



CITY OF NEWARK CITY COUNCIL

City Administration Building, City Council Chambers

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Minutes

Thursday, February 22, 2024

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

C. PUBLIC COMMENT

No one from the public requested to speak.

D. CONSENT CALENDAR

Council Member Collazo moved, Vice Mayor Freitas seconded, to approve Consent Calendar items D.1 to D.4, 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 February 8, 2024, minutes
3. Adopt a resolution approving a First Amendment to the Contractual Service Agreement with Good City Company
Resolution No. 11616
Contract No. 21006

4. Adopt a resolution authorizing the City Manager to enter a subscription agreement with Flock Group, Inc. for Automated License Plate Readers (ALPR) in the amount not to exceed \$131,400
Resolution No. 11617
Contract No. 24013

E. PUBLIC HEARINGS

1. Public hearing pursuant to Government Code Sections 4217.10, et seq. to adopt certain findings and adopt a resolution authorizing the City Manager to execute Energy Services Agreements with FTP BTM Solar, LLC (ForeFront Power) for the design, financing, construction, installation, operation and maintenance of carport mounted solar photovoltaic systems at the George M. Silliman Center and Newark Civic Center
Resolution No. 11618
Contract No. 24014

Senior Management Analyst Gonzalez, Sam Zantzinger, Director of ForeFront Power, and Kevin Flanagan, SPURR gave the presentation recommending approval. Adding solar photovoltaic systems to the parking lots of the Silliman and Civic Centers would save the City over \$7 million in energy costs over the next 20 years. Presentation on file with the City Clerk.

Mayor Hannon opened the public hearing at 7: 22 p.m.

No one requested to speak.

Mayor Hannon closed the public hearing at 7:23 p.m.

Council Member Bucci moved, Council Member Collazo seconded to adopt certain findings and a resolution authorizing the City Manager to execute an Energy Services Agreement with FTP BTM Solar, LLC (ForeFront Power) for the design, financing, construction, installation, operation and maintenance of carport mounted solar photovoltaic systems at the George M. Silliman Community Activity Center and Newark Civic Center pursuant to California Government Code Section 4217.10 ET SEQ. The motion passed, 5 AYES.

F. OTHER BUSINESS

1. Adopt a resolution authorizing the acceptance of the approved California Highway Safety Improvement Program (HSIP) Cycle 11 funds to subsidize Citywide Crosswalk Evaluation and Modifications, Project No. 1256
Resolution No. 11619

Council Member Collazo announced that she would recuse from this item due to property ownership and business interest conflicts of interest. She exited the Council Chambers.

Public Works Director Fajeau gave the staff report recommending approval to accept the HSIP funding for the design of pedestrian improvements at the intersections of Thornton Avenue at Magnolia Street and Enterprise Drive at Aleppo Drive.

Morgan Pedersen spoke in support of this project and shared her experience trying to cross the street at Thornton Avenue and Magnolia Street.

Council Member Bucci moved, Council Member Jorgens seconded to adopt a resolution authorizing the acceptance of the approved California Highway Safety Improvement Program (HSIP) Cycle 11 funds to subsidize the Citywide Crosswalk Evaluation and modifications, Project No. 1256. The motion passed, 4 AYES, 1 RECUSED.

Council Member Collazo returned to the Council Chambers.

2. Receive a presentation from Revenue & Cost Specialist (RCS) regarding the recently completed Comprehensive User Fee Study

Finance Director Lee and Eric Johnson, President at Revenue & Costs Specialists, LLC (RCS) gave the presentation. They reviewed the Cost of Services Study process to determine the full cost of fee-based services. Recommendations made in the study could increase cost recovery by approximately \$1.8 million. They would return at a future City Council meeting to request cost recovery direction. Presentation on file with City Clerk.

No one requested to speak.

