



# CITY OF NEWARK CITY COUNCIL

37101 Newark Boulevard, Newark, CA 94560-3796 • 510-578-4266 • E-mail: [city.clerk@Newark.org](mailto:city.clerk@Newark.org)

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

## AGENDA

Thursday, June 28, 2018

### CITY COUNCIL:

Alan L. Nagy, Mayor  
Michael K. Hannon, Vice Mayor  
Luis L. Freitas  
Sucy Collazo  
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  
  
Michael Carroll  
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:

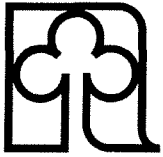
- |                                     |                         |
|-------------------------------------|-------------------------|
| A. ROLL CALL                        | I. COUNCIL MATTERS      |
| B. MINUTES                          | J. SUCCESSOR AGENCY     |
| C. PRESENTATIONS AND PROCLAMATIONS  | 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](http://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.



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## AGENDA

Thursday, June 28, 2018

**A. ROLL CALL**

**B. MINUTES**

- B.1 Approval of Minutes of the City Council meeting of June 14, 2018.**  
**(MOTION)**

**C. PRESENTATIONS AND PROCLAMATIONS**

- C.1 Commending Sarah DeLipski.** **(COMMENDATION)**

**Background/Discussion** – Sarah DeLipski has completed all the requirements necessary to be awarded the Girl Scout Gold Award pin. In recognition of this achievement, a commendation has been prepared and Ms. DeLipski will accept it at the City Council meeting.

- C.2 Washington Hospital Healthcare System Presentation of Community Health Needs Assessment.** **(PRESENTATION)**

**Background/Discussion** – Every three years, Washington Hospital Healthcare System, in conjunction with the Hospital Council of Northern and Central California, conducts a comprehensive health needs assessment. The study helps identify crucial health issues affecting residents in Washington Township Health Care District, including Newark. The Community Needs Assessment is a vital tool that has helped Washington Hospital determine parts of our population who are most at risk for various diseases. They use this data to provide care and services through community outreach programs, preventive care measures and education.

Lucy Hernandez, Washington Hospital's Community Outreach Project Manager will give a presentation on the Community Needs Assessment for the City of Newark.

**D. WRITTEN COMMUNICATIONS**

**E. PUBLIC HEARINGS**

**E.1 Hearing to consider annual levy of assessment in conjunction with Landscaping and Lighting District No. 1 – from Public Works Director Fajeau. (RESOLUTION)**

**Background/Discussion** – The City Council has set June 28, 2018, as the date for the public hearing for the annual levy of assessments in conjunction with Landscaping and Lighting District No. 1. This district includes properties which abut Central Avenue between Filbert Street and Willow Street and provides for the maintenance of median landscaping on Central Avenue between Filbert Street and Willow Street, and buffer landscaping adjacent to the Alameda County flood control channel immediately west of Filbert Street. Maintenance and operation of median street lights along this portion of Central Avenue are also included in this district. An annual public hearing is necessary to adopt the Engineer’s Report to provide funds for this district.

The total assessment for this district as provided in the Engineer’s Report is \$41,700 for the 2018-2019 fiscal year.

**Attachment**

**Action** - Upon conclusion of the public hearing, it is recommended that the City Council, by resolution, approve the diagram and assessment and levy the annual assessment for Landscaping and Lighting District No. 1 for the 2018-2019 fiscal year.

**E.2 Hearing to consider annual levy of assessment in conjunction with Landscaping and Lighting District No. 2 – from Public Works Director Fajeau. (RESOLUTION)**

**Background/Discussion** – The City Council has set June 28, 2018, as the date for the public hearing for the annual levy of assessments in conjunction with Landscaping and Lighting District No. 2. This district provides for the maintenance of median and in-tract buffer landscaping on Jarvis Avenue adjacent to and within the boundaries of Tract 5232, Dumbarton Technology Park, on Jarvis Avenue at Lido Boulevard, as well as the Newark Boulevard medians fronting the Raley’s and Safeway shopping centers. An annual public hearing is necessary to adopt the Engineer’s Report to provide funds for this district.

