



CITY OF NEWARK CITY COUNCIL

37101 Newark Boulevard, Newark, CA 94660-3796 • 510-578-2666 • E-mail: cityclerk@newark.org

City Administration Building
7:30 p.m.
City Council Chambers

AGENDA

Thursday, April 14, 2016

- A. ROLL CALL

- B. MINUTES
 - B.1 Approval of Minutes of the regular City Council meeting of Thursday, March 24, 2016. (MOTION)

- C. PRESENTATIONS AND PROCLAMATIONS
 - C.1 Presentation by the Farmers and Farmerettes Square Dance Club. (PRESENTATION)

 - C.2 Presentation on Alameda County's efforts to develop a Community Choice Energy Program. (PRESENTATION)

- D. WRITTEN COMMUNICATIONS
 - D.1 Planning Commission referral of an Architectural and Site Plan Review and an addendum to an Environmental Impact Report for a project consisting of two hotels (Staybridge Suites and SpringHill Suites) and one restaurant (Bubba's 33) at 6000 NewPark Mall Road (APN: 901-111-3 & 4) – from Assistant City Manager Grindall. (RESOLUTIONS-2)

 - D.2 Planning Commission referral of an extension to Vesting Tentative Map 8157 for the SHH Project along Enterprise Drive and Willow Street – from Assistant City Manager Grindall. (RESOLUTION)

- E. PUBLIC HEARINGS
 - E.1 Hearing to consider property owners' objections to the 2016 Weed Abatement Program and instruction to the Superintendent of Streets to

abate the public nuisances - from Deputy Fire Marshal Guier and
Maintenance Supervisor Hornbeck. (MOTION)

F. CITY MANAGER REPORTS

(It is recommended that Items F.1 through F.3 be acted on simultaneously unless separate discussion and/or action is requested by a Council Member or a member of the audience.)

CONSENT

- F.1 Second reading and adoption of an ordinance amending the Newark Municipal Code by repealing Chapter 2.20 Redevelopment Agency – from City Clerk Harrington. (ORDINANCE)

- F.2 Establishing the number of residents in the City of Newark for the purpose of determining the voluntary expenditure ceiling for the November 8, 2016, Municipal Election - from City Clerk Harrington. (RESOLUTION)

- F.3 Approval of plans and specifications, acceptance of bid and award of contract to R&R Pacific Construction, Inc., and amendment to the 2014-2016 Biennial Budget and Capital Improvement Plan for Fiscal Year 2015-2016 for the Service Center Concrete Pad, Project 1125 – from Associate Civil Engineer Tran. (MOTION)(RESOLUTIONS-2)

NONCONSENT

- F.4 Presentation of the Draft Five-Year Forecast 2016-2021 – from Administrative Services Director Woodstock. (PRESENTATION)

- F.5 Update on the 2016-2018 Capital Improvement Plan – from Public Works Director Fajeau. (INFORMATIONAL ONLY)

- F.6 Approval of specifications, acceptance of proposal and award of contract to SWA Services Group, Inc., and amendment to the 2014-2016 Biennial Budget and Capital Improvement Plan for Fiscal Year 2015-2016 for Janitorial Services to City Buildings – from Maintenance Supervisor Connolly. (MOTION)(RESOLUTIONS-2)

G. CITY ATTORNEY REPORTS

- G.1 Claim of Steve Barrett – from City Clerk Harrington. (MOTION)**

H. ECONOMIC DEVELOPMENT CORPORATION

I. CITY COUNCIL MATTERS

- J.1 Reappointing Senior Citizen Standing Advisory Committee members - from Mayor Nagy. (RESOLUTION)**

J. CITY COUNCIL ACTING AS THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY

K. ORAL COMMUNICATIONS

L. APPROPRIATIONS

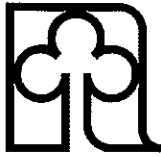
- Approval of Audited Demands for the City Council meeting of April 14, 2016. (MOTION)**

M. CLOSED SESSION

N. ADJOURNMENT

Pursuant to Government Code 54957.5: Supplemental materials distributed less than 72 hours before this meeting, to a majority of the City Council, will be made available for public inspection at this meeting and at the City Clerk's Office located at 37101 Newark Boulevard, 5th Floor, during normal business hours. Materials prepared by City staff and distributed during the meeting are available for public inspection at the meeting or after the meeting if prepared by some other person. Documents related to closed session items or are exempt from disclosure will not be made available for public inspection.

For those persons requiring hearing assistance, please make your request to the City Clerk two days prior to the meeting.



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City Administration Building
7:30 p.m.
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AGENDA

Thursday, April 14, 2016

CITY COUNCIL:

Alan L. Nagy, Mayor
Luis L. Freitas, Vice Mayor
Sucy Collazo
Michael K. Hannon
Mike Bucci

CITY STAFF:

John Becker
City Manager
Terrence Grindall
Assistant City Manager
Susie Woodstock
Administrative Services Director
Sandy Abe
Human Resources Director
Soren Fajeau
Public Works Director
Jim Leal
Police Chief
David Zehnder
Recreation and Community
Services Director
David J. Benoun
City Attorney
Sheila Harrington
City Clerk

Welcome to the Newark City Council meeting. The following information will help you understand the City Council Agenda and what occurs during a City Council meeting. Your participation in your City government is encouraged, and we hope this information will enable you to become more involved. The Order of Business for Council meetings is as follows:

- | | |
|-------------------------------------|-------------------------|
| A. ROLL CALL | I. COUNCIL MATTERS |
| B. MINUTES | J. SUCCESSOR AGENCY |
| C. PRESENTATIONS AND PROCLAMATIONS | TO REDEVELOPMENT AGENCY |
| D. WRITTEN COMMUNICATIONS | K. ORAL COMMUNICATIONS |
| E. PUBLIC HEARINGS | L. APPROPRIATIONS |
| F. CITY MANAGER REPORTS | M. CLOSED SESSION |
| G. CITY ATTORNEY REPORTS | N. ADJOURNMENT |
| H. ECONOMIC DEVELOPMENT CORPORATION | |

Items listed on the agenda may be approved, disapproved, or continued to a future meeting. Many items require an action by motion or the adoption of a resolution or an ordinance. When this is required, the words **MOTION**, **RESOLUTION**, or **ORDINANCE** appear in parenthesis at the end of the item. If one of these words does not appear, the item is an informational item.

The attached *Agenda* gives the *Background/Discussion* of agenda items. Following this section is the word *Attachment*. Unless "none" follows *Attachment*, there is more documentation which is available for public review at the Newark Library, the City Clerk's office or at www.newark.org. Those items on the Agenda which are coming from the Planning Commission will also include a section entitled *Update*, which will state what the Planning Commission's action was on that particular item. *Action* indicates what staff's recommendation is and what action(s) the Council may take.

Addressing the City Council: You may speak once and submit written materials on any listed item at the appropriate time. You may speak once and submit written materials on any item **not** on the agenda during **Oral Communications**. To address the Council, please seek the recognition of the Mayor by raising your hand. Once recognized, come forward to the lectern and you may, but you are not required to, state your name and address for the record. Public comments are limited to five (5) minutes per speaker, subject to adjustment by the Mayor. Matters brought before the Council which require an action may be either referred to staff or placed on a future Council agenda.

No question shall be asked of a council member, city staff, or an audience member except through the presiding officer. No person shall use vulgar, profane, loud or boisterous language that interrupts a meeting. Any person who refuses to carry out instructions given by the presiding officer for the purpose of maintaining order may be guilty of an infraction and may result in removal from the meeting.



CITY OF NEWARK CITY COUNCIL

37101 Newark Boulevard, Newark, CA 94560-3796 • 510-578-4266 • E-mail: city.clerk@newark.org

City Administration Building
7:30 p.m.
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Minutes

Thursday, March 24, 2016

At 6:30 p.m. the City Council planted a tree for Arbor Day in the City Hall parking lot.

A. ROLL CALL

Mayor Nagy called the meeting to order at 7:32 p.m. Present were Council Members Hannon, Collazo, Bucci, and Vice Mayor Freitas.

B. MINUTES

B.1 Approval of Minutes of the regular City Council meeting of Thursday, March 10, 2016.

Council Member Bucci moved, Council Member Collazo seconded, to approve the Minutes of the regular City Council meeting. The motion passed, 5 AYES.

C. PRESENTATIONS AND PROCLAMATIONS

C.1 Introduction of employees.

Mayor Nagy introduced newly hired city employees: Administrative Support Specialist Rebecca Hibbs, Building Inspector Kenneth Wood, and Police Dispatcher Spencer Elmore.

C.2 Proclaiming March 29, 2016 as Welcome Home Vietnam Veterans Day.

Mayor Nagy presented the proclamation to Mike Vigil and his fellow Vietnam veterans.

D. WRITTEN COMMUNICATIONS

E. PUBLIC HEARINGS

E.1 Hearing to consider: (1) P-16-4, a planned unit development and U-16-5, a conditional use permit for two corridor access lots on Sunset Avenue (APN: 92A-465-56); and (2) ASR-16-6, an Architectural and Site plan Review for two single family homes at 7731 and 7733 Sunset Avenue.

**RESOLUTION NO. 10473
MOTION APPROVED**

Assistant City Manager Grindall gave the staff report recommending approval.

At 7:45 p.m. Mayor Nagy opened the public hearing

Abdul Durrani, the project applicant, stated that he read and agreed to the conditions.

Mike Vigil asked a question unrelated to this item. Mayor Nagy referred him to the oral communications section of the agenda as the appropriate time to ask his question.

At 7:48 p.m. Mayor Nagy closed the public hearing.

Council Member Hannon moved, Council Member Collazo seconded to: (1) by resolution approve P-16-4, a planned unit development and U-16-5, a conditional use permit for two corridor access lots on Sunset Avenue (APN: 92A-465-56); and (2) by motion, approve ASR-16-6, an Architectural and Site plan Review for two single family homes at 7731 and 7733 Sunset Avenue, with Exhibit A, pages 1 through 9. The motion passed, 5 AYES.

E.2 Public Hearing, per the Tax and Equity Fiscal Responsibility Act, to consider the issuance of revenue bonds by the California Municipal Finance Authority (CMFA), for and on behalf of USA Properties Fund Inc., in an amount not to exceed \$17,000,000, for a 75 unit multi-family, rental housing facility located at 37433 Willow Street; and authorizing the execution of a Joint Exercise of Powers Agreement relating to the CMFA.

**RESOLUTION NO. 10474
CONTRACT NO. 16012**

Assistant City Manager Grindall stated that the City Council previously approved the SHH project which provided for 75 affordable housing units within the Dumbarton Transit Oriented Development. USA Properties Fund, Inc. is seeking bond financing for the project. He noted that the bond financing is not an issuance of the City of Newark; it is the sole responsibility of USA Properties, Fund Inc. to pay.

In response to Council Member Bucci, Assistant City Manager Grindall stated that the TEFRA hearing was necessary for the City to determine that this project was a benefit for the City in order for the applicant to qualify for the tax-exempt bonds. There would be income restrictions for the rentals.

At 7:54 p.m. Mayor Nagy opened the Public Hearing.

Anthony Stubbs, on behalf of the California Municipal Finance Authority, stated that he read the resolution and agreed to the conditions.

Daren Braboswki on behalf of USA Properties Fund, Inc., stated that he read the resolution and agreed to the conditions. He stated that construction would begin around August and would take approximately 12 months to complete.

At 7:57 p.m. Mayor Nagy closed the Public Hearing.

Council Member Bucci moved, Vice Mayor Freitas seconded to, by resolution, authorize and direct the execution of a Joint Exercise of Powers Agreement relating to the California Municipal Finance Authority and approving the issuance of revenue bonds by the Authority for the purpose of financing or refinancing the acquisition, construction improving and equipping of certain facilities at 37433 Willow Street for the benefit of USA Properties Fund, Inc., or an affiliate thereof. The motion passed, 5 AYES.

F. CITY MANAGER REPORTS

Council Member Collazo moved, Council Member Bucci seconded, to approve Consent Calendar Items F.1 and that reading of the title suffice for introduction of the ordinance. The motion passed, 5 AYES.

CONSENT

- F.1 Introduction of an ordinance amending the Newark Municipal Code by repealing Chapter 2.20 Redevelopment Agency. ORDINANCE INTRODUCED**

G. CITY ATTORNEY REPORTS

H. ECONOMIC DEVELOPMENT CORPORATION

I. CITY COUNCIL MATTERS

Mayor Nagy congratulated the Recreation and Community Services staff for another successful Family Day in the Park. He wished everyone a Happy Easter.

Vice Mayor Freitas stated that the PG&E representatives at the last City Council meeting provided an informative presentation on the gas lines in the city. He requested a ground breaking ceremony for the rental housing facility at 37433 Willow Street.

Council Member Hannon thanked the Vietnam veterans for their service to the country.

Council Member Collazo stated that she attended the Alameda County Strategic Vision Workshop. The purpose of the workshop was to identify a vision of the services that will be needed in the future at the library. She wished everyone a Happy Easter.

Council Member Bucci stated that his family had a great time at Family Day in the Park. He thanked the Vietnam veterans for their service, and complimented the senior housing project.

J. CITY COUNCIL ACTING AS THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY

K. ORAL COMMUNICATIONS

Mike Vigil stated that the light pole near 35944 Spruce Street stopped working about 2 weeks ago. He noted that it was dented from a car and he noticed work was done to the base. He asked if it was going to be repaired or demolished.

Mayor Nagy stated that staff would follow up with him.

Lizette Poole, a teacher at California State University East Bay, provided a handout to the City Council on an Islamic Studies Initiative. She stated that they wanted to expose students to Islamic studies to increase education in the community.

L. APPROPRIATIONS

Approval of Audited Demands for the City Council meeting of March 24, 2016.

City Clerk Harrington read the Register of Audited Demands: Check numbers 107247 to 107349.

Vice Mayor Freitas moved, Council Member Collazo seconded, to approve the Register of Audited Demands. The motion passed, 5 AYES.

M. CLOSED SESSION

M.1 Closed session for conference with Legal Counsel pursuant to Government Code Section 54956.9(b), Anticipated Litigation: One case – from Human Resources Director Abe and City Attorney Benoun.

City Attorney Benoun announced that it was no longer necessary to hold the closed session.

N. ADJOURNMENT

At 8:10 p.m., Mayor Nagy adjourned the City Council meeting.

C.1 Presentation by the Farmers and Farmerettes Square Dance Club.

(PRESENTATION)

Background/Discussion – The Farmers and Farmerettes Square Dance Club is a Newark-based group that does exhibition and entertainment square dancing and is also involved with local charities. Don Baker and representatives from the Farmers and Farmerettes will be at the City Council meeting to present a contribution to the Newark Betterment Corporation.

C.2 Presentation on Alameda County's efforts to develop a Community Choice Energy Program. (PRESENTATION)

Background/Discussion – In 2014, the Alameda County Board of Supervisors voted to explore the creation of a Community Choice Aggregation energy program. Community Choice Energy enables local governments to procure and/or develop power on behalf of their public facilities, residents, and businesses. A representative from the Alameda County Community Development Agency will provide an update on the County's efforts to develop a Community Choice Energy program.



ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY

Chris Bazar
Agency Director

224 West Winton Ave
Room 110

Hayward, California
94544-1215

phone
510.670.5333
fax
510.670.6374

www.acgov.org/cda

MEMORANDUM

DATE: March 29, 2016

TO: Alameda County City Councils and City Managers

FROM: *CB*
Chris Bazar, Alameda County Community Development Director

RE: East Bay Community Energy

Thank you for the opportunity to address your elected body; we are very excited about the road ahead as we make our way towards the creation of an Alameda County Community Choice Aggregation (CCA) energy program.

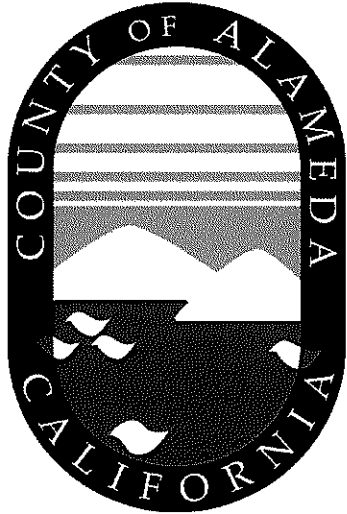
As you may know, the Alameda County Board of Supervisors voted unanimously in June 2014 to allocate \$1.3M to explore the creation of a CCA program, and directed County staff to undertake the steps necessary to evaluate its feasibility. CCA enables local jurisdictions to procure electricity on behalf of customers within their borders. Established by AB117 in 2002, California currently has four active CCA Programs in Marin, Sonoma, and San Francisco Counties, as well as the City of Lancaster. Dozens of other local governments are exploring CCA options across the State.

Here in Alameda County we are now more than 18 months into a rigorous community process that includes representation from all eligible cities in our County, as well as a robust steering committee that includes stakeholders from environmental and social justice organizations, labor, regional government, and more. One of the major milestones in assessing the viability of a CCA program is completion of a technical/feasibility study, which we expect will be completed in the next two months.

Assuming we get results from our technical study comparable to what other jurisdictions have seen, we expect a CCA program would be very feasible and could result in an East Bay Clean Energy program serving 1.5 million residents that would be the largest in the state. Our technical study also includes an economic development and job creation element to ensure project benefits can be achieved locally.

Our work in creating a Joint Powers Agency (JPA) is also well underway. A draft document is being reviewed by your City Attorneys in coordination with our County Counsel; the object is to help City Attorneys become comfortable with the terms and language for eventual inclusion of the jurisdiction into the JPA. We hope to have every eligible city in Alameda County as a member of the JPA by Fall 2016.

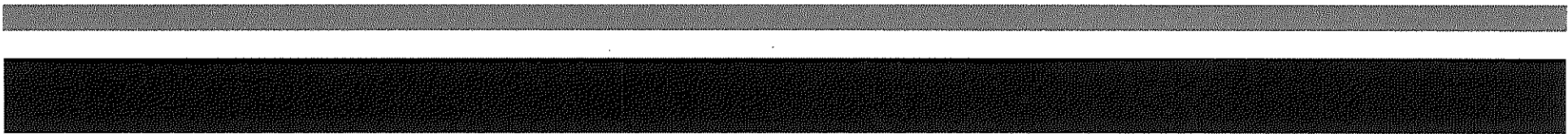
Through the spring and summer we will be visiting each city represented on the steering committee (all cities in the County except Alameda) with a brief introduction/preview into the CCA concept, plus an update on the work to date. These presentations are intended to cover CCA generally, answer any questions about the process, and help prepare the various City Councils/City Managers to take the necessary steps to join the JPA in the fall of 2016.



Community Choice Energy for Alameda County

Status Update

City of Newark
Thursday, April 14, 2016

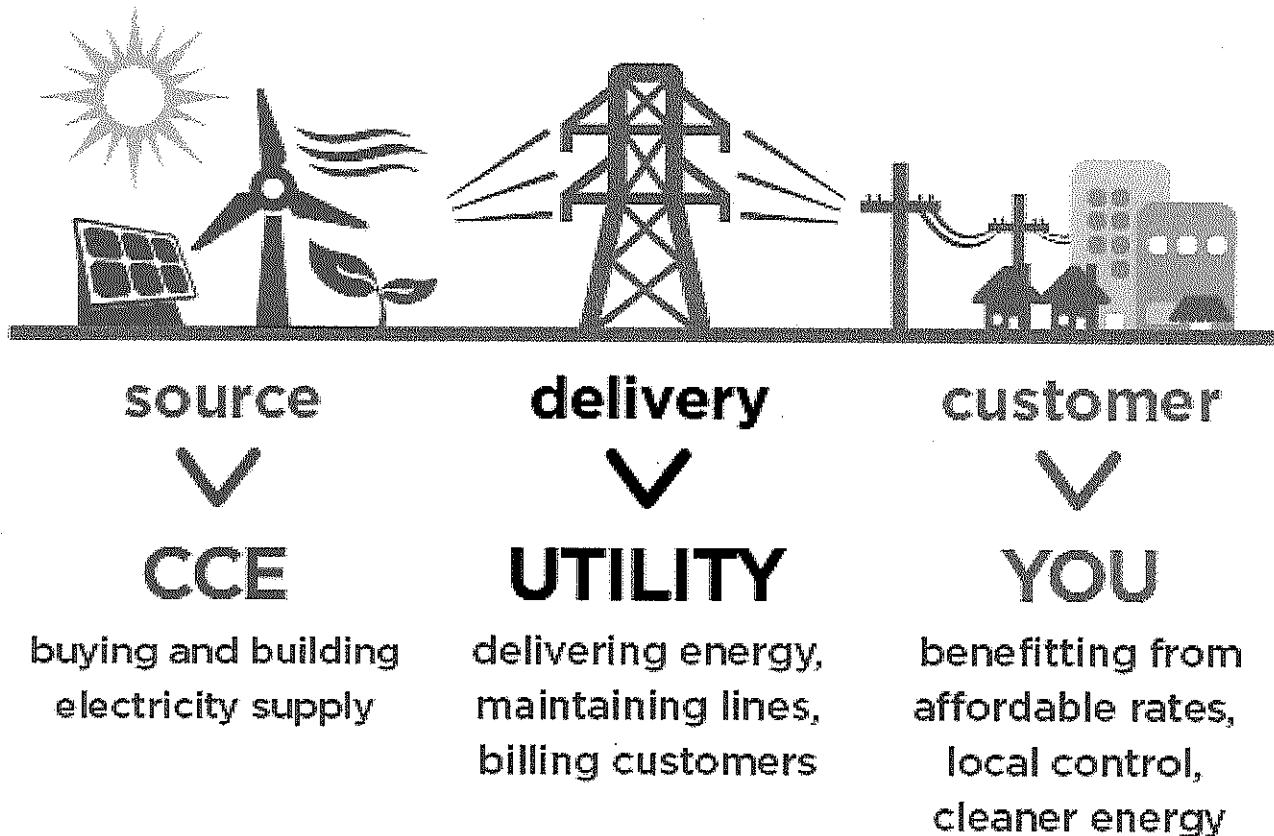


What is Community Choice Energy?



CCE enables local governments to procure and/or develop power on behalf of their public facilities, residents and businesses. It has proven to increase renewable energy and lower greenhouse gases while providing competitive electricity rates.

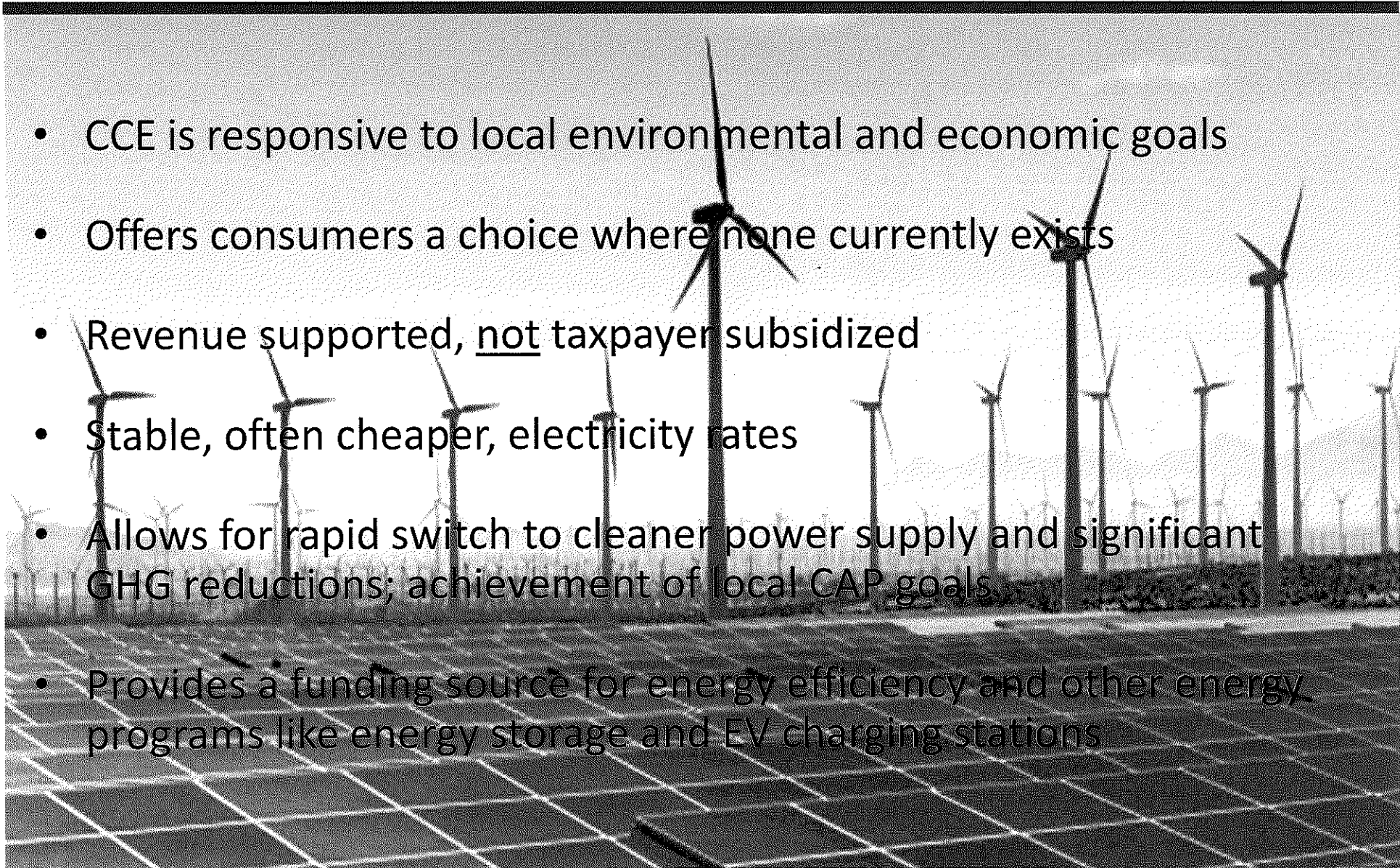
How Community Choice Energy Works



Potential CCE Advantages



- CCE is responsive to local environmental and economic goals
- Offers consumers a choice where none currently exists
- Revenue supported, not taxpayer subsidized
- Stable, often cheaper, electricity rates
- Allows for rapid switch to cleaner power supply and significant GHG reductions; achievement of local CAP goals
- Provides a funding source for energy efficiency and other energy programs like energy storage and EV charging stations



CCE is Growing in California



- **Operational CCAs**
MCE Clean Energy (*includes Napa County, parts of Contra Costa and Solano Counties*)
Lancaster Choice Energy
Sonoma Clean Power

- **2016 Launch**
City/County of San Francisco / *CleanPowerSF*
San Mateo County / *Peninsula Clean Energy*

- **Exploring / in Process**
Alameda County
Butte County
City of San Jose
Contra Costa County
Humboldt County
Lake County
Los Angeles County
Mendocino County
Monterey County*
Placer County
Riverside County
San Benito County*
San Bernardino County
San Diego County
San Luis Obispo County**
Santa Barbara County**
Santa Clara County / *Silicon Valley Clean Energy*
Santa Cruz County*
Solano County
Ventura County**
Yolo County

*Monterey Bay Tri-County

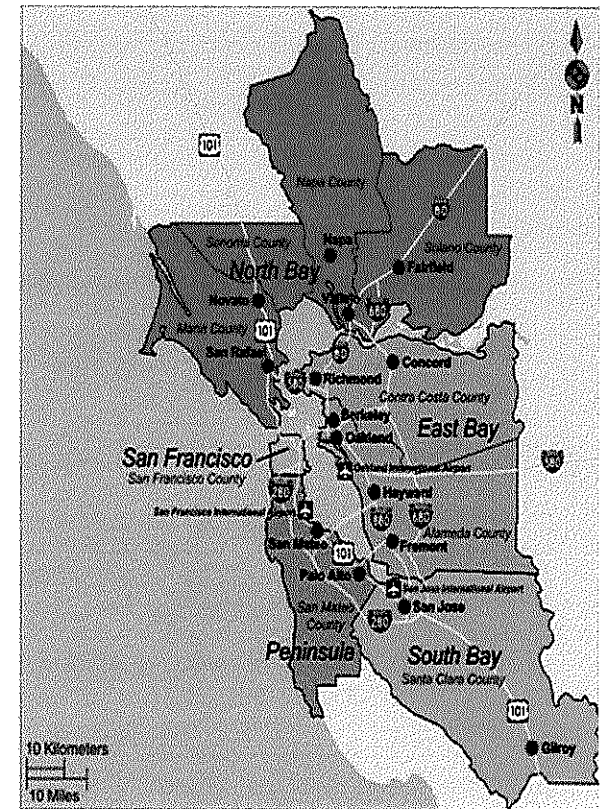
**Central Coast Tri-County

Status in Bay Area Counties



All Nine Counties Engaged ...

Operational:	Marin, Sonoma Counties City of San Francisco
Joined Marin:	County of Napa Cities of Richmond, San Pablo, El Cerrito, Benicia
Launching Soon:	San Mateo County
Under Development:	Alameda, Santa Clara Counties
Early Investigations:	Contra Costa County
Next/Follow Up:	Solano County



The Context in Alameda

- In June 2014, the Board of Supervisors allocated \$1.32 million to assess CCE in Alameda. Up to \$3.25 million may be spent if the first phase looks positive.
- First phase includes establishing the Steering Committee, doing city and stakeholder outreach, and conducting the technical study.
- All eligible cities authorized load data collection
- MRW & Associates in Oakland was selected as the tech. study consultant and has started work.



3 CCE Programs in California... so far



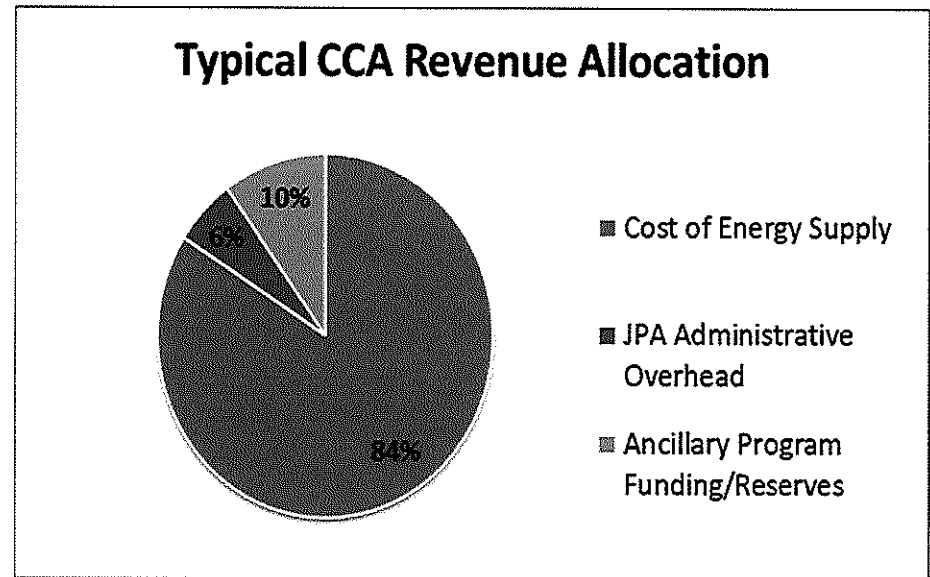
Launch Year	2015 Avg. Customer Rate Savings	Power Options (current)
2010	2-5% below PG&E	56% Renewable 100% Renewable 100% Local Solar
2014	6-14% below PG&E	36% Renewable 100% Renewable
2015	3-4% below SCE	35% Renewable 100% Renewable

CCE Financial Performance



MCE and SCP are fiscally sound

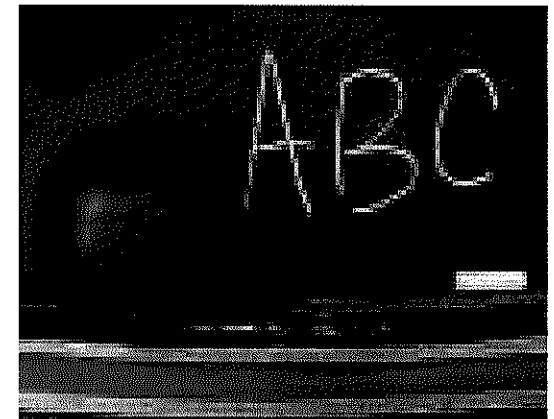
	MCE (FY15-16)	SCP (FY15-16)
Total Projected Revenue	\$145,933,000	\$165,495,000
Expenses	\$141,433,000	\$148,588,000
Cost of Energy	\$129,522,000	\$130,100,000
Cost of Administration	7%	4.5%
Projected Net Increase in Reserves	\$4,500,000	\$16,907,000



Basic Program Mechanics




1. Form or join a Joint Powers Agency: Local governments participate by passing an ordinance and entering into a JPA Agreement. JPA structure protects city general funds.
2. Utility (PG&E) continues to provide consolidated billing, customer service, grid and line maintenance.
3. PG&E programs for low income/CARE customers remain the same
4. CCE electric generation charges (including exit fee) appear as new line items on the customer bill; all other charges remain the same.
5. CPUC certifies CCE Plan; oversees utility/CCE service agreement and other requirements.
6. Under State law, CCE is an “opt-out” program.



Sample Energy Bill – MCE



 ENERGY STATEMENT www.pge.com/MyEnergy	Account No: 1234567890-1
	Statement Date: 10/01/2013
	Due Date: 10/22/2013

Service For: MARY SMITH 1234 STREET AVENUE SAN RAFAEL, CA 94804	Your Account Summary
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Questions about your bill? 24 hours per day, 7 days per week Phone: 1-866-743-0335 www.pge.com/MyEnergy	<table border="0"> <tr> <td>Amount Due on Previous Statement</td> <td>82.85</td> </tr> <tr> <td>Payments Received Since Last Statement</td> <td>82.85</td> </tr> <tr> <td>Previous Unpaid Balance</td> <td>\$0.00</td> </tr> <tr> <td>Current PG&E Electric Delivery Charges</td> <td>\$39.32</td> </tr> <tr> <td>MCE Electric Generation Charges</td> <td>\$42.81</td> </tr> <tr> <td>Current Gas Charges</td> <td>\$27.20</td> </tr> <tr> <td>Total Amount Due</td> <td>\$109.33</td> </tr> </table>	Amount Due on Previous Statement	82.85	Payments Received Since Last Statement	82.85	Previous Unpaid Balance	\$0.00	Current PG&E Electric Delivery Charges	\$39.32	MCE Electric Generation Charges	\$42.81	Current Gas Charges	\$27.20	Total Amount Due	\$109.33
Amount Due on Previous Statement	82.85														
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Current PG&E Electric Delivery Charges	\$39.32														
MCE Electric Generation Charges	\$42.81														
Current Gas Charges	\$27.20														
Total Amount Due	\$109.33														

Local Office Address


750 LINDARO STREET, STE 160
 SAN RAFAEL, CA 94901

Page 1

Important Messages

Your charges on this page are separated into delivery other than PG&E. These two charges are for different

Electric power line safety PG&E cares about your safety. Keep antennas at least 10 feet away from overhead power lines. For more information, call 9-1-1 and then PG&E at 1-800-743-5000.

 ENERGY STATEMENT www.pge.com/MyEnergy	Account No: 1234567890-1
	Statement Date: 10/01/2013
	Due Date: 10/22/2013

Details of MCE Electric Generation Charges
 10/01/2013 – 11/01/2013 (31 billing days)
 SERVICE FOR: 1234 STREET AVENUE
 Service Agreement ID: 0123456789 ESP Customer Number: 0123456789

10/01/2013 – 11/01/2013

Rate Schedule: RES-1

DEEP GREEN - TOTAL	508.000000 kWh @ \$0.0100	\$5.08
GENERATION - TOTAL	508.000000 kWh @ \$0.07400	\$37.59
	Net charges	\$42.67

Energy Surchage	\$0.14
Total MCE Electric Generation Charges	\$42.81

Service Information
 Total Usage 508.000000 kWh

For questions regarding charges on this page, please contact:
 MCE
 781 LINCOLN AVE STE 320
 SAN RAFAEL CA 94901
 1-888-632-3674
www.mceCleanEnergy.com

Additional Messages
 For questions regarding your charges on this page, please contact your Third Party Energy Service Provider.

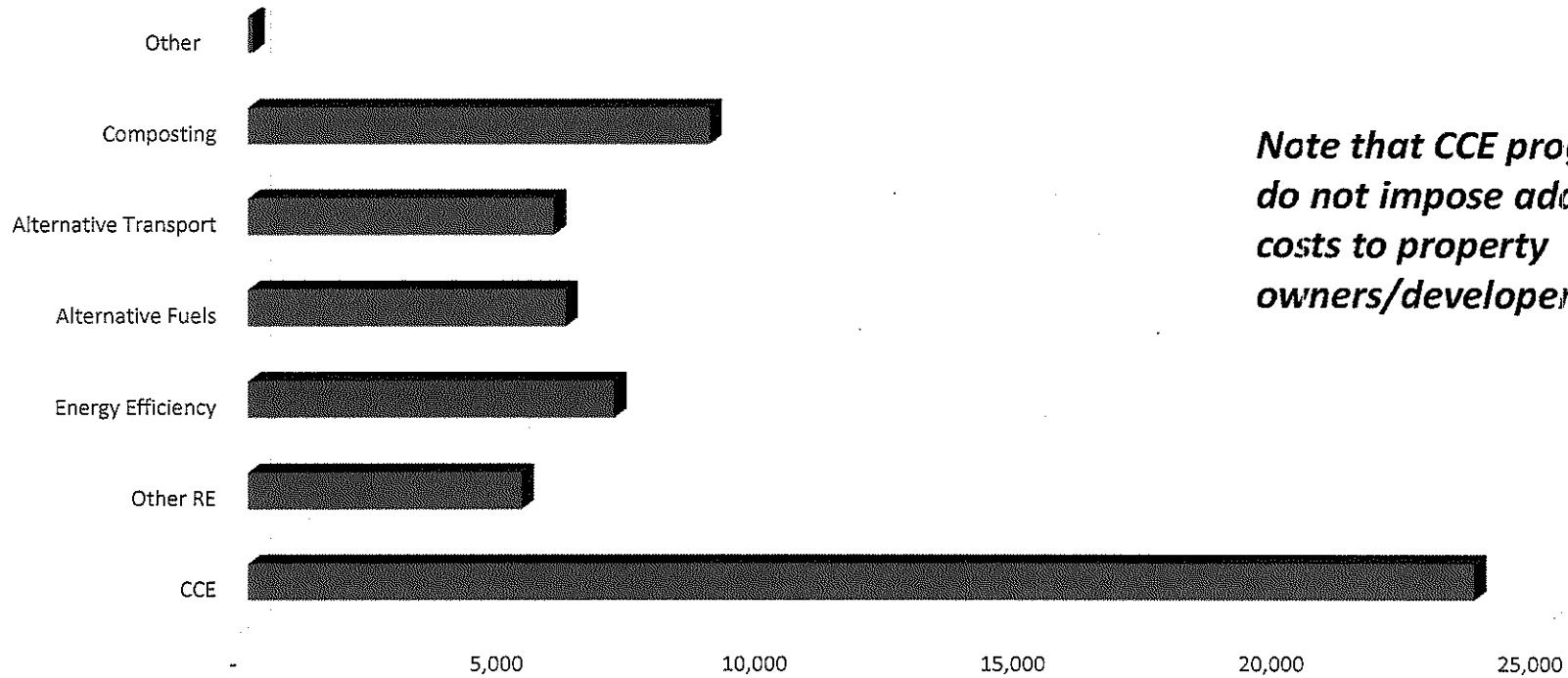
Page 2

CCE & Local Climate Action Plans

Excerpt from City of San Mateo Climate Action Plan

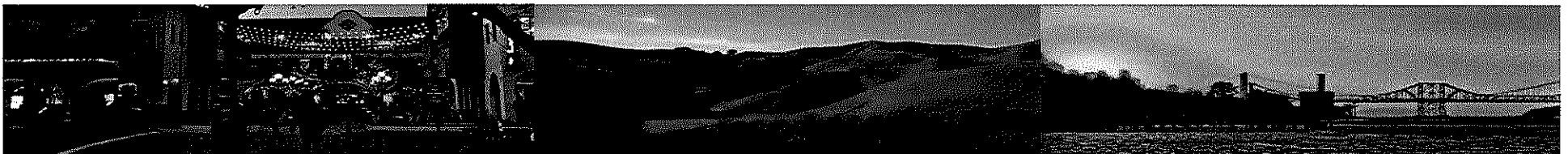


CAP Program Options



Note that CCE programs do not impose additional costs to property owners/developers

Tons of CO2 reduced through 2020



What are the Risks...

And how are they mitigated?



Rate Competition/Market Fluctuation: Rates will vary with market conditions. Power market expertise and well crafted power RFPs are essential; Diversified supply portfolio and “value add” programs.



Customer Opt-Out: Competitive rates are a must; Articulate additional consumer and community benefits.



Political: Align CCA to local policy objectives; Appeal to both progressive and conservative minds by making the environmental AND business case.

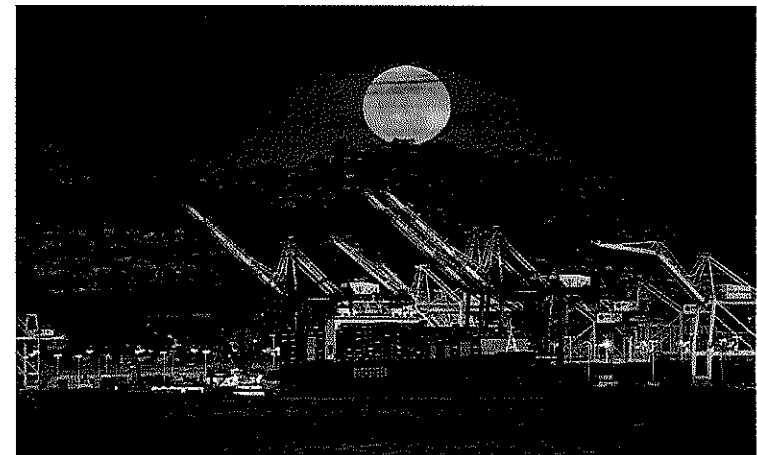


Regulatory/Legislative: PUC decisions may adversely affect CCA; also example of AB 2145; Participate in the regulatory and legislative process.

Next Steps: Tech Study



- Purpose is to determine MWH need, peak demand requirements, ability to be competitive with PG&E and procure enough renewables
- Alameda's tech study is unique for two reasons:
 - Economic Development: Seeking to quantify more precisely the job creation benefits of local renewables development
 - Energy Efficiency: Assessing the potential for energy efficiency programs as an integral part of the CCE program
- Draft of tech study expected to be completed by late-May.



Tech Study Results from San Mateo

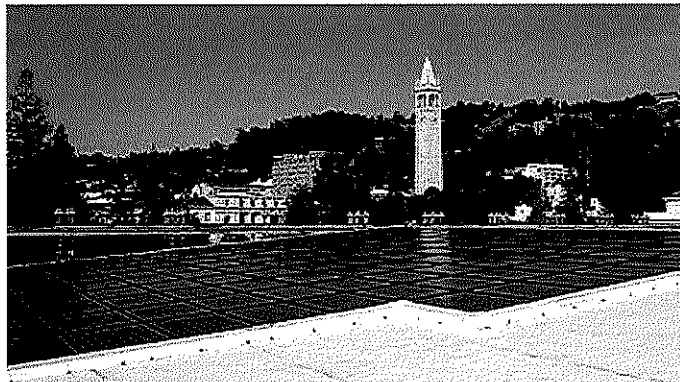


Key Considerations	Scenario 1	Scenario 2	Scenario 3
General Environmental Benefits	35% Renewable 35% GHG-Free	50% Renewable 63% GHG-Free	100% Renewable 100% GHG-Free
Rate Competitiveness (on average, relative to PG&E rate projections)	6% <u>savings</u>	4% <u>savings</u>	2% <u>increase</u>
Projected Residential Customer Cost Impacts (On average, relative to PG&E rate projections. Average monthly usage for residential customers = 450 kWh)	\$5.40 monthly cost <u>savings</u>	\$4.05 monthly cost <u>savings</u>	\$1.80 monthly cost <u>increase</u>
Assumed Customer Participation	85% across all customer groups	85% across all customer groups	75% for residential and small commercial 50% for all other groups
Comparative GHG Emissions Impacts (approx. savings in metric tons of CO ₂ equivalent)	211,000 MTCO ₂ of <u>additional</u> GHG emissions in Year 1	75,000 MTCO ₂ of GHG emissions <u>reduction</u> in Year 1	204,000 MTCO ₂ of GHG emissions <u>reduction</u> in Year 1

CCE Steering Committee (SC)



- Representatives from all cities included
- Outside stakeholders including environmental groups, labor, social justice and other organizations
- The SC meets every month to discuss CCE issues and advise Board of Supervisors (for example, the Committee advised on the scope of the technical study).
- Also a forum for discussion and education (including presentations on broader energy markets, CCE policy updates, etc.)

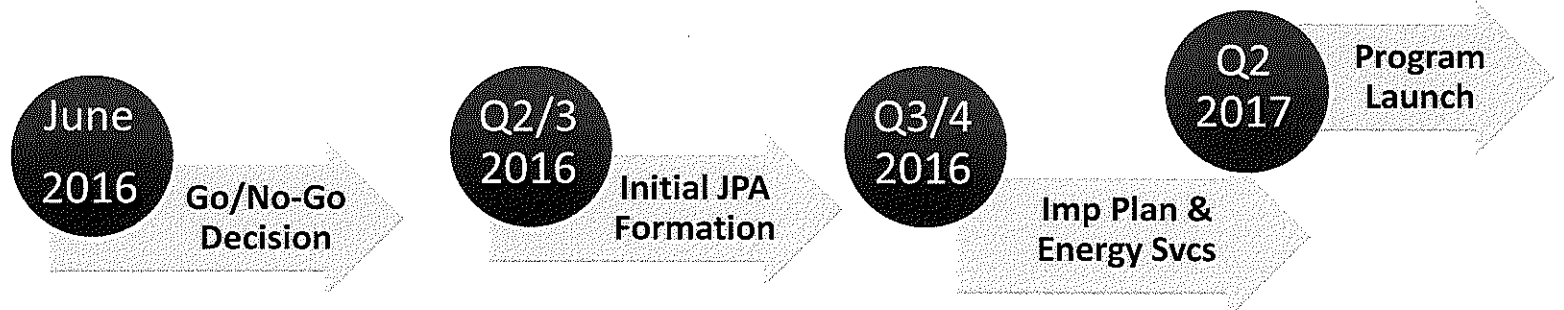
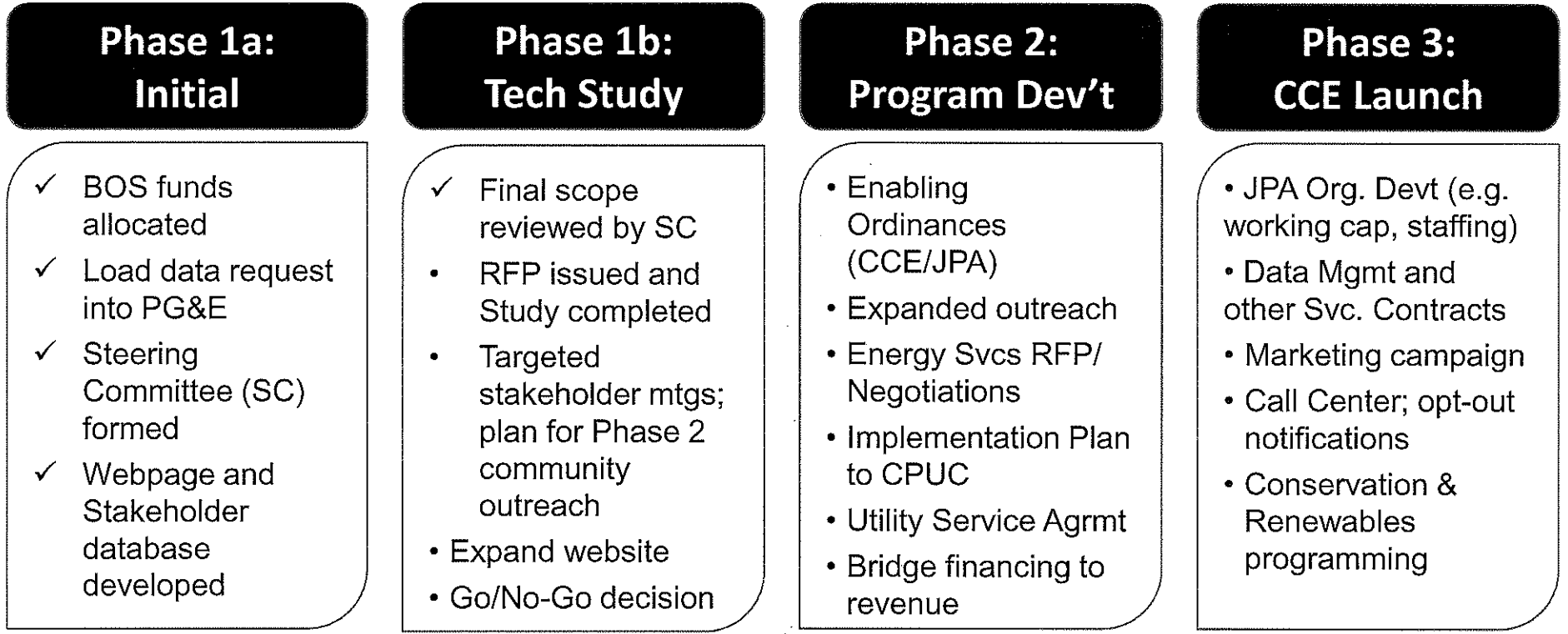


Project Timeline



- Goal is to launch EBCE by April 2017
 - To meet this goal, we are working on parallel paths
 - The County is starting the JPA process now and has reached out to all the city managers and attorneys. The tentative deadline to join the JPA is October 31, 2016
 - As an initial step, County is briefing all the cities on progress to date and plans going forward.
-

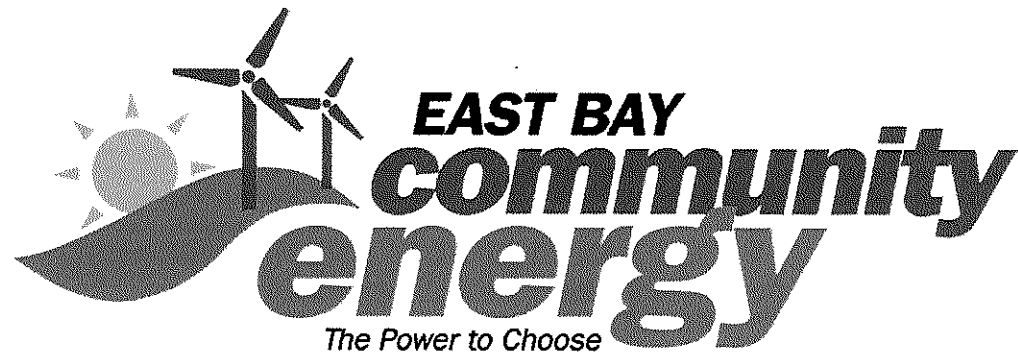
Project Timeline



What We're Asking from the Cities



- Your city manager has already authorized collection of your city's load data for the technical study.
- Right now, we're only updating you and re-introducing the concept to city councils.
- If the study seems positive and if the BOS approves funding for Phase 2, we will do another round of presentations to the cities on the study's results. Most likely in early-summer.
- At that point, we will ask cities to decide whether or not they will join EBCE. A copy of the negotiated JPA agreement and CCE ordinance will be provided.
- The **tentative** deadline for cities to determine their participation is October 31.
- The County stands ready to assist the cities in whatever it needs to make this decision (community workshops, study sessions, preparation of staff reports, etc.). No expenditure of city general funds will be required



Thank you!

For further information, please contact:
Bruce Jensen
Alameda County Planning Department
(510) 670-5400
Bruce.Jensen@acgov.org





PLANNING DEPARTMENT

CCA Community Choice Aggregation

Frequently Asked Questions

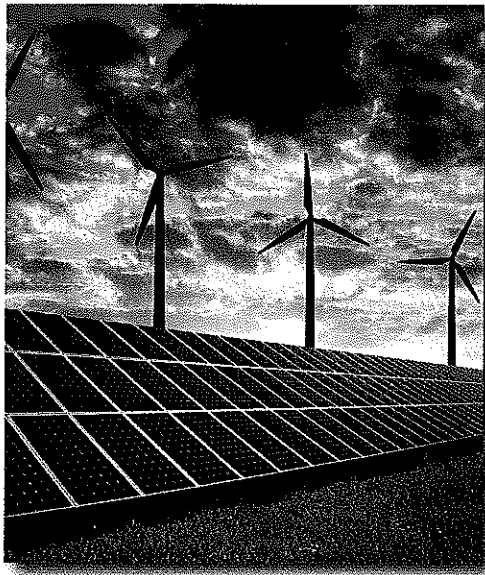
This document is intended to clarify questions about a potential Community Choice Aggregation (CCA) program in Alameda County. County staff is working with stakeholders and local government officials to examine the economic benefits, risks, and feasibility of CCA in Alameda County.

What is Community Choice Aggregation (CCA)?

Community Choice Aggregation enables the County and/or its cities to pool the electricity demand of participating communities' homes, businesses, and municipal facilities to buy and/or develop power on their behalf. The electricity continues to be distributed and delivered over the existing electricity lines by the incumbent utility, which is Pacific Gas and Electric (PG&E) in Alameda County.

How does CCA work?

The CCA operates as a non-profit public agency with a publicly accountable board of directors. Based on the values of participating communities, the CCA can choose what type of electricity to purchase and where the electricity originates (or is produced) geographically. This means that the CCA program can buy renewable, low carbon emission energy and support the State and local economy by purchasing energy produced in the State of California, regionally and locally. It can also offer locally tailored energy programs and attractive financial tools that support energy efficiency programs, ownership of rooftop solar and other renewable technologies and strategies.

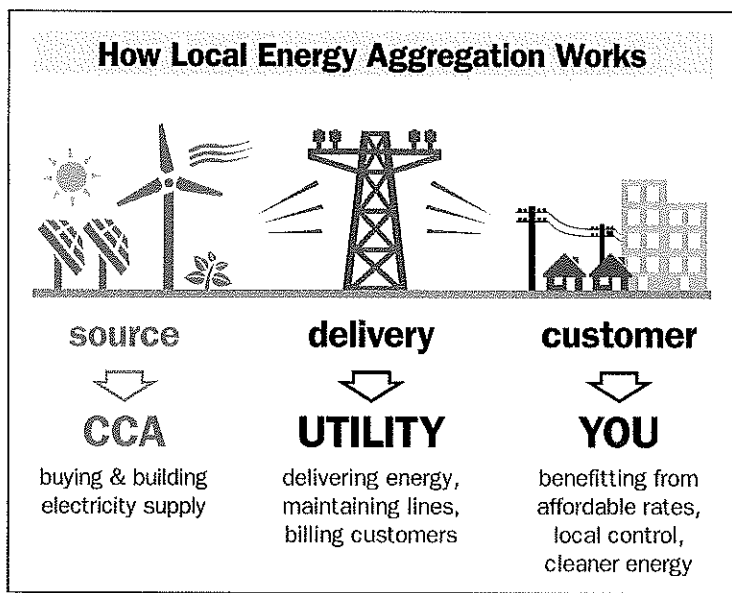


The County welcomes your participation and that of all interested stakeholders.

As a stakeholder, you are invited to receive updates and notices about the County's exploration of a Community Choice Aggregation program.

Sign up for this Alameda County list serve at, www.acgov.org/cda/planning/esubscribe.htm

For any questions or comments, please contact
Bruce Jensen
bruce.jensen@acgov.org
510-670-5400



Is CCA a market-based approach?

Yes, CCA is a market-based approach enabled through Public-Private Partnerships. Unlike other services such as phone, cable, and internet, owners of homes and businesses do not currently have a choice of electricity supplier. As a regulated monopoly, PG&E does not have any competitors forcing them to provide lower rates, cleaner energy, or innovative services. What makes CCA so powerful is that it supports several levels of market competition: first by providing a choice to consumers and second by sourcing its power through a competitive process whereby private energy companies and project developers compete to provide clean power at the lowest price.

Are CCA programs successful?

Community Choice Aggregation is currently available in seven states including California, Illinois, Massachusetts, New York, Ohio, New Jersey, and Rhode Island. CCA is a flexible tool that is successful in both small rural counties and in large urban cities. In California, Marin Clean Energy was the first CCA program in the state. It started with 14,000 customers three years ago and now has over 165,000 customers. Sonoma County also successfully launched a CCA program in 2014, and the City of Lancaster began its own program in May 2015, and the City and County of San Francisco will launch its program in May 2016.

What other California Counties/Communities are exploring CCA?

Communities throughout California are exploring CCA, including the cities of San Francisco and San Diego, San Mateo County, Monterey County, San Luis Obispo County, Santa Cruz County, San Benito County, Santa Barbara County, Yolo County, and several cities in Silicon Valley.

How will customers be impacted if a CCA is created in Alameda County?

Day-to-day, most customers will not notice any change other than a CCA line item on their utility bill that replaces PG&E electric generation charges with the CCA's electric generation charges. The real difference is that the electricity procured on their behalf is cleaner, with fewer greenhouse gas emissions than what is currently offered by PG&E. In addition, customers will probably notice that their electric generation rates are lower and remain more stable, and that they have access to new energy efficiency and other clean energy programs helping to make their home or business more comfortable and cost effective. They may also notice more clean energy projects going on in their community (e.g., new solar installations on schools or municipal buildings).

How would an Alameda County CCA be funded?

Like any worthwhile investment, CCA formation requires an initial start-up investment and an attractive return. Start-up costs are estimated at about \$3.25 million. This small investment establishes a much larger publicly held joint powers agency focused on clean energy and investment of electricity revenues here at home. After operation begins, the CCA is self-funded through ratepayer revenues and the start-up investment provided by the County will be paid back.

Are all cities in the County required to participate?

A CCA does not have the authority to compel any city to participate, and any city can choose to remain with the original utility (in this case, PG&E). A City may also decide to join at some point after CCA program establishment.



Would customers have to participate in a CCA if they are in the service area?

No. Although the CCA would become the default service provider of electricity for the County and any participating cities, customers always have the choice to purchase their energy from the existing investor-owned utility company. Prior to the beginning of a CCA's operation, all electricity customers will receive at least four "opt-out" notices during a sixty-day period at which time anyone can opt-out of the program at no cost. There is an additional sixty-day period after the start of the program during which any customers can opt out at no cost. After that, customers may still opt-out for a nominal fee. After opting-out, the customer is prohibited from returning to the CCA for a period of one year.

Will taxes increase?

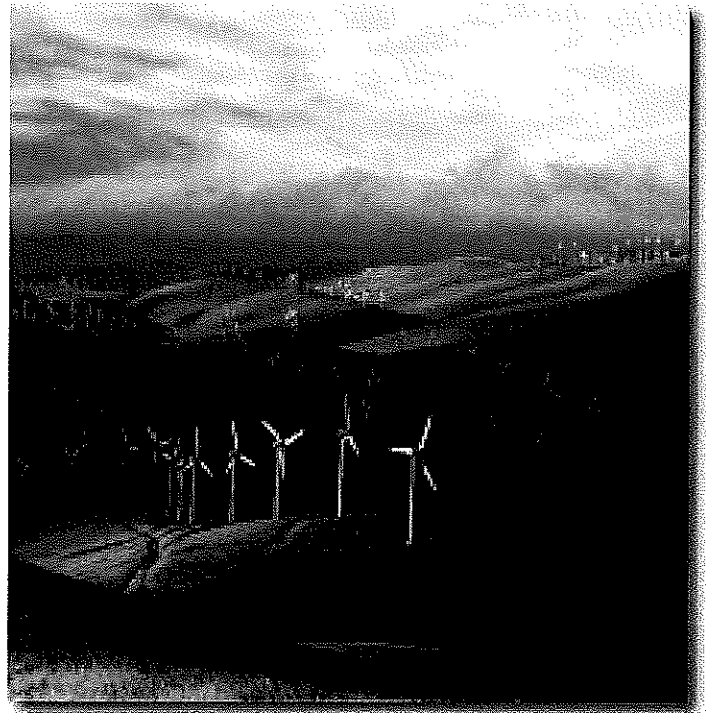
A CCA does not have the ability to tax and has no impact on taxes. A CCA is completely revenue funded, requiring zero tax dollars from customers or participating communities.

What about PG&E? Where do they fit in?

PG&E remains an important partner in an Alameda County CCA program. Under a CCA, PG&E continues to deliver reliable power, maintain the power lines, respond to service outages, and handle customer billing. Customers will still notice PG&E's distinct blue service trucks working in their neighborhood and community. Alameda County is committed to supporting a successful partnership with PG&E. PG&E is an investor-owned utility, operating as a regulated monopoly by the State of California. Under its agreement with the State, PG&E is guaranteed an annual shareholder return to reliably deliver power and to build and maintain power lines. Per statute and codified in the CCA/Utility Service Agreement, PG&E must fully cooperate with any community that wishes to form a CCA program.

Would County or City General Funds be at risk?

Within the joint powers agency structure, there is no risk to local government general funds. A CCA's budget is completely separate from the general funds of participating local governments, protecting both local governments and the CCA. Additionally, pressure on general funds may be alleviated due to an increase in financial and human resources focused on energy and climate goals throughout the region.



How would a CCA's rates compare to current rates?

Studied observation of both forming and operating CCAs in California indicates that rates will be competitive with PG&E and are likely to remain so for the foreseeable future. Though there is no guarantee, Community Choice Aggregation programs in California and other states have frequently offered lower rates than their investor-owned utility competitors.

How would a County / Regional CCA be structured?

A CCA operates as a non-profit public agency with a publicly accountable board of directors made up of elected officials from participating communities. A CCA uses a very common legal structure for municipal public entities called a Joint Powers Authority (JPA). The JPA creates a legal structure that separates participating local governments and the CCA from any transfer of financial risk. Since a CCA operates as a public business, it would strategically maintain a lean staff; operation and administration expenses in both Marin and Sonoma account for only 5-6% of their CCA's overall operating budget.

How is a CCA program set up?

Local governments must pass an ordinance to join a CCA program, and the CCA agency must draft an Implementation Plan that is approved by the CPUC. This is typically done after an initial technical study to determine the amount of electricity that will be required and to examine a CCA's ability to be cost competitive with PG&E. The Implementation Plan outlines how the CCA will function, how it will set rates, how it will procure electricity, and how it will carry out all other functions required under CPUC regulations.

Isn't renewable power more expensive than regular electricity? Wouldn't a CCA's rates be higher?

The dominant trend over the past thirty years for the classic fossil-fueled source of electricity has been towards increased costs. The dominant trend over that same time period for renewable energy has been towards decreased costs, and this trend continues to accelerate. Once the initial investment is made, the fuel for most renewable technologies, like wind and solar, is free. In many places in the United States, including California, renewable energy is competitive or cheaper than fossil fuels. California has abundant solar, geothermal, wind and (potentially) tidal energy resources that have yet to be tapped. To date, CCAs in California have been able to offer 25-30% cleaner energy at lower costs to the customer than PG&E.

What about natural gas? Isn't it cheap right now?

Yes, compared to historical levels, natural gas is inexpensive right now. Future natural gas prices are uncertain, however, and many experts expect prices to rise in the near future when considering increasing US exports to meet growing demand in developing markets such as China and India. A CCA would strive to achieve the best balance between cost and environmental benefits, which may include a natural gas component. Some CCA programs, however, have made policy decisions to not procure coal or nuclear resources to supply their local power needs.

Do the electrons purchased or generated by the CCA actually go to my house?

No, when we say that the CCA supplies power to customers, we mean that the CCA puts the same amount of electricity onto the grid that its customers use. When the individual electrons from all power resources go onto the grid no one can determine which electrons go where. Think of it as depositing \$100 in one ATM and taking out \$100 in another. It's not the same \$100 bill, but it's still your money. One can think of electricity in the same way. If you consume 500 kilowatt-hours in a month, the CCA must supply 500 kilowatt-hours to the grid on your behalf. The advantage of a CCA is that what's supplied to the grid on your behalf can be both cleaner and less expensive than what PG&E is putting on the grid.

If I installed solar panels on my home or business, would I need a Power Purchase Agreement to sell our excess energy to a CCA?

No. This is called net metering, and the CCA would be able to offer property owners fair market rates for their excess energy production without a Purchase Power Agreement, even if that solar installation took place before the CCA launched. CCAs have been able to offer better net metering rates for customers who generate surplus electricity, and those customers would automatically be enrolled into a CCA's net metering program, unless they choose to opt-out and remain with PG&E. Larger solar projects that are "in front of the meter" can also be facilitated under a CCA's feed-in-tariff program which uses a standard power contract with set prices to buy all the power generated from that facility on behalf of CCA customers.

Are there other websites/resources I can check out?

Yes.

