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CITY OF UNION CITY MEASURE WW
CITY ATTORNEY'S IMPARTIAL ANALYSIS

CITY OF UNION CITY
CITY CLERK'S OFFICE

The City Council of the City of Union City is submitting to the voters the question of whether to approve an ordinance that would establish a five percent (5%) Utility Users Tax ("UUT") on telecommunication (including landline telephone and cell phone services), video (including cable television), and electricity and gas services within the City. The UUT is based upon the amount charged by each service provider for the services used. Service providers would collect the UUT on service user bills and remit the revenue collected to the City.

The UUT would terminate automatically on December 31, 2028, unless extended by the voters.

Because Measure WW does not limit the use of UUT revenue, it is a "general tax," and the funds provided are available for any legitimate governmental purpose. As noted in the ballot question, examples of uses of revenue from the UUT include senior citizen support and meal programs during the COVID-19 crisis and recovery, 911 emergency services and paramedic response, streets and pothole repair, fire protection services, disaster and health crisis preparedness, youth violence prevention and drug intervention programs, and other city services. Measure WW would generate approximately \$6.1 million in funds annually. California law prevents the State and Alameda County from directing revenue from the UUT to the State or County for their use.

Measure WW would provide approved applicants with an exemption from payment of the UUT for: 1) senior citizens who are seventy (70) years or older living alone or with a spouse or domestic partner and at least one spouse or partner meets the age criteria for the exemption; 2) low-income persons of any age who are enrolled in the Pacific Gas & Electric Company CARE Program ("California Alternate Rates for Energy"); and 3) households with a household income of less than fifty percent (50%) of the area median family income for the County of Alameda as established by the United States Department of Housing and Urban Development.

Measure WW requires the City Council to establish a five-member citizens' oversight committee to review and annually report on the receipt of revenue and expenditure of UUT funds. The Measure requires annual independent audits to verify that the UUT has been properly applied, collected, and remitted.

A "Yes" vote is a vote to approve a five percent (5%) tax for eight (8) years on telecommunication, video, and electricity and gas services, with annual audits and review by a citizens' oversight committee. A "No" vote is a vote against the UUT. Measure WW will be approved if it receives a simple majority of "Yes" votes of those voting on the Measure.

The above statement is an impartial analysis of Measure WW. If you desire a copy of the proposed ordinance, please call the City Clerk's office at (510) 675-5448 and a copy will be mailed at no cost to you.

DATED: August 19, 2020



Kristopher J. Kokotaylo, City Attorney