

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

The City Attorney of the City of Union City has prepared the following title and summary of the chief purpose and points of the proposed measure:

AN INITIATIVE ORDINANCE AMENDING THE CITY OF UNION CITY MUNICIPAL CODE TO IMPOSE A REQUIREMENT THAT THE UNION CITY COUNCIL BUDGET AND OBLIGATE FUNDS NECESSARY FOR THE MAINTENANCE OF A MINIMUM OF FOUR FIRE STATIONS, THREE FIRE ENGINES, ONE FIRE TRUCK, FOUR ON-DUTY UNIFORMED PERSONNEL PER ENGINE AND TRUCK AND A WORK SCHEDULE OF NO MORE THAN FIFTY-SIX (56) HOURS PER WEEK FOR SWORN UNIFORMED PERSONNEL WITHIN UNION CITY

This proposed initiative, entitled “Minimum Standards for Deployment of Firefighter Personnel and Fire Apparatus,” was filed with the City Clerk of the City of Union City on May 20, 2020. The purpose of the proposed initiative is to add a new chapter to the Union City (the “City”) Municipal Code establishing a requirement that the City Council, each fiscal year, provide, budget or obligate sufficient funds to provide for certain fire apparatus and fire personnel deployment.

Specifically, the proposed initiative requires that the City Council annually provide, budget or obligate sufficient funds for the maintenance of four (4) fire stations within the City of Union City to provide fire apparatus and special apparatus for fire protection, fire suppression, emergency medical care, rescue, special operations and containment of hazardous materials, all as defined in the proposed initiative, within the City. The City Council would also be required to allocate sufficient funds every year for the daily deployment of three (3) fire engines and one (1) fire truck with all fire engines and fire trucks staffed by four (4) on-duty sworn uniformed personnel. Additionally, the proposed initiative would establish a work schedule of no more than fifty-six (56) hours per work for sworn uniformed personnel. Sworn uniformed personnel is defined by the proposed initiative as a person involved in performing duties and responsibilities of a firefighter or paramedic for the City.

The Notice of Intent to Circulate the Petition filed by the proponents of this initiative is available at the City of Union City, 34009 Alvarado-Niles Rd., Union City, CA 94587, or by contacting Anna Brown, City Clerk, at (510) 675-5348.

The people of the City of Union City do ordain as follows:

SECTION 1. Chapter 1.01 “Minimum Standards for Deployment of Firefighter Personnel and Fire Apparatus” of Title 19 “Fire Protection” is hereby added to the City of Union City Municipal Code as follows:

TITLE 19. FIRE PROTECTION

CHAPTER 19.01. MINIMUM STANDARDS FOR DEPLOYMENT OF FIREFIGHTER PERSONNEL AND FIRE APPARATUS

Section 19.01.010	Purpose
Section 19.01.020	Definitions
Section 19.01.030	Imposition of Minimum Standards for Deployment of Firefighter Personnel And Fire Apparatus in the City of Union City

Section 19.01.010 Purpose

The purpose of this Chapter is to ensure that the City of Union City maintains minimum levels of staffing for the provision of fire protection and emergency medical services.

Section 19.01.020 Definitions

- A. “Emergency Medical Care” shall mean the provision of treatment to patients, including paramedic level advanced life support and other medical procedures that occur prior to arrival at a hospital or other health care facility.
- B. “Fire Apparatus” shall mean a fire department emergency vehicle used for rescue, fire suppression, or other specialized functions within the City of Union City.
- C. “Fire Protection” shall mean the methods of providing for fire control or fire extinguishment.
- D. “Fire Suppression” shall mean the activities involved in controlling and extinguishing fires.
- E. “Hazardous Materials” shall mean a substance that presents an unusual danger to persons due to its properties or toxicity, chemical reactivity, or decomposition, corrosivity, explosion or detonation, etiological hazards, or similar properties.
- F. “Rescue” shall mean those activities directed at locating endangered persons at an emergency incident, removing of those persons from danger, treating the injured, and providing for transport to an appropriate health care facility.
- G. “Special Operations” shall mean those emergency incidents to which the fire department responds that requires specific and advanced training and specialized tools and equipment.
- H. “Staffing” shall mean a particularized number of sworn uniformed personnel required in a particular company or for the purpose of operating a particular piece of apparatus.

I. "Sworn Uniformed Personnel" shall mean a person involved in performing duties and responsibilities of a firefighter or paramedic for the City of Union City.

