



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

AGENDA

Thursday, March 10, 2016

The Arbor Day tree planting, originally scheduled before the meeting, has been canceled and will be rescheduled.

A. ROLL CALL

B. MINUTES

B.1 Approval of Minutes of the regular City Council meeting of Thursday, February 25, 2016. (MOTION)

C. PRESENTATIONS AND PROCLAMATIONS

C.1 Introduction of employees.

Background/Discussion – The following newly hired or promoted city employees from the Public Works Department will be introduced at the City Council meeting:

Public Works Director Soren Fajeau
Senior Landscape and Parks Maintenance Worker Brian Liljeblad
Senior Administrative Support Specialist Cheri Good
Equipment Mechanic II Nick Icasiano
Building Mechanic II Jessie Mero.

C.2 Proclaiming March 10, 2016, as Arbor Day in Newark. (PROCLAMATION)

Background/Discussion – In recognition of our continued dedication and commitment to the management of tree resources, the City of Newark has been named a Tree City U.S.A. for the twenty-ninth consecutive year by the National Arbor Day Foundation. An effective urban tree management program requires an on-going maintenance program, along with a program of renewal that includes planting new trees. In celebration of Arbor Day, a public tree planting will be held before the City Council meeting on the north side of the City Administration Building parking lot (near the driveway that enters from Newark Boulevard).

Maintenance Supervisor Neal Hornbeck will accept the proclamation at the meeting.

C.3 Proclaiming March as American Red Cross Month in Newark.
(PROCLAMATION)

Background/Discussion – President Barack Obama has proclaimed March as American Red Cross Month across the United States. A member of the American Red Cross Leadership Council will accept the proclamation at the meeting.

C.4 PG&E presentation on their Community Pipeline Safety Initiative.
(PRESENTATION)

Background/Discussion – Pacific Gas and Electric Company (PG&E) is undertaking a Community Pipeline Safety Initiative in the City of Newark, in addition to other Bay Area cities. This safety initiative seeks to ensure first responders and safety crews have immediate access to natural gas transmission pipelines in case of an emergency. PG&E representatives will give a presentation on the details of their Community Pipeline Safety Initiative at the City Council meeting.

D. WRITTEN COMMUNICATIONS

D.1 JS-15-8, a Joint Staff Committee Review, to construct a duplex at 37070 Locust Street (APN: 92-126-13-2) – from Assistant City Manager Grindall.
(REVIEW OPTIONAL)

Background/Discussion - Mr. Lawrence Baca, has submitted an application to construct a duplex at 37070 Locust Street. Attached is Exhibit A, pages 1 through 7.

The site is located on the north side of Locust Street between Thornton Avenue and the railroad tracks. It is zoned R2500 (Medium Density Residential) and has a Low-Medium Density Residential General Plan Designation. A duplex is a permitted use in this zoning district, subject to obtaining Joint Staff Committee Review approval.

Each unit has 3 bedrooms. One unit has a bedroom on the first floor, while the other unit provides all three bedrooms on the second floor. The appearance of the proposed two-story building is minimized by setting the staggering the units side-by-side, with a garage at the front giving the appearance of a single unit. To the side of the garage is a covered front porch highlighted by decorative columns that are incorporated along the entire frontage of the building. Exterior materials consist of stucco and a composition shingle roof. A condition of approval requires the final exterior colors to be submitted for staff review and approval. The City's off-street parking requirement is satisfied by the two-car garage, two uncovered parking spaces, and an uncovered guest parking space. The area between the uncovered parking spaces and the front of the lot will be landscaped and include a berm to help screen this parking area from street view.

The Joint Staff Committee has approved this application with Exhibit A, pages 1 through 7, and the conditions in the attached letter.

Environmental Review

This project is categorically exempt from the California Environmental Quality Act (CEQA) per Section 15303, Class 3, new construction of small structures.

Attachment

Update – At their February 23, 2016 meeting, the Planning Commission did not call this item up for review.