For information about Marin's CCA program, visit:
www.mcecleanenergy.com

For information Sonoma's CCA program, visit:
www.sonomacleanpower.org

For general information about CCA, visit:
www.leanenergyus.org



D.1 Planning Commission referral of an Architectural and Site Plan Review and an addendum to an Environmental Impact Report for a project consisting of two hotels (Staybridge Suites and SpringHill Suites) and one restaurant (Bubba's 33) at 6000 NewPark Mall Road (APN: 901-111-3 & 4) – from Assistant City Manager Grindall. (RESOLUTIONS-2)

Background/Discussion - SyWest Development has submitted an application on behalf of SpringHill Suites, Staybridge Suites, and Bubba's 33 Restaurant, for a project at 6000 NewPark Mall Road. The site has both a zoning and General Plan designation of Regional Commercial. Hotels and restaurants are permitted uses within the Regional Commercial district; therefore, this project is before the City Council for design review only.

A portion of the site is occupied by the former Cinedome 7 movie theater. The remainder of the site is vacant. The Cinedome building will be removed as part of this development.

The project is comprised of a 104 unit, four-story, 21,550 square foot Staybridge Suite hotel, a 120-unit, four-story, 18,100 square foot SpringHill Suites, and a Bubba's 33 restaurant with an outdoor game and recreation area. Both hotels will provide an indoor swimming pool, business and fitness centers, and meeting rooms. As the final footprint is still being determined, the building size shown in the exhibits is for illustrative purposes only.

Staybridge Suites is part of the Intercontinental Hotel Group (IHG) global extended stay brand, which offers a "social and home-like environment for guests spending an extended period away from their home and family". Staybridge Suites was launched in 1997, for long-stay travelers. In 2002 it became the first extended stay hotel brand in the world to reach 50 hotels in just under four years.

The SpringHill Suites by Marriott, which is the largest all-suites style brand, has a progressive design in the upper moderate-tier. With modern décor and comforts like great bedding, enhanced food and fitness options, the brand delivers a stylish hotel that provides the space business travelers are looking for.

Bubba's 33 is a family-friendly, sports restaurant/bar concept that first opened in 2014. This concept was created by Kent Taylor, founder and CEO of the "Texas Roadhouse" brand. Their philosophy of "legendary food, legendary service, and legendary fun" has also been fully integrated throughout this concept. The interior space is comprised of a main dining area with two separate, small bar areas. The interior "garage bar" has functional garage doors that allow patrons to experience "al fresco" dining without being outside. There are currently 7 locations across the country. The Newark location will be the first location to have an outdoor recreational area. It will also have separate outdoor patio dining with a fire feature. Bubba's notes that these added features will prove to make this Newark restaurant their "destination location."

Parking

Per the Newark Municipal Code, hotels require one parking space per employee, plus one

additional parking space for each guest room or two beds, whichever is greater. Based on the room count and employee numbers, the two hotels must provide 242 spaces which is shown on the plans. As Bubba's has not determined the exact square footage (it will range from 7,000 square feet to 9,000 square feet) the final parking count has not been determined. The restaurant will be required to meet the minimum standard of one space per one hundred square feet of gross floor area.

Addendum to the Environmental Impact Report

The Addendum to the General Plan Environmental Impact Report (EIR) was prepared for this project and completed by First Carbon Solutions. Seventeen environmental issues were analyzed (Outlined in Section 2.3 of the Addendum), none of which was found to have any new significant impact. Table 1-1 of the Executive Summary notes mitigation measures that have already been accounted for in the original General Plan EIR.

The Addendum was made available to the public beginning February 3, 2016. Staff did not receive any comments on this project.

Update - At is March 22, 2016 meeting, the Planning Commission: (1) approved Resolution No. 1931, with Exhibit A, pages 1 through 16, for ASR-15-31, an Architectural and Site Plan Review for a two hotel (Staybridge Suites & SpringHill Suites) and one restaurant (Bubba's 33) project at 6000 NewPark Mall Road; and (2) Resolution No. 1932, for E-15-32, an addendum to an Environmental Impact Report.

Attachment

Action - It is recommended that the City Council, by resolutions: (1) approve an Architectural and Site Plan Review for a two hotel (Staybridge Suites and SpringHill Suites) and one restaurant (Bubba's 33) project at 6000 NewPark Mall Road and; (2) approve an addendum to an Environmental Impact Report for a two hotel (Staybridge Suites and SpringHill Suites) and one restaurant (Bubba's 33) project at 6000 NewPark Mall Road (APN:901-111-3 and 4).

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
NEWARK APPROVING AN ARCHITECTURAL AND SITE
PLAN REVIEW FOR A TWO HOTEL (STAYBRIDGE SUITES
AND SPRINGHILL SUITES) AND ONE RESTAURANT
(BUBBA'S 33) PROJECT AT 6000 NEWPARK MALL ROAD
(APN: 901-111-3 & 4)

WHEREAS, SyWest Development, has filed with the City Council of the City of Newark an application for an Architectural and Site Plan Review (ASR-15-31) for a two hotel (Staybridge Suites and Springhill Suites) and one restaurant (Bubba's 33) project at 6000 NewPark Mall Road.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby approves this application as shown on Exhibit A, pages 1 through 16, subject to compliance with the following conditions:

Planning Division

- a. The project shall be subject to the mitigation measures included in the Addendum to the General Plan Update Environmental Impact Report, dated February 2, 2016.
- b. There shall be no outdoor vending machines other than for the sale of newspapers. There shall be no outdoor storage except Christmas trees, of any materials for sale, display, inventory or advertisement without the review and approval of the Planning Commission and City Council.
- c. The drive aisles shall not be used by delivery trucks between the hours of 11:00 p.m. and 7:00 a.m. Parking lot cleaning with sweeping or vacuum equipment shall not be permitted between 11:00 p.m. and 7:00 a.m. No delivery truck or van shall be left overnight on any portion of the site.
- d. Prior to issuance of a sign permit, all signs, other than those referring to construction, sale or future use of this site, shall be submitted to the Community Development Director for review and approval.
- e. All lighting shall be directed on-site so as not to create glare off-site, as required by the Community Development Director.
- f. Construction site trailers and buildings located on-site shall be used for office and storage purposes only, and shall not be used for living or sleeping quarters. Any vehicle or portable building brought on the site during construction shall remain graffiti free.

- g. All exterior utility pipes and meters shall be painted to match and/or complement the color of the adjoining building surface, as approved by the Community Development Director.
- h. Prior to the issuance of a building permit, the elevations as submitted by the developer as part of this application shall be reviewed and approved by the Planning Commission and City Council. The building elevations shall reflect all architectural projections such as roof eaves, bay windows, greenhouse windows, chimneys and porches. A site plan showing the building locations with respect to property lines shall also show the projections. Said elevations shall specify exterior materials. Final color elevations shall be submitted for the review and approval of the Community Development Director.
- i. Prior to the issuance of a building permit, the floor plans as submitted by the developer as part of this application shall be reviewed and approved by the Planning Commission and City Council.
- j. Prior to the issuance of a building permit, roof material as submitted by the developer as part of this application shall be reviewed and approved by the Planning Commission and City Council. All roof material shall consist of fire retardant shake roof, concrete tile, or a roof of similar noncombustible material. Mansard roofs with the above material may be used to screen tar and gravel roofs. All roofs shall be of Class C fire resistant construction or better. Composition shingles shall be Presidential-style or of comparable quality, subject to the review and approval of the Community Development Director.
- k. Prior to the issuance of a building permit, the location and screening design for garbage, refuse and recycling collection areas for the project shall be submitted for the review and approval of Republic Services and the Community Development Director, in that order. The approved garbage, refuse and recycling areas shall be provided prior to the issuance of a Certificate of Occupancy, as required by the Community Development Director. No refuse, garbage or recycling shall be stored outdoors except within the approved trash and recycling enclosures.
- l. Measures to respond to and track complaints pertaining to construction noise shall include: (1) a procedure and phone numbers for notifying the City of Newark Building Inspection Division and Newark Police Department (during regular construction hours and off-hours); and (2) a sign posted on-site pertaining to the permitted construction days and hours and complaint procedures and who to notify in the event of a problem. The sign shall also include a listing of both the City and construction contractor's telephone numbers (during regular construction hours and off-hours).
- m. Prior to issuance of a grading permit, the developer shall hire a qualified biologist to: (1) determine if occupied Burrowing Owl habitat(s) exist on the site, and (2) implement a plan to protect the owls and to excavate the site around any active burrows using hand tools to assure that the owls are not buried during grading in the event Burrowing Owl habitat(s) is found on the site. The occupied Burrowing Owl habitat(s), if found, shall not

be disturbed during the nesting season. The Burrowing Owl study shall be conducted not more than 30 days prior to the time site grading activities will commence.

- n. During project construction, if historic, archeological or Native American materials or artifacts are identified, work within a 50-foot radius of such find shall cease and the City shall retain the services of a qualified archeologist and/or paleontologist to assess the significance of the find. If such find is determined to be significant by the archeologist and/or paleontologist, a resource protection plan conforming to CEQA Section 15064.5 shall be prepared by the archeologist and/or paleontologist and approved by the Community Development Director. The plan may include, but would not be limited to, removal of resources or similar actions. Project work may be resumed in compliance with such plan. If human remains are encountered, the County Coroner shall be contacted immediately and the provisions of State law carried out.

Engineering Division

- o. Prior to the issuance of a building permit, the developer shall obtain approval of a parcel map or a lot line adjustment for reconfiguration of the two-parcel site as required by the City Engineer. The parcel map or any required separate instruments shall designate and/or dedicate emergency vehicle access ways, private vehicle access ways, public utility easements, etc. over the site as determined necessary by the City Engineer. The parcel map (or alternative documents) and site civil plans shall be submitted to the Engineering Division for review to ensure conformance with the relevant codes, policies, and other requirements of the Newark Municipal Code and the Subdivision Map Act. The parcel map, lot line adjustment, and/or easement dedications/reservations shall be recorded prior to the issuance of a Certificate of Occupancy.
- p. The preliminary site design has not been reviewed in detail by the Alameda County Water District, Alameda County Flood Control and Water Conservation District, Pacific Gas & Electric, or Union Sanitary District. Any necessary modifications to the site design to meet the requirements of these or any other utilities/districts shall be the responsibility of the developer. Construction-level plans are subject to approval by each of these entities.
- q. This site is subject to the State of California National Pollutant Discharge Elimination System (NPDES) Program General Permit for Storm Water Discharges Associated with Construction Activity. Prior to issuance of a grading permit or a building permit, the developer needs to provide evidence that the proposed site development work is covered by said General Permit for Construction Activity. This will require confirmation that a Notice of Intent (NOI) and the applicable fee were received by the State Water Resources Control Board and the submittal of the required Storm Water Pollution Prevention Plan (SWPPP) for review and approval by the City Engineer. In addition the grading plans need to state: "All grading work shall be done in accordance with the Storm Water Pollution Prevention Plan prepared by the developer pursuant to the Notice of Intent on file with the State Water Resources Control Board."

- r. Prior to the issuance of a grading or any building permits for this project, the developer shall submit a Stormwater Pollution Prevention Plan (SWPPP) for the review and approval of the City Engineer. The site specific plan shall include sufficient details to show how storm water quality will be protected during both: (1) the construction phase of the project and (2) the post-construction, operational phase of the project. The SWPPP shall be prepared by a Qualified SWPPP Developer (QSD) in the State of California. The construction phase plan shall include Best Management Practices from the California Storm Water Quality Best Management Practices Handbook for Construction Activities. The specific storm water pollution prevention measures to be maintained by the contractor shall be printed on the plans. The operational phase plan shall include Best Management Practices appropriate to the uses conducted on the site to effectively prohibit the entry of pollutants into stormwater runoff from the project site including, but not limited to, low impact development stormwater treatment measures, trash and litter control, stockpile protection, liquid storage containment, pavement sweeping, periodic storm water inlet cleaning, landscape controls for fertilizer and pesticide applications, labeling of storm water inlets with a permanent thermoplastic stencil with the wording "No Dumping - Drains to Bay," and other applicable practices.

- s. The project must be designed to include appropriate source control, site design, and stormwater treatment measures to prevent stormwater runoff pollutant discharges and increases in runoff flows from the site in accordance with Provision C.3 of the Municipal Regional Stormwater NPDES Permit (MRP), Order R2-2015-0049, revised November 19, 2015, issued to the City of Newark by the Regional Water Quality Control Board, San Francisco Bay Region. Examples of source control and site design requirements include but are not limited to: properly designed trash storage areas, sanitary sewer connections for all non-stormwater discharges, minimization of impervious surfaces, and treatment of all runoff with Low Impact Development (LID) treatment measures. A properly engineered and maintained biotreatment system will only be allowed if it is infeasible to implement other LID measures such as harvesting and re-use, infiltration, or evapotranspiration. The stormwater treatment design shall be completed by a licensed civil engineer with sufficient experience in stormwater quality analysis and design. The design is subject to review by the Regional Water Quality Control Board. The developer shall modify the site design to satisfy all elements of Provision C.3 of the MRP. The use of treatment controls for runoff requires the submittal of a Stormwater Treatment Measures Maintenance Agreement prior to the issuance of any Certificates of Occupancy.

- t. The project shall be designed to comply with all requirements under Provision C.3.f. of the NPDES permit for limitations on increases of peak storm water runoff discharge rates. The developer shall be responsible for providing sufficient data and calculations to show that any increase in storm water runoff from the development will not result in increased potential for erosion or other significant adverse impacts of earthen channels downstream of the project site. The required analysis for such findings shall be completed by the developer to the satisfaction of the City Engineer and the Regional Water Quality Control Board.

- u. The final design of the curb line radius at the intersection of NewPark Mall Road and the private street at the western corner of the site shall be subject to modification as part of the final construction design to optimize pedestrian accessibility and safety at the intersection.
- v. All stormwater treatment measures are subject to review and approval by the Alameda County Mosquito Abatement District. The developer shall modify the grading and drainage and stormwater treatment design as necessary to satisfy any imposed requirements from the District.
- w. The entire site shall be equipped with full trash capture devices approved by the Regional Water Quality Control Board – San Francisco Bay Region, for 100% trash capture at all on-site and adjoining off-site storm drain inlets. All on-site trash capture devices shall be permanently maintained by the property owner.
- x. The developer shall submit detailed grading and drainage plans for review and approval by the City Engineer and the Alameda County Flood Control District (District). These plans must be based upon a City benchmark and need to include pad and finish floor elevations of each proposed structure, proposed on-site property grades, proposed elevations at property line, and sufficient elevations on all adjacent properties to show existing drainage patterns. All on-site pavement shall drain at a minimum of one percent. The developer shall ensure that all upstream drainage is not blocked and that no ponding is created by this development. Any construction necessary to ensure this shall be the developer's responsibility.

Hydrology and hydraulic calculations shall be submitted for review and approval by the City Engineer and the District prior to the issuance of a grading and/or building permit. The calculations shall show that the City and County freeboard requirements will be satisfied (0.75 feet to grate or 1.25-feet to the top of curb under a 10-year storm duration).

- y. Where a grade differential of more than a 1-foot is created along the boundary lot lines between the proposed development and adjacent property, the developer shall install a masonry retaining wall unless a slope easement is approved by the City Engineer. Said retaining wall shall be subject to review and approval of the City Engineer. A grading permit is required by the Building Inspection Division prior to starting site grading work.
- z. The applicant shall submit a detailed soils report prepared by a qualified engineer, registered with the State of California. The report shall address in-situ and import soils in accordance with the City of Newark Grading and Excavation Ordinance, Chapter 15.50. The report shall include recommendations regarding pavement sections for all public and private streets. Grading operations shall be in accordance with recommendations contained in the soils report and shall be completed under the supervision of an engineer registered in the State of California to do such work.
- aa. Prior to the issuance of a building permit, the developer's engineer shall submit a pavement maintenance program for the drive aisles and parking areas for the review and

approval of the City Engineer. The developer shall incorporate the program into the required Storm Water Pollution Prevention Plan and Storm Water Treatment Measures Maintenance Agreement.

- bb. Prior to issuance of a Certificate of Occupancy or release of utilities for any building, vehicle access ways and parking facilities serving said building shall be paved in accordance with the recommendation of a licensed engineer based on a Traffic Index of 5.0 and striped as shown on the approved site plan.
- cc. Prior to issuance of a Certificate of Occupancy or release of utilities for each dwelling unit, the on-site drive aisles and uncovered parking facilities shall be installed and striped as shown on the approved site plan. All on-site uncovered parking facilities and drive aisles shall be drained at a minimum slope of 1.0% for asphalt surfaces and 0.3% for Portland cement concrete surfaces.
- dd. The property owner shall be responsible for trash and litter control and sweeping of all private streets within the development. All private storm drain systems and all associated trash capture devices shall be cleaned on a regularly scheduled basis as detailed in the required Stormwater Treatment Measures Maintenance Agreement.
- ee. All new utilities including, but not limited to, electric, telephone and cable television services shall be provided underground for all buildings in the development in accordance with the City of Newark Subdivision Standards. Electrical transformers shall be installed in underground vaults with an appropriate public utility easement or within the public right-of-way.
- ff. The developer shall ensure that a water vehicle for dust control operations is kept readily available at all times during construction at the City Engineer's direction. A pick-up or vacuum type street sweeper shall be available at all times at the direction of the City Engineer to removed tracked dirt and debris from adjacent streets.
- gg. The developer shall implement the following measures for the duration of all construction activity to minimize air quality impacts:
 - 1. Watering should be used to control dust generation during demolition of structures and break-up of pavement.
 - 2. All trucks hauling demolition debris from the site shall be covered.
 - 3. Dust-proof chutes shall be used to load debris into trucks whenever feasible. Watering should be used to control dust generation during transport and handling of recycled materials.
 - 4. All active construction areas shall be watered at least twice daily and more often during windy periods; active areas adjacent to the existing land uses shall be kept damp at all times or shall be treated with non-toxic stabilizers or dust palliatives.
 - 5. All trucks hauling soil, sand, and other loose materials shall be covered or require all trucks to maintain at least 2 feet of freeboard.

6. All unpaved access roads, parking areas, and staging areas at construction sites shall be paved, watered three times daily, or treated with (non-toxic) soil stabilizers.
7. All paved access roads, parking areas, and staging areas at construction sites shall be swept daily with water sweepers; water sweepers shall vacuum up excess water to avoid runoff-related impacts to water quality.
8. Limit traffic speeds on unpaved roads to 15 mph.
9. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
10. Replant vegetation in disturbed areas as quickly as possible.
11. Minimize idling time (5 minutes maximum).
12. Maintain properly tuned equipment.

These measures shall be incorporated into the grading specifications as well as the best management practices of the storm water pollution prevention plan, and shall be implemented to the satisfaction of the City Engineer.

- hh. The developer shall provide all required paper and digital submittals of the tentative map, record parcel map, site civil plans, and as-built plans as required by the City Engineer, including, but not necessarily limited to the following: (1) One full-sized reproducible copy and one reduced reproducible copy of the approved tentative map; (2) Two electronic copies of the approved record parcel map and site civil plans in a format approved by the City Engineer; (3) One full-sized mylar copy and one reduced copy of the recorded parcel map; (4) One reproducible set and four blue-line or photocopied sets of the approved site civil plans; (5) Two electronic copies and one mylar set of the as-built site civil plans. All digital copies of the record parcel map and site civil plans shall be prepared in accordance with Southern Alameda County Geographic Information Systems digital submittal standards. A deposit of \$5,000 shall be provided by the developer to the City to ensure submittal of all required documentation.

Landscape-Parks Division

- ii. The developer shall retain a licensed landscape architect to prepare working drawings for on-site landscape plans in accordance with City of Newark requirements, the approved Conceptual Landscape Plan, and the latest version of the State of California Model Water Efficient Landscape Ordinance. The landscape plans shall be included with construction plan set. The associated Landscape Documentation Package must be approved by the City Engineer prior to the issuance of a building permit.
- jj. The developer shall implement Bay Friendly Landscaping Practices in accordance with Newark Municipal Code, Chapter 15.44.080. Prior to the issuance of a building permit, the developer shall provide sufficient information to detail the environmentally-conscious landscape practices to be used on the project.
- kk. The plant species identified for any proposed biotreatment measures are subject to final approval of the City Engineer.

- ll. All maintenance associated with the landscape-based stormwater treatment measures shall be the responsibility of the property owner. The developer shall enter into a Landscape Maintenance Agreement prior to the issuance of a building permit. This agreement shall run with the land and be binding to its or any successors. Landscape maintenance of these areas by the City under the terms of the Agreement would occur only in the event that City Council deems the maintenance to be inadequate. Any project perimeter walls and adjoining landscape areas shall be included in a dedicated landscape easement to guarantee adequate maintenance of the walls. Any work other than routine maintenance, including but not necessarily limited to, tree removal, tree pruning, or changes to the approved planting palette shall be approved in advance by the City Engineer. All tree pruning shall be performed by or under the direction of a certified arborist.
- mm. Prior to installation by the developer, plant species, location, container size, quality, and quantity of all landscaping plants and materials shall be reviewed and approved by the City Engineer. All plant replacements shall be to an equal or better standard than originally approved subject to approval by the City Engineer.
- nn. Prior to the release of utilities or issuance of any Certificate of Occupancy, all landscaping and irrigation systems shall be completed or guaranteed by a cash deposit deposited with the City in an amount to cover the remainder of the work.
- oo. Prior to issuance of Certificate of Occupancy or release of utilities, the developer shall guarantee all trees for a period of 6 months and all other plantings and landscape for 60 days after completion thereof. The developer shall insure that the landscape shall be installed properly and maintained to follow standard horticultural practices. All plant replacements shall be to an equal or better standard than originally approved subject to approval of the City Engineer.

Fire Department

- pp. The Fire Department access roads serving the site shall meet all requirements of the 2013 California Fire Code and Appendix D.

General

- qq. All proposed changes from approved exhibits shall be submitted to the Community Development Director who shall decide if they warrant Planning Commission and City Council review and, if so decided, said changes shall be submitted for the Commission's and Council's review and decision. The developer shall pay the prevailing fee for each additional separate submittal of development exhibits requiring Planning Commission and/or City Council review and approval.
- rr. If any condition of this Architectural and Site Plan Review is declared invalid or unenforceable by a court of competent jurisdiction, this Architectural and Site Plan

Review shall terminate and be of no force and effect, at the election of the City Council on motion.

- ss. The developer hereby agrees to defend, indemnify, and save harmless the City of Newark, its Council, boards, commissions, officers, employees and agents, from and against any and all claims, suits, actions, liability, loss, damage, expense, cost (including, without limitation, attorneys' fees, costs and fees of litigation) of every nature, kind or description, which may be brought by a third party against, or suffered or sustained by, the City of Newark, its Council, boards, commissions, officers, employees or agents to challenge or void the permit granted herein or any California Environmental Quality Act determinations related thereto.

- tt. The Conditions of Project Approval set forth herein may include certain fees, dedication requirements, reservation requirements and other exactions. Pursuant to Government Code Section 66020(d)(1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations and other exactions. The developer is hereby further notified that the 90-day approval period in which the developer may protest these fees, dedications, reservations and other exactions, pursuant to Government Code Section 66020(a), has begun. If the developer fails to file a protest within this 90-day period complying with all of the requirements of Section 66020, the developer will be legally barred from later challenging such exactions.

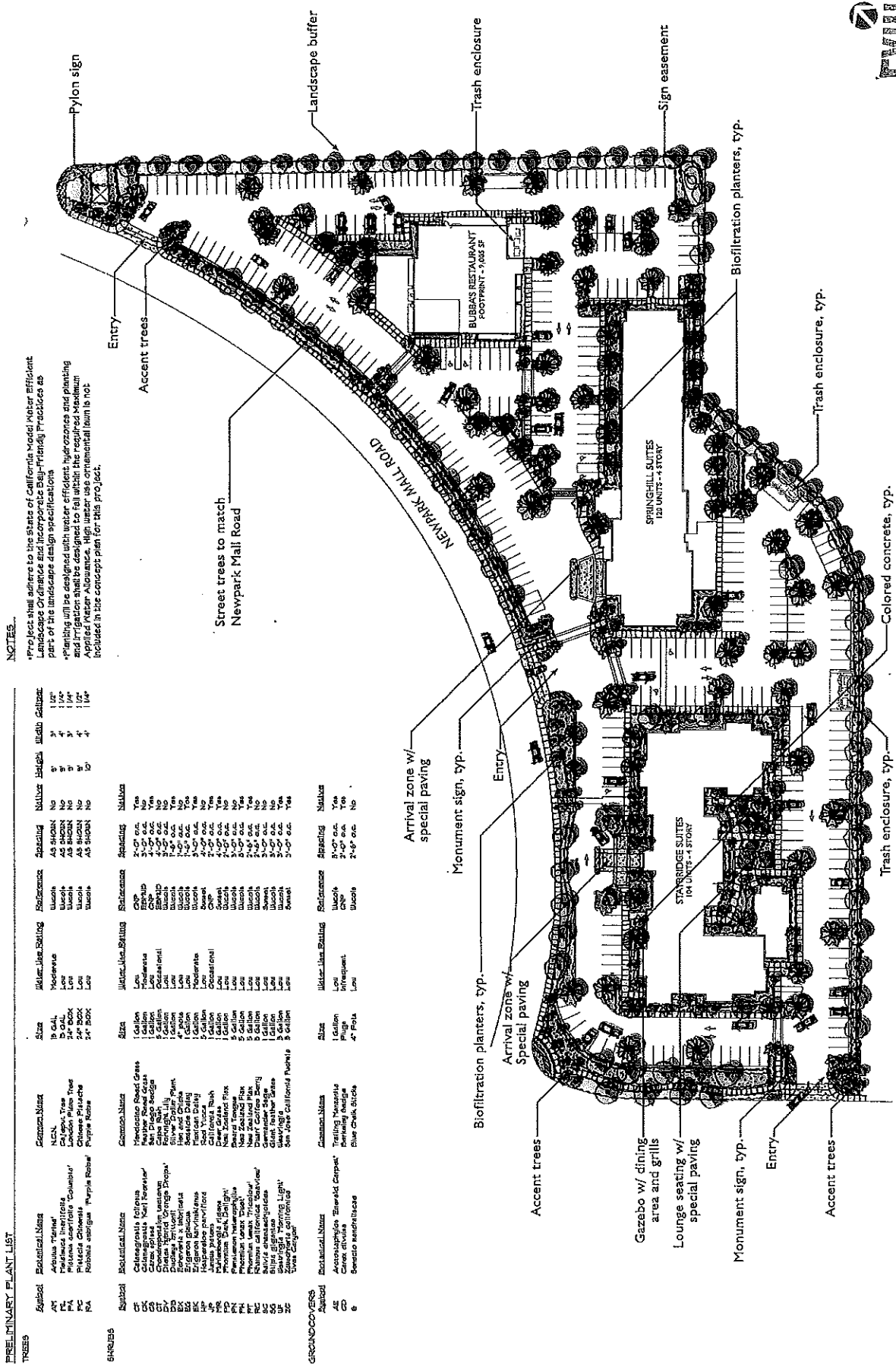
PRELIMINARY PLANT LIST

TREES

Symbol	Botanical Name	Common Name	Size	Mature Use Rating	Reference	Spacing	Mature	Height	Width	Collar
AT	Abies balsamea	Blue Spruce	18 Gall	Medium	USDA	3'-0" o.c.	Yes	12'	3"	12"
BT	Betula pumila	Yellow Birch	1 Gallon	Low	USDA	3'-0" o.c.	Yes	12'	3"	12"
CT	Castanea sativa	Chestnut	24" Box	Low	USDA	AS shown	No	12'	3"	12"
DT	Diospyros virginiana	Black Olive	24" Box	Low	USDA	AS shown	No	12'	3"	12"
ET	Eucalyptus globulus	Gum Tree	24" Box	Low	USDA	AS shown	No	12'	3"	12"
FT	Ficus religiosa	Fig	24" Box	Low	USDA	AS shown	No	12'	3"	12"
GT	Ginkgo biloba	Ginkgo	24" Box	Low	USDA	AS shown	No	12'	3"	12"
HT	Hedera helix	English Ivy	24" Box	Low	USDA	AS shown	No	12'	3"	12"
IT	Ilex opaca	Holly	24" Box	Low	USDA	AS shown	No	12'	3"	12"
JT	Jasminum officinale	Star Jasmine	24" Box	Low	USDA	AS shown	No	12'	3"	12"
KT	Kalmia latifolia	Coastal Dogwood	24" Box	Low	USDA	AS shown	No	12'	3"	12"
LT	Larix laricina	White Pine	24" Box	Low	USDA	AS shown	No	12'	3"	12"
MT	Malus domestica	Domestic Apple	24" Box	Low	USDA	AS shown	No	12'	3"	12"
NT	Nerium oleander	Oleander	24" Box	Low	USDA	AS shown	No	12'	3"	12"
OT	Osagea sp.	Osage	24" Box	Low	USDA	AS shown	No	12'	3"	12"
PT	Pinus strobus	White Pine	24" Box	Low	USDA	AS shown	No	12'	3"	12"
QT	Quercus sp.	Oak	24" Box	Low	USDA	AS shown	No	12'	3"	12"
RT	Rosa sp.	Rose	24" Box	Low	USDA	AS shown	No	12'	3"	12"
ST	Syringa sp.	Lilac	24" Box	Low	USDA	AS shown	No	12'	3"	12"
TT	Taxus canadensis	White Pine	24" Box	Low	USDA	AS shown	No	12'	3"	12"
UT	Ulmus sp.	Elm	24" Box	Low	USDA	AS shown	No	12'	3"	12"
VT	Viburnum sp.	Viburnum	24" Box	Low	USDA	AS shown	No	12'	3"	12"
WT	Wisteria sp.	Wisteria	24" Box	Low	USDA	AS shown	No	12'	3"	12"
XT	Xanthoxylum sp.	Yellow Wood	24" Box	Low	USDA	AS shown	No	12'	3"	12"
YT	Yucca sp.	Yucca	24" Box	Low	USDA	AS shown	No	12'	3"	12"
ZT	Zelkova sp.	Zelkova	24" Box	Low	USDA	AS shown	No	12'	3"	12"

GROUND COVERS

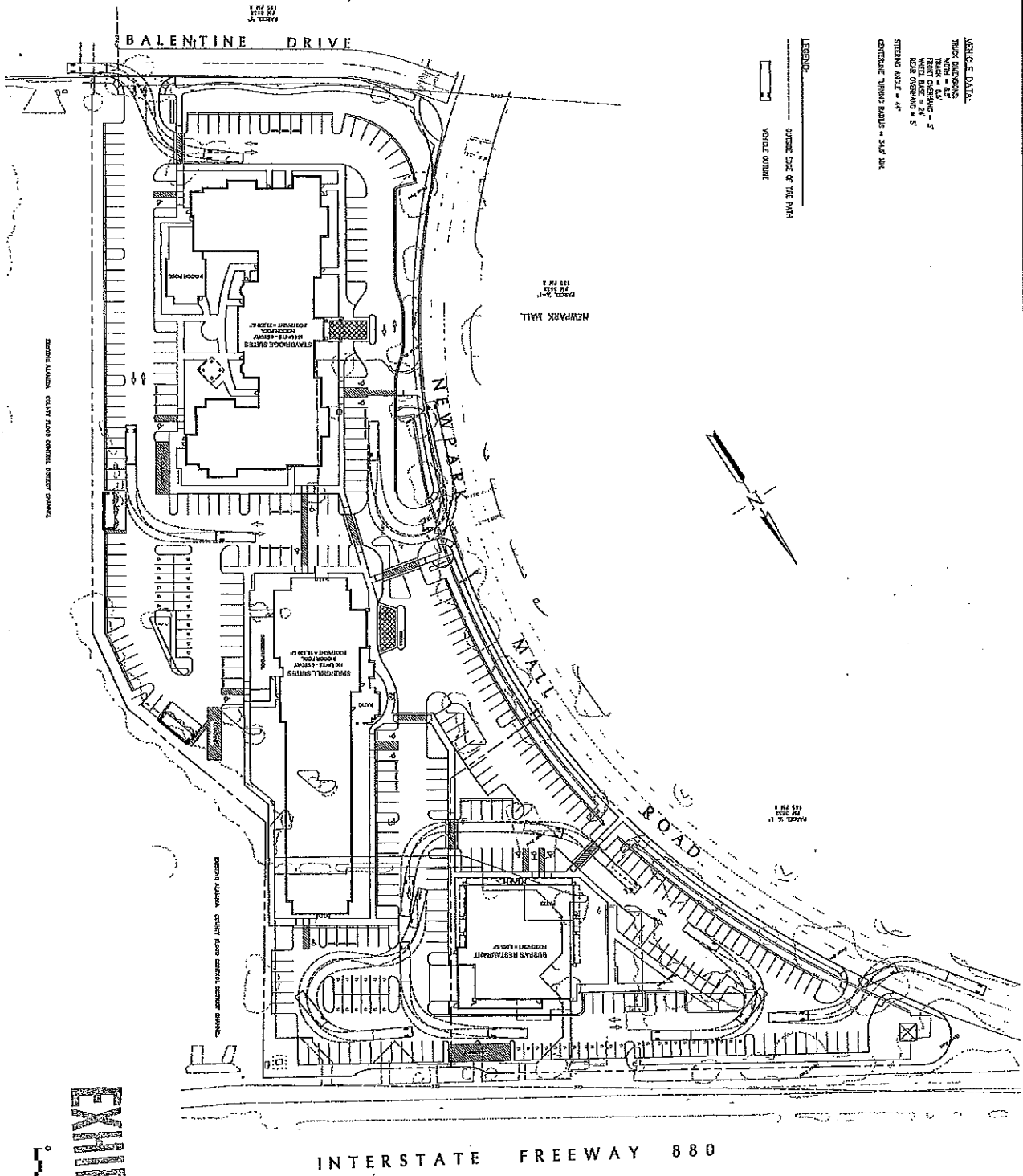
Symbol	Botanical Name	Common Name	Size	Mature Use Rating	Reference	Spacing	Mature
AC	Asplenium platyneuron	Woods Fern	1 Gallon	Low	USDA	3'-0" o.c.	Yes
AD	Adiantum sp.	Fern	1 Gallon	Low	USDA	3'-0" o.c.	Yes
AE	Arenaria sp.	Rock Sp. Thrift	1 Gallon	Low	USDA	3'-0" o.c.	Yes
AF	Aster sp.	Aster	1 Gallon	Low	USDA	3'-0" o.c.	Yes
AG	Galium sp.	Galium	1 Gallon	Low	USDA	3'-0" o.c.	Yes
AH	Hebe sp.	Hebe	1 Gallon	Low	USDA	3'-0" o.c.	Yes
AI	Impatiens sp.	Impatiens	1 Gallon	Low	USDA	3'-0" o.c.	Yes
AJ	Juncus sp.	Juncus	1 Gallon	Low	USDA	3'-0" o.c.	Yes
AK	Kalmia sp.	Kalmia	1 Gallon	Low	USDA	3'-0" o.c.	Yes
AL	Lamb. ears	Lamb. ears	1 Gallon	Low	USDA	3'-0" o.c.	Yes
AM	Moss	Moss	1 Gallon	Low	USDA	3'-0" o.c.	Yes
AN	Nerve plant	Nerve plant	1 Gallon	Low	USDA	3'-0" o.c.	Yes
AO	Oxalis sp.	Oxalis	1 Gallon	Low	USDA	3'-0" o.c.	Yes
AP	Patchwork	Patchwork	1 Gallon	Low	USDA	3'-0" o.c.	Yes
AQ	Quercus sp.	Oak	1 Gallon	Low	USDA	3'-0" o.c.	Yes
AR	Rubus sp.	Rubus	1 Gallon	Low	USDA	3'-0" o.c.	Yes
AS	Saxifrage	Saxifrage	1 Gallon	Low	USDA	3'-0" o.c.	Yes
AT	Thyme	Thyme	1 Gallon	Low	USDA	3'-0" o.c.	Yes
AV	Viola sp.	Viola	1 Gallon	Low	USDA	3'-0" o.c.	Yes
AW	Wax plant	Wax plant	1 Gallon	Low	USDA	3'-0" o.c.	Yes
AX	Xanthoxylum sp.	Yellow Wood	1 Gallon	Low	USDA	3'-0" o.c.	Yes
AY	Yucca sp.	Yucca	1 Gallon	Low	USDA	3'-0" o.c.	Yes
AZ	Zelkova sp.	Zelkova	1 Gallon	Low	USDA	3'-0" o.c.	Yes



NOTES:

- *Project shall adhere to the State of California Model Water Efficient Landscape Ordinance and incorporate Best-Friendly Practices as part of the landscape design specifications.
- *Planting will be designed with water efficient, drought-tolerant and planting and irrigation shall be designed to fall within the required maximum Applied Water Allowance. High water use ornamental items is not included in the concept plan for this project.

EXHIBIT A-3



LEGEND:

OUTSIDE EDGE OF THE PARK

VARIABLE WIDTH

VERTICAL DATA:

TRUCK WIDTH = 8'6"

TRUCK HEIGHT = 13'6"

WHEEL SPACING = 5'

REAR OVERHANG = 5'

STEERING ARM = 4'

CENTRELINE TURNING RADIUS = 34.4' DIA.

EXHIBIT A-3

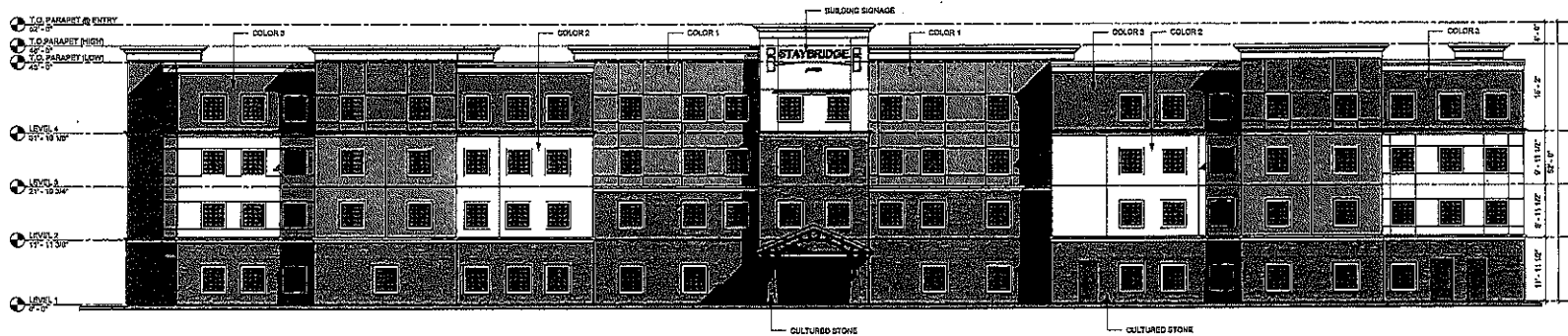
0 60 90 120
FOOT
GRAPHIC SCALE

FIRE TRUCK TURNING MOVEMENTS EXHIBIT
6000 NEWPARK MALL ROAD
CITY OF NEWARK CALIFORNIA

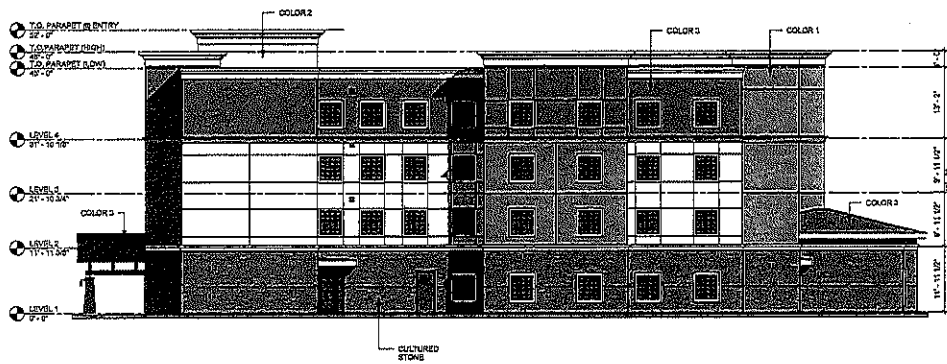


ROBERT A. KARN & ASSOCIATES, INC.
707 RED AVENUE
FARFELLO, CALIFORNIA 94533
TEL: (925) 434-4000

DATE	BY	DESCRIPTION	SCALE	AS SHOWN	DATE	BY	DESCRIPTION
1							

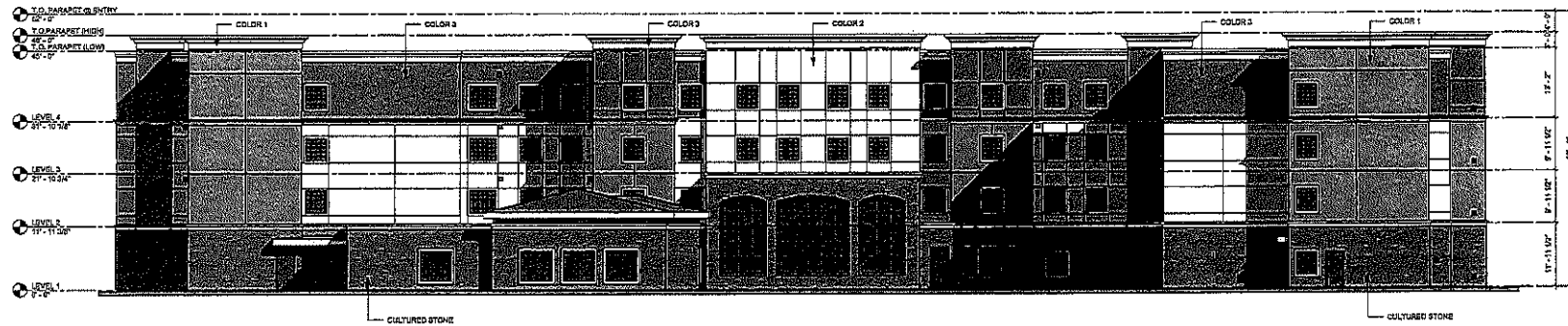


1 EXTERIOR EAST ELEVATION
3/22' x 1'-0"

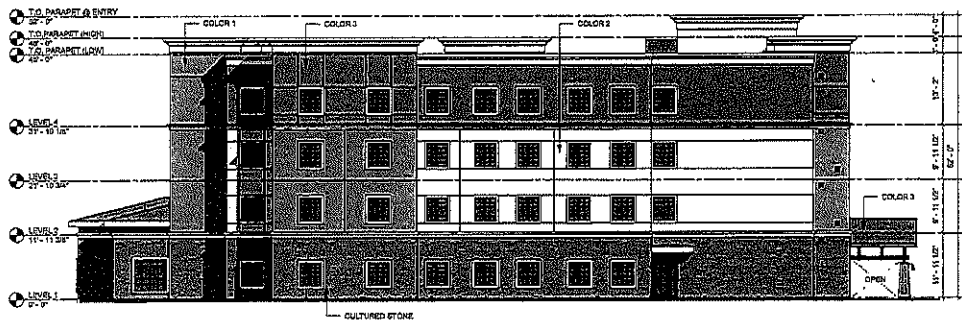


2 EXTERIOR NORTH ELEVATION
3/22' x 1'-0"

EXTERIOR FINISH LEGEND		
MATERIAL	KEY	DESCRIPTION
[Pattern]	COLOR 1	PAINTED EIFS SHERRILL WILLIAMS SANDY DOWNING STONE
[Pattern]	COLOR 2	PAINTED EIFS SHERRILL WILLIAMS SHADED VITAL YELLOW
[Pattern]	COLOR 3	PAINTED EIFS METAL SHERRILL WILLIAMS SHADED ATTITUDE GRAY
[Pattern]	CULTURED STONE	ELDORADO STONE MANTUQUET STACKED STONE

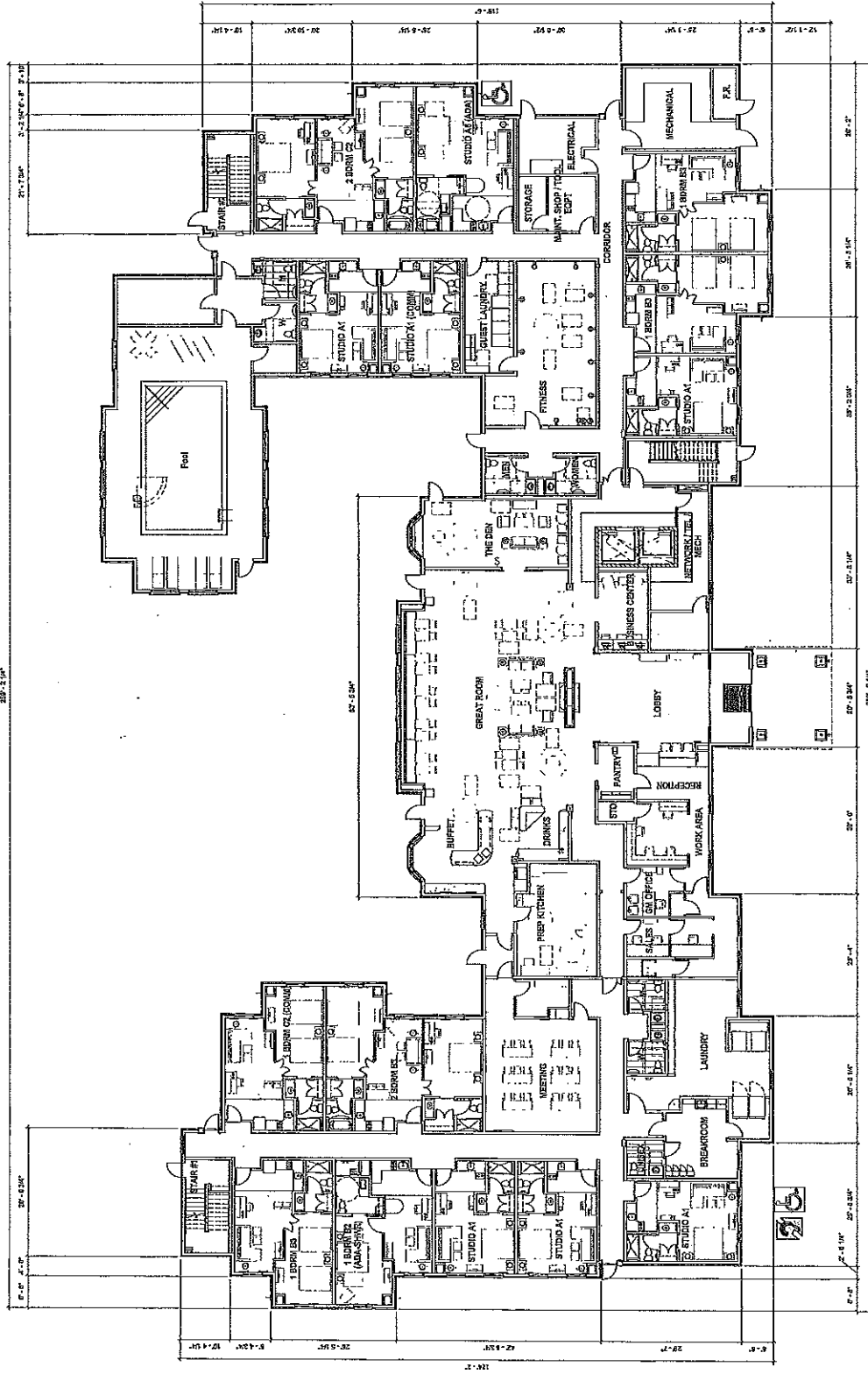


1 EXTERIOR WEST ELEVATION
302' x 11'



2 EXTERIOR SOUTH ELEVATION
302' x 11'

EXTERIOR FINISH LEGEND		
MATERIAL	KEY	DESCRIPTION
	COLOR 1	PAINTED EPS SHERWIN WILLIAMS SWR13 DOVING STRAW
	COLOR 2	PAINTED EPS SHERWIN WILLIAMS SWR06 VITAL YELLOW
	COLOR 3	PAINTED EPS METAL SHERWIN WILLIAMS SWR08 ATTITUDE GRAY
	CULTURED STONE	BLU-RADO STONE NAVY/CRIST STACKED STONE



DR-11
DC PROJECT: 14 062

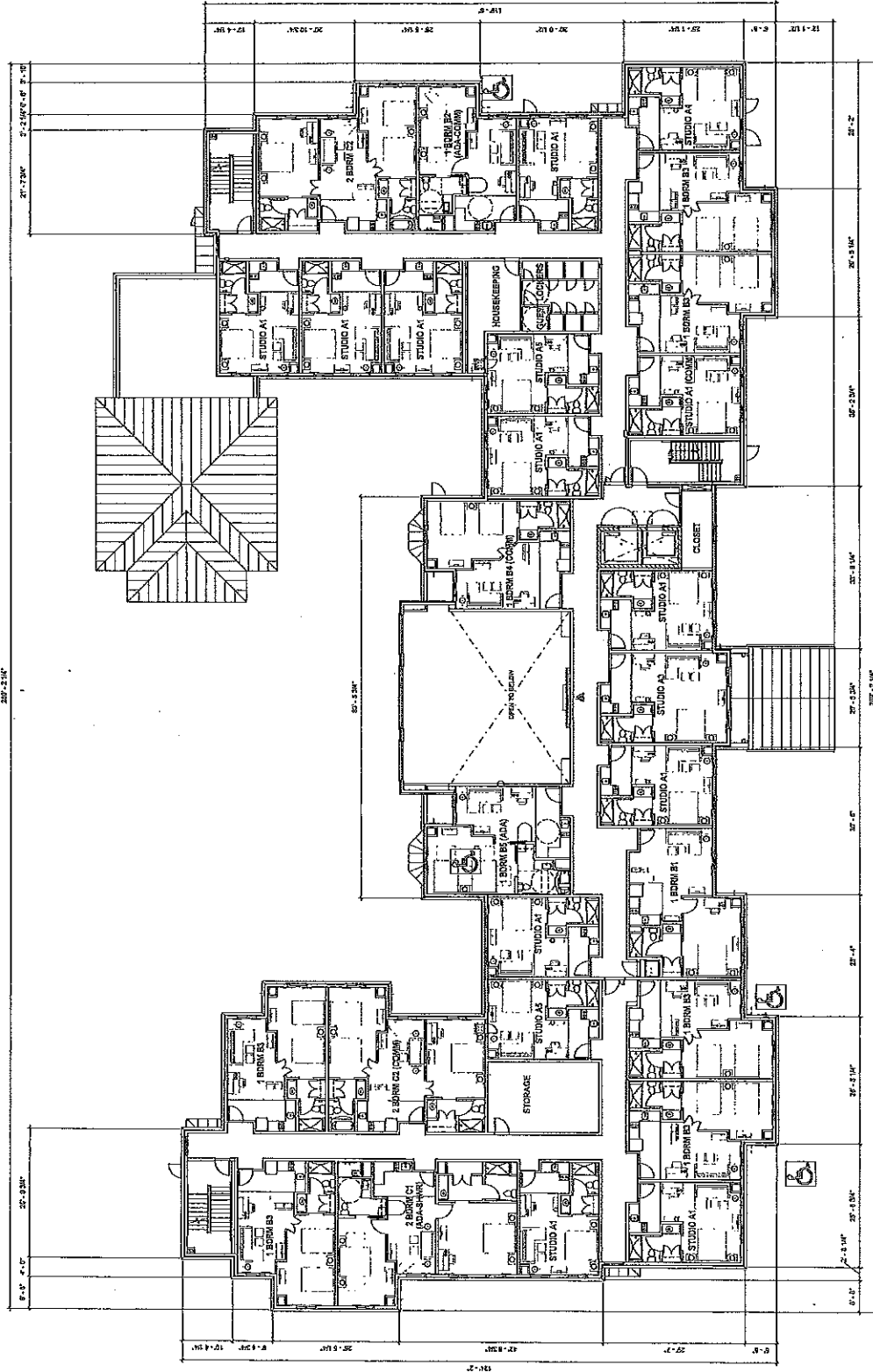
STAYBRIDGE SUITES NEWARK, CA
NEWARK, CA

FIRST FLOOR PLAN
SCALE: 3/32" = 1'-0"
DATE: 11/19/2015



EXHIBIT Apg
designcel
ARCHITECTURE





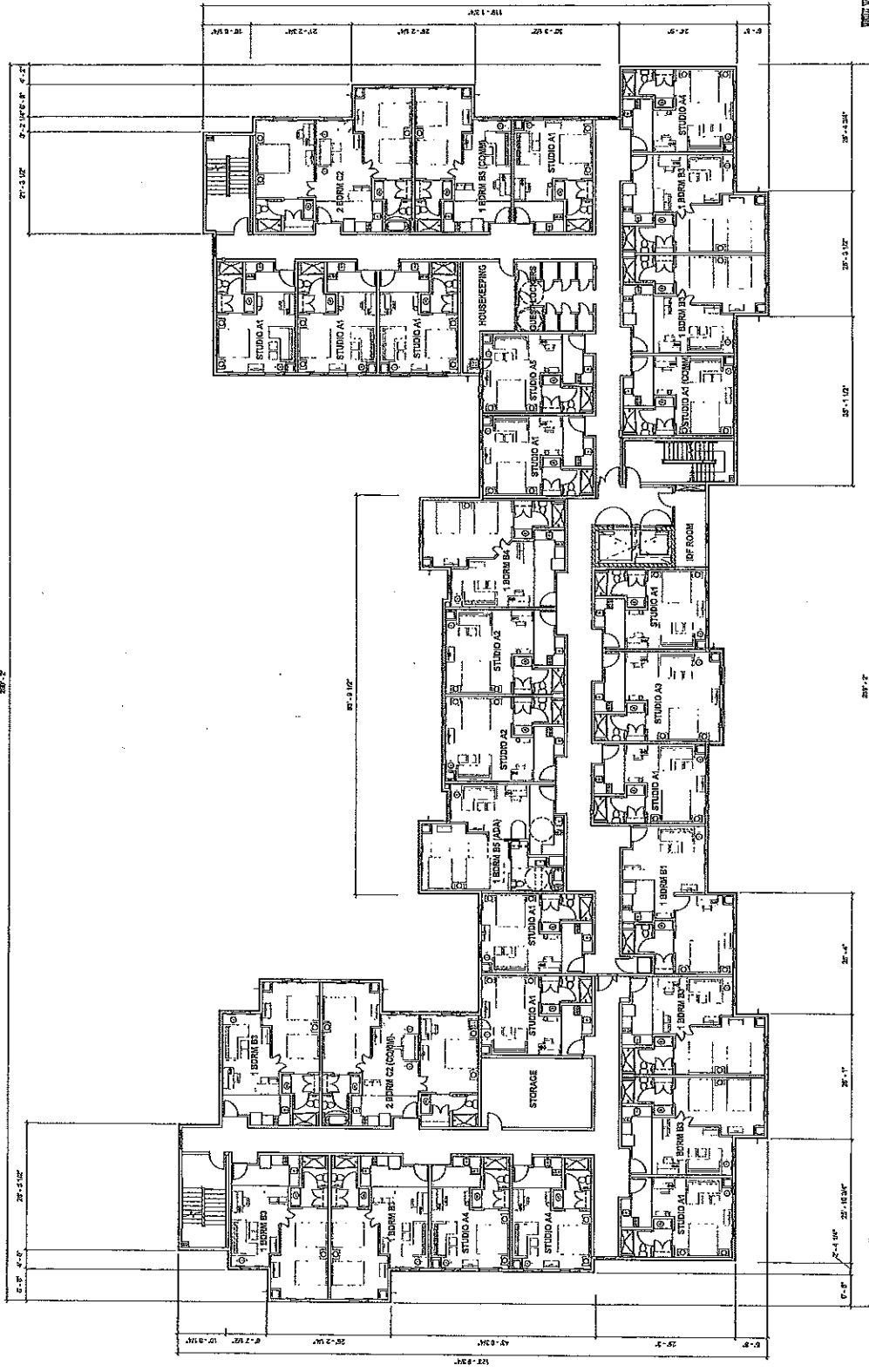
DR-12
 DC PROJECT: 14-082

STAYBRIDGE SUITES NEWARK, CA
 NEWARK, CA

SECOND FLOOR PLAN
 SCALE: 3/32" = 1'-0"
 DATE: 11/18/2015



designcel
 ARCHITECTURE



DR-13
 DC PROJECT: 14 062

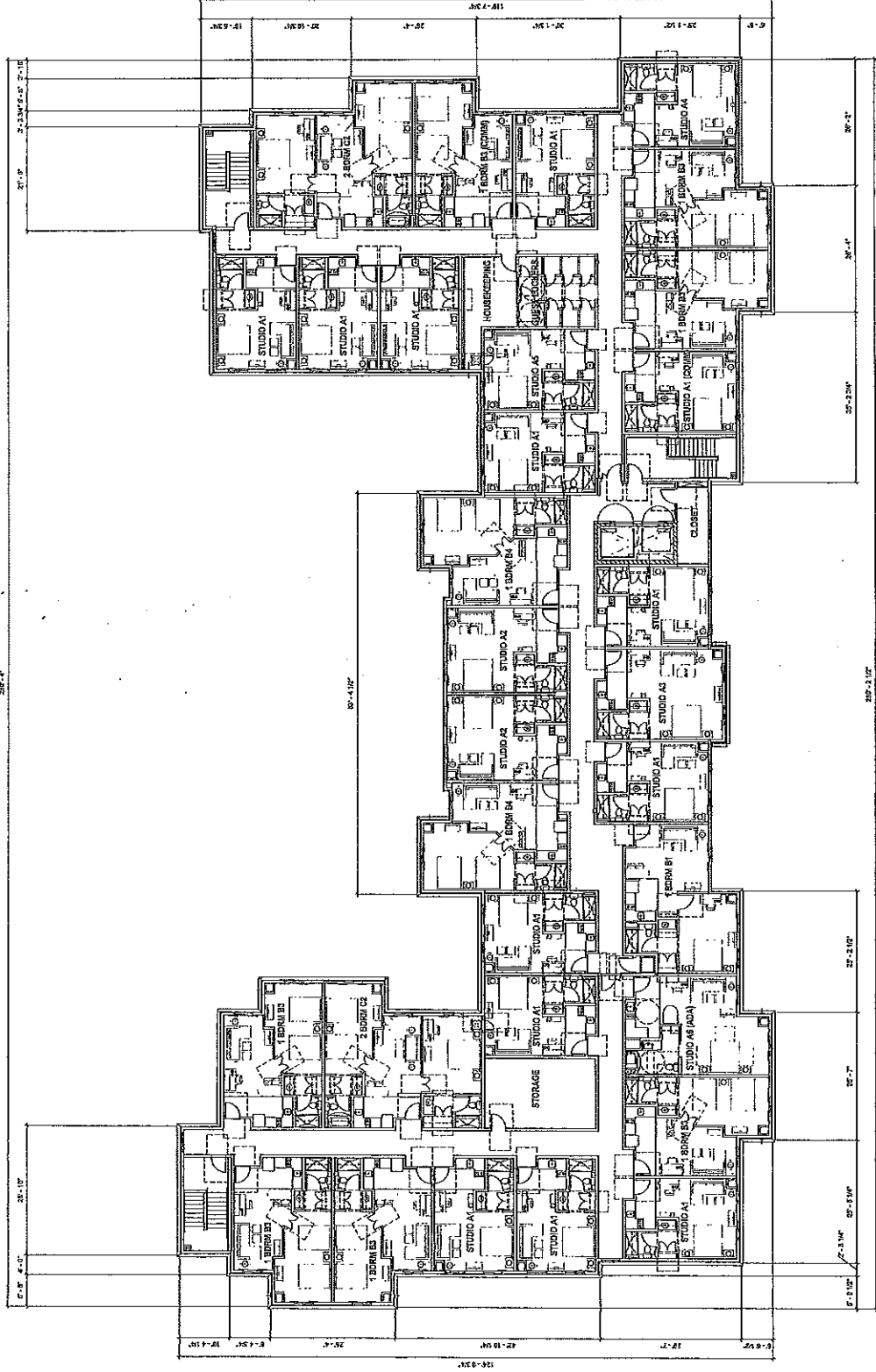
STAYBRIDGE SUITES NEWARK, CA
 NEWARK, CA

THIRD FLOOR PLAN
 SCALE: 3/32" = 1'-0"
 DATE: 11/18/2016



designcel
 ARCHITECTURE

EXHIBIT A



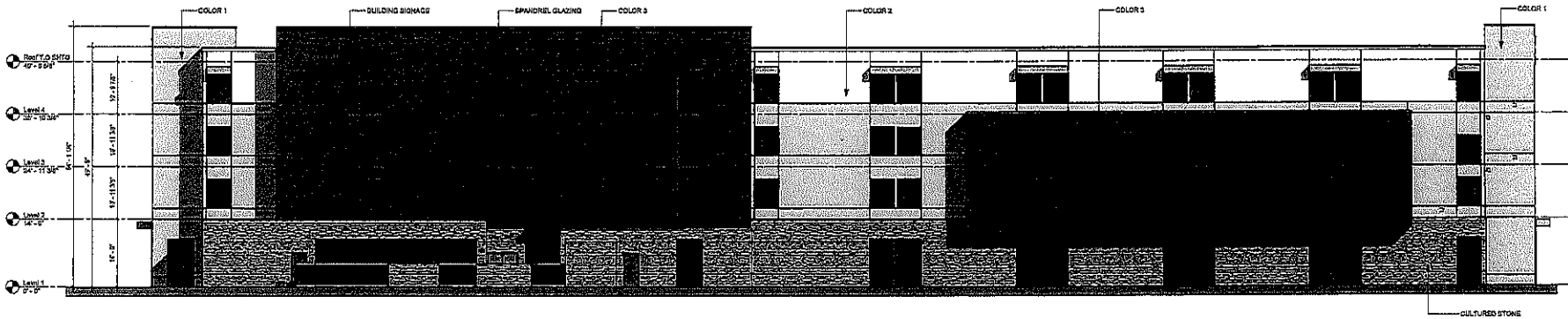
DR-14
DC PROJECT: 14 062

STAYBRIDGE SUITES NEWARK, CA
NEWARK, CA

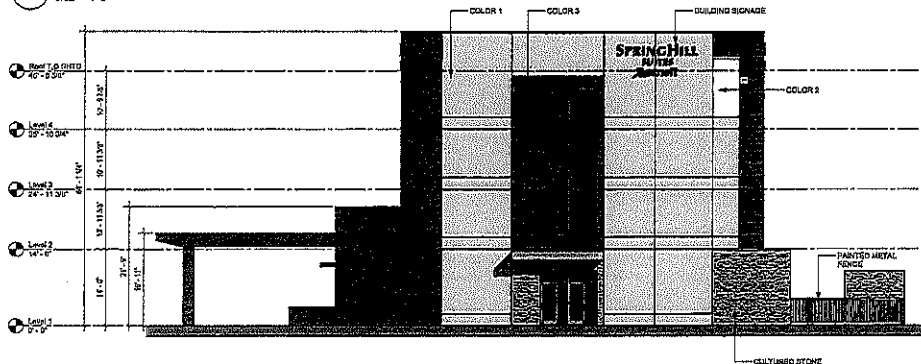
FOURTH FLOOR PLAN
SCALE: 3/32" = 1'-0"
DATE: 11/19/2016



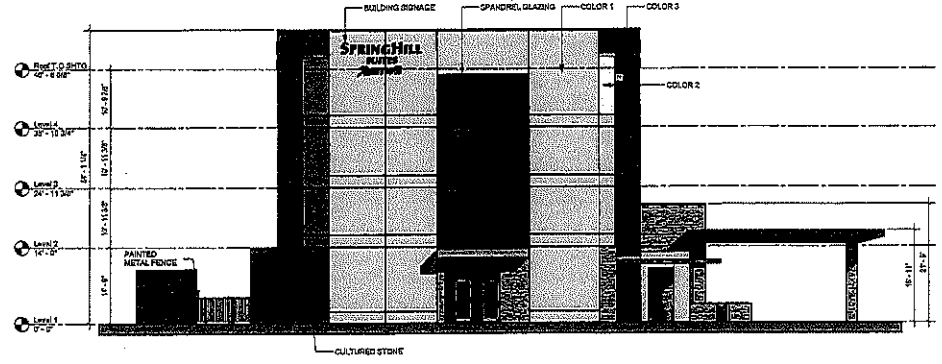
designcel ARCHITECTURE
EXCEL App



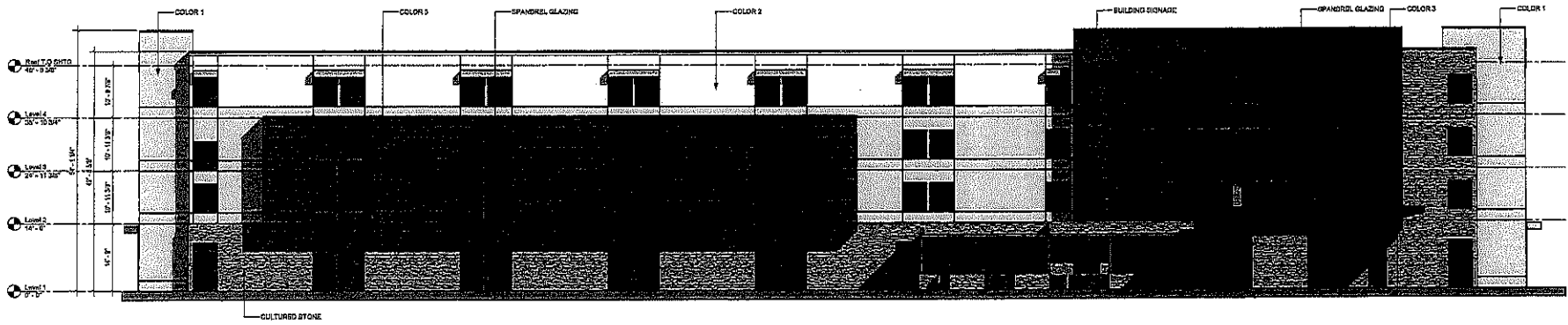
1 EXTERIOR NORTH ELEVATION
3/32" = 1'-0"



