



CITY OF NEWARK CITY COUNCIL

City Administration Building, City Council Chambers

37101 Newark Boulevard, Newark, CA 94560 | (510) 578-4266 | E-mail: city.clerk@newark.org



Minutes

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

A. ROLL CALL

Mayor Hannon called the meeting to order at 7:05 p.m. Council Members Jorgens and Apodaca were present. Vice Mayor Freitas and Council Member Collazo were noted absent.

B. PRESENTATIONS

1. Ceremonial Oath of Office for Council Member Ana Apodaca

Alameda County Supervisor Elisa Márquez administered the Oath of Office to Council Member Apodaca and presented her with a Certificate of Appointment.

2. Proclamation for the Portuguese Fraternal Society of America Council No. 16 Holy Ghost Festival

Mayor Hannon presented the proclamation to John Nunes.

3. Introduction of employee(s)

Mayor Hannon introduced: Howard Young, Public Works Director, Violetta Berlanga, Police Officer, Matt Reymundo, Public Safety Dispatch Supervisor, Shobna Sharma, Community Engagement Manager, Deepa Iyer, Management Analyst II, James Yonathan, Building Inspector I.

Mayor Hannon called for a recess at 7:32 p.m. The meeting resumed at 7:38 p.m.

C. PUBLIC COMMENT

Robert Thomas announced the Solid Rock Community Services Annual Health and Back to School Fair to be held on August 3.

Jacinta Arteaga congratulated Council Member Apodaca on her appointment. She thanked Council Member Collazo and Edda Rivera for their work on the Mariachi Festival and hoped there would be continued support.

Mayor Hannon stated that the Mariachi Festival was well attended and would continue in the future.

Mary Bonilla expressed her displeasure with the maintenance of Landscaping and Lighting District No. 11. She requested that the vote be tabled in order to reconsider the budget.

Han Lambruschini and Harita Veereshlingam requested City assistance to discourage drivers from speeding through their neighborhood. City Manager Benoun referred them to staff members in the audience.

D. CONSENT CALENDAR

Council Member Jorgens moved, Council Member Apodaca seconded, to approve Consent Calendar items D.1 to D.12, that the resolutions and ordinances be numbered consecutively, and that reading of the titles suffice for adoption. The motion passed, 3 AYES, 2 ABSENT.

1. Approval of Audited Demands
2. Waive full reading, conduct second reading by title only, and adoption of an ordinance re-adopting Chapter 2.50, "Military Equipment Use Policy", to the Newark Municipal Code
Ordinance No. 549
3. Waive full reading, conduct second reading by title only, and adoption of an ordinance amending Chapter 2.28 of the Newark Municipal Code "Personnel

System"
Ordinance No. 550

4. Adopt a resolution approving a Software-as-a-Service ("SaaS") Agreement with ClearGov for ClearGov Insights Suite, Budget Suite, and Digital Budget Book
Resolution No. 11668
Contract No. 24061
5. Adopt a resolution authorizing the City Manager to execute an amendment to the Microsoft Enterprise Agreement with Dell Marketing, L.P. (Dell) and amending the 2024-2026 Biennial Budget and Capital Improvement Plan
Resolution No. 11669
6. Adopt resolutions: (1) amending the Employee Classification Plan to delete and add multiple classifications; (2) amending the Compensation and Benefit Plan for the Management, Supervisory and Professional Employee Group; (3) amending the City's Salary Schedule in conformance with California Code of Regulations, Title 2, Section 570.5; (4) amending the 2024-2026 Biennial Budget and Capital Improvement Plan; and (5) approving a Side Letter to the Memorandum of Understanding with the Newark Police Association
Resolution No. 11670 - 11671
7. Adopt a resolution approving a Side Letter to the Memorandum of Understanding between the City of Newark and the Newark Association of Miscellaneous Employees
Resolution No. 11672
8. Adopt a resolution establishing the Fiscal Year 2025 Tax Appropriations Limit
Resolution No. 11673
9. Resolution granting permission to Vice Mayor Freitas and Council Member Collazo to be absent from City Council meetings
Resolution No. 11674
10. Adopt a resolution authorizing the City Manager to execute an amended Contractual Equipment and Services Agreement with RJMS Corporation DBA Toyota Material Handling of Northern California for the purchase of a

subcompact sweeper
Resolution No. 11675
Contract No. 23077

11. Adopt a resolution accepting the bid and awarding the contract for the Base Bid and Additive Alternate Bid No. 1 to VSS International, Inc. for 2024 Slurry Seal Program, Project No. 1345 (CIPA10006.FY2024); Exempt from CEQA review per CEQA Guidelines Section 15301
Resolution No. 11676
Contract No. 24062
12. Adopt a resolution authorizing the City Manager to execute a Cooperative Agreement with the Alameda County Water District for water main design and construction associated with the Old Town Streetscape Improvements, Project 1258
Resolution No. 11677
Contract No. 24063

