage fee for small projects. In January 2018, staff had recommended a per square foot fee of \$27 however the City Council requested additional information about a potentially lower fee rate. The City Council expressed concern that the proposed fee rate may hinder the development of small projects.

Staff recommends a \$25 per square foot in-lieu fee for small projects (ownership and rental). This is equivalent to the fee the City Council has recommended for additions/expansions (as discussed in the Background Section of this report) and this fee is supported by the Affordable Housing Nexus Study.

FISCAL IMPACT

There is no impact to the General Fund as a result of receiving this report. Any adjustment to affordable housing fees as a result of City Council's direction would go directly into the housing in-lieu fund and would be used for affordable housing programs. No affordable housing fees can be used for general fund activities.

RECOMMENDATION

Staff recommends that the City Council provide final policy direction to staff to amend the Affordable Housing Ordinance in order to **maximize the development of affordable units**. Below is a summary of the outstanding policy decision points and staff's recommendations

Development Type	Outstanding Policy Decision	Staff Recommendations
Large Projects (7 units +) <i>Rental</i>	<u>In-Lieu Fee Option</u> Keep the existing ordinance requirements in place and require developers build affordable rental units (no in-lieu fee option) OR Allow developers to pay an in-lieu fee instead of providing affordable rental units	<u>In-Lieu Fee Option</u> Keep the existing requirements in place for large rental projects and require that rental developments provide affordable units either on-site or off-site with no in-lieu fee option .
Large Projects (7 units +) <i>Ownership</i>	<u>In-lieu Fee Process</u> Keep the existing ordinance requirements in place and only allow an in-lieu fee at City Council's discretion (i.e. on a case by case basis) OR Allow developers to pay an in-lieu fee by-right	<u>In-lieu Fee Process</u> Allow developers to pay an in-lieu fee by-right in order to create a more objective and clear process for both staff and developers.
Small Projects (6 units or less) <i>Rental & Ownership</i>	<u>In-lieu Fee Rate</u> In January 2018, staff had recommended a \$27/sf fee however the City Council requested additional information about a potentially lower fee rate. The City Council expressed concern that the proposed fee rate may hinder the development of small projects.	<u>In-lieu Fee Rate</u> Set the in-lieu fee for small projects to \$25/sf as this is equivalent to the fee the City Council has recommended for additions /expansions.

Once the City Council provides final direction, staff will prepare an amendment to Chapter 18.33, Affordable Housing. Since the Ordinance is in Title 18, Zoning, the text amendment will be brought before the Planning Commission for a public hearing and recommendation to the City Council. The City Council would also hold a public hearing in consideration of the Ordinance.

Prepared by:

Alin Lancaster, Housing and Community Development Coordinator

Submitted by:

Joan Malloy, Economic and Community Development Director

ATTACHMENTS:

Description	Type
▣ Attachment A: Affordable Housing Ordinance Summary	Attachment
▣ Attachment B: Summary of the Inclusionary Ordinances in Alameda County	Attachment
▣ Attachment C: Summary of Cities with Discretionary In-Lieu Fees	Attachment

Attachment A

Overview of Existing Affordable Housing Ordinance Requirements

The City's existing Ordinance requires that 15 percent (15%) of total units in a project be provided as affordable units. More specifically, for rental developments the units need to be affordable to very low and low income households and for ownership developments the units need to be affordable to low and moderate income households, as shown in the table below.

Income Level	Unit Distribution	
	Rental	Ownership
Very Low Income: 50% AMI or Less	30% of the affordable units	Not Applicable
Low Income: 51-80% AMI	70% of the affordable units	10% of the affordable units
Moderate Income: 81-100% AMI	Not Applicable	30% of the affordable units
Moderate Income: 101-120% AMI	Not Applicable	60% of the affordable units

AMI = Area Median Income

The Ordinance requires developers to provide affordable units onsite but gives the City Council discretion to allow the following alternative development options:

1. Optional In-Lieu Fee

- **Large Projects (7 or more units)**

- **Ownership** – The Ordinance allow developers to pay a fee in-lieu of providing affordable ownership units. Currently, the in-lieu fee is \$180 per square foot of the affordable units that would have been built. This equates to an approximately \$27 per square foot fee.
- **Rental** – the Ordinance **does not allow** developers to pay a fee in-lieu of providing affordable rental units.

- **Small Projects (6 units or less)**

For small projects (rental or ownership) the in-lieu fee is \$160,000 per affordable unit that is required to be built. For a six unit development, the in-lieu would be \$160,000 for the entire project. This equates to \$24,000 per unit. The small project in-lieu fee does not adjust based on the size of the unit(s).

2. Contractually Binding Alternative Means of Compliance

In early 2016, the City amended the Ordinance to give the City Council discretion to allow developers to implement an alternative option instead of providing affordable units. This amendment provides that the City Council may negotiate with developers for an in-lieu fee (including profit sharing) and/or affordable units. At the time, the City could not enforce the Ordinance on rental developments and therefore could only generate moderate-income

ownership units. Additionally, the City had very limited funding to develop affordable rental housing. So the City Council decided to prioritize generating funds that could be used to develop affordable rental housing.

3. **Off-Site and Alternative Construction Options**

The Ordinance allows for off-site or alternative on-site affordable housing development options for ownership or rental developments, so long as the projects are equal in basic amenities and are constructed concurrently. Further, for off-site developments, the City requires that the affordable housing opportunities exceed what is normally required (i.e. more affordable units and/or units at a deeper affordability level).

Attachment B
Inclusionary Housing Ordinances - Alameda County

City	Project Type	Ordinance Type	% Affordable Units	Allows for In-lieu Fee Option	In-Lieu Fee Rate	Project Size Threshold
Berkeley	Ownership	Inclusionary	20%	Fee (by-right)	% of diff between sales price & BMR price	5 Units +
	Rental	Impact	20%	Fee (by-right)	~\$34-\$37/sf ¹	1 Unit +
Dublin	Ownership	Inclusionary	12.5%	Fee (CC approval) ²	\$167,717/BMR unit	20 Units +
	Rental					
Emeryville	Ownership	Inclusionary	20%	No Fee	N/A	10 Units +
	Rental	Impact	12%	Fee (by-right)	~ \$28/sf ³	1 Unit +
Fremont	Ownership	Inclusionary	3.5-4.5% Plus Fee	Fee (by-right)	\$26-\$27/sf	1 Unit +
	Rental	Impact	0%		\$8.75-\$27/sf	2 Units +
Hayward	Ownership	Inclusionary	7.5-10%	Fee (by-right)	\$15-\$20/sf	2 Units +
	Rental		6%			
Livermore	Ownership	Inclusionary	10-15%	Fee (by-right): 10 units or less	\$25.37/sf	1 Unit +
	Rental			Fee (CC approval) ⁴ : 11 units+		
Newark	Ownership	Impact	Unknown	Fee (by-right)	First 1,000 sf = \$20/sf SF after 1,000 = \$8/sf	1 Unit +
	Rental					
Oakland	Ownership	Impact	5-10%	Fee (by-right)	~ \$4.80 - \$9.50/sf ⁵	1 Unit +
	Rental					
Pleasanton	Ownership	Inclusionary	15% - 20%	Fee (CC approval)	up to \$7.95/sf ⁶ ~ \$3/sf ⁷	15 Units +
	Rental					
San Leandro	Ownership	Inclusionary	15%	Fee (by-right): 6 units or less	Median sales price + other factors	2 Units +
	Rental		15%	Fee (CC approval) ⁸ : 7 units + No Fee	N/A	4 Units +
Union City	Ownership	Inclusionary	15%	Fee (by-right): 6 units or less	\$27/sf	1 Unit +
	Rental		15%	Fee (CC approval): 7 units+ No Fee	N/A	

¹ Berkeley's In-Lieu Fee for rentals is \$34,000 to \$37,000/unit. Assuming 1,000 sf units, this equates to \$34-37/sf.

² Dublin - developers are required to build at least 60% of the affordable units but are allowed to pay an in-lieu fee to cover up to 40% of the affordable units with City Council authorization

³ Emeryville's In-Lieu Fee for rentals is \$28,122/unit. Assuming 1,000 sf units, this equates to approximately \$28/sf.

⁴ Livermore - Developer has to prepare a report demonstrating why it is not feasible for the applicant to construct affordable units within the development project (through independent data, including financial information) before the City Council will approve an in-lieu fee

⁵ Oakland's fees range from \$0 - \$12,500/unit depending on project type and location. However, starting July 2018, these fee rates nearly double. The lowest fee is \$7,200/unit for townhouses - assuming a 1,500 sf townhouse, this equates to \$4.80/sf. The highest fee is \$12,500/unit for a single-family - assuming a 2,500 sf home, this equates to \$5/sf. Starting 7/1/18, those same fees increase to \$9.50/sf (townhouse) and \$9.20/sf (single-family) assuming the same square footage.

⁶ Pleasanton's Ownership In-lieu fee is \$11,939/unit for single-family units over 1,500 sf and \$2,959/unit for all multi-family and single-family units under 1,500 sf. The maximum possible fee rate equates to \$7.95/sf.

⁷ Pleasanton - Rental In-lieu fee is \$2,959/unit. Assuming 1,000 sf unit, this equates to approximately \$3/sf

⁸ San Leandro - for projects 7 units or more, developers can pay an in-lieu but it requires City Council approval **PLUS** the developer has to either provide units off-site, dedicate land, or a credit transfer in addition to the fee

Attachment C

Summary of Cities with Discretionary In-Lieu Fees

- *Dublin* - developers are required to build at least 60% of the affordable units but are allowed to pay an in-lieu fee to cover up to 40% of the affordable units with City Council authorization.
- *Livermore* – developers are only allowed to pay an in-lieu fee if they provide the City with a feasibility report that demonstrates 1) how paying the fee will further affordable housing opportunities and 2) demonstrate why it is not feasible for the developer to construct affordable units within the development project. The report must also include financial information and independent data. The City of Livermore has indicated that developers have not requested to pay an in-lieu fee in recent years.
- *Pleasanton* – developers can negotiate with the city to pay an in-lieu fee and Pleasanton doesn't have specific evaluation criteria. However, historically, Pleasanton has required developers to provide a combination of units and fee or donate land to the City. In the cases where the developer only paid an in-lieu fee, Pleasanton negotiated a higher fee rate than what is identified in their ordinance.
- *San Leandro* - developers can pay an in-lieu but it requires City Council approval **plus** the developer has to either provide units off-site, dedicate land, or a credit transfer to another affordable housing project **in addition to the fee.**



Agenda Item

DATE: 5/8/2018

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: JOAN MALLOY, ECONOMIC AND COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: GENERAL PLAN UPDATE: REVIEW OF DRAFT PUBLIC FACILITIES AND SERVICES ELEMENT

Staff is requesting feedback on the draft Public Facilities and Services Element (Attachments 1). The draft Element was reviewed by the General Plan Advisory Committee and Planning Commission in mid-April. All of the feedback received to date, including public feedback, is summarized in Attachment 2. The attached draft element has been updated in response to the feedback received.

BACKGROUND

The 2002 General Plan policy document is being updated. The updated 2040 General Plan will include nine elements that will provide policy guidance on a variety of topics including public health, fiscal, land use, and transportation. The GPAC, the Planning Commission, and City Council are responsible for reviewing and providing feedback on all of the draft elements. Other City Advisory bodies, such as the Economic Development Advisory Team, Human Resources Commission, and Park and Recreation Commission, review specific draft elements that are relevant to their purpose. See below for a list of draft elements and their review status. Once all of the draft elements are reviewed, the City will begin work on the corresponding Environmental Impact Report (EIR). After that process is completed, all of the draft elements and the EIR will be brought to the advisory groups and decision makers for final review and approval.

Below is the list of elements and their review dates. Under current consideration is the Public Facilities and Services element. Staff is seeking comments on this element.

- Economic Development: Reviewed July 2017
- Land Use: Reviewed October 2017
- Special Areas: Reviewed March 2018

- Community Design: Reviewed March 2018
- ***Public Facilities and Services: Under Review***
- Safety: Anticipated May 2018
- Resource Conservation: Anticipated May 2018
- Mobility: Anticipated Summer 2018
- Health and Quality of Life: Anticipated Summer 2018

The previously reviewed draft elements: Economic Development, Land Use, Special Areas, and Community Design, have been accepted by the City Council, which incorporated all of the feedback received from the various advisory groups and the Planning Commission. You can view final drafts of these elements along with a summary of all the feedback received on-line at <http://www.uc2040.com/documents/>.

DISCUSSION

Advisory Review and Outreach

The GPAC and Planning Commission reviewed the draft elements in mid-April. The comments received at the meetings are summarized in Attachment 2. The attachment also summarizes staff's feedback and additional policy recommendations. Comments from the GPAC and Commission focused on a variety of topics.

Several comments focused on the City's role as a service provider. This resulted in several new policies that address customer service, anti-discrimination, employee training and hiring, security and increased transparency and accountability. The majority of these policies were added to the Efficient and Sustainable City Operations section of the draft element, which focuses on general government.

Attachment 2 also includes a comment letter from Union Sanitary District requesting the City Council consider adding a policy supporting any future expansions or modifications necessary to meet future regulatory and capacity requirements. A policy was added to the draft Special Areas Element that addressed future expansion of the USD facility in the Horner Veasy Area.

Two email blasts were sent out to the City's General Plan interest list announcing the release of the draft element, upcoming meetings, and how to provide feedback. This information also was distributed through the City's social media outlets to the greater community. Staff set a target date of May 1, 2018 for the general public to provide feedback on the initial drafts but did not receive any additional comments beyond those summarized above. *Please note that the public may submit comments on the draft elements up until final approval of the draft General Plan document.*

FISCAL IMPACT

There is no fiscal impact associated with review of the draft element.

RECOMMENDATION

It is recommended that the City Council review the draft Public Facilities and Services Element and provide comments and feedback.

Prepared by:

Carmela Campbell, Planning Manager

Submitted by:

Carmela Campbell, Planning Manager

ATTACHMENTS:

Description		Type
□	Attachment 1- Draft Public Facilities and Services Element	Attachment
□	Attachment 2- Comments on Preliminary Public Review Draft Public Facilities and Services Element	Resolution

7



Public Facilities and Services



Public Facilities and Services

The quality and capabilities of the public facilities and services offered in a community can enhance the livability and economic potential of a community. This Element focuses on the variety of public facilities that are necessary to sustain existing households and businesses and to accommodate future population and employment growth. Public facilities addressed include: water supply, wastewater collection and treatment, stormwater collection and drainage, solid waste, utilities, and communications infrastructure. The Element also contains policy guidance to ensure excellent public services, which include: law enforcement, fire protection, schools, and libraries. Within Union City, these facilities and services are provided by the City and several partner districts and service providers.

The Public Facilities and Services Element emphasizes the City's dedication to maintaining, upgrading, and modernizing the public facilities and services that serve the community, support a prosperous economy and excellent quality of life, and protect public health and safety. This Element also addresses the need to expand public facilities and services in keeping with planned population growth and to provide an equitable distribution of public facilities and services to the city's diverse neighborhoods.



General Public Facilities and Services

Union City and other agencies and organizations maintain a variety of public facilities and provide many public services to meet the needs of residents and businesses. Sufficient and stable funding is essential to providing these facilities and services, and Union City strives to ensure that new development pays its fair share through the development review process and the collection of impact fees. Policies in this section guide the overall provision of public facilities and services in Union City.

Goal PF-1: Ensure the timely provision of public facilities and services that are adequately funded to meet the needs of existing and future city residents.