2 EXTERIOR EAST ELEVATION
3/32" = 1'-0"

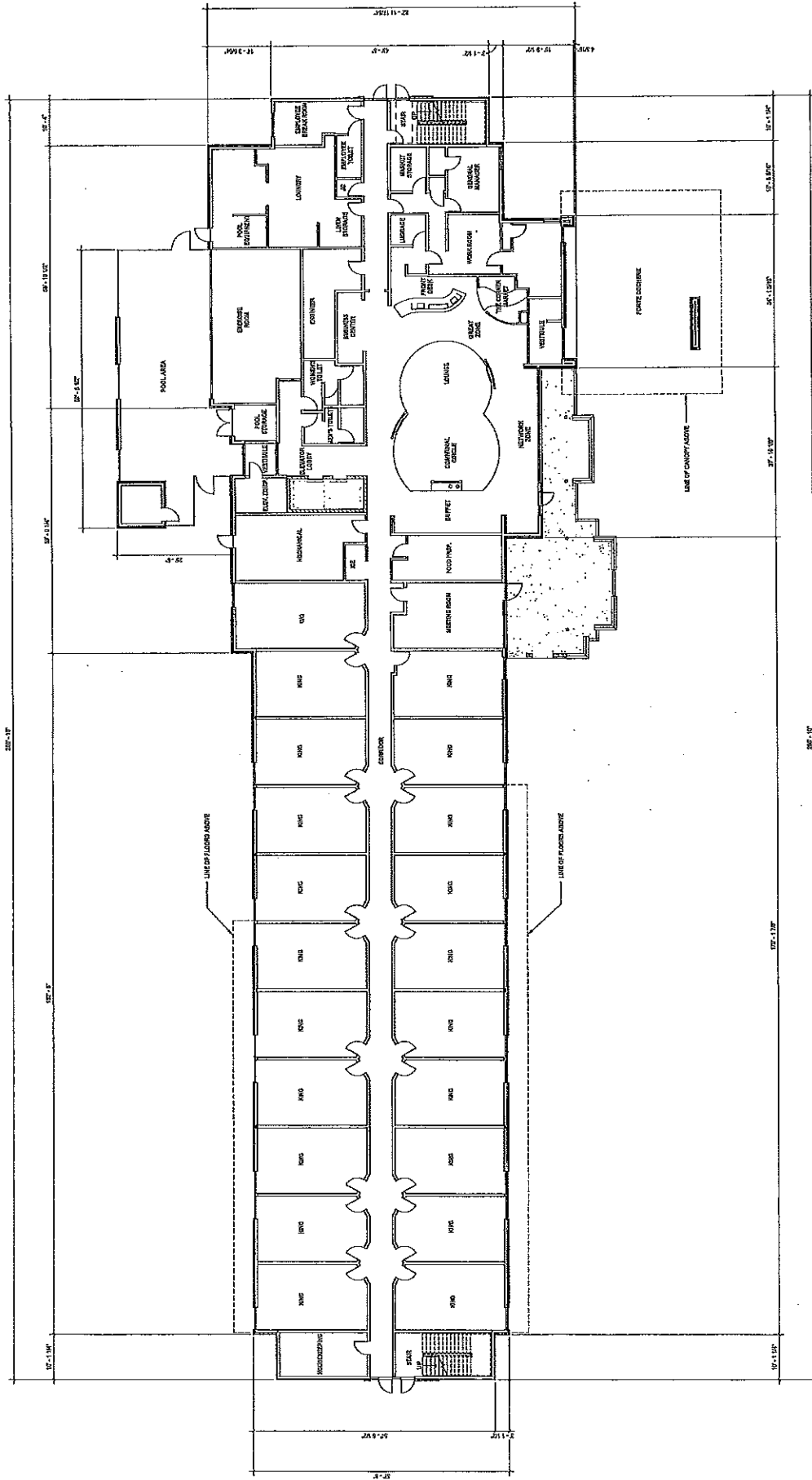


5 EXTERIOR WEST ELEVATION
3/32" = 1'-0"



3 EXTERIOR SOUTH ELEVATION
3/32" = 1'-0"

EXTERIOR FINISH LEG		
MATERIAL	#27	DESCRIPTION
[Pattern]	COLOR 1	PAINTED EPS SHEATH W/ 5/8\"/>
[Pattern]	COLOR 2	PAINTED EPS SHEATH W/ 5/8\"/>
[Pattern]	COLOR 3	PAINTED EPS SHEATH W/ 5/8\"/>
[Pattern]	CULTURED STONE	ELDONADO 5 MATTEWORK 1 STONE



DR-04
DC PROJECT: 14-066

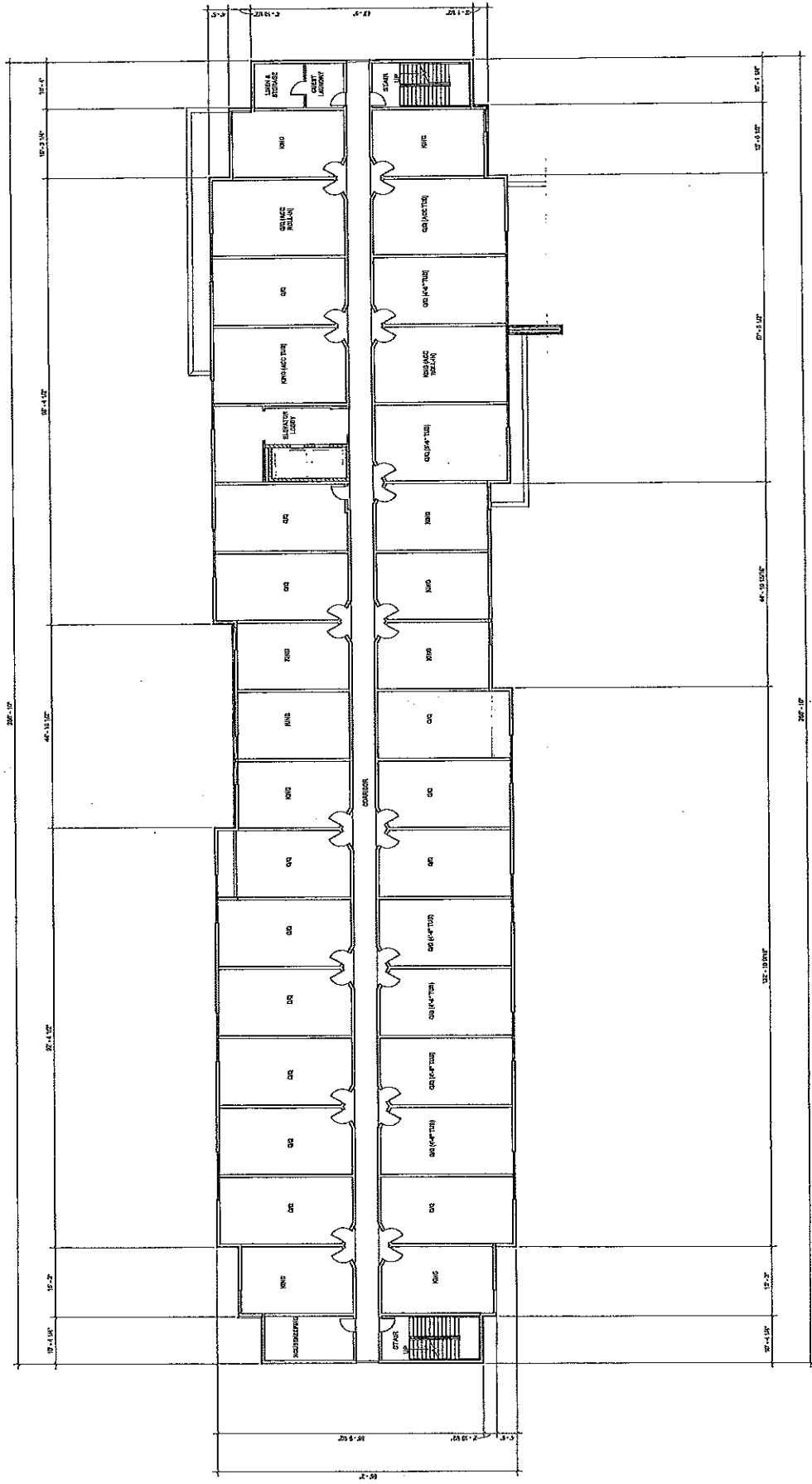
SPRINGHILL SUITES NEWARK, CA
NEWARK, CA

FIRST FLOOR PLAN
SCALE: 3/32" = 1'-0"
DATE: 11/18/2015

FF-971.10 FEET (0'-0")



EABT April
designcel
ARCHITECTURE



DR-05
DC PROJECT: 14 066

SPRINGHILL SUITES NEWARK, CA
NEWARK, CA

SECOND FLOOR PLAN
SCALE: 3/32" = 1'-0"
FF: 985.10 FEET (14'-0")
DATE: 11/18/2015

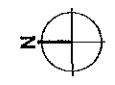
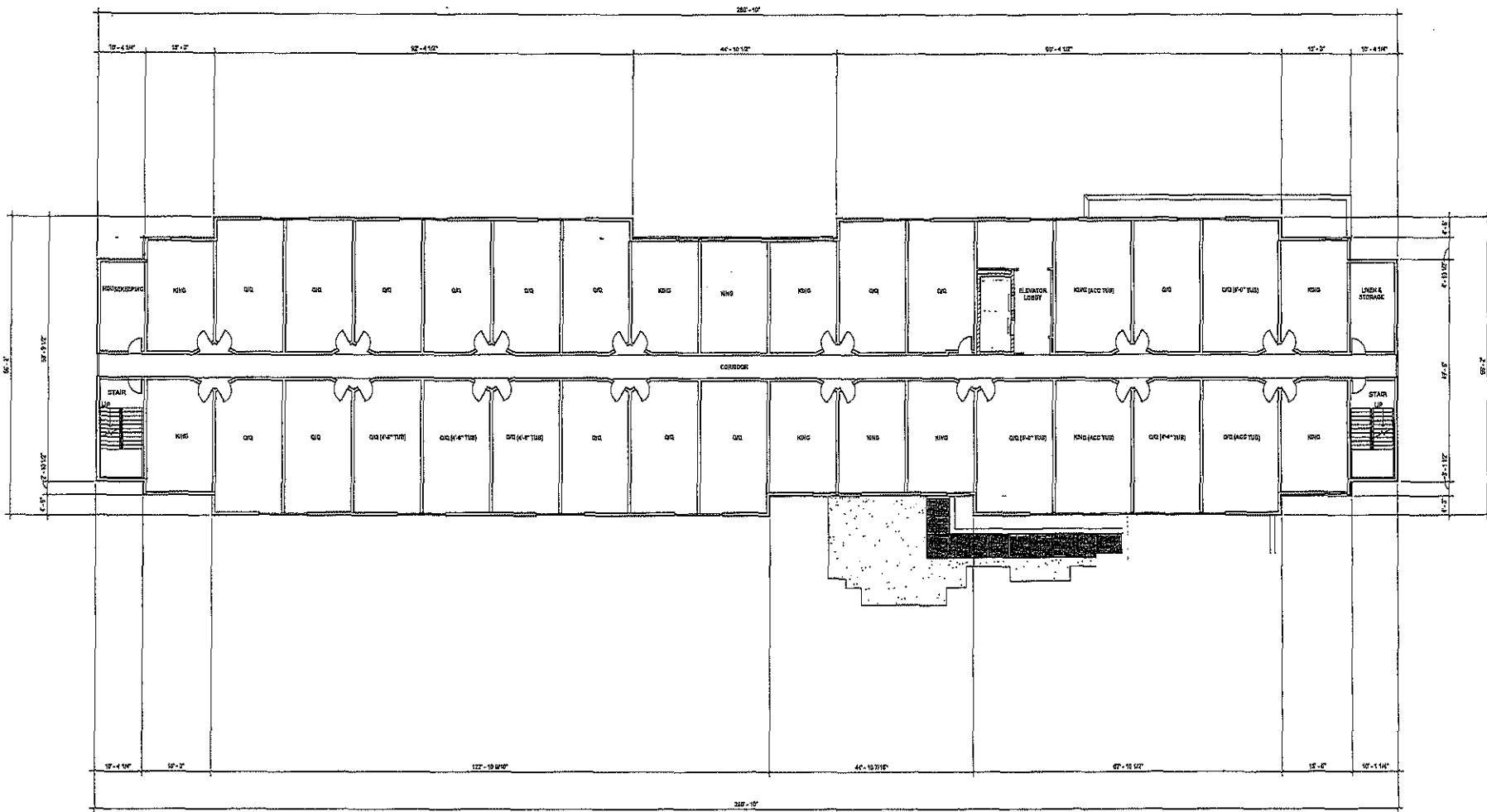


EXHIBIT A
April 16



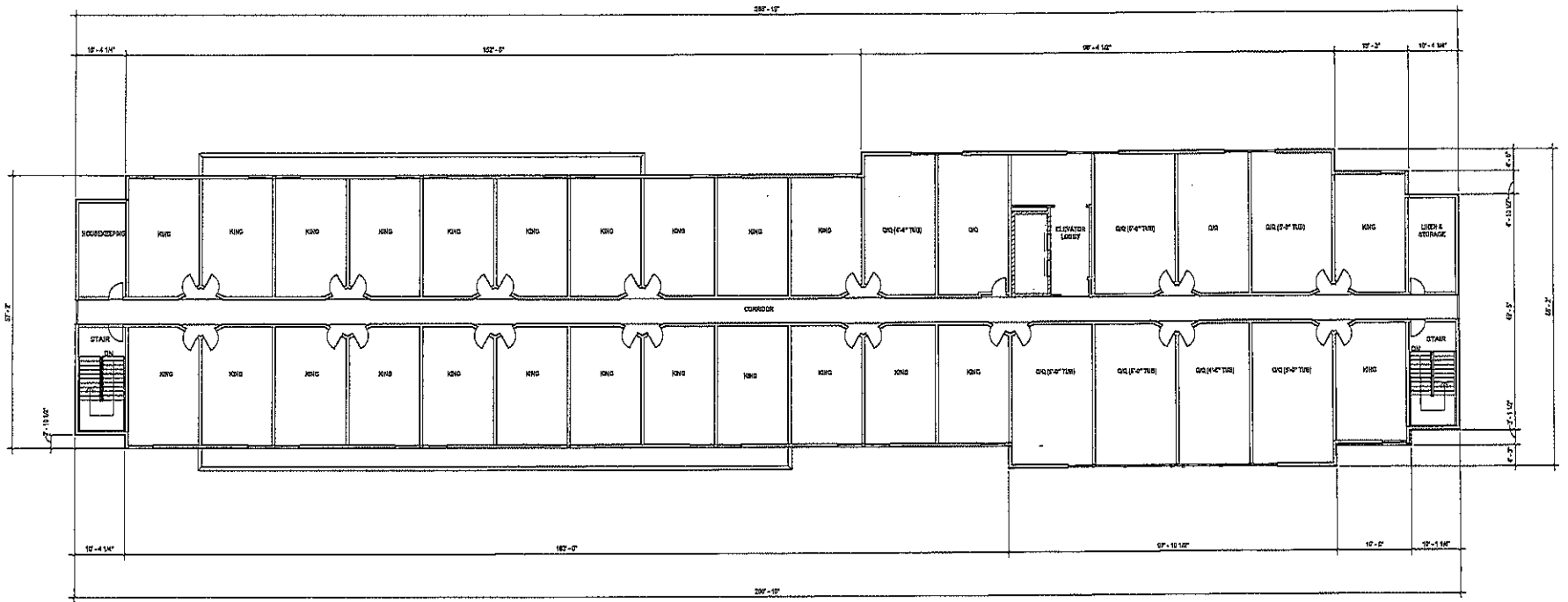
DR-06
DC PROJECT: 14 086

SPRINGHILL SUITES NEWARK, CA
NEWARK, CA

THIRD FLOOR PLAN
SCALE: 3/32" = 1'-0" DATE: 11/18/2015

FF: 996.05 FEET (24' - 11 3/8")





DR-07
DC PROJECT: 14 066

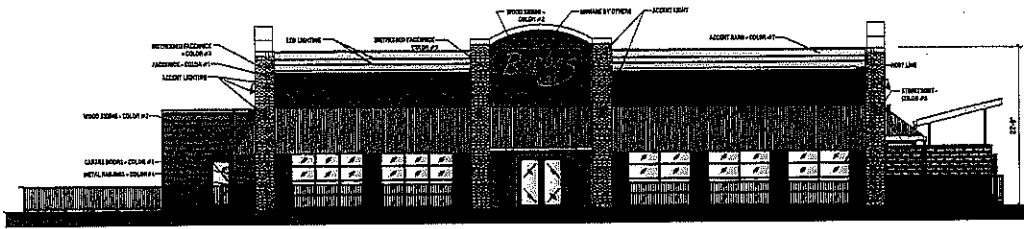
SPRINGHILL SUITES NEWARK, CA
NEWARK, CA

FOURTH FLOOR PLAN
SCALE: 3/32" = 1'-0" DATE: 11/18/2015

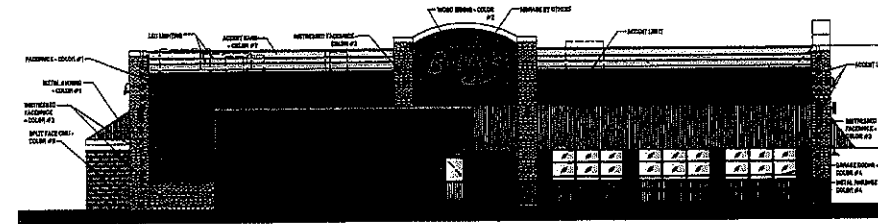
FF: 1,006.99 FEET (35' - 10 3/4")



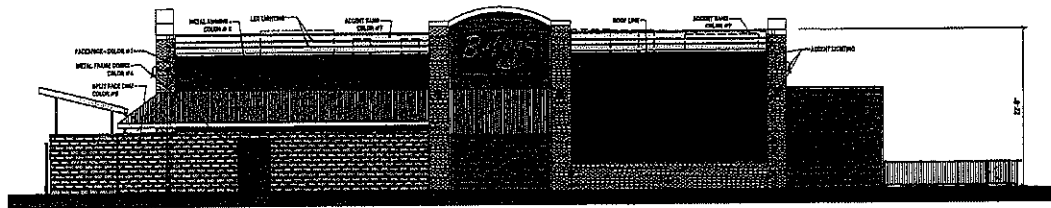
EXHIBIT A p14
designcell
ARCHITECTURE



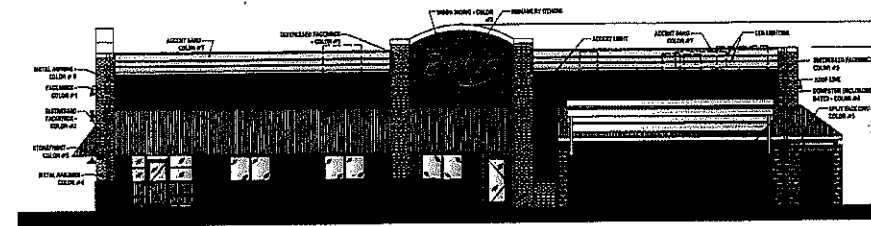
FRONT ELEVATION (WEST)



LEFT ELEVATION (NORTH)



REAR ELEVATION (EAST)

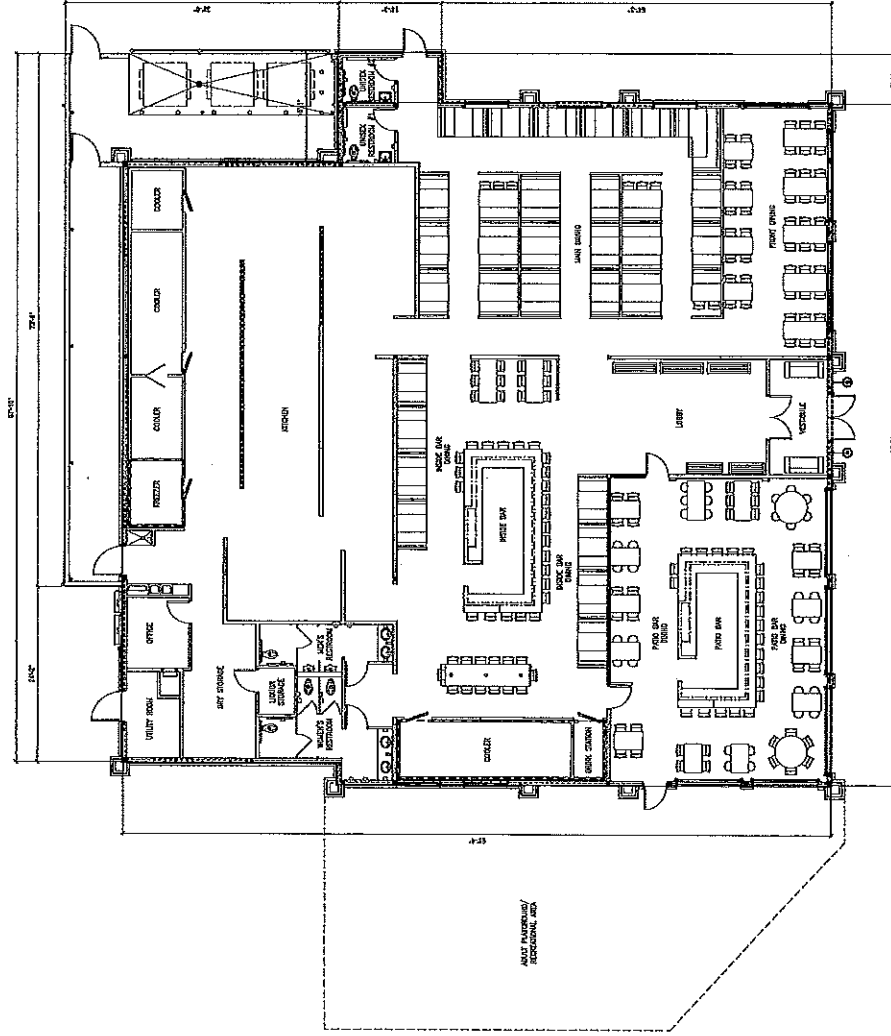


RIGHT ELEVATION (SOUTH)

EXTERIOR FINISH SCHEDULE			
FINISH TYPE	DESCRIPTION	FINISH TYPE	DESCRIPTION
FACEDWORK	COLOR #1 STONE WALL BLUE ASPHERON - "AUTHENTIC TUMBLE"	METAL FRAMING	COLOR #4 FRAMES, METAL PANELS, COMPARTS, PARTS, & BOLTS
COLOR WOOD AND BRIDGE	COLOR #2 CABOT BROWN-SHED STAIN, COLOR: HONEYWORT PLINK	SPRAY PAINT	COLOR #5 ENVI-METAL PRIMER, PANTON P70-648-B-ALLEY DUT - COLOR: GRAY
OUTLET/STAIRS FACEDWORK	COLOR #3 STONE WALL EVERWOOD FIRST - "AUTHENTIC TUMBLE"	METAL FRAMING	COLOR #6 METAL FRAMING: CORRUGATED; COLOR: GALVALUME
		ACCENT LAMP	COLOR #7 SHIMMER PLATED METAL
		STONE POINT	COLOR #8 BLANK BRIDGE

DISCLAIMER NOTE:
THE COLORS SHOWN ON THESE ELEVATIONS ARE FOR REFERENCE ONLY AND NOT TO BE USED FOR PURCHASE OF MATERIALS. PLEASE REFER TO MATERIAL SHEETS FOR ACTUAL SOURCE OF COLORS AND TEXTURES.

EXHIBIT APL5



FLOOR PLAN  NORTH

EXHIBIT A1.0

BUBBAS 33 FLOOR PLAN
 SCALE: 1/8" = 1'-0"
 NEWARK, CA
 201810021.0
A1.0



RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWARK MAKING CERTAIN FINDINGS AND ADOPTING AN ADDENDUM TO AN ENVIRONMENTAL IMPACT REPORT FOR A TWO HOTEL (STAYBRIDGE SUITES & SPRINGHILL SUITES) AND ONE RESTAURANT (BUBBA'S 33) PROJECT AT 6000 NEWPARK MALL ROAD (APN: 901-111-3 & 4)

WHEREAS, the two-hotel and restaurant project ("Project"), which is located within the Greater NewPark Mall area, consists of the construction of two four-story hotels containing a 104-room Staybridge Suites, a 120-room SpringHill Suites, and Bubba's 33 restaurant that will range from 7,000 square feet to 9,000 square feet (APN: 901-111- 3 & 4); and

WHEREAS, the entitlements requested include an Architectural and Site Plan Review (ASR-15-31); and

WHEREAS, pursuant to the requirements of the California Environmental Quality Act (CEQA), an Initial Study Checklist and Addendum to the 2013 General Plan Environmental Impact Report has been prepared for the Project, pursuant to Section 15070 *et seq.* of the CEQA Guidelines, to analyze and mitigate the Project's potentially significant environmental impacts; and

WHEREAS, through this study, it has been determined that the Project does not result in any new significant impacts and the conclusions in the 2013 Environmental Impact Report remain unchanged; and

WHEREAS, the Initial Study Checklist and Addendum was made available to the general public beginning on February 3, 2016, and no comments from the public have been received; and

WHEREAS, on March 22, 2016 the Planning Commission of the City of Newark conducted a duly noticed meeting to consider the Initial Study and Addendum of environmental impacts for the proposed Project, considered all public testimony, written and oral, presented at the meeting; and received and considered the written information and recommendation of the staff report for the March 22, 2016 meeting related to the proposed Project, and

WHEREAAS, at the March 22, 2016 meeting, the Planning Commission made the necessary findings to recommend that that the City Council adopt an Addendum to an Environmental Impact Report for a two hotel and one restaurant project and recommended approval of the Project.

NOW, THEREFORE, the City Council of the City of Newark finds and resolves the following:

1. The Initial Study and corresponding Addendum of environmental impacts were released for public review and said mitigation measures contained within the same would avoid the

effects or mitigate the effects to a point where clearly no significant effect on the environment would occur, and

2. There is no substantial evidence in light of the whole record before the City of Newark that the project may have a significant effect on the environment, and

3. The City Council has read and considered the Initial Study and the Addendum and the comments thereon, and has determined the Initial Study and the Addendum reflect the independent judgment of the City and were prepared in accordance with CEQA; and

4. The Initial Study and the Addendum (including any revisions developed under 14 C.C.R. § 15070(b)), all documents referenced in the same, and the record of proceedings on which the Planning Commission and City Council's decision is based are located in the Community Development Department, Newark City Hall, located at 37101 Newark Boulevard, California, and is available for public review.

NOW, THEREFORE, BE IT FURTHER RESOLVED THAT the City Council adopts the Initial Study Checklist and Addendum to an Environmental Impact Report, attached as Exhibit A; and

a. Based on the evidence and oral and written testimony presented at the public meeting, and based on all the information contained in the Community Development Department's files on the project, including, but not limited to, the Initial Study/Addendum, the City Council staff report, certifies in accordance with CEQA guidelines that:

1. The Initial Study Checklist and Addendum was prepared in compliance with CEQA and CEQA guidelines;
2. The City Council has reviewed and considered the information contained in the Initial Study Checklist and Addendum prior to approving the project;
3. The Initial Study Checklist and Addendum adequately describe the project, its environmental impacts, reasonable alternatives and appropriate mitigation measures;
4. The Initial Study Checklist and Addendum reflects the independent judgment and analysis of the City Council.

FIRSTCARBON SOLUTIONS™

**6000 NewPark Mall
Initial Study Checklist and Addendum
City of Newark, Alameda County, California**

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Appendix A: 2013 Recirculated EIR Mitigation Measures

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SECTION 1: INTRODUCTION

The proposed project is the construction of two hotels and a restaurant on a 6.8-acre parcel in the City of Newark. The project site is located within the Greater NewPark Focus Area identified in the 2013 General Plan Update, for which the 2013 General Plan Update EIR was prepared pursuant to the California Environmental Quality Act (CEQA [Pub. Res. Code § 21000, et seq.]), certified by the Newark City Council in 2013 (2013 EIR).

The NewPark Focus Area of the General Plan would allow for approximately 1,800 new housing units, 700 new hotel rooms, 200,000 square feet of net new retail space, and 500,000 square feet of net new office space in the focus area. The proposed project's 224 hotel rooms and 8,500-square-foot restaurant would fall within the envelope of the future development proposed in the General Plan for this area.

The purpose of the following environmental checklist is to evaluate the proposed improvements in order to determine whether they are within the scope of the 2013 General Plan Update EIR, or whether the project would result in new significant impacts or substantially more severe impacts under CEQA Guidelines Section 15162.

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SECTION 2: PROJECT DESCRIPTION

2.1 - Location and Setting

The 6.8-acre project site is located in the City of Newark, Alameda County (Exhibit 1). The project site is located within the grounds of the NewPark Mall and is bounded by NewPark Mall Road (west); Interstate 880 (north), an Alameda County Flood Control Channel and a recreation vehicle dealership (east); and Balentine Drive (south). The project site consists of two parcels that contain a dome theater complex, surface parking, and undeveloped land, as shown in Exhibit 2. The City of Newark General Plan designates the project site "Regional Commercial" and the Newark Zoning Ordinance zones the project site "Regional Commercial (CR)."

2.2 - Project Background

2.2.1 - Greater NewPark Focus Area

The project site is located within the Greater NewPark Focus Area, established in the General Plan and described below.

The Greater NewPark Focus Area is located in the southeastern portion of the City, adjacent to I-880, encompassing the NewPark Mall and its vicinity, as shown in Exhibit 3. The General Plan (Plan) articulates a vision for this 120-acre focus area that involves strengthening NewPark Mall and its environs to enhance its role as a community showcase and a quality environment for shopping, working, and living. The Plan modified the Regional Commercial land use designation applicable to much of the Greater NewPark Focus Area to allow high-density residential, office, and hotel uses to the extent that they support the area's regional retail focus.

The City estimated that the Plan would allow for approximately 1,800 new housing units, 700 new hotel rooms, 200,000 square feet of net new retail space, and 500,000 square feet of net new office space in this focus area.

The city adopted an accompanying vision document, the "Greater NewPark Master Plan" in September 2015 to guide development in the Greater NewPark Focus Area.

2.2.2 - 6000 NewPark Mall Project Components

The proposed project would implement the Plan for the Greater NewPark Focus Area by demolishing the defunct dome theater complex and developing two hotels and a restaurant on the project site, as shown in Exhibit 4. The hotels would be four-stories each and consist of the 104-room Staybridge Suites and the 120-room Springhill Suites. The restaurant would consist of an 8,500-square-foot Bubba's 33. A total of 345 off-street parking spaces would be provided, of which 242 spaces would be assigned to the hotels and 103 spaces assigned to the restaurant. The proposed project is consistent with the existing zoning and is simply subject to Architectural and Site Plan Review.

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Source: ESRI Imagery, 2014

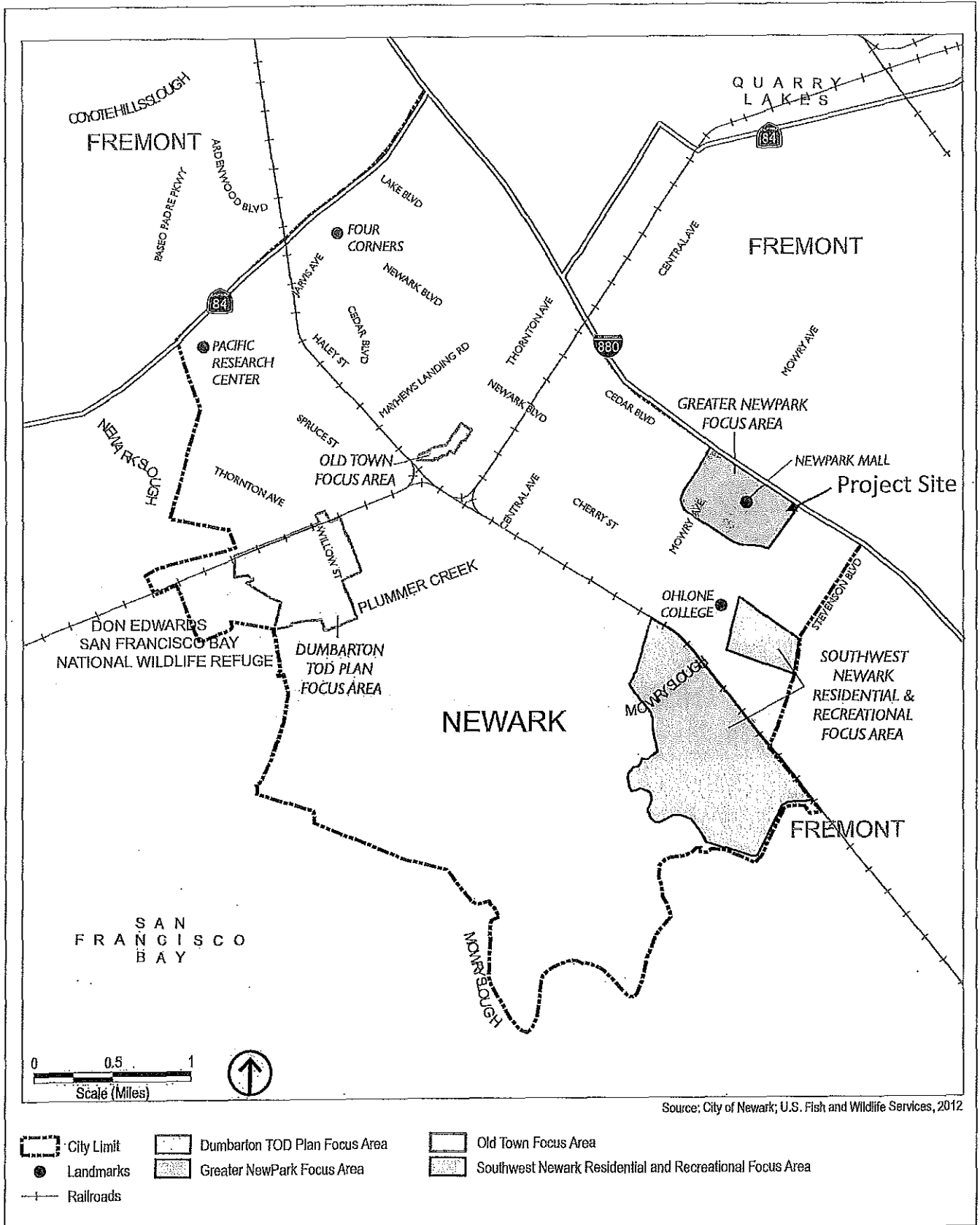
Exhibit 2

Local Vicinity Map
Aerial Base



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Source: The Planning Center



Exhibit 4 NewPark Mall Focus Area

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SECTION 3: CEQA CHECKLIST

The purpose of the checklist is to evaluate the categories in terms of any changed condition (e.g., changed circumstances, project changes, or new information of substantial importance) that may result in a changed environmental result (e.g., a new significant impact or substantial increase in the severity of a previously identified significant effect) (CEQA Guidelines Section 15162).

The questions posed in the checklist come from Appendix G of the CEQA Guidelines. A “no” answer does not necessarily mean that there are no potential impacts relative to the environmental category, but that there is no change in the condition or status of the impact since it was analyzed and addressed with mitigation measures in the EIR prepared for the project. These environmental categories might be answered with a “no” in the checklist, since the proposed project does not introduce changes that would result in a modification to the conclusion of the certified EIR.

3.1 - Explanation of Checklist Evaluation Categories

(1) Conclusion in Prior EIR and Related Documents

This column provides a cross-reference to the pages of the EIR where the conclusion may be found relative to the environmental issue listed under each topic.

(2) Do the Proposed Changes Involve New Impacts?

Pursuant to CEQA Guidelines Section 15162, subd. (a)(1), this column indicates whether the changes represented by the revised project will result in new significant environmental impacts not previously identified or mitigated by the EIR, or whether the changes will result in a substantial increase in the severity of a previously identified significant impact.

(3) New Circumstances Involving New Impacts?

Pursuant to CEQA Guidelines Section 15162, subd. (a)(2), this column indicates whether there have been substantial changes with respect to the circumstances under which the project is undertaken that will require major revisions to the EIR, due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

(4) New Information Requiring New Analysis or Verification?

Pursuant to CEQA Guidelines Section 15162, subd. (a)(3)(A-D), this column indicates whether new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR [or ND];

(B) Significant effects previously examined will be substantially more severe than show in the previous EIR [or ND];

- (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- (D) Mitigation measures or alternatives which are considerable different from those analyzed in the previous EIR [or ND] would substantially reduce one or more significant effect of the environment, but the project proponents decline to adopt the mitigation measure or alternative.

If the additional analysis completed as part of this environmental review were to find that the conclusions of the EIR remain the same and no new significant impacts are identified, or identified impacts are not found to be substantially more severe, or additional mitigation is not necessary, then the question would be answered “no,” and no additional environmental document would be required.

(5) EIR Mitigation Measures Implemented or Address Impacts

Pursuant to CEQA Guidelines Section 15162, subd. (a)(3), this column indicates whether the EIR provides mitigation measures to address effects in the related impact category. These mitigation measures will be implemented with the construction of the project; a “yes” response will be provided in either instance. If “NA” is indicated, the EIR and this initial study conclude that the impact does not occur with this project or is not significant; therefore, no additional mitigation measures are needed.

3.2 - Discussion and Mitigation Sections

(1) Discussion

A discussion of the elements of the checklist is provided under each environmental category in order to clarify the answers. The discussion provides information about the particular environmental issue, how the project relates to the issue, and the status of any mitigation that may be required or that has already been implemented.

(2) EIR Mitigation Measures

To the extent that mitigation measures in the 2013 EIR have not already been implemented, applicable mitigation measures that apply to the project are listed under each environmental category. However, several of the listed mitigation measures are inapplicable as they apply to only the entire effects of the General Plan Update and therefore are not discussed further in this analysis. Accordingly, only the mitigation measures that are applicable to the proposed project and are assumed to have not been completed have been included in the analysis below. For informational purposes, a listing of each mitigation measure identified in the 2013 EIR has been provided in Appendix A of this document.

(3) Conclusions

A discussion of the conclusion relating to the analysis is contained in each section.

Environmental Issue Area	Conclusion in 2013 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	2013 EIR Mitigation Measures
I. Aesthetics					
<i>Would the project:</i>					
a) Have a substantial adverse effect on a scenic vista?	Less than significant impact.	No	No	No	None
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	No impact.	No	No	No	None
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	Less than significant impact.	No	No	No	None
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	Less than significant impact.	No	No	No	None

Discussion

- a-d) The 2013 EIR found no significant impacts to scenic vistas in the project area from future buildout of the General Plan in the Greater NewPark focus area. There are no scenic highways identified in the City of Newark, so no potential impacts were found to scenic resources within a scenic highway. The buildout of the General Plan will not substantially degrade the existing visual character or quality of the site and its surroundings, or create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

The 2013 EIR found that there would be no significant impacts to aesthetics as a result of buildout of development planned for the Greater NewPark focus area because of policies in the Plan that provide for design review and protection of views in the City. With buildout of the proposed Plan, the Greater NewPark Focus Area is anticipated to become more a walkable sector of the City, with an emphasis on multi-story construction, high-quality architecture, a mixture of land uses, and improved connectivity between properties. The

Plan calls for signage and lighting to complement the area's architecture, and landscaping to unify the area, soften structures and large, bare walls, enhancing the overall visual quality of the Focus Area. The City of Newark Municipal Code's zoning ordinance (Title 17) would ensure that new development allowed under the proposed Plan would be consistent with community standards, thus minimizing potential impacts to visual character. Additionally, the proposed Plan contains goal and policies that would help to further reduce an already less-than-significant impact to the existing visual character of the Greater NewPark Focus Area.

Compliance with the zoning regulations and implementation of the Plan's proposed policies would reduce the impacts to visual character associated with the Greater NewPark Focus Area to a less than significant level.

Relevant EIR Mitigation Measures

None.

Conclusion

No new significant impacts related to aesthetics would occur from the construction of two hotels and a free-standing restaurant in the NewPark Mall focus area. The conclusions from the 2013 EIR remain unchanged.

Environmental Issue Area	Conclusion in 2013 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	2013 EIR Mitigation Measures
II. Agricultural Resources					
<i>Would the project:</i>					
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	NA	No	No	No	None
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	NA	No	No	No	None
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	NA	No	No	No	None
d) Result in the loss of forest land or conversion of forest land to non-forest use?	NA	No	No	No	None

Environmental Issue Area	Conclusion in 2013 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	2013 EIR Mitigation Measures
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	NA	No	No	No	None

Discussion

- a–e) Agricultural impacts were not analyzed in the 2013 EIR. The proposed project site is designated “Urban and Build-Up Land” and is not under a Williamson Act contract. Additionally, the project is not in or adjacent to areas zoned for agriculture. Therefore, no new significant impacts associated agricultural resources would occur.

Relevant EIR Mitigation Measures

None.

Conclusion

The conclusions from the 2013 EIR remain unchanged.

Environmental Issue Area	Conclusion in 2013 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	2013 EIR Mitigation Measures
III. Air Quality					
<i>Would the project:</i>					
a) Conflict with or obstruct implementation of the applicable air quality plan?	Significant unavoidable impact.	No	No	No	None
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	Less than significant impact.	No	No	No	None
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	Less than significant impact.	No	No	No	None
d) Expose sensitive receptors to substantial pollutant concentrations?	Less than significant impact.	No	No	No	None
e) Create objectionable odors affecting a substantial number of people?	Less than significant impact.	No	No	No	None

Discussion

- a–e) The 2013 EIR found that while the proposed Plan would support the primary goals of the 2010 Bay Area Clean Air Plan, buildout of the proposed Plan would not be consistent with the Clean Air Plan because the projected vehicle miles traveled (VMT) increase from

buildout of the proposed Plan would be greater than the projected population increase. Numerous goals, policies, and actions contained in the proposed Plan address future increase in VMT and criteria air pollutants under the Plan; however, the projected increase in VMT in the Plan Area would still exceed the rate of population growth. There are no additional measures that would reduce this impact. This is a significant, unavoidable impact.

The Plan was found not to violate any air quality standard or contribute substantially to an existing or projected air quality violation, or to result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment. The Plan would not expose sensitive receptors to substantial pollutant concentrations or create objectionable odors affecting a substantial number of people.

The proposed hotels and restaurant would generate approximately 314 PM vehicle trips, using standard generation rates from the Institute of Traffic Engineers. Because the new uses and the number of vehicle miles traveled in relation to the uses were anticipated in the air quality analysis in General Plan EIR, no new significant impacts related to air quality would occur. The conclusions from the 2013 EIR remain unchanged.

Relevant EIR Mitigation Measures

None.

Conclusion

The conclusions from the 2013 EIR remain unchanged.

Environmental Issue Area	Conclusion in 2013 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	2013 EIR Mitigation Measures
IV. Biological Resources					
<i>Would the project:</i>					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	Less than significant impact.	No	No	No	None
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	Less than significant impact.	No	No	No	None
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	Less than significant impact.	No	No	No	None

Environmental Issue Area	Conclusion in 2013 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	2013 EIR Mitigation Measures
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	Less than significant impact.	No	No	No	None
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	Less than significant impact.	No	No	No	None
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	Less than significant impact.	No	No	No	None

Discussion

- a–f) In general, the urbanized portions of the Plan Area are considered to have low habitat value for biological resources, given the urbanized context of the Plan Area and the extent of existing development in Newark. However, while buildout of the proposed Plan would primarily take the form of redevelopment of previously developed sites in urbanized areas of the City, future development under the Plan could potentially result in impacts on special-status plant and animal species known or suspected to occur within the Plan Area. Direct impacts could result if buildout of the Plan would cause the direct loss of individuals or localized populations, the elimination or degradation of essential habitat, or the isolation of subpopulations due to habitat fragmentation. Additionally, the conversion of existing natural habitat to urban development and infrastructure improvements could result in the elimination of populations of special-status species where they are present within the limits of proposed grading and development. Indirect impacts could result if buildout of the Plan

causes disruption of critical functions affecting reproductive success, degradation of habitat quality to such an extent that occupied habitat is no longer suitable for individual survival, and other influences.

In finding no significant impacts to biological resources from the implementation of the General Plan, the 2013 EIR stated that in most instances, surveys and further detailed assessment would be necessary to confirm the presence or absence of special-status species occurrences on development sites within the City. Federal, state, and local regulations described in the EIR would protect special-status species present or potentially present within the Plan Area and compliance with these regulations would minimize potential impacts. The federal and California Endangered Species Acts, Migratory Bird Treaty Act, Fish and Game Code, and California Native Plant Protect Act all serve to prevent the potential “take” of state, federally, or CNPS (1B) listed plant species that may occur, which could require additional mitigation and possibly authorization from the United States Fish and Wildlife Service, California Department of Fish and Wildlife, and National Oceanic and Atmospheric Administration fisheries.

The following policies from the Plan were implemented to reduce impacts to less than significant:

- **Policy CS-1: Wildlife and Habitat Protection.** Preserve and protect Newark’s plant and animal species and habitats, including wetlands, salt marshes, creeks, and lakes. Ensure that land use decisions consider potential impacts on wildlife habitat.
- **Policy CS-4: Wetlands Delineation.** Encourage the owners of large potentially developable properties to enter into early discussions with appropriate agencies conduct wetland delineation studies. Such studies should be used to identify areas to be conserved as permanent open space, as well as appropriate mitigation measures to offset any wetland impacts.
- **Action CS2.B: Wetlands Restoration in New Development Areas.** Work with the developers of Newark’s remaining large development sites, including Dumbarton TOD and the Southwest Newark Residential and Recreational Project (Areas 3 and 4), on efforts to restore and/or re-vegetate natural habitat areas.
- **Action CS2.C: Review of Wetland Impacts.** Ensure that potential wetland impacts are considered during environmental review and prescribe mitigation measures as necessary to avoid or offset such impacts.

In accordance with the above city policies, a reconnaissance-level survey was conducted by FCS Senior Ecologist, Kristiaan Stuart on November 14, 2015 to evaluate the project for biological resources, including on-site vegetation communities, potentially jurisdictional waters of the U.S., and to assess the potential for occurrence of special-status plant and wildlife species within the Project. Special attention was directed to portions of the survey area that may contain native vegetation, suitable habitat for sensitive plant and wildlife species, and potential waters and wetlands subject to regulatory agency jurisdiction. The undeveloped land surrounding the project was surveyed in order to confirm the adjacent vegetation community/land cover types, and account for any potential indirect impacts associated with the project.

A search of the USFWS Critical Habitat Portal revealed that the project area does not contain identified critical habitat for any federally listed species (USFWS 2011). The nearest area designated as critical habitat is located 2.2 miles to the southeast for the Contra Costa County goldfields (*Lasthenia conjugens*).

There are no refuges within the project boundaries.

Assessment of the potential for each sensitive habitat to occur within the project was based on known occurrences of the habitat type within a 1-mile radius of the project (CDFG 2005), suitability of habitat within the project, and professional expertise. The project is highly disturbed and does not contain any sensitive habitat types.

Field evaluations determined that two closely parallel seasonal wetlands are present in the PSA. Both of these seasonal wetland features are likely the result of the grading operation that occurred several years ago where two slight depression areas were inadvertently formed. Based on the site plans, impacts to these two seasonal wetland features are anticipated to be unavoidable. To ensure consistency with policies set forth above, a formal wetland delineation will be performed to determine the size of these features and if they fall under state and/or federal jurisdiction. If warranted, the appropriate regulatory permits will be obtained and mitigation will be employed, as necessary, for the loss of these features.

No special status species were identified during the field investigation. However, the timing of the survey was not optimal for the identification of most flowering annual plant species. Based on the level of site disturbance, it is not anticipated that special-status plant species will occur in the PSA. However, it is recommended that spring surveys be conducted prior to the initiation of construction to rule out the possibility for their presence. Adjacent and southeast of the PSA is a storm drainage canal that leads south to Mowry Slough. The drainage canal provides suitable habitat for burrowing owls with the many ground squirrel burrows found on its embankment. During the survey no evidence of burrowing owls were observed. It is recommended that burrowing owl surveys consistent with state regulations be conducted prior to ground disturbance activities. Several ornamental trees line the PSA adjacent to Ballentine Drive and NewPark Mall Road, and ornamental trees are also found adjacent to the drainage canal in the northeast margin of the PSA. While no nesting birds or remnant nests were observed during the survey, it is recommended that pre-construction survey be conducted prior to construction if within the avian nesting season (generally March 1 to August 31).

Relevant EIR Mitigation Measures

None.

Conclusion

No new significant impacts related to biological resources would occur. The conclusions from the 2013 EIR remain unchanged.

Environmental Issue Area	Conclusion in 2013 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	2013 EIR Mitigation Measures
V. Cultural Resources					
<i>Would the project:</i>					
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	Less than significant impact	No	No	No	None
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	Potential significant impact to archaeological resources in the Southwest Newark Residential and Recreational Focus Area	No	No	No	MM CULT-2
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Less than significant impact	No	No	No	None
d) Disturb any human remains, including those interred outside of formal cemeteries?	Potential impact to Native American human remains in the Southwest Newark Residential and Recreational Focus Area	No	No	No	MM CULT-4

Discussion

- a-d) No historical resources were identified within the project site by the 2013 EIR, or by the subsequent records search performed at the Northwest Information Center on November

23, 2015. Historical research, including outreach to local historical societies on November 30, 2015 also failed to reveal any historical resources that will be impacted by the proposed project. It is unlikely that significant paleontological remains will be impacted by the proposed project, due to the relatively recent age of Holocene Bay mud underlying the City as identified in Section 4.4.1.2 of the 2013 EIR. Additionally, since no previous fossil finds have been made in the vicinity, and there are no known paleontological resources in Newark according to the University of California Museum of Paleontology Specimen Search database, paleontological potential of this area is considered low. A subsequent pedestrian field survey conducted on December 3, 2015 at the project site also failed to identify any cultural or paleontological resources.

The pedestrian survey found that the proposed project area was entirely disturbed through construction and grading activity with little to no native soils left intact. The eastern parcel of the project area is entirely developed, and is occupied by buildings and parking lots associated with the now closed Cinedome 7 Theater complex. The western parcel is also highly disturbed, consisting of parking lots and a large, rectangular earthwork mound with vent pipes that appears to be the capping layer of a landfill or refuse pit that drains into the canal running along the southern boundary of the project site. Any open undeveloped areas show evidence of pitting, trenching and grading by heavy machinery, making the probability of discovering intact archaeological resources unlikely. Potential inadvertent discovery of buried archaeological resources or human remains were addressed by Mitigation Measures CULT-2 and CULT-4 of the 2013 EIR, as well as the additional mitigation measures they reference.

The project applicant is proposing to demolish the Cinedome 7 theater complex and develop two hotels and a restaurant on the project site. A review of historic aerials dating back to the 1930s indicates that the theater structures did not exist as of 1979, and are therefore not of historic age (older than 50 years). The National Register of Historic Places (NR) and California Register of Historic Resources Criteria for Evaluation exclude properties that achieved significance within the past 50 years unless they are deemed to be of exceptional importance under Criteria Consideration G. Fifty years is a general estimate of the time needed to develop historical perspective and to evaluate historic significance. This consideration guards against the listing of properties of passing contemporary interest and ensures that the NR is a list of truly historic places.

The phrase “exceptional importance” may be applied to the extraordinary importance of an event or to an entire category of resources so fragile that survivors of any age are unusual. Properties listed that have attained significance in less than 50 years include the launch pad at Cape Canaveral from which men first traveled to the moon and the home of nationally prominent playwright Eugene O’Neill. A structure is also eligible “as a specimen of its type or period of construction if it is an important example (within its context) of building practices of a particular time in history.” The subject property is less than 50 years old, and while the domed movie theater is a locally distinctive and recognizable building, sufficient time has not passed to determine the significance of this style type within the context of architectural history. According to Criteria Consideration G, a property under 50 years of age “can be evaluated only

when sufficient historical perspective exists to determine that the property is exceptionally important. The necessary perspective can be provided by scholarly research and evaluation, and must consider both the historic context and the specific property's role in that context." Though some preliminary study and recognition of these domed theaters as notable works of architecture exists, the information available is not adequate to justify listing at the state or national level for exceptional significance.

When evaluating potential historic resources under Criteria Consideration G, "it is necessary to identify other properties within the geographical area that reflect the same significance or historic associations and to determine which properties best represent the historic context in question." Comparative analysis of similar properties in the wider Bay Area and the immediate surroundings indicates that many similar domed theaters have been demolished in recent years. However, a small number exist and remain in relatively good condition in San José, including the Century 24 Theater. Archival research indicates that the cluster of theaters, commonly referred to as Century 21, 22 and 23, located adjacent to the Winchester Mystery House in San José are historically significant. This grouping of five Century theaters includes the Century 21 dome theater that was the flagship theater built by early theater pioneer Raymond Syufy. A recent article in the Wall Street Journal (Heather David, pers. comm., May 30, 2013) indicated that because of its historic significance there is the possibility that the Century 21 Theater may be retained and reused.

Because of its relatively young age, the fact that more significant examples exist in relatively close proximity, and the fact that the subject property is not the first or the last of these theaters in the region, exceptional importance for the Cinedome 7 theater is not warranted. The project would not result in ground disturbance in areas that were previously undisturbed, and no new evidence has come to light through the records search or field survey to indicate the presence or high potential for additional cultural resources to be located within the project area. There is no new information or change in circumstance since the 2013 EIR to determine any impact from the demolition of the Cinedome theater. The proposed project would therefore not result in any new significant impacts or substantially increased cultural resources impacts.

Relevant EIR Mitigation Measures

MM CULT-2 Regulatory compliance and implementation of proposed Plan policies would reduce but not eliminate the potential for damage or disturbance. No additional feasible mitigation exists to further reduce this impact.

Relevant General Plan goals and policies include:

- **Goal LU-5:** Identify, preserve, and maintain historic structures and sites to enhance Newark's sense of place and create living reminders of the city's heritage.
- **Policy LU-5.1: Preserving Important Buildings.** Encourage the preservation of historically and architecturally important buildings that help enhance Newark's character and sense of identity. The demolition of historically important buildings is strongly discouraged.

- **Policy LU-5.2: Context-Sensitive Design.** Ensure that the repair, maintenance, and expansion of Newark's historically important structures uses building materials and architectural details, which respect historic context.
- **Policy LU-5.3: Adaptive Reuse.** Where it is no longer feasible to continue to use an older building for its originally intended use, encourage adaptive reuse of the structure rather than demolition and replacement.
- **Policy LU-5.4: Historic Landscapes.** Consider the historic value of landscape features, such as trees, gardens, and fences when evaluating the historical significance or importance of a property.
- **Action LU5.A: Evaluating Historic Resource Impacts.** Evaluate applications for demolition, alteration, or relocation of structures more than 50 years old to determine if the structure has sufficient significance and integrity to merit its designation as a historic resource. In the event alterations to a historic resource are proposed, use the Secretary of the Interior Standards for the Treatment of Historic Properties to guide application review.
- **Action LU5.D: Historic Inventory.** Maintain and periodically update a list of Newark's historic sites and structures.

MM CULT-4 While compliance with the provisions of SB18, California Health and Safety Code Section 7052 and 7050.5, and California Public Resources Code Section 5097 and 15064.5 together with implementation Mitigation Measure 4.4-1 from the 2009–2104 Housing Element EIR, and Mitigation Measures CUL-2.1 through CUL-2.4 from the Area 3 and 4 Specific Plan EIR, described above, would reduce the potential for accidental damage or disturbance of human remains during construction activities associated with buildout of the proposed Plan, damage or disturbance of human remains through the placement of fill and soil compression could still result during construction activities associated with buildout. No additional feasible mitigation exists to further reduce this impact.

Previous environmental review conducted for the 2009–2014 Housing Element and the Area 3 and 4 Specific Plan identified mitigation measures to address potential impacts to archaeological resources that have been adopted by the City. Mitigation Measure 4.4-1 from the Housing Element EIR requires that in the event an archeological Native American artifact is identified during residential development, work will cease in the immediate vicinity of the artifact until a resource protection plan conforming to CEQA Guidelines is prepared by a qualified paleontologist and/or archeologist and approved by the City of Newark. Previous environmental review concluded that implementation of this mitigation measure would reduce associated impacts to a less-than significant level. The Area 3 and 4 Specific Plan EIR also contains mitigation measures that reduce impacts to paleontological resources. Mitigation Measure CUL-2.1 requires before construction activities begin that a hand excavation led by a professional archaeologist be used to determine the extent of archaeological resources in the area. Mitigation Measures CUL-2.2 and CUL-2.3 require that site development plans and grading then use this information to avoid known cultural resources. Mitigation Measure CUL-2.4 requires that where known

archaeological resources are present, and cannot be avoided, preservation in place methods or a program of data recovery will be implemented, following CEQA Guidelines. This would involve a combination of limited hand excavation to remove known human remains to prevent additional damage, as well as heavy equipment under the direction of a professional archaeologist. Mitigation Measure CUL-2.4 requires a certified professional archaeological observe during all construction that causes ground disturbance with specific authority to direct and halt earthmoving activities if, and when, cultural materials are encountered, in accordance with CEQA Guidelines. Additionally, mitigation measure CUL-2.4 requires construction to stop within a 100 foot radius if and when such resources are found, until the archaeologist evaluates the significance of the find, and suggests the appropriate mitigation to protect the resources.

Conclusion

No new significant impacts to cultural resources would occur. The conclusions from the 2013 EIR remain unchanged.

CEQA Checklist

Environmental Issue Area	Conclusion in 2013 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	2013 EIR Mitigation Measures
VI. Geology and Soils					
<i>Would the project:</i>					
a) Expose people or structures to potential substantial adverse effects, including risk of loss, injury, or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	Less than significant impact.	No	No	No	None
ii) Strong seismic ground shaking?	Less than significant impact.	No	No	No	None
iii) Seismic-related ground failure, including liquefaction?	Less than significant impact.	No	No	No	None
iv) Landslides?	Less than significant impact.	No	No	No	None
b) Result in substantial soil erosion or the loss of topsoil?	Less than significant impact.	No	No	No	None
c) Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	Less than significant impact.	No	No	No	None

Environmental Issue Area	Conclusion in 2013 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	2013 EIR Mitigation Measures
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	Less than significant impact.	No	No	No	None
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water.	No impact.	No	No	No	None

Discussion

- a-e) The 2013 EIR found that with adherence to the City's zoning and buildings codes and the policies in the General Plan, the proposed Plan would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving surface rupture along a known active fault; strong seismic ground shaking; seismic-related ground failure, including liquefaction; and landslides. Implementation of the proposed Plan would not result in substantial soil erosion or the loss of topsoil. Development under the proposed Plan would not result in a significant impact related to development on unstable geologic units and soils or result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. Development under the proposed General Plan would not create substantial risks to life or property as a result of its location on expansive soil, as defined in Table 18-1-b of the Uniform Building Code (1994). Implementation of the proposed Plan would not result in impacts associated with the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater.

Additionally, the following goals, policies, and actions from the Plan would address hazards related to liquefaction and ground shaking:

- **Policy EH-1.1:** Development Regulations and Code Requirements. Establish and enforce development regulations and building code requirements to protect residents and workers from flooding, liquefaction, earthquakes, fires, and other hazards.

- **Policy EH-1.2:** Considering Hazards in Project Location and Design. Prohibit development in any area where it is determined that the potential risk from natural hazards cannot be mitigated to acceptable levels.
- **Action EH-1.A:** Development Review. Review all development applications to ensure their compliance with all relevant building and safety codes, including those related to fire, flooding, soil, and geologic hazards.
- **Action EH-1.B:** Code Updates. Periodically revise construction codes and regulations to incorporate the latest information and technology related to natural hazards such as earthquakes and flooding.
- **Policy EH-2.1:** Earthquake Safety in New Construction. Require new development to meet structural integrity standards which minimize the potential for damage during earthquakes.
- **Policy EH-2.3:** Earthquake Awareness. Inform Newark residents and businesses of steps they can take to reduce earthquake-related hazards.
- **Policy EH-2.4:** Infrastructure Resilience. Maintain standards for roads and infra-structure which consider geologic hazards, including subsidence and liquefaction.
- **Action EH-2.A:** Geotechnical Studies. At the discretion of the Director of Public Works, require detailed investigations of ground shaking, liquefaction, soil stability, and other geologic hazards as specific development projects are proposed. Such investigations shall be prepared by a qualified geologist or soils engineer, with appropriate mitigation measures identified and implemented.

Applicable Regulations

- City of Newark Municipal Code, Chapter 15 Building Regulations (including California Building Code adopted by reference, Section 15.50, Newark Municipal Code)
- California Public Resources Code, Division 2, Chapter 7.8, Section 2697(a) (a.k.a. the Seismic Hazards Mapping Act)

Compliance with the above ordinances and mitigation measures would reduce geology- and soils-related impacts to the maximum extent practicable. Consequently, the overall, associated impacts would be less than significant.

The construction of two new hotels and a restaurant would not increase any impacts with respect to geology and soils.

Relevant EIR Mitigation Measures

None.

Conclusion

No new significant impacts related to geology or soils would occur. The conclusions from the 2013 EIR remain unchanged.

Environmental Issue Area	Conclusion in 2013 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	2013 EIR Mitigation Measures
VII. Greenhouse Gas Emissions					
<i>Would the project:</i>					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Significant and unavoidable impact.	No	No	No	GHG-1
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	Less than significant impact.	No	No	No	None

Discussion

a-b) The 2013 EIR found that the proposed Plan would generate substantial GHG emissions in excess of the long-term 2050 GHG reduction target interpolated from Executive Order S-03-05.

The proposed Plan would not have a significant environmental impact because it does not conflict with the California Air Resources Board's (ARB's) scoping plan, MTC's Plan Bay Area, or the Newark Climate Action Plan.

Implementation of the General Plan policies as well as compliance with the following applicable State standards listed here and described above would ensure that impacts to consistency with state, regional, and local GHG reduction planning efforts would be less than significant.

- CEQA
- City of Newark Climate Action Plan
- Executive Order S-3-05: Greenhouse Gas Emission Reduction Targets
- AB 32: California Global Warming Solutions Act
- SB 375: Sustainable Communities Strategies
- AB 1493: Pavley Fuel Efficiency Standards
- Title 20 California Code of Regulations: Appliance Energy Efficiency Standards
- Title 17 California Code of Regulations: Low Carbon Fuel Standard
- AB 1881: California Water Conservation in Landscaping Act of 2006

- SB 1368: Statewide Retail Provider Emissions Performance Standards
- SB 1078: Renewable Portfolio Standards

The proposed hotels and restaurant would generate approximately 314 PM vehicle trips, using standard generation rates from the Institute of Traffic Engineers. Because the construction of the new uses and the number of vehicle miles traveled in relation to those uses was anticipated in the greenhouse gas analysis in General Plan EIR, no new significant impacts related to greenhouse gas would occur.

Relevant EIR Mitigation Measures

MM GHG-1 To further reduce 2035 GHG emissions resulting from future development under the proposed Plan, the City shall require the following Uniformly Applicable Development Standards for new developments:

- Pedestrian and Bicycle Friendly Design/Bicycle Parking. Site plans submitted shall identify pedestrian and bicycle facilities on-site, including bicycle parking.
- Pedestrian and Bicycle Provisions within New Development. Circulation plans submitted shall identify pedestrian and bicycle routes.
- Source Reduction and Diversion for New Construction. Major new non-residential developments shall submit a plan that identifies solid waste source reduction and diversion measures (e.g. location of recycling bins on-site).
- Sustainable Design/Tree Planting in New Development/Minimizing Impervious Surface Coverage. Landscape plans submitted shall minimize impervious surfaces and identify features to reduce the heat island effect (e.g. tree coverage, permeable pavement, cool pavement).

However, it should be noted that while ARB is currently updating the Scoping Plan to identify additional measures to achieve the long-term GHG reduction targets, at this time, there is no plan past 2020 that achieves the long-term GHG reduction goal established under Executive Order S-03-05. As identified by the California Council on Science and Technology, the State cannot meet the 2050 goal without major advancements in technology.

Conclusion

No new significant impacts related to greenhouse gas emissions would occur. The conclusions from the 2013 EIR remain unchanged.

Environmental Issue Area	Conclusion in 2013 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	2013 EIR Mitigation Measures
VIII. Hazards and Hazardous Materials					
<i>Would the project:</i>					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Less than significant impact.	No	No	No	None
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	Less than significant impact.	No	No	No	None
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	Less than significant impact.	No	No	No	None
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	Less than significant impact.	No	No	No	None
e) Be located within two miles of a public airport or private use airport and result in a safety hazard for people residing or working in the project area?	No impact.	No	No	No	None

Environmental Issue Area	Conclusion in 2013 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	2013 EIR Mitigation Measures
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	No impact.	No	No	No	None
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Less than significant impact.	No	No	No	None
h) Be located in an area designated as having a high, extreme, or severe fire hazard, or otherwise expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	Less than significant impact.	No	No	No	None

Discussion

a-h) The 2013 EIR found that the Plan would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, nor would it result in significant impacts associated with hazardous emissions or handling of hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school. Compliance with applicable federal, state, and local laws and regulations regarding the handling of these materials would minimize this risk. The proposed Plan also includes the following goals, policies, and actions that are intended to further minimize this risk:

- **Goal EH-4:** Protect Newark residents and workers from the potential adverse effects of hazardous materials.

