



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.
City Council Chambers

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.

SHEILA HARRINGTON
City Clerk