(Source: Existing General Plan, Goal PF-A.1, modified)

Policies

PF-1.1 Ensure Adequate Facilities and Services. The City shall ensure through the development review process that adequate public facilities and services are available to serve new development when required. The City shall not approve new development where existing facilities are inadequate to support the project unless the applicant can demonstrate that all necessary public facilities (including water service, sewer service, storm drainage, transportation, police and fire protection services) will be installed or adequately financed and maintained (through fees, special taxes, assessments, or other mean). *(Source: Existing General Plan, Policy PF-A.1.1)*

PF-1.2 On-site and Off-site Infrastructure. The City shall require all new development and major modifications to existing development to construct necessary on-site and off-site infrastructure to serve the project in accordance with City standards. *(Source: Existing General Plan, Policy PF-A.1.2)*

PF-1.3 Development Fair Share. The City shall require, to the extent legally possible, that new development or major modification to existing development pays the fair share cost of providing new public facilities and services and/or the cost for upgrading existing facilities. *(Source: Existing General Plan, Policy B.1.3)*

- PF-1.4 Impacts of Land Use Designation Changes.** When reviewing applications for land use designation changes (i.e., zoning amendment, General Plan Amendment), the City shall analyze the impacts of the proposed land use designation change(s) on all aspects of the infrastructure system within the city and require the applicant to mitigate impacts as legally appropriate. This shall include consultation with other service providers, such as the Alameda County Water District (ACWD) and the Union Sanitary District (USD), who have infrastructure within the city. *(Source: Existing General Plan, Policy PF-A.1.3)*
- PF-1.5 Ensure Coordination Between Adjacent Development.** The City shall ensure that the provision of streets, sewer, water, drainage and other needed infrastructure is coordinated in a logical manner between adjacent developments so as to reduce design, construction and maintenance costs. *(Source: Existing General Plan, Policy PF-A.1.4)*
- PF-1.6 Design and Construction of Infrastructure to Meet Ultimate Capacity Needs.** The City shall ensure that City-operated public facilities and infrastructure are designed and constructed to meet ultimate capacity needs to avoid the need for costly retrofitting. This does not apply to any infrastructure requirements of ACWD and USD. *(Source: Existing General Plan, Policy PF-A.1.5)*
- PF-1.7 Coordination with Public Entities.** Where facilities and services are provided by other public entities, such as ACWD and USD, the City shall coordinate with these entities to provide appropriate levels of service and minimize redundant construction costs. *(Source: Existing General Plan, Policy PF-B.1.4, modified)*
- PF-1.8 Review Impact Fee.** The City shall review its impact fees periodically and adjust the fee as allowed by Ordinance to provide adequate public facilities and services. *(Source: Existing General Plan, Policy PF-B.1.1 modified)*
- PF-1.9 Establish New Impact Fees.** The City shall evaluate and consider new impact fees, such as a transportation impact fee, to address impacts to the community caused by development and intensification of land uses. *(Source: New Policy)*



- PF-1.10 Pursue Alternative Funding Sources.** The City shall identify and pursue alternative funding sources, including grant funding that can be used for capital improvement project construction, staffing for public services, and maintenance and modernization of capital equipment and public facilities. (Source: Existing General Plan, Policies PF-A.1.6 and PF-B.1.2, modified)
- PF-1.11 Analyze New Fund for Facility Replacement and Modernization.** The City shall analyze the feasibility of establishing a fund for replacement and modernization for capital equipment and facilities. (Source: Existing General Plan, Policy PF-B.1.9, modified)
- PF-1.12 Community Facilities Districts.** The City shall maintain existing Community Facilities Districts and consider the use of Community Facilities Districts to cover the costs of new facilities and expanded maintenance and service demands of new development. (Source: New Policy)
- PF-1.13 Balance the Geographic Location of Public Facilities.** The City shall strive to geographically balance the location of public facilities throughout the city. (Source: New Policy)
- PF-1.14 Expand City Facilities.** The City will continue to explore the feasibility and potential funding sources for expansion of City facilities necessary to accommodate existing and future demand. (Source: New Policy)

Implementation Programs

- PF-1.A Capital Improvement Program.** The City shall continue to update its Capital Improvement Program every five years to address the city's existing and projected public facility needs. (Source: Existing General Plan, Program PF-A.1)
- **Responsibility:** Finance Department, All City departments, City Council
 - **Time Frame:** FY 2022-23 and every five years thereafter
- PF-1.B Fee Schedules Update.** The City shall annually review and update its development fees to ensure adequate funding to deliver and maintain the service levels set out in this General Plan. (Source: Existing General Plan, Program PF-B.1)

- **Responsibility:** Finance Department, All City departments, City Council
- **Time Frame:** Annually

Efficient and Sustainable City Operations

The City of Union City maintains a broad range of facilities and provides a variety of government services, many of which are described in this Element. The City continually seeks to maintain and improve the quality of these facilities and to enhance customer service to the community, while balancing the need to remain fiscally responsible. At the same time there are increasing expectations for the City to operate its facilities in an environmentally sustainable manner, by reducing energy and water consumption and the generation of waste.

Policies in this section provide for high-quality, efficient, and environmentally responsible services throughout the city. The City government, as a local agency, will act as a leader and educator to promote sustainability in Union City. The City can demonstrate its firm commitment to sustainability by establishing standards for environmental performance for existing and new civic buildings, landscapes, and facilities. This section highlights the City's commitment to incorporate sustainability into its own actions and operations as well as to educate citizens on how to incorporate sustainable practices into daily living. The Resource Conservation Element contains additional policies supporting energy conservation and greenhouse gas emissions reductions, including updating the Climate Action Plan to address municipal greenhouse gas emissions. The Health and Quality of Life Element contains additional policies addressing community facilities and programs, such as recreation and facilities and services for youth, families, seniors, and others in the community.

Goal PF-2: To operate and function in a sustainable manner, use public revenues and resources efficiently, and provide professional, high-quality service to residents and businesses~~improve efficiency and sustainability in city operations and act as a leader in sustainability.~~ (Source: ~~Existing General Plan, Goal ES B.1, modified~~New Goal)



Policies

- PF-2.1 Provide Excellent Customer Service.** The City shall provide excellent customer service to residents and businesses by creating a culture that listens, gains an understanding of customer concerns and goals, and proactively seeks solutions to address challenges. (Source: New Policy)
- PF-2.2 Solicit Customer Feedback.** The City shall provide methods to solicit customer feedback, either online or through customer service forms. (Source: New Policy)
- PF-2.3 Anti-discrimination.** The City shall ensure all staff are informed and aware of their obligation to adhere to City policies regarding discrimination and harassment. (Source: New Policy)
- PF-2.4 Security at City Facilities.** The City shall periodically assess City facilities and make required security upgrades to ensure the safety of employees and visitors. (Source: New Policy)
- PF-2.5 Efficient, Cost Effective Operations.** The City shall continue to function efficiently in all its operations and activities and use revenues in a cost effective manner. (Source: New Policy)
- PF-2.6 Provide Staffing to Manage Grants.** The City shall strive to provide adequate staff or contractor services to apply for and manage grants. (Source: New Policy)
- PF-2.7 Maintain City Website.** The City shall continually update and upgrade the City website, as needed, to keep residents informed about and involved in City activities and programs. (Source: New Policy)
- PF-2.8 Open Government.** The City shall continue to provide interactive platforms that allow the public to have access to the City budget and other information so they can fully participate in the public process to establish priorities for the community. (Source: New Policy)

PF-2.9 **Provide Information on Public Safety Costs.** The City shall continue to educate the public on the importance of public safety and the true costs of providing public safety staffing. (Source: New Policy)

PF-2.10 **Maintain Clean and Healthy City Facilities.** The City shall strive to maintain City facilities, including parks, to ensure a clean, healthy environment. (Source: New Policy)

PF-2.11 **Renovate City Facilities.** The City shall strive to fully renovate City buildings that have been adapted for reuse, including the Larry Orozco Teen Workshop, the Union City Historical Museum, and the Tenth Street Community Center. (Source: New Policy)

PF-2.121 **Environmentally Preferable Purchasing Policy.** The City shall maintain and continue to implement the Environmentally Preferable Purchasing Policy to encourage the purchase and use of post-consumer recycled content products and other recycled materials in all City operations. (Source: Existing General Plan, Implementation Program ES-B.1, modified)

PF-2.132 **New Technology in City Facilities.** As financially feasible, the City shall incorporate new technology into public buildings and operations on an ongoing basis to increase efficiency and productivity, reduce operating costs, enhance customer service, improve communication with residents, and facilitate access to City services. (Source: New Policy)

PF-2.143 **Sustainable Practices.** The City shall consider the following as part of everyday operations:

- Implementation of green infrastructure systems that reduce impacts on the environment;
- purchasing decisions that minimize the generation of waste;
- recycling programs that reduce waste;
- energy efficiency and conservation practices that reduce water, electricity, and natural gas use; and
- fleet operations that reduce gasoline consumption. (Source: New Policy)



PF-2.154 Energy Efficient Buildings and Infrastructure. The City shall continue to improve energy efficiency of City buildings and infrastructure through efficiency improvements, equipment upgrades, and installation of clean, renewable energy systems to achieve climate action goals and reduce operating costs. *(Source: New Policy)*

PF-2.16 Sustainability Coordinator. The City shall strive to provide a sustainability coordinator to oversee the City's sustainability programs and initiatives and help ensure the City meets its greenhouse gas emissions reduction targets. *(Source: New Policy)*

PF-2.5 Participate in the East Bay Community Energy Authority. The City shall participate in the East Bay Community Energy Authority to obtain the lowest cost electricity with reduced greenhouse gas emissions to City facilities. *(Source: New Policy)* *(Policy moved to the Resource Conservation Element)*

Implementation Programs

PF-2.A Customer Service Improvements. The City shall routinely assess how to improve customer service, including identification of strategies for enhancing customer service at City Hall and other City facilities. Strategies may include access to additional City services online and providing a "one-stop shop" or "concierge" service at City Hall. *(Source: New Program)*

- Responsibility: City Manager's Office
- Time Frame: Ongoing

PF-2.B Comprehensive Operational Audit. The City shall complete a comprehensive operational audit on city policies, procedures, service provision and productivity. *(Source: New Program)*

- Responsibility: City Manager's Office
- Timeframe: 2020, every 5 years thereafter

PF-2.CA Develop Renewable Energy Sources at Municipal Facilities. The City shall continually seek out opportunities and grant funding for the development of renewable energy sources, such as the installation of photovoltaic systems, at municipal facilities.

- **Responsibility:** Public Works Department
- **Time Frame:** Ongoing

Water Supply and Delivery

Water in Union City is provided by the Alameda County Water District (ACWD) and comes from four primary sources: the California State Water Project, the San Francisco Public Utilities' Regional Water System, groundwater from the Niles Cone Groundwater Basin (including fresh groundwater from two wellfields and the desalination of brackish groundwater), and surface water from the Lake Del Valle Reservoir. This water is purified at ACWD's surface water treatment plants and then delivered to customers. Over two-thirds of the water delivered by ACWD is for residential uses, with the remaining one-third being used by business, industrial, and miscellaneous uses.

Policies in this section are designed to ensure the City has an adequate and reliable water supply to meet the long-term needs of the city. This includes policies that support water conservation. The Resource Conservation Element contains policies addressing the protection of water quality.

Goal PF-3: Ensure the provision of a water system with adequate supply, distribution, and storage facilities to provide safe and reliable water to meet the existing and future needs of the city. (*Source: Existing General Plan, Goal PF-C.1, modified*)

Policies

PF-3.1 Enhance and Improve Water Service. The City shall encourage efforts by ACWD that enhance and/or improve water service to Union City residents and businesses. (*Source: Existing General Plan, Policy PF-C.1.8, modified*)

PF-3.2 Preserve and Enhance Water Supply. The City shall support Alameda County Water District in their efforts to preserve and enhance the water supply. (*Source: New Policy*)



- PF-3.23** **Ensure Adequate Water Supply Prior to Approving New Development.** The City shall coordinate with ACWD to review development proposals to ensure that new development can be adequately served by the District's water supply system. The City shall only approve new development where an adequate public water supply and conveyance system exists or will be provided by the ACWD. *(Source: Existing General Plan, Policy PF-C.1.1 and PF-C.1.3, modified)*
- PF-3.43** **Ensure Interconnected Water Distribution System.** With concurrence of the ACWD, water distribution systems are to be interconnected ("looped") wherever feasible to facilitate the reliable delivery of water anywhere in the city. *(Source: Existing General Plan, Policy PF-C.1.2)*
- PF-3.45** **Water Efficiency Landscape Ordinance.** The City shall promote efficient water use and reduced water demand by ensuring compliance with the City's Water Efficient Landscape Ordinance. The City shall review and update the Water Efficiency Landscape Ordinance, as needed, to ensure that it is consistent with State law. *(Source: Existing General Plan, Policy PF-C.1.4, modified)*
- PF-3.56** **Require Water Conservation Features.** The City shall require new development and City facilities to incorporate water conservation features to reduce overall water usage. *(Source: New Policy)*
- PF-3.76** **Water Conservation Education and Incentives.** The City shall work with Alameda County Water District to expand outreach programs and incentivize water conservation throughout Union City. *(Source: New Policy, Climate Action Plan)*
- PF-3.8** **Promote Bay Friendly Landscaping.** The City shall continue to require the incorporation of Bay-Friendly landscaping practices into new development and promote the incorporation of these practices into existing landscapes. *(Source: New Policy)*
- PF-3.79** **Participate in Updates to the Urban Water Management Plan.** The City shall work collaboratively with Alameda County Water District on updates to their Urban Water Management Plan, which is the District's long-term resource planning document for ensuring that adequate water supplies are available to meet existing and future water needs. *(Source: New Policy)*

PF-3.10 Monitor Wells. The City shall work collaboratively with Alameda County Water District during the development review process to ensure that wells are managed or removed consistent with District standards. *(Source: New Policy)*

Implementation Programs

PF-3.A Update City Website to Promote Bay-Friendly Landscaping. The City shall update the City website to provide information regarding Bay-Friendly landscaping, including examples of Bay-Friendly gardens. *(Source: New Program)*

- **Responsibility:** Economic and Community Development Department
- **Time Frame:** FY 19/20

Wastewater Collection and Treatment

The Union Sanitary District (USD) provides wastewater collection and treatment services for the cities of Union City, Fremont, and Newark. The total service area is 60.2 square miles, with Union City comprising 9.9 square miles. The District's administrative offices and Wastewater Treatment Plant (WWTP) are located in Union City's Horner-Veasby area. Policies in this section provide for reliable wastewater collection and treatment service for all residents and businesses in Union City through a cooperative effort with USD.

Goal PF-4: Ensure adequate wastewater collection, treatment, and disposal.
(Source: Existing General Plan, Goal PF-D.1)

Policies

PF-4.1 Coordinate to Ensure Adequate Wastewater Service for New Development. The City shall coordinate its review of development proposals with USD to ensure new development can be adequately served. *(Source: Existing General Plan, Policy PF-D.1.1)*

PF-4.2 Require Public Sewer System. The City shall only approve new development where it will be served by a public sewer system. *(Source: Existing General Plan, Policy PF-D.1.2)*



PF-4.3 Renewable Energy Generation at Wastewater Treatment Facility. The City shall support efforts by USD to supply the energy demand from the wastewater treatment facility through renewable energy generation. *(Source: New Policy, Climate Action Plan)*

PF-4.4 Support USD Water Reclamation Efforts. The City shall support USD in efforts to reuse treated wastewater by reclaiming it for irrigation or as a recharge to the underground water storage. *(Source: Existing General Plan, Policy PF-C.1.7, modified)*

Stormwater Collection and Drainage

The City owns and maintains the stormwater collection system in Union City. With the exception of a few steeply sloped streets in the hills east of Mission Boulevard, most of the streets in Union City include underground storm drainage facilities. The storm drainage system in the city collects runoff and discharges the flows into channels, creeks, or other discharge systems operated by the Alameda County Flood Control and Water Conservation District.