The total assessment for this district as provided in the Engineer’s Report is \$26,700 for the 2018-2019 fiscal year.

**Attachment**

**Action** - Upon conclusion of the public hearing, it is recommended that the City Council, by resolution, approve the diagram and assessment and levy the annual assessment for Landscaping and Lighting District No. 2 for the 2018-2019 fiscal year.

**E.3 Hearing to consider annual levy of assessment in conjunction with Landscaping and Lighting District No. 4 – from Public Works Director Fajeau. (RESOLUTION)**

**Background/Discussion** – The City Council has set June 28, 2018, as the date for the public hearing for the annual levy of assessments in conjunction with Landscaping and Lighting District No. 4. This district provides for the maintenance of median landscaping on Stevenson Boulevard from the Nimitz Freeway to Eureka Drive (west) and on Cherry Street between Stevenson Boulevard and the Sportsfield Park. An annual public hearing is necessary to adopt the Engineer’s Report to provide funds for this district.

The total assessment for this district as provided in the Engineer’s Report is \$48,100 for the 2018-2019 fiscal year.

**Attachment**

**Action** - Upon conclusion of the public hearing, it is recommended that the City Council, by resolution, approve the diagram and assessment and levy the annual assessment for Landscaping and Lighting District No. 4 for the 2018-2019 fiscal year.

**E.4 Hearing to consider annual levy of assessment in conjunction with Landscaping and Lighting District No. 6 – from Public Works Director Fajeau. (RESOLUTION)**

**Background/Discussion** – The City Council has set June 28, 2018, as the date for the public hearing for the annual levy of assessments in conjunction with Landscaping and Lighting District No. 6. This district provides for the maintenance of median and greenbelt landscaping and the irrigation systems in the area formerly known as Redevelopment Area No. 2. The area is the property generally bounded by Balentine Drive, Cedar Boulevard, Stevenson Boulevard, and the Nimitz Freeway.

This district is currently inactive. All property owners in this district will receive a “zero” assessment for 2018-2019.

**Attachment**

**Action** - Upon conclusion of the public hearing, it is recommended that the City Council, by resolution, approve the diagram and assessment and levy the annual assessment for Landscaping and Lighting District No. 6 for the 2018-2019 fiscal year.

**E.5 Hearing to consider annual levy of assessment in conjunction with Landscaping and Lighting District No. 7 – from Public Works Director Fajeau. (RESOLUTION)**

**Background/Discussion** – The City Council has set June 28, 2018, as the date for the public hearing for the annual levy of assessments in conjunction with Landscaping and Lighting District No. 7. This district provides for the maintenance of Rosemont Square Shopping Center buffer landscaping and the landscape irrigation system within the public right-of-way and easement areas on Jarvis Avenue, Newark Boulevard, and Cedar Boulevard.

The total assessment for this district as provided in the Engineer's Report is \$25,600 for the 2018-2019 fiscal year.

**Attachment**

**Action** - Upon conclusion of the public hearing, it is recommended that the City Council, by resolution, approve the diagram and assessment and levy the annual assessment for Landscaping and Lighting District No. 7 for the 2018-2019 fiscal year.

**E.6 Hearing to consider annual levy of assessment in conjunction with Landscaping and Lighting District No. 13 – from Assistant City Engineer Fajeau. (RESOLUTION)**

**Background/Discussion** – The City Council has set June 28, 2018, as the date for the public hearing for the annual levy of assessments in conjunction with Landscaping and Lighting District No. 13. This district provides for the maintenance of landscaping within portions of the Citation Homes and Bren developments located on Thornton Avenue near Willow Street. An annual public hearing is necessary to adopt the Engineer's Report to provide funds for this district.

Since this district performs its own maintenance of frontage landscaping, all property owners in this district will receive a "zero" assessment for 2018-2019.

