

**FULL TEXT OF MEASURE UU**  
**ORDINANCE NO.**

AN ORDINANCE OF THE PEOPLE OF THE CITY OF  
UNION CITY AMENDING TITLE 3, CHAPTER 3.20  
(ORDINANCE NO. 622-04) OF THE CITY OF UNION  
CITY MUNICIPAL CODE CONCERNING THE  
EXISTING PUBLIC SAFETY SERVICES EXCISE TAX

The People of the City of Union City do hereby ordain as follows:

Section 1. Findings.

A. In March 2004, the People of the City of Union City ("City") adopted Measure K (Ordinance No. 622-04) to provide funding for one of the primary roles of City government; police- and fire-protection services (public-safety services). Measure K added Title 3, Chapter 3.20 to the City's Municipal Code and imposed a Public Safety Services Excise Tax ("Tax") on occupants of residential and nonresidential real property throughout the City.

B. Approval of Measure K was recognition by the City's property owners and voters of the significant public safety challenges facing Union City. In particular, youth-related violence was and remains a serious problem. Without the additional funding provided by Measure K, the City would lack sufficient resources to fund the public safety programs that target gang activity and other violent crime. The City determines that the extension and enhancement of a special tax on occupants of residential and nonresidential real property throughout the City, as more fully described and set forth below, is necessary to maintain public good, welfare and safety for a period of Eight (8) years.

C. Measure K will automatically expire in April, 2009 unless extended. The City has determined that the cost to continue to provide essential public-safety services at current levels and to provide the expanded public safety services mentioned above exceeds the amount of funds and revenues generated from all other sources of income available for such purpose, including the revenue from Measure K. If Measure K is allowed to expire, the loss of revenue will significantly impact the City's ability to provide essential public-safety services, as well as any of the expanded public-safety services mentioned above.

D. The City also determined that the cost of providing public-safety services has increased since Measure K was adopted and it is more costly to provide the essential public-safety services.

E. Additionally, members of the public, at community and other meetings of the City Council, have expressed a strong desire that the City maintain its current level of essential public-safety services, and also expand its youth violence prevention and intervention programs. Maintaining current levels of service and providing the additional programs that the public seeks requires both the extension and expansion of Measure K, or severe reductions in other essential public services.

F. It is the purpose and intent of this Ordinance to authorize the adjustment of the City's Tax from the current rates for each parcel type, as set forth in Section 3.20.030 ("Tax Rate Schedule"), to new rates as set forth below. The Tax

is a parcel tax and a special tax. The imposition of a new "Tax Rate Schedule" is necessary to continue to provide essential public safety services to occupants of residential and nonresidential real property throughout the City for a period of Eight (8) years. The imposition of a new "Tax Rate Schedule" will also provide funding for youth violence prevention and intervention programs.

G. The City has determined that the definition of "Public safety services", as set forth in Chapter 3.20.010 ("Definitions"), does not capture all the types of public safety services provided to the people of the City using revenue generated from the Tax and therefore the definition of "Public safety services" should be amended.

H. The City recognizes that occupants of both residential and nonresidential property use public-safety services. However, the City has determined that the use of public-safety services by occupants of various classes of residential and nonresidential properties differ significantly in their occupants' respective uses of public-safety services. Therefore, the City has calculated the tax to take into account the relative use of public-safety services by the occupants of the uses of developed property. For example, the tax on multiple family unit parcels is approximately 69% of the tax on single-family residential parcels of a similar size because multiple family units in the City tend to have fewer values at risk and lower occupant densities than single-family units. The City therefore finds it is appropriate to tax multiple family unit parcels at approximately 69% of the tax on a single family parcel, reflecting the lower values at risk and lower occupant densities of multiple family units.

I. The City has determined that the size of a parcel has a direct relationship to the usage of public safety services. A larger parcel, whether residential, commercial, industrial or mixed-use, is likely to have larger structures, more occupants and more visitors located on it (referred to as "values at risk"), thus generating more use of public safety services. The annual Tax on single-family residences, commercial and industrial, and mixed-use parcels is therefore tied to the size of the parcel.

J. A parcel of non-residentially developed real property often has more than one business located on it, and such businesses may contain large quantities of materials and products that may be flammable, hazardous, and quite valuable in the aggregate. If customers and employees are accounted for, more people generally occupy a commercial or industrial parcel than a typical residential parcel. Moreover, non-residential parcels generally create public safety responses that significantly exceed the scope and extent of the typical public safety responses attributable to residential parcels. The City has determined that, as a result, the use of public safety services attributable to the smallest size category of non-residential parcels is approximately twice that of a typical single-family residential parcel. The City further determines that the use of public safety services increases proportionately with the size of non-residential parcels. Thus, the annual tax on non-residential parcels will vary from approximately 2.7 times that of residential parcels to approximately 78 times that of