The City Council discussed linking the Consumer Price Index to future fees, a reinspection fee for code enforcement noncompliance, affordable recreation fees for low income residents, recreation fields for children at no cost if they are Newark residents, City provided insurance for field rentals, and providing an estimate in advance for staff time needed for building permits.

Informational item, no action requested.

3. Presentation of findings from the Facilities Master Plan assessments and community outreach process

Senior Management Analyst Gonzalez and Andrea Gifford, Principal Architect, Group 4 Architecture provided a presentation. Eighteen sites with 24 facilities were reviewed, future needs were assessed with a recommendation to replace Fire Stations Nos. 27 and 29 and consider building a new Cultural Arts Community Center. Presentation on file with the City Clerk.

No one from the public requested to speak.

Informational item, no action requested.

4. Presentation regarding Newark's Transient Occupancy Tax (TOT) and the Newark hotel market

Finance Director Lee provided a presentation on the 10 percent Transient Occupancy Tax paid by hotel guests and its impact on the City budget.

Sondra Storm and Mark Keller Embarcadero Hotel Group provided a presentation on the City's 10 hotels with 1,605 rooms. The hotels performance compared to surrounding cities, the current TOT rate, and to consider a ballot measure to submit to voters to consider an increase to the TOT.

No one from the public requested to speak.

Informational item, no action requested.

Mayor Hannon called a recess at 9:45 p.m. and resumed the meeting at 9:52 p.m.

5. Motion to direct staff to proceed with a community survey to gauge support for a potential Transient Occupancy Tax (“TOT” and commonly known as the “Hotel Tax”) ballot measure

City Manager Benoun provided a presentation, copy on file with City Clerk. He recommended direction to staff to proceed with a community survey to gauge support for a potential Transient Occupancy Tax Ballot Measure.

No one requested to speak.

Council Member Jorgens moved, Vice Mayor Freitas seconded to adopt a motion directing staff to proceed with a community survey to gauge support for a potential Transient Occupancy Tax ballot measure. The motion passed, 5 AYES.

6. 2023-2031 General Plan Housing Element- Overview of Non-Substantive Revisions After Adoption

Community Development Director Turner provided an overview of the changes that were required by the State of California for the categories of analysis of development constraints, analysis of housing sites, and additional program commitments.

No one requested to speak.

Mayor Hannon suggested that staff include a footnote or analysis in future staff reports if a project deviates from City standards due to impacts imposed by the state of California.

Informational item, no action requested.

G. CITY COUNCIL MATTERS

Council Member Jorgens stated that he was frustrated that the Dumbarton Rail Corridor was acquired before he was born and has not been built. He requested that the Facilities Master Plan update be placed on the City-School Liaison Committee Agenda.

Council Member Collazo stated that February 22 is National California Day. She received a complaint that the cul de sac at Sycamore Street at Thornton Avenue is not being maintained. Shop Newark.

Council Member Bucci complimented Community Development Director Turner on the Housing Element approval. He expressed frustration with the State's housing policies imposed on the City and the State allowing homes to be purchased by limited liability companies. He stated that the Old Town Newark Streetscape Improvement Project meeting would be held on March 6, Fans fest at Jack London Square for Oakland Athletics baseball fans this weekend, and a Happy Birthday to his wife Megan.

Council Member Jorgens stated that an Assembly Bill was authored that, if approved, would prevent corporations from owning more than 1,000 homes in California.

Vice Mayor Freitas congratulated Information Technology Analyst Sheena Raj who was named the City's Employee of the Year.

Mayor Hannon announced the deadline to submit applications for the Senior Advisory Committee. He spoke about the importance of Black History Month. He encouraged citizens to vote at the March 5 Election.

H. CITY MANAGER UPDATES

City Manager Benoun made announcements related to the Parks Master Plan Community Meeting to be held on February 27.

I. CLOSED SESSION

J. ADJOURNMENT

Mayor Hannon adjourned the meeting at 10:43 p.m.

Sheila Harrington, City Clerk