Policies in this section are designed to ensure adequate storm drainage facilities that reduce localized flooding potential and safeguard the environment. The Resource Conservation Element contains additional policies to reduce the pollutants entering the storm drainage system to protect water quality, as these systems drain in the creeks, which ultimately discharge into the Bay.

Goal PF-5: Provide a stormwater collection system that reduces excess runoff and minimizes flood potential from existing and future development, reduces impacts to water quality, and improves environmental quality. *(Source: Existing General Plan, Goal PF-E.1, modified)*

Policies

PF-5.1 Drainage Facilities Maintenance. The City shall require the maintenance of all drainage facilities, including detention basins and both natural and manmade channels, to ensure that their full carrying capacity is not impaired. *(Source: Existing General Plan, Policy PF-E.1.1)*

PF-5.2 Encourage Natural Stormwater Drainage. The City shall encourage the use of natural stormwater drainage systems in a manner that preserves and enhances natural features. *(Source: Existing General Plan, Policy PF-E.1.2)*

PF-5.3 Encourage Natural Vegetation and Infiltration within Flood Control Facilities. Within its authority, the City shall ensure that flood control facilities built in natural areas be designed to use "soft" channel structures (i.e., avoid lined channels and culverts) that maintain to the greatest extent possible natural vegetation and infiltration. *(Source: Existing General Plan, Policy NHR-B.1.5)*

PF-5.4 Surface Drainage Disposal. The City shall ensure that new development accommodates surface drainage disposal in one of the following ways:

- a. Positive drainage to a City approved storm drain that uses green infrastructure to pretreat the drainage prior to it entering the City's storm drainage system; or
- b. On site drainage that is retained and treated within the development. *(Source: Existing General Plan, Policy PF-E.1.5, modified)*

PF-5.5 Compliance with Non-Point Source Pollutant Discharge Requirements. The City shall ensure that new drainage systems that receive approval from the City or are under the jurisdiction of the City comply with applicable State and Federal non-point source pollutant discharge requirements. *(Source: Existing General Plan, Policy PF-E.1.6)*

PF-5.6 Stormwater Detention Facilities. The City shall consider the use of stormwater detention facilities to mitigate drainage impacts and reduce storm drainage system costs in new development. *(Source: Existing General Plan, Policy PF-E.1.8)*

PF-5.7 Evaluate Need for On-Site Detention and/or Retention Facilities. The City shall evaluate public and private development projects to determine the effects of the projects on on-site and downstream drainage patterns and associated ecological systems. Projects may require on-site detention or retention facilities to maintain existing storm flows and velocities in natural drainage systems. *(Source: Existing General Plan, Policy NHR-B.1.4, modified)*



PF-5.8 Minimize Erosion and Silt from Hillside Area. The City shall continue to work with property owners in the hillside area to minimize erosion and conveyance of silt downstream to City drainage facilities. *(Source: Existing General Plan, Policy PF-E.1.9)*

PF-5.9 Full Trash Capture Devices in Private Development. The City shall require that all new development and any redevelopment of a project site to install full trash capture devices in their systems prior to connecting into the City's storm drainage system. *(Source: New Policy)*

PF-5.10 Full Trash Capture Devices in City Infrastructure. The City shall install full trash capture devices in the City's storm drainage system in all high and medium trash generating areas within the city. *(Source: New Policy)*

PF-5.11 Improve Stormwater Treatment in Established Neighborhoods. The City shall improve storm water treatment in established neighborhoods by implementing programs such as street sweeping, parking enforcement for street sweeping, and the installation of trash capture devices. *(Source: New Policy)*

Solid Waste, Recycling, and Organics

Union City's two franchise haulers, Republic Services of Alameda County (Republic) and Tri-City Economic Development Corporation (Tri-CED), collect solid waste, recyclables, and organics in the city. Republic is responsible for the collection of all municipal solid waste generated in Union City. Republic collection trucks deliver non-recyclable waste to the Fremont Recycling and Transfer Station. From there, Republic Services transfers the garbage to large tractor/trailers for transport to the final disposal site, the Altamont Landfill and Resource Recovery Facility east of Livermore. Republic also collects recyclables from commercial and multifamily customers requesting bin service and processes the material at its Newby Island Resource Recovery Park in Milpitas. Tri-CED provides weekly curbside collection of residential recyclables and also services multifamily and commercial recycling accounts requesting cart service. Tri-CED processes recyclables at its materials recovery facility in Union City. Both haulers collect food scraps, yard wastes and other organics from residential and commercial customers and deliver the material to the Newby Island composting facility.

Part 2: Goals and Policies

Exclusive franchise agreements provide the city with greater control in the design and implementation of solid waste and recycling programs to maximize diversion and reduce the amount of material sent to landfill. The exclusive franchise system also minimizes the community and environmental impacts of collection by limiting the number of trucks that provide weekly service. These agreements reduce pavement damage, noise, and air pollution by making the process of collection from heavy trucks more efficient, compared to an open market approach where multiple companies may serve homes and businesses located near each other. In addition the franchise agreements provide the City the ability to enforce community standards for service quality, collection hours, truck and container colors, cleanliness, graffiti removal, use of clean air fuels as well as monitor environmental compliance and tonnage reporting.

The City has implemented several ordinances and initiatives to reduce waste and increase recycling, including:

- amending the Municipal Code to ensure consistency with the requirements of the Alameda County Waste Management Authority Mandatory Recycling Ordinance No. 2012-1;
- expanding food and green waste collection to include all multi-family properties, modeled after food scrap and food-soiled paper collection programs previously introduced at single family households and businesses in the city;
- implementing the Alameda County Waste Management Authority Reusable Bag Ordinance, which prohibits the distribution of single-use plastic bags at the checkout stand and requires stores to charge a minimum of ten cents per reusable bag.
- approving an ordinance that requires take-out food containers to be recyclable or compostable and prohibits the use of disposable food ware made from expanded polystyrene.

Policies in this section support the provision of adequate service, reduction and diversion of waste from landfills, and expansion of recycling programs for residents and businesses. These policies are consistent with Union City's desire to promote sustainability because reducing the consumption of raw materials contributes to lower greenhouse gas emissions and reduces the need for landfills.

Goal PF-6: Maintain and support the provision of an efficient program for the management and reduction of solid waste materials, including reuse, recycling, collection, and disposal, to protect public health and the natural environment, to conserve energy and natural resources, and to extend landfill capacity.
(Source: New Goal)



Policies

- PF-6.1 Adequate Service.** The City shall strive to ensure that franchise haulers provide convenient, dependable, and competitively priced solid waste, recycling, and organics collections services. *(Source: New Policy)*
- PF-6.2 Solid Waste Disposal.** The City shall ensure that the franchise haulers dispose of solid waste in an environmentally sound, dependable, and cost-effective manner. *(Source: New Policy)*
- PF-6.3 Solid Waste Diversion.** The City shall meet or exceed State goals regarding waste diversion from landfills and Alameda County Waste Management Authority requirements for recycling and composting, through enhancement of programs that reduce, reuse, and recycle waste and through ongoing and consistent public outreach and education, monitoring, and enforcement activities *(Source: New Policy)*
- PF-6.4 Hazardous Waste and E-Waste Disposal.** The City shall work with franchise haulers and contractors to provide convenient opportunities/facilities for the collection of e-waste and support the Alameda County Household Hazardous Waste program in efforts to ensure the proper disposal of hazardous waste generated in the home. *(Source: New Policy)*
- PF-6.5 Explore Methods for Repurposing and Reusing Electronics.** The City shall explore methods and provide education to the community on the repurposing and reuse of electronics to reduce the amount of e-waste that is sent to landfills. *(Source: New Policy)*
- PF-6.56 Recycling and Reuse of Building Materials.** The City shall require recycling and reuse of building materials during demolition and construction in accordance with City's Construction and Demolition Debris Ordinance and the California Green Building Standards Code. *(Source: New Policy)*

PF-6.67 On-Site Storage Facilities for Waste and Recyclable and Compostable Materials.

The City shall require the provision of well-designed, adequately sized, safe, convenient, and easily accessible on-site storage facilities for waste and recyclable and compostable materials as part of the development review process or building permit review associated with new construction and buildings that are proposed for improvement, alteration, or expansion; and/or buildings that accommodate new uses that use or handle organic waste in their day-to-day operations. *(Source: New Policy)*

PF-6.78 Public Education on Green Purchasing. The City shall educate and encourage residents and businesses to reuse products, choose post-consumer recycled content products, reduce packaging waste, use non-toxic cleaning products to reduce waste and greenhouse gas emissions. *(Source: New Policy)*

PF-6.89 Clean Neighborhoods. The City shall encourage residents to maintain clean neighborhoods by preventing accumulations of discarded materials and reporting illegal dumping. *(Source: New Policy)*

PF-6.910 Design New Development to Accommodate Recycling and Waste Collection. All new development with private roads shall be required to construct interior roadways that can accommodate the weight of recycling trucks and waste hauling trucks. Multi-family development shall be designed to provide adequate street space and a clear point of travel to easily service containers in the designated collection area. Multi-family developments with centralized waste, recycling and organics collection areas shall be designed to minimize distances from homes and recycling area. *(Source: New Policy)*

PF-6-10-11 Equalize Fair Share Recycling and Solid Waste Services Disposal Rates. The City shall strive to ~~equalize~~have recycling and ~~solid~~ waste ~~pick-up services and collection/processing/disposal~~ rates for residential and commercial uses be based on the fair share cost to provide these services. *(Source: New Policy)*

PF-6.12 Maintain Competitive Rates. The City shall strive to maintain recycling and solid waste collection/processing/disposal rates that are competitive with nearby cities. *(Source: New Policy)*



Implementation Programs

PF-6.A Public Education Program on Waste Reduction, Recycling, Composting, and Green Purchasing. The City shall establish a public education campaign to encourage residents, schools, institutions and businesses to reduce, reuse, recycle, and compost appropriately, and purchase recycled and non-toxic products. *(Source: New Program)*

- **Responsibility:** City Manager's Office – Recycling and Solid Waste Division
- **Time Frame:** Ongoing

Utilities

Senate Bill X1-2, signed by Governor Brown in April 2011, requires all electricity retailers in the state to adopt new Renewable Portfolio Standards (RPS) goals of 20 percent of retail sales from renewables by the end of 2013, 25 percent by the end of 2016, and 33 percent by the end of 2020. The Pacific Gas and Electric Company (PG&E) currently (2018) provides electrical and natural gas service to Union City. Statewide, PG&E reported that 32.9 percent of its 2016 electricity sales were produced from renewable sources, such as wind, solar, geothermal, biomass, and hydroelectric power.

The County of Alameda and 11 of its cities, including Union City, recently formed East Bay Community Energy (EBCE), a not-for-profit public agency that will govern a new Community Choice Energy service in Alameda County. EBCE pools the electric load of participating municipal, commercial, and residential accounts for the purpose of purchasing and developing cleaner power at lower rates, and partners with PG&E to deliver power. EBCE procures electricity from clean, renewable sources such as solar and wind on behalf of Alameda County residents and businesses. PG&E continues to deliver power, handle customer billing, maintain the power lines, and respond to service requests and emergencies.

Policies in this section support the maintenance and expansion of electricity and gas service in Union City, reducing greenhouse gas emissions and other environmental implications through conservation and renewable energy sources, and working with utility providers to ensure that transmission facilities incorporate safety features and the latest technological advancement to provide safe and reliable service.

[The Resource Conservation Element contains additional policies addressing energy conservation and greenhouse gas emissions reduction related to utilities, and the Community Design Element contains policies supporting the undergrounding of utilities.](#)

Goal PF-7: Ensure the provision of a reliable, efficient, cost-effective, and environmentally-sound gas and electric service within Union City. *(Source: New Goal)*

Policies

PF-7.1 Community Choice Energy. The City shall participate in regional efforts to provide competitive electricity rates and cleaner energy that reduces greenhouse gas emissions to Union City residents and businesses. *(Source: New Policy)*

PF-7.2 Modernization of Utility Services. The City shall encourage and support efforts by utility providers to modernize utility services in Union City by incorporating technological improvements to serve existing and future needs. *(Source: Existing General Plan, Policy PF-G.1.2, modified)*

PF-7.3 Coordination on Siting of Utilities. The City shall coordinate with utility providers in the siting, site layout, and design of gas and electric facilities, including changes to existing facilities, to minimize environmental, aesthetic, electromagnetic, and safety impacts on existing and future residents. *(Source: Existing General Plan, Policy PF-G.1.2, modified).*

PF-7.4 Coordination with Utility Providers. The City shall communicate its major development plans to utility providers to coordinate planning for the adequate and efficient extension or expansion of gas and electric facilities. *(Source: Existing General Plan, Policy PF-G.1.1, modified)*

PF-7.5 Public Education on Smart Grid Technology. The City shall work with utility providers to educate residents, property owners, and businesses about smart grid and smart appliance technologies, as well as energy conservation opportunities using smart meter technology. *(Source: New Policy)*

PF-7.6 Expedite Solar Energy Installations. The City shall expedite the review and permitting of solar installations. *(Source: New Policy).*



Communication Infrastructure

Telecommunications and broadband access is an essential component of community and business infrastructure. It can be used to promote social and economic development as well as human and technological capacity building. Increasing accessibility to high-speed broadband, will require public and private strategies to ensure that Union City can continue to compete in the 21st Century.

The policies in this section support expanded and enhanced communication infrastructure to provide modern telecommunication and broadband access to Union City businesses and residents. The Economic Development Element also contains policies and programs supporting the development of high-speed internet as a key component of business infrastructure.