Section 19.01.030 Imposition of Minimum Standards for Deployment of Firefighter Personnel and Fire Apparatus in the City of Union City

A. There is hereby imposed a minimum standard for deployment of fire apparatus and personnel in the City of Union City. The City Council of the City of Union City shall, each and every fiscal year, provide, budget or obligate such funds as is necessary to provide:

1. For the daily deployment of at least three (3) fire engines and one (1) fire truck;
2. All fire engines shall be staffed with four (4) on-duty sworn uniformed personnel. All fire trucks shall be staffed with four (4) on-duty sworn uniformed personnel.
3. For the maintenance of four (4) fire stations within the City of Union City for the purpose of providing adequate fire apparatus and special apparatus for fire protection, fire suppression, emergency medical care, rescue, special operations and containment of hazardous materials within the City of Union City.

B. A work schedule of no more than 56 hours in a week shall be maintained for sworn uniformed personnel.

C. Nothing in this Section prevents the City Council from providing, budgeting or obligating funds above the minimum standards set forth in paragraph A.

SECTION 2. Severability.

If any provision, sentence, clause, section, paragraph or part of this Ordinance is found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall affect only such provision, sentence, clause, section or part of this Ordinance. It shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared to be the intent that this Ordinance would have been adopted had such unconstitutional, illegal or invalid provision, sentence, clause, sections or parts therefore not been included herein.

* * * * *

Notice of Intention to Circulate Petition

Notice is hereby given by the persons whose names appear hereon of their intention to circulate the petition within the City of Union City for the purpose of amending the City of Union City Municipal Code to set minimum standards for deployment of firefighter personnel and fire apparatus. A statement of reasons for the proposed action as contemplated in the petition is as follows:

Recently, the City Council of the City of Union City voted to close one City of Union City's fire stations. With only three fire stations, this closure will result in negative public safety impacts. It will decrease the number of firefighters and paramedics and create longer response times to emergencies.

According to a poll by the City of Union City, almost 90 percent of residents believe that 911 emergency response and disaster preparedness was a high public safety priority. According to the same poll, nearly 70 percent of residents indicated that firefighter and paramedic services were a high public safety priority.

This initiative ensures that the City of Union City maintains minimum levels of staffing for fire protection and emergency medical services. It will require the City Council of the City of Union City to budget funds for a minimum standard for deployment of fire apparatus and personnel in the City of Union City. It will require the daily deployment of at least three fire engines and one fire truck. Fire engines must be staffed with four on-duty sworn uniformed personnel. Fire trucks must be staffed with four on-duty sworn uniformed personnel.

Additionally, this initiative will require the maintenance of four fire stations within the City of Union City for the purpose of providing adequate fire apparatus and special apparatus for fire protection, fire suppression, emergency medical care, rescue, special operations and containment of hazardous materials within the City of Union City. Sworn uniformed personnel will be limited to a work schedule of no more than 56 hours in a week, the current standard sworn uniformed personnel within the City of Union City.

This initiative provides a minimum standard for deployment of fire apparatus and personnel in the City of Union City to ensure that the City Council meets the public safety needs of the City of Union City. The city can increase funds for these positions when needs grow.

These firefighter and paramedic service levels are necessary for the City of Union City to meet and maintains the City of Union City's emergency response and disaster preparedness needs. In sum, this initiative sets standards to meet the City of Union City's public safety goals.

Proponent

Sign name: /s/ Jerry Williams

Print name: Jerry Williams

Address: Remora Dr [street number omitted for privacy reasons]

UC, CA 94587

/s/ Jerry Williams

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NOTICE TO THE PUBLIC: YOU HAVE THE RIGHT TO SEE AN “OFFICIAL TOP FUNDERS” SHEET. THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR A VOLUNTEER. YOU HAVE THE RIGHT TO ASK.

ALL SIGNERS MUST BE REGISTERED VOTERS OF THE CITY OF UNION CITY, CALIFORNIA

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DECLARATION OF CIRCULATOR

(to be completed in the circulator’s own hand after above signatures have been obtained)

I, _____, am 18 years of age or older. My residence address is _____.
(print name)
 _____.
(address, city, state, zip)
 I circulated this section of the petition and witnessed each of the appended signatures being written. Each signature on this petition is, to the best of my information and belief, the genuine signature of the person whose name it purports to be. All signatures on this document were obtained between the dates of _____ and _____. I showed each signer a valid and unfalsified “Official Top Funders” sheet. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
(month, day, year) (month, day, year)

Executed on _____, _____ at _____, California.
(month and day) (year) (place of signing)

Signature of Circulator _____
(complete signature including full name of circulator)