- **Policy EH-4.1:** Hazardous Materials Risk Reduction. Seek to reduce the risk of hazardous materials accidents, spills, and vapor releases, and minimize the effects of such incidents if they occur.
- **Policy EH-4.4:** Design and Construction of Hazardous Materials Facilities. Require that all facilities in which hazardous materials are used, handled, or stored are designed and constructed to minimize the possibility of environmental contamination and off-site impacts. The City will work with county, state and federal agencies to ensure that such facilities are regularly inspected and that applicable regulations are enforced.
- **Policy EH-4.5:** Hazardous Materials Information. Provide the means for Newark residents and businesses to obtain information about hazardous materials handling, storage, and regulations in the community.
- **Policy EH-4.6:** Hazardous Materials Transport. Seek to reduce the risk of accidents in the transportation of hazardous materials. The City will require compliance with all hazardous waste transport standards established by state and federal agencies.
- **Action EH-4.E:** Hazardous Materials Management Plans. Require the preparation of Hazardous Materials Management Plans for new uses which will handle hazardous materials. HMMPs should include a complete inventory of materials by type, quantities, and conditions of storage and transportation, an assessment of the potential hazards associated with the materials, and steps to be taken to minimize risks. The HMMP also should outline actions to be taken in the event of a spill.
- **Action EH-4.G:** Hazardous Materials Transport Routes. Work with appropriate state and federal agencies to designate and periodically update official routes for the transportation of hazardous materials.
- **Action EH-4.I:** Community Disclosure Laws. Enforce community disclosure laws (e.g. Right to Know laws) that inform property owners of the presence of hazardous materials nearby.

In addition, compliance with the following laws and regulations, together with implementation of MM HAZ-1 would minimize hazards associated with the routine transport, use, or disposal of hazardous materials to the maximum extent practicable:

- DOT Hazardous Materials Transport Act-Code of Federal Regulations (CFR) 49
- EPA Resource Conservation and Recovery Act (RCRA)
- EPA Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)
- CAL/OSHA
- California Health and Safety Code (Chapters 6.95 and 19)
- California Code of Regulations (Section 2729)
- California Building Code
- ACDEH – CUPA Program
- Alameda County Water District (ACWD) – LUFT and SLIC Oversight Program
- City of Newark Municipal Code, Chapter 17.25 Hazardous Materials Storage Permit

Compliance with applicable federal, state, and local laws and regulations regarding handling of these materials would minimize the release of hazardous materials into the environment.

The proposed Plan also includes the following goals, policies, and actions that are intended to further minimize this risk:

- **Action EH-4.J: Phase I Assessments.** Require a Phase I Environmental Site Assessment when a property is changed from an existing use to a more sensitive use (for example, industrial to residential). If potential hazardous materials issues are identified, ensure that they are investigated and that sites are cleaned to regulatory agency standards prior to development.
- **Action EH-4.K: Hazardous Building Materials Abatement.** As appropriate, incorporate hazardous building materials abatement provisions into building permit and developed approvals. The City will work with property owners to ensure remediation of hazardous building materials such as asbestos, lead, and mercury.

The 2013 EIR found no impact from hazards from private or public airstrips. No hazards from wildfires were identified, as the California Department of Forestry and Fire Protection Services (CAL FIRE) has not identified any very high fire hazard severity zones with the Local Responsibility Areas of Newark.

The Plan also includes the following goals, policies, and actions also intended to further ensure that new development would not conflict with emergency operations in the Plan Area:

- **Goal EH-5: Emergency Preparedness.** Fast, efficient, and coordinated response to natural and man-made emergencies and disaster.
- **Policy EH-5.1: Complete Circulation System.** Provide for a traffic circulation system that assures the City's capacity to deliver emergency services.
- **Policy EH-5.2: Awareness of Preparedness Programs.** Increase public awareness of City emergency preparedness programs and resources.
- **Policy EH-5.3: Adequacy of Emergency Response Access.** Avoid placing new development in areas where emergency response and evacuation cannot be provided within acceptable levels.
- **Policy EH-5.4: SEMS Plan.** Maintain and regularly update emergency plans for floods, earthquakes, fires, hazardous materials, and other disasters. Plans should be consistent with Standard Emergency Management System (SEMS) protocol.
- **Policy EH-5.5: Interagency Coordination.** Cooperate with other public agencies, nearby cities, community groups, and private enterprise in developing comprehensive disaster preparedness, assistance, and post-disaster recovery plans.
- **Policy EH-5.6: Utility Resilience.** Work with local gas, electric, cable, water, sewer, and other utility providers to maintain their facilities and ensure their ability to function (or be quickly restored) following a disaster.
- **Policy EH-5.7: Communication Improvements.** Strive for improved communications and response capabilities following a disaster, including a resilient Emergency Operations Center.
- **Policy EH-5.8: Multi-Lingual Outreach.** Ensure that emergency preparedness information is available in multiple languages, consistent with Newark's demographics. Work with the cultural institutions serving Newark's non-English speaking communities to ensure that information is communicated to all residents.

- **Action EH-5.A:** Capital Improvements to Improve Emergency Response. Periodically update the City's capital improvements program to include railroad grade separations, traffic signal overrides, and other improvements which will expedite emergency response.
- **Action EH-5.B:** Emergency Response Training Conduct regular emergency response training exercises.
- **Action EH-5.C:** Emergency Supplies. Acquire and maintain emergency equipment, supplies, services and communications systems, consistent with emergency management systems plans.
- **Action EH-5.E:** Information on Hazards and Preparedness. Regularly disseminate information about Newark's emergency preparedness plans and resources via the City's website, press releases, Radio Newark, local schools, employee information bulletins, and other means.

The construction of two new hotels and a restaurant would not add any significant impacts in relation to hazards or hazardous materials.

Relevant EIR Mitigation Measures

None.

Conclusion

No new significant impacts resulting from hazards or hazardous materials would occur. The conclusions from the 2013 EIR remain unchanged.

Environmental Issue Area	Conclusion in 2013 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	2013 EIR Mitigation Measures
IX. Hydrology and Water Quality					
<i>Would the project:</i>					
a) Violate any water quality standards or waste discharge requirements?	Less than significant impact.	No	No	No	None
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	Less than significant impact.	No	No	No	None
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	Less than significant impact.	No	No	No	None
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	Less than significant impact.	No	No	No	None

Environmental Issue Area	Conclusion in 2013 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	2013 EIR Mitigation Measures
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	Less than significant impact.	No	No	No	None
f) Otherwise substantially degrade water quality	Less than significant impact.	No	No	No	None
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	Less than significant impact.	No	No	No	None
h) Place within a 100-year flood hazard structures which would impede or redirect flood flows?	Less than significant impact.	No	No	No	None
i) Expose people or structures to significant risk or loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	Less than significant impact.	No	No	No	None
j) Inundation of by seiche, tsunami, or mudflow?	Less than significant impact.	No	No	No	None

Discussion

- a–e) The 2013 EIR found that future construction activities associated with development within the Plan Area could negatively affect the water quality of surface waters. Grading and other earthmoving activities during construction would expose soils that could be eroded and deposited into downstream receiving waters. With the implementation of Plan policies and

state and local regulations pertaining to hydrology and water quality, this impact would be less than significant.

Future development within the Plan Area would result in an increase in impervious surfaces. In addition there may be the potential diversion of groundwater to surface water if short-term construction dewatering is required due to shallow water tables underlying Newark. Future development within the Plan Area would involve vegetation removal, grading, earth excavation, and the construction of buildings, sidewalks, driveways, and parking lots. These activities would alter existing drainage patterns and increase the potential for erosion and/or siltation. However, none of the future development would alter the course of an existing stream or river.

Inundation resulting from dam failure could damage property and structures within the City and pose a severe hazard to public safety. However, the California Division of Safety of Dams inspects each dam on an annual basis to ensure the dam is safe, performing as intended, and is not developing problems.

Implementation of plan goals and policies listed below, along with Goal EH-5, Policies EH-5.2, EH-5.3, EH-5.4, EH-5.5, and Actions EH-5.A, EH-5.B, EH-5.C, and EH-5.D from the Hazards section, above, and compliance with applicable regulations as listed below would reduce these impacts to less than significant.

- **Action CS-1.B:** Soil Erosion BMPs. Require new construction projects to incorporate best management practices (BMPs) which minimize soil erosion and runoff of nutrients, sediments, and pesticides.
- **Policy CS-3.1:** Protection of Water Resources. Ensure that land use decisions consider the availability of water for domestic and non-domestic uses, potential impacts on groundwater quality and groundwater recharge capacity, and potential off-site impacts on water quality.
- **Policy CS-3.4:** Reducing Water Pollution. Protect the quality of Newark's surface waters by supporting controls on point source and non-point sources of pollution.
- **Policy CS-3.5:** Containment of Contaminated Runoff. Regulate land uses such as auto dismantling, waste disposal, gas stations, and industries in a manner that minimizes the potential for hazardous materials to enter groundwater, surface water, or storm drains.
- **Policy CS-3.8:** Integrated Pest Management. Minimize the use of pesticides, herbicides, and other toxic materials in the maintenance of City parks, medians, and public spaces, as a strategy to avoid runoff of materials, which could potentially harm local waterways, wetlands, and San Francisco Bay.
- **Action CS-3.G:** Countywide Clean Water Program. Continue to participate in the Alameda Countywide Clean Water Program, in accordance with the federal National Pollution Discharge Elimination System (NPDES) permit. The City will work with Alameda County and other participating jurisdictions to carry out measures to monitor stormwater pollution, regulate construction runoff, sweep local streets, clean storm drain inlets, promote education and outreach, enforce regulations and penalties for illicit discharges, and participate in County meetings to discuss water quality issues.

- **Action CS-3.H: Stormwater Controls.** Implement stormwater runoff and retention controls in new development and construction projects that reduce pollution discharges to surface waters, and reduce the rate of runoff to storm drain system. Such controls should encourage greater use of pervious pavement and surfaces.
- **Action EH-3.D: Review of Potential Flood Impacts.** Use the environmental review process to evaluate potential impacts of new development on the flood control system, and to ensure that post-development runoff rates do not exceed the capacity of the flood control system.
- **Action EH-3.E: Alameda County Flood Control and Water Conservation District (ACFC & WCD) Referrals.** Continue to refer projects in flood prone areas to the ACFC&WCD for review and comment.
- **Policy CS-5.5: Consideration of Climate in Transportation Planning.** Consider potential greenhouse gas emissions impacts when making changes to the transportation system. Give preference to solutions that reduce auto dependency and minimize emissions.
- **Policy CS-5.6: Local Purchasing.** Encourage residents to “buy locally.” This includes shopping in Newark rather than driving long distances to other cities for major purchases, and buying food and other products made in Newark to reduce the emissions associated with transportation from source to market.
- **Policy CS-5.7: Public Awareness.** Enhance and expand outreach, marketing, and education programs to raise awareness of Newark’s greenhouse gas reduction programs.
- **Policy CS-5.8: Planning for Sea Level Rise.** Require proposed development close to the Newark bayfront or in low-lying areas to include an assessment of possible impacts related to sea level rise.
- **Action CS-5.E: Living Near Work.** Work with local employers to explore programs and incentives for employees to purchase homes in Newark, thereby reducing their commute lengths and related greenhouse gas emissions
- **Policy EH-3.3: Residential Development in the Flood Plain.** Require that new residential development, including streets and other surface improvements, be constructed above the 100-year flood elevation.
- **Policy EH-3.4: Non-Residential Development in the Flood Plain.** Require that new non-residential development, including commercial and industrial uses, be flood-proofed or constructed on pads elevated above the 100-year flood elevation.
- **Policy EH-3.5: Storm Drain Maintenance.** Manage and maintain the storm drainage system to avoid flooding and reduce the negative effects of stormwater runoff.
- **Policy EH-3.7: Mitigating Downstream Flood Impacts.** Design new development to reduce the potential for downstream flooding. Measures such as porous pavement and on-site drainage retention facilities should be considered to reduce downstream impacts.
- **Policy EH-3.8: Flood Control Improvements.** Work with Alameda County Flood Control and Water Conservation District (ACFC&WCD) on improvements to the storm drain, flood control channel, and levee system which ensure that these systems continue to protect Newark neighborhoods and business districts from flooding.
- **Action EH-3.A: Hydrologic and Drainage Studies.** Require hydrologic and drainage studies for new development, and use these studies to identify measures that will reduce the risk of flooding.
- **Action EH-3.B: Flood Insurance Rate Maps.** Maintain up-to-date Flood Insurance Rate Maps for use in planning and public works decisions.

- **Action EH-3.C:** Flood Prevention Code Provisions. Continue to enforce Municipal Code provisions for construction in flood hazard areas, and amend these provisions as needed to conform to National Flood Insurance Program criteria.
- **Action EH-3.E:** Alameda County Flood Control and Water Conservation District (ACFC & WCD) Referrals. Continue to refer projects in flood prone areas to the ACFC&WCD for review and comment. The City is not considered to be subject to significant risk from tsunamis, seiches, or mudflows. Implementation of City goals and policies under the proposed Plan would further reduce potential impacts due to tsunamis, seiches, or mudflows.

Applicable Regulations

- NPDES General Construction Permit
- City of Newark Municipal Code, Chapter 8.36 Stormwater Management and Discharge Control
- ACWD Ordinance No. 2010-01 – Well Ordinance
- Water Conservation Act of 2009
- NPDES General Construction Permit – NOI and SWPPP Requirements
- Alameda County Hydrology and Hydraulics Manual (pending publication)
- Alameda County Clean Water Program – C.3 Provisions
- Alameda County Hydrology and Hydraulics Manual (pending publication)
- FEMA Regulations in floodplains – LOMR-Fill Determination Requirements
- City of Newark FEMA Regulations– Levee Certification
- California Division of Safety of Dams Regulations – California Water Code – Supervision of Dams and Reservoirs
- Association of Bay Area Governments (ABAG) Multi-Jurisdictional Local Hazard Mitigation Plan Newark Municipal Code, Chapter 15.40 Construction in Flood Hazard Areas
- ABAG Multi-Jurisdictional Local Hazard Mitigation Plan and Hazard Maps
- City of Newark Municipal Code, Chapter 15.40 Construction in Flood Hazard Zones
- City of Newark Municipal Code, Section 16.08.06 Curb grade for residential subdivisions

The construction of two new hotels and a restaurant within the NewPark Focus Area would not add any development or potential for hydrology impacts to those identified by the General Plan EIR because they will comply with the applicable regulations and plan policies. The construction of the proposed project would not place any residence or structure in a 100-year flood area because the site located outside of the FEMA mapped 100-year flood plain.

Relevant EIR Mitigation Measures

None.

Conclusion

No new significant impacts to, or resulting from, hydrology and water quality would occur. The conclusions from the 2013 EIR remain unchanged.

Environmental Issue Area	Conclusion in 2013 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	2013 EIR Mitigation Measures
X. Land Use					
<i>Would the project:</i>					
a) Physically divide an established community?	Less than significant impact.	No	No	No	None
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	Less than significant impact.	No	No	No	None
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	Less than significant impact.	No	No	No	None

Discussion

- a-c) The Plan contains the following policies and actions intended to foster greater connectivity in the Plan Area and to prevent new development from dividing existing communities:
- **Policy LU-2.6: Scale Transition.** Avoid abrupt transitions from taller buildings to low-rise buildings, especially where commercial and higher density housing abuts neighborhoods characterized by one-story homes. Buildings taller than three stories should be required to step down in height when located adjacent to single family lots. Overpowering contrasts in scale and height between adjacent lots should be avoided.
 - **Policy LU-4.2: Connectivity.** Improve connectivity between neighborhoods and commercial districts so that the city's shopping areas function as neighborhood gathering places and focal points. Over time, shopping centers which are oriented exclusively to auto traffic should be redesigned so they are more pedestrian friendly and better integrated with the uses around them.

- **Policy LU-2.5:** Transitional Land Uses. Incorporate transitional land uses as buffers between land uses which are potentially incompatible. For example, this could include office uses as a buffer between industrial and residential areas, and medium density residential uses as a buffer between high and low density residential uses.
- **Policy T-1.4:** Connections to the Regional Street Network. Improve the safety, convenience, and connectivity of existing streets, with the goal of creating seamless links between Newark and the regional transportation network.
- **Policy T-2.3:** Bicycle Network. Maintain and expand an interconnected network of bicycle routes, paths and trails, serving the City's neighborhoods, shopping districts, workplaces, and park and open space areas. The existing bicycle network should be expanded to provide connections to developing areas, including the Dumbarton TOD, the Southwest Residential and Recreational Project, Old Town Newark, and the NewPark Mall vicinity.
- **Policy T-2.5:** Connecting to the Region. Develop bicycle and pedestrian facilities that connect across City boundaries, integrate with larger regional systems, and improve intermodal connections to local and regional public transportation systems.
- **Policy T-2.12:** Trails Along Railroads and Utilities. Consider the use of railroad, flood control, and utility rights of way for jogging, biking, and walking trails, provided that safety and operational issues can be fully addressed.
- **Policy T-2.10:** Railroad Crossings. Ensure that any future grade separated railroad crossings include sidewalks and a designated lane for bicycles.
- **Policy T-2.2:** Pedestrian Facilities. Work to close gaps in the pedestrian network and improve sidewalk connectivity between residential and commercial areas. Develop curbs, gutters, sidewalks on all remaining Newark streets not yet fully improved to encourage safe, convenient pedestrian travel. Where appropriate, include marked crosswalks at intersections and install pedestrian countdowns at traffic signals to facilitate safe pedestrian movement across City streets.
- **Policy T-2.9:** Recreational Trails. Develop and maintain trails in park and open space areas, and between Newark neighborhoods and the city's open spaces.
- **Action T-2.B:** Cedar Boulevard Pedestrian and Bicycle Trail. Convert the linear tract of land formerly reserved for a southerly extension of Cedar Boulevard between Haley St. and Willow St. into a bicycle and pedestrian parkway, including a bicycle and pedestrian bridge over the Union Pacific Railroad. The City will apply for grants and pursue other funding sources to construct this project.
- **Action T-2.G:** Priority Areas for Pedestrian Improvements. Pursue pedestrian and bicycle access improvements in Old Town and in the NewPark Mall vicinity, and between the Mall area and Newark neighborhoods. The City should identify prospective capital improvements which would facilitate walking and cycling within such areas.
- **Action T-2.H:** Wayfinding Signage. Implement a bicycle signage and wayfinding program, including directional signs to indicate major destinations.

Additionally, compliance with the provisions contained in the Newark Municipal Code, including the development standards governing building height, lot width, frontage, and setbacks, would further minimize the potential for physical division of existing neighborhoods. Therefore, with implementation of the above-listed policies and actions

from the proposed Plan and compliance with the relevant provisions of the Newark Municipal Code, the proposed Plan would result in a less than significant impact associated with physical division of existing communities. Overall, implementation of the proposed Plan would not conflict with an applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect and associated impacts would be less than significant.

Applicable Regulations

- City of Newark Municipal Code, Title 17 Zoning Code.

Relevant EIR Mitigation Measures

None.

Conclusion

No new significant impacts relating to land use would occur. The conclusions from the 2013 EIR remain unchanged.

Environmental Issue Area	Conclusion in 2013 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	2013 EIR Mitigation Measures
XI. Mineral Resources					
<i>Would the project:</i>					
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	N/A	No	No	No	None
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	N/A	No	No	No	None

Discussion

a–b) Impacts to mineral resources were not analyzed in the 2013 General Plan EIR. There are no mineral recovery sites in Newark and implementation of the Plan would not affect locally important mining operations.

The construction of the two new hotels and the free-standing restaurant would add no new impacts and does not change the circumstances or available information that the 2013 EIR was based upon.

Relevant EIR Mitigation Measures

None.

Conclusion

No new significant impacts relating to mineral resources would occur. The conclusions from the 2013 EIR remain unchanged.

Environmental Issue Area	Conclusion in 2013 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	2013 EIR Mitigation Measures
XII. Noise					
<i>Would the project:</i>					
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	Less than significant impact.	No	No	No	None
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	Less than significant impact.	No	No	No	None
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	Significant unavoidable impact.	No	No	No	MM Noise-3
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	Less than significant impact.	No	No	No	None
e) For a project located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the	Less than significant impact.	No	No	No	None

Environmental Issue Area	Conclusion in 2013 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	2013 EIR Mitigation Measures
project area to excessive noise levels?					
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	Less than significant impact.	No	No	No	None

Discussion

- a-f) The 2013 General Plan EIR found that compliance with Title 24 requirements and implementation of the proposed Plan policies and actions described above would prevent the development of land uses in areas with inappropriately high ambient noise levels, and would ensure that any development of noise-sensitive land uses include the study and adequate mitigation of noise impacts. As a result, associated impacts would be less than significant.

Vibration impacts related to construction would be short-term, temporary, and generally restricted to the areas in the immediate vicinity of active construction equipment. As such, implementation of proposed policies and actions would reduce construction-related vibration impacts to the maximum extent practicable, and vibration impacts from construction would be less than significant.

- **Action EH-6.6:** Construction Noise - Regulating Construction Hours. Reduce noise associated with construction activities by prohibiting construction in residential neighborhoods between the hours of 7PM and 7AM Monday through Friday and at all times on Saturdays, Sundays, and State/federal holidays.
- **Action EH-6.7:** Construction Noise - Addressing Sources of Construction Noise. Reduce noise associated with construction activities by requiring properly maintained mufflers on construction vehicles, requiring the placement of stationary construction equipment as far as possible from developed areas, and requiring temporary acoustical barriers/shielding to minimize construction noise impacts at adjacent receptors. Special attention should be paid to noise-sensitive receptors (including residential, hospital, school, and religious land uses).
- **Action EH7.E:** Vibration-Intensive Construction. Implement a standard operating procedure that requires the evaluation of vibration impacts for individual projects which use vibration-intensive construction activities, such as pile drivers, jack hammers, and

vibratory rollers, near sensitive receptors. If construction-related vibration is determined to be perceptible (i.e., in excess of Federal Transit Administrations vibration annoyance criterion) at vibration-sensitive uses, then additional requirements, such as the use of less-vibration-intensive equipment or construction techniques, shall be implemented during construction. The proposed Plan contains a wide array of policies and actions which would minimize potential vibration impacts:

- **Policy LU-2.5: Transitional Land Uses.** Incorporate transitional land uses as buffers between land uses which are potentially incompatible. For example, this could include office uses as a buffer between industrial and residential areas, and medium density residential uses as a buffer between high and low density residential uses.
- **Action LU-2.A: Development Regulations.** Administer development regulations which ensure that infill development and renovation projects are compatible with adjacent uses. This includes application of setback and height requirements, parking requirements, and other standards aimed at creating compatible uses, protecting public safety, and maintaining neighborhood quality.
- **Policy LU-3.5: Non-Conforming Uses.** Work toward the eventual replacement or relocation of nonconforming industrial and heavy commercial uses located within areas designated for residential use on the General Plan Diagram.
- **Action EH-6.B: Noise Ordinance – Limits on Hours of Operation.** Draft the Noise Ordinance to include limits on the intensity and hours of use for selected noise sources such as construction equipment, manufacturing equipment, motors, delivery trucks, and parking lot vacuum equipment. Limits on hours of operation should be consistent with and achieve the goals of the land use compatibility standards (as proposed in the Plan).
- **Policy EH-7.3: Reducing Exposure to Operational Noise.** In new residential and mixed-use developments, require that stationary equipment (such as air conditioning units and condensers) be placed in separate spaces, rooftops, or other areas such that noise impacts to interior living areas will be reduced. Similarly, potentially noisy common spaces, such as trash collection areas and loading zones, should be located away from residential units or other noise-sensitive spaces.
- **Policy EH-7.6: New Noise Sources.** Require new developments that have the potential to create long-term noise increases to mitigate potential impact to off-site receptor properties.
- **Action EH-7.B: Noise Mitigation.** Use the development review process to ensure that noise impacts are mitigated through setbacks/buffer zones, earthen berms, sound walls, building siting/orientation, and other appropriate means.
- **Actions EH-7.C: Conditional Use Permits.** Use the development review process, including conditional use permits, to limit activities which would generate high levels of noise during nighttime hours (i.e., from 10 PM to 7 AM).
- **Action EH-7.D: Allowing Noise-Sensitive Uses Near Noise Sources.** Use the development review process when evaluating zoning changes to consider potential noise impacts due to noise-sensitive uses being located near commercial uses, industrial uses, or other activities that typically generate excessive noise.

Future development under the proposed Plan would cause increases in traffic along roadways. Several residential uses and the Newark Memorial High School are anticipated to experience increases in ambient noise levels along the following roadway segments with addition of vehicle trips added to roadways as a result:

- Thornton Avenue from Cherry Street to Newark Boulevard
- Newark Boulevard from Lafayette Avenue to Landing Road
- Newark Boulevard from Landing Road to Thornton Avenue
- Cherry Street from Thornton Avenue to Central Avenue
- Cherry Street from Mowry Avenue to Stevenson Boulevard
- Cedar Boulevard from Central Avenue to Smith Avenue
- Cedar Boulevard from Smith Avenue to Mowry Avenue
- Cedar Boulevard from Mowry Avenue to Balentine Drive
- Cedar Boulevard from Balentine Drive to Stevenson Boulevard
- Central Avenue east of Cedar Boulevard

Implementation of the proposed Plan would result in a significant noise impact at sensitive uses along the roadway segments listed above. The proposed Plan contains numerous policies and actions to address the reception of excessive roadway noise at existing sensitive land uses:

- **Action EH-6.D: Motor Vehicle Code Enforcement.** Request that the California Highway Patrol actively enforce the California Vehicle Code sections relating to adequate vehicle mufflers and modified exhaust systems to limit vehicle noise emissions. Likewise, the City of Newark Police Department should be trained and equipped to properly enforce all local and state ordinances related to excessive vehicle noise emissions.
- **Action EH-6.E: Street Resurfacing to Reduce Noise.** Conduct regular maintenance and resurfacing of city streets to reduce road noise due to potholes, grade irregularities, and uneven surfaces. Additionally, explore the feasibility of using 'quiet' paving materials or techniques to reduce road noise at the tire-surface interface.
- **Action EH-6.H: Sound Wall Improvements.** Work with Caltrans to enhance and supplement the benefits of sound walls along I-880 and SR-84. The coordination should be aimed at determining where improvements to these walls may further reduce noise impacts to nearby neighborhoods. Appropriate cost vs. benefit assessments should be part of this coordination and alternative funding sources should be explored.
- **Policy EH-7.4: Residential Noise Standard – Exterior.** Plan for and implement strategies to maintain exterior noise levels that are consistent with the noise compatibility guidelines in Table EH-2. For residential areas, this limit is 60 dBA L_{dn} for outdoor living areas. Where this level is exceeded due to freeways, arterials, and/or railroads, the construction of berms, walls, buffer zones, and other noise-reduction measures to reduce noise to the greatest extent feasible will be required.

Even after the application of relevant regulations and proposed Plan policies and actions, noise impacts to sensitive uses related to increased traffic would remain significant.

By restricting hours of construction, and directing the City to review project noise impacts as part of the planning and permitting processes, the policies and actions from the proposed Plan would serve to reduce temporary or periodic increases to ambient noise: these include Policies EH-6.6 and 6.7 and Action EH 7-B as listed above in the discussion of potential vibration impacts.

Applicable Regulations

- California Building Code
- Newark Land Use Noise Compatibility Guidelines

The proposed hotels and restaurant would generate approximately 314 PM vehicle trips, using standard generation rates from the Institute of Traffic Engineers. Because the construction of the new uses and the number of vehicle miles traveled in relation to the uses was anticipated in the noise analysis in General Plan EIR, no new significant impacts related to noise would occur.

Relevant EIR Mitigation Measures

MM NOISE-3 Increases in vehicular traffic resulting from implementation of the proposed Plan in conjunction with regional growth would result in permanent increases to ambient noise levels that would exceed applicable standards along ten major roadway segments in the Plan Area. Proposed Plan policies and actions, including Policy EH-7.4, Action EH-6.D, Action EH-6.E, Action EH-6.H, and Action EH-7.B, described above, would reduce associated impacts; however, increases in noise in excess of the applicable standards could still occur. Although the most effective mitigations such as soundwalls or earthen berms may theoretically be capable of reducing increases to ambient noise to levels below the above standards, such reductions cannot be guaranteed; and, in many cases, other considerations will prevent the use of these noise-attenuating features. Therefore, there are no additional measures available to reduce the associated impacts to a less-than-significant level.

Conclusion

No new significant impacts related to noise would occur. The conclusions from the 2013 EIR remain unchanged.

Environmental Issue Area	Conclusion in 2013 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	2013 EIR Mitigation Measures
XIII. Population and Housing					
<i>Would the project:</i>					
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	Less than significant impact.	No	No	No	None
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	Less than significant impact.	No	No	No	None
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	Less than significant impact.	No	No	No	None

Discussion

a-c) The 2013 General Plan EIR concluded that no significant impacts associated with population and housing would occur with the implementation of the following goals and policies from the proposed Plan:

- **Policy LU-1.2: Growth Focus Areas.** Achieve a future growth pattern which includes new neighborhoods on vacant land along the southern and western edges of the city, and infill development in transit-served areas such as Old Town and the Greater NewPark Mall Area. Zoning and development review decisions should recognize these areas as the priority locations for growth and change over the next 20 years.
- **Policy LU-1.4: Coordinating Land Use and Transportation Decisions.** Coordinate land use and development decisions with the capacity of the transportation system and plans for future transportation improvements.

The implementation of Mitigation Measure 4.9-1 from the Newark Housing Element EIR, requiring that the City report estimated population increases to ABAG, would also help

ensure that future planning efforts are coordinated and that additional growth under the proposed Plan would be accommodated.

- **Policy LU-1.2: Growth Focus Areas.** Achieve a future growth pattern which includes new neighborhoods on vacant land along the southern and western edges of the city, and infill development in transit-served areas such as Old Town and the Greater NewPark Mall Area. Zoning and development review decisions should recognize these areas as the priority locations for growth and change over the next 20 years.
- **Policy LU-1.8: Housing Opportunity Sites.** Ensure that adequate sites are provided for the private and nonprofit sectors to develop housing for seniors, persons with disabilities, and lower income households. Such housing should be well designed and managed, and located in a manner that is compatible with existing uses and neighborhood character.
- **Policy LU-1.10: Vacant and Underutilized Sites.** Encourage the development of Newark's remaining vacant and underutilized sites for their highest and best use, consistent with the designations shown on the General Plan Diagram. Future growth in the City should generally be directed to the areas identified in this General Plan.

Applicable Regulations

- Newark Affordable Housing Program

No residential uses are included in the proposed project, and construction of the hotels and restaurant would not affect any existing residences in the project vicinity. Therefore, the proposed project would not result in any new significant impacts to population and housing, or substantially increase a previously identified significant impact.

Relevant EIR Mitigation Measures

None.

Conclusion

No new significant impacts relating to population and housing would occur. The conclusions from the 2013 EIR remain unchanged.

Environmental Issue Area	Conclusion in 2013 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	2013 EIR Mitigation Measures
XIV. Public Services					
<i>Would the project:</i>					
a) Fire protection?	Less than significant impact.	No	No	No	None
b) Police protection?	Less than significant impact.	No	No	No	None
c) Schools?	Less than significant impact.	No	No	No	None
d) Parks?	Less than significant impact.	No	No	No	None
e) Other public facilities?	Less than significant impact.	No	No	No	None

Discussion

a–e) The 2013 General Plan EIR found that the proposed Plan includes goals, policies, and actions that would reduce risks associated with fire hazards and minimize calls for fire and emergency medical response services in Newark:

- **Goal CS-2:** Conserve Newark’s wetlands and baylands.
- **Goal CSF-4:** Provide responsive police, fire, and emergency medical services that ensure the safety of residents, employers, and visitors.
- **Policy CSF-4.2:** Emergency Medical Services. Ensure the provision of high-quality emergency medical response services, including paramedics and emergency medical technicians.
- **Policy CSF-4.4:** Fire Prevention and Response Services. Ensure the provision of fire prevention and response services which minimize fire risks and protect life and property.
- **Policy CSF-4.5:** Mutual Aid Agreements. Support mutual aid agreements that allow for supplemental aid from other police and fire departments in the event of a major fire and which dispatch fire fighters from Newark to other communities in the event of major fires outside the city.

- **Policy CSF-4.6:** Improving Fire Safety. Identify and take action to make buildings fire-safe including, where appropriate, requirements for sprinkler systems, non-combustible materials, and early warning systems.
- **Policy CSF-4.7:** Fire Inspections. Maintain an inspection program for industrial, commercial, public, and multi-family buildings to ensure that fire code violations are identified and corrected.
- **Action CSF-4.F:** Improving Fire Response Capacity. Ensure the provision of sufficient facilities and additional fire personnel, to respond to the demand created by new development.
- **Action CSF-4.G:** Collaboration with ACFD. Work collaboratively with the Alameda County Fire Department to track monthly call frequency, type, and response time. As needed, review and refine the agreement with ACFD to ensure that local needs are met.
- **Action CSF-4.H:** Fire Department Review of Major Development. Engage fire personnel in the review of proposed development to identify necessary fire prevention and risk reduction measures. Fire Department input should also be solicited to ensure that water supplies will be sufficient to meet fire-fighting needs, appropriate building materials are used, and provisions for emergency access are included.

As such, implementation of the proposed Plan goals, policies, and actions cited above and compliance with the provisions of the California Building Code and California Fire Code would ensure that buildout of the proposed Plan would result in a less than significant impact with respect to fire protection services.

Applicable Regulations

- California Building Code
- California Fire Code
- Newark Fire Prevention Code
- Public Safety Impact Fees
- Development Review

The proposed Plan also includes a goals, policies, and actions that would address the need for new or expanded police facilities on an ongoing basis through 2035:

- **Goal CSF-4:** Provide responsive police, fire, and emergency medical services that ensure the safety of residents, employers, and visitors.
- **Policy CSF-4.1:** Police Services. Maintain professional, efficient, effective Police Department activities which promote a high level of public safety.
- **Action CSF-4:** Police Department Strategic Plan. Prepare and periodically update a Police Department Strategic Plan which lays out the Department's priorities, and identifies strategies for technology, communication, training, and performance management.
- **Action CSF-4.D:** Police Department Review of Development. Engage the Police Department in the review of major new development plans to ensure that projects are designed to minimize the potential for criminal activity and maximize the potential for responsive police services.

Additionally, continued implementation of Capital Facilities Fee Program requiring residential, commercial, and industrial developments to pay impact fees would provide funding for the construction or expansion police facilities.

Applicable Regulations

- Public Safety Impact Fees
- Development Review

Buildout of the proposed Plan would result in a less than significant impact with respect to the provision of school facilities.

Applicable Regulations

- Senate Bill 50
- California Government Code, Section 65995(b), and Education Code Section 17620
- Mitigation Fee Act

The proposed Plan does not directly propose the construction of any parks or recreational facilities; however, it includes numerous goals, policies, and actions that seek to promote and encourage the development of parks in the Plan Area. Specific actions for increasing provision of parks include:

- **Action POS-3.A:** calls for developing a Newark Parks Master Plan, which will evaluate local park facilities against National Recreation and Park Association standards and determine the types and locations of improvements needed.
- **Action POS-3.D:** Golf Course. Continue to pursue the development of a public golf course on the undeveloped residentially designated lands located in the southwestern part of the city. In the event a golf course is infeasible, consider development of another major public recreational feature or open space amenity in this area.
- **Action POS-3.H:** Dog Park. Recognize the growing demand for dog play areas in the City, and pursue development of a designated dog park within the Dumbarton TOD area. Therefore, while the proposed Plan would indirectly result in the construction of new parks and recreational facilities in Newark by 2035, associated impacts have previously been addressed at the programmatic level and would be addressed at the project level in the future at such time as specific development applications are made, and consequently impacts from the proposed Plan would be less than significant.

Applicable Regulations

- The Quimby Act
- City of Newark Park Standards
- City of Newark Parkland Dedication Ordinance

Furthermore, the proposed Plan would serve to ensure that existing facilities are maintained adequately to meet the recreational needs of the community. Goals and policies in the Plan that would serve this purpose include:

- **Goal POS-3:** Manage Newark's parks in a way that enhances their natural qualities, conveys a positive image of the city and its neighborhoods, and fully meets the community's recreational needs.
- **Policy POS-3.1:** Facility Modernization. Periodically modernize or upgrade existing recreational facilities to ensure that they meet the needs of the community, respond to current trends, and make a positive contribution to Newark's quality of life.
- **Policy POS-3.2:** Quality Materials. Utilize quality materials in the construction of parks, public spaces, and recreational facilities. Park equipment and facilities should promote durability and resilience, be responsive to the Bay Area's climate, and be resistant to vandalism to the greatest extent feasible.
- **Policy POS-3.8:** Park Maintenance. Ensure the regular and systematic maintenance of park grounds and facilities. Maintenance methods should be sensitive to the environment, including pest management and weed control methods which minimize toxic chemical use.

Future residents and employees would be expected to increase the use of regional parks, but given the size and number of regional parks accessible from the Plan Area, the physical deterioration of regional parks by buildout of the proposed Plan is unlikely to be substantial. Therefore, the proposed project would not result in substantial physical deterioration of existing neighborhood and regional parks or other recreational facilities and a less than significant impact would occur. The Plan does not directly propose the construction or expansion of parks and recreational facilities in Newark. Direct impacts would be less than significant.

Applicable Regulations:

- The Quimby Act
- City of Newark Park Standards
- City of Newark Parkland Dedication Ordinance

Goals, policies, and actions in the proposed Plan would ensure that adequate library services are provided for Newark residents. These goals, policies, and actions include:

- **Goal CSF-1:** Maintain community services and civic facilities that are readily accessible and respond to the needs of all Newark residents.
- **Policy CSF-1.6:** Library. Ensure that the Newark Public Library continues to offer the services, facilities, and technology needed by Newark residents at the hours desired.
- **Action CSF-1.E:** Demographic Forecasts. Use demographic data and forecasts published by regional, state, and federal agencies to evaluate community service needs and plan for future improvements.
- **Action CSF-1.F:** Community Input on Public Facilities. Conduct periodic community workshops or surveys to evaluate the demand for different services and facilities. Therefore, implementation of the goals, policies and actions in the proposed Plan would ensure that there would be a less-than-significant impact relating to the provision of new or physically altered library facilities.

Construction of the new hotels and restaurant as proposed within the NewPark Focus area would not change the level of impacts to public services determined by the EIR.

Relevant EIR Mitigation Measures

None.

Conclusion

No new significant impacts relating to public services would occur. The conclusions from the 2013 EIR remain unchanged.

Environmental Issue Area	Conclusion in 2013 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	2013 EIR Mitigation Measures
XV. Recreation					
<i>Would the project:</i>					
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	Less than significant impact.	No	No	No	None
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	Less than significant impact.	No	No	No	None

Discussion

a–b) Growth in the resident and employee population in Newark and Fremont would result in increased use of neighborhood parks and local recreational facilities as well as regional facilities. Regionally, increased population would result in greater demand for parks and recreational facilities, possibly requiring the expansion or construction of additional regional parks and other recreational facilities. The proposed Plan includes the following goal, policies and actions that provide a framework for supporting regional parks and recreational facilities:

- **Policy PR-1.5: Utility Easements.** Encourage public utility agencies such as the San Francisco Water Department (Hetch Hetchy Aqueduct) and PG&E to retain their easements in open space or to improve them with linear parks or trails.
- **Policy PR-4.4: Regional Parks.** Support the continued acquisition and improvement of open space in southwest Alameda County by the East Bay Regional Park District to ensure that Newark residents have access to an array of natural open spaces, including hillside parks, wilderness areas, and shoreline trails.
- **Goal PR-5: Improve Newark’s trail system,** with a focus on access to the Newark shoreline, and access between the shoreline and Newark neighborhoods.

- **Policy PR-5.1: Bay Trail.** Encourage completion of the Bay Trail along the Newark shoreline, in support of the long-term vision of creating a continuous shoreline trail around San Francisco Bay. Pursue trails that are separated from motor vehicle traffic and pursue pedestrian crossings of railroad rights of way to allow for connections to regional open spaces without conflicts with motorized vehicles.(new)
- **Policy PR-5.2: Spur Trails.** Provide spur trails which link the Newark section of the Bay Trail to the network of bicycle lanes and sidewalks serving the rest of the city.
- **Policy PR-5.3: Shoreline Access.** Where feasible, align new sections of the Bay Trail as close as possible to the shoreline. Where shoreline locations are not feasible, encourage alignments that provide views to wetlands or other bay features.
- **Policy PR-5.4: Trail Safety.** Strive for trail designs which minimize grade level street and rail crossings, and which ensure the safety and comfort of users.
- **Policy PR-5.5: Staging Areas.** Develop strategically located parking and staging areas which provide trail access and encourage trail use.
- **Policy PR-5.6: Land Uses Along Trails.** Consider adjacent land uses, existing operations, security, and potential operational conflicts in the alignment and design of the city's trails. Trail design should be coordinated with adjacent landowners.
- **Policy PR-5.7: Trail Sustainability.** Consider long-term sustainability issues, such as projected sea level rise, surface durability, and the condition of levees, in the design of shoreline and wetland trail facilities.
- **Policy PR-5.8: Trail Design and the Environment.** Design trails and public access features to minimize impacts on wetlands and other sensitive habitats, including habitat fragmentation. If necessary, identify secondary alignments in the event a trail must be seasonally closed for habitat protection purposes.
- **Action PR-5.A: Trail Dedication.** Encourage trail dedication and construction by developers for portions of the proposed Bay Trail and spur trails located within future development areas.
- **Action PR-5.B: Interpretive Features.** Support development of interpretive features along the Bay Trail to educate visitors about natural resources and local history.
- **Action PR-5.C: Funding for Regional Connections.** Seek regional and state funding for bridges and railroad overcrossings to facilitate regional open space integration and connection.
- **Action PR-5.D: Cedar Boulevard Extension Linear Park.** As funds allow, construct a linear park and trail on the Cedar Boulevard Extension. Crossing of the Union Pacific Railroad should be grade separated to minimize risk and noise.

The Plan does not directly propose the construction or expansion of parks and recreational facilities in Newark. Direct impacts would be less than significant.

The construction of the two new hotels and a restaurant in the NewPark Focus area of the Plan would not add any new impacts to recreation with the implementation of the policies listed above.

Relevant EIR Mitigation Measures

None

Conclusion

No new significant impacts relating to recreation would occur. The conclusions from the 2013 EIR remain unchanged.

CEQA Checklist

Environmental Issue Area	Conclusion in 2013 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	2013 EIR Mitigation Measures
XVI. Transportation/Traffic					
<i>Would the project:</i>					
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	Significant and unavoidable	No	No	No	Trans-1a, Trans-1b, and Trans-1c
b) Conflict with an applicable congestion management program, including but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for the designated roads or highways?	—	No	No	No	—
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	Less than significant impact.	No	No	No	None

Environmental Issue Area	Conclusion in 2013 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	2013 EIR Mitigation Measures
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	Less than significant impact.	No	No	No	None
e) Result in inadequate emergency access?	Less than significant impact.	No	No	No	None
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.	Less than significant impact.	No	No	No	None

Discussion

a-f) The General Plan EIR identified potentially significant impacts associated with an decrease in the levels of service along city roadways , assuming the development of the subject site during the build out of the NewPark Focus area with the rest of the proposed General Plan land uses. Implementation of the proposed Plan would cause intersection operation to degrade to unacceptable LOS F at the following intersections:

- a) Ardenwood Boulevard and SR 84 westbound ramps intersection during the AM peak hour in 2035,
- b) the Newark Boulevard and SR 84 eastbound ramps intersection during the PM peak hour in 2035, and
- c) the Cherry Street/Boyce Road and Stevenson Boulevard intersection during the PM peak hour in 2035. Mitigation measures were identified to reduce these impacts; however, significant and unavoidable impacts were identified even after the implementation of these measures

The proposed Plan includes the following goals, policies, and actions that would help to reduce future congestion levels:

- **Goal T-3:** Support safe, affordable public transportation which provides an alternative means of travel through Newark and convenient access to destinations throughout the Bay Area.
- **Policy T-3.1:** Improving Transit Services. Work collaboratively with BART, AC Transit, VTA, other agencies, and the private sector to provide an improved transit system serving persons who live in Newark, work in Newark, and visit Newark. Transit should have service frequencies (headways) of no more than 20 minutes at high ridership locations.
- **Policy T-3.3:** Connecting to BART. Encourage improved transit connections between Newark and the BART stations in Fremont and Union City. A variety of strategies leveraging public and private resources should be explored to establish more frequent, reliable connections to BART.
- **Policy T-3.4:** Transbay Service. Support implementation of the Dumbarton Rail project between Newark and the Peninsula. Continued express bus service across the Dumbarton Bridge should be supported as an interim measure, but not as an ultimate replacement of the rail service.
- **Action T-3.A:** BART Shuttle. Study the feasibility of a private, public-private, or local transit shuttle that connects Newark's major employment centers, major shopping destinations, and other destinations (such as Ohlone College) with the BART stations in Fremont and/or Union City.
- **Action T-3.B:** Dumbarton Rail Design and Funding. Continue planning, design, and financing studies for the Dumbarton Rail between the Union City BART station and the Peninsula. Support phased implementation of the project, with Newark to the Peninsula as the first phase.
- **Action T-3.C:** Consultation with Local Transit. Work with the local transit provider to align transit routes in Newark in a way that better achieves the goals of the General Plan. This should include better connections between Newark's neighborhoods and shopping centers, including New Park Mall, Old Town Newark, and the Four Corners area, greater frequency, and more route clarity.
- **Goal T-4:** Reduce vehicle miles traveled (VMT) and dependency on motor vehicles through land use and transportation strategies.
- **Policy T-4.1:** Coordinating Land Use and Transportation. Support land use choices and transportation investments which result in a community that is more walkable and serviceable by public transportation. Land use and development decisions should reflect the existing and planned capacity of Newark's transportation system.
- **Policy T-4.2:** Transit-Oriented Development. Require that the densities and intensities of development in the vicinity of major transit hubs are high enough to capitalize on the investment that has been made in transit and to encourage and support transit use.
- **Policy T-4.3:** Co-Location of Housing and Services. Locate higher density housing and senior housing close to shopping, medical facilities, senior centers, and public transportation as a way of reducing trip lengths and increasing transportation options for residents of such developments.
- **Policy T-4.4:** Mixed-Use Development. Encourage mixed-use development (such as housing over retail uses) as a way of making it easier to live, work, and shop without owning a car, and as a strategy for reducing the number and length of vehicle trips.

- **Policy T-4.5:** Home Businesses. Encourage home-based businesses, home occupations, live-work development, and space for shared offices and office support uses as a way to make it easier for Newark residents to work from home or from local facilities, rather than commuting to distant employment centers.
- **Policy T-4.6:** Transportation Systems Management. Require new commercial and office development to implement Transportation System Management (TSM) measures to reduce trip generation and/or pay for traffic improvements through impact fees or assessment district financing.
- **Policy T-4.7:** Car Sharing and Bike Sharing. Promote car sharing and bike sharing as a viable means of transportation and an alternative to private auto and bike ownership.
- **Policy T-4.8:** Ridesharing. Encourage Newark employers to provide incentives for employees to carpool, vanpool, or use transit when traveling to work. These incentives could include preferential parking for carpools, employee rideshare and vanpool programs, bike parking areas, and shuttles to transit. It could also include the creation of additional park and ride lots in and around Newark.
- **Policy T-4.9:** Telecommuting and Flextime. Encourage Newark employers to reduce peak hour commute volumes by offering flexible work schedules and telecommute options for employees, and by providing facilities such as showers and locker rooms which make it more feasible for employees to bike to work.
- **Action T-4:** A Car Sharing Programs. Work with private car share vendors to explore the feasibility of incorporating car sharing programs and providing preferential car share spaces in business parks, major shopping centers, and higher density residential developments.
- **Action T-4.B:** Regional Bike Share Program. Partner with ABAG, MTC, Alameda CTC, and other entities to implement a regional bike share system.
- **Action T-4.C:** 511: org Program. Continue to support the "511.org" program and other regional initiatives that help residents and workers find carpools, rides home from work, and other alternatives to driving alone.
- **Action T-4.D:** City Employee Trip Reduction Program. Evaluate ways to reduce driving by City employees, including alternative schedules, work from home programs, and incentives for walking or biking to work.
- **Action T-4.E:** Commuter Benefits Programs. Encourage Newark businesses to develop and implement commuter benefit programs, such as transit passes, eco-passes, and pre-tax transit benefits.
- **Policy T-6.1:** Regional Transportation Planning. Support regional transportation planning for Southern Alameda County and the Bay Area to ensure continued mobility between Newark and the region.
- **Policy T-6.2:** Freeway Improvements. Support improvements to Interstate 880 and SR 84 which improve Newark's connections to the region and provide the capacity needed for the City's continued economic growth.
- **Policy T-6.4:** Regional Passenger Rail Service. Promote improved passenger rail service between the Newark vicinity and other parts of the Bay Area and California, including improved Altamont Commuter Express (ACE) and Amtrak (Capital Corridor) service, as well as the BART extension to San Jose and the Dumbarton Rail project to the Peninsula.

Therefore, overall, the proposed Plan would not conflict with the Alameda CTC Congestion Management Program and associated impacts would be less than significant.

The proposed Plan contains numerous policies intended to promote safe vehicular, pedestrian, and bicycle circulation, including:

- **Policy T-1.6:** Traffic Calming. Use traffic design features and traffic calming techniques to improve safety and maintain the quality of life in Newark neighborhoods. Traffic calming should be incorporated into urban design and streetscape plans so that a safer environment is provided for all users.
- **Action T-1.B:** Best Practices in Street Design. Follow the City's adopted standards for the design of streets. As appropriate, update the City's street classification and engineering design standards to ensure that the roadway system accommodates all users.
- **Policy T-2.7:** Pedestrian and Bicycle Safety. Improve actual and perceived pedestrian and bicycle safety. Make use of the latest technologies available to provide increased safety measures. Special attention should be given to facilitating the safety of children walking or bicycling to school.
- **Policy T-2.8:** Safety Awareness and Health Benefits. Encourage bicycle and pedestrian safety training in schools and through City recreation programs. Such programs should aim to reduce the rate of bicycle and pedestrian accidents while increasing awareness of available facilities and the health benefits of bicycling and walking.
- **Policy T-5.11:** Hazardous Street Conditions. Identify and correct any hazardous street conditions, including obstructed sight lines, on a regular basis.

Compliance with applicable standards described above and implementation of the above-listed proposed Plan policies would ensure that roadway hazard impacts under the Plan would be less than significant.

The proposed Plan contains policies and actions intended to ensure adequate emergency access and efficient circulation, including:

- **Policy T-5.9:** Emergency Access. Improve the street system as necessary to facilitate emergency vehicle response and to provide multiple route options in the event a road is blocked by an emergency or is otherwise made impassable.
- **Policy T-5.1:** Road Hierarchy. Maintain a hierarchy of arterial, collector, and local streets in Newark, and adopt revised design and engineering standards which ensure that each of these streets serves their intended functions.
- **Action T-1.B:** Best Practices in Street Design. Follow the City's adopted standards for the design of streets. As appropriate, update the City's street classification and engineering design standards to ensure that the roadway system accommodates all users.

Compliance with applicable standards described above and implementation of the above-listed proposed Plan policies would ensure that emergency access-related impacts under the Plan would be less than significant.

The proposed Plan includes numerous policies and programs that support AB 1358 and the Newark Complete Streets Policy. The major policies that address public transit and pedestrian and bicycle policies include the following:

- **Goal T-1:** Plan, fund, design, construct, operate, and maintain all transportation improvements to provide mobility for all users, appropriate to the function and context of each facility.
- **Policy T-1.1:** Improving Travel Mobility for All. Create and maintain “complete” streets that provide safe, comfortable, and convenient travel for all categories of users, including pedestrians, bicyclists, transit and operators, movers of commercial goods and freight, emergency responders, children, youth, seniors, and persons with disabilities.
- **Policy T-1.3:** Incorporating Complete Streets Elements in Transportation Projects. Incorporate complete streets elements in the planning, funding, design, approval and implementation of all transportation projects. Any construction, reconstruction, retrofit, maintenance, operations, alteration, or major repair of the street network should consider ways to make streets safer for all users. Exceptions to this policy may be considered, consistent with the Complete Streets Resolution adopted by the City Council in March 2013.
- **Policy T-1.6:** Traffic Calming. Use traffic design features and traffic calming techniques to improve safety and maintain the quality of life in Newark neighborhoods. Traffic calming should be incorporated into urban design and streetscape plans so that a safer environment is provided for all users.
- **Action T-1.B:** Best Practices in Street Design. Follow the City's adopted standards for the design of streets. As appropriate, update the City's street classification and engineering design standards to ensure that the roadway system accommodates all users.
- **Action T-1.C:** Complete Streets Procedures. Take the following steps to implement the City's Complete Streets policy: (a) Maintain, plan, and design future transportation projects so that they are consistent with all adopted local plans; and (b) Develop or clearly define a process to allow for early stakeholder involvement in the design of new transportation projects.
- **Action T-1.D:** Performance Measures. Regularly evaluate how well Newark's transportation network is serving each category of user by establishing performance measures, collecting baseline data, and collecting follow up data on a regular basis.

Additionally, the proposed Plan is consistent with the Newark Transportation System Management Ordinance, adopted to manage employment-related travel demand. The Plan contains the following policy that supports the objectives of the Ordinance:

- **Policy T-4.6:** Transportation Systems Management. Require new commercial and office development to implement Transportation System Management (TSM) measures to reduce trip generation and/or pay for traffic improvements through impact fees or assessment district financing.

The EIR also included a list of goals and policies from the Draft Newark Pedestrian and Bicycle Master Plan that would ensure that impacts to bicycle and pedestrian plans would be less than significant.

The General Plan EIR analyzed the traffic impacts for the project site by applying a travel demand forecast model by zones. This included assumptions from the General Plan about the future types of uses in the NewPark Focus area zone. The two new hotels and restaurant currently proposed would therefore be consistent with the trip generation used in the 2013 EIR, which analyzed an additional 700 hotel rooms and 200,000 square feet of retail space. As a check, the application of ITE trip generation rates proposed project results in 314 PM peak hour trips, which would be consistent with the trip generation of 749 additional PM peak hour trips for the future development anticipated for the NewPark Mall focus area analyzed in the 2013 EIR. Therefore, the proposed project would not result in any new or substantially increased significant impacts compared to the project analyzed in the 2013 EIR.

Relevant EIR Mitigation Measures

- MM TRANS-1a** To mitigate this impact, the Ardenwood Boulevard and SR 84 westbound ramps intersection would require converting a through lane to a second left-turn lane on Ardenwood Boulevard, south of the Highway 84 westbound ramps. Re-striping of the northbound approach (i.e., Ardenwood Boulevard) would be necessary. LOS calculations show that with implementation of these improvements, the intersection would operate at an acceptable LOS C under proposed Plan conditions in 2035. However, because this mitigation measure is for an intersection under the jurisdiction of Caltrans and located in the City of Fremont, implementation is outside the jurisdiction of the City of Newark. The City of Newark will work with Caltrans and the City of Fremont to implement the mitigation measure and contribute on a fair-share basis; however until such time as there is an implementation plan in place and funding is secured, this impact is considered significant and unavoidable.
- MM TRANS-1b** To mitigate this impact, the Newark Boulevard and SR 84 eastbound ramps intersection would require adding a right turn lane in addition to the shared through-right lane on the Highway 84 eastbound off-ramp at Newark Boulevard. There is sufficient roadway right-of-way for this improvement, therefore the improvement could be implemented with re-striping of the off-ramp and roadway widening would not be necessary. LOS calculations show that with implementation of these improvements, the intersection would operate at an acceptable LOS D during the PM peak-hour under proposed Plan conditions in 2035. However, because this mitigation measure is for an intersection under the jurisdiction of Caltrans, implementation is outside the jurisdiction of the City of Newark. The City of Newark will work with Caltrans to implement the mitigation measure and contribute on a fair-share basis; however until such time as there is an implementation plan in place and funding is secured, this impact is considered significant and unavoidable.

MM TRANS-1c To mitigate this impact, the Cherry Street/Boyce Road and Stevenson Boulevard intersection would require an additional through lane on the northbound approach (Boyce Road/Cherry Street is considered the north-south street for this intersection). There is potentially sufficient roadway right-of-way on Boyce Road/Cherry Street for this improvement; therefore, the improvement could be implemented with re-striping of Cherry Street. The northbound approach (e.g., south leg) of the intersection is located in Fremont. It would also require that the intersection be re-aligned. On the north side of Stevenson Boulevard, Cherry Street would need to be re-striped for approximately 800 feet. The implementation of these improvements would improve intersection LOS to an acceptable LOS D during the PM peak hour under proposed Plan conditions in 2035. Implementation of the above measure would improve conditions at the intersection to LOS D during the PM peak hour, which would be acceptable. However, because this mitigation measure is for an intersection located partly in the City of Fremont, full implementation is outside the jurisdiction of the City of Newark. The City of Newark will work with the City of Fremont to implement the mitigation measure and contribute on a fair-share basis; however until such time as there is an implementation plan in place and funding is secured, this impact is considered significant and unavoidable.

Conclusion

No new significant impacts relating to transportation and traffic would occur. The conclusions from the 2013 EIR remain unchanged.

CEQA Checklist

Environmental Issue Area	Conclusion in 2013 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	2013 EIR Mitigation Measures
XVII. Utilities and Service Systems					
<i>Would the project:</i>					
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	Less than significant impact.	No	No	No	None
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	Less than significant impact.	No	No	No	None
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	Less than significant impact.	No	No	No	None
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	Less than significant impact.	No	No	No	None
e) Result in inadequate wastewater treatment capacity to serve the project's projected demand in	Less than significant impact.	No	No	No	None

Environmental Issue Area	Conclusion in 2013 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	2013 EIR Mitigation Measures
addition to the provider's existing commitments?					
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	Less than significant impact.	No	No	No	None
g) Comply with federal, state, and local statutes and regulations related to solid waste?	Less than significant impact.	No	No	No	None

Discussion

a–g) The following goal and policies contained in the proposed Plan would ensure that new development projects under the proposed Plan contribute to reducing water demands in the ACWD service area.

- **Goal CS-3:** Conserve and enhance Newark's water resources.
- **Policy CS-3.2:** Water Conservation Standards. Promote water conservation through development standards, building requirements, irrigation requirements, landscape design guidelines, and other applicable City policies and programs.
- **Policy CS-3.3:** ACWD Conservation Incentives. Support Alameda County Water District (ACWD) incentives, which encourage Newark residents and businesses to conserve water.
- **Policy CS-3.9:** Reclaimed or Non-Potable Water. Plan for the eventual use of reclaimed water to supplement the local water supply and reduce the necessity of using potable water for landscaping, irrigation, and nondomestic purposes.
- **Action CS-3.B:** Development Review. Use the development review process to ensure that water conservation measures are incorporated in new projects.
- **Policy CSF-5.1:** Water Supply. Work with the Alameda County Water District to ensure a stable supply of clean, safe drinking water for existing and future development in Newark.
- **Policy CSF-5.3:** Reclaimed and/or Non-Potable Water. Continue to work with the Alameda County Water District (ACWD) and the Union Sanitary District (USD) in the development of a reclaimed water program. The use of reclaimed or non-potable water sources should be encouraged in order to reduce the use of domestic water for landscaping and other non-potable uses.
- **Policy CSF-5.6:** Green Infrastructure. Encourage sustainable, environmentally friendly practices by water, sewer, drainage, and energy utility service providers. The City

- supports “greener” approaches to infrastructure, such as the use of earthen channels rather than concrete culverts, and porous pavement rather than impervious surfaces.
- **Policy CSF-5.7: Involving Utility Agencies in Development Review.** Engage local water, sewer, and stormwater service providers in the review of new development projects to ensure that infrastructure, including water supply and wastewater treatment capacity, is available or will be made available to meet development-related needs.
 - **Policy CSF-5.8: Infrastructure Cost.** Ensure that the cost of infrastructure improvements required for new development is the financial responsibility of that development and is allocated based on each project’s expected impacts.
 - **Action CSF-5.A: UWMP Updates.** Encourage the Alameda County Water District to complete regular updates of the state-mandated Urban Water Management Plan to reflect current forecasts, water supply conditions, and best practices in water management.
 - **Action CSF-5.B: Ensuring Water Availability.** Coordinate with the Alameda County Water District to conduct water supply assessments or take other steps to ensure that water is available or can be made available to meet current and anticipated needs. Special precautions should be taken to ensure that adequate water supplies are available during drought periods.

Existing regulations, which are listed below, would further reduce potential impacts on water supplies.

Applicable Regulations

- Green Ordinance and Bay Friendly Landscape Guide
- SB-X7-7 and ACWD’s water supply and demand management strategies and water shortage contingency plan identified in the UWMP 2010 California Plumbing Code that requires water conserving fixtures and ACWD’s Water Efficiency Measures for New Residential and Commercial Development.

The following General Plan goals, policies, and programs would ensure that impacts to water facilities would be less than significant:

- **Policy CSF-5.7: Involving Utility Agencies in Development Review.** Engage local water, sewer, and stormwater service providers in the review of new development projects to ensure that infrastructure, including water supply and wastewater treatment capacity, is available or will be made available to meet development-related needs.
- **Policy CSF-5.8: Infrastructure Cost.** Ensure that the cost of infrastructure improvements required for new development is the financial responsibility of that development and is allocated based on each project’s expected impacts.
- **Action CSF-5.B: Ensuring Water Availability.** Coordinate with the Alameda County Water District to conduct water supply assessments or take other steps to ensure that water is available or can be made available to meet current and anticipated needs. Special precautions should be taken to ensure that adequate water supplies are available during drought periods.

Applicable Regulations

- 25-Year Capital Improvement Program
- ACWD Development Fees and Charges

In summary, buildout of the proposed Plan would not result in water demands that would require the construction of new water treatment facilities or the expansion of existing facilities. The construction of the two new hotels and restaurant will not add to the amount of water supplies or water treatment capacity required beyond that amount identified in the 2013 General Plan EIR. Therefore, there will be no new impacts to water supply or water treatment.

Sanitary wastewater treatment requirements are established in the NPDES Permit issued by the San Francisco Bay RWQCB, which currently allows discharges of up to 33 MGD. The NPDES Permit also sets out a framework for compliance and enforcement. As the discharger named in the NPDES Permit (Order No. R2-2012-0004), 30 the EBDA, including the USD, implements and enforces a pretreatment program for effluent discharged into San Francisco Bay. Additionally, as discussed below, the projected wastewater generated from potential future development under the Plan would not exceed the AWWTP's capacity. Therefore, the wastewater treatment requirements of the San Francisco Bay RWQCB would not be exceeded from buildout of the proposed Plan, resulting in a less than significant impact.

Applicable Regulations:

- NPDES Permit (Order No. R2-2012-0004)

Buildout of the Plan would increase the volume of wastewater for treatment at the AWWTP. However, this increase represents only a small percentage (less than 1 percent) of the available treatment capacity and it would occur incrementally over a period of 20 years. Therefore, it would not be cumulatively considerable. Because the cumulative demand would not substantially impact the existing or planned capacity of the USD's wastewater treatment system, the construction of new wastewater treatment facilities would not be necessary. Furthermore, as described above, the USD has a plan to expand the capacity of the AWWTP to 38 MGD from 33 MGD, as demands in the service area increase.

The proposed Plan contains multiple policies that would serve to ensure provision of adequate wastewater facilities; these policies include:

- **Policy CSF-5.2: Sanitary Sewer.** Work with the Union Sanitary District to ensure that the sewer system is expanded to serve Newark's new development areas, existing facilities are regularly maintained, sufficient wastewater capacity is provided to meet projected growth, and wastewater effluent is treated to meet all state and federal standards.
- **Policies CSF-5.7: Involving Utility Agencies in Development Review.** Engage local water, sewer, and stormwater service providers in the review of new development projects to ensure that infrastructure, including water supply and wastewater treatment capacity, is available or will be made available to meet development-related needs.

- **Policy CSF-5.8: Infrastructure Cost.** Ensure that the cost of infrastructure improvements required for new development is the financial responsibility of that development and is allocated based on each project's expected impacts.

Therefore, with the implementation of the Plan's policies and compliance with applicable regulations, the buildout of the Plan will have a less than significant effect on wastewater capacity. The construction of the two new hotels and restaurant will not add to the amount of wastewater treatment capacity required beyond that amount identified in the 2013 General Plan EIR. Therefore, there will be no new impacts to wastewater treatment.

