



CITY OF NEWARK

CITY COUNCIL

City Administration Building, City Council Chambers

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Minutes

Thursday, January 25, 2024
7:00 P.M.

A. ROLL CALL

Mayor Hannon called the meeting to order at 7:00 p.m. Vice Mayor Freitas, Council Members Bucci, Collazo, and Jorgens were present.

B. PRESENTATIONS

1. Introduction of employee(s)

Mayor Hannon introduced Facilities Supervisor Gus Perez and Maintenance Supervisor Nicholas Icasiano.

2. Commendation for Saketh Srikantha Science Fair STEM Winner

Mayor Hannon presented a commendation to Saketh Srikantha for his wave danger detection science fair project.

Mr. Srikantha shared details on his project.

Forrest Williams, Santa Clara Valley Science and Engineering Fair Association Board Member stated the community value of science fairs.

C. PUBLIC COMMENT

No one from the public requested to speak.

D. CONSENT CALENDAR

Council Member Bucci moved, Council Member Collazo seconded, to approve Consent Calendar items D.1 to D.5, that the resolutions be numbered consecutively, and that reading of the titles suffice for adoption. The motion passed, 5 AYES.

1. Approval of Audited Demands
2. Approval of January 11, 2024 minutes
3. Adopt a resolution approving the Contractual Services Agreement with Sable Computer Inc., dba KIS for a Cybersecurity Platform that provides 24x7 Security Operations
Resolution No.11609
4. Adopt a resolution approving the Contractual Services Agreement with DLT Solutions, LLC for the renewal of AutoCAD Civil3D licensing
Resolution No. 11610
5. Adopt a resolution to authorize the City Manager to execute the Affordable Housing Loan Agreement and all related loan documents to effectuate the approval of the \$2,765,000 funding award for a senior affordable housing project at 37660 Timber Street. Exempt from CEQA Review per CEQA Guidelines Section 15061(b)(3)
Resolution No. 11611

E. PUBLIC HEARINGS

1. Public Hearing to consider adopting a resolution approving a plan of finance for the issuance of revenue bonds by the California Municipal Finance Authority to finance and refinance a 79-unit qualified residential rental project for low income seniors located at 37660 Timber Street.
Resolution No. 11612

City Manager Benoun stated that state law requires the City to hold a TEFRA public hearing to receive public comment for the issuance of tax-exempt bonds. The City committed \$8 million from the Affordable Housing Impact Fee and Measure A1 funds towards this project.

Senior Planner Lopez provided an overview of Eden Housing's low-income, 75-unit residential rental project for seniors at 37660 Timber Street. The City Council approved the entitlements in 2021. Construction is expected to be completed by August of 2026.

Jared Suzuki, California Municipal Finance Authority, Financial Advisor stated that the City of Newark has no legal nor financial obligation for the issuance of the bonds. This is a private loan between the borrower and their bank.

In response to Council Member Bucci, Mr. Suzuki stated the City has no legal nor financial obligation if the loan defaulted.

City Attorney Kokotaylo stated that the City will have a recording against the property and priority to retain it's contribution should a default occur.

Jon Goetz, Meyers Nave, via Zoom, stated that the City has transferee rights and the ability to cure loans if a default occurred. He noted that defaults in affordable housing projects in California are very rare.

Mayor Hannon opened the public hearing at 7:29 p.m.

No one requested to speak.

Mayor Hannon closed the public hearing at 7:30 p.m.

Council Member Bucci moved, Council Member Jorgen seconded to adopt a resolution approving a plan of finance for the issuance of revenue bonds by the California Municipal Finance Authority in an aggregate principal amount not to exceed \$50,000,000 to finance and refinance a qualified residential rental project for the benefit of Timber Street Investors, L.P., and Eden Housing, Inc., or an affiliate thereof, and certain other matters relating thereto. The motion passed, 5 AYES.

F. OTHER BUSINESS

1. Adopt a resolution amending the 2022-2024 Biennial Budget and Capital Improvement Plan for the Fiscal Year 2024 Capital Improvement Plan budget

rollovers

Resolution No. 11613

Council Member Collazo and Vice Mayor Freitas each announced that they would recuse from this item due to property ownership conflicts of interest. They each left the Council Chambers.

City Manager Benoun gave the staff report recommending approval. After the posting of the agenda, the resolution and attachment were updated due to errors discovered by staff. (Memo explaining edits on file with City Clerk.)

No one from the public requested to speak.