Goal PF-8: Encourage the development and maintenance of state-of-the-art communication infrastructure and services to bolster the City's economic competitiveness and support businesses and residents. *(Source: Existing General Plan, Goal PF-H.1, modified)*

Policies

- PF-8.1 Stay on the Leading Edge of Technological Changes.** The City shall stay on the leading edge of technological changes and adapt City policies as necessary to reflect changes in the way the community works and lives, including smart City technology and advances in transportation and mobility. *(Source: New Policy)*
- PF-8.2 Support Robust Communications Services.** The City shall assist and partner with local service providers to provide robust video, voice, and data services for its businesses and residents. *(Source: New Policy)*
- PF-8.3 Expand Internet Access to All Residents and Businesses.** The City shall strive to ensure all residents and businesses have internet access by 2040. *(Source: New Policy)*
- PF-8.34 Adopt Policies to Promote Accessibility to High Speed Broadband.** The City shall develop and adopt policies that promote telecommunication competition and development to ensure the greatest possible accessibility to high speed broadband services for businesses and residents. *(Source: New Policy)*

PF-8.45 Broadband Asset Management. The City shall develop a detailed geodatabase of City-owned traffic signal and street light conduits and existing fiber optic networks and information regarding ownership to provide a comprehensive understanding of service expansion opportunities. *(Source: New Policy)*

PF-8.56 Construction Standards for Broadband. The City shall develop conduit and fiber standards for new construction projects including residential, commercial (office and retail), and industrial that will be applied through the City's development review and or building permit processes. *(Source: New Policy)*

PF-8.67 Shadow Conduit, Dig Once, Open Trench Requirements. As feasible, the City shall require the installation of additional conduit in the public rights-of-way when a trench is opened for utility purposes by telecommunication providers, utility service providers, and communications carriers. *(Source: New Policy)*

PF-8.78 Minimize Visual Impacts. To minimize the visual impact of wireless communication facilities, the City shall ensure that these facilities meet the following conditions:

- Monopoles and large cellular infrastructure are located away from residential and open space areas;
- Small cell sites and supporting infrastructure are designed to minimize visibility in the public rights-of-way and residential areas;
- When possible, are located on existing buildings, existing poles, or other existing support structures;
- Are collocated with other compatible facilities whenever possible;
- Are painted, camouflaged, textured, or disguised to resemble trees, flag poles, etc. to better blend with the surrounding environment; and
- Include well-designed equipment enclosures that incorporate walls or fences and landscaping to provide screening and deter graffiti or are installed in underground vaults where feasible *(Source: Existing General Plan, Policy PF-H.1.7, modified)*



PF-8.89 **Public Access Computers.** The City shall consider providing public terminals at municipal locations to facilitate public access to the City's on-line services. *(Source: Existing General Plan, Implementation Program PF-H.1, modified)*

PF-8.10 **Invest in Cybersecurity.** The City shall invest in technologies and adopt policies and practices that protect City infrastructure and government data against cyberattacks. *(Source: New Policy)*

Implementation Programs

PF-8.A **Expand High-Speed Internet.** The City shall pursue opportunities to expand high speed internet in Union City, including implementing the installation of dark fiber in the Station District, studying the feasibility of expanding dark fiber citywide, and pursuing the ability to connect to BART's lit fiber network. *(Source: New Program)*

- **Responsibility:** City Manager's Office, Economic and Community Development Department
- **Time Frame:** Ongoing

PF-8.B **Standards for Broadband Infrastructure.** The City shall develop and adopt standards for broadband infrastructure installation, including the development of:

- A dig once, open trench and shadow conduit standard;
- A preferred business model for management and use of city-owned telecommunication assets, which may include a master lease agreement;
- Standards for new construction or major remodels;
- Standard specifications for conduit and broadband facilities, permitting procedures and master plans.
- **Responsibility:** City Manager's Office, Public Works Department, Economic and Community Development Department
- **Time Frame:** 2020

PF-8.C Standards for Small Cell Sites. The City shall establish design standards and a legal framework for accommodating small cell technology in the public rights-of-way. *(Source: New Program)*

- **Responsibility:** City Manager's Office, Public Works Department
- **Time Frame:** 2020

PF-8.D Broadband Asset Management. The City shall develop a detailed geodatabase of City-owned traffic signal and street light conduits and existing fiber optic networks and information regarding ownership. *(Source: New Program)*

- **Responsibility:** City Manager's Office, Public Works Department
- **Time Frame:** 2020

PF-8.E Explore Creation of Internet Connectivity Fee. The City shall explore the creation of an internet connectivity fee to help fund the expansion of broadband access throughout the City. *(Source: New Program)*

- **Responsibility:** City Manager's Office, Finance Department
- **Time Frame:** 2021

PF-8.F Cybersecurity Plan. The City shall develop a cybersecurity plan to protect City infrastructure and government data against cyberattacks. *(Source: New Program)*

- **Responsibility:** City Manager's Office, as assigned
- **Time Frame:** FY 20/21



Law Enforcement

The quality of the City's Police Department and its relationship with the community has a direct impact on Union City's overall safety, security, sense of cohesion, and quality of life. The Union City Police Department is committed to collaborative policing and community partnerships to enhance the department's presence and capacity as a premier law enforcement agency. To maintain the department's obligation to provide core and priority services, police facilities and staffing will need to be increased as the demands and expectations of a growing Union City population increase. The City uses the average staffing ratio of cities in Alameda County as a baseline staffing benchmark. As of 2017, the average is 2.1 (1.4 sworn officers and .7 civilian support staff) per 1,000 population.

This section is designed to enhance the services of the Union City Police Department and to create stronger community partnerships. The policies address staffing levels, training, facilities and equipment, and community relations. This section also incorporates policies for maintaining transparency and improving accountability in law enforcement in Union City.

Goal PF-9: Provide exceptional public safety and crime reduction services to maintain a safe and secure community, and continue to uphold police-community trust, engagement, and collaboration. *(Source: New Goal)*

Policies

- PF-9.1 Police Staffing.** The City shall strive to maintain Police Department staffing levels in keeping with population growth by using a baseline staffing benchmark based on the average staffing-to-population ratio of cities within Alameda County (sworn officers and civilian support staff). *(Source: New Policy)*
- PF-9.2 Police Equipment and Facilities.** The Police Department shall provide and maintain equipment, technologies, and facilities to meet modern standards of safety, dependability, and efficiency. *(Source: New Policy)*
- PF-9.3 Police Communications.** The Police Department shall use a variety of communication methods, including social media, cellular phone messaging, television and radio alerts, and website postings, to communicate and inform residents and businesses about crimes, investigations, and emergencies. *(Source: New Policy)*

PF-9.4 **Community Policing Strategies that Strengthen Trust.** The City shall promote community policing strategies that strengthen trust and collaboration with the residents of Union City, including residents of all races, ethnicities, and cultural backgrounds, and ensure public safety through meaningful cooperation and problem-solving techniques. *(Source: New Policy)*

PF-9.5 **Community Engagement.** The Police Department shall strive to maintain exceptional community engagement in every interaction with the community, beyond contacts arising out of emergencies, incidents, or enforcement-related circumstances. This high level of engagement shall include hosting events in neighborhood and at schools, and encouraging community involvement in police activities and operations. *(Source: New Policy)*

PF-9.6 **Coordinate Emergency Response Services with Local Agencies.** The City should continue to coordinate and maintain mutual aid agreements with emergency response services with Alameda County, other jurisdictions within the county, special districts, service agencies, voluntary organizations, and state and federal agencies. *(Source: New Policy)*

PF-9.7 **Collaborate to Enhance School Safety.** The City shall collaborate with the New Haven Unified School District to study and implement measures that enhance the security of schools and the safety of students, teachers, and administrators. *(Source: New Policy)*

PF-9.8 **Provide Periodic Updates on Police Statistics.** The City shall continue to provide updates to the City Council and the community regarding statistics such as crime rates, types of crime committed, and police accountability and use of force. Crime data shall also be mapped and made available to the public. *(Source: New Policy)*

Implementation Programs

PF-9.A **Police Department Strategic Plan.** The City shall maintain and implement a comprehensive Police Department Strategic Plan, based on incremental time periods of three to five years, unless designated otherwise, and shall update the plan periodically as plan items are accomplished or achieved. *(Source: New Program)*

- **Responsibility:** Police Department
- **Time Frame:** 2021, and updated every three to five years, as appropriate



PF-9.B **CALEA Certification.** The City Police Department shall seek, earn, and maintain national accreditation by the Commission on Accreditation of Law Enforcement Agencies (CALEA). Being an accredited agency ensures formalization of essential management procedures, fair and nondiscriminatory personnel practices, enhanced crime prevention, increased efficiency of police service delivery to the community, solidified interagency cooperation and coordination, and increased community and staff confidence in the agency. *(Source: New Program)*

- **Responsibility:** Police Department
- **Time Frame:** 2019, and ongoing

PF-9.C **Periodic Staffing Studies.** The City Police Department shall conduct periodic staffing studies to determine staffing needs to meet best-practice obligations. These studies, beyond baseline personnel-per-one-thousand staffing ratio formula, shall focus on actual workload demands and community priorities to determine staffing needs to meet those obligations. *(Source: New Program)*

- **Responsibility:** Police Department
- **Time Frame:** 2019, and ongoing

PF-9.D **Assess Police Department Facilities and Equipment Needs.** Biannually with the preparation of the City budget, the City shall assess local police facilities and equipment needs and develop strategies that strive to maintain the service standards established in Policy PF-9.1. *(Source: New Program)*

- **Responsibility:** Police Department, City Council
- **Time Frame:** 2020, and ongoing

Fire Protection

In 2010, Union City officials elected to consolidate City fire services with the Alameda County Fire Department (ACFD) and entered into a contractual agreement with ACFD to provide emergency fire and medical services to Union City. The contract, which took effect on July 1, 2010, stated that ACFD would maintain the then current service levels, and that all four fire stations in Union City would remain open. This section is designed to enhance the fire protection services in Union City.

ACFD includes a Fire Prevention Branch which reviews building and facility plans. Fire Prevention personnel also inspect new and remodeled buildings and facilities to ensure that the structures meet State and local fire codes and standards. New development is required to meet Fire Code requirements, including those related to interior sprinklers, water flow and hydrant requirements, and the design of driveways and access points to ensure adequate access for responding vehicles. The City collects a Capital Facilities Fee on new development to cover a portion of the cost associated with expanding facilities and acquiring new equipment.

The policies in this section address a variety of issues, including staffing levels, emergency response times, training, and facilities and equipment. In the policies below, all references to the Fire Department refer to ACFD. The Safety Element contains policies related to reducing fire hazards as well as emergency preparedness and response.

Goal PF-10: Ensure high quality fire and emergency response to prevent injury, loss of life, and property damage. *(Source: New Goal)*

Policies

PF-10.1 Maintain Agreement with ACFD. The City shall review and refine the agreement with ACFD, as needed, to ensure that local fire protection needs are met. Levels of service provided under the contract, may be subject to budgetary limitations. *(Source: New Policy)*

PF-10.2 Fire Department Response Times. The City shall monitor Fire Department response times and strive to ensure that ACFD maintains staffing, facilities, and equipment to allow emergency response within five minutes in 90 percent of calls for service, and within 10 minutes for 99 percent of the calls for service, at a minimum. The City shall encourage ACFD to evaluate new efficiencies in operations to improve these response times, as feasible. *(Source: Existing General Plan, Policy PF-J.1.2, modified)*



- PF-10.3 Development Fees.** The City shall require new development to build or fund its fair share of fire protection facilities, personnel, operations, and maintenance that, at minimum, maintains the above service standards. *(Source: Existing General Plan, Policy PF-J.1.3)*
- PF-10.4 Adequacy of Fire Access.** The City shall require adequate access and clearance for fire equipment, fire suppression personnel, and evacuation for new development.
- PF-10.5 Fire Department Review of Development Projects.** The City shall engage fire personnel in the review of proposed development to identify necessary fire prevention and risk reduction measures. *(Source: New Policy)*
- PF-10.6 Adequate Water Supply.** The City shall work with Alameda County Water District (ACWD) to ensure that water main size and water flow is adequate to meet Fire Department demands. The City shall also ensure that fire hydrant spacing and other fire facilities meet Fire Code requirements. *(Source: Existing General Plan, Policy PF-J.1.5, modified)*
- PF-10.7 Routine Fire Hydrant Maintenance.** The City shall continue to work with ACWD to ensure that all fire hydrants are maintained and in a state of operational readiness. *(Source: Existing General Plan, Implementation Program PF-J.2, modified)*
- PF-10.8 Emergency Medical Services.** The City shall ensure the provision of high-quality emergency medical response services, including paramedics and emergency medical technicians. *(Source: New Policy)*
- PF-10.9 Coordinate Emergency Response Services with Local Agencies.** The City should continue to coordinate and maintain mutual aid agreements with emergency response providers from local, State, and Federal fire agencies. *(Source: New Policy)*

Schools

The New Haven Unified School District (NHUSD) provides educational services to Union City and Hayward residents. In 2018 NHUSD had an enrollment of more than 12,000 students attending 12 schools: seven elementary schools (grades K-5); two middle schools (grades 6-8); two high schools (grades 9-12); and one independent study/adult school. Over the past decade, NHUSD has seen a drop in its student population and the closure of one middle school (Barnard White) and one elementary school (Cabello). Non-profit organizations and small, private schools are now using the Barnard White Middle School campus. NHUSD sold the Cabello Elementary School site to residential developers, and the school no longer exists. NHUSD has continued to prosper and is recognized for several outstanding academic programs.

In addition to the public schools, five private schools operate within the city, including Purple Lotus Society, Northstar, Mission Hills Middle School, and Union City Christian Academy.

The policies in this section seek to ensure Union City families have access to quality school facilities and amenities. The NHUSD is a separate government body that operates independently from the City of Union City. While the City and NHUSD collaborate on many efforts to address issues of mutual interest, they have different governance structures and do not have a role in each other's decision-making processes. The policies in this section ~~is also designed support current efforts~~ to maximize partnerships with the school district to serve the broader community and serve as a focal point for community collaboration.

Goal PF-11: Ensure excellent schools that provide high-quality educational services, foster civic pride, and serve as neighborhood and community centers.
(Source: Existing General Plan, Goal PF-K.1, modified)

Policies

PF-11.1 High-Quality Education Facilities. The City shall support NHUSD in their efforts to provide high-quality and modern education facilities that will accommodate projected changes in student enrollment. (Source: Existing General Plan, Policy PF-K.1.1, modified)

PF-11.2 Monitor School Enrollment Trends. The City shall work cooperatively with NHUSD in monitoring housing, population, and school enrollment trends. (Source: Existing General Plan, Policy PF-K.1.2)



- PF-11.3 Engage NHUSD on Long Range Planning Efforts.** The City shall engage NHUSD in its long range planning efforts to ensure the adequacy of existing school facilities to serve new development. *(Source: Existing General Plan, Policy PF-K.1.3)*
- PF-11.4 Schools as Focal Point.** The City shall work cooperatively with NHUSD to design school campuses as focal points within the neighborhood and community. *(Source: Existing General Plan, Policy PF-K.1.4)*
- PF-11.5 Encourage Sustainable School Design.** The City shall encourage NHUSD to incorporate sustainable design practices in the construction and renovation of school facilities to reduce energy and water consumption. *(Source: New Policy)*
- PF-11.6 Support Technological Improvements.** The City shall support efforts to improve school facilities with cutting-edge technology, such as fiber optic networks, multimedia equipment, and laboratory space for science and technology programs. *(Source: New Policy)*
- PF-11.7 Joint Development of Recreation Facilities.** Whenever feasible, the City shall collaborate with the school district in the joint development and use of recreation facilities and multi-purpose buildings. *(Source: Existing General Plan, Policy PF-K.1.5, modified)*
- PF-11.8 Joint Use of Schools.** The City should partner with school districts, to use schools as community centers to provide a range of services, including child care and recreation. *(Source: Existing General Plan, Policy PF-K.1.6, modified)*
- PF-11.9 Coordinate with School District on Providing Meeting Space.** The City shall work collaboratively with NHUSD to explore opportunities for the development of additional meeting space that can be used by the public, City, and School District through new construction or the renovation of existing buildings. *(Source: New Policy)*

PF-11.10 Coordinate and Collaborate with School District on Topics of Mutual Interest.