Development under the proposed Plan has the potential to increase stormwater runoff associated with construction activities and create impermeable surfaces, thereby placing greater demands on the stormwater drainage system. Runoff from developed surfaces, building roofs, parking lots and roads also contains impurities and has the potential to increase flooding. However, as described above, the projects are regulated by C.3 Provisions and would be required to provide sufficient treatment area to meet the requirements for compliance with these provisions. Construction projects that disturb one or more acres of land would be required to comply with the requirements of the SWRCB Construction General Permit. Project applicants would prepare a SWPPP and implement BMPs to prevent excessive stormwater runoff from construction activity. As a result, buildout under the proposed Plan would not substantially increase either the volume or the velocity of stormwater flowing into the existing storm drain system. In addition, the Plan proposes the following policies and actions to minimize impacts to the stormwater system:

- **Policy CSF-5.4: Flood Control.** Coordinate with Alameda County Flood Control and Water Conservation District (ACFCWCD) and Alameda County Public Works to ensure that stormwater runoff is managed in a way that reduces flood hazards.
- **Policy CSF-5.5: Drainage within New Development.** Ensure that new development provides drainage and flood protection improvements which reduce on-site and downstream hazards such as ponding, flooding, and erosion. New development areas should be designed to minimize impervious surfaces in order to reduce associated site runoff and maximize groundwater recharge
- **Policy CSF-5.6: Green Infrastructure.** Encourage sustainable, environmentally friendly practices by water, sewer, drainage, and energy utility service providers. The City supports "greener" approaches to infrastructure, such as the use of earthen channels rather than concrete culverts, and porous pavement rather than impervious surfaces. Storm drain catch basins should be designed to capture sediment and debris and should reduce the transport of pollutants to the Bay. Stormwater management strategies should direct water away from buildings and foundations and maintain natural hydrological functions to the greatest extent possible.
- **Policy CSF-5.7: Involving Utility Agencies in Development Review.** Engage local water, sewer, and stormwater service providers in the review of new development projects to ensure that infrastructure, including water supply and wastewater treatment capacity, is available or will be made available to meet development-related needs.

- **Policy CSF-5.8: Infrastructure Cost.** Ensure that the cost of infrastructure improvements required for new development is the financial responsibility of that development and is allocated based on each project's expected impacts.
- **Action CSF-5.D: Stormwater Management Plans.** Require the preparation of stormwater pollution prevention plans and stormwater management master plans for large scale developments. Such plans should determine runoff control and treatment measures, identify drainage improvements to be constructed, and address funding and maintenance responsibilities for the storm drainage system.
- **Action CSF-5.E: ACFCWD Fee Program.** Continue the Alameda County Flood Control and Water Conservation District Drainage Area Fee Program to fund flood control and drainage improvements in newly developing areas.
- **Action CS-3.G: Countywide Clean Water Program.** Continue to participate in the Alameda Countywide Clean Water Program, in accordance with the federal National Pollution Discharge Elimination System (NPDES) permit. The City will work with Alameda County and other participating jurisdictions to carry out measures to monitor stormwater pollution, regulate construction runoff, sweep local streets, clean storm drain inlets, promote education and outreach, enforce regulations and penalties for illicit discharges, and participate in County meetings to discuss water quality issues.
- **Policy CS-6.5: Minimizing Impervious Surface Coverage.** Minimize impervious surface coverage and related stormwater runoff in new development areas by allowing narrower roads and shared driveways, and by encouraging the use of pervious materials on driveways and parking areas. Other means of reducing urban runoff, such as rain barrels and bioswales, also should be encouraged.
- **Action CS-3.H: Stormwater Controls.** Implement stormwater runoff and retention controls in new development and construction projects that reduce pollution discharges to surface waters, and reduce the rate of runoff to storm drain system. Such controls should encourage greater use of pervious pavement and surfaces.
- **Policy CS-6.4: Green Roofs.** Encourage the use of green roofs and cool roofs as a way of reducing heating and cooling costs, and reducing stormwater runoff.

Furthermore, as described above, the ACFC has a list of CIPs and plans to develop a Drainage Master Plan Study to address existing deficiencies and accommodate future development in Zone 5.

With the proposed General Plan Policies, the ACCWP, and RWQCB C.3 provisions in place, future development would not substantially increase demands on the stormwater drainage system. Based on the ACFC's CIPs, stormwater facilities would be upgraded and expanded, as necessary to support future development in Newark. As a result, a less than significant impact would occur on stormwater treatment facilities.

The construction of the two new hotels and restaurant will not add to the amount of stormwater treatment facilities required beyond that amount identified in the 2013 General Plan EIR. Therefore, there will be no new impacts to stormwater treatment.

Applicable Regulations

- Alameda County Clean Water Program
- RWQCB C.3 provisions
- ACFC Drainage Master Plan Study (in progress)
- ACFC Capital Improvement Program

The Altamont Landfill has a remaining life of 43 million tons with a predicted closure date of 2040. Therefore, the Altamont Landfill would have sufficient capacity to accommodate the Plan's solid waste disposal needs through 2035.

In addition, the proposed Plan includes numerous goals and policies which would further reduce waste generation and the demand for landfill capacity; these goals, policies, and actions include:

- **Goal CS-8:** Reduce landfilled waste through recycling, composting, and source reduction.
- **Policy CS-8.1:** Recycling Program. Actively promote recycling, composting, and waste reduction in order to minimize the amount of waste requiring disposal in landfills. Provide for residential recycling and green waste containers and weekly curbside recycling pickup, to make it as easy and convenient as possible for residents to reduce the volume of trash requiring landfill disposal.
- **Policy CS-8.4:** Increasing Commercial, Industrial, and Multi-Family Recycling. Increase recycling rates by the commercial, industrial, and multi-family residential sectors, including apartment buildings, offices, restaurants, hotels, retail stores, and other businesses. Retail centers and multifamily residential development should be required to provide on-site shared collection bins for recyclable waste.
- **Policy CS-8.2:** Interagency Coordination in Waste Reduction. Promote inter-jurisdictional cooperation, coordination, and planning in the development of recycling and waste management programs.
- **Policy CS-8.3:** Maximizing Reuse. Manage solid waste in a way that maximizes the reclamation and reuse of resources. The City encourages the use of salvaged and recycled materials, rather than the disposal of such materials in landfills.
- **Action CS-8.A:** Reduction Targets. In collaboration with StopWaste.org, implement programs to achieve a 75 percent waste diversion rate by 2015, and to achieve an ultimate target of zero waste.
- **Action CS-8.B:** Waste Reduction Program. Maintain a solid waste reduction and management program that is coordinated with and consistent with the Countywide StopWaste.org program. The program should include regularly scheduled trash collection, compost and recycling collection, bulk waste and e-waste collection events, household hazardous materials disposal provisions, education and outreach to promote waste diversion, and other components, which minimize landfilled waste.
- **Action CS-8.C:** Source Reduction and Diversion for New Construction. As part of the development review process, require major new projects to prepare solid waste source reduction and diversion programs before building permits are issued.

- **Action CS-8.D:** Construction and Demolition Debris. Reduce the amount of construction and demolition debris being disposed in landfills through mandatory construction and demolition recycling requirements.

Applicable Regulations:

- California Integrated Waste Management Act
- Mandatory Commercial Recycling Measure
- CALGreen Building Code
- County Integrated Waste Management Plan
- Alameda County Source Reduction and Recycling Plan
- Alameda County Landfill Ban
- Newark Green Ordinance
- Newark Climate Action Plan

In summary, the Altamont Landfill would have sufficient capacity to accommodate the Plan's solid waste disposal needs, and with the applicable state and local regulations in place, buildout of the Plan would not result in a significant impact with regard to landfill capacity. In summary, the City of Newark is currently in compliance with all applicable State and County solid waste regulations and buildout of the Plan would not result in any violations of federal, state, and local regulations related to solid waste.

The construction of the two new hotels and restaurant will not add to the amount of solid waste produced beyond that amount identified in the 2013 General Plan EIR. Therefore, there will be no new impacts to solid waste disposal.

Relevant EIR Mitigation Measures

None.

Conclusion

No new significant impacts relating to utilities and services systems would occur. The conclusions from the 2013 EIR remain unchanged.

Environmental Issue Area	Conclusion in 2013 EIR	Do the Proposed Changes Involve New Impacts?	New Circumstances Involving New Impacts?	New Information Requiring New Analysis or Verification?	2013 EIR Mitigation Measures
XVIII. Mandatory Findings of Significance					
<i>Would the project:</i>					
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	—	—	—	—	—
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	—	—	—	—	—
c) Does the project have environmental effects which will cause substantial adverse effects on human beings?	—	—	—	—	—

Discussion

- a-c) As discussed in the Biological Resources analysis above, the project would have a less than significant impact on listed species, migratory species, and riparian habitat. In addition, as discussed in the Cultural Resources analysis above, the project would have a less than significant impact associated with historical, archaeological, or paleontological resources. The proposed development of the site, demolishing the existing buildings and construction two new hotels and a restaurant in the NewPark Mall Focus area would not affect the conclusions identified in the EIR related to these issues.

As discussed in the preceding sections, many of the potential impacts of the proposed project's would occur during construction, with a few lasting operational effects. Impacts from demolition and construction for the two new hotels and restaurant to accommodate retail uses within the existing building would be reduced to less than significant with implementation of mitigation measures stated in the EIR, and would not result in any new or altered construction impacts. With regard to remaining areas of analysis, the proposed project would not result in significant, long-term cumulative impacts that would substantially combine with impacts of other current or probable future projects' impacts. The proposed project would not create impacts that are cumulatively considerable, nor would the project substantially increase any cumulatively considerable significant impacts.

The preceding sections of this checklist discuss various types of impacts that could have adverse effects on human beings, including:

- Operational emissions (Section III, Air Quality)
- Increase in greenhouse gas emissions (Section VII, Greenhouse Gas Emissions)

Roadway Noise (Section XII, Noise)

Each type of impact with the potential to cause substantial adverse effects on human beings has been evaluated, and this checklist concludes that these potential impacts would not substantially increase with development of the proposed project and would be consistent with the results concluded in the EIR. Therefore, the proposed project would have a less than significant impact on environmental effects.

Conclusion

The conclusions from the 2013 General Plan EIR remain unchanged.

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SECTION 4: ENVIRONMENTAL CONCLUSION

This Environmental Checklist considers development of a site identified as part of the NewPark Focus area in the City of Newark's General Plan and General Plan EIR as described in Section 2.3 herein, and it is our conclusion that the impacts of the project would be generally the same as, or less than, those identified in the 2013 General Plan EIR.

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SECTION 5: REFERENCES

The following references were used in the preparation of this analysis and are referenced in the text and/or were used to provide the author with background information necessary for the preparation of thresholds and content.

City of Newark. 2013. General Plan EIR.

Institute of Traffic Engineers. 2012. Trip Generation Manual, 9th Edition. September.

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**Appendix A:
2013 Recirculated EIR Mitigation Measures**

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EXECUTIVE SUMMARY

TABLE 1-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact Criteria	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
AESTHETICS			
AES-1: The proposed Plan would not have a substantial adverse effect on a scenic vista.	LTS	N/A	LTS
AES-2: The proposed Plan would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, within a State scenic highway.	LTS	N/A	LTS
AES-3: The proposed Plan would result in a significant impact to the visual character of the Southwest Newark Residential and Recreational Focus Area, as determined in previous environmental review.	S	AES-3: There is no feasible mitigation which would reduce impacts to a less-than-significant level.	SU
AES-4: The Plan would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.	LTS	N/A	LTS
AES-5: The proposed Plan, in combination with past, present, and reasonably foreseeable projects, would result in less than significant cumulative impacts with respect to aesthetics.	LTS	N/A	LTS
AIR QUALITY			
AIR-1: While the proposed Plan would support the primary goals of the 2010 Bay Area Clean Air Plan, buildout of the proposed Plan would not be consistent with the Clean Air Plan because the projected vehicle miles traveled (VMT) increase from buildout of the proposed Plan would be greater than the projected population increase.	S	AIR-1: Numerous goals, policies, and actions contained in the proposed Plan address future increase in VMT and criteria air pollutants under the Plan; however, the projected growth in VMT in the Plan Area would still exceed the rate of population growth. There are no additional measures that would reduce this impact.	SU

EXECUTIVE SUMMARY

TABLE 1-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact Criteria	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
AIR-2: The Plan would not violate any air quality standard or contribute substantially to an existing or projected air quality violation.	LTS	N/A	LTS
AIR-3: The proposed Plan would not result in a cumulatively considerable contribution related to an increase in criteria pollutants for which the San Francisco Bay Area Air Basin is designated a non-attainment area.	LTS	N/A	LTS
AIR-4: The proposed Plan would result in less-than-significant impacts with respect to the placement of sensitive receptors proximate to major sources of air pollution or the siting of new sources of air pollution proximate to sensitive receptors in the City.	LTS	N/A	LTS
AIR-5: The Plan would not create or expose a substantial number of people to objectionable odors.	LTS	N/A	LTS
BIOLOGICAL RESOURCES			
BIO-1: Buildout of the proposed Plan would result in less-than-significant impacts to special-status plant and animal species in the Plan Area.	LTS	N/A	LTS
BIO-2: Buildout of the proposed Plan would result in less-than-significant impact to wetlands, riparian habitat, and sensitive natural communities in the Plan Area.	LTS	N/A	LTS
BIO-3: Buildout of the proposed Plan would result in less-than-significant impact to as-yet undelineated waters of the US in the Plan Area.	LTS	N/A	LTS

EXECUTIVE SUMMARY

TABLE 1-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact Criteria	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
BIO-4: The proposed Plan would not interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.	LTS	N/A	LTS
BIO-5: The proposed Plan would not conflict with the City of Newark tree preservation ordinance.	LTS	N/A	LTS
BIO-6: The proposed Plan would result in less-than-significant impacts related to conflicts with the Basin Plan and the Habitat Goals.	LTS	N/A	LTS
BIO-7: The proposed Plan would result in less-than-significant cumulative impacts related to biological resources.	LTS	N/A	LTS
CULTURAL RESOURCES			
CULT-1: The Plan would not cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5.	LTS	N/A	LTS
CULT-2: Construction activities associated with buildout of the proposed Plan could cause a significant impact to archaeological resources in the Southwest Newark Residential and Recreational Focus Area by potentially damaging or disturbing as yet undiscovered archaeological deposits through the placement of fill and soil compression.	S	CULT-2: Regulatory compliance and implementation of proposed Plan policies would reduce but not eliminate the potential for damage or disturbance. No additional feasible mitigation exists to further reduce this impact.	SU
CULT-3: The Plan would not directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature.	LTS	N/A	LTS

EXECUTIVE SUMMARY

TABLE 1-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact Criteria	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
CULT-4: Construction activities associated with buildout of the proposed Plan could cause a significant impact to a significant impact to Native American human remains in the Southwest Newark Residential and Recreational Focus Area by potentially damaging or disturbing as yet undiscovered Native American human remains through the placement of fill and soil compression.	S	CULT-4: While compliance with the provisions of SB18, California Health and Safety Code Section 7052 and 7050.5, and California Public Resources Code Section 5097 and 15064.5 together with implementation Mitigation Measure 4.4-1 from the 2009-2104 Housing Element EIR, and Mitigation Measures CUL-2.1 through CUL-2.4 from the Area 3 and 4 Specific Plan EIR, described above, would reduce the potential for accidental damage or disturbance of human remains during construction activities associated with buildout of the proposed Plan, damage or disturbance of human remains through the placement of fill and soil compression could still result during construction activities associated with buildout. No additional feasible mitigation exists to further reduce this impact.	SU
CULT-5: The Plan, in combination with past, present, and reasonably foreseeable projects, would result in less than significant cumulative impacts with respect to cultural resources.	LTS	N/A	LTS
GEOLOGY, SOILS, AND SEISMICITY			
GEO-1: The proposed Plan would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving surface rupture along a known active fault; strong seismic ground shaking; seismic-related ground failure, including liquefaction; and landslides.	LTS	N/A	LTS
GEO-2: Implementation of the proposed Plan would not result in substantial soil erosion or the loss of topsoil.	LTS	N/A	LTS
GEO-3: Development under the proposed Plan would not result in a significant impact related to development on unstable geologic units and soils or result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.	LTS	N/A	LTS

EXECUTIVE SUMMARY

TABLE 1-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact Criteria	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
GEO-4: Development under the proposed Plan would not create substantial risks to life or property as a result of its location on expansive soil, as defined in Table 18-1-b of the Uniform Building Code (1994).	LTS	NA	LTS
GEO-5: Implementation of the proposed Plan would not result in impacts associated with the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater.	No Impact	N/A	No impact
GEO-6: The proposed Plan, in combination with past, present, and reasonably foreseeable projects, would result in less than significant cumulative impacts with respect to geology and soils.	LTS	N/A	LTS
GREENHOUSE GAS EMISSIONS			
GHG-1: The proposed Plan would generate substantial GHG emissions in excess of the long-term 2050 GHG reduction target interpolated from Executive Order S-03-05.	S	<p>GHG-1: To further reduce 2035 GHG emissions resulting from future development under the proposed Plan, the City shall require the following Uniformly Applicable Development Standards for new developments:</p> <ul style="list-style-type: none"> ▪ Pedestrian and Bicycle Friendly Design/Bicycle Parking. Site plans submitted shall identify pedestrian and bicycle facilities on-site, including bicycle parking. ▪ Pedestrian and Bicycle Provisions within New Development. Circulation plans submitted shall identify pedestrian and bicycle routes. ▪ Source Reduction and Diversion for New Construction. Major new non-residential developments shall submit a plan that identifies solid waste source reduction and diversion measures (e.g. location of recycling bins on-site). ▪ Sustainable Design/Tree Planting in New Development/Minimizing Impervious Surface Coverage. Landscape plans submitted shall minimize impervious surfaces and identify features to reduce the heat island effect (e.g. tree coverage, permeable pavement, cool pavement). 	SU

EXECUTIVE SUMMARY

TABLE 1-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact Criteria	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
GHG-2: The proposed plan would not conflict with an applicable plan, policy, or regulation for the purpose of reducing the emissions of GHGs.	LTS	However, it should be noted that while CARB is currently updating the Scoping Plan to identify additional measures to achieve the long-term GHG reduction targets, at this time, there is no plan past 2020 that achieves the long-term GHG reduction goal established under Executive Order S-03-05. As identified by the California Council on Science and Technology, the State cannot meet the 2050 goal without major advancements in technology.	LTS
HAZARDS AND HAZARDOUS MATERIALS			
HAZ-1: The Plan would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.	LTS	N/A	LTS
HAZ-2: The Plan would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.	LTS	N/A	LTS
HAZ-3: The proposed Plan would not result in significant impacts associated with hazardous emissions or handling of hazardous or acutely hazardous materials, substances, or waste within ¼-mile of an existing or proposed school.	LTS	N/A	LTS
HAZ-4: Implementation of the Plan would not create a significant hazard to the public or the environment as a result of development on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.	LTS	N/A	LTS

EXECUTIVE SUMMARY

TABLE 1-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact Criteria	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
HAZ-5: Implementation of the Plan would not result in a safety hazard for people residing or working in the Plan Area due to development within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport.	No Impact	N/A	No impact
HAZ-6: Implementation of the Plan would not result in a safety hazard for people residing or working in the Plan Area due to development in the vicinity of a private airstrip.	No Impact	N/A	No impact
HAZ-7: The proposed Plan would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.	LTS	N/A	LTS
HAZ-8: Implementation of the Plan would not expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.	LTS	N/A	LTS
HAZ-9: The Plan, in combination with past, present, and reasonably foreseeable projects, would result in less than significant cumulative impacts with respect to hazards and hazardous materials.	LTS	N/A	LTS
HYDROLOGY AND WATER QUALITY			
HYDRO-1: The proposed Plan would not violate any water quality standards or waste discharge requirements.	LTS	N/A	LTS

EXECUTIVE SUMMARY

TABLE 1-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact Criteria	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
HYDRO-2: The proposed Plan would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.	LTS	N/A	LTS
HYDRO-3: The proposed Plan would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion, siltation, or flooding on- or off-site.	LTS	N/A	LTS
HYDRO-4: The proposed Plan would not create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.	LTS	N/A	LTS
HYDRO-5: The proposed Plan would not otherwise substantially degrade water quality.	LTS	N/A	LTS
HYDRO-6: The proposed Plan would not result in a significant impact with respect to the placement of housing or structures, which would impede or redirect flood flows within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.	LTS	N/A	LTS
HYDRO-7: The proposed Plan would not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.	LTS	N/A	LTS

EXECUTIVE SUMMARY

TABLE 1-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact Criteria	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
HYDRO-8: The proposed Plan would not result in significant adverse effects related to inundation by seiche, tsunami, or mudflow.	LTS	N/A	LTS
HYDRO-9: The proposed Plan, in combination with past, present, and reasonably foreseeable development, would result in less than significant cumulative impacts with respect to hydrology and water quality.	LTS	N/A	LTS
LAND USE AND PLANNING			
LU-1: The proposed Plan would not physically divide an established community.	LTS	N/A	LTS
LU-2: The proposed Plan would not conflict with an applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.	LTS	N/A	LTS
LU-3: The proposed Plan would result in less than significant conflicts with the Bay Plan and the Don Edwards San Francisco Bay National Wildlife Refuge Comprehensive Conservation Plan.	LTS	N/A	LTS
LU-4: The proposed Plan, in combination with past, present, and reasonably foreseeable development in the surrounding area, would result in less-than-significant-cumulative impacts with respect to land use and planning.	LTS	N/A	LTS

EXECUTIVE SUMMARY

TABLE 1-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact Criteria	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
NOISE			
NOISE-1: The proposed Plan would not expose people to or generate noise levels in excess of standards established in the General Plan or the Municipal Code, and/or the applicable standards of other agencies.	LTS	N/A	LTS
NOISE-2: The proposed Plan would not expose people to or generate excessive groundborne vibration or groundborne noise levels.	LTS	N/A	LTS
NOISE-3: Implementation of the proposed Plan would result in a substantial permanent increase in ambient noise levels in the Plan Area above levels existing without Plan implementation.	S	NOISE-3: Increases in vehicular traffic resulting from implementation of the proposed Plan in conjunction with regional growth would result in permanent increases to ambient noise levels that would exceed applicable standards along ten major roadway segments in the Plan Area. Proposed Plan policies and actions, including Policy EH-7.4, Action EH-6.D, Action EH-6.E, Action EH-6.H, and Action EH-7.B, described above, would reduce associated impacts; however, increases in noise in excess of the applicable standards could still occur. Although the most effective mitigations such as soundwalls or earthen berms may theoretically be capable of reducing increases to ambient noise to levels below the above standards, such reductions cannot be guaranteed; and, in many cases, other considerations will prevent the use of these noise-attenuating features. Therefore, there are no additional measures available to reduce the associated impacts to a less-than-significant level.	SU
NOISE-4: Construction activities associated with buildout of the proposed Plan would not result in substantial temporary or periodic increases in ambient noise levels in the Plan Area above existing levels.	LTS	N/A	LTS
NOISE-5: The proposed Plan would not result in exposure of people residing or working in the vicinity of the plan area to excessive aircraft noise levels, for a project located within an airport land use plan, or where such a plan has not been adopted, within 2 miles of a public airport or public use airport.	LTS	N/A	LTS

EXECUTIVE SUMMARY

TABLE 1-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact Criteria	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
NOISE-6: The proposed Plan would not result in exposure of people residing or working in the project area to excessive noise levels, for a project within the vicinity of a private airstrip.	LTS	N/A	LTS
NOISE-7: Implementation of the proposed Plan, in combination with past, present, and reasonably foreseeable projects, would not result in additional cumulatively considerable noise, or groundborne noise and vibration impacts.	LTS	N/A	LTS
POPULATION AND HOUSING			
POP-1: The Plan would not induce substantial unexpected population growth, or growth for which inadequate planning has occurred, either directly or indirectly.	LTS	N/A	LTS
POP-2: The Plan would not displace substantial numbers of existing housing units, necessitating the construction of replacement housing elsewhere.	LTS	N/A	LTS
POP-3: The Plan would not displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.	LTS	N/A	LTS
POP-4: The proposed Plan, in combination with past, present, and reasonably foreseeable projects, would result in less than significant cumulative impacts with respect to population and housing.	LTS	N/A	LTS

EXECUTIVE SUMMARY

TABLE 1-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact Criteria	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
		there is an implementation plan in place and funding is secured, this impact is considered significant and unavoidable.	
TRANS-2: The proposed Plan would not conflict with the 2011 Alameda CTC Congestion Management Program.	LTS	N/A	LTS
TRANS-3: The proposed Plan would not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.	LTS	N/A	LTS
TRANS-4: The proposed Plan would not substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).	LTS	N/A	LTS
TRANS-5: Implementation of the proposed Plan would not result in inadequate emergency access.	LTS	N/A	LTS
TRANS-6: Implementation of the proposed Plan would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.	LTS	N/A	LTS
TRANS-7: Implementation of the proposed Plan, in combination with past, present, and reasonably foreseeable projects, would not result in additional cumulatively considerable impacts.	LTS	N/A	LTS
UTILITIES AND SERVICE SYSTEMS			
UTIL-1: Implementation of the proposed Plan would increase Water Demand, however, sufficient water supplies are available to serve the project from existing entitlements and resources.	LTS	N/A	LTS

EXECUTIVE SUMMARY

TABLE 1-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact Criteria	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
UTIL-2: The proposed Plan would not require or result in the construction of new water facilities or expansion of existing facilities, the construction of which would cause significant environmental effects.	LTS	N/A	LTS
UTIL-3: The Plan, in combination with past, present, and reasonably foreseeable development, would result in less than significant cumulative impacts with respect to water supply.	LTS	N/A	LTS
UTIL-4: The proposed Plan would not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board (RWQCB).	LTS	N/A	LTS
UTIL-5: The proposed Plan would not require or result in the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.	LTS	N/A	LTS
UTIL-6: The proposed Plan would not result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.	LTS	N/A	LTS
UTIL-7: The Plan, in combination with past, present, and reasonably foreseeable development, would result in less than significant cumulative impacts with respect to wastewater.	LTS	N/A	LTS

EXECUTIVE SUMMARY

TABLE 1-1 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Impact Criteria	Significance Before Mitigation	Mitigation Measures	Significance With Mitigation
UTIL-8: The proposed Plan would not require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.	LTS	N/A	LTS
UTIL-9: The Plan, in combination with past, present, and reasonably foreseeable development, would result in less than significant cumulative impacts with respect to stormwater facilities.	LTS	N/A	LTS
UTIL-10: The proposed Plan would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs.	LTS	N/A	LTS
UTIL-11: The proposed Plan would comply with federal, State, and local statutes and regulations related to solid waste.	LTS	N/A	LTS
UTIL-12: The Plan, in combination with past, present, and reasonably foreseeable development, would result in less than significant cumulative impacts with respect to solid waste.	LTS	N/A	LTS

Note: The abbreviations used in Table 1-1 are as follows: LTS = Less than significant; SU = Significant and Unavoidable; N/A = Not applicable; S = Significant

RESOLUTION NO. 1932

RESOLUTION APPROVING AN ARCHITECTURAL AND SITE PLAN REVIEW FOR A TWO HOTEL (STAYBRIDGE SUITES & SPRINGHILL SUITES) AND ONE RESTAURANT (BUBBA'S 33) PROJECT AT 6000 NEWPARK MALL ROAD (APN: 901-111-3 & 4)

WHEREAS, Sywest Development has filed with the Planning Commission of the City of Newark an application for an Architectural and Site Plan Review (ASR-15-31) for a two hotel (Staybridge Suites and Springhill Suites) and one restaurant (Bubba's 33) project at 6000 NewPark Mall Road.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission hereby approves this application as shown on Exhibit A, pages 1 through 16, subject to compliance with the following conditions:

Planning Division

- a. The project shall be subject to the mitigation measures included in the Addendum to the General Plan Update Environmental Impact Report, dated February 2, 2016.
- b. There shall be no outdoor vending machines other than for the sale of newspapers. There shall be no outdoor storage except Christmas trees, of any materials for sale, display, inventory or advertisement without the review and approval of the Planning Commission and City Council.
- c. The drive aisles shall not be used by delivery trucks between the hours of 11:00 p.m. and 7:00 a.m. Parking lot cleaning with sweeping or vacuum equipment shall not be permitted between 11:00 p.m. and 7:00 a.m. No delivery truck or van shall be left overnight on any portion of the site.
- d. Prior to issuance of a sign permit, all signs, other than those referring to construction, sale or future use of this site, shall be submitted to the Community Development Director for review and approval.
- e. All lighting shall be directed on-site so as not to create glare off-site, as required by the Community Development Director.
- f. Construction site trailers and buildings located on-site shall be used for office and storage purposes only, and shall not be used for living or sleeping quarters. Any vehicle or portable building brought on the site during construction shall remain graffiti free.

- g. All exterior utility pipes and meters shall be painted to match and/or complement the color of the adjoining building surface, as approved by the Community Development Director.
- h. Prior to the issuance of a building permit, the elevations as submitted by the developer as part of this application shall be reviewed and approved by the Planning Commission and City Council. The building elevations shall reflect all architectural projections such as roof eaves, bay windows, greenhouse windows, chimneys and porches. A site plan showing the building locations with respect to property lines shall also show the projections. Said elevations shall specify exterior materials. Final color elevations shall be submitted for the review and approval of the Community Development Director.
- i. Prior to the issuance of a building permit, the floor plans as submitted by the developer as part of this application shall be reviewed and approved by the Planning Commission and City Council.
- j. Prior to the issuance of a building permit, roof material as submitted by the developer as part of this application shall be reviewed and approved by the Planning Commission and City Council. All roof material shall consist of fire retardant shake roof, concrete tile, or a roof of similar noncombustible material. Mansard roofs with the above material may be used to screen tar and gravel roofs. All roofs shall be of Class C fire resistant construction or better. Composition shingles shall be Presidential-style or of comparable quality, subject to the review and approval of the Community Development Director.
- k. Prior to the issuance of a building permit, the location and screening design for garbage, refuse and recycling collection areas for the project shall be submitted for the review and approval of Republic Services and the Community Development Director, in that order. The approved garbage, refuse and recycling areas shall be provided prior to the issuance of a Certificate of Occupancy, as required by the Community Development Director. No refuse, garbage or recycling shall be stored outdoors except within the approved trash and recycling enclosures.
- l. Measures to respond to and track complaints pertaining to construction noise shall include: (1) a procedure and phone numbers for notifying the City of Newark Building Inspection Division and Newark Police Department (during regular construction hours and off-hours); and (2) a sign posted on-site pertaining to the permitted construction days and hours and complaint procedures and who to notify in the event of a problem. The sign shall also include a listing of both the City and construction contractor's telephone numbers (during regular construction hours and off-hours).
- m. Prior to issuance of a grading permit, the developer shall hire a qualified biologist to: (1) determine if occupied Burrowing Owl habitat(s) exist on the site, and (2) implement a plan to protect the owls and to excavate the site around any active burrows using hand tools to assure that the owls are not buried during grading in the event Burrowing Owl habitat(s) is found on the site. The occupied Burrowing Owl habitat(s), if found, shall not

be disturbed during the nesting season. The Burrowing Owl study shall be conducted not more than 30 days prior to the time site grading activities will commence.

- n. During project construction, if historic, archeological or Native American materials or artifacts are identified, work within a 50-foot radius of such find shall cease and the City shall retain the services of a qualified archeologist and/or paleontologist to assess the significance of the find. If such find is determined to be significant by the archeologist and/or paleontologist, a resource protection plan conforming to CEQA Section 15064.5 shall be prepared by the archeologist and/or paleontologist and approved by the Community Development Director. The plan may include, but would not be limited to, removal of resources or similar actions. Project work may be resumed in compliance with such plan. If human remains are encountered, the County Coroner shall be contacted immediately and the provisions of State law carried out.

Engineering Division

- o. Prior to the issuance of a building permit, the developer shall obtain approval of a parcel map or a lot line adjustment for reconfiguration of the two-parcel site as required by the City Engineer. The parcel map or any required separate instruments shall designate and/or dedicate emergency vehicle access ways, private vehicle access ways, public utility easements, etc. over the site as determined necessary by the City Engineer. The parcel map (or alternative documents) and site civil plans shall be submitted to the Engineering Division for review to ensure conformance with the relevant codes, policies, and other requirements of the Newark Municipal Code and the Subdivision Map Act. The parcel map, lot line adjustment, and/or easement dedications/reservations shall be recorded prior to the issuance of a Certificate of Occupancy.
- p. The preliminary site design has not been reviewed in detail by the Alameda County Water District, Alameda County Flood Control and Water Conservation District, Pacific Gas & Electric, or Union Sanitary District. Any necessary modifications to the site design to meet the requirements of these or any other utilities/districts shall be the responsibility of the developer. Construction-level plans are subject to approval by each of these entities.
- q. This site is subject to the State of California National Pollutant Discharge Elimination System (NPDES) Program General Permit for Storm Water Discharges Associated with Construction Activity. Prior to issuance of a grading permit or a building permit, the developer needs to provide evidence that the proposed site development work is covered by said General Permit for Construction Activity. This will require confirmation that a Notice of Intent (NOI) and the applicable fee were received by the State Water Resources Control Board and the submittal of the required Storm Water Pollution Prevention Plan (SWPPP) for review and approval by the City Engineer. In addition the grading plans need to state: "All grading work shall be done in accordance with the Storm Water Pollution Prevention Plan prepared by the developer pursuant to the Notice of Intent on file with the State Water Resources Control Board."

- r. Prior to the issuance of a grading or any building permits for this project, the developer shall submit a Stormwater Pollution Prevention Plan (SWPPP) for the review and approval of the City Engineer. The site specific plan shall include sufficient details to show how storm water quality will be protected during both: (1) the construction phase of the project and (2) the post-construction, operational phase of the project. The SWPPP shall be prepared by a Qualified SWPPP Developer (QSD) in the State of California. The construction phase plan shall include Best Management Practices from the California Storm Water Quality Best Management Practices Handbook for Construction Activities. The specific storm water pollution prevention measures to be maintained by the contractor shall be printed on the plans. The operational phase plan shall include Best Management Practices appropriate to the uses conducted on the site to effectively prohibit the entry of pollutants into stormwater runoff from the project site including, but not limited to, low impact development stormwater treatment measures, trash and litter control, stockpile protection, liquid storage containment, pavement sweeping, periodic storm water inlet cleaning, landscape controls for fertilizer and pesticide applications, labeling of storm water inlets with a permanent thermoplastic stencil with the wording "No Dumping - Drains to Bay," and other applicable practices.
- s. The project must be designed to include appropriate source control, site design, and stormwater treatment measures to prevent stormwater runoff pollutant discharges and increases in runoff flows from the site in accordance with Provision C.3 of the Municipal Regional Stormwater NPDES Permit (MRP), Order R2-2015-0049, revised November 19, 2015, issued to the City of Newark by the Regional Water Quality Control Board, San Francisco Bay Region. Examples of source control and site design requirements include but are not limited to: properly designed trash storage areas, sanitary sewer connections for all non-stormwater discharges, minimization of impervious surfaces, and treatment of all runoff with Low Impact Development (LID) treatment measures. A properly engineered and maintained biotreatment system will only be allowed if it is infeasible to implement other LID measures such as harvesting and re-use, infiltration, or evapotranspiration. The stormwater treatment design shall be completed by a licensed civil engineer with sufficient experience in stormwater quality analysis and design. The design is subject to review by the Regional Water Quality Control Board. The developer shall modify the site design to satisfy all elements of Provision C.3 of the MRP. The use of treatment controls for runoff requires the submittal of a Stormwater Treatment Measures Maintenance Agreement prior to the issuance of any Certificates of Occupancy.
- t. The project shall be designed to comply with all requirements under Provision C.3.f. of the NPDES permit for limitations on increases of peak storm water runoff discharge rates. The developer shall be responsible for providing sufficient data and calculations to show that any increase in storm water runoff from the development will not result in increased potential for erosion or other significant adverse impacts of earthen channels downstream of the project site. The required analysis for such findings shall be completed by the developer to the satisfaction of the City Engineer and the Regional Water Quality Control Board.

- u. The final design of the curb line radius at the intersection of NewPark Mall Road and the private street at the western corner of the site shall be subject to modification as part of the final construction design to optimize pedestrian accessibility and safety at the intersection.
- v. All stormwater treatment measures are subject to review and approval by the Alameda County Mosquito Abatement District. The developer shall modify the grading and drainage and stormwater treatment design as necessary to satisfy any imposed requirements from the District.
- w. The entire site shall be equipped with full trash capture devices approved by the Regional Water Quality Control Board – San Francisco Bay Region, for 100% trash capture at all on-site and adjoining off-site storm drain inlets. All on-site trash capture devices shall be permanently maintained by the property owner.
- x. The developer shall submit detailed grading and drainage plans for review and approval by the City Engineer and the Alameda County Flood Control District (District). These plans must be based upon a City benchmark and need to include pad and finish floor elevations of each proposed structure, proposed on-site property grades, proposed elevations at property line, and sufficient elevations on all adjacent properties to show existing drainage patterns. All on-site pavement shall drain at a minimum of one percent. The developer shall ensure that all upstream drainage is not blocked and that no ponding is created by this development. Any construction necessary to ensure this shall be the developer's responsibility.

Hydrology and hydraulic calculations shall be submitted for review and approval by the City Engineer and the District prior to the issuance of a grading and/or building permit. The calculations shall show that the City and County freeboard requirements will be satisfied (0.75 feet to grate or 1.25-feet to the top of curb under a 10-year storm duration).

- y. Where a grade differential of more than a 1-foot is created along the boundary lot lines between the proposed development and adjacent property, the developer shall install a masonry retaining wall unless a slope easement is approved by the City Engineer. Said retaining wall shall be subject to review and approval of the City Engineer. A grading permit is required by the Building Inspection Division prior to starting site grading work.
- z. The applicant shall submit a detailed soils report prepared by a qualified engineer, registered with the State of California. The report shall address in-situ and import soils in accordance with the City of Newark Grading and Excavation Ordinance, Chapter 15.50. The report shall include recommendations regarding pavement sections for all public and private streets. Grading operations shall be in accordance with recommendations contained in the soils report and shall be completed under the supervision of an engineer registered in the State of California to do such work.
- aa. Prior to the issuance of a building permit, the developer's engineer shall submit a pavement maintenance program for the drive aisles and parking areas for the review and

approval of the City Engineer. The developer shall incorporate the program into the required Storm Water Pollution Prevention Plan and Storm Water Treatment Measures Maintenance Agreement.

- bb. Prior to issuance of a Certificate of Occupancy or release of utilities for any building, vehicle access ways and parking facilities serving said building shall be paved in accordance with the recommendation of a licensed engineer based on a Traffic Index of 5.0 and striped as shown on the approved site plan.
- cc. Prior to issuance of a Certificate of Occupancy or release of utilities for each dwelling unit, the on-site drive aisles and uncovered parking facilities shall be installed and striped as shown on the approved site plan. All on-site uncovered parking facilities and drive aisles shall be drained at a minimum slope of 1.0% for asphalt surfaces and 0.3% for Portland cement concrete surfaces.
- dd. The property owner shall be responsible for trash and litter control and sweeping of all private streets within the development. All private storm drain systems and all associated trash capture devices shall be cleaned on a regularly scheduled basis as detailed in the required Stormwater Treatment Measures Maintenance Agreement.
- ee. All new utilities including, but not limited to, electric, telephone and cable television services shall be provided underground for all buildings in the development in accordance with the City of Newark Subdivision Standards. Electrical transformers shall be installed in underground vaults with an appropriate public utility easement or within the public right-of-way.
- ff. The developer shall ensure that a water vehicle for dust control operations is kept readily available at all times during construction at the City Engineer's direction. A pick-up or vacuum type street sweeper shall be available at all times at the direction of the City Engineer to removed tracked dirt and debris from adjacent streets.
- gg. The developer shall implement the following measures for the duration of all construction activity to minimize air quality impacts:
 - 1. Watering should be used to control dust generation during demolition of structures and break-up of pavement.
 - 2. All trucks hauling demolition debris from the site shall be covered.
 - 3. Dust-proof chutes shall be used to load debris into trucks whenever feasible. Watering should be used to control dust generation during transport and handling of recycled materials.
 - 4. All active construction areas shall be watered at least twice daily and more often during windy periods; active areas adjacent to the existing land uses shall be kept damp at all times or shall be treated with non-toxic stabilizers or dust palliatives.
 - 5. All trucks hauling soil, sand, and other loose materials shall be covered or require all trucks to maintain at least 2 feet of freeboard.
 - 6. All unpaved access roads, parking areas, and staging areas at construction sites

shall be paved, watered three times daily, or treated with (non-toxic) soil stabilizers.

7. All paved access roads, parking areas, and staging areas at construction sites shall be swept daily with water sweepers; water sweepers shall vacuum up excess water to avoid runoff-related impacts to water quality.
8. Limit traffic speeds on unpaved roads to 15 mph.
9. Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
10. Replant vegetation in disturbed areas as quickly as possible.
11. Minimize idling time (5 minutes maximum).
12. Maintain properly tuned equipment.

These measures shall be incorporated into the grading specifications as well as the best management practices of the storm water pollution prevention plan, and shall be implemented to the satisfaction of the City Engineer.

- hh. The developer shall provide all required paper and digital submittals of the tentative map, record parcel map, site civil plans, and as-built plans as required by the City Engineer, including, but not necessarily limited to the following: (1) One full-sized reproducible copy and one reduced reproducible copy of the approved tentative map; (2) Two electronic copies of the approved record parcel map and site civil plans in a format approved by the City Engineer; (3) One full-sized mylar copy and one reduced copy of the recorded parcel map; (4) One reproducible set and four blue-line or photocopied sets of the approved site civil plans; (5) Two electronic copies and one mylar set of the as-built site civil plans. All digital copies of the record parcel map and site civil plans shall be prepared in accordance with Southern Alameda County Geographic Information Systems digital submittal standards. A deposit of \$5,000 shall be provided by the developer to the City to ensure submittal of all required documentation.

Landscape-Parks Division

- ii. The developer shall retain a licensed landscape architect to prepare working drawings for on-site landscape plans in accordance with City of Newark requirements, the approved Conceptual Landscape Plan, and the latest version of the State of California Model Water Efficient Landscape Ordinance. The landscape plans shall be included with construction plan set. The associated Landscape Documentation Package must be approved by the City Engineer prior to the issuance of a building permit.
- jj. The developer shall implement Bay Friendly Landscaping Practices in accordance with Newark Municipal Code, Chapter 15.44.080. Prior to the issuance of a building permit, the developer shall provide sufficient information to detail the environmentally-conscious landscape practices to be used on the project.
- kk. The plant species identified for any proposed biotreatment measures are subject to final approval of the City Engineer.

- ll. All maintenance associated with the landscape-based stormwater treatment measures shall be the responsibility of the property owner. The developer shall enter into a Landscape Maintenance Agreement prior to the issuance of a building permit. This agreement shall run with the land and be binding to its or any successors. Landscape maintenance of these areas by the City under the terms of the Agreement would occur only in the event that City Council deems the maintenance to be inadequate. Any project perimeter walls and adjoining landscape areas shall be included in a dedicated landscape easement to guarantee adequate maintenance of the walls. Any work other than routine maintenance, including but not necessarily limited to, tree removal, tree pruning, or changes to the approved planting palette shall be approved in advance by the City Engineer. All tree pruning shall be performed by or under the direction of a certified arborist.
- mm. Prior to installation by the developer, plant species, location, container size, quality, and quantity of all landscaping plants and materials shall be reviewed and approved by the City Engineer. All plant replacements shall be to an equal or better standard than originally approved subject to approval by the City Engineer.
- nn. Prior to the release of utilities or issuance of any Certificate of Occupancy, all landscaping and irrigation systems shall be completed or guaranteed by a cash deposit deposited with the City in an amount to cover the remainder of the work.
- oo. Prior to issuance of Certificate of Occupancy or release of utilities, the developer shall guarantee all trees for a period of 6 months and all other plantings and landscape for 60 days after completion thereof. The developer shall insure that the landscape shall be installed properly and maintained to follow standard horticultural practices. All plant replacements shall be to an equal or better standard than originally approved subject to approval of the City Engineer.

Fire Department

- pp. The Fire Department access roads serving the site shall meet all requirements of the 2013 California Fire Code and Appendix D.

General

- qq. All proposed changes from approved exhibits shall be submitted to the Community Development Director who shall decide if they warrant Planning Commission and City Council review and, if so decided, said changes shall be submitted for the Commission's and Council's review and decision. The developer shall pay the prevailing fee for each additional separate submittal of development exhibits requiring Planning Commission and/or City Council review and approval.
- rr. If any condition of this Architectural and Site Plan Review is declared invalid or unenforceable by a court of competent jurisdiction, this Architectural and Site Plan

Review shall terminate and be of no force and effect, at the election of the City Council on motion.

- ss. This Architectural and Site Plan Review shall be presented to the City Council for the Council's review and approval.
- tt. The developer hereby agrees to defend, indemnify, and save harmless the City of Newark, its Council, boards, commissions, officers, employees and agents, from and against any and all claims, suits, actions, liability, loss, damage, expense, cost (including, without limitation, attorneys' fees, costs and fees of litigation) of every nature, kind or description, which may be brought by a third party against, or suffered or sustained by, the City of Newark, its Council, boards, commissions, officers, employees or agents to challenge or void the permit granted herein or any California Environmental Quality Act determinations related thereto.
- uu. The Conditions of Project Approval set forth herein may include certain fees, dedication requirements, reservation requirements and other exactions. Pursuant to Government Code Section 66020(d)(1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations and other exactions. The developer is hereby further notified that the 90-day approval period in which the developer may protest these fees, dedications, reservations and other exactions, pursuant to Government Code Section 66020(a), has begun. If the developer fails to file a protest within this 90-day period complying with all of the requirements of Section 66020, the developer will be legally barred from later challenging such exactions.

The Commission makes the findings prescribed in Newark Municipal Code Sections 17.40.050 and 17.72.070, and directs a Notice of Decision be mailed to the applicant and filed with the City Clerk who shall present said Notice to the City Council pursuant to Newark Municipal Code Section 17.72.080.

This Resolution was introduced at the Planning Commission's March 22, 2016 meeting by Vice-Chairperson Nillo, seconded by Commissioner Otterstetter, and passed as follows:

AYES: Aguilar, Bridges, Fitts, Nillo and Otterstetter.

NOES: None.

ABSENT: None.

s/Terrence Grindall
TERRENCE GRINDALL, Secretary

s/Jeff Aguilar
JEFF AGUILAR, Chairperson

RESOLUTION NO. 1931

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NEWARK MAKING CERTAIN FINDINGS AND ADOPTING AN ADDENDUM TO AN ENVIRONMENTAL IMPACT REPORT FOR A TWO HOTEL (STAYBRIDGE SUITES & SPRINGHILL SUITES) AND ONE RESTAURANT (BUBBA'S 33) PROJECT AT 6000 NEWPARK MALL ROAD (APN: 901-111-3 & 4)

WHEREAS, the 2-Hotel/Restaurant project ("Project"), which is located within the Greater NewPark Mall area, consists of the construction of two four-story hotels consisting of a 104-room Staybridge Suites, a 120-room SpringHill Suites, and a 8,500 square foot Bubba's 33 restaurant (APN: 901-111- 3 & 4); and

WHEREAS, the entitlements requested include an Architectural and Site Plan Review (ASR-15-31); and

WHEREAS, pursuant to the requirements of the California Environmental Quality Act (CEQA), an initial study and an Addendum to the 2013 General Plan Environmental Impact Report has been prepared for the Project, pursuant to Section 15070 *et seq.* of the CEQA Guidelines, to analyze and mitigate the Project's potentially significant environmental impacts; and

WHEREAS, through this study, it has been determined that the Project does not result in any new significant impacts and the conclusions in the 2013 Environmental Impact Report remain unchanged; and

WHEREAS, the IS/Addendum was made available to the general public beginning on February 3, 2016; and

WHEREAS, on March 22, 2016 the Planning Commission of the City of Newark conducted a duly noticed meeting to consider the Initial Study and Addendum of environmental impacts for the proposed Project, considered all public testimony, written and oral, presented at the meeting; and received and considered the written information and recommendation of the staff report for the March 22, 2016 meeting related to the proposed Project.

NOW, THEREFORE, the Planning Commission finds and resolves the following:

1. The Initial Study and corresponding Addendum of environmental impacts were released for public review and said mitigation measures contained within the same would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur, and;
2. There is no substantial evidence in light of the whole record before the City of Newark that the project may have a significant effect on the environment, and;

3. The Planning Commission has read and considered the Initial Study and the Addendum and the comments thereon, and has determined the Initial Study and the Addendum reflect the independent judgment of the City and were prepared in accordance with CEQA; and

4. The Initial Study and the Addendum (including any revisions developed under 14 C.C.R § 15070(b)), all documents referenced in the same, and the record of proceedings on which the Planning Commission and City Council's decision is based are located at City Hall for the City of Newark, located at 37101 Newark Blvd, California, and is available for public review.

NOW, THEREFORE, the Planning Commission:

Based on the evidence and oral and written testimony presented at the public meeting, and based on all the information contained in the Community Development Department's files on the project, including, but not limited to, the Initial Study/Addendum, the Planning Commission staff reports, certifies in accordance with CEQA guidelines that:

1. The Initial Study/Addendum was prepared in compliance with CEQA and CEQA guidelines;
2. The Planning Commission has reviewed and considered the information contained in the Initial Study/Addendum prior to approving the project;
3. The Initial Study/Addendum adequately describe the project, its environmental impacts, reasonable alternatives and appropriate mitigation measures;
4. The Initial Study/Addendum reflect the independent judgment and analysis of the City Council.

This Resolution was introduced at the Planning Commission's March 22, 2016 meeting by Vice-Chairperson Nillo, seconded by Commissioner Otterstetter, and passed as follows:

AYES: Aguilar, Bridges, Fitts, Nillo and Otterstetter.

NOES: None.

ABSENT: None.

s/Terrence Grindall
TERRENCE GRINDALL, Secretary

s/Jeff Aguilar
JEFF AGUILAR, Chairperson

D.2 Planning Commission referral of an extension to Vesting Tentative Map 8157 for the SHH Project along Enterprise Drive and Willow Street – from Assistant City Manager Grindall. (RESOLUTION)

Background/Discussion - In April 2014, the Planning Commission and City Council approved an application for Vesting Tentative Map 8157 and building plans for approximately 88 townhome/condominium units, approximately 75 affordable senior housing units, and a 15,000 square foot retail building to be located on approximately 8.09 acres along Enterprise Drive and Willow Street. This project is known as the SHH Project.

The Subdivision Map Act provides that an approved tentative map expires 24 months after its approval, unless a map extension has been approved. The project developer, Integral Communities LLC, has indicated that the final map for the subject subdivision will not be filed before the April 24, 2016 expiration date and has requested a two year extension.

This project is a vital part of the Dumbarton Transit Oriented Development, as it not only provides additional single-family housing options, but provides affordable housing and a much needed retail component to the area. As such, staff recommends the City Council approve the time extension request.

Update - At is March 22, 2016, meeting, the Planning Commission approved Resolution No. 1930, conditionally approving a two-year extension to Vesting Tentative Map 8157.

Attachment

Action - It is recommended that the City Council, by resolution, approve a two-year extension to Vesting Tentative Map 8157.

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
NEWARK RESOLUTION APPROVING A TWO-YEAR
EXTENSION TO VESTING TENTATIVE MAP 8157

WHEREAS, the SHH Property Owner, LLC and Newark Parcel E Project Owner, LLC, filed with the Planning Commission and City Council of the City of Newark an application for Vesting Tentative Map 8157 and building plans for approximately 88 townhome/condominium units, approximately 75 affordable senior housing units, and a 15,000 square foot retail building to be located on approximately 8.09 acres along Enterprise Drive and Willow Street.

WHEREAS, pursuant to Municipal Code Section 17.72.060, a public hearing notice was published in The Argus on April 11, 2014, and mailed as required, and the City Council held a public hearing on said application at 7:30 p.m. on April 24, 2014 at the City Administration Building, 37101 Newark Boulevard, Newark, California.

WHEREAS, on April 24, 2014, the City Council approved Vesting Tentative Map 8157 with associated permits; and

WHEREAS, Municipal Code Section 16.08.070 and the Subdivision Map Act provides that an approved tentative map expires 24 months after its approval, unless a map extension is approved; and

WHEREAS, the project developer has indicated the final map for the subject subdivision will not be filed before the April 24, 2016 expiration date and has requested a two year extension provided under the Subdivision Map Act Government Code Section 66452.6(e).

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby approves this application with Exhibit B, subject to compliance with the following conditions:

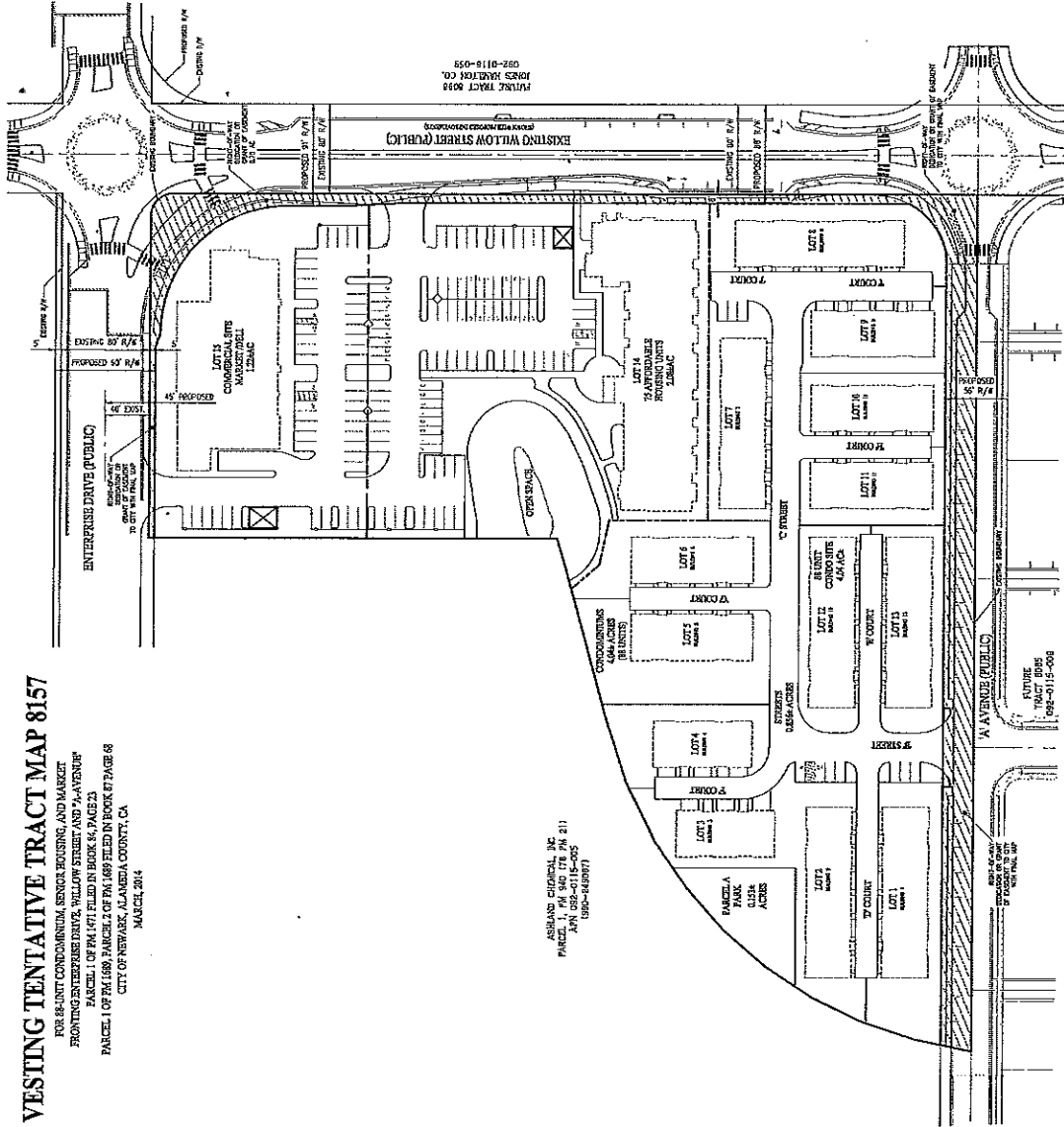
- a. The approval of Vesting Tentative Map 8157 is extended to April 24, 2018. Further extensions will require Planning Commission and City Council approval.
- b. Vesting Tentative Map 8157 is subject to all conditions of Planning Commission Resolution Nos. 1857, 1858, and 1859; City Council Resolution Nos. 10,193, 10,194, 10,195, and 10,196; and City Council Ordinance 474.
- c. The developer hereby agrees to defend, indemnify, and hold harmless the City of Newark, its Council, boards, commissions, officers, employees and agents, from and against any and all claims, suits, actions, liability, loss, damage, expense, cost (including, without limitation, attorneys' fees, costs and fees of litigation) of every nature, kind or description, which may be brought by a third party against, or suffered or sustained by, the City of Newark, its Council, boards, commissions, officers, employees or agents to challenge or void the permit granted herein or any California Environmental Quality Act determinations related thereto.

- d. The Conditions of Project Approval set forth herein may include certain fees, dedication requirements, reservation requirements and other exactions. Pursuant to Government Code Section 66020(d)(1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations and other exactions. The developer is hereby further notified that the 90-day approval period in which the developer may protest these fees, dedications, reservations and other exactions, pursuant to Government Code Section 66020(a), has begun. If the developer fails to file a protest within this 90-day period complying with all of the requirements of Section 66020, the developer will be legally barred from later challenging such exactions.