**Attachment**

**Action** - Upon conclusion of the public hearing, it is recommended that the City Council, by resolution, approve the diagram and assessment and levy the annual assessment for Landscaping and Lighting District No. 13 for the 2018-2019 fiscal year.

**E.7 Hearing to consider annual levy of assessment in conjunction with Landscaping and Lighting District No. 15 – from Public Works Director Fajeau. (RESOLUTION)**

**Background/Discussion** – The City Council has set June 28, 2018, as the date for the public hearing for the annual levy of assessments in conjunction with Landscaping and Lighting District No. 15. This district provides for the maintenance of landscaping along Robertson Avenue at Iris Court. An annual public hearing is necessary to adopt the Engineer's Report to provide funds for this district.

The total assessment for this district as provided in the Engineer's Report is \$5,046 for the 2018-2019 fiscal year. The assessment per property is \$174.00.

**Attachment**

**Action** - Upon conclusion of the public hearing, it is recommended that the City Council, by resolution, approve the diagram and assessment and levy the annual assessment for Landscaping and Lighting District No. 15 for the 2018-2019 fiscal year.

**E.8 Hearing to consider annual levy of assessment in conjunction with Landscaping and Lighting District No. 16 – from Public Works Director Fajeau. (RESOLUTION)**

**Background/Discussion** – The City Council has set June 28, 2018, as the date for the public hearing for the annual levy of assessments in conjunction with Landscaping and Lighting District No. 16. This district provides for the maintenance of landscaping for Tract 6671 on Jarvis Avenue at Kiote Drive. An annual public hearing is necessary to adopt the Engineer’s Report to provide funds for this district.

The total assessment for this district as provided in the Engineer’s Report is \$19,900 for the 2018-2019 fiscal year. The assessment per property is \$210.

**Attachment**

**Action** - Upon conclusion of the public hearing, it is recommended that the City Council, by resolution, approve the diagram and assessment and levy the annual assessment for Landscaping and Lighting District No. 16 for the 2018-2019 fiscal year.

**E.9 Hearing to consider annual levy of assessment in conjunction with Landscaping and Lighting District No. 17 – from Public Works Director Fajeau. (RESOLUTION)**

**Background/Discussion** – The City Council has set June 28, 2018, as the date for the public hearing for the annual levy of assessments in conjunction with Landscaping and Lighting District No. 17. This district provides for the maintenance of landscaping for Tract 7004 on Newark Boulevard and Mayhews Landing Road. An annual public hearing is necessary to adopt the Engineer’s Report to provide funds for this district.

The total assessment for this district as provided in the Engineer’s Report is \$6,200 for the 2018-2019 fiscal year. The assessment per property is \$188.

**Attachment**

**Action** - Upon conclusion of the public hearing, it is recommended that the City Council, by resolution, approve the diagram and assessment and levy the annual assessment for Landscaping and Lighting District No. 17 for the 2018-2019 fiscal year.

**E.10 Hearing to consider annual levy of assessment in conjunction with Landscaping and Lighting District No. 18 – from Public Works Director Fajeau. (RESOLUTION)**

**Background/Discussion** – The City Council has set June 28, 2018, as the date for the public hearing for the annual levy of assessments in conjunction with Landscaping and Lighting District No. 18. This district provides for the maintenance of landscaping in the medians in front of Tract 8130 on Cedar Boulevard between Central Avenue and Smith

Avenue. An annual public hearing is necessary to adopt the Engineer's Report to provide funds for this district.

The total assessment for this district as provided in the Engineer's Report is approximately \$10,900 for the 2018-2019 fiscal year. The assessment per dwelling unit is approximately \$67.

**Attachment**

**Action** - Upon conclusion of the public hearing, it is recommended that the City Council, by resolution, approve the diagram and assessment and levy the annual assessment for Landscaping and Lighting District No. 18 for the 2018-2019 fiscal year.