The City shall continue efforts to coordinate and collaborate with the New Haven Unified School District on issues of mutual interest or issues that have the potential to impact the greater community through participation in a joint sub-committee, which includes representatives from the City Council, School Board, and the executive management team of both agencies. (Source: New Policy)

Libraries

The Union City branch of the Alameda County Library, located in the William Cann Civic Center, serves the city and the nearby residents outside the city limits. The library is a community asset that provides information, educational resources, and a variety of services to children, students, and adults. The library offers a collection of over 100,000 items including a growing DVD and CD collection. Special features of the collection include items in Chinese, Farsi, Gujarati, Hindi, Japanese, Korean, Punjabi, Spanish, and Tagalog. Other services include free internet access, free wireless access, and access to photocopiers and a text enlarger. A meeting room is available for use by community groups free of charge. The building has not been substantially updated since it was originally constructed in 1965 and is substantially smaller with fewer amenities than newer libraries within the Alameda County Library system. The policies in this section support enhancement of Union City's existing library facilities and services and encourage adaptations in the future to meet the community's evolving learning needs.

Goal PF-12: Enhance and expand Union City's library facilities and services to meet the educational and life-long learning needs of the community. (Source: Existing General Plan, Goal PF-L.1, modified)

Policies

PF-12.1 Library Modernization. The City shall work with Alameda County Library to implement the 2016 Facilities Master Plan as it applies to Union City. (Source: New Policy)

PF-12.2 Extended Library Hours. The City should encourage and fund extended hours of operation at the Library to serve the City's diverse population. (Source: Existing General Plan, Policy PF-L.1.2, modified)



PF-12.3 Library Accessibility. The City shall ensure that library facilities are easily accessible by foot, bicycle, and transit to promote equitable access to library resources. (*Source: Existing General Plan, Policy PF-L.1.3, modified*)

PF-12.4 Support Library Bond Measures. The City shall support State and local library infrastructure bond measures for the construction of new libraries.

Implementation Programs

PF-12.A Evaluate Feasibility of Building a New Library. The City shall evaluate the feasibility of funding the construction of a new, state-of-the-art library to implement the Alameda County Library Facilities Master Plan. (*Source: New Program*)

- **Responsibility:** City Manager's Office and Public Works Department
- **Time Frame:** 2022

PF-12.B Fund Extended Library Hours. The City shall fund extended hours of operation at the library, subject to budgetary constraints. (*Source: New Program*)

- **Responsibility:** City Manager's Office
- **Time Frame:** 2020, and every two year budget cycle thereafter

ATTACHMENT 2

Union City General Plan Update

Comments on Preliminary Public Review Draft Public Facilities and Services Element

General Plan Advisory Committee (April 18, 2018)

General Government Services

After reviewing the feedback, Staff recommends expanding goal section 2 (Efficient and Sustainable City Operations) to more broadly address staffing, customer service expectations, website maintenance, etc. The following issues/comments could be addressed in that section.

1. Support for part-time or full-time staff person to apply for and manage grants.

- ☐ Added new policy:

PF-2.6 Provide Staffing to Manage Grants. *The City shall strive to provide adequate staff or contractor services to apply for and manage grants. (Source: New Policy)*

2. Enhance customer service at city hall by providing one place where people can go to get information (e.g. one-stop shop, ‘concierge’ assistance)

- ☐ Added new policy and new implementation program:

Policy PF-2.1 Provide Excellent Customer Service. *The City shall provide excellent customer service to residents and businesses by creating a culture that listens, gains an understanding of customer concerns and goals, and proactively seeks solutions to address challenges. (Source: New Policy) (This policy was in the Economic Development Element, and will be moved to the Public Facilities and Services Element)*

Policy PF-2.2 Customer Feedback. *The City shall provide methods to solicit customer feedback, either online or through customer service forms. (New Policy)*

Program PF-2.A Customer Service Improvements. *The City shall routinely assess how to improve customer service, including identification of strategies for enhancing customer service at City Hall and other City facilities. Strategies may include access to additional City services online and providing a “one-stop shop” or “concierge” service at City Hall. (Source: New Program)*

- Responsibility: City Manager’s Office
- Time Frame: Ongoing

3. Emphasis on continually upgrading / updating City website to keep citizens informed and involved

- ☐ Added new policy:

Policy PF-2.7 Maintain City Website. *The City shall continually update and upgrade the City website, as needed, to keep residents informed about and involved in City activities and programs. (Source: New Policy)*

4. The Element does not reference all of the City Facilities.

- ☐ Staff will include a map of the City's public facilities in the final version of this Element. Staff also recommends adding the following new policy:

Policy PF-1.13 Balance the Geographic Location of Public Facilities. *The City shall strive to geographically balance the location of public facilities throughout the City. (New Policy)*

5. Need for policy regarding facilities preparation and needs during a disaster

- ☐ The Safety Element addresses disaster preparedness and response.

Water Supply Delivery

6. Promote Bay Friendly Gardens through links on web site

- ☐ Added new policy and implementation program:

Policy PF-3.9 Promote Bay Friendly Landscaping. *The City shall continue to require the incorporation of Bay-Friendly landscaping practices into new development and promote the incorporation of these practices into existing landscapes. (Source: New Policy)*

Program PF-3.A Update City Website to Promote Bay-Friendly Landscaping. *The City shall update the City website to provide information regarding Bay-Friendly landscaping, including examples of Bay-Friendly gardens. (Source: New Program)*

- Responsibility: Economic and Community Development Department
- Time Frame: FY 19/20

7. There are no implementations for Water Supply – should the City be doing something?

- ☐ The City plays a support role to the Alameda County Water District, which is the city's water purveyor. The policies call for coordinating with and supporting implementation efforts by ACWD. Also added new policy:

Policy PF-3.2 Preserve and Enhance Water Supply. *The City shall support Alameda County Water District in their efforts to preserve and enhance the water supply. (Source: New Policy)*

8. Need policies to address wells: destruction of old wells, monitoring wells, etc.

☐ Added new policy:

Policy PF-3.10 Monitor Wells. *The City shall work collaboratively with Alameda County Water District during the development review process to ensure that wells are managed or removed consistent with District standards. (Source: New Policy)*

9. Need policy to support tertiary treatment and ground water recharge

☐ Addressed in Policy PF-4.4: Support USD Water Reclamation Efforts.

10. Need policy to support use of purple pipe

☐ Addressed in Policy PF-4.4: Support USD Water Reclamation Efforts

Stormwater

11. Need policy to address stormwater treatment in older neighborhoods, such as street sweeping, parking enforcement for street sweeping, trash capture devices, etc.

☐ Added new policy:

Policy PF-5.11 Improve Stormwater Treatment in Established Neighborhoods. *The City shall improve storm water treatment in established neighborhoods by implementing programs such as street sweeping, parking enforcement for street sweeping, and the installation of trash capture devices. (Source: New Policy)*

12. Need policy to address our storm water partners of ACFC and EBRPD, both of which are responsible for maintaining our channels and creeks (trash and discharge to the Bay). City does not own, manage or maintain these facilities and we should be clear

☐ This issue will be addressed in the Resource Conservation Element.

Solid Waste Recycling Organics

13. Use the term 'fair share' in PF-6.10

- ☐ Modified policy as follows:

Policy PF-6.11 ~~Equalize Fair Share Recycling and Solid Waste Disposal Rates~~ Services. *The City shall strive to ~~equalize~~ have recycling and solid waste ~~pick-up services and~~ collection/processing/disposal rates for residential and commercial uses be based on the fair share cost to provide these services. (Source: New Policy)*

14. There should be competitive rates among all land uses

- ☐ Added new policy:

Policy PF-6.12 Maintain Competitive Rates. *The City shall strive to maintain recycling and solid waste collection/processing/disposal rates that are competitive with other nearby cities. (Source: New Policy)*

15. Develop a policy to repurpose and reuse electronics, not just recycle

- ☐ Added new policy:

Policy PF-6.5 Explore Methods for Repurposing and Reusing Electronics. *The City shall explore methods and provide education to the community on the repurposing and reuse of electronics to reduce the amount of e-waste that is sent to landfills. (Source: New Policy)*

Utilities

16. Add a policy to underground overhead utilities. This should include requirements for new development and the prioritizing the city's efforts in older neighborhoods.

- ☐ This issue is already addressed in the Community Design Element. Staff added language to the introduction cross-referencing the Community Design Element.

Communications

17. Comment received regarding link between Marketing and Communications activities and the Communications Infrastructure section.

- ☐ Staff responded at the meeting that Marketing and Communications has to do with the dissemination of information and the promotion of the City, while the emphasis in this Element is on the infrastructure necessary for people to communicate.

18. Need a policy to protect our infrastructure from hackers. Need cybersecurity policy.

- ☐ Added new policy and program:

Policy PF-8.10 Invest in Cybersecurity. *The City shall adopt policies and practices and invest in technologies that protect City infrastructure and government data against cyberattacks. (Source: New Policy)*

Program PF-8.F Cybersecurity Plan. *The City shall develop a cybersecurity plan to protect City infrastructure and government data against cyberattacks. (Source: New Program)*

- Responsibility: City Manager's Office, as assigned
- Time Frame: FY 20/21

19. Add a new policy addressing website maintenance and development to improve public outreach.

- ☐ Added new policy to Efficient and Sustainable City Operations Section:

Policy PF-2.7 Maintain City Website. *The City shall continually update and upgrade the City website, as needed, to keep residents informed about and involved in City activities and programs. (Source: New Policy)*

20. Consider an internet connectivity impact fee to help fund broadband, etc.

- ☐ Added new program:

Program PF-8.E Explore Creation of Internet Connectivity Fee. *The City shall explore the creation of an internet connectivity fee to help fund the expansion of broadband access throughout the City. (Source: New Program)*

- Responsibility: City Manager's Office, Finance Department
- Time Frame: 2021

Law Enforcement

21. City needs to have a written/annual police department report so the community knows what is going on.

- ☐ The Police Department prepares an annual report on the use of force and accountability and submits it to the City manager and the City Council. The report provides an overview of complaint investigations, internal affairs investigations, claims, and lawsuits filed with and against the Police Department, and a summary of all Police uses of force for the calendar year. The Police Department also provides data on crime rates, types of crimes committed, etc. on the Department website.

Added a new policy to reflect current practices:

Policy PF-9.9 Provide Periodic Updates on Police Statistics. *The City shall continue to provide updates to the City Council and the community regarding statistics such as crime rates, types of crime committed, and police accountability and use of force. Crime data shall also be mapped and made available to the public. (Source: New Program)*

22. Need a policy regarding non-discrimination and training. There is a need for policies that address the 'values' of our time and the need to put forward certain values/policies.

- ☐ Modified existing policy (underlined text is new) and added new policy:

Policy PF-9.4 Community Policing Strategies that Strengthen Trust. *The City shall promote community policing strategies that strengthen trust and collaboration with the residents of Union City, including residents of all races, ethnicities, and cultural backgrounds, and ensure public safety through meaningful cooperation and problem-solving techniques. (Source: New Policy)*

PF-2.3 Anti-discrimination. *The City shall ensure all staff are informed and aware of their obligation to adhere to City policies regarding discrimination and harassment. (Source: New Policy)*

23. Need a policy to continue to educate the public on the importance of public safety staffing and the real costs (i.e., there are five FTE for every officer on the street). This also applies to fire staffing.

- ☐ Added new policy to Efficient and Sustainable City Operations Section:

Policy PF-2.9 Provide Information on Public Safety Costs. *The City shall continue to educate the public on the importance of public safety and the true costs of providing adequate public safety staffing. (Source: New Policy)*

24. Need for expanded Police Department facilities

- ☐ Program PF-9.D calls for the assessment of police facilities and equipment needs. Staff also added the following new program to the Efficient and Sustainable City Operations section to address the expansion of all City facilities:

Policy PF-1.14 Expand City Facilities. *The City will continue to explore the feasibility and potential funding sources for expansion of City facilities necessary to accommodate existing and future demand. (Source: New Policy)*

Fire Protection

25. Need a policy that the City shall 'strive' or 'evaluate' the lowest possible ISO rating. Need to address the cost to improve the ISO rating and the benefit.

- ☐ Alameda County Fire Department maintains an ISO rating of 1. The City does not have a role in this rating process.

Schools

26. Clarify where the General Plan addresses community centers and needed improvements (i.e. Teen Center).

The following policy was added to the General Public Facilities and Services Section:

Policy PF-1.14 Expand City Facilities. *The City will continue to explore the feasibility and potential funding sources for expansion of City facilities necessary to accommodate existing and future demand. (Source: New Policy)*

Community centers are also addressed in the Health and Quality of Life Element.

27. Need a policy that the City supports the NHUSD/City Subcommittee that works on topics of mutual benefit and maintains open communication between the City Council and the School Board. Topics include joint facilities use, policing/safety, transportation, economic development/STEM and the like.

- ☐ Added new policy:

PF-11.10 Coordinate and Collaborate with School District on Topics of Mutual Interest. *The City shall continue efforts to coordinate and collaborate with the New Haven Unified School District on issues of mutual interest or issues that have the potential to impact the greater community through participation in a joint sub-committee, which includes representatives from the City Council, School Board, and the executive management team of both agencies. (Source: New Policy)*

28. Policy 11.7, add:joint development and use of recreation facilities

- ☐ Modified policy as directed.

29. Policy 11.8, add:including child care and recreation.

- ☐ Modified policy as directed.

30. Be sure to have policies for the Youth Commission somewhere.

- ☐ We will address this in the Health and Quality of Life Element.

31. The City should work with NHUSD to develop more meeting rooms for joint use that can be used by the community or school district. Similarly, any public facility that is rebuilt, renovated, or expanded should include space for community meeting rooms as there is a shortage.

☐ Added new policy:

PF-11.9 Coordinate with School District on Providing Meeting Space. *The City shall work collaboratively with NHUSD to explore opportunities for the development of additional meeting space that can be used by the public, City, and School District through new construction or the renovation of existing buildings. (Source: New Policy)*

32. The school district and City should work together on significant community policy issues to avoid unintended impacts. For example, the school district eliminated busing and as a result, congestion on major roadways has gotten much worse.

☐ Added new Policy PF-11.10, described above.

Public Comment

33. A member of the public talked about safety of our children in schools (due to all the mass shootings) and asked what the City can do to help the community feel safer.

☐ School safety is covered in Police Department policy. The Police Department also organizes a collaborative training with the school district, fire department, and paramedics. The training is conducted one time every other year and is specific to active shooters at school sites.

Added new policy:

Policy PF-9.7 Collaborate to Enhance School Safety. *The City shall collaborate with the New Haven Unified School District to study and implement measures that enhance the security of schools and the safety of students, teachers, and administrators. (Source: New Policy)*

34. There should be a discussion that clearly articulates that the school district and city government are not affiliated agencies.

☐ Added a discussion to the introduction language.

Planning Commission Comments (April 19, 2018)

35. Concern that the City is not living within its means and needs to work smarter.

- ☐ The Economic Development Element contains the City's fiscal policies. Additionally, staff recommends adding the following policy:

Policy PF-2.5 Efficient, Cost Effective Operations. *The City shall continue to function efficiently in all its operations and activities and use revenues in a cost effective manner. (Source: New Policy)*

36. Support for a policy that the City will provide internet access to all residents by 2040.

- ☐ Added new policy to the Communications Infrastructure Section:

Policy PF-8.3 Expand Internet Access to All Residents and Businesses. *The City shall strive to ensure all residents and businesses have internet access by 2040. (Source: New Policy)*

37. Educate public on water quality issues including what you should flush down the toilet, appropriate ways to dispose of medications, use of green cleaning products, etc.

- ☐ This topic will be addressed in the Resource Conservation Element.

38. Concern over cleanliness of Civic Center lagoon and general concern over amount of animal waste, including bird waste, at City parks.