VESTING TENTATIVE MAP 8157

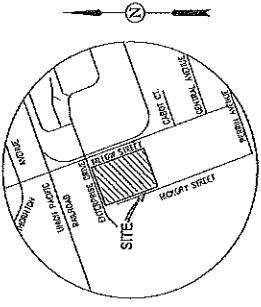
FOR BLANK CONDOMINIUM, SENIOR HOUSING, AND MARKET
FRONTING ENTERPRISE DRIVE, WILLOW STREET AND WAYNE
PARCELS OF TRACT 8157 IN BLOCK 6, PAGE 23
PARCELS 1 OF BLOCK 8, PAGE 24 AND 1099 FILED IN BOOK 67 PAGE 86
CITY OF NEWARK, ALAMEDA COUNTY, CA
MARCH, 2004

ASHLEY RIVERA, INC.
PARCEL 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21
APN 082-0115-008
1980-148987



GENERAL NOTES:

- OWNER
- ENCUMBRANCE
- CONVEYANCE
- SOILS DIVISION: TO BE DETERMINED
- EXISTING USE: LIGHT INDUSTRIAL
- SEWERAGE AREA: 4286 ACRES
- TOTAL NUMBER OF LOTS: 10
- UTILITIES: 1. FIRE DEPARTMENT - ALAMEDA COUNTY FIRE DEPARTMENT
2. WATER SUPPLY - WATER DISTRICT (AWD)
3. SANITATION - WATER DISTRICT (AWD)
4. GAS - CITY OF NEWARK
5. TELEPHONE - SUTHERLAND DISTRICT (SD)
6. CABLE TV - SUTHERLAND DISTRICT (SD)
7. STREETS - CITY OF NEWARK
8. UTILITIES - CITY OF NEWARK
- ROADWAYS & PARCELS: UNLESS OTHERWISE NOTED, ALL ROADWAYS AND PARCELS ARE TO BE EXISTING. UNLESS OTHERWISE NOTED, ALL PARCELS ARE TO BE EXISTING. UNLESS OTHERWISE NOTED, ALL PARCELS ARE TO BE EXISTING. UNLESS OTHERWISE NOTED, ALL PARCELS ARE TO BE EXISTING.
- ASSESSOR'S PARCEL NUMBERS: 082-0115-01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21
- BOUNDARY: CITY OF NEWARK
- TOPOGRAPHY: PREPARED BY A.H. COOPER, INC. DATED MAY 2003
- FLOOD ZONE: ZONED X
FLOOD INSURANCE RATE MAP (FIRM) NUMBER: 17080C
DATE: MARCH 2, 2003
- FLOOD DECONTAMINATION: THIS PROJECT MAY BE BUILT IN PHASES AND MULTIPLE PHASES WILL BE SUBMITTED TO THE CITY OF NEWARK PRIOR TO FINAL MAP APPROVAL.
- PROPOSED USE: LOTS 1-14 ARE TO BE CONTINUOUS HOUSING OR NON-FIRE UNITS, LOT 15 IS TO BE COMMERCIAL (R-100)
- SHALLETT LOT SIZE: 7,331 SQ FT (LOT 14)
- STORM DRAIN NOTE: THE NUMBER OF STORM DRAINS TO BE INSTALLED TO SERVE THIS PROJECT SHALL BE DETERMINED BY THE CITY OF NEWARK PRIOR TO FINAL MAP APPROVAL.
- OVERHEAD UTILITIES: UNDERSTANDING OF THE EXISTING OVERHEAD UTILITY LINES ALONG THE WEST SIDE OF WILLOW STREET WILL TAKE PLACE AT THE DISCRETION OF THE CITY OF NEWARK PRIOR TO FINAL MAP APPROVAL.
- STREET IMPROVEMENTS: STREETS TO BE IMPROVED SHALL BE DETERMINED BY THE CITY OF NEWARK PRIOR TO FINAL MAP APPROVAL.
- WATER UTILITIES: EXISTING WATER UTILITIES SHALL BE MAINTAINED TO THE EXTENT POSSIBLE AND BE APPROVED BY US



VICINITY MAP NOT TO SCALE

SHEET INDEX

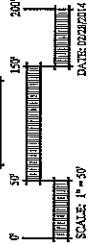
- TENTATIVE MAP**
- TM-1 TITLE SHEET
 - TM-2 CIVIL ENGINEERING DRAWINGS
 - TM-3 CIVIL ENGINEERING DRAWINGS
 - TM-4 CIVIL ENGINEERING DRAWINGS
 - TM-5 CIVIL ENGINEERING DRAWINGS
 - TM-6 CIVIL ENGINEERING DRAWINGS
 - TM-7 STANDARD CONTRACT PLAN

VESTING TENTATIVE MAP TRACT 8157

SHH & FMC PROPERTIES
ALAMEDA COUNTY CALIFORNIA

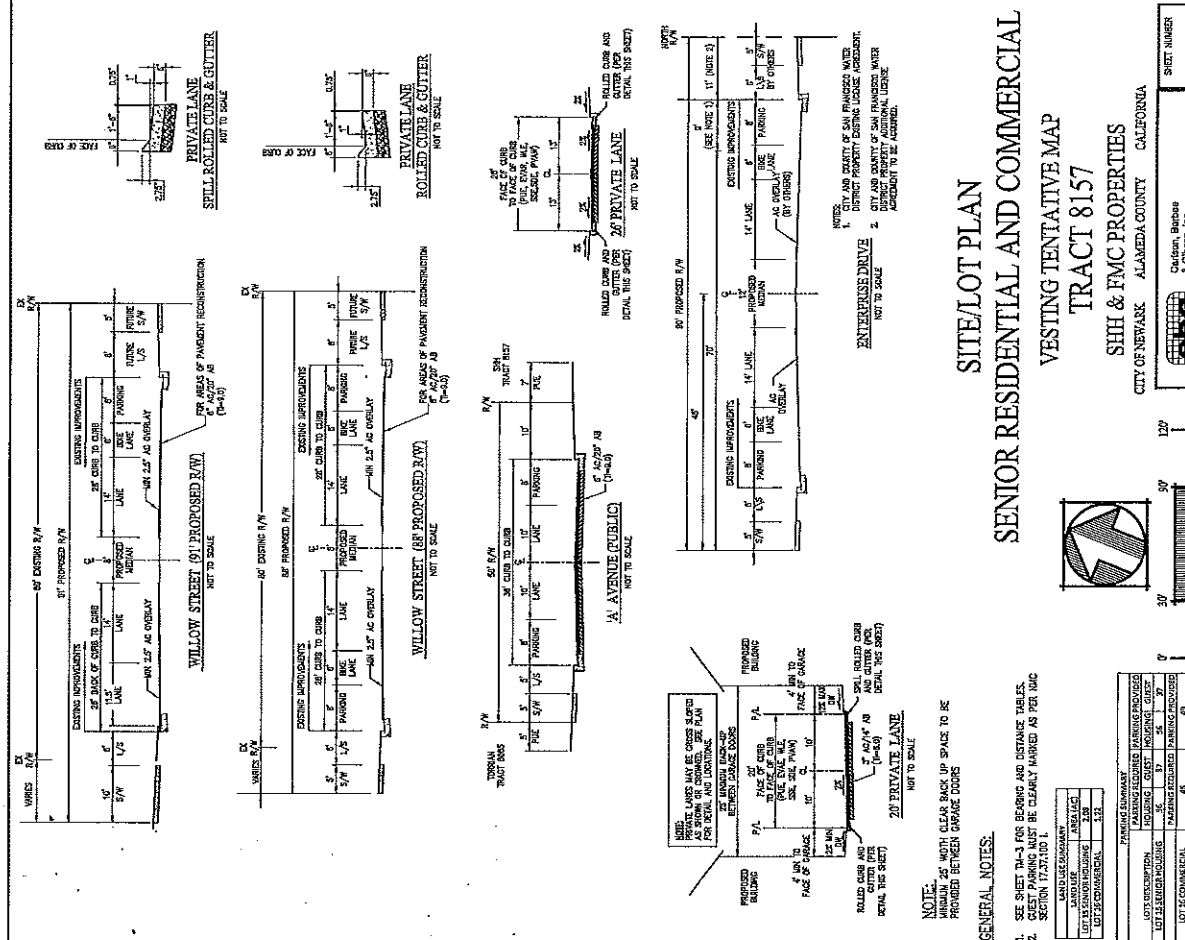
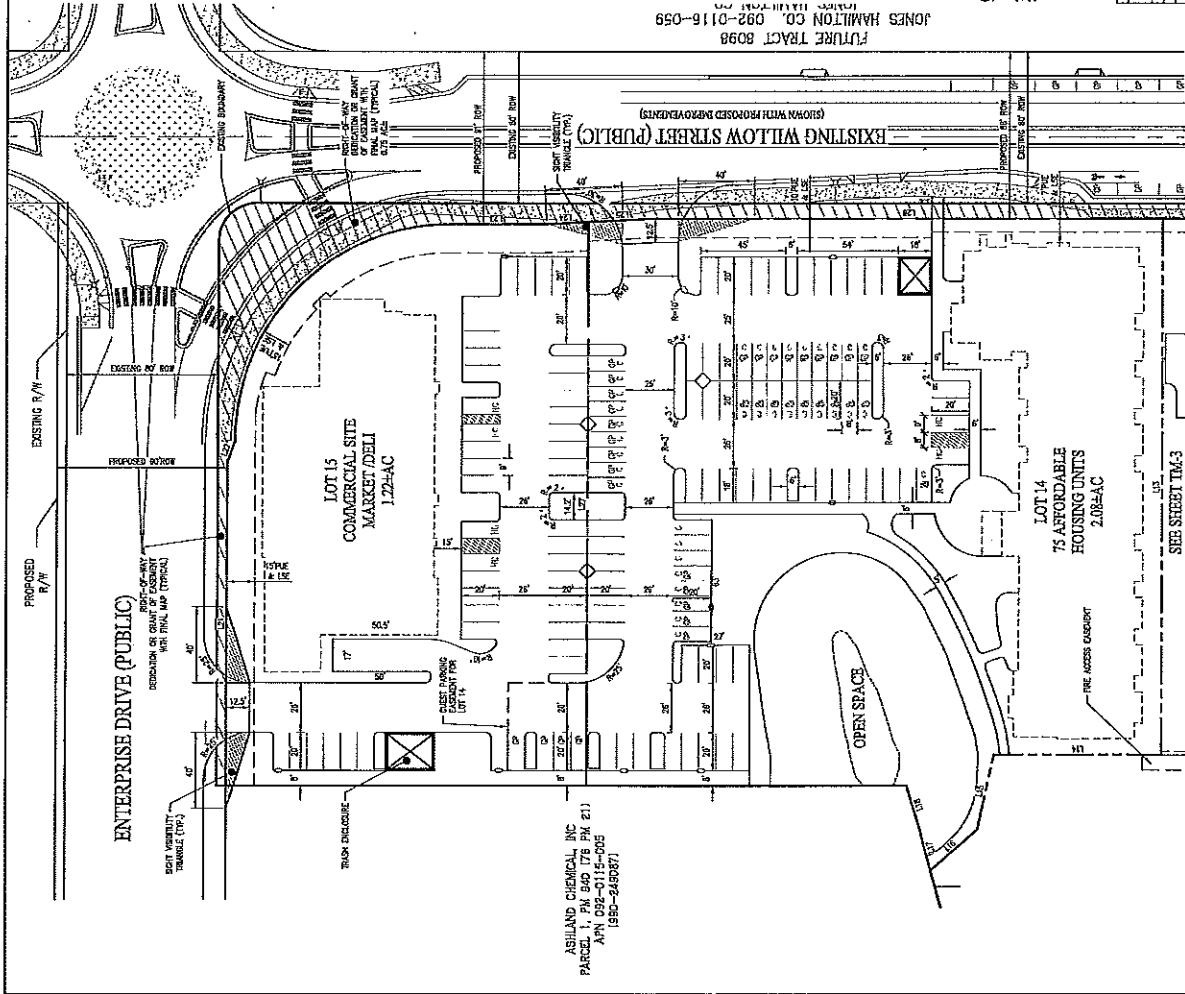
City of Newark, Alameda County, California
SHEET NUMBER
TM-1
OF 7 SHEETS

City of Newark, Alameda County, California
City Engineer
City Clerk



DATE: 02/20/04

EXHIBIT B01



SITE/LOT PLAN
SENIOR RESIDENTIAL AND COMMERCIAL
VESTING TENTATIVE MAP
TRACT 8157
SHH & FMC PROPERTIES
 CITY OF NEWARK ALAMEDA COUNTY CALIFORNIA

GENERAL NOTES:
 1. SEE SHEET TM-3 FOR BEARING AND DISTANCE TABLES.
 2. GUEST PARKING MUST BE CLEARLY MARKED AS PER IAC SECTION 17.37.100.1

LAND USE CATEGORY	AREA (SQ FT)	PERCENTAGE OF TOTAL AREA
LOT 15 COMMERCIAL	13,200	4.2%
LOT 14 AFFORDABLE HOUSING	18,000	5.7%
TOTAL	31,200	100%

SHH & FMC PROPERTIES
 1000 CALIFORNIA STREET, SUITE 200
 SAN FRANCISCO, CALIFORNIA 94108
 TEL: 415.774.1100 FAX: 415.774.1101

City of Newark
 Planning Department
 1000 CALIFORNIA STREET, SUITE 200
 SAN FRANCISCO, CALIFORNIA 94108
 TEL: 415.774.1100 FAX: 415.774.1101

DATE: 02/28/24

SCALE: 1" = 30'

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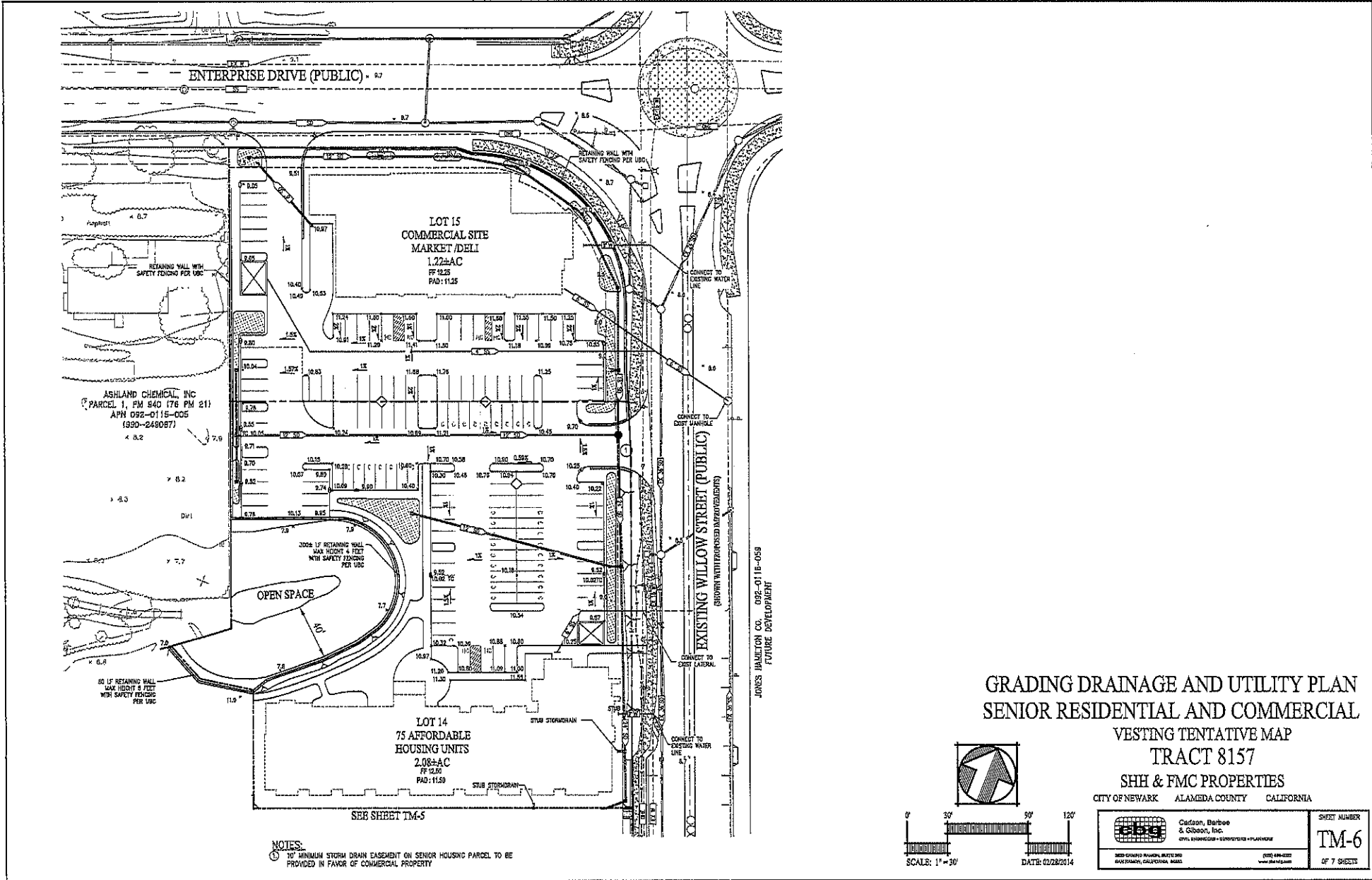
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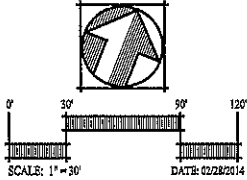
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EXHIBIT Bp4



GRADING DRAINAGE AND UTILITY PLAN
 SENIOR RESIDENTIAL AND COMMERCIAL
 VESTING TENTATIVE MAP
 TRACT 8157

SHH & FMC PROPERTIES
 CITY OF NEWARK ALAMEDA COUNTY CALIFORNIA



	Carlson, Barboe & Gibson, Inc. <small>CIVIL ENGINEER - SUPERVISOR - PLANNER</small>	SHEET NUMBER TM-6
	<small>3000 CHANNO MARSH, SUITE 300 SAN FRANCISCO, CALIFORNIA 94134 (415) 494-0222 www.cbsi.com</small>	OF 7 SHEETS

NOTES:
 1. 10' MINIMUM STORM DRAIN EASEMENT ON SENIOR HOUSING PARCEL TO BE PROVIDED IN FAVOR OF COMMERCIAL PROPERTY

EXHIBIT Bp6

RESOLUTION NO. 1930

RESOLUTION APPROVING A TWO-YEAR EXTENSION
TO VESTING TENTATIVE MAP 8157

WHEREAS, the SHH Property Owner, LLC and Newark Parcel E Project Owner, LLC, filed with the Planning Commission and City Council of the City of Newark an application for Vesting Tentative Map 8157 and building plans for approximately 88 townhome/condominium units, 75 affordable senior housing units, and a 15,000 square foot retail building to be located on approximately 8.09 acres along Enterprise Drive and Willow Street.

PURSUANT to Municipal Code Section 17.72.060, a public hearing notice was published in The Argus on April 11, 2014, and mailed as required, and the City Council held a public hearing on said application at 7:30 p.m. on April 24, 2014 at the City Administration Building, 37101 Newark Boulevard, Newark, California.

WHEREAS, on April 24, 2014, the City Council approved Vesting Tentative Map 8157 with associated permits; and

WHEREAS, Municipal Code Section 16.08.070 and the Subdivision Map Act provides that an approved tentative map expires 24 months after its approval, unless a map extension is approved; and

WHEREAS, the project developer has indicated the final map for the subject subdivision will not be filed before the April 24, 2016 expiration date and has requested a two year extension provided under the Subdivision Map Act Government Code Section 66452.6(e).

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission hereby approves this application with Exhibit B, pages 1 through 7, subject to compliance with the following conditions:

- a. The approval of Vesting Tentative Map 8157 is extended to April 24, 2018. Further extensions will require Planning Commission and City Council approval.
- b. Vesting Tentative Map 8157 is subject to all conditions of Planning Commission Resolution Nos. 1857, 1858, and 1859; City Council Resolution Nos. 10193, 10194, 10195, and 10196; and City Council Ordinance 474.
- c. This Vesting Tentative Map extension will require review and approval of the City Council.
- d. The developer hereby agrees to defend, indemnify, and hold harmless the City of Newark, its Council, boards, commissions, officers, employees and agents, from and against any and all claims, suits, actions, liability, loss, damage, expense, cost (including,

without limitation, attorneys' fees, costs and fees of litigation) of every nature, kind or description, which may be brought by a third party against, or suffered or sustained by, the City of Newark, its Council, boards, commissions, officers, employees or agents to challenge or void the permit granted herein or any California Environmental Quality Act determinations related thereto.

- e. The Conditions of Project Approval set forth herein may include certain fees, dedication requirements, reservation requirements and other exactions. Pursuant to Government Code Section 66020(d)(1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations and other exactions. The developer is hereby further notified that the 90-day approval period in which the developer may protest these fees, dedications, reservations and other exactions, pursuant to Government Code Section 66020(a), has begun. If the developer fails to file a protest within this 90-day period complying with all of the requirements of Section 66020, the developer will be legally barred from later challenging such exactions.

The Commission makes the findings prescribed in Newark Municipal Code Sections 17.40.050 and 17.72.070, and directs a Notice of Decision be mailed to the applicant and filed with the City Clerk who shall present said Notice to the City Council pursuant to Newark Municipal Code Section 17.72.080.

This Resolution was introduced at the Planning Commission's March 22, 2016 meeting by Vice-Chairperson Nillo, seconded by Commissioner Bridges, and passed as follows:

AYES: Aguilar, Bridges, Fitts, Nillo and Otterstetter.

NOES: None.

ABSENT: None.

s/Terrence Grindall
TERRENCE GRINDALL, Secretary

s/Jeff Aguilar
JEFF AGUILAR, Chairperson

E.1 Hearing to consider property owners' objections to the 2016 Weed Abatement Program and instruction to the Superintendent of Streets to abate the public nuisances - from Deputy Fire Marshal Guier and Maintenance Supervisor Hornbeck. (MOTION)

Background/Discussion - On February 25, 2016, the City Council adopted Resolution No. 10,468 initiating the 2016 Weed Abatement Program and setting a public hearing for April 14, 2016. The annual weed abatement program abates weeds on vacant commercial and industrial properties not maintained by the property owners as directed by the Fire Marshal. Property owners may object in person by attending this hearing or by letter. As of April 1, 2016, no written objections have been received. Several owners have notified staff that they will perform the work themselves. If the weeds on these parcels are not abated in a timely manner, the City's contractor will perform the work in May. This will provide these owners ample time to complete the abatement.

The property owners, as listed on the County Assessor's roll, have been given the required notice of the public hearing date. If objections are received prior to or during the public hearing, the Council should consider the objections; and then, by motion, allow or overrule the objections. The Council may then instruct the Superintendent of Streets to abate the public nuisance on the parcels remaining in the program.

Attachment - None

Action - It is recommended that the City Council, by motion, act upon any objections by property owners to the 2016 Weed Abatement Program, and instruct the Superintendent of Streets to abate the public nuisances.

F.1 Second reading and adoption of an ordinance amending the Newark Municipal Code by repealing Chapter 2.20 Redevelopment Agency – from City Clerk Harrington. (ORDINANCE)

Background/Discussion – On March 24, 2016, the City Council introduced an ordinance amending the Newark Municipal Code by repealing Chapter 2.20 Redevelopment Agency. It is no longer necessary to include the Redevelopment Agency in the Newark Municipal Code since all Redevelopment Agencies in the State of California were disbanded in 2011 by the California State Legislature.

Attachment

Action - It is recommended that the City Council, by ordinance, amend the Newark Municipal Code by repealing Chapter 2.20 Redevelopment Agency.

ORDINANCE NO.

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
NEWARK AMENDING THE NEWARK MUNICIPAL CODE
BY REPEALING CHAPTER 2.20 REDEVELOPMENT
AGENCY

The City Council of the City of Newark does ordain as follows:

WHEREAS, the city established a Redevelopment Agency in 1975, as set forth in Chapter 2.20 of the Newark Municipal Code; and

WHEREAS, in June 2011 the California State Legislature approved and the Governor signed Assembly Bill 1X26 which dissolved all redevelopment agencies in the state. On December 29, 2011, the California Supreme Court issued its ruling in the legal challenge, and upheld AB 1X26; and

WHEREAS, on January 12, 2012, the Newark City Council elected to serve as the Successor Agency to the Agency for the winding up of the Redevelopment Agency's obligations and affairs; and

WHEREAS, there is no longer a need for the Redevelopment Agency.

NOW, THEREFORE, the City Council of the City of Newark does ordain as follows:

Section 1. Chapter 2.20, Redevelopment Agency, consisting of Sections 2.20.010 through 2.20.040, of the Newark Municipal Code is repealed in its entirety.

Section 2: Severability and Validity. If any section, subsection, sentence, clause, or phrase or word of this ordinance is for any reason held to be unconstitutional, unlawful, or otherwise invalid by a court of competent jurisdiction, then such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Newark hereby declares that it would have passed and adopted this ordinance and each and all provisions thereof irrespective of the fact that any one or more of said provisions be declared unconstitutional, unlawful or otherwise invalid.

Section 3: Effective Date. This ordinance shall take effect thirty (30) days from the date of its passage. Before expiration of fifteen (15) days after its passage, this ordinance shall be published in The What's Happening Tri City Voice, a newspaper of general circulation published and printed in the City of Fremont, County of Alameda and circulated in the City of Newark.

Chapter 2.20

REDEVELOPMENT AGENCY

Sections:

- | | |
|-----------------|------------------------------------|
| 2.20.010 | Declaration of need. |
| 2.20.020 | City council deemed agency. |
| 2.20.030 | Statutory authority. |
| 2.20.040 | Title designated. |

2.20.010 Declaration of need.

The city council declares that there is a need for a redevelopment agency to function in the city. (Ord. 140 § 1, 1975)

2.20.020 City council deemed agency.

The city council declares itself to be the redevelopment agency with all the rights, duties, powers, privileges and immunities of such agency, as provided by the Community Redevelopment Law of the state, vested in the city council. (Ord. 140 § 2, 1975)

2.20.030 Statutory authority.

These declarations are made in accordance with the provisions of the Community Redevelopment Law of the state. (Ord. 140 § 3, 1975)

2.20.040 Title designated.

The redevelopment agency created in the city by the terms of the Community Redevelopment Law is designated the "Newark redevelopment agency." (Ord. 140 § 4, 1975)

F.2 Establishing the number of residents in the City of Newark for the purpose of determining the voluntary expenditure ceiling for the November 8, 2016, Municipal Election - from City Clerk Harrington. (RESOLUTION)

Background/Discussion – Pursuant to Municipal Code 2.11.010, Voluntary Expenditure Ceiling, the City has a voluntary campaign expenditure ceiling for elections to City offices at one dollar (\$1) per resident of the City. The contributions limits were established in 1997 and remained the same until 2007 when the City Council updated the contribution limits. The current contribution limit for any candidate who accepts the voluntary expenditure ceiling is \$500. The contribution limit for any candidate who does not accept the voluntary expenditure ceiling is \$100.

Municipal Code 2.11.010 requires the City Council, prior to each election for a City elective office, to adopt a resolution that establishes the number of residents in the City. The most recent data from the State of California, Department of Finance, *E-1 Population Estimates for Cities, Counties and the State with Annual Percent Change — January 1, 2014 and 2015 Sacramento, California, May 2015*, finds that there are 44,204 residents. Therefore, the amount of the voluntary expenditure ceiling for campaigns for City elective office will be \$44,204 for the November 8, 2016, Municipal Election.

Attachment

Action - It is recommended that the City Council, by resolution, establish the number of residents in the City of Newark for the purpose of determining the voluntary expenditure ceiling for the November 8, 2016, Municipal Election.

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
NEWARK ESTABLISHING THE NUMBER OF RESIDENTS IN
THE CITY OF NEWARK FOR THE PURPOSE OF
DETERMINING THE VOLUNTARY EXPENDITURE CEILING
FOR THE NOVEMBER 8, 2016, MUNICIPAL ELECTION

The City Council of the City of Newark does hereby find, order, and resolve as follows:

Section 1. Recitals.

A. City of Newark Municipal Code 2.11.010 (Code) established a voluntary expenditure ceiling for campaigns for City elective office.

B. Pursuant to said Code, the voluntary expenditure ceiling was established at an amount equal to one dollar (\$1) per resident of the City for each election to City elective office.

C. Pursuant to said Code, the City Council is required to establish, by resolution, the number of residents in the City prior to each election for City elective office.

Section 2. For the sole and exclusive purpose of determining the exact amount of the voluntary expenditure ceiling for campaigns for City elective office, the City Council hereby finds that there are 44,204 residents of the City of Newark, as reflected in the most recent data provided from the State of California, Department of Finance, *E-1 Population Estimates for Cities, Counties and the State with Annual Percent Change — January 1, 2014 and 2015 Sacramento, California, May 2015*,. Therefore, as established by said Code, the amount of the voluntary expenditure ceiling for campaigns for City elective office is \$44,2014 for the November 8, 2016, Municipal Election.

Section 3. The City Council hereby declares that the determination herein shall apply only to the voluntary expenditure ceiling established in the City of Newark Municipal Code 2.11.010 and shall have no bearing on any other matter.

**F.3 Approval of plans and specifications, acceptance of bid and award of contract to R&R Pacific Construction, Inc., and amendment to the 2014-2016 Biennial Budget and Capital Improvement Plan for Fiscal Year 2015-2016 for the Service Center Concrete Pad, Project 1125 – from Associate Civil Engineer Tran.
(MOTION)(RESOLUTIONS-2)**

Background/Discussion – This project will remove and replace the existing broken concrete pad between the fuel pumps and the break room at the Service Center due to localized soil settlement encountered during this past rainy season.

Bids for the project were opened on March 29, 2016 with the following results:

Bidder	Amount
R&R Pacific Construction, Inc.	\$ 16,825.00
ALB Inc.	24,673.65
DRYCO Construction, Inc.	26,761.00
PRIMETECH Construction LLC.	79,725.00
Engineer's Estimate	\$ 15,000.00

The 2014-2016 Biennial Budget and Capital Improvement Plan does not include funds for this project in Fiscal Year 2015-2016. The total project cost, including contingency, is \$20,000. A budget amendment is necessary to provide the funding for this project.

Staff recommends that this project be awarded to the lowest responsible bidder, R&R Pacific Construction, Inc.

Attachment

Action – It is recommended that the City Council, by motion, approve the plans and specifications and by resolutions: (1) accept the bid and award the contract to R&R Pacific Construction, Inc. and (2) amend the 2014-2016 Biennial Budget and Capital Improvement Plan for Fiscal Year 2015-2016 for the Service Center Concrete Pad Repair, Project 1125.

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
NEWARK ACCEPTING THE BID AND AWARDING THE
CONTRACT TO R&R PACIFIC CONSTRUCTION, INC. FOR
THE SERVICE CENTER CONCRETE PAD REPAIR,
PROJECT 1125

BE IT RESOLVED that the City Council of the City of Newark does hereby find that R&R Pacific Construction, Inc. was the lowest responsible bidder for the Service Center Concrete Pad Repair, Project 1125, in the City of Newark;

BE IT FURTHER RESOLVED that the City Council does hereby accept said bid of said company and does hereby authorize the Mayor of the City of Newark to sign an agreement with said company for the construction of Service Center Concrete Pad Repair, Project 1125, according to the plans, specifications, and terms of said bid.

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
NEWARK AMENDING THE 2014-2016 BIENNIAL BUDGET
AND CAPITAL IMPROVEMENT PLAN FOR FISCAL YEAR
2015-2016 FOR THE SERVICE CENTER CONCRETE PAD
REPAIR, PROJECT 1125

BE IT RESOLVED that the City Council of the City of Newark that the certain document entitled "2014-2016 Biennial Budget" was adopted by Resolution No. 10235 on June 12, 2014, and is hereby amended as follows:

Transfer from:

Fund No.	Unallocated Reserves	Amount
401	2991	\$20,000

Transfer to:

Fund No.	Activity/Account No./Project	Amount
401	5600/5280/1125	\$20,000

F.4 Presentation of the Draft Five-Year Forecast 2016-2021 – from Administrative Services Director Woodstock. (PRESENTATION)

Background/Discussion – The Draft Five-Year Forecast 2016-2021 is being submitted to the City Council for review. The Five-Year Forecast is the first of a two document series which make up the budget cycle. The second document is the Biennial Budget and Capital Improvement Plan 2016-2018.

On January 28, 2016, the City Council held a work session with staff to review the current budget and discuss the priorities for the next two year budget cycle. Information discussed at the work session has been incorporated into the Five-Year Forecast.

The Five-Year Forecast document is broken into three major sections. These include (1) the Development Forecast, (2) the Economic and Financial Forecast, and (3) the Strategic Plan. The Development Forecast contains an overview of area-wide development trends, analysis of key local indicators and a forecast for new development in Newark. The Economic and Financial Forecast contains an overview of national, state and local economic trends, expenditure and revenue budget projections for the next five years and an overview of significant budget issues. The Strategic Plan section contains an outline of the two-year budget process and a summary of the City's Strategic Plan which include the Critical Issues, Strategies and Action Items.

Attachment

Action – No action is required on this item. The adoption of the Five-Year Forecast will be scheduled for a future meeting.

DRAFT

CITY OF NEWARK BIENNIAL BUDGET AND CAPITAL IMPROVEMENT PLAN FISCAL YEARS 2015-2016

Administration
↑
Police
↑
Library
→



CITY OF NEWARK FIVE-YEAR FORECAST 2018-2021

Budget Series, Part 1 of 2

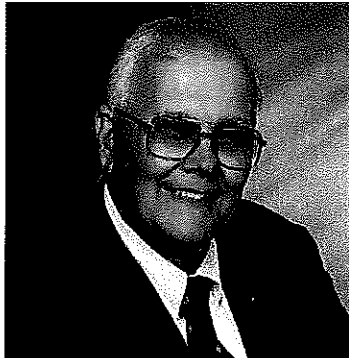


Administration
Police
Fire
Library



CITY OF NEWARK

Mayor & City Council



Alan L. Nagy
Mayor



Luis L. Freitas
Vice Mayor



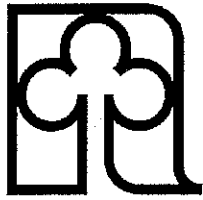
María "Suky" Collazo
Council Member



Mike Bucci
Council Member

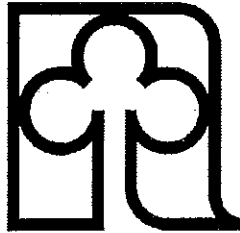


Michael K. Hannon
Council Member



Five-Year Forecast

2016-2021



CITY STAFF

CITY MANAGER

John Becker

ASSISTANT CITY MANAGER

Terrence Grindall

CITY ATTORNEY

David Benoun

EXECUTIVE TEAM

ADMINISTRATIVE SERVICES DIRECTOR

Susie Woodstock

FIRE CHIEF *

David Rocha

HUMAN RESOURCES DIRECTOR

Sandy Abe

POLICE CHIEF

James Leal

PUBLIC WORKS DIRECTOR

Soren Fajeau

RECREATION & COMMUNITY SERVICES
DIRECTOR

David Zehnder

* ALAMEDA CO. FIRE DEPT. CONTRACT

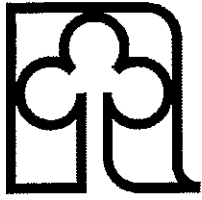




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The City of Newark's Vision, Mission, Culture, and Values Statements were created in a strategic planning process that involved the City Council, the Executive Team, and the employees. These statements are designed to align us to a clear purpose and inspire us to do our best for all citizens. All of the City's policies and resources are dedicated to realizing our Vision and Mission.

Vision



We see a place where it is safe to live, to play, and to raise children.

We see a place where diverse and energetic people strive to live in harmony.

We see a place that cherishes small town values and also enjoys being progressive.

We see a place where educational programs are available and first-rate.

We see a place where cultural and recreational opportunities are plentiful and spiritually enriching.

We see a place with residents filled with civic pride, social concerns, and community involvement.

We see a place with tree-lined streets and open green parks.

We see a place where the economy is strong and vital and provides jobs.

We see a place where government is stable, accessible, and responsive.

We see a place that is well-planned, well-managed, and well-maintained.

Mission



It is our mission to provide the quality of services that meets the highest expectations of all those whom we serve in Newark.



Culture



Newark is a community-driven, customer-focused organization which values fiscal independence, fosters a competitive spirit, and works together as a team to achieve community goals. These comprise our organizational culture.

Community Driven and Customer-Focused

- We are more than a service organization. We strive to provide excellent services by involving the community.
- Our citizens are the owners of our corporation. They are our customers and our stakeholders. They are the reason we exist.
- We strive to assure that our efforts are guided by long-term goals rather than by short-term objectives.

Fiscal Independence

- We assure that we have the necessary resources to meet community needs.
- We develop resources through aggressive economic development that attracts and retains businesses; this is the lifeline of our community.
- We invest and allocate resources wisely to maximize our ability to provide community services.

Competitive Spirit

- We are committed to achieving the vision, mission, and goals of our City.
- We set our own standards and expectations that we assertively and creatively are determined to achieve.
- We see our goals as personal and professional challenges towards which we focus our energies.

Team Approach

- We enhance the potential for achievement of City goals by working together as a team, drawing upon the talents and abilities of all members of the organization, the City Council, Commissioners, staff members and volunteers.
- We develop strength and commitment within the organization by building trust, mutual respect, and appreciation for all members of the City family.
- We develop partnerships in the community with the Newark Unified School District, the Chamber of Commerce, homeowners groups, neighborhoods, nonprofit organizations, and citizens to build alliances and common understanding.

***We are Newark and
We are proud of who we are.***



Values

We, the employees of the City of Newark, take PRIDE in our work and this community. The trust the community places in us is of the utmost importance. In the daily course of our work and in the planning of this community we value:

P

Personal Service. Each of us will take personal responsibility for being responsive to the needs of the community and our organization. Personal Service means being fully accountable for our actions.

R

Responsibility. We will manage our resources in the most efficient way possible, seeking the greatest value for the community.

I

Integrity. We will be open, honest, courteous, ethical, and professional in all interactions.

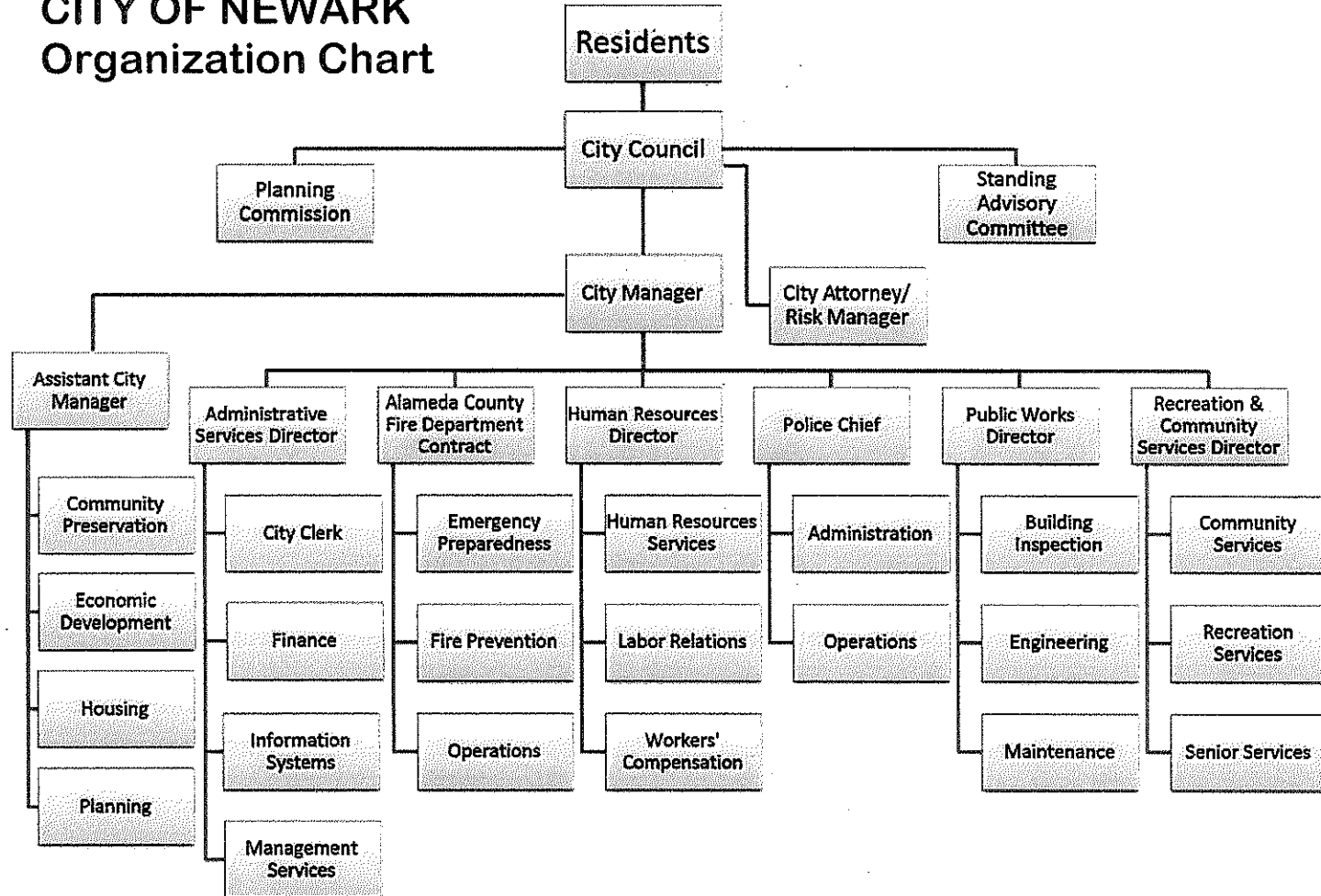
D

Diversity. The diversity of this community and our organization is a strength. We will recognize and respect this strength. We will use this strength to build dynamic teams to benefit and enrich the community and our organization.

E

Empowerment. We will support each other in creating an environment that fosters ingenuity, self-confidence, motivation, and success.

CITY OF NEWARK Organization Chart





TRANSMITTAL OF FIVE-YEAR FORECAST 2016-2021

OVERVIEW

The economic forecast for the City of Newark is finally including solid growth, but now has concerns of when the next recession might arrive. The current consensus of economists is that the economy is recovering, but uncertainty still looms and a mild recession is likely by 2018. Enduring the great recession and its aftermath has been the greatest challenge to the City in its history. A major lesson learned from that experience was the importance of sufficient reserves for future downturns.

This Five-Year Forecast incorporates the more conservative projections of economic recovery currently available. The uncertain nature of the economy makes it prudent to continue to use conservative projections.

Sales tax continues to increase with the auto dealerships leading this growth. Their performance has also increased the City's share of the County pool. Auto sales are expected to level off over the next year as the purchases delayed during the recession have now been made. Lower fuel prices have increased truck sales, but have also decreased tax revenue from fuel sales.

Property tax has increased in each of the last two years. The increase included Prop 8 adjustments which increased assessed values that were reduced during the housing crisis. Building permits have been issued for new residential housing which will also increase the City's assessed value. Property sales are increasing in value, but there is insufficient inventory on the market, even including the new homes that are being built. The forecast is based on building permits issued to date.

The UUT, which was extended in 2014, will sunset December 31, 2020. The UUT is approximately 8% of the total General Fund revenue. The UUT was reduced in January 2016 to a rate of 3.25%.

Overall, the economy and City revenues are expected to continue to gradually improve in 2016.

The Capital Improvement Program (CIP) being proposed for the next two fiscal years has projects that were presented and discussed at the CIP work session in February. Operating budget surpluses have allowed transfers into the Capital Fund totaling \$4.5 million over the last two years, but compared to the City's needs, it is a very modest contribution. There is also limited staff available to design projects and oversee construction. This presents challenges in completing priority projects.

The City's Strategic Plan and the associated Critical Issues and Strategies and related Action Plans are updated in this Five-Year Forecast. These elements reflect the manner in which we will continue to meet the needs of the community along with the realities of our fiscal situation.

This forecast will serve as the basis for the development of the 2016-2018 Biennial Budget, which will include the following assumptions:

- The economy will continue to grow, but a mild recession may occur by 2018. Establishing reserves is important.



-
- The Memorandums of Understanding and the Compensation Agreements expire in June 2017. Labor costs included in this budget only include those approved in these agreements and do not take into account any possible future costs associated with future agreements.
 - Capital project expenditures will continue to focus on preserving City assets, meeting regulatory requirements, and safety issues. In addition, consideration will be given to projects that improve service levels to the community, take advantage of outside funding matches, and implement community priorities.

It is important to remember that this Five-Year Forecast is the result of a collaborative effort between the City Council, Executive Team, and City staff. I acknowledge their efforts in producing this document, which serves as a valuable tool in the budget process. On behalf of the staff, I would like to recognize the City Council for their valuable input in the budget planning process. Your insight, direction, and continued support of the City staff is very much appreciated.

I respectfully submit this Five-Year Forecast as our primary financial planning tool for the upcoming Biennial Budget process.

Sincerely,

John Becker
City Manager



ORGANIZATION OF BIENNIAL BUDGET SERIES DOCUMENTS

OVERVIEW

FIVE-YEAR FORECAST

The Five-Year Forecast is presented to the City Council in April. (See Five-Year Forecast, Biennial Budget and Capital Improvement Plan (CIP) Process, and Calendar on the following page). The Five-Year Forecast analyzes and lays out all of the City's critical development and economic data, as well as the five-year revenue and expenditure forecast. It also includes the strategic and budget plan, which provides direction from the City Council for preparation of the Biennial Budget.

The Development Forecast tracks development trends (both local and area-wide), assesses the implications of these trends, and provides a short- and long-term development forecast.

The Economic and Financial Forecast provides a picture of the overall financial health of the City. It begins with a recap of the current economy at the national, state, and local levels. It concludes with a recap of the Enterprise Fund Budget, the five-year revenue and expenditure projections, and a section that addresses other key budget and financial issues.

The strategic and budget plan section is the articulation of the policy response to the issues raised in the first two sections. This year marks the ninth time that the City will prepare a two-year budget. An explanation of the budget policies, assumptions, and process is included in this section. It also includes a summary report on the progress made on the Strategic Plan Action Items.

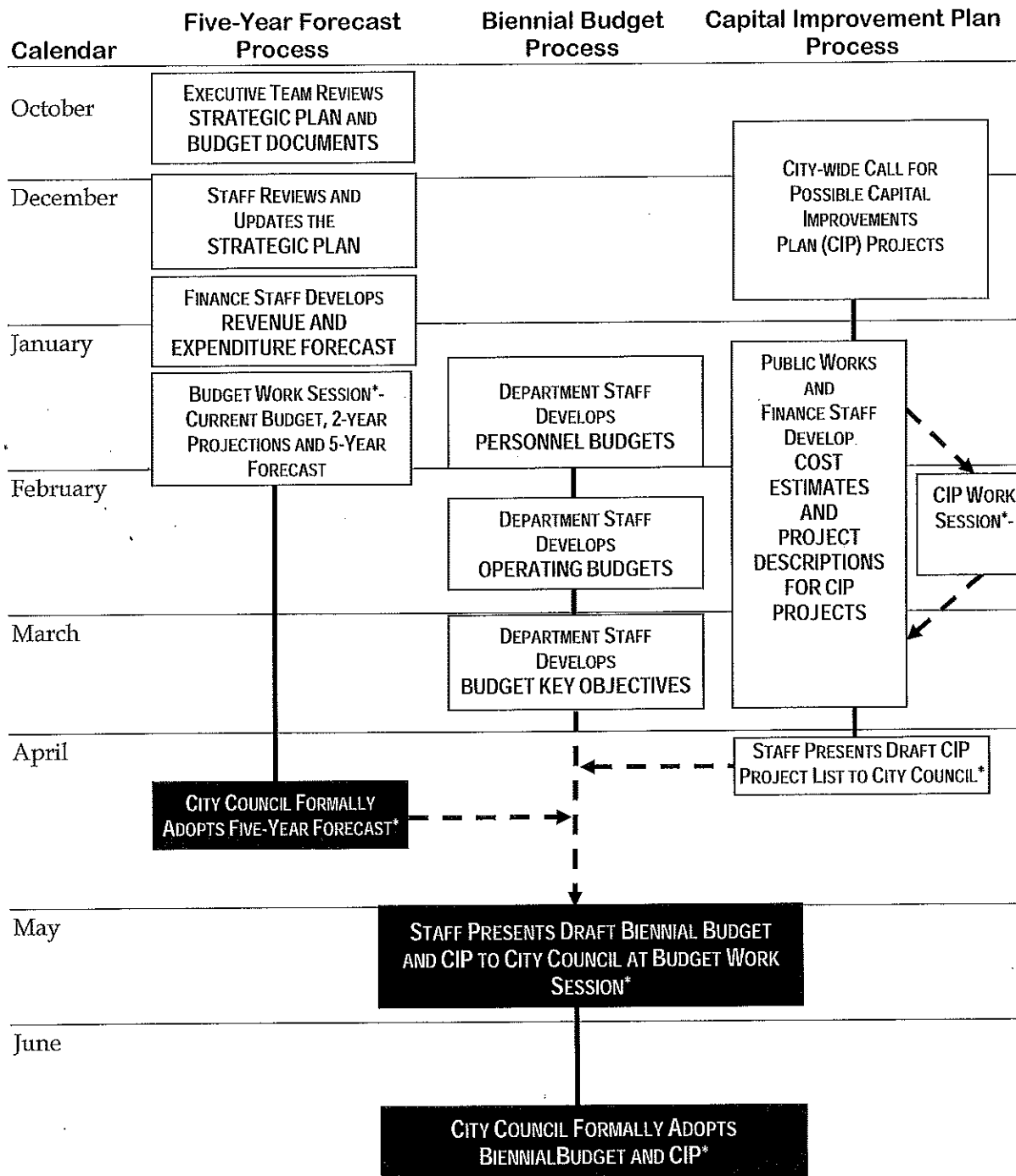
Once adopted, the Five-Year Forecast is the staff's policy map for implementing the Biennial Budget and CIP. Although the Five-Year Forecast is presented in a separate document, it is really the first chapter of the City's Biennial Budget.

BIENNIAL BUDGET AND CAPITAL IMPROVEMENT PLAN (CIP)

The Biennial Budget and CIP are presented to the City Council in May. Following the Five-Year Forecast, it contains all the detailed financial information and appropriations necessary to fund the services and acquire or maintain the infrastructure required by the City Council's direction. The Biennial Budget and CIP include the Action Plan objectives to be accomplished during the fiscal year. These objectives support the Strategic Plan's Critical Issues and Strategies.



FIVE-YEAR FORECAST, BIENNIAL BUDGET, and CAPITAL IMPROVEMENT PLAN PROCESS CALENDAR



***PUBLIC MEETING**



INTRODUCTION

THE FIVE-YEAR FORECAST AS A PLANNING TOOL

The Five-Year Forecast is used by the City Council and City Staff as an important planning tool for making short- and long-term budgetary decisions. The Forecast provides information in three distinct areas, each having potentially significant budgetary impact. First, development activities are highlighted, including significant economic development trends and planned city-wide development projects. Next, economic and financial information is outlined, including national, state, and local economic forecasts, as well as specific revenue and expenditure projections for the City of Newark. These financial forecasts are five-year projections based on specific assumptions about future conditions such as inflation, job growth, population, and other factors that impact the local economy. These assumptions and financial projections are updated and revised at least biennially, but more often if economic conditions dictate. Finally, the City's strategic and budget plans are outlined. These include specific information regarding the City's approach to budgeting and the status of the Strategic Action Plans.

BIENNIAL BUDGET OVERVIEW

The City is enjoying the benefits of a strong regional economy. Our revenues exceeded budget estimates and expenditures have been below budget as a result of unfilled vacancies and the City's overall conservative approach to budget management. The economy continues to expand at a steady pace with unemployment at pre-recession levels. Many economists believe the economy will experience a mild recession in the next few years. As the City recovered from the recession, establishing prudent reserves

for economic downturns has been a priority.

In November 2014, voters approved an extension of the Utility User Tax (UUT). The rate was reduced to 3.25% as of January 1, 2016. The UUT is applied to natural gas, electricity, cable service, and telecommunications. UUT revenue began in early 2011 and was prudently budgeted to restore some services and rebuild our fiscal uncertainty reserves. The UUT has a sunset date of December 2020.

Due to the UUT revenue, surpluses have been realized for the last three years and these have been used to rebuild the fiscal uncertainty fund. The extensive use of reserves to balance the budget during the recession resulted in the depletion of all remaining fiscal uncertainty reserves at the end of fiscal year 2009-2010.

Although there has been turmoil in the Federal government budget, local revenues were not affected over the last two years by State or Federal actions. The State has been taking steps to reduce its large liabilities and to establish sufficient reserves. There are no concerns for State or Federal take-aways in the 2016-2018 budget.

The Strategic Plan for the City is located at the end of this forecast. This plan provides direction for the programs, projects, and improvements that will be considered in the next two-year budget cycle.

The Vision, Mission, Values, and Culture Statements of the City of Newark organization continue to provide the guidance in determining budget priorities.



The City's Vision describes the ideal Newark. The organization's resources are directed at achieving this Vision. The Mission Statement describes the organization's purpose and reason for existence. The Culture Statement describes attributes, behaviors, and skills that the ideal City organization will have in conducting day-to-day business with its customers. Lastly, the Values Statement, also known as the PRIDE Statement, emphasizes the core values of City of Newark employees.

RECAP OF THE KEY FINDINGS OF THE 2014-2016 BIENNIAL BUDGET

On April 24, 2014, the City Council adopted Resolution No. 10197, which approved the Five-Year Forecast for 2014-2019. The Five-Year Forecast provided direction to the City Manager in the preparation of the 2014-2016 Biennial Budget and Capital Improvement Plan. The Five-Year Forecast included a Development Forecast, an Economic and Financial Forecast, and the Strategic and Budget Plans for the City. The following is a recap of information that was contained in the 2014-2019 Five-Year Forecast:

2014-2016 Development Forecast

The following businesses made Newark their home:

- **Smart Storage Systems, Inc.**, a digital storage company with leading-edge flash technology.
- **Logitech** opened in the Pacific Research Center.
- **Membrane Technology & Research, Inc.**, a world leader in the development and production of membrane-based separation systems for the petrochemical, natural gas, and refining industries.

- **Sensable Motion, LLC**, specializing in Electromechanical system design.
- **Unigen Corp**, specializes in the design and manufacture of custom enterprise-grade Flash storage, DRAM and ARMOUR product Applications, using its innovative hardware and software expertise.
- **Depomed**, a specialty pharmaceutical company focused on developing and commercializing products to treat pain and other central nervous system conditions.
- **85-C Bakery**, a Taiwan-based cafe and bakery specializing in coffee, cakes, and breads.

2014-2016 Economic and Financial Forecast

- The adopted 2014-2016 Biennial Budget included operating revenues of \$40.9 million for 2014-2015 and \$41.1 million for 2015-2016. The UUT was projected to sunset in December 2015. The actual operating revenue for 2014-2015 was \$46.1 million and is projected to be \$47.0 million for 2015-2016.
- The adopted budget also projected expenditures of \$40.9 million for 2014-2015 and \$41.1 million for 2015-2016. Actual expenditures for the first year were \$42.5 million and projected to be \$45.5 million for year two.
- The 2014-2016 Biennial Budget was prepared when no new residential permits had been issued. Residential development was just beginning to occur.
- Total property tax revenue grew steadily in both years. The projected 2014-2015 property tax was \$10.3 million and actual revenue was \$10.9 million. For 2015-2016,



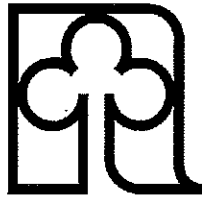
the budget projection was \$10.9 million and the estimated actual is \$11.7 million. The County has lowered assessed values during the recession and adjusted the values back in accordance with Prop 8 in 2015.

- Investment earnings stayed low due to low interest rates and lower reserve balances than in the past. The investment earnings have stabilized at below \$100,000 for both years in this cycle.
- Transient Occupancy Tax revenues have seen strong growth during the 2014-2016 Biennial Budget. Actual revenues were higher than expected for both fiscal years. This is one of the few revenue sources that is higher than pre-recession levels and continues to grow at double digit rates.

Organizational Changes

The Police Department reorganized their command staff, and added a dispatcher and over hire positions.

The Public Works Director retired and Soren Fajeau was appointed to that position. An engineer and building inspector were added to assist with the high demand in development and construction.





DEVELOPMENT FORECAST

TRENDS AND PROJECTIONS

An analysis of significant development trends and indicators is crucial in developing an appropriate budget plan. In addition, what we learn will help the City set a stronger, more strategic direction for economic development.

This section of the Five-Year Forecast contains an overview of area-wide development trends followed by an analysis of the key local indicators and a projection for new development in Newark.

SIGNIFICANT AREA-WIDE ECONOMIC DEVELOPMENT TRENDS - EXCERPTS FROM THE "2016 INDEX OF SILICON VALLEY"

The Joint Venture Silicon Valley "2016 *Index of Silicon Valley*" states that "the Silicon Valley economy is getting strong, with accelerating employment growth, continued expansion of businesses and services, and rising incomes. However, serious housing and transportation issues challenge the region's economic competitiveness and impact the quality of life for our region's residents. Given wage disparities and severe housing challenges, these impacts are affecting some segments of our population more than others."

Employment levels have far surpassed expectations and job growth is accelerating. Income and wages in Silicon Valley remain significantly higher than in the state or nation as a whole. The region's businesses and services continued to expand in tandem with employment growth. This expansion is reflected in the large number of development approvals over the past two fiscal years, the increasing amount of new office

space construction, the revival of new warehouse development after fourteen years without any, declining building vacancy rates, and increasing asking rents.

Despite these highlights, there are factors that indicate the Valley is struggling to support this growth:

- Despite increases in public transit ridership, traffic congestion has become increasingly worse as the number of commuters increases. Average commute times to work have risen to 27 minutes (up to 14% over the last decade). Annual delays (which reached 67 hours per person in 2014) and excess fuel consumption (28 gallons/person/year in 2014) due to congestion are further indicators of this growing issue.
- Although rising incomes and an increasing share of high-income households may appear to be positive signs for the region's residents, they may also indicate a turnover in Silicon Valley residents. As housing costs increase, Silicon Valley residents may choose to move elsewhere, with new residents moving in to fill the region's growing employment demands. Between July 2014 and July 2015, the region experienced a net influx of more than 14,000 foreign immigrants and nearly 600 domestic immigrants.
- As employment growth accelerates and the region's population continues to grow rapidly, housing remains a critical issue. Low hous-



ing inventory and increasing demand are driving up median sales prices – which reached \$830,000 in 2015 (6% higher than the previous year) – making it more difficult for first time homebuyers to get into the market. Along with increasing home prices, rental rates have gone up 8% year-over-year. Income gains were not nearly enough to accommodate home price and rental rate increases between 2013 and 2014, and new housing development has fallen far short of meeting the needs of a growing population. As such, household size and the share of multigenerational households have been increasing as residents try to minimize their housing costs.

Although there were some setbacks, Newark's recovery is proceeding forward at a modest pace. The high occupancy at existing R&D, Industrial, and office space, as well as key new developments, are good signs that the local economy is strong. The new additions include:

- The mall renaissance, which includes a new IMAX theater and restaurants and applications for three new hotels.
- Construction of Mission Linen Supply and two new mini-storage facilities.

In addition, interest in residential development began in 2013 as is evident by the more than 2,000 homes now being processed as part of the growth in the Dumbarton Transit Oriented Development area, Sanctuary (formerly known as Area 3), and infill sites throughout the City.

The following economic indicators help to illustrate how the area is doing; whether we

are going up or down, going forward or backward, getting better or worse, or staying the same:

-Silicon Valley job growth has accelerated and continues across all major areas of economic activity.

Why is this indicator important?

Employment gains and losses are a core means of tracking economic health and remain central to nation, state, and regional conversations. Over the course of the past few decades, Silicon Valley has experience shifts in the composition of industries that underlie the local economy. While employment by industry and by wage/skill level provides a broader picture of the region's economy as a whole, observing the unemployment rates of the population residing in the Valley reveals the status of the immediate Silicon Valley workforce. The way in which the region's industry patterns change shows how well our economy is maintaining its position in the global economy.

Employment numbers in Silicon Valley are well above pre-recession levels, while the state and nation are only slightly above pre-recession levels. Since the low in 2010, the total number of jobs in Silicon Valley has grown by 19.6%.

-Total venture capital investments continued to rise.

Why is this indicator important?

Innovation, a driving force behind Silicon Valley's economy, is a vital source of regional competitive advantage. It transforms novel ideas into products, processes, and services that create and expand business opportunities. Luckily, Venture Capital investments in Silicon Valley and San Francisco, which shot up in 2014, further increased in 2015. Total 2015 Venture Capital investments for the region exceeded 2014



totals by \$4.7 billion, reaching \$24.5 billion (\$11.13 billion in Silicon Valley and \$13.34 billion in San Francisco). This number represents the greatest amount of Venture Capital funding in any one year since 2000.

-New construction of office space soar, and Silicon Valley revives new warehouse space construction; vacancy rates decline and commercial rents increase as demand outweighs supply.

Why is this indicator important?

Changes in the supply of commercial space, vacancy rates and asking rents provide leading indicators of regional economic activity. In addition to office space, commercial space includes R&D, industrial, and warehouse space. A negative change in the supply of commercial space suggests strengthening economic activity and tightening in the commercial real estate market. The change in supply of commercial space is expressed as the combination of new construction and the net absorption rate, which reflects the amount of space becoming available. The vacancy rate measures the amount of space that is not occupied. Increases in vacancy, as well as declines in rents, reflect slowing demand relative to supply.

Cushman and Wakefield, in their "R&D Snapshot Q4 2015", notes that "The southern submarkets of Fremont and Newark, which are adjacent to [the San Mateo and Santa Clara markets], and whose combined inventory base totals over two-thirds of the entire East Bay Oakland market, will continue to see the greatest activity in 2016."

-Low housing inventory is driving up prices, making it more difficult for first-time homebuyers to afford a median-priced home. Income gains were not enough to accommodate home price and rental rate increases.

Why is this indicator important?

The housing market impacts a region's economy and quality of life. An inadequate supply of new housing negatively affects prospects for job growth. A lack of affordable housing results in longer commutes, diminished productivity, curtailment of family time, and increased traffic congestion. It also restricts the ability of crucial service providers - such as teachers, registered nurses, and police officers - to live near the communities in which they work. Additionally, high housing costs can limit families' ability to pay for basic needs, such as health care, food, and clothing. As a region's attractiveness increases, home sales, average home prices and rental rates tend to increase.

Silicon Valley home prices continued a three-year upward trend, reaching a median sale price of \$830,000 in 2015 - more than double the median sale price in California as a whole (\$411,000). This represents a nearly 6% increase over the prior year. As home prices have continued to rise, the number of homes sold in the Silicon Valley has decreased (down 11% between 2014 and 2015, and down 23% down since the most recent peak in 2012)). Correspondingly, the inventory of homes listed for sale has declined significantly since the peak in 2011.

Median household income gains would need to have been approximately three times greater to accommodate home price increase between 2013 and 2014 without being burdensome. During that time period, Silicon Valley median home prices increased by \$68,000, amounting to a mortgage payment increase of approximately \$319 per month.

-The region's traffic congestion problem continues to worsen despite a smaller share of Silicon Valley commuters that are driving alone and an increase in public transit ridership.



Why is this indicator important?

Adequate highway capacity and increasing alternatives to driving alone are important for the mobility of people and goods as the economy expands. Public transportation investments, along with improving automobile fuel efficiency and shifting from fossil fuels to electric vehicles, are important for meeting air quality and carbon emission reduction goals.

Between 2004 and 2014, the share of Silicon Valley residents who drive alone to work has declined from 78% to 74%. However, despite the decline in the share of commuters driving alone, per capita ridership on public transit increased. Naturally, as the total number of commuters increased, average commute times to work increased by three minutes. Traffic congestion has become a worsening problem in Silicon Valley, as indicated by annual delays and excess fuel consumption.

-Voter turnout among young adults is extremely low, more voters are declining to state a political party affiliation, and an increased share is voting absentee.

Why is this indicator important?

An engaged citizenry shares in the responsibility to advance the common good, is committed to place, and holds a level of trust in community institutions. Voter participation is an indicator of civic engagement and reflects community members' commitment to a democratic system, confidence in political institutions, and optimism about the ability of individuals to affect decision-making.

For over a decade, the share of eligible voters in Silicon Valley registered with the Republican Party has continued to decline (from 31% in March 2000 to 21% in November 2014), while the share that decline to state a party preference has increased (from 17% in 2000 to 29% in November 2014). The

share of residents registered with the Democratic Party has stayed relatively constant, between 46% and 48%. Silicon Valley has seen a greater turnout than California for every election since 2003, with the greatest share of eligible voters participating in Presidential elections. In the most recent Presidential election (November 2012), 59% of Silicon Valley voters cast ballots, compared to only 55% of California residents.

LOCAL TRENDS

Demographic Trends

Changes in Newark's demographic profile are consistent with many of the regional trends discussed above. An understanding of these trends will assist in the formation of economic development policy and it will aid in development of programs and services to meet customer needs.

Based on the most recent figures from the State Department of Finance, Newark's total population is 44,204. Newark remains a family-oriented community. The City has a disproportionately high percentage of single- to multi-family housing and a high average household size. Eighty-one percent of the housing stock is single-family, compared to between 12 - 79 percent for the other cities in the County. Only Piedmont (96%) claims a higher percentage. In addition, Newark's average household size is 3.39, second only to Union City (3.50) among the cities in the County.



Development Trends

Significant trends in development during the past two years include these businesses that made Newark their new home:

- Mission Linen
- Central Storage
- Public Storage
- AMC
- Kateeva
- Amazon

The following tenants moved into the Pacific Research Center:

- Shotspotter
- Advanced Cell Diagnostics
- Stanford
- Oraya
- Kaneka
- Carbylan

PROJECTIONS

- Vacant industrial space will continue to be leased up, with corresponding increases in employment, but lack of available land will restrict significant new industrial or office development within the five-year forecast period and will force a shift to redevelopment and intensification of existing space.
- The hospitality industry will continue to thrive due to Newark's strategic location and vibrant hotel cluster.
- Residential development will be very strong, largely focused on the Dumbarton Transit Oriented Development (Area 2) and the Southwest Newark Residential and Recreational Project (Area 3 and 4). Approximately 300-400 housing

units are projected to be added to Newark each year from 2016 to 2020.

- Even in light of the renaissance at the NewPark Mall, Newark's retail growth will be muted due to shifts to online purchases and competition from neighboring cities.
- In the longer term, retail will increase as the Greater NewPark Mall Area is revitalized and new housing and job growth add income to households in Newark's market area.

SUMMARY

2015 ended up being one of the strongest years in recent history for the industrial market along the Interstate 880 corridor. Sales and leases pushed the market to record levels in all product categories. The most sought after product type for investors remains Class "A" Warehouse/Distribution space, of which Newark has a modest inventory. Lee & Associates, a commercial real estate service, noted in their recent *Industrial Market Report* that the Fremont/Newark market "...will go down as a record year in terms of property sales and lease values, but all signs point to 2016 exceeding this high-water mark."

As pricing in San Francisco soars, the East Bay has finally begun to see its fair share of interest. Investors have redirected their focus towards various markets within the area. Leasing activity has increased, rents increased, and developers have begun exploring new construction opportunities. The East Bay remains a local option for many priced out of San Francisco's residential market. With these trends anticipated to persist into the foreseeable future, the East Bay upward momentum should continue.



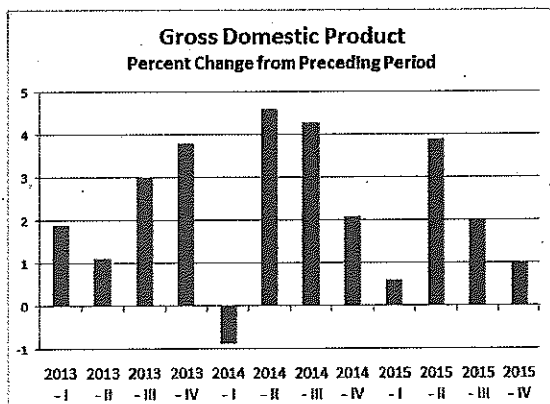
The preparation of the Five Year Forecast is an opportunity to publicly recognize and commend the efforts of our business community in keeping Newark economically stable. The City of Newark is fortunate to have such a diverse business community that excels in its efforts to give back to the community. Newark's businesses remain and will always be critical to the City's economic health. The revenue and jobs created allow the City to offer the quality public services our citizens, businesses, and visitors deserve. It is appropriate at this time to express our gratitude to these businesses for their dedication to the City of Newark and for their continued commitment to improving Newark's quality of life.



ECONOMIC AND FINANCIAL FORECAST

NATIONAL

Six years after the official end of the Great Recession, the economy seems to have returned to normal growth. The U.S. Bureau of Economic Analysis reports the economy grew at rates between 0.5% and about 4.5% over the last several quarters. Although this increase is a welcome change over the decline, Beacon Economics stated two years ago that a full recovery would have needed multiple years of 5-6% growth. Instead of a full recovery, the economy has adjusted to a new normal.



Beacon Economics reports that the fundamentals of the U.S. economy have improved over the last few years. They feel the housing market is based on solid ground and is not a bubble. Consumer spending has bounced back, but personal savings is still at insufficient levels. The labor market has improved, which is allowing for the increased consumer spending that is driving the economy. Lending is beginning to loosen up and the new home construction market is growing and struggling to keep up with demand.

NATIONAL FORECAST 2016-2018

Despite the growth in the economy, there are still many uncertainties about the nation's economy. Several economic forecasts are positive but express great concern over the economy in China. The Federal Reserve started to raise the benchmark interest rate by a 0.25 percentage point for the first time in seven years in December 2015. The Federal Reserve is expected to continue to increase this rate very gradually over the next several years. There is concern that the Federal Reserve is lacking a tool to offset potential economic downturns by leaving this rate at zero, or now at 0.25, for so long, but there are also concerns about what raising the rate will do to the still uncertain economy. Some worry that this monetary policy may dull future growth.

Despite some uncertainty, Beacon Economics projects the U.S. real GDP will grow by 3% in 2016-17.

Beacon Economics forecasts that the U.S. unemployment rate will remain near 5% for the next few years.

STATE

The Governor's Budget Economic Outlook provides the following perspective for the national economy:

- Despite a higher pace of retirements from an aging population, the labor force is growing at close to 1 percent. California continues to add jobs at a steady pace.



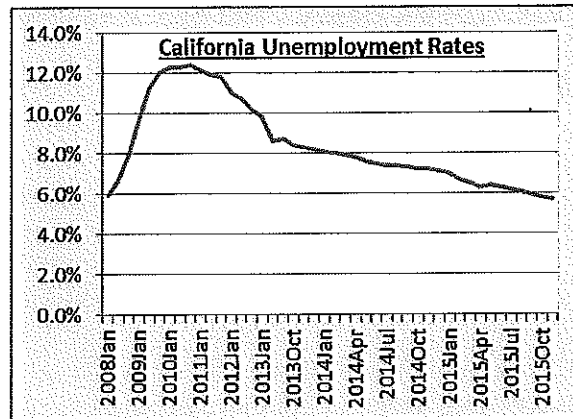
- The fourth consecutive year of the drought resulted in the first decrease in farm employment in 2015. Although the forecast projects modest improvements in agriculture beginning in 2016, the effects of the drought on the farm sector may continue for a few years.

- Personal income has been growing faster than expected. Growth of about 5 percent is expected in 2016 and 2017. A tighter labor market induces rising wages from workers.

- Consumer inflation, as measured by the Consumer Price Index (CPI), has been relatively low throughout the recovery and is expected to remain around 2.5 percent for the next two years.

- The current expansion has lasted since mid-2009, but on average expansions continue for only around five years. Even a fairly mild recession for the U.S. would be difficult for California.

California's economy was hit harder than most other states during the recession. The state lost over two million jobs, unemployment rates were at a record high level, and incomes were hit hard. Unemployment rates in California peaked in 2010 at 12.51% and began a constant decline in 2011. The rate is now down to pre-recession levels. Beacon Economics projects that the California unemployment rate will drop below 5.5% by December 2017.



The Governor's budget emphasizes the importance of planning for the next recession by paying down debts and liabilities and increasing the reserves. The Legislative Analyst's Office projects the Special Fund for Economic Uncertainties (SFEU) and the Budget Stabilization Account will go from a combined balance of \$2.8 billion in 2014-15 to \$11.5 billion in 2016-17.