Council Member Bucci moved, Council Member Jorgens seconded to adopt a resolution, as revised, amending the 2022-2024 biennial Budget and Capital Improvement Plan for Fiscal year 2024 Capital Improvement Plan Rollovers. The motion passed, 3 AYES, 2 RECUSED.

Council Member Collazo and Vice Mayor Freitas returned to the Council Chambers.

2. General Overview of the Capital Improvement Plan and majority of projects

City Manager Benoun stated that items F.2 through F.7 were informational and were separated to allow for City Council Member recusals. Staff will draft the Capital Improvement Plan (CIP) based on City Council and Executive Team feedback. The draft CIP will be presented to the City Council in April.

City Engineer Imai gave the presentation including an overview of the CIP Process, selection methodology, funding summary (\$9.3 million Gas Tax Funds, \$1.5 million Capital Funds, \$4.2 million Impact Fees, outside funding from transportation and other grant funds – approximately \$46.5 million of projects were submitted for consideration), projects submitted for consideration, and next steps.

Mayor Hannon provided a number of suggestions for staff to consider when drafting the CIP.

No one requested to speak.

Informational item, no action requested.

3. Overview of the Capital Improvement Plan related to Old Town PDA Streetscape Improvements

Council Member Collazo and Vice Mayor Freitas each announced that they would recuse from this item due to property ownership conflicts of interest. They each left the Council Chambers.

City Engineer Imai gave the staff report stating that \$6,000,000 is needed to complete the project.

No one requested to speak.

Informational item, no action requested.

Council Member Collazo and Vice Mayor Freitas returned to the Council Chambers.

4. Overview of the Capital Improvement Plan related to the Traffic Signal Interconnect Project

Council Members Collazo and Jorgens each announced that they would recuse from this item due property and leasehold conflicts of interest. They each left the Council Chambers.

City Engineer Imai gave the staff report. The preliminary cost estimate is \$7,500,000 for this project.

No one requested to speak.

Informational item, no action requested.

Council Members Collazo and Jorgens returned to the Council Chambers.

5. Overview of the Capital Improvement Plan related to Citywide Information Kiosks Phase 1 Old Town

Council Member Collazo announced that she would recuse from this item due property conflicts of interest. She left the Council Chambers.

City Engineer Imai gave the staff report. The information kiosks would be installed in high traffic areas in the Old Town area at a total cost of \$75,000.

No one requested to speak.

Informational item, no action requested.

Council Member Collazo returned to the Council Chambers.

6. Overview of the Capital Improvement Plan related to Quiet Zone Improvements and Thornton Avenue Streetscape Improvements (Elm Street to Willow Street)

Vice Mayor Freitas announced that he would recuse from this item due property conflicts of interest. He left the Council Chambers.

City Engineer Imai gave the staff report. \$1.2 million was requested for Thornton Avenue and \$4 million for Quiet Zones.

Mayor Hannon suggested focusing on residential neighborhoods impacted by railroad noise over other areas of town.

No one requested to speak.

Informational item, no action requested.

Vice Mayor Freitas returned to the Council Chambers.

7. Overview of the Capital Improvement Plan related to Thornton Avenue Pavement Overlay (I-880 to Olive Street)

Council Members Jorgens announced that he would recuse from this item due conflicts of interest real property leasehold interest. He left the Council Chambers.

City Engineer Imai gave the staff report stating that the City would need \$1,000,000 to complete the project.

No one requested to speak.

Informational item, no action requested.

Council Member Jorgens returned to the Council Chambers.

G. CITY COUNCIL MATTERS

Council Member Collazo thanked everyone for attending the meeting. She announced that the library was obtaining new equipment for checking out books and routing returned books. The Newark library issued 22,000 new library cards. Shop Newark.

Council Member Bucci welcomed back Mr. Jared Goff to the Bay Area. Go Bears.

Mayor Hannon read a thank you letter from members of the SMVS Temple regarding the City's response to vandalism at their temple. Mayor Hannon thanked Council Members Bucci and Jorgens who each helped clean the graffiti. Mayor Hannon complimented the Newark library programs and visits by the public.

H. CITY MANAGER UPDATES

City Manager Benoun made announcements related to the Community Volunteer event, the LED Street Light project, the Draft Local Hazard Mitigation Plan, the Recreation Hiring Fair, and thanked the sworn staff who helped with the response to the Alameda County Sheriff who was shot in Union City.

I. CLOSED SESSION

J. ADJOURNMENT

Mayor Hannon adjourned the meeting at 9:03 p.m.

Sheila Harrington, City Clerk