- ☐ Added new policy:

Policy PF-2.10 Maintain Clean and Healthy City Facilities. *The City shall strive to maintain City facilities, including parks, to ensure a clean, healthy environment. (Source: New Policy)*

Union Sanitary District

39. Union Sanitary District (USD) submitted a comment letter dated April 23, 2018 requesting the City add a new policy to the Wastewater Collection and Treatment Section that states "The City shall support USD in any expansion efforts and projects necessary for USD to meet future regulatory and capacity requirements."

- ☐ To address future expansion of the USD facility, staff included the following policy in the draft Special Areas Element "The City shall coordinate with the Union Sanitary District (USD) on any future expansion plans. (Policy SA-8.17)"

City Staff Comments

40. City staff recommended adding the following policy to help ensure the City meets its greenhouse gas emissions reduction targets:

☐ New policy:

Policy PF-2.16 Sustainability Coordinator. *The City shall strive to provide a sustainability coordinator to oversee the City's sustainability programs and initiatives and help ensure the City meets its greenhouse gas emissions reduction targets. (Source: New Policy)*

41. City Staff recommended a policy be added to address security at City facilities:

☐ **Policy PF-2.4 Security at City Facilities.** *The City shall periodically assess City facilities and make required security upgrades to ensure the safety of employees and visitors. (Source: New Policy)*

42. City Staff recommended a policy on open government:

☐ **Policy PF-2.8 Open Government.** *The City shall continue to provide interactive platforms that allow the public to have access to the City budget and other information so they can fully participate in the public process to establish priorities for the community. (Source: New Policy)*

43. City Staff recommended policy and implementation for General Government:

☐ **Program PF-2.B Comprehensive Operational Audit.** *The City shall complete a comprehensive operational audit on city policies, procedures, service provision and productivity.*

- Responsibility: City Manager's Office
- Timeframe: 2020, every 5 years thereafter



Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

Officers
Paul R. Eldredge, P.E.
*General Manager/
District Engineer*

Karen W. Murphy
Attorney

April 23, 2018

Carmela Campbell
City of Union City Planning Manager
34009 Alvarado-Niles Road
Union City, CA 94587

Dear Ms. Campbell:

Re: UC General Plan Update – Draft Public Facilities and Services Element

Thank you for the opportunity to review and submit comments on the Draft Public Facilities and Services Element of the City's General Plan Update.

The Union Sanitary District requests that the City add an additional policy statement similar to policy statement SA-8.17 in the Land Use Element and policy statement LU-H.2.13 in the existing General Plan:

PF-4.5 The City shall support USD in any expansion efforts and projects necessary for USD to meet future regulatory and capacity requirements.

Feel free to contact me with any questions.

Regards,

A handwritten signature in blue ink, appearing to read 'Rollie Arbolante', is written over a light blue grid background.

Rollie Arbolante, P.E.
Coach/Principal Engineer

5072 Benson Road, Union City, CA 94587-2508
P.O. Box 5050, Union City, CA 94587-8550
(510) 477-7500 FAX (510) 477-7501

www.unionsanitary.com



Agenda Item

DATE: 5/8/2018

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: Mark Carlson CPA, Finance Director

SUBJECT: Presentation of the Fiscal Sustainability Advisory Committee and;
Resolution of the City Council of the City of Union City Establishing a Policy of
Basic Fiscal Principles

**Resolution of the City Council of the City of Union City Extending the *Ad Hoc*
Council Fiscal Stability Advisory Subcommittee through December 2018.**

**Resolution of the City Council of the City of Union City Establishing a Policy for the
Utilization of Excess Revenues and Significant One Time Funds**

The purpose of this presentation is to present the results of the Fiscal Stability Advisory Committee to the full City Council, to allow for an open discussion of the recommendations of the committee and to adopt three resolutions as recommended by the Committee.

BACKGROUND

At the February 27, 2018 City Council meeting, the City Council passed a resolution to establish an ad hoc Fiscal Stability Advisory Committee to review the current fiscal situation of the City and to report back to the full City Council in 60 days. The Committee consisted of Vice Mayor Lorrin Ellis and Councilmember Emily Duncan along with the City Manager, Deputy City Manager and the Finance Director.

DISCUSSION

The Fiscal Stability Committee met several times to discuss the current fiscal condition of the City. The Committee spent time reviewing the new 10 year forecasting model for the City's General Fund, financial trends, austerity steps taken thus far, the long term viability of the City with and without revenue enhancements/expenditure reductions and underlying fiscal guiding principles. Out of those discussions the Committee made the following recommendations.

Use of Excess Revenues and Significant One-Time Revenues – The current policy calls for 50% of excess revenues to be directed toward unfunded OPEB and CalPERS liabilities. After much discussion the Committee recommends that whenever there are excess revenues at the end of a fiscal year or when the City receives significant one-time funds, the policy would be changed as follows:

- The first use of excess funds is to ensure that the City's unassigned reserves are maintained at 20% of current year expenditures.
- Any funds beyond the 20% would then be used as follows:
 - 25% of excess funds would be directed to the City's PARS 115 Trust account for either OPEB or Pension liabilities.
 - 25% of excess funds would then be directed toward a revenue smoothing fund. This fund would be used in years where expenditures exceed revenues and would allow the City to maintain service levels where a short term operating deficit is expected. The smoothing fund would be no more than 5% of the current year revenues, which for FY 18/19 is \$2.9 million dollars. In years where the smoothing fund reaches the 5% level, these funds would be directed to other uses.
 - The remainder of the funds will be distributed based on a discussion by the City Council. Possible uses are; additional funds to PARS or the smoothing fund, employee compensation/benefits, City facility and capital needs, economic development opportunities or any other use that the City Council deems appropriate based on the circumstances at the time.

Basic Fiscal Principles – Significant discussion was centered on base principles that should help guide the City Council consider financial decisions in the future. The following four principles came out of that discussion:

- The long term fiscal health of the City must embody decision making at all levels.
- Competitive compensation packages are the foundation of a strong workforce.
- Benefit packages should be equitable, regardless of classification or position.
- Regular 3rd party management audits of city operations should be conducted to ensure that City programs are operating at their most efficient level possible and within the best practices of the field.

These basic fiscal principles are not intended to be hard and fast policies, but rather to serve as precepts that should be considered and reflected in the decision making of the City Council.

Committee Extension – The Committee is asking the City Council to consider extending the Fiscal Stability Advisory Committee through to December of 2018. There are a number of revenue and expenditure items that the Committee would like to review further, but were unable due to time. The Committee will report back to the City Council at the conclusion of the extension period.

FISCAL IMPACT

There is no fiscal impact as a result of the resolutions presented.

RECOMMENDATION

Staff is recommending that the City Council consider the items presented in this report and pass the three resolutions either in the form presented or modified as a result of discussion among the City Council.

Prepared by:

Mark Carlson CPA, Finance Director

Submitted by:

Mark Carlson CPA, Finance Director

ATTACHMENTS:

Description		Type
<input type="checkbox"/>	Resolution Excess Funds	Resolution
<input type="checkbox"/>	Resolution Basic Fiscal Principles	Resolution
<input type="checkbox"/>	Resolution Extension of FSC	Resolution

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY
ESTABLISHING A POLICY FOR THE UTILIZATION OF EXCESS REVENUES AND
SIGNIFICANT ONE TIME FUNDS**

WHEREAS, in certain fiscal years revenues exceed expenditures and or the City receives significant one time funds; and

WHEREAS, the City Council wishes to modify previously adopted policies regarding the use of annual operating surpluses; and

WHEREAS, the City desires to have a policy of directing excess unassigned revenues and significant one time revenues to its best fiscal use; and

WHEREAS, the Fiscal Sustainability Advisory Committee has met to discuss this issue and has presented to the full City Council a recommended order of usage for excess and one time funds.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Union City that when revenues exceed expenditures at fiscal yearend or when there is a significant receipt of one time funds, the City Council will first look to ensure that the unassigned fund balance of the General Fund is maintained at no less than 20% of current year expenditures; any remaining funds will be utilized in the following manner given the final consent and through a formal resolution of appropriation of the City Council:

1. That 25% of the remaining funds will be applied to the unfunded liabilities of OPEB and or Pension via the PARS 115 Trust account.

2. That 25% of the remaining fund balance will be applied to a smoothing fund that will be no larger than 5% of the current year revenues and will be used when needed to fund short term operating shortfalls.

3. That the remaining funds will be used at the City Council's direction to fund unfunded liabilities, set aside funds for current or future projects, utilized for employee related costs, fund capital and or facility projects and for any other purpose as directed by the City Council.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY
ESTABLISHING A POLICY OF BASIC FISCAL PRINCIPLES**

WHEREAS, the City Council recognizes that there are certain underlying basic fiscal principles that transverse a multitude of disciplines within the City; and

WHEREAS, they have met and discussed these principles and believe that they should be memorialized for future City Councils to consider; and

WHEREAS, while these principles are not intended to be hard and fast policies but rather they should serve as precepts that should be considered and reflected in the decision making of the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Union City that the following four basic fiscal principles should be at the forefront of the decision making process by the City Council when making fiscal decisions for the City:

1. The long term fiscal health of the City must be embodied in decision making at all levels.
2. Competitive compensation packages are the foundation of a strong workforce.
3. Benefit packages should be equitable regardless of classification or position.
4. Regular 3rd party management audits of city operations should be conducted to ensure that City programs are operating at their most efficient level possible and within the best practices of the field.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF UNION CITY
EXTENDING THE *AD HOC* COUNCIL FISCAL STABILITY ADVISORY
SUBCOMMITTEE THROUGH DECEMBER 2018.**

WHEREAS, at the February 27, 2018 City Council meeting the City Council created the Fiscal Sustainability Advisory Subcommittee to prepare a broad strategic plan for the restoration and maintenance of fiscal health to the City; and

WHEREAS, the Subcommittee sees a further need to spend additional time to review a number of revenue and expenditure items as they relate to the fiscal stability of the City; and

WHEREAS, the *Ad Hoc* Fiscal Advisory Committee will, upon completion of its extended task, make additional recommendations that will complement the broad strategic plan for the restoration and maintenance of fiscal health to the City Council as a whole.

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

1. That the City Council hereby approves the extension of the *Ad Hoc* Council Fiscal Stability Advisory Subcommittee and directs the City Attorney and the City Manager to take all necessary action to implement the intent of this resolution.
2. That the City Council hereby continues the appointments of Vice Mayor Lorrin Ellis and Councilmember Emily Duncan to serve on the *Ad Hoc* Council Fiscal Stability Advisory Subcommittee and to meet as often as they deem necessary to consider and review past service reductions, opportunities for additional cost savings measures including contracting services to reduce costs, and opportunities to increase revenues.
3. That the *Ad Hoc* Council Fiscal Stability Advisory Subcommittee and staff return to the City Council to provide recommendations and for further consideration by the City Council.
4. That the *Ad Hoc* Council Fiscal Stability Advisory Subcommittee shall conclude its analysis and provide recommendations to the City Council no later than December 31, 2018.



Agenda Item

DATE: 5/8/2018

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: MARKETING AND COMMUNICATIONS MANAGER/HUMAN RELATIONS COMMISSION STAFF PERSON LAUREN SUGAYAN

SUBJECT: STAFF TRANSMITTAL OF HUMAN RELATIONS COMMISSION REPORT: REVIEW THE HUMAN RELATIONS COMMISSION REPORT ON ALAMEDA COUNTY MEASURE A AND CONSIDER APPROVAL OF THE HUMAN RELATIONS COMMISSION RECOMMENDATION TO ENDORSE THE MEASURE A

This is a staff transmittal forwarding a Human Relations Commission (HRC) report and recommendation on Alameda County Measure A, a local measure that addresses critical gaps in early education and childcare.

BACKGROUND

In December 2017, Sonya Mehta, a Program Specialist with the Alameda County Early Child Care and Education Program came to City Staff with interest in presenting to the City about a local revenue measure that was being considered for placement on the June 2018 ballot. City Staff determined the HRC was the best suited Council- appointed body to follow up with Ms. Mehta.

In January 2018, Ms. Mehta gave the HRC a presentation about the County's efforts to seek voter approval on a local revenue measure addressing critical gaps in early education and childcare. In February 2018, as a follow up to the presentation, the HRC assigned Chair Derrick Richardson to conduct a thorough review of the planned measure with the aim to bring back his findings and make a recommendation on whether to endorse the measure.

In April 2018, the Commission voted to approve Chair Richardson's report and forward it to the City Council, pending the inclusion of feedback from Commissioners at the meeting. Chair Richardson's report is attached to this staff transmittal.

DISCUSSION

FISCAL IMPACT

RECOMMENDATION

Prepared by:

Marketing and Communications Manager/Human Relations Commission Staff Person Lauren Sugayan

Submitted by:

Marketing and Communications Manager/Human Relations Commission Staff Person Lauren Sugayan

ATTACHMENTS:

Description	Type
□ Human Relations Commission Report on Alameda County Measure A	Attachment



Agenda Item

DATE: 05/08/18

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: DERRICK RICHARDSON, HUMAN RELATIONS COMMISSION CHAIR

SUBJECT: REVIEW THE HUMAN RELATIONS COMMISSION REPORT ON ALAMEDA COUNTY MEASURE A AND CONSIDER APPROVAL OF THE HUMAN RELATIONS COMMISSION RECOMMENDATION TO ENDORSE MEASURE A

The Human Relations Commission Social Services Subcommittee is recommending that City Council support Alameda County Measure A based on our evaluation of potential community benefits weighed against projected fiscal impact.

BACKGROUND

In January, Alameda County expressed interest in presenting and seeking Union City support for a local tax measure initiative aimed at addressing a serious crisis in early childcare and education.

Staff requested that the Human Relations Commission (HRC) follow-up on the County's request with the goal of presenting its findings to City Council. On January 24, Sonya Mehta, a Program Specialist with the Alameda County Early Child Care & Education Program, made a formal presentation on Measure A. Commissioners responded with many questions diving into the details of the proposed program, such as how it was to be implemented and what the program hoped to accomplish. At the February HRC meeting, the Commission voted to have the Social Services Subcommittee follow up on a more extensive review of the proposed tax measure, and ultimately, prepare recommendations for the City Council on city support.

On March 7, Commissioner Richardson met with Deputy City Manager Mark Evanoff and HRC Staff Person Lauren Sugayan to discuss key focus areas of the evaluation and develop an overall research strategy. Commissioner Richardson developed a detailed evaluation timeline, illustrated in the table below with corresponding completion dates.

Action	Completion Date
1. Assignment of evaluation to HRC Social Services Subcommittee	February 25
2. Establish evaluation objectives, framework, and key areas of concern	March 7
<ul style="list-style-type: none"> Meeting with Deputy City Manager & HRC Staff Person Establishment of Evaluation Timeline 	
3. Background Research & City Council Engagement	March 19
<ul style="list-style-type: none"> Review of Alameda County's initiative efforts, history, and key actions Review of Ballot Measure Program Plan 	

<ul style="list-style-type: none"> Request for feedback and areas of concern to Mayor Carol & Councilwoman Duncan 	
4. Key Stakeholder Meetings	April 11
<ul style="list-style-type: none"> Meeting with Sonya Mehta, Program Specialist, Alameda County Early Child Care & Education Program Request for meeting with Supervisors Richard Valle & Wilma Chan Conversation with Cinthya Munoz-Ramos, Legislative Director for Supervisor Valle 	
5. Drafting of Subcommittee Report & Recommendation	April 18
6. Presentation of Findings & Approval of Recommendation by HRC	April 25
7. Presentation & Recommendation to City Council	May 8

The results of this process are provided in the summary below.