**E.11 Hearing to consider annual levy of assessment in conjunction with Landscaping and Lighting District No. 19 – from Public Works Director Fajeau. (RESOLUTION)**

**Background/Discussion** – The City Council has set June 28, 2018, as the date for the public hearing for the annual levy of assessments in conjunction with Landscaping and Lighting District No. 19. This district provides for the maintenance of landscaping and street lighting in the medians, traffic circles and planter areas on Willow Street, Central Avenue, Enterprise Drive, Seawind Way and other public streets, and the maintenance of other public improvements within the Bayside Newark Transit Oriented Development area for Tracts 8085, 8098 and 8157. An annual public hearing is necessary to adopt the Engineer's Report to provide funds for this district.

The total assessment for this district as provided in the Engineer's Report is approximately \$68,000 for the 2018-2019 fiscal year.

**Attachment**

**Action** - Upon conclusion of the public hearing, it is recommended that the City Council, by resolution, approve the diagram and assessment and levy the annual assessment for Landscaping and Lighting District No. 19 for the 2018-2019 fiscal year.

**E.12 Hearing to consider annual levy of assessment in conjunction with Landscaping and Lighting District No. 10 – from Public Works Director Fajeau. (RESOLUTION)**

**Background/Discussion** – The City Council has set June 28, 2018, as the date for the public hearing for the annual levy of assessments in conjunction with Landscaping and Lighting District No. 10. This district is a consolidated district which includes miscellaneous developments at several locations. These locations and the work involved are as follows:

- 10a. The maintenance of Jarvis Avenue and Lido Boulevard median-island and street landscaping, and lighting adjacent to the boundaries of Tract 5318, Lexington Square.

- 10b. Maintenance of landscaping and the landscape irrigation system within easement areas adjacent to the public right-of-way on the north side of Central Avenue between the Nimitz Freeway and Timber Street.
- 10c. Maintenance of landscaping and the landscape irrigation system within easement areas adjacent to the public right-of-way on Morton Avenue for Geomax.
- 10d. Maintenance of landscaping and the landscape irrigation system within easement areas adjacent to the public right-of-way on Enterprise Court and Enterprise Drive for Parcel 1 of Tentative Parcel Map 5109.
- 10e. Maintenance of landscaping and the landscape irrigation system adjacent to Cedar Boulevard south of Mowry Avenue for Jiffy Lube.
- 10f. Maintenance of landscaping and the landscape irrigation system for the apartment complex at the intersection of Rich Avenue and Magnolia Street.
- 10g. Maintenance of landscaping and the landscape irrigation system within easement areas on Smith Avenue and Cedar Boulevard for the Cedar Boulevard Neighborhood Church.
- 10h. Maintenance of landscaping and the landscape irrigation system within easement areas for the parcel adjacent to Eucalyptus Grove Park.
- 10i. Maintenance of landscaping and the landscape irrigation system within easement areas and the public right-of-way on Cherry Street for Thoro Systems.
- 10j. Maintenance of landscaping and the landscape irrigation system within the public right-of-way and easement areas for the King & Lyons development at Thornton Avenue and Willow Street.
- 10k. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Central Avenue for Bay Mirror.
- 10l. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and easement areas on Cedar Boulevard near Moores Avenue for Empire Tractor.
- 10m. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Mowry Avenue for the property at the northeast corner of Mowry Avenue and Cedar Boulevard.
- 10n. The maintenance of street lighting within the public right-of-way and landscaping and the landscape irrigation system within the public right-of-way and easement areas adjacent to the public right-of-way on Cedar Boulevard and Balentine Drive for TJ Maxx.
- 10o. The maintenance of street lighting within the public right-of-way and landscaping and the landscape irrigation system within the public right-of-way and the easement areas adjacent