BAY AREA

The Bay Area is sensitive to all economic factors affecting national and state economies. Although the region enjoys a highly diversified economy and skilled labor force, that alone does not guarantee economic stability. The information technology boom and bust was evidence of this fact. Unemployment in the Bay Area increased at a tremendous rate during the recession with a peak rate of 10.5% at the end of 2009. Those same industries have accommodated the unemployment rates dropping quicker than other places in the country.

In December 2015, the average unemployment rate for six of the Bay Area counties was 4.0%. This is much lower than the national or state levels. The Legislative Analyst's Office reports that the San Francisco Bay Area is among the nation's leading regions for job growth. The San Jose metropolitan area's job growth is ranked first among all large metro areas in the nation. The computer/electronics industry that took one of the larger initial blows in the downturn is also on the leading edge in the upturn. This industry has a strong influence on the Bay Area.

industry analysts are predicting that the trend will level off as pent up demand subsides.

Unemployment Rates					
By County					
	Dec-11	Dec-12	Dec-13	Dec-14	Dec-15
Alameda County	9.1%	7.8%	6.2%	5.0%	4.3%
San Francisco	7.2%	5.9%	4.6%	3.7%	3.3%
Napa	9.7%	8.3%	6.7%	5.6%	5.1%
Santa Clara	8.4%	7.0%	5.5%	4.3%	3.7%
Contra Costa	9.3%	8.0%	6.5%	5.3%	4.5%
San Mateo	6.8%	5.6%	4.5%	3.5%	3.1%
Average	8.4%	7.1%	5.7%	4.6%	4.0%

Source: California Employment Development Department

Automotive sales and consumer spending in general continue to increase statewide and in the Bay Area. HdL company projects this growth to slow in 2016-2017. The auto



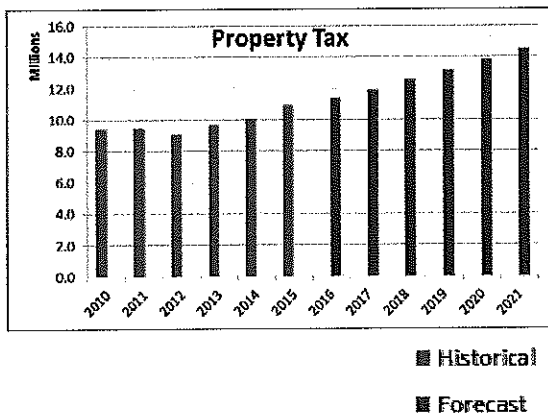
REVENUE AND EXPENDITURE PROJECTIONS

The following information details the assumptions used in developing revenue and expenditure estimates for the City over the next five years. These estimates are used by City staff in planning current and future year operating and capital project budgets. The table titled "General Fund Revenue & Expenditure Forecasts" was developed by combining trend analysis with information regarding known development growth in Newark.

Policy decisions made at both the State and Federal levels can significantly impact local revenues and expenditures and are also taken into consideration when developing these projections. Below are explanations of significant revenue sources for the City.

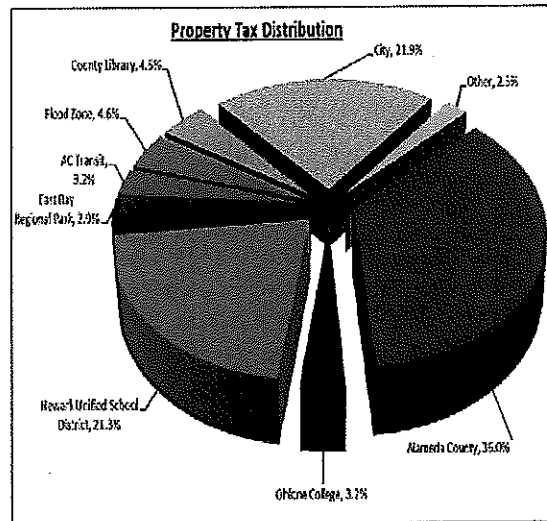
PROPERTY TAX

Property tax, which used to be our primary revenue source at 31% of total operating revenue, now represents 25% of the total operating revenue. Property tax dropped over 11% during the recession.



The real estate market has stabilized, property values have continued to grow, and building permits have been issued for new residential homes. The projections for 2016-2017 include only permits issued to date. During the recession most properties were

reassessed down to a lower value to align with the market values of the properties. In 2015, the Assessor's Office, in accordance with Prop 8 regulations, increased the assessed values of those properties back up to where they would have been had the market not dipped.



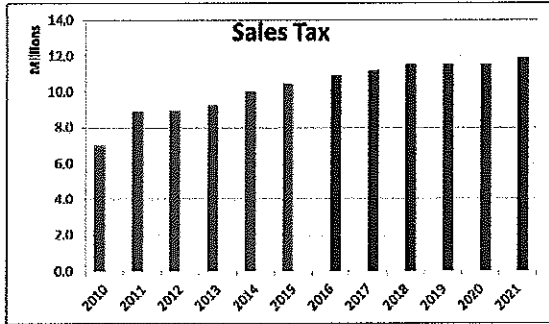
The Property Tax Distribution chart shown above indicates that the City receives 21.9% of the total property taxes paid by Newark property owners. Educational Revenue Augmentation Fund (ERAF) tax shifts that reduce the City's share of property tax are not included in this percentage. This chart was created from the data published by the County Auditor-Controller.

SALES TAX

Sales tax is the second largest revenue source for the City at approximately 24% of total operating revenue, just below property tax. The City had experienced a dramatic reduction in sales tax revenues that started in fiscal year 2008-2009. The significant loss in sales tax was primarily due to the economic recession that weakened consumer spending. The increase in consumer spending has been greater than projected.

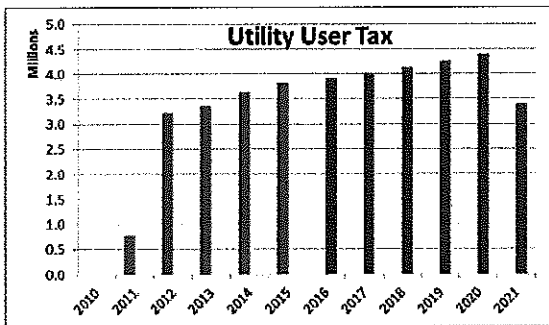


Many economist feel spending will flatten out and there is a likelihood that we will experience a recession in 2018. The sales tax projections consider this possible recession.



UTILITY USER TAX

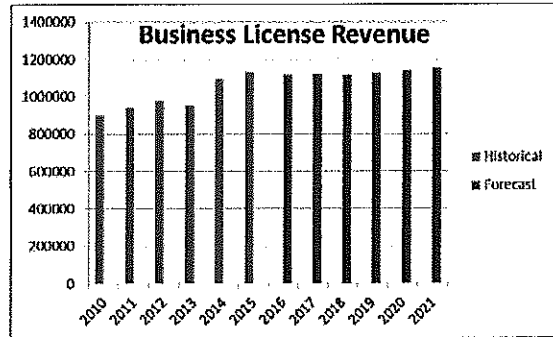
In November 2010, the voters of Newark passed Measure U, a 3.5% Utility User Tax (UUT). In November 2014, the voters extended the UUT and reduced the rate to 3.25%. This UUT is applied to electricity, natural gas, telecommunications, and cable service and was implemented to restore some of the severely cut services.



The UUT revenue has increased at a steady rate relative to the increases in the utilities it is applied to. This steady increase is projected to continue until the sunset date of December 2020. This revenue source represents about 8% of the City's General Fund operating revenues.

BUSINESS LICENSE REVENUE

Business license revenue is affected by the number of businesses in the City and the gross receipts these businesses generate.

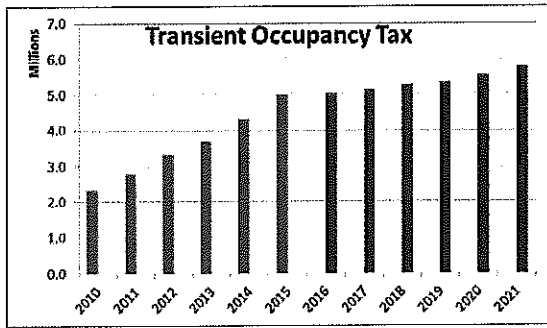


The opening of some auto dealerships and retail stores within the City and the stabilization of gross receipts reported by businesses contributed to the slight increase in revenues.

Business license revenue is projected to remain constant for the next five years.

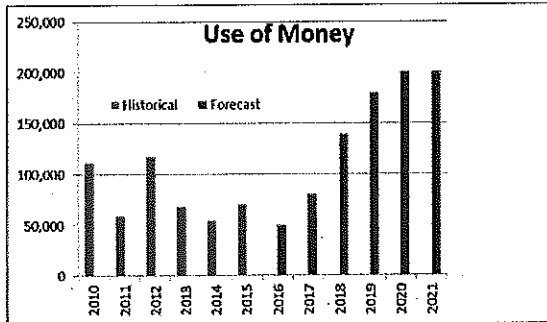
TRANSIENT OCCUPANCY TAX

The economic downturn caused a significant decline in the City's Transient Occupancy Tax (TOT) as businesses and consumers cut down on travel expenses. However, the TOT has experienced continued strong growth and has outpaced all projections. This strong growth is not expected to continue and is projected to level off in 2015-2016. In the following three years, transient occupancy tax is projected to grow at rates between 2-4%. The projections consider a possible recession in 2018.



USE OF MONEY AND PROPERTY

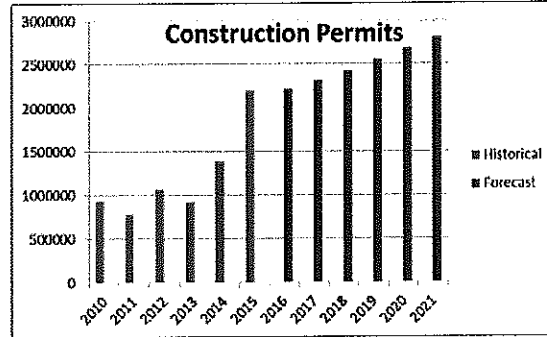
This revenue source consists primarily of interest income revenue generated from the City's cash and investments.



Investment earnings decreased significantly since the recession due to lower cash balances and declining interest rates. The estimate remains low. The Federal Reserve lowered interest rates on a number of occasions to help offset the negative impact of tightening of credit and the housing market crisis. These lower rates have persisted although the Federal Reserve did begin to increase the rates at the end of 2015. This projection shows that rates will begin to increase. This projection also considers staff pursuing investment options other than Local Agency Investment Fund within the five-year forecast.

CONSTRUCTION PERMIT REVENUES

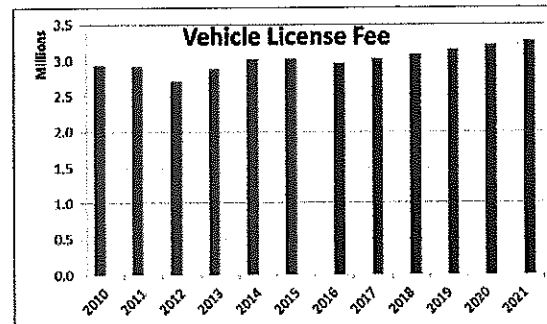
Construction permit revenues are directly associated with the number and value of developmental activity in the City.



Construction permits saw a spike in 2015. The economists now project that the demand for new houses will persist in the next several years. The estimate for 2016-2017 and 2017-2018 continue from the level set in 2015 and are projected to continue to grow at a steady pace.

VEHICLE LICENSE FEE

In November 2004, Proposition 1A eliminated the backfill of vehicle license fees from the State's General Fund and was replaced dollar-for-dollar with property taxes.

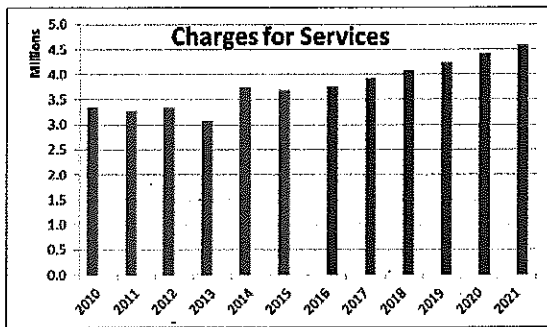


This revenue source is expected to grow. The Vehicle License Fee used to include the State apportionment of the motor vehicle license fees, but was eliminated by the State in 2012.



CHARGES FOR CURRENT SERVICES

This revenue category represents fees for services rendered by various City departments, which include Police, Fire, Recreation, Community Development, and Public Works. Overall these revenues increased in 2014-2015 and 2015-2016 as development and construction started to improve. There was a dip in 2012-2013 due to an eight-month closure of the Silliman Aquatic Center for repairs. The development and construction revenue is expected to continue for the next five years.



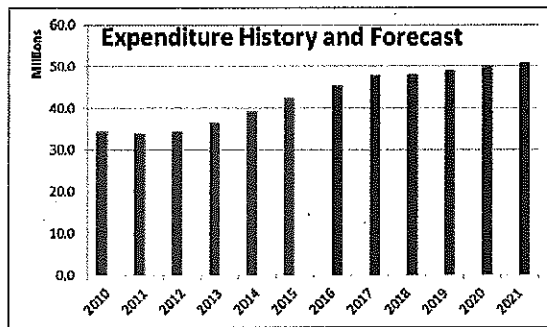
EXPENDITURE HISTORY AND FORECAST

City operating budget expenditures historically fell into two main categories: (1) Personnel Expenditures; and (2) Other Operating Expenditures. This year the categories have been modified into four categories: (1) Personnel Expenditures, with the exception of CalPERS costs; (2) CalPERS costs; (3) the Alameda County Fire Contract; and (4) Other Operating Expenditures.

Personnel expenditures are comprised of all costs associated with employee salary and benefits, except the cost of CalPERS. These include regular full-time, regular part-time, and part-time, seasonal, and temporary positions. These expenditures increase as a result of negotiated salary adjustments and other salary increases and health benefits. CalPERS costs have grown from \$3.6 mil-

lion in 2013 to about \$5.3 in 2016. This is rapidly increasing due to changes in CalPERS' actuarial methods and assumptions.

Personnel costs previously accounted for approximately 75% of the City's total Operating Budget. With the establishment of the contract with Alameda County Fire Department for Fire Services in 2010, personnel costs now account for approximately 45% of the total Operating Budget and the CalPERS costs are an additional 13%. The Alameda County Fire contract accounts for 20% of the City's Operating Budget.



Other operating expenditures include supplies, other contractual services, utilities, debt service payments, and equipment purchases. These expenditures increase as a result of inflation, increased service demands, and the addition of new programs or service levels. This accounts for the remaining 22% of the Operating Budget.

The expenditure forecast includes the following assumptions:

- Increases in the PERS contribution rate for Public Safety (Police) and Miscellaneous groups.



-
- Staffing adjustments made in 2016 to accommodate growing demands for services in all departments.
 - Increases in the cost of contracting for Fire Services to Alameda County.
 - Add support to increase Library hours.
 - Budgeting positions at top salary instead of using projected step increases.

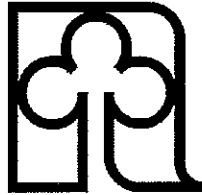
These expenditure and revenue estimates reflect certain assumptions that are subject to change even before the adoption of the 2016-2018 Biennial Budget. Approval of supplemental budget requests and funding changes as a result of City Council direction will impact the overall expenditure estimates. Staff also updates these estimates and assumptions on an ongoing basis as a result of changes in the economy and funding priorities.

General Fund Revenue & Expenditure Forecast

	Amended 2015-16	YoY %	Forecast 2016-17	YoY %	Forecast 2017-18	YoY %	Forecast 2018-19	YoY %	Forecast 2019-20	YoY %	Forecast 2020-21
Taxes											
Property Tax	11,700,000	5.0%	12,285,000	5.0%	12,900,000	5.0%	13,545,000	5.0%	14,223,000	5.0%	14,935,000
Sales & Use Tax	10,900,000	2.8%	11,200,000	3.0%	11,536,000	0.0%	11,536,000	0.0%	11,536,000	3.0%	11,883,000
TOT	5,036,000	2.0%	5,137,000	3.0%	5,292,000	1.0%	5,345,000	4.0%	5,559,000	4.0%	5,782,000
Franchise Fee	3,017,000	1.0%	3,048,000	1.0%	3,079,000	1.0%	3,110,000	1.0%	3,142,000	1.0%	3,174,000
UUT	3,903,700	3.0%	4,020,800	3.0%	4,142,000	3.0%	4,267,000	3.0%	4,396,000	-22.7%	3,396,000
Other	382,000	4.2%	398,000	4.0%	414,000	4.1%	431,000	4.2%	449,000	1.1%	454,000
Licenses											
Business	3,317,000	19.9%	3,976,000	-1.3%	3,923,000	3.9%	4,077,000	3.9%	4,238,000	4.0%	4,406,000
Construction	1,090,000	1.0%	1,101,000	1.1%	1,113,000	1.1%	1,125,000	1.1%	1,137,000	1.1%	1,149,000
Other	2,205,000	21.0%	2,668,000	5.0%	2,802,000	5.0%	2,943,000	5.0%	3,091,000	5.0%	3,246,000
Fines and Forfeitures	22,000	-68.2%	7,000	14.3%	8,000	12.5%	9,000	11.1%	10,000	10.0%	11,000
Use of Money	360,000	1.0%	363,600	1.2%	368,000	1.1%	372,000	1.1%	376,000	1.1%	380,000
Revenue from Other Agencies	50,000	60.0%	80,000	75.0%	140,000	28.6%	180,000	11.1%	200,000	0.0%	200,001
Charges for Services	3,342,540	10.7%	3,700,000	2.0%	3,774,000	2.0%	3,850,000	2.0%	3,927,000	2.0%	4,006,000
Other Revenue	3,772,600	1.8%	3,840,000	4.0%	3,994,000	4.0%	4,154,000	4.0%	4,321,000	4.0%	4,494,000
Other Revenue	1,253,000	-70%	381,000	5.2%	401,000	5.2%	422,000	5.2%	444,000	5.2%	467,000
Total Revenues	47,040,000	3.0%	48,430,000	3.2%	49,970,000	2.6%	51,290,000	3.0%	52,820,000	1.4%	53,580,000
Salaries*	26,925,200	5.8%	28,485,500	1.7%	28,973,200	3.0%	29,843,000	3.0%	30,739,000	2.0%	31,354,000
Non-salaries	18,752,400	5.4%	19,760,100	3.7%	20,489,300	1.5%	20,797,000	1.0%	21,005,000	1.0%	21,216,000
Total Expenditures	45,677,600	5.6%	48,250,000	2.5%	49,470,000	2.4%	50,640,000	2.2%	51,750,000	1.6%	52,570,000
Use Fund Balance	2,000,000		2,066,000								
Gas Tax	500,000		400,000		300,000		200,000		100,000		
Transfers to Reserves per policy	-506,000		-643,100		-355,000		-786,000		-327,500		-255,000
Transfer to Capital Reserves	-2,000,000		-2,000,000								
Total Transfers In/Out of GF	-6,000		-177,100		-55,000		-586,000		-228,000		-255,000
Surplus	650,000		0		450,000		70,000		850,000		760,000

*Salaries are only forecast with approved MOU adjustments. The current MOU's expire in June 2017. No adjustments are budgeted past that date.







ENTERPRISE FUND BUDGET

The concept of an Enterprise Fund is to account for those activities for which a fee is charged to external users of the goods or services. The cost of providing services for an activity should be recovered through fees or charges. In practice, enterprise funds are used to account for activities whose costs are only partially funded by fees and charges. In this case, a well-defined contribution from the General Fund to the Enterprise Fund is required. In other cases, some of the activities in the fund are deemed by the City Council to be of general public benefit, and, therefore, receives a carefully considered contribution.

Services in Enterprise Funds can be fully cost recovering, which means that all costs of providing services include both direct and overhead costs. The overhead factor is created from a cost allocation plan. In plan review, for example, the cost allocation plan is reasonable in that it accounts for the cost the planner places on the General Fund. The planner position requires, among other services, personnel administration services (recruitment, benefit administration, etc.), finance services (payroll, computer systems, etc.), and management services (performance review, work planning, etc.). The true cost of providing the plan check includes these costs. These costs are allocated to the planner based on nine criteria developed by the Finance Department and approved by the Executive Team, City Manager, and City Council.

The goal for each Enterprise Fund is to have its own level of reserves. Existing reserve balances above the calculated level for the General Fund would be divided and allocated to the appropriate Enterprise Fund. For example, the Capital Asset-

Construction Fund would provide reserve funds within its area for capital projects.

Below is a description of Newark's General Fund and Enterprise Funds:

General Fund

The General Fund consists of activities that benefit the general public. It includes City Council, City Administration, Police, Fire, Library, and Economic Development. These activities are supported by General Fund revenues.

Development Enterprise Fund

The Development Enterprise Fund consists of Planning, Waste Management, Engineering, Building Regulation and Inspection, and Park Design. These are services primarily provided for developmental activities in the community and are supported primarily by development fees. When first adopted, the General Fund contribution to the Development Enterprise Fund was 31%. The budget for this year's contribution by the General Fund was 55% due to the continued minimal number of construction permits at the time. This subsidy will be considerably reduced in the next budget.

Recreation Enterprise Fund

The Recreation Enterprise Fund provides for the City's recreation programs and activities. These services are paid for by users' fees that are partially cost covering. Some General Fund contribution is required due to market constraints in pricing services. This fund was given a 40% General Fund contribution when it was created. It currently receives a 48% contribution. The specific activities in this fund include General Recreation Services, Youth/Adult Sports,



Fitness and Wellness, George M. Silliman Community Activity Center Phase II - Family Aquatic Center, General Community and Human Services, Youth and Teens, and Seniors Activity.

The Recreation Enterprise Fund also includes the licensed child care program. This program is included in the 48% contribution from the General Fund.

Capital Assets-Maintenance Enterprise Fund

The Capital Assets-Maintenance Enterprise Fund provides for the maintenance of the City's infrastructure assets. The preservation of the City's infrastructure is a high priority which requires an 83% contribution from the General Fund. Services provided in this fund include Street Repairs, Weed Abatement, Park and Landscape Maintenance, Street Lighting, and Environmental Services.

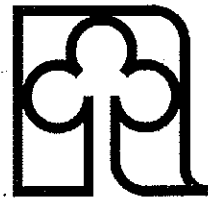
Capital Assets-Construction Enterprise Fund

The Capital Assets-Construction Enterprise Fund is predominantly capital, rather than an operating fund. It contains both capital projects and capital funds. The Capital Improvement Plan (CIP) is included within this fund. Activities include Street Construction/Gas Tax, Street Tree Program, Park Construction, Art In Public Places, Housing and Community Development (HCD) grant projects, and Capital Improvements. This fund is supported by various revenues, including State Gas Tax, Measure B funds, and Federal, State, and other agencies' grants. General Fund contributions to this fund fluctuate from year to year depending on capital construction needs and the General Fund's ability to generate surplus to support them. This is

the fund to which the annual General Fund capital contribution is directed.

Other Revenue Cost Centers

Within the Enterprise Fund structure, there are Cost Centers. These are budget entities which track detailed costs and revenues regarding a specific activity or a narrowly focused group of activities. This differs from an Enterprise Fund which has a broader mission and a wide variety of both services and revenues. Usually the revenues associated with a Cost Center derive from a single fee. The City has established three Cost Centers, all residing in the Capital Assets-Maintenance Enterprise Fund. These are the Environmental Services, Weed Abatement, and Street Lighting.





Biennial Budget FY 2015-16

OPERATING

General Fund		Development Enterprise Fund		Recreation Enterprise Fund	
Activities	Cost		Cost		Cost
General Government	752,600	Planning	354,600	General Recreation Services	1,002,500
Management/Support	3,410,800	Community Preservation	209,400	Youth/Adult Sports, Fitness, & Wellness	564,200
Police Services	15,917,300	Waste Management	30,000	Activity & Family Aquatics Center	2,067,400
Fire Services	10,347,300	Building Inspection	826,900	Licensed Child Care	387,700
Economic Development	417,200	Engineering	1,064,200	Seniors Activity and Services	403,400
Library Support	62,300			Paratransit Services	187,000
Total	30,907,500	Total	2,485,100	Total	4,614,200

Funding Sources	Revenue		Revenue		Revenue
Property Tax	10,432,000	Construction Permits	890,000	Intergovernmental Revenues	160,000
Sales Tax	10,063,000	Street and Curb Permits	42,000	Charges for Services:	
Transient Occupancy Tax	4,177,000	Other Permits and Licenses	15,000	Senior Transportation	15,000
Utility Users Tax	2,625,000	Use of Money and Property	5,000	General Recreation Services	260,000
Franchise Fee	3,017,000	Charges for Services:		Activity Users Fee	583,000
Other Taxes	132,000	Zoning Fee	20,000	Sillman Facility Rentals	105,000
Business License	983,000	Plan Checking Fee	109,000	General Aquatic Programs	571,000
Other Permits and Licenses	39,000	Miscellaneous	221,000	Concession Operations	113,000
Fines and Forfeitures	510,000	Microfilm./Records Auto Fees	54,000	General Community and Human Services	77,000
Use of Money and Property	95,000	Intergovernmental Revenues	0	Community Center Facility Rentals	57,000
Vehicle In Lieu	2,958,000	Other Revenue	75,000	Child Care Activity	319,000
Homeowners Relief	80,000	General Fund Contribution 55%	1,054,100	Freschool Activity	147,000
Intergovernmental Revenues	130,000	Total	2,485,100	Teen & Youth Activity	20,000
Charges for Services:				Other Revenues	0
Public Safety	495,000			General Fund Contribution 18%	2,185,200
Miscellaneous	11,000			Total	4,614,200
Other Revenue	223,000				
Subtotal	55,975,000				

Gas Tax Transfer 500,000

Enterprise Fund Contributions

Development 4%	-1,054,100
Recreation 6%	-2,185,200
Capital Assets-	
Maintenance 8%	-2,531,200
Total	30,704,500

Surplus/(Deficit)	(203,000)	0	0
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OPERATING, Continued

CAPITAL

Capital Assets-Maintenance

Capital Assets-Construction

	Cost		Cost
Weed Abatement	30,300	Street Construction	1,528,600
Street Lighting & Traffic Signals	384,100	Housing Community Development	190,000
Street Repairs	496,500	Park Construction	0
Environmental Services	682,600	Capital Improvements	1,460,000
Park & Landscape Maintenance	1,456,700	Subtotal	3,118,600
Total	3,050,200	Fund Transfer to General Fund	500,000
		Total	3,618,600

	Revenue		Revenue
Charges for Services:		Investment Earnings	20,000
Weed Abatement	7,000	State Gasoline Tax	1,801,000
Environmental Services	457,000	Other Agencies	163,000
Other Revenues	55,000	Park Impact Fees	650,000
General Fund Contribution 83%	2,531,200	Development Impact Fees	770,000
Total	3,050,200	Community Dev. Maint. Fees	165,000
		Subtotal	3,569,000
		Fund Appropriation:	
		Street Construction	49,600
		Total	3,618,600



OTHER BUDGET AND FINANCIAL ISSUES

PERS

The most significant increase to the budget during the past few years has been the retirement costs through the Public Employees' Retirement System (PERS).

The PERS Board has adopted several changes to their assumptions and accounting methodology that have increased the City's rates by over 48% in the last three years and are estimated to increase over 18% in the next five years. The Board is adopting these changes to boost the probability that the fund will reach fully funded status in 30 years.

The State enacted the Public Employee Pension Reform Act in 2013. This Act establishes a new tier for new employees that are new to the PERS system. In the long-term this will reduce pension costs, but provides little short term relief to the City.

PERS rates for 2016-2017 are 50.0% for public safety members and 25.7% for miscellaneous members.

CAPITAL IMPROVEMENT PLAN

The Capital Improvement Plan (CIP) was developed to provide the City Council with a method for selecting and prioritizing potential capital projects, special studies, and new equipment purchases over \$5,000, and determining their financial feasibility.

Capital improvements are major physical improvements throughout the community or expenditures that involve significant resources of more than \$5,000 above and beyond the City's operating budget. They tend to be special one-time projects designed to address or study a significant community need or problem and can include feasibility studies, equipment, and/or

systems (e.g., radios, telephones, etc.) that are not normally part of the City's operating budget. CIP projects exclude most ongoing maintenance projects, replacement of equipment, and operating programs.

The objectives of the CIP are to: (a) assist City staff in projecting future requirements for personnel and equipment in the development of departmental programs and the City's Biennial Budget; (b) relate the planning of CIP projects more effectively to general City goals and the operating budget; and (c) improve planning and coordination of projects that require significant funding commitments.

Projects that should be included in the CIP are as follows:

1. All projects which involve expenditures of \$5,000 or more for the improvement of public buildings and the construction or improvement of public streets and parks, with the exception of most maintenance or repair.
2. All other projects, equipment, or studies over \$5,000, which would not normally be included as part of the City's operating budget.
3. All purchases of property, including street easements and rights-of-way.

The following items should *not* be included in the CIP:

1. All equipment replaced through the City's equipment replacement fund (Activity 9710), which is managed by the Finance Department.



2. Most park maintenance, building or street repairs to City facilities, which are handled through the Maintenance Division.

3. All capital outlay items costing less than \$5,000, which are included in a department's operating budget.

The CIP is processed concurrently with the Five-Year Forecast and is published with the Biennial Budget as a single document. The CIP considers capital expenditures, establishes priorities for those expenditures, determines the funds available, analyzes short- and long-term budget impacts, and prioritizes projects for implementation. It provides a framework for determining the amount of future funds and possible additional sources of funds that are available for projects.

CAPITAL PROJECTS

The City's major fiscal challenge in the past several years has been to correct the structural deficit in the operating budget. Surplus funds have been used to replenish the Fiscal Uncertainty Fund and have minimally replenished the capital projects fund. Staff will continue to look into new revenue sources for future capital projects and provide City Council with recommendations on what type of new revenues would be most fiscally prudent.

LEVEL OF RESERVES

Many of the City's primary revenue sources - sales tax, property tax, and transient occupancy tax are impacted by changes in the economy. When the economy slows down or goes into recession, these revenues drop. Reserve levels are established to provide a cushion for these times and to absorb sudden losses of revenue as a result of other reasons such as legislative acts. This was the case when the State shifted property tax

revenues away from cities in the early 1990s as part of the Educational Reimbursement Augmentation Fund (ERAF) shift.

In determining the proper level of reserves, staff estimates the potential impact of a recession on its primary revenues as noted above. Staff also looks at the prevailing practices of other cities and reviews guidelines established by the California State Municipal Finance Officers Association (CSMFO) and Government Finance Officers Association (GFOA). The City still maintains a number of designated reserves including:

(1) A general fund reserve designated for operations, referred to as the "Emergency Reserves." This reserve is set aside to meet sudden unexpected expenses such as a legal liability or costs associated with an unexpected disaster. The balance of this reserve is set at 15% of operating expenditures. The balance at the end of fiscal year 2015 was \$6.2 million.

(2) A general fund reserve designated for fiscal uncertainty. This reserve is set aside to reduce the organizational impact of a short-term revenue loss. Between 2006 and 2010, in addition to the severe cuts to service and staffing levels, the City used \$7 million in reserves while balancing the budget. The reserve has been designated to be 10% of the operating expenditures. The balance in the Fiscal Uncertainty Fund at the end of 2015 was \$4.1 million.

(3) A capital projects reserve set aside to fund the Capital Improvement Plan. The capital reserves were traditionally funded by surplus funds from the General Fund, which has not been available for several years. These reserves are depleting and restricting the City's ability to maintain assets. As the unallocated fund balance has allowed, transfers have been made into the



capital reserves. In 2015, \$2.3 million was transferred and another \$2.3 million will be transferred in 2016. The fund balance policy adopted by Council requires that a minimum of \$250,000 be transferred into the capital reserves as surplus allows. The Capital Reserves are estimated to be at \$7.6 million at the end of Fiscal Year 2015-16.

The City also has a number of restricted funds which can only be used for a limited number of specific purposes and non-discretionary funds which can be used for General Fund purposes. For example, Gas Tax can only be used to maintain streets and rights-of-ways.

UNALLOCATED FUND BALANCE

Funds that have not been appropriated, identified as reserves, or legally identified for a specific purpose remain in the General Fund as unallocated fund balance. The projected amount remaining in unallocated fund balance at the end of Fiscal Year 2015-16 is \$6.9 million.

APPROPRIATIONS LIMIT

The State election on June 5, 1990 resulted in the passage of Proposition 111, amending Article XIII B of the California Constitution, the governing legislation for calculating the appropriations limit. Under the amended legislation, the appropriations limit may increase annually by a factor comprised of the change in population (city or county), combined with either the change in California per capita personal income or the change in the local assessment roll due to local non-residential construction. Fiscal year 1986-87 is the base year from which these factors are applied. The intent of the amended legislation was to provide a more equitable method of calculating the appropriations limit. This resulted in a significant increase in the City's appropriations limit.

The City's current fiscal year 2015-2016 Annual Budget includes appropriations subject to the limit of \$45,477,600. This is well below the City's appropriation limit of \$311,521,566. Staff has no concerns regarding our ability to stay within the limit.



BIENNIAL BUDGET

TWO-YEAR BUDGET

In 1999, City Council directed City staff to transition from an annual to a biennial budget cycle beginning with fiscal years 2000-2001 and 2001-2002. This change affected the preparation of the Budget, Capital Improvement Plan, and the Five-Year Forecast documents.

There are a number of advantages in a multi-year budgeting approach. First, the City has made a strong commitment to closely tie specific short- and long-term goals directly to the budget. The City views the budget planning process as the primary tool available in identifying the most important things to accomplish and then ensuring that the budget allocates the resources necessary to achieve them. Accordingly, the budget process includes early City Council involvement in setting major policy goals and priorities as articulated in this document. Many of the City's Strategies and Action Items do not fit into one-year increments. A multi-year approach is more conducive to setting meaningful objectives with realistic timeframes for completing them.

A multi-year approach also strengthens fiscal year control by providing for more orderly spending patterns for departments in managing their operating budgets. This helps to eliminate the last minute expenditure decisions that are made at the end of a typical fiscal year budget cycle. Multi-year budgets allow departments to plan for the funding of worthwhile activities or projects and ensure that the funding is available for multi-year objectives and operating activities.

The preparation of the Five-Year Forecast, Budget, and Capital Improvement Plan is an extensive, time-consuming process that involves virtually everyone in the organization, including the City Council. This requires a significant commitment of staff time and resources; however, significant savings are realized in the second year as a result of not having to prepare department budget plans and create new documents. The budget will be reviewed after the first year and any necessary adjustments will be made at that time. This will require much less staff time.

Finally, a multi-year budgeting process emphasizes the City's fundamental commitment to fiscal health and independence as outlined in the City's Culture Statement. It also encourages a more thorough and forward thinking planning process. Planning must be done not just for one year, but also for the foreseeable future and involves developing and implementing solutions to meet longer term needs.

BUDGET POLICIES

The 2016-2017 and 2017-2018 budget will be the ninth biennial budget for the City. This budget will be based on some key principles that support the City's strategy of fiscal independence and sustainability.

- The budget will be balanced and fiscally conservative.
- The City will continue providing services at least at current levels and with adequate funding.



- General Fund and Capital Fund balances will be maintained at levels that will support the City during future economic and other financial uncertainties.
- Expenditures and revenues will be estimated at conservative, but realistic levels.
- The budget will support the Critical Issues and Strategies and related Action Items that are identified in the Strategic Plan.

BUDGET ASSUMPTIONS

The Biennial Budget for fiscal years 2016-2017 and 2017-2018 will be developed with the assumption that the economy will continue to show a steady increase through 2016 and that there is a strong possibility of mild recession in 2018. The budget will also assume a minimum growth in operating expenditures. Budgets will be approved by the City Council for both years in June 2016. All operating budget appropriations not spent in 2015-2016 will lapse on June 30th, unless they are encumbered to meet specific obligations such as contracts and agreements, services, and other procurements incurred during the fiscal year. These will be re-appropriated in the 2016-2017 fiscal year budget.

BUDGET PLAN

On January 28, 2016, the City Council held a budget work session on the projected budget for 2016-2017 and 2017-2018. At that time, budget forecasts based on economic predictions from late 2015 were used to identify budget sustainability strategies. The budget plan anticipated a \$700,000 surplus at the end of 2015-2016 and with a need to supplement revenues from the unallocated fund balance in the amount of

\$225,000 in 2016-2017. The Biennial Budget will include issues discussed at that meeting.

The draft Five-Year Forecast has been prepared as this basis for the next Biennial Budget. This forecast includes a number of assumptions that should be noted here:

- Overall, the economy will grow through 2016.
- The General Fund operating reserve, "Emergency Reserves," should be maintained at its current level of 15% of the operating expenditures.
- The Fiscal Uncertainty reserve should be maintained at its current level of 10% of the operating expenditures.
- A modest Capital Improvement Program should continue to be implemented due to the limited capital reserves.

STRATEGIC PLAN UPDATE

In an effort to keep abreast of changing times and take advantage of new technology, the City saw the need to develop a formal process that would allow us to move into the New Millennium, yet maintain our sense of community. A Strategic Plan was developed and first introduced in 1994. The City operated under the initial Strategic Plan for five years. Going forward, that Plan was reviewed and evaluated annually, and included key issues and action items intended to guide the City into the future.

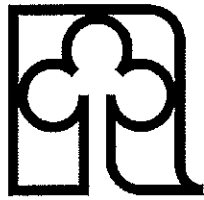
While the Strategic Plan was successful in meeting many of its goals, technology and conditions were changing rapidly, which required the City to take another look at the process. In 1999 and 2004, the City reviewed the Strategic Plan and determined the need to make significant



modifications which would allow the Plan to become more fluid and change as conditions dictate. Chief among the modifications was the identification of Critical Issues facing the City. Those Critical Issues, which replaced the initial Plan's key issues, are important areas of concern addressing Public Safety Services, Education, Quality of Life, Community Development, and City Government Operations. In order to operate soundly and provide the highest level of service to the citizens of Newark, the City must address these Critical Issues and anticipate potential problems associated with them. Therefore, the Strategic Plan included Strategies, or processes, to address each of the Critical Issues. The Strategies are broad statements of intent. Of perhaps more significance are the Action Plans associated with each of the Strategies. The Action Plans spell out specific means of addressing each Strategy, with specific programs, policies, or procedures which will help the City meet the needs of its citizens, adjust to changing times, and yet be ever mindful of the desire to maintain our sense of individuality, uniqueness, and community.

As noted above, it has been two years since the Critical Issues and Strategies and related Action Plans last received a comprehensive reevaluation and overhaul. This forecast includes updates to the Strategic Plan.

The Action Plans includes the current status (Completed, In Progress, Ongoing, or Pending) of each item. Plans that are labeled as "Completed" were finalized during the last Five-Year Forecast period. Those that are "In Progress" have been started, but not finalized and "Ongoing" Plans continue to be worked on. "Pending" Plans are those that were underway, but have been deferred due to unforeseen circumstances or lack of funding.





CRITICAL ISSUES AND STRATEGIES

I. PUBLIC SAFETY SERVICES

Provide a level of public safety services that will protect our citizens, property, and community assets.

- A. Continue to serve and protect based on a community-oriented policing philosophy.
- B. Continually evaluate the technological needs of public safety services and make upgrades where appropriate.
- C. Respond to evolving demands caused by changes in regulatory requirements or in the community.
- D. Continue the training and updates of internal and external emergency preparedness programs.
- E. Participate in collaborative efforts with other agencies.
- F. Identify and request the timely repair, upkeep, and replacement of safety equipment and buildings.
- G. Minimize risk potential for members of the public and staff.
- H. Explore opportunities to regionalize resources with other agencies.
- I. Identify and evaluate resources to assist with the procurement of grant funding for public safety services.
- J. Implement a service model reflective of our existing budget and staffing, while utilizing new and existing technologies to increase efficiencies.
- K. Develop policing and outreach programs that encourage community involvement.
- L. Continue to train and educate staff in order to provide the highest level of service to our community and for future growth of the department.

II. EDUCATION

Support, encourage, and offer opportunities and programs that facilitate quality community education.

- A. Continue to work with the Newark Unified School District and private schools and support other collaborative efforts that strive toward the development of a "world class" school system.
- B. Offer meaningful educational, intergenerational, and cultural programs through the Recreation and Community Services Department.
- C. Encourage continued business community involvement in supporting education.
- D. Work with Ohlone College on future improvement of the Newark Campus and continue to explore other opportunities for partnerships with the Community College District.



III. QUALITY OF LIFE

Provide programs, services, facilities, parks, and open spaces that make Newark a desirable and healthy place to live.

- A. Promote, enforce, and preserve city beautification measures as resources allow.
- B. Continue to offer quality Senior Services for the senior community.
- C. Provide facilities that allow all community members an opportunity to engage in cultural, recreational, and educational programs and services.
- D. Monitor transportation conditions, including traffic congestion, bicycle and pedestrian mobility, and transit level of service.
- E. Collaborate with local agencies and organizations to enhance delivery of Recreation and Community Services programs and services.
- F. Continue to offer a variety of Recreation and Community Services activities that help enhance the quality of life within the community.
- G. Encourage, support, and recognize community volunteerism.
- H. Provide clean, safe, inviting, and well-maintained facilities, parks, and open spaces for community use in a resource-constrained environment.
- I. Implement programs and services that promote healthy lifestyles and encourage healthy eating and physical fitness.
- J. Promote climate protection, water efficiency, and energy conservation.

IV. COMMUNITY DEVELOPMENT

Make development decisions that maintain a vibrant, balanced, quality community.

- A. Improve housing diversity, add community amenities, and enhance long-term revenue through new development consistent with Specific Plans and the General Plan.
- B. Ensure that the community has a coherent and long-term vision for the future through its General Plan, Specific Plans, and Master Plans.
- C. Market our community through partnerships with regional agencies, neighboring communities, and directly with property owners, brokers, and businesses.
- D. Support the local business community.
- E. Promote investment and quality of life in existing neighborhoods.
- F. Strengthen community identity and City revenue by promoting a varied and vibrant retail mix within attractive retail areas.
- G. Promote the development of transportation options such as Dumbarton Transit alternatives and bicycle and pedestrian improvements.



V. CITY GOVERNMENT OPERATIONS

Operate a City government that enables the organization to meet service demands of the community.

- A. Provide and maintain public facilities as resources allow.
- B. Continue to take actions that promote and enhance long-term fiscal stability and independence.
- C. Continually evaluate the technological needs of the organization and make upgrades where appropriate.
- D. Identify short and long-term space needs, and ensure facility needs for City departments are provided.
- E. Work with other agencies to meet the needs of the community.
- F. Participate in regional and sub-regional collaborative efforts.
- G. Provide a safe and effective work environment that engages each employee to perform at an optimum level of service.



STRATEGIC PLAN STATUS REPORT

I. PUBLIC SAFETY SERVICES

Critical Issue

Provide a level of public safety services that will protect our citizens, property, and community assets.

STRATEGY I-A

Continue to serve and protect based on a community-oriented policing philosophy.

ACTION PLAN

1. Police will continue, on an as needed basis, the mobilization of directed patrol, which will provide specialized enforcement, as staffing and pending calls for service allow. *Status: Ongoing.*
2. Police will continue utilizing a community policing strategy based on legitimate citizen input with a problem-solving delivery system. *Status: Ongoing.*
3. Police will continue to work toward achieving the goals set forth in the department's Strategic Plan document. *Status: Ongoing.*
4. Police will continue to procure and implement less lethal devices and technologies. *Status: Ongoing.*
5. Police will establish a patrol field office at the Community Center that would allow officers to remain accessible and visible to the community. *Status: In Progress.*
6. Police will continue to utilize annuitants to augment police services. *Status: Ongoing.*
7. Police and Fire will meet regularly with requesting neighborhood associations and community groups to continue an assessment of community needs and department effectiveness. *Status: Ongoing.*

8. Police and Fire will continue to attend community functions such as National Night Out, Family Day at the Park, and Ash Street Summer Program in an effort to maintain a close relationship with citizens. *Status: Ongoing.*

9. Police and Fire will implement an Incident Action Plan to mitigate the impact of fireworks during the Fourth of July. *Status: Ongoing.*

10. Fire will continue to utilize the Mobile Fire Safety House for public education events throughout the community. *Status: Ongoing.*

STRATEGY I-B

Continually evaluate technological needs of public safety services and make upgrades where appropriate.

ACTION PLAN

1. Police will distribute smartphones to all sworn staff to enhance lines of communication with citizens and allow officers to remain on the street to provide critical services. *Status: Completed.*
2. Police will work in conjunction with Information Systems to expand and continually update the Police Department website. *Status: Ongoing.*
3. Police will work in conjunction with Information Systems and Public Works in the implementation of GIS mapping capabilities for field units. *Status: Completed.*
4. Police will continue to survey potential locations for the installation of additional red light cameras within the City. *Status: Ongoing.*
5. Police will purchase and implement body worn camera technology and utilize video technology to reduce risk and liability. *Status: Completed.*



STRATEGY I-C

Respond to evolving demands caused by changes in regulatory requirements or in the community.

ACTION PLAN

1. Police will develop programs for public education and awareness of traffic laws, including school safety, adult and child safety programs. *Status: Ongoing.*
2. Police will continue to utilize Nixle, Citizen RIMS, and Facebook to distribute information for public awareness. *Status: Ongoing.*
3. Police will monitor and make recommendations to mitigate any negative impacts that new development could have on police services. *Status: Ongoing.*
4. Fire will continue to provide training in the use of the automatic external defibrillators to City Personnel, and will continue to collaborate with Risk Management to keep the Public Defibrillator Program current. *Status: Ongoing.*
5. Fire will enhance training of personnel in terrorism awareness and response, and actively participate in framing a regional response to terrorism. *Status: Ongoing.*
6. Senior Services staff will continue to work with Police to offer educational workshops on crime/fraud relative to seniors. *Status: Ongoing.*
7. Public Works will provide programs and practices to ensure compliance with the Clean Water Act and Regional Water Quality Control Board permit. *Status: Ongoing.*

STRATEGY I-D

Continue the training and updates of internal and external emergency preparedness programs.

ACTION PLAN

1. Fire will continue to facilitate a yearly Citywide training exercise and coordinate ongoing training for City staff to achieve the City's disaster preparedness goals. *Status: Ongoing.*
2. Fire will continue to train and support Community Emergency Response Team (CERT) volunteers as part of the City's overall disaster plan. *Status: Ongoing.*
3. Fire and Police will continue to work in conjunction with the Newark Unified School District and private schools on Citywide emergency preparedness to achieve mutual disaster preparedness goals. *Status: Ongoing.*
4. Fire will collaborate with Police to conduct training on critical incidents, including regularly scheduled meetings between Police and Fire. *Status: Ongoing.*
5. Police and Public Works will develop information on the layout/plans of all banks, schools, public libraries, and government offices for use during critical incidents. *Status: Ongoing.*
6. Police will continue to distribute information internally regarding terrorist activity and Homeland Security issues. *Status: Ongoing.*
7. Fire will work with Recreation and Community Services to update Emergency Action Plans for its facilities, as well as train staff in shelter management. *Status: Ongoing.*
8. Fire will work jointly with other City departments to formulate and implement a plan to update the storage of food, water, and other critical supplies for use by emergency responders and City personnel during the first 72 hours following a disaster. *Status: Pending.*
9. Fire will work with Human Resources to update the Emergency Volunteer Operations Plan. *Status: Pending.*
10. Fire will continue its involvement with the Tri-Cities Emergency Services Association



(TESA) and assist in the coordination between all essential Tri-City public services for emergency preparedness. This will include weekly Emergency Preparedness radio checks, monthly meetings, and an annual TESA Emergency Preparedness Fair for all citizens of the Tri-City area. *Status: Ongoing.*

11. Police will partner with NewPark Mall to provide active shooter training. *Status: Completed.*

STRATEGY I-E

Participate in collaborative efforts with other agencies.

ACTION PLAN

1. Fire will continue use of the District Attorney's office for hazardous materials enforcement proceedings and will investigate expanding the role of the City Attorney for handling other hazardous materials proceedings. *Status: Ongoing.*

2. Police will continue to maintain a collaborative partnership with Newark, Fremont, and Union City School Districts and other police departments for juvenile issues related to enforcement and truancy. *Status: Ongoing.*

3. Police will continue to maintain a relationship with NewPark Mall management in a collaborative effort to deter, prevent, respond to, and solve crime in and around our regional shopping center. *Status: Ongoing.*

4. Police will evaluate regional sites for training, such as SWAT, pursuit driving, hands on baton, weaponless defense, mutual aid, riot control, firearms, and drivers' training. *Status: Ongoing.*

5. Fire will continue its fire prevention education program for both the Newark Unified School District and business community. *Status: Ongoing.*

6. Police will participate in regional commanders' staff meetings. *Status: Ongoing.*

7. Recreation and Community Services will collaborate with surrounding agencies, local businesses, and service organizations to serve community needs. *Status: Ongoing.*

8. Police will continue to work with Fremont and Union City to relocate the Major Crimes Task Force to the Fremont Police facility. *Status: Completed.*

9. Police will share data amongst local agencies in a collaborative effort to improve responsiveness and communication with citizens. *Status: Ongoing.*

STRATEGY I-F

Identify and request the timely repair, upkeep, and replacement of safety equipment and buildings.

ACTION PLAN

1. Public Works will continue with prioritizing the routine maintenance programs for Police and Fire vehicles. *Status: Ongoing.*

2. Public Works will continue a routine building maintenance program that provides continuous functioning of all the Police and Fire critical tasks. *Status: Ongoing.*

STRATEGY I-G

Minimize risk potential for members of the public and staff.

ACTION PLAN

1. Public Works will continue with a program to prune public park and street trees to prevent structural failure and maintain the health of those trees as budget allows. *Status: Ongoing.*

2. Public Works will continue their program of vacuuming inlets prior to the rainy season to reduce the risk of flooding in the streets. *Status: Ongoing.*



3. Public Works will continue a sidewalk, curb and gutter program of replacing damaged concrete where it poses a potential tripping hazard within current budget confines. **Status: Ongoing.**

4. Public Works will continue an annual Thermoplastic striping program to provide safe and visible traveling surfaces for local drivers. **Status: Ongoing.**

5. Public Works will continue with traffic control training for staff so the traveling public will encounter construction areas that are easy and consistent to maneuver. **Status: Ongoing.**

6. Public Works will continue with the program, required by the Manual on Uniform Traffic Control Devices, to install larger street name signs on arterials. **Status: Ongoing.**

STRATEGY I-H

Explore opportunities to regionalize resources with other agencies.

ACTION PLAN

1. Police will explore the feasibility of combining the Newark Police Hostage Negotiation Team with Union City Police. **Status: Ongoing.**

2. Police will explore opportunities to regionalize resources. **Status: Ongoing.**

3. Fire will continue to explore opportunities to share resources with outside agencies. **Status: Ongoing.**

STRATEGY I-I

Identify and evaluate resources to assist with the procurement of grant funding for public safety services.

ACTION PLAN

1. Police will continue to utilize internal staff to research and compete for available grant funding. **Status: Ongoing.**

STRATEGY I-J

Implement a service model reflective of our existing budget and staffing, while utilizing new and existing technologies to increase efficiencies.

ACTION PLAN

1. Police will continue to implement a team policing strategy to improve service delivery and minimize potential risk for officers. **Status: Ongoing.**

2. Police will employ innovative and creative methods towards the prioritization of calls for service, including service level reductions, increased use of telephone reporting, and non-response in certain circumstances. **Status: Ongoing.**

3. Police will continue to focus on maintaining customer service levels, while ensuring officers have the opportunity for non-directed patrol time to focus on criminal investigations and proactive crime prevention and apprehension. **Status: Ongoing.**

4. Police will broaden the scope of the Volunteers in Policing program to include assistance in cold-case reporting, community projects, vacation home checks, special events, and disaster response. **Status: Ongoing.**

STRATEGY I-K

Develop policing and outreach programs that encourage community involvement.

1. Police will continue to provide community outreach programs such as the Citizen Police Academy, station tours, public demonstrations, and Coffee with the Cops as staffing levels allow. **Status: Ongoing.**

2. Police will continue to coordinate and expand the Neighborhood Watch and Community Engagement Programs. **Status: Ongoing.**



3. Police will expand the Ready & Active Volunteers Engaged in Newark (RAVEN) program by increasing recruitment efforts and assigning responsibilities based on volunteer skills and qualifications. *Status: Ongoing.*

4. Police will continue to nurture a positive relationship with local non-profit service organizations. *Status: Ongoing.*

5. Police will utilize social media outlets (ie. Nixle and Facebook) for the timely distribution of public safety related information to the community. *Status: Ongoing.*

6. Police will focus resources on specific problem areas identified through the Neighborhood Watch Program. *Status: Ongoing.*

STRATEGY I-L

Continue to train and educate staff in order to provide the highest level of service to our community and for future growth of the department.

ACTION PLAN

1. Police will continue to provide career development opportunities to staff through mentorship as well as the implementation of a Master Officer and Training Matrix. *Status: Ongoing.*

2. Police will implement a Master Patrol Officer program that recognizes tenured officers who possess a combination of high level skills and the ability to effectively mentor others. *Status: Completed.*

3. Police will continue to remain in compliance with Peace Officer Standards and Training (POST) mandated training. *Status: Ongoing.*

4. Police will continue their partnership with California Southern University and encourage staff to seek educational and higher level degree opportunities. *Status: Ongoing.*

II. EDUCATION

Critical Issue

Support, encourage, and offer opportunities and programs that facilitate quality community education.

STRATEGY II-A

Continue to work with the Newark Unified School District and private schools and support other collaborative efforts that strive toward the development of a "world class" school system.

ACTION PLAN

1. City staff will facilitate communication between the City and the Newark Unified School District to discuss education and youth-related issues. *Status: Ongoing.*

2. The Police Chief and staff will meet regularly with the School Superintendent to discuss safety issues at the school. *Status: Ongoing.*

STRATEGY II-B

Offer meaningful, educational, intergenerational, and cultural programs through the Recreation and Community Services Department.

ACTION PLAN

1. City staff will provide education-based programs for youth, teens, adults, and seniors at the George M. Silliman Community Activity and Family Aquatic Center. *Status: Ongoing.*

2. Recreation and Community Services will provide limited field trips for program participants that offer an educational, cultural, and/or intergenerational experience. *Status: Ongoing.*

3. Recreation and Community Services will obtain sponsorships and donations to help offset a portion of program and operational expenses. *Status: Ongoing.*



4. Recreation and Community Services will offer recreation programs and activities that are culturally enriching for elementary, junior high, and high school students. *Status: Ongoing.*

5. Recreation and Community Services will offer limited opportunities for teen volunteers and provide junior lifeguard programs to develop youth for future employment opportunities. *Status: Ongoing.*

6. Recreation and Community Services will meet the changing needs of our diverse community by offering cost-covering recreational programs and special events. *Status: Ongoing.*

7. Recreation and Community Services will continue to offer opportunities during the critical after-school hours to school age children through cost-covering enrichment classes, and other fee-based activities. *Status: Ongoing.*

STRATEGY II-C

Encourage continued business community involvement in supporting education.

ACTION PLAN

1. Community Development will ensure that education is a potential beneficiary of all community involvement plans submitted by businesses. *Status: Ongoing.*

2. Community Development will ensure that new residential developers work closely with the Newark Unified School District when Zoning Ordinance or General Plan changes are proposed. *Status: Ongoing.*

3. Community Development will continue to work with the Board of the Chamber of Commerce on its commitment to education in the community. *Status: Ongoing.*

STRATEGY II-D

Work with Ohlone College on future improvement of the Newark Campus and continue to

explore other opportunities for partnerships with the Community College District.

ACTION PLAN

1. Community Development will work with Ohlone College officials to ensure that additional development on the Cherry Street site is in conformance with the General Plan. *Status: In Progress.*

2. Community Development will work with Ohlone College officials to identify areas for collaboration that will enhance educational opportunities for the community. *Status: Ongoing.*

III. QUALITY OF LIFE

Critical Issue

Provide programs, services, facilities, parks, and open spaces that make Newark a desirable and healthy place to live.

STRATEGY III-A

Promote, enforce, and preserve City beautification measures as resources allow.

ACTION PLAN

1. Police will provide support and advice to neighborhood associations whenever possible. *Status: Ongoing.*

2. Community Development will conduct proactive nuisance abatement through code compliance. *Status: Ongoing.*

3. Community Development will study a citywide rental housing inspection program, including landlord/tenant education and awareness. *Status: Ongoing.*

4. Police will coordinate and support the volunteer graffiti abatement program. *Status: Ongoing.*



5. Community Development will implement the Art in Public Places Master Plan. *Status: In Progress.*

6. Public Works will continue maintenance programs and undertake critical projects to maintain and repair City facilities to maximize use by the public and minimize the long-term cost of the assets. *Status: Ongoing.*

7. Public Works will continue maintenance programs and undertake critical projects to maintain and enhance the City landscaping assets. *Status: Ongoing.*

8. Public Works will design, bid and manage projects to improve the Mowry Avenue (Phase 3), Cedar Boulevard (Phase 4), Newark Boulevard (Phase 5), and Cherry Street (Phase 6) streetscapes as part of the City's Arterial Streetscape Beautification Program. *Status: Pending.*

STRATEGY III-B

Continue to offer quality Senior Services for the senior community.

ACTION PLAN

1. Recreation and Community Services will continue to manage paratransit and related services offered through Measure B and Measure BB funded Newark Paratransit. *Status: Ongoing.*

2. Recreation and Community Services will continue to offer case management services for seniors through an annual contract for services with the City of Fremont. *Status: Ongoing.*

STRATEGY III-C

Provide facilities that allow all community members an opportunity to engage in cultural, recreational, and educational programs and services.

ACTION PLAN

1. Public Works and Recreation and

Community Services will develop a project to upgrade softball lighting at Birch Grove Park. *Status: Pending.*

2. Upon completion of the Citywide Parks Master Plan, Public Works will implement identified priority projects which could include a skate park, dog park, and the completion of the George M. Silliman Recreation Complex. *Status: Pending.*

3. City Manager and Public Works will identify and evaluate options for providing performing arts facilities. *Status: Pending.*

STRATEGY III-D

Monitor traffic conditions, including traffic congestion, bicycle and pedestrian mobility, and transit level of service.

ACTION PLAN

1. Police's role in reducing traffic congestion is twofold: (a) education of the public regarding driving habits that contribute to traffic congestion, and (b) enforcement of traffic laws to prevent traffic-related accidents. *Status: Ongoing.*

2. Police will plan for and address specific traffic-problem areas, such as school zones and crosswalks, through education and enforcement. *Status: Ongoing.*

3. Police's Traffic Unit will meet with Engineering, Planning, and Zoning to share information on traffic-related issues. *Status: Ongoing.*

4. Police and Public Works will pursue grants to assist with the department's ability to meet traffic-related needs. *Status: Ongoing.*

5. Police will continue to meet with local school officials to address congestion issues around school sites and provide educational programs for students and parents. *Status: Ongoing.*



6. Public Works and Police will continue to monitor areas of congestion citywide and take appropriate actions to mitigate congestion. *Status: Ongoing.*

7. Public Works will design and manage construction of improvements in the Four Corners corridor. *Status: Pending.*

8. Public Works will continue the development and implementation of traffic calming measures, where appropriate, in the community. *Status: Ongoing.*

9. Public Works will continue to implement the City's Complete Streets Policy. *Status: Ongoing.*

10. Community Development will work with AC Transit and regional agencies to provide the best possible transit system serving the community. *Status: Ongoing.*

11. Police will continue to participate in regional traffic efforts such as the Avoid the 21 DUI campaign, Tri-City Accident Investigation Team (TAIT), and Commercial Officers of Southern Alameda County (COSAC). *Status: Ongoing.*

STRATEGY III-E

Collaborate with local agencies and organizations to enhance delivery of Recreation and Community Services programs and services.

ACTION PLAN

1. Senior Services staff will continue to work with various agencies to offer programs and services throughout the City of Newark, including Washington Hospital WOW Program, Spectrum Community Service, and Life Elder Care. *Status: Ongoing.*

2. Senior Services staff will continue to offer an annual Health Faire with health screenings and immunizations. *Status: Ongoing.*

STRATEGY III-F

Continue to offer a variety of Recreation and Community Services activities that help enhance the quality of life within the community.

ACTION PLAN

1. Recreation and Community Services will work to secure funding to provide and promote scholarship opportunities to eligible Newark youth and seniors. *Status: Ongoing.*

2. Recreation and Community Services will continue to offer drop-in activities, programs, and services through the George M. Silliman Activity and Family Aquatic Center Teen Area. *Status: Ongoing.*

3. Recreation and Community Services will continue to cost-effectively market programs to maximize the use and revenue potential for the on-going operation and maintenance of the George M. Silliman Activity and Family Aquatic Center. *Status: Ongoing.*

4. Recreation and Community Services will explore grant and sponsorship funding opportunities to support programs and activities. *Status: Ongoing.*

STRATEGY III-G

Encourage, support, and recognize community volunteerism.

ACTION PLAN

1. City Administration will maintain a current database of City volunteers, create and retain a current list of community volunteer opportunities within the City, and act as a liaison to connect volunteers to local service organizations. *Status: Ongoing.*

2. City Administration will use various forms of media to conduct an advertising campaign to recruit new volunteers. *Status: Ongoing.*



3. City Administration will facilitate a citywide annual volunteer recognition event. *Status: Ongoing.*

4. All City departments, with the assistance of City Administration, will evaluate their volunteer needs and accept qualified volunteers whenever possible. *Status: Ongoing.*

STRATEGY III-H

Provide clean, safe, inviting, and well-maintained facilities, parks, and open spaces for community use in a resource-constrained environment.

ACTION PLAN

1. Public Works will maintain the Urban Forest Management Program and integrate it with GIS. *Status: Ongoing.*

2. Public Works will re-survey the street system, update the Pavement Management Program, and develop alternative budget scenarios for the entire street system. *Status: Ongoing.*

3. Public Works will investigate the possibility of developing a memorial tree program. *Status: Pending.*

STRATEGY III-I

Implement programs and services that promote healthy lifestyles and encourage healthy eating and physical fitness.

ACTION PLAN

1. Recreation and Community Services will continue to provide fitness facilities and exercise programs for the community. *Status: Ongoing.*

2. Recreation and Community Services will explore opportunities to collaborate with local health providers to educate residents and promote activities that lead to a lifelong commitment to healthful living. *Status: Ongoing.*

3. Recreation and Community Services will continue to offer activities and programs that encourage healthful lifestyle choices. *Status: Ongoing.*

STRATEGY III-J

Promote climate protection, water efficiency, and energy conservation.

ACTION PLAN

1. Public Works will provide biennial updates on the City's progress towards achieving Green House Gas emission reduction goals set in the adopted Climate Action Plan. *Status: Ongoing.*

2. Public Works will maintain and report Green House Gas inventories on a regular basis. *Status: Ongoing.*

3. Public Works will continue to change light fixtures and ballasts to energy efficient models. *Status: Ongoing.*

4. Public Works will continue to replace outdated equipment with energy efficient models. *Status: Ongoing.*

5. Public Works will continue to implement integrated pest management practices that reduce the amount of chemicals in use. *Status: Ongoing.*

6. Public Works will continue to research grant opportunities for implementation of climate protection measures. *Status: Ongoing.*

7. Public Works will research opportunities to convert fleet vehicles to alternative fuel vehicles. *Status: Pending.*

8. Public Works will pursue installation of Bay Friendly landscaping to reduce water usage and power tool usage. *Status: Pending.*

9. Public Works will comply with mandatory water restrictions in the maintenance and operation of City facilities. *Status: Ongoing.*



10. Public Works will continue modifying City irrigation systems to improve efficiency. *Status: Ongoing.*

IV. COMMUNITY DEVELOPMENT

Critical Issue

Make development decisions that maintain a vibrant, balanced, quality community.

STRATEGY IV-A

Improve housing diversity, add community amenities, and enhance long-term revenue through new development consistent with Specific Plans and the General Plan.

ACTION PLAN

1. Community Development will implement the Housing Element in compliance with State law and Plan Bay Area. *Status: Ongoing.*
2. Community Development will work with developers to facilitate development of a golf course or other recreational amenity and high-end housing consistent with the Areas 3 and 4 Specific Plan. *Status: Ongoing.*
3. Community Development study the replacement of the Inclusionary Housing Ordinance with an Affordable Housing Impact Fee. *Status: Completed.*
4. Community Development will identify multi-family housing units that are in need of rehabilitation and identify strategies and funding sources to address needed maintenance and repairs. *Status: In Progress.*
5. Community Development will identify sites that would be appropriate for senior housing and will work with non-profit housing developers to design and build affordable housing for seniors. *Status: In Progress.*
6. Community Development will complete an assessment of local shelter space needs and, depending on the results, identify funding sources

for site acquisition and construction of emergency housing or expansion of the existing Second Chance shelter. *Status: In Progress.*

7. Community Development will analyze and address constraints to the maintenance, improvement, or development of housing for persons with disabilities. *Status: Ongoing.*

8. Community Development will promote the redevelopment of sites designated for residential use that are currently developed for commercial/ industrial purposes. *Status: Ongoing.*

9. Community Development will assure that conditions of development are established that encourage civic involvement. *Status: Ongoing.*

10. Community Development will work with property owners to implement the Dumbarton Transit Oriented Development Specific Plan. *Status: In Progress.*

11. Community Development and Public Works will develop and implement a landscaping and lighting plan for Old Town. *Status: In Progress.*

STRATEGY IV-B

Ensure that the community has a coherent and long-term vision for the future through its General Plan, Specific Plans, and Master Plans.