E. PUBLIC HEARINGS

1. Hearing to consider property owners' objections and adopt a resolution confirming the Superintendent of Streets' Report concerning weed abatement assessments
Resolution No. 11678

City Manager Benoun gave the staff report recommending approval.

Mayor Hannon opened the public hearing at 7:56 p.m.

No one requested to speak.

Mayor Hannon closed the public hearing at 7:57 p.m.

Moved by Council Member Apodaca, seconded by Council Member Jorgens to adopt the resolution. The motion passed 3 AYES, 2 ABSENT.

2. Public Hearing for Landscaping and Lighting District Nos. 1, 2, 4, 7, 11, 15, 16, 17, 18 and 19 and Adopt a Resolution Confirming Diagrams and Assessments and Levying and Collection of Assessments for Landscaping and Lighting District Nos. 1, 2, 4, 7, 11, 15, 16, 17, 18, 19 for Fiscal 2025 and Order the Dissolution of Landscaping and Lighting District Nos. 6, 10 and 13 Commencing in Fiscal Year 2025
Resolution No. 11679

City Manager Benoun stated that Landscaping and Lighting District Nos. 2 and 11 were being continued to August 5, 2024, due to a lack of a quorum.

Management Analyst Oeverndiek gave the staff report recommending approval.

Mayor Hannon opened the public hearing at 8:00 p.m.

No one requested to speak.

Mayor Hannon closed the public hearing at 8:01 p.m.

Moved by Council Member Apodaca, seconded by Council Member Jorgens to adopt the resolution with the removal of Landscaping and Lighting District Nos. 2 and 11. The motion passed 3 AYES, 2 ABSENT.

F. OTHER BUSINESS

1. Adopt a resolution approving the Broadband Master Plan
Resolution No. 11680

Chief Information Officer/Information Technology Director Miranda gave the presentation with consultant Jeff Lewis. Presentation on file with City Clerk.

No one requested to speak.

Moved by Council Member Jorgens, seconded by Council Member Apodaca to adopt the resolution. The motion passed 3 AYES, 2 ABSENT.

2. Chief of Police Arguello presentation of the 2023 Newark Police Department Annual Report
Informational Only

Chief of Police Arguello and Police Captain Macias gave the presentation. Presentation on file with City Clerk.

No one requested to speak.

Council Member Jorgens requested that future presentations include the collision calls overlaid on a map, and to include details on the School Resource Officer (SRO) calls for service. He asked when the SRO position would be restored.

Mayor Hannon requested a breakdown of the types of crimes that were not prosecuted by the District Attorney in future presentations.

Chief of Police Arguello stated that he anticipated the SRO would be filled in the fall and would include the requested information in future presentations.

This item was informational only.

G. CITY MANAGER UPDATES

City Manager Benoun stated that Bay Area Community Health will host a health fair at the Alan L. Nagy Library on August 10, 2024. National Night Out would be held on August 6, 2024.

H. CITY COUNCIL MATTERS

Council Member Apodaca stated it was good to be back and thanked staff.

Council Member Jorgens welcomed Council Member Apodaca.

Mayor Hannon welcomed Council Member Apodaca and thanked Supervisor Márquez for her attendance. He provided an update on the Senior Advisory Committee meeting and thanked the Committee Members.

I. CLOSED SESSION

1. Conference with legal counsel - Existing Litigation
Pursuant to California Government Code Section 54956.9(d)(1)
Name of Case: In re National Prescription Opiate Litigation (National opioid litigation involving Kroger)
Case No. 1:17-MD-2804

No one requested to speak.

At 9:35 p.m. the City Council recessed to a closed session.

At 9:36 p.m. the City Council convened in closed session, with the exception of Vice Mayor Freitas and Council Member Collazo.

At 9:45 p.m. the City Council reconvened in open session with all Council Members present, with the exception of Vice Mayor Freitas and Council Member Collazo.

J. ADJOURNMENT

Mayor Hannon adjourned the meeting at 9:45 p.m.

Sheila Harrington
City Clerk