DISCUSSION

Alameda County Measure A proposes to address a crisis in early childcare and education in Alameda County.

The abundance of tech companies and other high paying industries has made the Bay Area cost of living exorbitant and as a consequence has driven child care costs to exceedingly high levels which are out of reach of many families. Compounding this problem is the meager compensation rates currently paid to early child care providers and educators, the majority of whom are women of color. This inadequacy of child care access to our lower income residents and homeless population places the cognitive development of over 115,000 of the county's children at severe risk during the first 5 years of their lives. Currently this results in 56% of children in our county being unprepared for kindergarten.

This issue sets these children on a lifetime trajectory of underachievement, weakening our local workforce and seriously impacting our societal productivity and social mobility. The unaffordability of quality child care hampers the ability of low-income parents to seek employment and hold steady jobs. Moreover, caregivers and educators experience severe financial burden and often worry about feeding and housing themselves, with nearly half relying on government assistance programs to make ends meet. This issue fuels a vicious cycle of underachievement and perpetuates the poverty cycle among low-income county residents.

The scope of this measure is broad with respect to care providers and includes:

- Child Care Centers & Pre-Schools
- Licensed Family Care Providers
- Family, Friend & Neighbor Providers

The Measure A Program Plan attached to this report contains detailed information about the history and development of the county initiative beginning with a community listening campaign in 2017. In addition to the formation of a 25-member steering committee, extensive meetings were conducted with key community stakeholders including educators, families, various care providers and elected officials to shape and develop the program.

Program Components

The program consists of the following three foundational components:

- Expand community access to child care and early education
- Improve child care provider quality
- Increase child care provider wages

Funding Mechanics

(1) Access Expansion:

Increased community access to childcare will be driven through the creation of a scholarship program targeted to income challenged and homeless families. Child care payment agencies will have the opportunity to apply for additional funding for families with the greatest need based on state eligibility income guidelines. Approximately 41% (\$57.5M per year) will be allocated to the scholarship component of the program.

Waiting list reduction will be achieved through engagement of child care agencies with unused capacity who commit to serve low income families combined with stepped up recruitment and training of new care providers, expansion of existing care facilities and construction of new facilities. Non-profit or for-profit care programs burdened by costly repairs and equipment would be eligible to apply for a county grant. Workforce pipeline and facilities are projected to use roughly 3% (\$2.8M annually) of the program budget.

A separate set of funds will be set aside for “high-need” individual communities with diverse child care needs requiring a range of care and education options. These communities would require a lead applicant to submit proposals to the county program with the concurrence of the local government, school district, child care organizations and community-based care groups. Four regional pools will be established:

Regional Pool	Alameda County Cities Included
North County	Albany, Berkeley, Emeryville, Oakland, Piedmont
Mid-County	Alameda, Castro Valley, Hayward, San Leandro, San Lorenzo
South County	Fremont, Newark, Union City
East County	Dublin, Livermore, Mountain House, Pleasanton, Sunol

While these funds may require local matching, communities winning these grant awards will be able to choose from a menu of fund allocations detailed in the program plan. Selection criteria for “high need” communities is under development, and may include factors such as number of children aged 3 - 12, reading and math achievement levels, kindergarten readiness rates and number of low-income children. A panel experts and community members will review and recommend grant awards. Approximately 18% (\$25M per year) will be allocated to high need regional pools. 40% (\$10M) is expected to be generally available to all pools above, with the remaining 60% (\$15M) projected to be allocated as follows:

Regional Pool	Percent of Measure A Funds	Amount of Measure A Funds
North County	6.2%	\$8.7M
Mid-County	2.3%	\$3.2M
South County	1.4%	\$2.0M
East County	0.8%	\$1.1M

(2) Improved Provider Quality:

The quality improvement component of the program focuses on imparting strong math and literacy skills, fine and gross motor development and behavioral skills correlated with long term success

through high school. Currently, only 14% of the county's licensed providers participate in the existing quality program (Quality Counts) due to funding or other barriers. Care providers participating in the program would be required to attain at least a Tier 3 rating (Tiers range from 1 - 5 with 5 being highest quality) within 3 years and maintain the rating throughout the duration program funding. The county will support providers to help them attain the Tier 3 rating by helping them to develop and deploy a Quality Improvement Plan (QIP). Investments in provider professional development will also be made including special training to support dual language learners, trauma-informed practices, family engagement, inclusionary practices for special needs children, integration of mental health consultations, and social-emotional development training.

(3) **Increase Provider Wages:**

Care providers and early educators participating in the program and adhering to the stipulated quality requirements will receive additional funds to boost their pay to at least \$15 per hour. The county will establish a wage task force to develop additional details about this portion of the plan and will revisit wage levels periodically to consider factors such as inflation, ensuring geographic, racial, and cultural equity and recognize provider level of experience and education.

The quality and wage improvement components of the program will comprise 33.5% of the total program budget, or approximately \$47M per year.

Program Administration & Community Stakeholder Engagement Opportunities

The county plans to administer Measure A tax proceeds through an appropriate external **Administering Agency** chosen by the County Board of Supervisors, such as First 5 of Alameda County. The Administering Agency will operate under a negotiated contract with the county and will be compensated for program administration duties.

Within six months of successful passage of Measure A, a **Citizen's Oversight Committee** will be formed to perform an annual review of expenditures from the prior year and report findings to the Board of Supervisors. This committee will be required to submit financial disclosures, hold public meetings in compliance with the Brown Act and publish an independent annual report which will be made available to the public and presented to the Administering Agency and the Board of Supervisors.

The County Board of Supervisors will also appoint a **Planning & Advisory Council** with expertise in early child care and education to advise on forward-looking recommendations of the program. Pending a decision from the Board, this body may be the existing Alameda County Early Care & Education Planning Council. The Planning & Advisory Council will be responsible for partnering with key community stakeholders including parents, early educator groups to develop an orientation & support plan for members of the Advisory Council.

Recommendation

While they have brought many benefits to our region, the emergence and rapid growth of tech giants like Facebook in close proximity to Union City have also created a set of complex dynamics within our city resulting in unsustainable financial situations for many of our residents. Our lower income families with young children carry a severe burden stemming from the high cost and limited availability of quality child care, leaving them with a difficult set of decisions to make on a daily basis. Many make the decision to leave Union City based on skyrocketing housing costs and inadequate community support. Low income children between birth and 5 years old who continue to live in our city face the risk of inadequate care and education that could severely hamper their life potential. The \$140M that will be generated by Alameda County's proposed Measure A annually over 30 years is worthy of our support as it will help to solve a local problem with locally generated funds which will be protected and spent in an accountable manner, well worth the moderate sales tax increase.

More specifically, a community needs assessment prepared by City Staff in 2016 underscored the need to provide increased support for low-income, female headed households with young children:

“Female-headed single-parent households with children under the age of 18 also frequently struggle to maintain household stability. According to the 2010–2014 ACS, there are an estimated 915 female-headed single-parent households in Union City. About 39 percent of those households earn less than \$26,250 annually, while another 25 percent earn between \$26,250 and \$48,750. An estimated 25 percent earn between \$48,750 and \$75,150, and only 10 percent earn over \$75,150. While female-headed single-parent households with children only make up about 4.4 percent of total households in the city, the presence of children, who are frequently more vulnerable to the hardships associated with household instability and poverty, gives extra importance to the need for available social and public support services”

Potential legislation being developed by the CA Business Roundtable, if passed, would necessitate any new state tax measure pass by a ⅔ margin. Alameda County Measure A currently has no organized opposition and tracking polls indicate favorable community sentiment and support.

The Human Relations Commission recommends that the City Council approve this report and endorse Alameda County Measure A. HRC would also like to make Council aware of information it considers important to the measure which is unknown at this time. These items were missing from the Measure A Program Plan:

- Details on how the voucher system enabling increased provider access and scholarships.
- Detailed information explaining low participation rates in the county’s “Quality Counts” quality assurance program, as well as the fiscal and operational impact of additional quality requirements on “family and friends” service providers.
- Information about the community outreach component of the plan.
- Expectations or required actions that come with a Measure A endorsement from the City of Union City.

Chair Richardson requested additional information about the voucher system and endorsement expectations from Supervisor Richard Valle’s office on April 11, 2018, and is awaiting a response.

FISCAL IMPACT

\$0.05 Gross Sales Tax resulting in \$140M in County Revenue per year over 30 years. This would increase the Union City sales tax rate from 9.75% to 10.25%.

Prepared by

Derrick Richardson, Human Relations Commission Chair

Submitted by

Lauren Sugayan, Staff Person to the Human Relations Commission

Attachments: Alameda County Child Care and Early Education Initiative Presentation

Alameda County Child Care and Early Education Initiative: A Countywide Revenue Measure

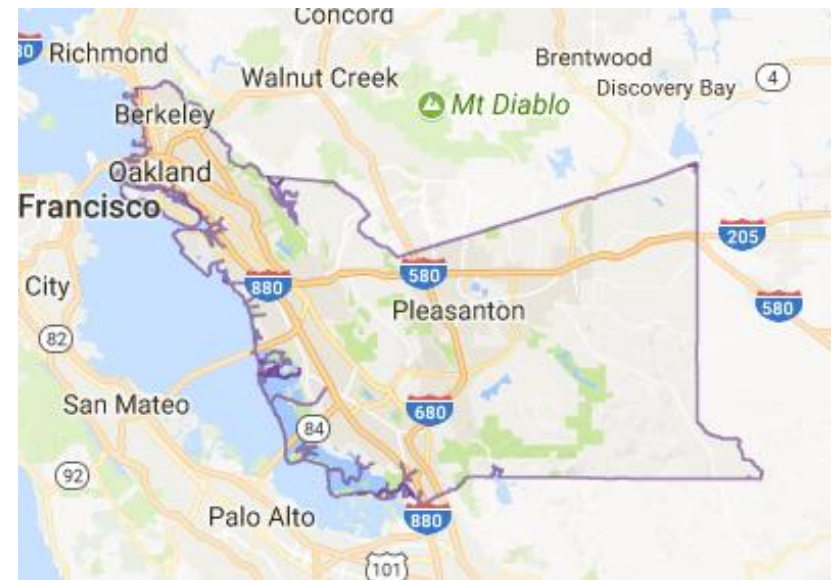


Alameda County

Alameda County is a **vibrant, diverse community**. It recently has also become a destination for technology companies and other industries, which has driven up the cost of living.

Families living in Alameda County struggle with affordable access to:

- Stable housing
- Quality child care and early education



Brain Development

90%
**of a child's brain
development
happens
before age 5**



■ 90% Brain
development
before age 5
■ 10% Brain
development
after age 5

Child Care & Early Education: Critical Investments in Our Society



Invest in educational and developmental resources for disadvantaged families to provide equal access to successful early human development.

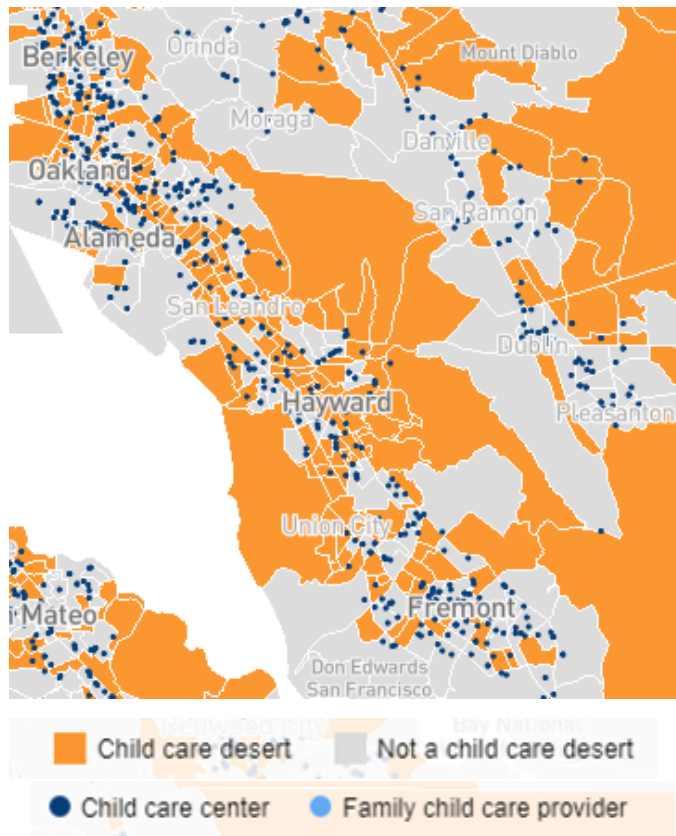
Develop cognitive skills and social skills in children early—from birth to age five when it matters most.

Sustain early development with effective education through adulthood.

Gain more capable, productive and valuable citizens that pay dividends to America for generations to come.

An Access Gap

Child Care Deserts



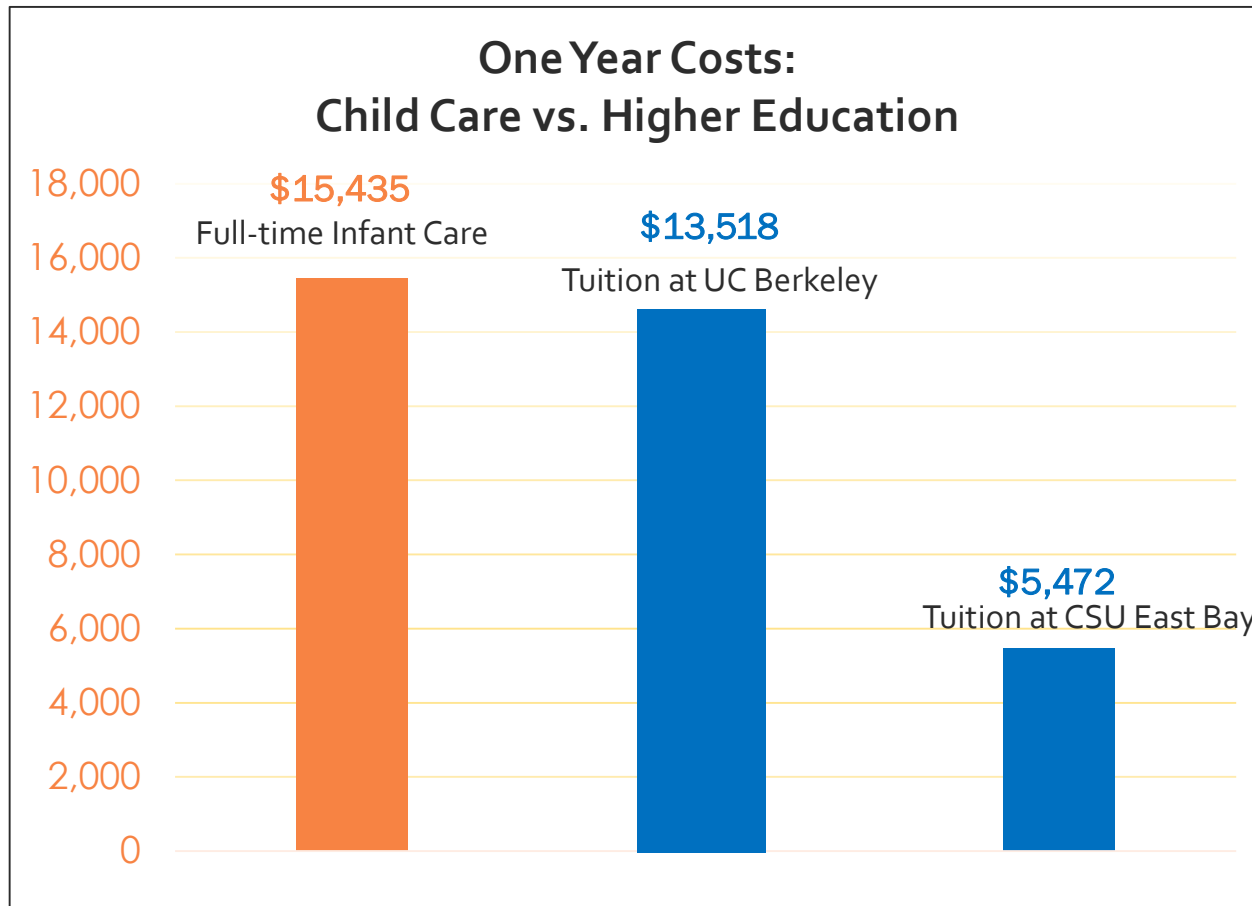
Insufficient Supply

69%

of Alameda County children with working parents don't have access to a space in licensed child care or early education

An Affordability Gap for Parents:

Child Care & Early Education is More Expensive Than College



An Affordability Gap for Providers

\$17,069

True cost of high-quality preschool for 3 & 4-year-olds, per child per year



\$11,784

16-17 reimbursement rate for state preschool, per child per year
(only **69%** of true cost)

A Readiness Gap



In 2016, only **44%*** of Alameda County children entered kindergarten fully ready for school

Source: 2015 School Readiness Assessment conducted by Applied Survey Research

A Wage Gap

- **75%** of child care providers and early educators worry about paying monthly bills
- **54%** worry about putting food on the table
- **48%** of early educators rely on one or more government assistance programs



Eboni's Story



“With a daughter of my own, I often struggle to find affordable child care. The irony, of course, is that I am an early educator myself. But without earning more, I have very few options. That’s why I’m a part of the movement to fight for \$15 and affordable child care for all, so that the next generation won’t have to fight the same battles all over again.”