Action – City Council review of this item is optional.

E. PUBLIC HEARINGS**F. CITY MANAGER REPORTS**

(It is recommended that Items F.1 through F.2 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 rezoning 41 acres (APN's: 537-852-9; 537-852-10; 537-852-11) from MT-1 (High-Technology Park District) to MDR-FBC (Medium Density Residential – Form Based Codes) and HDR-FBC (High Density Residential – Form Based Codes) for the Gateway Station West Project, a 589 unit residential project located along Willow Street at the western edge of the City – from Assistant City Manager Grindall and City Clerk Harrington. (ORDINANCE)**

Background/Discussion – On February 25, 2016, the City Council introduced an ordinance amending Title 17 of the Newark Municipal Code being the City of Newark Zoning Ordinance by rezoning approximately 41 acres (APN's: 537-852-9; 537-852-10; 537-852-11) from MT-1 (High-Technology Park District) to MDR-FBC (Medium Density Residential – Form Based Codes) and HDR-FBC (High Density Residential – Form Based Codes). This rezoning is for the Gateway Station West Project consisting of a 589 unit residential project located along Willow Street at the western edge of the City.

Attachment

Action - It is recommended that the City Council, by ordinance amend Title 17 of the Newark Municipal Code being the City of Newark Zoning Ordinance by rezoning

approximately 41 acres (APN's: 537-852-9; 537-852-10; 537-852-11) from MT-1 (High-Technology Park District) to MDR-FBC (Medium Density Residential – Form Based Codes) and HDR-FBC (High Density Residential – Form Based Codes).

F.2 Approval to reclassify the Administrative Assistant position in the City Attorney's Office to a Legal Assistant by amending the Employee Classification Plan, the Compensation and Benefit Plan for the Confidential Employee Group and the 2014-2016 Biennial Budget to add the position and funding for a regular full-time position of Legal Assistant and to delete the position and funding for a regular part-time position of Administrative Assistant – from Human Resources Director Abe. (RESOLUTIONS -3)

Background/Discussion – The City Attorney's Office is currently staffed by two positions, the City Attorney and a regular part-time (25 hours per week) Administrative Assistant. The Administrative Assistant will be leaving the position as she is moving out of the area later this year. The resulting opening provides an appropriate time to update the class specification, as requested by the City Attorney's Office, to include a description of the specialized legal and risk management responsibilities assigned.

As described in the proposed class specification, the Legal Assistant drafts pleadings and motions, performs legal research of case and statutory law, prepares exhibits, arranges for Court filings, calendars court appearances, and ensures the timely adherence of all litigation and claims deadlines. This confidential position will require the frequent use of sound independent judgment in complex legal situations, as actions can have significant impact upon City liability and the outcome of litigation. The position is further distinguished by assigned risk management responsibilities including the review of contractual hold harmless provisions, administration of the City's insured property schedule, grant and best practice oversight and coordination, and the tracking of general liability claims through closure.

Based on internal salary relationships including a comparison of the position's workload complexity and responsibility level with other Confidential group classifications, no change in the existing hourly salary range of \$33.52 to \$40.70 is recommended. However, an increase in work hours from 25 to up to 40 hours per week is recommended to address ever increasing workload demands and deadlines.

Attachments

Action - It is recommended that the City Council approve by resolutions: (1) amending Resolution No. 2505, the Employee Classification Plan, to add one new class specification entitled Legal Assistant; (2) amending Resolution No. 10400, the Compensation and Benefit Plan for the Confidential Employee Group to add one new classification entitled Legal Assistant; and (3) amending Resolution 10235, the 2014-2016 Biennial Budget to add the position and funding for a regular full-time position of Legal Assistant and to delete the position and funding for a regular part-time position of Administrative Assistant.

G. CITY ATTORNEY REPORTS

H. ECONOMIC DEVELOPMENT CORPORATION

I. CITY COUNCIL MATTERS

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 March 10, 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.