ACTION PLAN

1. Community Development will facilitate the completion of a Citywide Parks Master Plan. *Status: In Progress.*
2. City staff will provide the community with improved access to a variety of governmental information via the City's web page, social media, the newsletter, and the City's local cable station. *Status: Ongoing.*
2. Community Development will update the Zoning ordinance. *Status: Ongoing.*



STRATEGY IV-C

Market our community through partnerships with regional agencies, neighboring communities, and directly with property owners, brokers, and businesses.

ACTION PLAN

1. Community Development will conduct outreach to potential tenants. *Status: Ongoing.*
2. Recreation and Community Services will promote facilities and programs that enhance overall marketability of the City. *Status: Ongoing.*
3. Community Development will encourage development by marketing opportunity sites to developers in partnership with property owners. *Status: Ongoing.*

STRATEGY IV-D

Support the local business community.

ACTION PLAN

1. Community Development staff will serve as a liaison to the Chamber of Commerce Board of Directors. *Status: Ongoing.*
2. Community Development will include the Chamber of Commerce staff in economic development-related committee activities (e.g., marketing and Old Town). *Status: Ongoing.*
3. Community Development will work with the Chamber of Commerce to promote business retention efforts. *Status: Ongoing.*

STRATEGY IV-E

Promote investment and quality of life in existing neighborhoods.

ACTION PLAN

1. Community Development will ensure that blighted underutilized areas will be included in

the citywide code compliance program. *Status: Ongoing.*

STRATEGY IV-F

Strengthen community identity and City revenue by promoting a varied and vibrant retail mix within attractive retail areas.

ACTION PLAN

1. Community Development will implement the Economic Development Element. *Status: Ongoing.*
2. Community Development will aggressively pursue revenue generating businesses. *Status: Ongoing.*
3. Community Development will continue to promote the City's restaurant and hotel marketing strategy. *Status: Ongoing.*
4. Community Development will provide updated information on the web for business prospects looking for new locations. *Status: Ongoing.*
5. Community Development will promote the City to target industries. *Status: Ongoing.*
6. Community Development will meet periodically with brokers and realtors to discuss target industries and promote the community. *Status: Ongoing.*

STRATEGY IV-G

Promote the development of transportation options such as Dumbarton transit alternatives and bicycle and pedestrian improvements.

ACTION PLAN

1. Public Works will provide leadership and staff support to the development and implementation of the Dumbarton Rail Project. *Status: Pending.*
2. Public Works and Community Development will work closely with the Alameda County



Transportation Agency (ACTA) and the Metropolitan Transportation Commission to ensure that Dumbarton Rail remains a priority for funding. *Status: Ongoing.*

3. Public Works will develop and implement a Bicycle & Pedestrian Plan. *Status: In Progress.*

4. Community Development will coordinate development of Dumbarton Transit alternatives with a new transit station. *Status: Ongoing.*

V. CITY GOVERNMENT OPERATIONS

Critical Issue

Operate a City government that enables the organization to meet service demands of the community.

STRATEGY V-A

Provide and maintain public facilities as resources allow.

ACTION PLAN

1. Public Works will revisit the policy for the provision of sidewalks in commercial/industrial areas. *Status: Pending.*

STRATEGY V-B

Continue to take actions that promote and enhance long-term fiscal stability and independence.

ACTION PLAN

1. Finance will prepare an update to the City's purchasing procedures for City Council approval. *Status: In Progress.*

2. Finance will perform internal audits of all City financial related systems and processes in order to ensure compliance with federal, state, and local laws and to ensure the safety and security of City assets. *Status: Ongoing.*

3. Finance will track revenues closely and make recommendations to the City Manager and City Council, including ways the City can save money, to ensure fiscal stability during the current downturn in the economy. *Status: Ongoing.*

4. Finance will seek other sources of funds and financing for major capital projects. *Status: Ongoing.*

5. Finance will build capacity in the City's budget to reestablish reserves and fund capital projects. *Status: In Progress.*

STRATEGY V-C

Continually evaluate the technological needs of the organization and make upgrades where appropriate.

ACTION PLAN

1. Information Systems will work with departments to use the City's website and other social media to provide information regarding City services, economic development, and other information resources. *Status: Ongoing.*

2. Public Works and Information Systems will continue the development of a citywide Geographic Information System (GIS) program and will add data layers for the City storm drain system, street lights, Landscape and Lighting Districts, capital projects, and record drawings of public improvements. Training will be provided to appropriate staff by a partner in the GIS consortium. *Status: In Progress.*

3. Public Works will implement a development permit tracking system to integrate planning, engineering, and building inspection permits. *Status: Completed.*

4. Public Works will update and expand the Engineering Division informational brochures and policy documents. *Status: Ongoing.*

5. Public Works and Information Systems will modify the City's website to increase the availability of information, data, and forms related to



Engineering's scope of services. **Status: Ongoing.**

STRATEGY V-D

Identify short and long-term space needs, and ensure facility needs for City departments are provided.

ACTION PLAN

1. Community Development will facilitate the completion of the Civic Center Feasibility Study. **Status: In Progress.**
2. Public Works will pursue a project to modify the warehouse at the corporation yard to provide adequate storage for City needs. **Status: Pending.**
3. Public Works will continue with critical flooring replacements, painting and roofing to all City buildings in order to maintain City assets. **Status: Ongoing.**
4. Public Works will continue to research and pursue options for reducing inflating utility costs without reducing services to City functions. **Status: Ongoing.**
5. Public Works will continue to perform preventative maintenance to minimize interruptions caused by equipment failures. **Status: Ongoing.**
6. Public Works will pursue options to provide reliable HVAC systems at all City facilities. **Status: Ongoing.**

STRATEGY V-E

Work with other agencies to meet the needs of the community.

ACTION PLAN

1. City staff will implement the City's telecommunications policy. **Status: Ongoing.**
2. Administrative Services will promote commercial/industrial recycling through the conduct

of waste audits and through an aggressive construction/demolition debris program. **Status: Ongoing.**

3. Administrative Services will work with Stop-waste and Republic Services on additional strategies for reducing the City's waste disposal figure, including adding commercial organics collection services. **Status: Ongoing.**

STRATEGY V-F

Participate in regional and sub-regional collaborative efforts.

ACTION PLAN

1. Public Works will continue collaborative work with Fremont, Union City, Alameda County Water District, and Union Sanitary District on the Southern Alameda County GIS Consortium and develop new common layers/data. **Status: Ongoing.**
2. Community Development will participate in the Technical Advisory Committee (TAC) and the Finance Advisory Committee (FAC) which provides support to the AC Transit Policy Advisory Committee (PAC). **Status: Ongoing.**
3. Public Works will continue to participate in the Alameda County Climate Protection Project. **Status: Ongoing.**

STRATEGY V-G

Provide a safe and effective work environment that engages each employee to perform at an optimal level of service.

ACTION PLAN

1. The City Manager will conduct a minimum of two management meetings per year to discuss issues related to City operations and future plans. **Status: Ongoing.**
2. The City Manager and Executive Team will annually review the organization structure and



make adjustments in the workforce as needed to meet service level demands. *Status: Ongoing.*

3. The Executive Team will meet annually to evaluate operations and review City finances and strategic action plans, to ensure efficient operation of the City in meeting increasing service demands. *Status: Ongoing.*

4. The Executive Team and Human Resources will foster a positive work environment that recognizes and rewards employee achievement and excellence with such programs as PRIDE, Annual Service Awards, and Employee of the Year. *Status: Ongoing.*

5. Human Resources, in coordination with departments, will provide a citywide training program to ensure compliance with state and federal requirements. *Status: Ongoing.*

6. Human Resources will serve as a resource to managers and supervisors, whereby employment and labor related policies, processes, and procedures are administered with fairness and equity, balancing the need for compliance within a framework of flexibility. *Status: Ongoing.*

7. Human Resources will communicate timely and relevant information to all employees, departments and labor groups to provide effective, credible, and consistent information and assistance. *Status: Ongoing.*

8. Human Resources will participate in the Risk Management Program and Committee to proactively implement best practices in risk management and workers compensation and to utilize data to measure program effectiveness. *Status: Ongoing.*

9. Human Resources will review and update the Illness & Injury Prevention Plan as needed. *Status: Ongoing.*

10. Human Resources will meet and promote OSHA standards for safe work practices. *Status: Ongoing.*

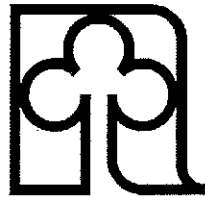
11. Human Resources will devise, develop, and implement effective recruitment and selection processes, classification and compensation analysis and planning, employee benefits, and services and compensation for injured workers. *Status: Ongoing.*

12. The Executive Team and Human Resources will provide career ladders and opportunities for growth and promote and support succession planning in departments. *Status: Ongoing.*

13. Human Resources will establish and maintain tools and resources for departments to provide timely, accurate, and relevant performance evaluations to promote career development and recognize and encourage employee achievement. *Status: Ongoing.*

14. Human Resources will communicate transparently with employees to promote an understanding of City work dynamics, trends, policies, processes and procedures with concern and care for the employee as an individual, and as a member of the Citywide team. *Status: Ongoing.*

15. Human Resources will develop and implement a citywide employee wellness program that facilitates activities to promote healthier lifestyles including exercise, healthy diet, and nutrition. *Status: Ongoing.*





GLOSSARY

REVENUE SOURCE DEFINITIONS

Over 50 different ongoing revenue sources finance the services provided by the City. These revenue sources are broken into seven categories. Below are brief explanations of each category and revenue source. Following the revenue source explanations are definitions of terms used in this Five-Year Forecast.

CHARGES FOR CURRENT SERVICES

These charges are commonly known as user fees. These are different from taxes in that the fees are paid directly by the party benefiting from the service. For example, residents pay a fee to participate in the softball program.

Art in Public Places Fee. Charged to residential and commercial/industrial developments and construction projects that add over 10,000 square feet of space or that are located along major arterials as indicated in the General Plan map. The fees collected are used for the creation of artworks in public places and private development in a manner to offset the impacts of urban development.

Development Impact Fee. Charges assessed to new residential, commercial, and industrial developers to be used for specific public safety, transportation, community development, and housing projects.

Environmental Protection Fee. (also known as Urban Run-Off Clean Water Fee). Charged to all parcels in the City and collected through the County tax rolls. This fee covers the City's costs to minimize

storm water runoff pollution into San Francisco Bay. This is a mandated State and Federal program.

Maintenance Fee. Charged for street barricading, sign removal from public right-of-way, and for Neighborhood Watch Program signs.

Microfilming Fee. Charges associated with the issuance of building permits. Fees are based on the conversion costs and quantity of plans and documents to be microfilmed.

Park Impact Fee. Charged for new dwelling units. The park impact fee was updated in 2013 with a Parks Impact Fee Study which established the reasonable relationship between the parks fee and the purpose of the fee.

Plan Checking Fee. Charged for staff review of plans and field inspections for subdivision construction.

Public Safety Fee. Charges for hazardous materials permits, hazardous materials responses, fire permits, etc. (Fire) and for responding to excessive false alarms, expenses related to cases involving driving under the influence, towing administration, etc. (Police).

Recreation - Child Care Activity Fee. Charged to Licensed Child Care Program participants in order to recover part of the cost of providing specific services offered at the Community Center.

Recreation - Community Center Building Rental Fee. Charges for the use of the Community Center, including wedding receptions, family parties, and community fundraisers.



Recreation - General Community & Human Services. Revenue generated from fee charges generated from a variety of community and human services programs and activity fees in order to recover the cost of providing specific services.

Recreation - General Recreation Services. Revenue generated from fee charges from sports and physical fitness programs and activity fees in order to recover the costs of providing specific services. The City also receives fees from Activities Guide advertising.

Recreation - General Senior Center Activity. Revenue generated to partially offset programming costs for Newark's senior community, including a variety of classes in the arts, home safety, fitness, wellness, computer training, language, excursions, and many other activities.

Recreation - General Teen & Youth Activity. Revenue generated from a variety of youth and teen program fees to recover the costs of providing specific services.

Recreation - Preschool Activity. Revenue generated from Preschool Program fees in order to recover the cost of providing specific services at the Silliman Activity Center.

Recreation - Silliman Activity Users Fee. Revenue generated from a variety of admission fees for the use of the Silliman Activity Center.

Recreation - Silliman Facility Rentals. Revenue generated from rental fee charges for the use of the Silliman Activity Center's gymnasium and community meeting room.

Recreation - Silliman Family Aquatic Center Concessions. This revenue is generated by food and beverage sales for the convenience of customers while utilizing the amenities, programs, and

services available at the Silliman Activity Center.

Recreation - Silliman Family Aquatic Center Programs. This revenue is generated from fee charges for aquatic related programs such as swim lessons, aquatic exercise classes, birthday party packages, family special events, lifeguard certification courses, and camps. Revenue is collected to offset operational and maintenance costs associated with the Aquatic Center.

Sale of Maps & Publications. Revenue derived from charges for the cost of photocopying public documents.

Stormwater Quality Control Plan Review and Inspection Fee. Charges based on project size for staff review and field inspections of developers' plans and measures designed to minimize pollution of storm water due to construction activities.

Street Tree Fee. Charge to developers for maintaining City-planted trees for a period of three years. Revenues collected for damages to City trees caused by vehicular accident are included here.

Weed Abatement Fee. Charges for staff time and contract services for the annual weed abatement program.

Zoning Fee. Charges for discretionary land use reviews completed by an administrative process or through Planning Commission and City Council review.



FINES AND FORFEITURES

Revenues resulting from regulatory or legal action that are punitive in nature and designed to discourage certain behaviors.

Court Fines. The City's apportionment of court fines collected and remitted by the County.

Vehicle Code Fines. The City's apportionment of fines and forfeitures collected by the County. These fines and forfeitures result from violations of the State Vehicle Code.

LICENSES AND PERMITS

The City grants licenses and permits to allow businesses or residents to engage in certain activities. This revenue helps to offset the costs of enforcing the City's regulations.

Animal Licenses. Ownership or possession of a dog requires the purchase of a dog license.

Business Licenses and Registration. License and registration are required for all businesses operating in the City. A majority of businesses consist of commercial enterprises and professionals whose business license fees are based on gross receipts.

Construction (Building) Permits. Fee for the procurement of building permits that are required for construction projects. The fee are based on the specific nature of the project.

Encroachment (Street) Permits. Fee for staff review of the plans and field inspections for work in the public right-of-way performed under an encroachment permit.

Other Licenses and Permits. Fees charged for licenses and permits not identified else-

where. Examples include fees for alarm or dance permits.

PROPERTY TAXES

California State Constitution Article XIII A provides that the combined maximum property tax rate on any given property may not exceed 1% of its assessed value, unless an additional amount has been approved by voters. The County of Alameda assesses properties, bills, and collects these property taxes. The City's share, including all penalties and interest, is remitted by the County.

The two major categories of property tax include:

- **Secured.** A property tax that is levied on real property. Real property is immobile and includes land, natural resources, and fixed improvements to the land.
- **Unsecured.** A property tax that is levied on personal property. Personal property is mobile and includes such tangible property as equipment and inventory.

REVENUE FROM OTHER AGENCIES

The Federal government, State of California, and Alameda County all provide revenue to the City for specific programs.

Federal and State Grants. Funding or contribution by Federal and State governments to support a particular program or function.

Gasoline Tax. Gas tax revenues provided by Sections 2105, 2106, 2107, and 2107.5 of the State of California's Streets and Highways Code. These revenues are expended for construction and maintenance of City streets.



Homeowners Relief. Replacement revenue of homeowners' property taxes by reason of exemption granted, as remitted by the State of California through Alameda County.

Vehicle In-Lieu. Prior to the 2004 Budget Act, this revenue was backfilled from the State's general fund. In November 2004, Proposition 1A was passed that eliminated the Vehicle License Fee backfill and replaced it dollar-for-dollar with property taxes. This revenue source will increase by the same percentage as the property tax assessed valuation.

REVENUE FROM USE OF MONEY AND PROPERTY

The City's money and property can grow in value when not being used for other purposes.

Investment Earnings. A revenue source resulting in the investment of temporary idle funds in interest-bearing accounts. The City has been investing these funds in the State of California's Local Agency Investment Fund, which is a professionally managed fund overseen by the State Treasurer's Office.

SALES AND OTHER TAXES

These taxes are economically sensitive and revenue generated from them is used to support basic City-delivered services.

Franchise Tax. A tax that is usually levied on utility companies for their use of City streets (right-of-way) or for their exclusive franchise to provide services to residents.

Newark imposes a 1% tax on the gross receipts from Pacific Gas and Electric Company; a 20% tax on the gross receipts from Republic Services (from both residential and nonresidential customers); a 5% tax on the gross receipts of the cable television franchise; and an annual franchise fee of approximately \$6,000 on the gas pipeline that runs through Newark.

Property Transfer Tax. This tax is levied at a rate of \$1.10 per \$1,000 of equity value transferred at the time of sale. Alameda County collects the tax and the City receives one-half. Revenues are dependent on how frequently the property is transferred and on the accrued value at the time of the transfer.

Sales and Use Tax. A 9.5% sales tax levied against the gross sales price of most tangible property other than property sold for resale. Newark receives 1%, with the remaining 8.5% allocated to other agencies that include the State of California, County of Alameda, Bay Area Rapid Transit, and Alameda County Transit.

Transient Occupancy Tax. A 10% tax is levied on charges for occupancy of hotel and motel rooms. This tax compensates the City for indirect costs created by visitors, such as increased pollution and congestion. This tax is borne almost exclusively by nonresidents.

Utility User Tax. A 3.25% tax was levied on electricity, natural gas, cable television, and phone services effective January 1, 2016. This is a General Fund revenue.



TERM DEFINITIONS

Below are brief definitions of terms used in this year's Five-Year Forecast. A more detailed explanation of revenue sources can be found in the previous section.

ACTION PLANS

Originally developed by City staff to address the Key Issues identified in "Five-Year Forecast 1994-1999" within the context of the City's Vision and Mission statements. Action Plans are now developed to address Critical Issues and Strategies and updated with each Five-Year Forecast.

ASSOCIATION OF BAY AREA GOVERNMENTS (ABAG)

A regional planning agency consisting of the nine Bay Area counties and cities within those counties.

BIENNIAL BUDGET

A financial plan applicable to two consecutive fiscal years.

BUDGET PLAN

A list of actions approved by the City Council that provides direction for preparing the Biennial Budget. The Budget Plan is articulated in the Strategic and Budget Plans section.

CAPITAL IMPROVEMENT PLAN (CIP)

A document that lists potential capital projects by ranking, funding availability, and estimated cost.

CAPITAL PROJECTS FUND

A capital improvement, as identified in the Capital Improvement Plan, which requires a

significant financial commitment above the City's Operating Budget, and can exceed more than one fiscal year.

CHAMBER OF COMMERCE

Largest business association in the City that provides service and opportunities to all types and sizes of companies, including networking and promotion.

CITY COUNCIL

The City's policy and decision-making board comprised of a Mayor and four Council Members. The Mayor is elected to two-year terms and Council Members to four-year terms.

CONDITIONAL USE PERMIT (CUP)

Pursuant to the Zoning Ordinance, a conditional use permit (CUP) may authorize uses not routinely allowed on a particular site.

CRITICAL ISSUES AND STRATEGIES

Critical Issues are fundamental challenges facing Newark. Strategies are the plans, programs, processes, or projects used to address them.

CULTURE STATEMENT

Description of attributes, behaviors, emphases, and skills that the ideal City of Newark will have in managing its daily business and in conducting its relationships with all of its customers.

DUMBARTON COMMUTER RAIL SYSTEM

The Dumbarton Rail Corridor Project will extend commuter rail service across the South Bay between the Peninsula and the



East Bay. The service will link Caltrain, the Altamont Express, Amtrak's Capitol Corridor, and BART, as well as East Bay bus systems at a multi-modal transit center in Union City.

DUMBARTON TRANSIT ORIENTED DEVELOPMENT

An approximately 200 acre area centered around Willow Street and Enterprise Drive. It is an area proposed for a transit and pedestrian friendly residential development of up to 2,500 homes with supportive retail and commercial sites. The previously referred to as Area 2.

ENTERPRISE FUND

Enterprise fund is used to account for operations that are financed and operated in a manner similar to private business. The cost of providing goods or services to the general public on a continuing basis is financed or recovered primarily through user fees or charges.

EXECUTIVE TEAM

Comprised of the City Manager, City Attorney, Assistant City Manager, Administrative Services Director, Fire Chief (Alameda County Fire Department contract), Human Resources Director, Police Chief, Public Works Director, and Recreation and Community Services Director.

FISCAL YEAR

A 12-month period which applies to the Biennial Budget; for Newark, this is July 1 through June 30.

FIVE-YEAR FORECAST

A document which discusses various economic and developmental concerns that the City may have to address over a five-

year period in order to provide adequate service levels and capital projects.

FLEXIBLE HIRING FREEZE

Vacant positions are frozen and are only filled on a case by case basis after a determination is made of absolute need and necessity.

FUND

A fund is a tool that accountants use to segregate resources related to specific activities.

GENERAL FUND

A fund that accounts for all financial resources necessary to carry out basic governmental activities of the City that are not accounted for in another fund. The General Fund supports essential City services such as police and fire protection, community promotion, general government, and management services. Revenues to support the General Fund are derived from sources such as property tax, sales tax, franchise fees, and service fees.

GENERAL PLAN

The Newark General Plan is a general, yet comprehensive, integrated, and internally consistent statement of the goals, policies, and programs that will guide future growth and change within the City over a twenty year period. The General Plan was updated in 2013.

GEOGRAPHICAL INFORMATION SYSTEM (GIS)

A system capable of integrating, storing, editing, analyzing, sharing, and displaying geographically referenced information.



GREEN ECONOMY

A rapidly growing billion-dollar sector that includes renewable energy sources, organic produce and products, green buildings, alternative fuel vehicles, etc.

GROSS DOMESTIC PRODUCT (GDP)

The total market value of all final goods and services produced within a given country in a given period of time (usually a calendar year).

HOUSING ELEMENT

One of seven state-mandated "elements" (topics) of the City's General Plan. It identifies housing needs for current and future residents of all income levels. It contains the City's strategy for addressing housing needs, particularly for affordable housing.

INFLATION

A rise in the general level of prices over time. This may also refer to a rise in the prices of a specific set of goods or services. In either case, it is measured as the percentage rate of change of a price index. A widely known index for which inflation rates are reported is the Consumer Price Index (CPI), which measures consumer prices.

JPA

The California Government Code allows two or more local public entities to form a Joint Powers Authority (JPA) to mutually address a common issue.

MASTER FEE SCHEDULE

Adopted annually by the City Council, this schedule provides for City fees designed to cover or offset the costs of

providing selected services to individuals, groups, or business entities.

MISSION STATEMENT

The Executive Team's description of the City organization's purpose and reason for existence.

NONFARM PAYROLL EMPLOYMENT

Represents the number of jobs added or lost in the economy over the last month, not including jobs related to the farming industry. The farming industry is not included because of its seasonal hiring, which would distort the number around harvest times (as farms add workers, then release them after the harvest is complete).

NONRESIDENTIAL LINKAGE FEE

Fee required from new commercial and industrial development to offset the impacts of this new development on affordable housing. See Section 17.18.080 of the Newark Municipal Code.

OHLONE COLLEGE NEWARK CENTER

The Ohlone College Newark Center for Technology and Health Sciences (OCNC) is home to academic groups that include Business & Technology, Exercise Science & Wellness, Health Sciences, Learning Resource Center, Science & Environmental Science, and General Education.

OPERATING BUDGET

Current planned expenditures and the proposed source of funds to finance them. The Operating Budget is a financial plan that provides for service delivery activities and support functions.



OSHA

Occupational Safety and Health Administration (OSHA) is the main federal agency charged with the enforcement of safety and health legislation.

PUBLIC EMPLOYEES' RETIREMENT SYSTEM (PERS)

PERS is an agency that manages pension and health benefits for current and retired public employees and their families.

PERSONAL INCOME

An individual's total earnings based on wages, investment enterprises, and other ventures.

PRIDE STATEMENT

A statement of the values identified by City employees in bringing the highest quality services to the community.

PROPERTY TAX

A tax set upon the assessed value of real property.

RESERVE

Funds that have not been appropriated, but have been set aside for a specific purpose.

RISK MANAGEMENT COMMITTEE

The Risk Management Committee (RMC) is comprised of City employees from every department. The RMC provides leadership and coordination for meeting the City's safety and risk management goals for both general liability and workers' compensation claims.

SALES TAX

A tax, currently 9.5%, based upon gross sales receipts of taxable items.

SOUTHWEST NEWARK RESIDENTIAL AND RECREATIONAL PROJECT

This area is approximately 640 acres located in the far southwest portion of Newark. It is proposed to be developed as a high-end residential development, a school site, parks/open space, and an 18-hole golf course of other recreational amenity. It is to contain up to 1,260 detached homes. The area is sometimes referred to as Areas 3 and 4.

STRATEGIC PLAN

A plan to identify community needs and to determine the best method of responding to those needs through service delivery and measurement.

SUBPRIME MORTGAGE

Mortgage loans that do not meet Fannie Mae or Freddie Mac guidelines. A subprime mortgage is offered at a higher rate than prime mortgage loans due to perceived increased risk. Subprime mortgage loans are riskier loans in that they are made to borrowers unable to qualify under traditional, more stringent criteria due to a limited or blemished credit history. Subprime mortgage loans have a much higher rate of default and are priced based on the risk assumed by the lender.

TRANSIENT OCCUPANCY TAX (TOT)

A tax imposed on hotel/motel occupants; the City's current tax rate is 10%.



UNALLOCATED FUND BALANCE

Funds that have not been appropriated, identified as reserves, or legally identified for a specific purpose.

UTILITY USERS TAX (UUT)

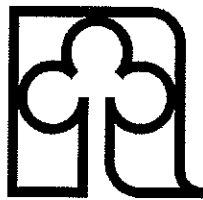
A 3.25% tax was levied on electricity, natural gas, cable television, and phone services effective January 1, 2016 and was approved by voters as Measure Y in 2014.

VALUES STATEMENT

See PRIDE Statement.

VISION STATEMENT

The City Council's description of the ideal Newark. The organization's policies, resources, and efforts are directed toward achieving this Vision.



F.5 Update on the 2016-2018 Capital Improvement Plan – from Public Works Director Fajeau. (INFORMATIONAL ONLY)

Background/Discussion – On February 11, 2016, the City Council conducted a study session for the upcoming Capital Improvement Plan (CIP) as part of the 2016-2018 Biennial Budget review process. During this study session staff presented an overview of the CIP development process, recommendations for modifications to the project selection methodology, a summary of the City’s primary funding sources, and a list of projects recommended for funding. This item is intended as an interim update to the CIP in advance of the next budget work session scheduled for May 19, 2016.

As noted during the February study session, staff evaluated the projects submitted during the initial call for projects and established a list of recommended projects to be funded based on a revised selection methodology that includes new project prioritization criteria. This new criteria is in addition to consideration of projects based on established critical issues, available funding sources, and staffing and maintenance impacts. There are three proposed priority levels, defined as follows:

1. Priority Level 1. Priority Level 1 projects are considered mandatory. These projects are of the highest priority and must be completed for one of the following reasons:
 - A. Satisfy a Legal or Regulatory Requirement
 - B. Address a Critical Safety Need
 - C. Preserve Existing Public Assets/Infrastructure

2. Priority Level 2. Priority Level 2 projects are considered necessary and include the following categories:
 - A. City Council Consensus Priority
 - B. Matching Requirements for Outside Funding
 - C. Necessary Service Level Increase
 - D. Feasibility Studies and Master Plans
 - E. Final Phase of a Project

3. Priority Level 3. Priority Level 3 projects are desirable, but do not meet Level 1 or Level 2 criteria and include the following:
 - A. Aesthetic Improvements
 - B. All other projects

The City’s primary funding source categories include Capital Funds, Gas Tax Funds, Outside Grants, and Local Fees. Capital Funds are unrestricted local funds that are controlled by the City and originate from surpluses in the City’s operating budget. Capital funds can be used for any type of project. With budget transfers and project reimbursement funds, staff is projecting a

Capital Fund starting balance of \$7,600,000 on July 1, 2016. The Gas Tax category of funds includes State Highway Users Tax funds and direct distributions of Measure B, Measure BB, and Measure F (Vehicle Registration Fee) funds through the Alameda County Transportation Commission. This funding is used only for maintenance and improvements within the public right-of-way. Staff is anticipating approximately \$1,730,000 in available gas tax funding in 2016-2017 and \$1,830,000 in 2017-2018. The City also applies for outside grant funding from a variety of sources on a regular basis and has several local fee fund sources available for certain types of projects.

As part of the call for projects for the 2016-2018 CIP, a total of 65 proposed projects were submitted for a total cost of about \$86,000,000. Based on the revised recommended project prioritization criteria and available funding, staff recommended during the February study session that a total of 58 projects be funded at a total cost of just over \$6,000,000.

A majority of the recommended projects were submitted by the Public Works Department and include on-going projects to provide a minimum level of investment for pavement, sidewalk, street tree, buildings, and park maintenance. These projects are necessary to ensure continued preservation of the City's assets and represent 20 total projects and approximately \$2,100,000 over each of the next two years.

In addition to the on-going maintenance projects, staff recommended seven (7) other projects deemed as Priority Level 1 to satisfy legal/regulatory, safety, or asset preservation needs, as follows:

<u>Additional Priority Level 1 Projects</u>	<u>Estimated Cost</u>
1. Silliman Center Pool Air Handler #1 Replacement	\$ 250,000
2. Silliman Center Light Control Board	\$ 50,000
3. Silliman Center Phase I HVAC Unit Replacements	\$ 275,000
4. Citywide HVAC Replacements	\$ 150,000
5. Silliman Center Pool Heater (3) Replacements	\$ 120,000
6. Citywide Speed Survey	\$ 45,000
7. Email Message Archiving	\$ 15,000

During the February study session, staff also recommended a total of eleven (11) Priority Level 2 projects for funding. Among these projects was a recommendation to fund the Citywide Park Master Plan in 2016-2017. The City's existing individual park master plans are outdated and there is significant interest from the community on a variety of unfunded park projects from the current 2014-2016 CIP. Citing the need for a comprehensive planning process to identify, assess, prioritize all of the recreational needs of the community, and to help guide future investment, the City Council directed staff to begin this master plan process immediately. Staff has since reviewed several Requests for Qualifications and is scheduled to recommend an award of an agreement to the most qualified firm at an upcoming City Council meeting. This would require a budget amendment for the current fiscal year and would allow for removal of the Citywide Parks

Master Plan from the 2016-2018 CIP. The revised recommended list for Priority Level 2 projects would therefore be as follows:

<u>Additional Priority Level 1 Projects</u>	<u>Estimated Cost</u>
1. Old Town Priority Development Area Specific Plan & Development Strategy	\$ 160,000
2. Silliman Center (II) Automatic Doors	\$ 25,000
3. Lakeshore Park Landscape Restoration	\$ 255,000
4. Patrol Annex Work Station Upgrades	\$ 50,000
5. Large Computer Monitors for Plan Review	\$ 6,000
6. New Vehicles for Building (2) and Engineering (1)	\$ 90,000
7. Trailer for Large Riding Mower	\$ 15,000
8. Silliman Center (II) Variable Frequency Drive Unit	\$ 45,000
9. Slit-Seeder Tractor Implement	\$ 20,000
10. Lawn Aerator Tractor Implement	\$ 14,000

With this revision, there are 57 recommended projects for the 2016-2018 CIP, at a total cost of approximately \$5,750,000.

The remaining major steps for the 2016-2018 Capital Improvement Plan include completion of the draft CIP document in April, Planning Commission review for conformance with the General Plan in early May, a City Council Biennial Budget and CIP Study Session in May, and recommended City Council approval of the Biennial Budget and CIP in June.

Action – This item is informational only.

F.6 Approval of specifications, acceptance of proposal and award of contract to SWA Services Group, Inc., and amendment to the 2014-2016 Biennial Budget and Capital Improvement Plan for Fiscal Year 2015-2016 for Janitorial Services to City Buildings – from Maintenance Supervisor Connolly. (MOTION)(RESOLUTIONS-2)

Background/Discussion – The City’s current janitorial services contract expires on April 30, 2016. In response to a release of a Request for Proposals (RFP) for janitorial services to City buildings, a total of four (4) proposals were received on March 17, 2016. The prescribed scope of work requests services similar to the current janitorial contract, with an expectation of a higher level of performance. The proposals each included an itemized breakdown of hours and cost to clean and service City buildings.

Out of the four responses to the RFP, two finalists, Nova Commercial Group, Inc. (Nova) and SWA Services Group, Inc. (SWA), best met established criteria and were selected to be interviewed based on their respective proposals. The base bid, periodicals (or specialty cleaning) estimate, and total estimate were as follows for these two finalists:

Company	Base Bid	Periodicals	Total
Nova Commercial Group, Inc.	\$259,963.44	\$24,888.20	\$284,851.64
SWA Services Group, Inc.	\$293,382.65	\$31,090.37	\$324,473.02

Below are the historical and current contractual pricing for the base bid and periodical cleaning over the last nine years:

- 2007 – 2010 \$361,624 per year
- 2010 – 2013 \$275,826 per year
- 2013 – 2016 \$274,205 per year

In 2010 due to recessionary cutbacks, the City reduced janitorial services at all locations. This included less frequent cleaning, performance of only baseline periodicals, and implementation of a significantly reduced level of service to meet budgetary restrictions.

Currently, staff is finding that the reduced service level is not in line with the level of service required by our patrons. While pricing is a strong consideration, there are other factors that must be evaluated in the selection of the best service provider for the City. The total service hours, proposed methodology, quality control program, experience of staff, experience of management team, financial stability of company, quality of referenced work, and quality of equipment, tools, and uniforms, are all key factors in the selection process.

SWA prepared a more comprehensive proposal and presentation on how they would improve the base level of service to City buildings by increasing overall service hours, providing a higher level of quality control, and utilizing newer and more efficient equipment. In addition, SWA has a more comprehensive safety program for employees and a log in system to ensure tasks are completed nightly.

Staff performed site visits to facilities currently serviced by the two finalists. Overall, staff found that the facilities serviced by SWA were more in line with our anticipated level of service and the City's future needs. Currently SWA holds contracts for several similar accounts including the City of Mountain View, YMCA of Silicon Valley, and Bay Area Air Quality Management District.

After the interview process, staff recommends SWA Services Group, Inc., be awarded the contract for Janitorial Services. The 2014-2016 Biennial Budget and Capital Improvement Plan does not include sufficient funds for the remaining two months of the 2015-2016 fiscal year. Staff is recommending a \$10,000 budget amendment for janitorial services.

Attachment

Action - It is recommended that the City Council, by motion, approve the specifications, and by resolutions: (1) accept the proposal and award the contract to SWA Services Group, Inc., and (2) amend the 2014-2016 Biennial Budget and Capital Improvement Plan for Fiscal Year 2015-2016 for janitorial services to City buildings.

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWARK ACCEPTING THE PROPOSAL AND AWARDING THE CONTRACT TO SWA SERVICES GROUP, INC., FOR JANITORIAL SERVICES TO CITY BUILDINGS.

BE IT RESOLVED that the City Council of the City of Newark does hereby find SWA Services Group, Inc., was the most responsible bidder for Janitorial Services to City Buildings, in the City of Newark;

BE IT FURTHER RESOLVED that the City Council does hereby accept said proposal of said company and does hereby authorize the Mayor of the City of Newark to sign an agreement with said company for Janitorial Services to City Buildings, according to the specifications, and terms of said proposal.

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
NEWARK AMENDING THE 2014-2016 BIENNIAL BUDGET
AND CAPITAL IMPROVEMENT PLAN FOR FISCAL YEAR
2015-2016 FOR JANITORIAL SERVICES TO CITY
BUILDINGS

BE IT RESOLVED that the City Council of the City of Newark that the certain document entitled "2014-2016 Biennial Budget" was adopted by Resolution No. 10235 on June 12, 2014, and is hereby amended as follows:

Transfer from:

Fund No.	Unallocated Reserves	Amount
709	2991	\$10,000

Transfer to:

Fund No.	Activity/Account No.	Amount
709	9410/5251	\$10,000

G.1 Claim of Steve Barrett – from City Clerk Harrington.

(MOTION)

Background/Discussion – On March 10, 2016, the City received a claim from Steve Barrett in the amount of \$4,759 alleging damage to his car when a City tree branch fell on it.

The claim and all relevant information were forwarded to ABAG Plan, the City's insurance administrator, who recommends that it be denied.

Attachment – None

Action - It is recommended that the City Council, by motion, deny the claim and authorize staff to inform the claimant of such denial.

J.1 Reappointing Senior Citizen Standing Advisory Committee members - from Mayor Nagy. (RESOLUTION)

Background/Discussion – Five of the Newark Senior Citizen Standing Advisory Committee (Committee) members have terms that expire in April. Committee members Faye Hall, Rick Arellano, Sandra Arellano, Elwood Ballard, and Dolores Powell have each submitted a letter requesting reappointment for a two year term.

Attachment

Action - It is recommended that the City Council, by resolution, reappoint Faye Hall, Rick Arellano, Sandra Arellano, Elwood Ballard, and Dolores Powell to the Senior Citizen Standing Advisory Committee.

RESOLUTION NO. 10264

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
NEWARK APPROVING THE REAPPOINTMENTS OF FAYE
HALL, RICK ARELLANO, SANDRA ARELLANO, ELWOOD
BALLARD, AND DOLORES POWELL TO THE SENIOR
CITIZEN STANDING ADVISORY COMMITTEE

WHEREAS, the appointments of Faye Hall, Rick Arellano, Sandra Arellano, Elwood Ballard, and Dolores Powell to the Senior Citizen Standing Advisory Committee will expire on April 14, 2016; and

WHEREAS, the Mayor of the City of Newark has reappointed Faye Hall, Rick Arellano, Sandra Arellano, Elwood Ballard, and Dolores Powell to the Senior Citizen Standing Advisory Committee for terms expiring April 14, 2018;

NOW, THEREFORE, BE IT RESOLVED that said appointments are hereby approved by the City Council of the City of Newark.



City of Newark

MEMO

DATE: April 4, 2016

TO: City Council

FROM: Sheila Harrington, City Clerk, *SH*

SUBJECT: Approval of Audited Demands for the City Council Meeting of April 14, 2016.

REGISTER OF AUDITED DEMANDS

Bank of America General Checking Account

<u>Check Date</u>		<u>Check Numbers</u>	
March 18, 2016	Page 1-2	107350 to 107418	Inclusive
March 25, 2016	Page 1-2	107419 to 107484	Inclusive
April 01, 2016	Page 1-2	107485 to 107544	Inclusive



City of Newark

MEMO

DATE: April 4, 2016

TO: Sheila Harrington, City Clerk

FROM: Susie Woodstock, Administrative Services Director *A. H. Ford-W.*

SUBJECT: Approval of Audited Demands for the City Council Meeting of April 14, 2016.

The attached list of Audited Demands is accurate and there are sufficient funds for payment.

1

Final Disbursement List. Check Date 03/18/16, Due Date 03/28/16, Discount Date 03/28/16. Computer Checks.
 Bank 1601 BANK OF AMERICA

MICR Check#	Vendor Number	Payee	Check Date	Check Amount	Description
107350	1396	ALAMEDA COUNTY FIRE DEPARTMENT ATTN: ACC	03/18/16	744,287.50	FIRE SERVICES
107351	14	ALPINE AWARDS	03/18/16	989.56	INFUSER BOTTLES FOR WELLNESS PROGRAM
107352	9928	KATRINA ARMSTRONG	03/18/16	13.61	MILEAGE REIMBURSEMENT
107353	348	AT&T	03/18/16	403.20	ANNUAL TELECOM FY2015-16
107354	180	BRUCE BARTON PUMP SERVICE INC	03/18/16	2,758.72	PO NEEDED FOR PUMP @ SILLIMAN
107355	8137	BAVCO BACKFLOW APPARATUS & VALVE CO	03/18/16	1,066.58	SALES TAX DUE ON INV# 744963
107356	4534	BAY AREA BARRICADE SERVICE INC	03/18/16	2,124.30	STREET NAME SIGNS
107357	9680	BAY CENTRAL PRINTING	03/18/16	70.23	BUSINESS CARDS
107358	3046	BEELINE GLASS CO INC	03/18/16	692.85	AUTO GLASS REPAIR
107359	11002	JENNIFER BLOOM	03/18/16	1,028.66	NON-POST TRAINING
107360	4388	CAPTURE TECHNOLOGIES INC ATTN: ACOUNTS R	03/18/16	1,842.35	HD UPGRADE FOR PD CAMERA SERVER
107361	10845	CEB ATTN: ACCOUNTS RECEIVABLE	03/18/16	1,156.23	LEGAL LIBRARY RESOURCES
107362	458	CHEVRON AND TEXACO BUSINESS CARD SERVICE	03/18/16	1,021.96	FY15-16 FUEL CHARGES
107363	1109	CAPITAL ONE COMMERCIAL	03/18/16	436.38	SUPPLIES
107364	6495	COVANTA ENERGY, LLC	03/18/16	1,185.63	EVIDENCE DESTRUCTION
107365	10650	ELIZABETH BASCO	03/18/16	14.50	DOG LICENSE DISCOUNT
107366	10650	COASTER CO. OF AMERICA ATTN: ELLAINE HUM	03/18/16	5,960.35	BUSINESS LICENSE REIMBURSEMENT
107367	10793	MARVIE BIAGTAN	03/18/16	300.00	RENTAL DEPOSIT REFUND
107368	10793	VANESSA JONES	03/18/16	100.00	DEPOSIT REFUND
107369	10677	DAILY JOURNAL CORPORATION CALIFORNIA NEW	03/18/16	125.00	PH NOTICES
107370	10794	DUKE DE LEON	03/18/16	630.00	VIDEO RECORDING SERVICES
107371	3728	DEPARTMENT OF JUSTICE ACCOUNTING OFFICE	03/18/16	407.00	ANNUAL PO FOR FINGERPRINTING FEES
107372	10926	DIGITAL ENGINEERING SYSTEMS	03/18/16	405.00	REPAIRS TO PLOTTER
107373	310	EQUIFAX INFORMATION SVCS LLC	03/18/16	51.26	ANNUAL PO FOR CREDIT REPORTS
107374	10642	FASTENAL COMPANY	03/18/16	9.11	SOCKET
107375	5259	FOLSOM LAKE FORD	03/18/16	119,772.33	(3) FORD INTERCEPTORS REPLACEMENT VEHICL
107376	234	FREMONT ALARM C/O JOE TRIMBLE	03/18/16	953.48	ALARM EQUIPMENT/TRAINING
107377	60	FREMONT FORD/AUTOBODY OF FREMONT ATTN: P	03/18/16	171.00	FY15-16 FORD PARTS
107378	2215	FREMONT WHEEL & BRAKE	03/18/16	80.00	FY15-16 ALIGNEMENTS
107379	167	HARRIS COMPUTER SYSTEMS	03/18/16	3,078.36	SELECT FINANCE SYSTEM MAINTENANCE FY2015
107380	4845	HINDERLITTE DELLAMAS & ASSOCIATES	03/18/16	12,303.78	SALES TAX CONSULTING/AUDIT SVCS
107381	7311	INTERNATIONAL CODE COUNCIL, INC	03/18/16	1,208.77	2013 CA CODE BOOKS FOR KEN
107382	11365	IRONHORSE VET CARE	03/18/16	2,108.28	CANINE PROGRAM
107383	6009	JT2 INTEGRATED RESOURCES CORPORATE ACCOU	03/18/16	3,435.61	ANNUAL PO FOR WORKER'S COMP ADMINISTRATI
107384	7964	KNORR SYSTEMS INC	03/18/16	3,891.29	FY15-16 POOL HEATER REPAIRS/SERVICE
107385	10943	KRONOS INCORPORATED	03/18/16	5,176.36	TELESTAFF ACCESS
107386	11173	MIGUEL LLAMAS	03/18/16	370.00	MECHANICAL BULL RENTAL
107387	80	LYNN PEAVEY COMPANY	03/18/16	131.03	EVIDENCE SUPPLIES
107388	10298	MANAGED HEALTH NETWORK BANK OF AMERICA	03/18/16	367.04	ANNUAL PO FOR CITY EMPLOYEE ASSISTANCE P
107389	11309	MANUEL FERNANDEZ CONSTRUCTION	03/18/16	2,962.00	PAINT PD WRITING REPORT ROOM
107390	11205	MARINA ZEPEDA TRI COUNTY BLDG MAINT	03/18/16	19,982.80	FY15-16 JANITORIAL SERVICES
107391	9029	MEYERS NAVE RIBACK SILVER & WILSON	03/18/16	412.50	LEGAL CONSULTING
107392	611	KKR AUTOMOTIVE DBA NAPA AUTO PARTS	03/18/16	2,619.80	USED OIL KITS FOR FAMILY DAY
107393	11089	NEWPARK AUTO SERVICE	03/18/16	783.74	AC REPAIR
107394	10091	NOWDOCS INTERNATIONAL, INC NOWFORMS DIVI	03/18/16	181.77	CHECK STOCK/TAX SUPPLIES
107395	11350	P.F. PETTIBONE & CO	03/18/16	627.90	MINUTE BOOK COVERS
107396	349	PACIFIC GAS & ELECTRIC	03/18/16	51.79	FY15-16 STREET/TRAFFIC LIGHT ENERGY COST
107397	3429	PEARSON EQUIPMENT & MAINTENANCE	03/18/16	250.00	UST SERVICE CONTRACT
107398	10580	PEELLE TECHNOLOGIES INC	03/18/16	709.90	PROJECT 884
107399	78	PERFORMANCE PEST MANAGEMENT LPC SERVICES	03/18/16	277.00	FY15-16 PEST MANAGEMENT
107400	329	PHOENIX GROUP INFORMATION SYSTEMS	03/18/16	279.65	PARKING CITATION PROGRAM

CCS.AP Accounts Payable Release 8.3.0 R*APZCKREG*FDL

By BRETT OEVERNDIEK (BRETT0)

Final Disbursement List. Check Date 03/18/16, Due Date 03/28/16, Discount Date 03/28/16. Computer Checks.

Bank 1091 BANK OF AMERICA

MICR Check#	Vendor Number	Payee	Check Date	Check Amount	Description
107401	10891	ADONAI PERAZIM INC. dba PRINTS CHARLES R	03/18/16	159.98	CARDSTOCK PAPER
107402	11234	RAY MORGAN COMPANY	03/18/16	2,916.18	COPIER LEASE AGREEMENT FY15/16
107403	7885	RENNE SLOAN HOLTZMAN SAKAI PUBLIC LAW GR	03/18/16	126.00	ANNUAL PO FOR LEGAL ADVICE
107404	1282	EDDA RIVERA	03/18/16	17.72	MILEAGE REIMBURSEMENT
107405	9381	SCHINDLER ELEVATOR CORPORATION	03/18/16	1,344.00	ELEVATOR REPAIR
107406	377	SIMON & COMPANY INC	03/18/16	1,804.91	LEGISLATIVE SERVICES
107407	2778	STATE OF CALIFORNIA FRANCHISE TAX BOARD	03/18/16	150.00	PAYROLL DEDUCTION - GARNISHMENT
107408	2778	STATE OF CALIFORNIA FRANCHISE TAX BOARD	03/18/16	150.00	PAYROLL DEDUCTION - GARNISHMENT
107409	2778	STATE OF CALIFORNIA FRANCHISE TAX BOARD	03/18/16	440.00	PAYROLL DEDUCTION - GARNISHMENT
107410	10804	STONERIDGE CJD	03/18/16	1,312.16	AUTO REPAIR
107411	1765	TEMPERATURE TECHNOLOGY INC	03/18/16	167.18	TRANSFORMER
107412	5246	TURF STAR INC	03/18/16	996.38	PARTS
107413	363	UNITED STATES POSTMASTER	03/18/16	2,520.00	POSTAGE FOR DISTRIBUTION OF CITY NEWSLET
107414	3446	UNIVERSAL SPECIALTIES INC	03/18/16	273.77	VALVE REPAIR
107415	5623	VERIZON WIRELESS	03/18/16	93.62	GPS TRACKER/IPHONE SVC
107416	5623	AMERICAN MESSAGING	03/18/16	17.13	PAGER SVC
107417	5732	WATERPROOFING ASSOCIATES	03/18/16	627.00	ROOF REPAIR - LIBRARY
107418	5050	WEST COAST ARBORISTS INC	03/18/16	2,200.00	FY15-16 TREE WORK
Total				964,582.19	

1
 Final Disbursement List. Check Date 03/25/16, Due Date 04/04/16, Discount Date 04/04/16. Computer Checks.
 Bank #001 BANK OF AMERICA

MICR Check#	Vendor Number	Payee	Check Date	Check Amount	Description
107419	7922	AARP ATTN ANNETTE PAREDES	03/25/16	30.00	AARP MATURE DRIVING COURSE
107420	10223	LEXISNEXIS RISK SOLUTIONS ACCT# 1415640	03/25/16	428.40	BACKGROUND CHECKS
107421	11094	ACME AUTO LEASING, LLC	03/25/16	1,909.44	ARMORED RESCUE VEH LEASE
107422	332	ADAMSON POLICE PRODUCTS PROFESSIONAL POL	03/25/16	116.54	MISCELLANEOUS PURCHASES
107423	1774	AIRGAS USA, LLC	03/25/16	92.54	FY15-16 WELDING SUPPLIES
107424	1396	ALAMEDA COUNTY FIRE DEPARTMENT ATTN: ACC	03/25/16	11,109.22	FIRE ENGINE REPAIRS/SERVICE
107425	3853	COUNTY OF ALAMEDA INTERNAL AUDIT UNIT RI	03/25/16	2,034.50	CITATION PROCESSING FEES
107426	344	ALAMEDA COUNTY WATER DISTRICT	03/25/16	22,608.31	FY15-16 WATER USAGE
107427	284	INFORMATION TECHNOLOGY DEPARTMENT ATTN:	03/25/16	2,921.41	AWS ACCESS FEES
107428	5821	ALL CITY MANAGEMENT SERVICES, INC	03/25/16	3,099.38	CROSSING GUARD SVCS
107429	12	ALLIED AUTO STORES INC	03/25/16	54.05	AUTO PARTS
107430	411	AIG BENEFIT SOLUTIONS	03/25/16	676.20	ANNUAL PO FOR LIFE INSURANCE PREMIUMS
107431	1347	BAY AREA AIR QUALITY MGMT DIST	03/25/16	298.00	BAAQMD PERMIT
107432	4534	BAY AREA BARRICADE SERVICE INC	03/25/16	2,400.24	TOW FUND PURCHASE
107433	9680	BAY CENTRAL PRINTING	03/25/16	251.85	PRINTING SERVICES
107434	23	FRANK BONETTI PLUMBING INC	03/25/16	204.00	VALVE REPLACEMENT
107435	3681	MATT BREEN	03/25/16	935.95	EXPENSE REIMBURSEMENT
107436	9888	BUREAU VERITAS NORTH AMERICA INC.	03/25/16	7,081.45	BLDG PLAN REVIEW
107437	1513	BURTON'S FIRE INC	03/25/16	30.34	PARTS
107438	4388	CAPTURE TECHNOLOGIES INC ATTN: ACCOUNTS	03/25/16	2,524.99	SECURITY SYSTEM MAINTENANCE
107439	33	CENTRAL TOWING & TRANSPORT LLC	03/25/16	130.00	TOWING SVCS
107440	458	CHEVRON AND TEXACO BUSINESS CARD SERVICE	03/25/16	372.06	FY15-16 FUEL CHARGES
107441	10970	COCA COLA REFRESHMENTS UNION CITY SALES	03/25/16	375.51	CAFE PURCHASES
107442	242	CROP PRODUCTION SERVICES	03/25/16	1,388.46	FY15-16 PESTICIDES
107443	10649	CONESTOGA - ROVERS & ASSOC.	03/25/16	1,000.00	PERFORMANCE BOND RTN EP# 2014-353
107444	10649	EVENFLOW PLUMBING	03/25/16	1,000.00	PERFORMANCE BOND RTN EP# 2014-152
107445	10649	DRAIN DOCTOR, INC.	03/25/16	1,000.00	PERFORMANCE BOND RTN EP# 2015-038
107446	10793	ESTHER ROBERTS	03/25/16	100.00	DEPOSIT REFUND
107447	10793	SAMUEL PAIK	03/25/16	100.00	DEPOSIT REFUND
107448	41	DALE HARDWARE	03/25/16	489.31	PARTS
107449	63	THE GOODYEAR TIRE & RUBBER CO	03/25/16	891.49	TIRES
107450	7183	DEMARAY'S GYMNASTICS ACADEMY	03/25/16	409.50	RECREATION CONTRACT
107451	9511	DWYS LLC DBA RENAISSANCE TOTS, LLC ATTN	03/25/16	241.00	RECREATION CONTRACT
107452	10725	MARICEL AFONSO	03/25/16	1,176.22	EE COMPUTER LOAN PROGRAM
107453	10478	EUGENE'S HOME APPLIANCE SERVICE	03/25/16	291.91	FY15-16 APPLIANCE REPAIR
107454	10642	FASTENAL COMPANY	03/25/16	92.10	FY15-16 MISC BLDG SUPPLIES
107455	522	FEDEX	03/25/16	132.18	MAILING
107456	1120	FORENSIC ANALYTICAL SCIENCES, INC	03/25/16	905.00	LAB TESTS
107457	60	FREMONT FORD/AUTOBODY OF FREMONT ATTN: P	03/25/16	122.00	FY15-16 FORD PARTS
107458	313	FREMONT URGENT CARE CENTER	03/25/16	1,281.00	PRE-EMPLOYMENT PHYSICALS
107459	320	IPMA-HR INTERNATIONAL PUBLIC MANAGEMENT	03/25/16	1,159.75	EXAM FOR POLICE OFFICER POSITION
107460	6009	JT2 INTEGRATED RESOURCES ATTN: CLAIMS AC	03/25/16	30,184.92	ANNUAL PO FOR WORKER'S COMP TRUST FUND R
107461	6009	JT2 INTEGRATED RESOURCES ATTN: CLAIMS AC	03/25/16	27,884.25	ANNUAL PO FOR WORKER'S COMP TRUST FUND R
107462	293	LANGUAGE LINE SERVICES INC	03/25/16	194.81	INTERPRETATION SVCS
107463	190	LC ACTION POLICE SUPPLY LTD	03/25/16	525.60	SWAT SUPPLIES
107464	11309	MANUEL FERNANDEZ CONSTRUCTION	03/25/16	3,727.30	VCT FLOOR BURNISH & POLISH
107465	10920	MOUNTAIN MIKE'S PIZZA	03/25/16	150.51	SPECIAL EVENT FOOD
107466	10865	NEW IMAGE LANDSCAPE	03/25/16	1,990.00	2015-16 WEED ABATEMENT
107467	325	NEWARK UNIFIED SCHOOL DISTRICT BUSINESS	03/25/16	75.00	COMM ENG PROGRAM
107468	10918	ANKAR CYCLES, INC dba OAKLAND HARLEY-DAV	03/25/16	202.60	M23 REPAIR
107469	327	OCCU-MED LTD	03/25/16	120.00	ANNUAL PO FOR PRE-EMPLOYMENT PHYSICALS

Final Disbursement List. Check Date 03/25/16, Due Date 04/04/16, Discount Date 04/04/16. Computer Checks.
Bank 1001 BANK OF AMERICA

MICR Check#	Vendor Number	Payee	Check Date	Check Amount	Description
107470	349	PACIFIC GAS & ELECTRIC	03/25/16	59,423.75	FY15-16 GAS/ELECTRIC CHARGES
107471	78	PERFORMANCE PEST MANAGEMENT LPC SERVICES	03/25/16	185.00	STINGING PEST CONTROL
107472	3674	PRIORITY 1 PUBLIC SAFETY EQUIPMENT INSTA	03/25/16	35.75	FY15-16 PD CAR OUTFITTING
107473	9811	REFLEX TRAFFIC SYSTEMS	03/25/16	18,800.00	REDLIGHT CAMERA MONITORING
107474	7885	RENNE SLOAN HOLTZMAN SAKAI PUBLIC LAW GR	03/25/16	1,040.50	CONSULTING, LITIGATION, INVESTIGATION
107475	11218	JESSE RIOS	03/25/16	100.00	RECREATION CONTRACT
107476	11098	SILVER & WRIGHT LLP	03/25/16	226.80	RECEIVERSHIP AND LITIGATION SERVICES
107477	220	SONITROL	03/25/16	1,041.00	QUARTERLY MONITORING
107478	337	TROPHY TOWNE	03/25/16	106.76	PLAQUE FOR RAVEN STUHR
107479	6797	US BANK CORPORATE PAYMENT	03/25/16	12,694.41	US BANK CC PAYMENT 02/22/16
107480	7517	U S FOODS INC SAN FRANCISCO	03/25/16	1,044.58	CAFE PURCHASES
107481	853	VALLEY OIL COMPANY DEPT# 35101	03/25/16	12,793.17	FUEL
107482	11160	VIEVU	03/25/16	583.39	UB BODY CAMERA REPAIR
107483	6977	WEISSMAN DESIGNS FOR DANCE	03/25/16	74.70	DANCE COSTUMES
107484	340	WITMER-TYSON IMPORTS	03/25/16	947.86	K9 TRAINING/SUPPLIES
Total				245,616.96	

Final Disbursement List. Check Date 04/01/16, Due Date 04/11/16, Discount Date 04/11/16. Computer Checks.
Bank 1001 US BANK

MICR Check#	Vendor Number	Payee	Check Date	Check Amount	Description
107485	10658	4LEAF INC	04/01/16	12,183.95	BLDG INPSECTION REVIEW SERVICES
107486	10736	ABACUS PRODUCTS INC	04/01/16	1,145.96	CITY LETTERHEAD/ENVELOPES
107487	9103	SAM ACKERMAN	04/01/16	225.22	EXPENSE REIMBURSEMENT
107488	1774	AIRGAS USA, LLC	04/01/16	52.64	FY15-16 WELDING SUPPLIES
107489	287	ALAMEDA COUNTY SHERIFF'S OFFICE GREGORY	04/01/16	332.50	CRIME LAB FEES
107490	5821	ALL CITY MANAGEMENT SERVICES, INC	04/01/16	3,471.30	CROSSING GUARD SVCS
107491	14	ALPINE AWARDS	04/01/16	3,664.04	TSHIRTS
107492	348	AT&T	04/01/16	225.02	ANNUAL TELECOM FY2015-16
107493	1085	AT&T	04/01/16	39.30	LONG DISTANCE TELECOM FY2015-16
107494	147	AT&T MOBILITY	04/01/16	3,957.82	CELL SVC FOR MDT'S
107495	9680	BAY CENTRAL PRINTING	04/01/16	141.41	BUSINESS CARD IMPRINTING
107496	1131	BAY ISLAND OFFICIALS ASSOCIATION ATTN FR	04/01/16	658.00	VOLLYBALL AND BASKETBALL REF
107497	11366	BLAIR SLAVAZZA	04/01/16	1,020.00	EXPENSE REIMBURSEMENT
107498	1513	BURTON'S FIRE INC	04/01/16	31.97	PARTS
107499	4388	CAPTURE TECHNOLOGIES INC ATTN: ACCOUNTS	04/01/16	840.00	HD UPGRADE FOR PD CAMERA SERVER
107500	10261	CARBONIC SERVICE	04/01/16	296.55	POOL CHEMICALS
107501	33	CENTRAL TOWING & TRANSPORT LLC	04/01/16	213.45	TOWING SERVICES
107502	8930	PEGGY CLAASSEN	04/01/16	68.25	METLIFE FEB 2016
107503	10060	COMCAST	04/01/16	113.93	CABLE TV
107504	2623	COMPUTERLAND OF SILICON VALLEY	04/01/16	7,441.32	EQUIPMENT REPLACEMENT DESKTOPS
107505	9216	CRESTLINE SPECIALTIES CO INC	04/01/16	346.79	COMM ENG PROGRAM
107506	11032	CUBE SOLUTIONS	04/01/16	489.91	ERGONOMIC EQUIPMENT
107507	10649	A TAMAN CONSTRUCTION	04/01/16	309.20	BUILDING PERMIT REFUND
107508	10677	DAILY JOURNAL CORPORATION CALIFORNIA NEW	04/01/16	102.50	LEGAL ADS
107509	10794	DUKE DE LEON	04/01/16	315.00	VIDEO RECORDING SERVICES
107510	11015	EAST BAY LAWN MOWER	04/01/16	97.24	PARTS
107511	11367	ENLOE MEDICAL CENTER, INC.	04/01/16	967.27	LABORATORY FEES FOR WORKER'S COMPENSATIO
107512	1733	FIRST BAPTIST CHURCH	04/01/16	80.00	DONATION
107513	11348	FLORENCE GARCIA	04/01/16	216.00	RECREATION CONTRACT
107514	2469	GRANDSTAND CARDS	04/01/16	218.25	UB: TRADING CARDS; REIMB BY ASSET SEIZUR
107515	11307	GROUP 4 ARCHITECTURE, RESEARCH & PLANNIN	04/01/16	7,649.60	CONTRACT COSTS
107516	10707	GYM DOCTORS	04/01/16	150.00	FITNESS EQUIPMENT MAINT
107517	9246	DAVID HIGBEE	04/01/16	516.00	SLI SESSION #5
107518	1457	HOME DEPOT CREDIT SERVICES DEPT 32-25409	04/01/16	367.46	FY15-16 MIS SUPPLIES
107519	73	THE ED JONES CO INC	04/01/16	55.80	BADGES & INSIGNIA
107520	6786	STACEY KENISON	04/01/16	68.31	EXPENSE REIMBURSEMENT
107521	5069	KIDZ LOVE SOCCER	04/01/16	3,733.80	RECREATION CONTRACT
107522	4064	ADECELI KOVACH	04/01/16	872.18	EXPENSE REIMBURSEMENT
107523	7697	THE LIFEGUARD STORE INC	04/01/16	1,990.00	STAFF UNIFORMS AND POOL EQUIPMENT
107524	758	MARTIN & CHAPMAN CO	04/01/16	153.09	ELECTION MATERIALS
107525	10693	PITNEY BOWES GLOBAL FINANCIAL SRVCS	04/01/16	1,741.06	MAIL MACHINE LEASE
107526	3674	PRIORITY 1 PUBLIC SAFETY EQUIPMENT INSTA	04/01/16	320.59	FY15-16 PD CAR OUTFITTING
107527	654	SFPUC-WATER DEPARTMENT CUSTOMER SERVICE	04/01/16	2,947.13	FY15-16 HETCH HETCHY RENT
107528	112	WILLE ELECTRICAL SUPPLY CO INC	04/01/16	246.85	PARTS
107529	5164	SAN MATEO REGIONAL NETWORK INC SMRN.COM	04/01/16	170.00	WEB HOSTING, SPAM FILTERING & SECURITY S
107530	2017	SPORTS ASSOCIATION OF NORTHERN CALIFORNI	04/01/16	25.00	2016 MEMB RENEW
107531	11277	SHRED-IT USA	04/01/16	119.32	SHREDDING SVCS
107532	11296	SIGNATURE CARPET ONE	04/01/16	188.00	CARPET REPAIR
107533	11171	SSP DATA, INC	04/01/16	3,078.76	FIREWALL SUPPORT & SUBSCRIPTIONS
107534	40	STAPLES ADVANTAGE DEPT LA	04/01/16	1,554.11	OFFICE SUPPLIES
107535	2778	STATE OF CALIFORNIA FRANCHISE TAX BOARD	04/01/16	440.00	PAYROLL DEDUCTION - GARNISHMENT

By BRETT OEVERNDIEK (BRETT)

CCS.AP Accounts Payable Release 8.3.0 R*APZCKREG*FDL

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 Bank 1001 US BANK

MICR Check#	Vendor Number	Payee	Check Date	Check Amount	Description
107536	2778	STATE OF CALIFORNIA FRANCHISE TAX BOARD	04/01/16	150.00	PAYROLL DEDUCTION - GARNISHMENT
107537	2778	STATE OF CALIFORNIA FRANCHISE TAX BOARD	04/01/16	150.00	PAYROLL DEDUCTION - GARNISHMENT
107538	2778	STATE OF CALIFORNIA FRANCHISE TAX BOARD	04/01/16	583.26	PAYROLL DEDUCTION - GARNISHMENT
107539	10804	STONERIDGE CJD	04/01/16	571.15	AUTO PARTS
107540	676	SUMMIT UNIFORMS CORP	04/01/16	830.85	VEST REPL: APPROVAL #2016-20
107541	7517	U S FOODS INC SAN FRANCISCO	04/01/16	513.56	CAFE PURCHASES
107542	5623	VERIZON WIRELESS	04/01/16	342.09	FY15-16 SERVICE FOR IPADS
107543	5623	AMERICAN MESSAGING	04/01/16	17.13	PAGER SVC
107544	10822	WEE HOOP INC C/O DINAH SHAH	04/01/16	519.00	RECREATION CONTRACT
Total				69,328.89	