–*Eboni Warren, Former Staff, YMCA of the East Bay*

A Quality Support Gap



Our program to measure, improve, and maintain quality only has enough funding to include **13.8%** of Alameda County early education centers and family child care homes

Child Care and Early Education: A Crisis in Alameda County



We Can Do Better.



Our Proposed Solution:

County-Wide Half-Cent Sales Tax Measure



City Council/RSA Agenda

\$140 million/year for child care & early education

Expanding Access

- Targeted supports for 500 homeless and other high priority families throughout Alameda County
- Reduce the waiting list by providing partial and full scholarships to 21,000+ children to get them into high quality child care and early education spaces
- Additional resources to communities to determine how to best meet their local preschool and child care needs



Target number served:
21,000+ children,
birth-12 years old

Estimated \$84.65 million,
60.8% of total*

Increasing Wages and Work Supports

- Providers who serve a group of children that is at least 25% low-income would receive a rate-enhancement for all new and existing children
- This enhancement would go toward:
 - Raising provider and instructional assistant wages to at least \$15/hour
 - Providing work supports like professional development and paid planning time



Target number served:
21,000+ children,
birth-12 years old
(13,649 existing children)

Estimated \$37.2 million,
26.8% of total*

Draft Program Components

Improving Quality

- Providers who serve a group of children that is at least 25% low-income would receive a rate-enhancement for all new and existing children
- This enhancement would support providers to develop their knowledge of:
 - Early childhood brain development
 - Trauma-informed and culturally responsive teaching practices
 - Dual language and honoring home language
 - Family engagement work



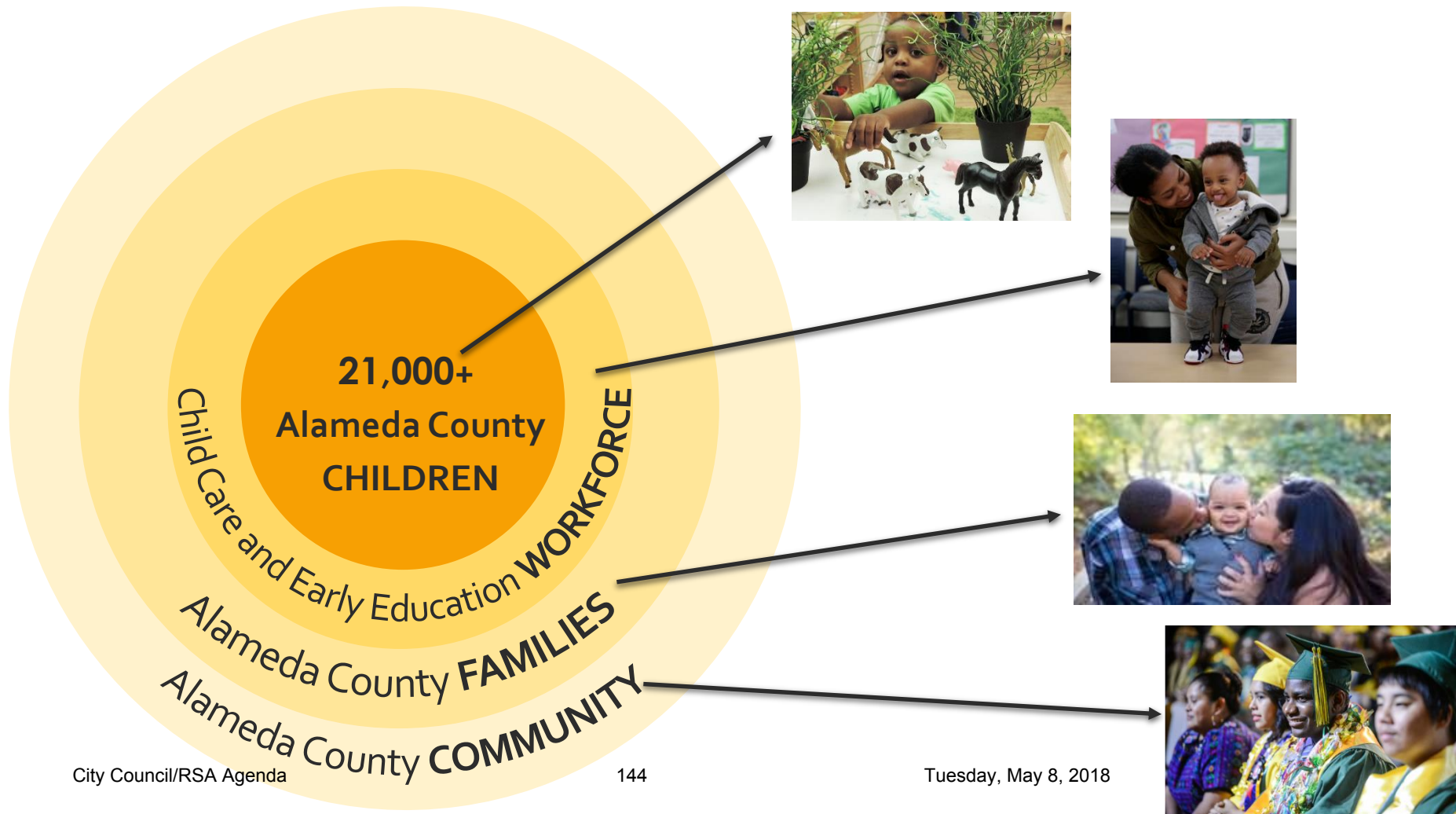
Target number served:
21,000+ children,
birth-12 years old
(13,649 existing children)

Estimated \$5.53 million,
4% of total*

*includes coaching, rating, staffed family child care network, quality improvement plan development, case management, program implementation, contract oversight, higher education supports, apprenticeship cohort models, etc.

Tuesday, May 8, 2018

The Impact: Children, Families, Broader Community



Half-cent sales tax generating an estimated \$140 million annually:

Impact Over 30 Years

\$4.2 billion

generated for high quality, accessible child
care and early education across Alameda
County

223,200

new annual scholarships created for
families furthest from opportunity
in Alameda County

Polling: Early Support is Encouraging

73%



of Alameda County likely voters said that if
the election were held today,
they would vote **YES** on this measure
(with 67% needed to pass)

Past Alameda County Measures

Healthcare Services
Mar 2004 / 71.1% YES
Renewed 2014 / 75% YES



Transportation
Nov 2014 / 70.8% YES

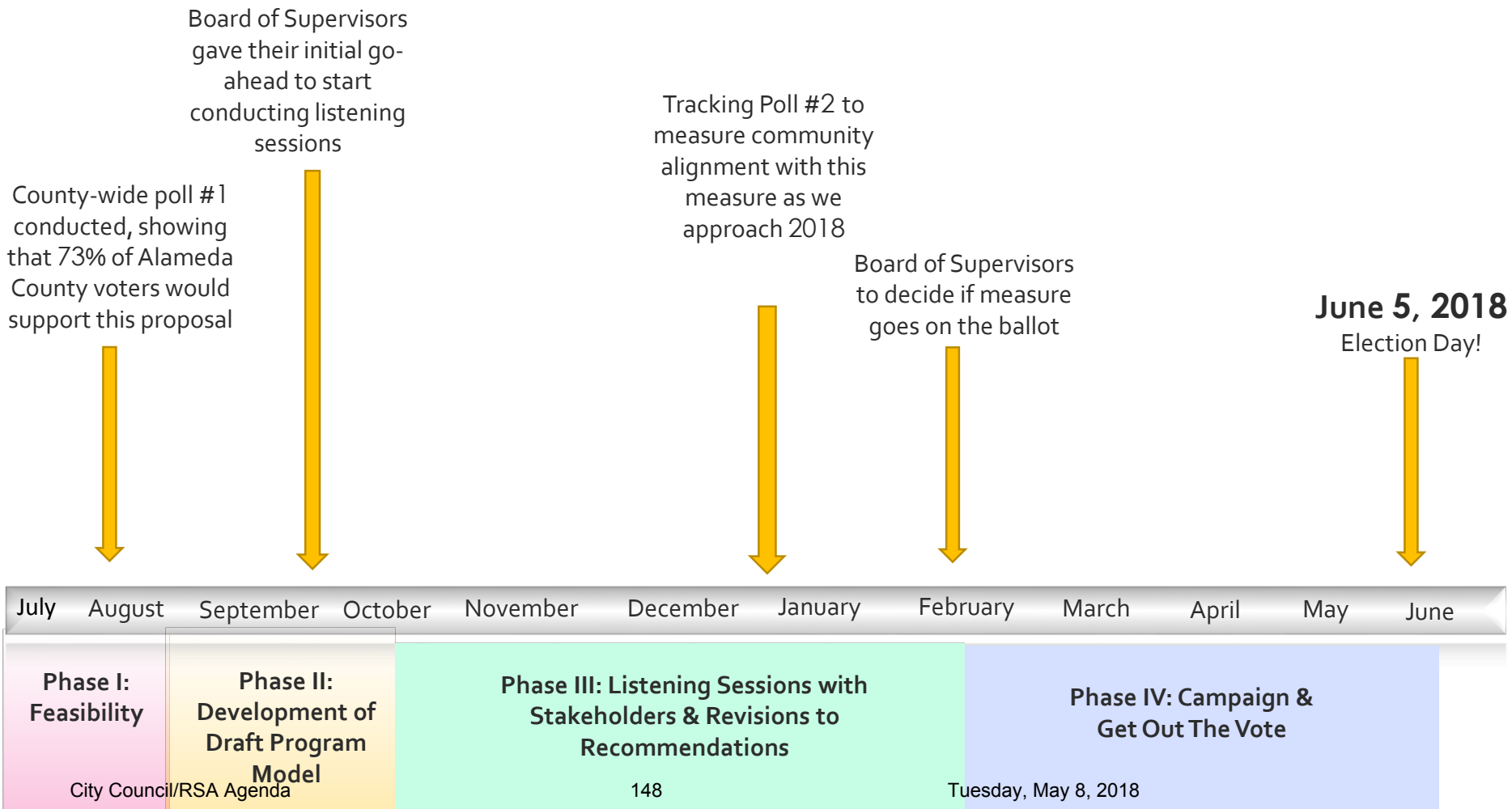


Affordable Housing
Nov 2016 / 73.30% YES



Tuesday, May 8, 2018

Timeline & Key Dates



80+ Stakeholder Meetings to Date

- Alameda County Early Care & Education Program
- Alameda Collaborative
- Alameda County Early Childhood Policy Committee (ACECPC)
- Alameda County Board of Supervisors
- Alameda County All-In Committee (anti-poverty initiative)
- Alameda County Office of Education
- Alameda County School Board Association
- Alameda County Social Services Agency
- Alliance of Californians for Community Empowerment
- All-In September Community Forum
- ASES - After School Education & Safety Program
- Ashland Community Association
- Assemblymember Rob Bonta
- BAHIA Inc.
- Blue Skies 4 Children
- UC Berkeley Graduate School of Education
- California State Advisory Council
- Center for the Study of Child Care Employment
- Chabot College Advisory Committee
- Child, Family and Community Services
- City of Oakland Department of Human Services
- District 1 community members
- District 2 community members
- District 3 community members
- District 4 community members
- District 5 community members
- Dublin Mayor's office
- Early Learning Fellowship
- East Bay Community Foundation
- East Bay Association for the Education of Young Children (EBAEYC)
- Emerging Leaders for Racial Equity
- Family Leadership Council at Education for Change
- Family Resource Navigators
- Fathers Corps of Alameda County
- First 5 Alameda County
- First Five Years Fund
- Forward Change
- Head Start – City of Oakland
- Housing & Community Development Department

80+ Stakeholder Meetings to Date (cont'd)

- Inter-Agency Children's Policy Council
- Kaiser Permanente
- Kenneth Rainin Foundation
- Kidango
- Labor Center at UC Berkeley
- Las Positas Community College Local Planning Council
- LPC Advisory Board
- Mayors from: Albany, Berkeley, Emeryville, Dublin, Hayward, Livermore, Oakland, Pleasanton
- Library System of Alameda County
- Lotus Bloom Learning Center
- Oakland Preschool Providers
- Oakland Starting Smart and Strong Coalition
- Oakland Thrives Leadership Council
- OUSD CDC Instructional Assistant leadership
- Parent Leadership Action Network (PLAN)
- Parent Voices
- Partnership for Children and Youth
- Quality Counts
- Quality Counts Symposium
- Right Start Commission
- San Lorenzo School Board
- St. Mary's Center
- SEIU 521 – represents family child care providers
- SEIU 1021 – represents child care center workers
- Senator Nancy Skinner
- Superintendents from: Alameda County office of Education, Alameda, Albany, Berkeley, Castro Valley, Emeryville, Eden Area, Fremont, Newark, Oakland, Pleasanton, San Lorenzo
- Thomas J. Long Foundation
- Unincorporated County Technical Advisory Committee
- Unity Council
- YMCA of the East Bay providers
- YMCA Head Start providers

Key Themes from Stakeholder Meetings

Excitement and support for the initiative addressing:

- **Equitable Access** for families across the county
- **Quality** to support brain development and school readiness
- **Wages** to ensure our providers can take care of their families and stay in the field long-term



Questions around...

- **Defining Priority Populations** beyond homeless families, i.e. including children and parents with special needs, foster families
- **Creating a Strong Workforce Pipeline** to ensure we have talented people entering the field
- Ensuring that all programs in the proposal **Promote Equity** across the child care & early education system

[illegible]

Join the Conversation. We are Listening!

acgov.org/ece/crisis

ece@acgov.org

(510) 208-9698