- to the public right-of-way on Newark Boulevard and Cedar Boulevard for Lido Faire Shopping Center.
- 10p. The maintenance of street lighting within the public right-of-way and landscaping and the landscape irrigation system within the public right-of-way on Sycamore Street for B.K. Mills.
  - 10q. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Magnolia Street for the Moose Lodge.
  - 10r. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Central Avenue at the Southern Pacific railroad right-of-way for Leslie Salt Company.
  - 10s. The maintenance of landscaping and the landscape irrigation system within landscape easement areas on Cedar Boulevard at Central Avenue for Parcel I of Parcel Map 4073.
  - 10t. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Cedar Boulevard north of Lake Boulevard for Lot 5 of Tract 5361.
  - 10u. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Magnolia Street south of Graham Avenue for Parcel 1 of Parcel Map 6178.
  - 10v. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Smith Avenue west of Cherry Street for Parcel 4 of Parcel Map 1425.
  - 10w. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Cedar Boulevard and Mowry Avenue for Parcels 1, 2, 3, and 6 of Parcel Map 3028.
  - 10x. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on the cul-de-sac of Enterprise Court at 37569 Enterprise Court.
  - 10y. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Magnolia Street and Graham Avenue at 37088 Magnolia Street (formerly 6963 Graham Avenue).
  - 10z. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on the Thornton Avenue and Locust Street frontage of 37010 Locust Street.
  - 10aa. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Enterprise Drive and Hickory Street at 8610 Enterprise Drive.

- 10ac. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Thornton Avenue and Sycamore Street at 7275 Thornton Avenue.
- 10ad. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Thornton Avenue at 6152 Thornton Avenue.
- 10ae. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Cedar Boulevard south of Mowry Avenue.
- 10af. The maintenance of landscaping, the landscape irrigation system, and the concrete block wall within the public right-of-way and adjacent easement areas on Mowry Avenue and Cedar Boulevard for the shopping center that includes 5789 Mowry Avenue.
- 10ag. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Hickory Street at 37137 Hickory Street.
- 10ah. The maintenance of median-island landscaping and lighting, and street frontage landscaping up to 30 feet in width along all streets within the boundaries of Bridgeway Technology Park on Fircrest Street.
- 10ai. The maintenance of lighting within public right-of-way and landscaping and landscape irrigation system within easement areas adjacent to the public right-of-way along Dairy Avenue, Newark Boulevard, and Thornton Avenue for the Foxwood condominium project.
- 10aj. The maintenance of lighting within public right-of-way and landscaping and landscape irrigation system within easement areas adjacent to the public right-of-way on Magnolia Street, Graham Avenue, and Sycamore Street for the Summerhill Apartments.
- 10ak. The maintenance of lighting within public right-of-way and landscaping and landscape irrigation system within easement areas adjacent to the public right-of-way on Cherry Street and Dairy Avenue for the Summerhill Apartments.
- 10al. Maintenance of landscaping, landscape irrigation and lighting within the entire street right-of-way of Potrero Avenue; the easterly portion of Cherry Street, Buena Vista Drive and Parada Street contiguous to Tract 5869; and the easterly portion of Parada Street contiguous to Tract 5810; and the northerly portion of Stevenson Boulevard contiguous to Tract 5810, excluding the median islands within Cherry Street and Stevenson Boulevard.
- 10am. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and easement areas on Smith Avenue for the Oatey Company.
- 10an. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Thornton Avenue at Cedar Boulevard for Newark Square shopping center.

- 10ao. The maintenance and/or construction of landscaping and the irrigation system within the public right-of-way and adjacent easement areas on the Mowry School Road frontage of the property to the rear of Fremont Ford.
- 10ap. The construction and maintenance of landscaping and an irrigation system within the public right-of-way and adjacent easement areas on Morton Avenue for Morton Salt.
- 10aq. Construction and maintenance of landscaping and the landscape irrigation system within the public right-of-way and easement areas on the Cedar Boulevard frontage of the shopping center on the northwest corner of Newark Boulevard and Cedar Boulevard.
- 10ar. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Central Avenue and on Clark Avenue for Matheson Gas.
- 10as. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Smith Avenue at 6565 Smith Avenue.
- 10at. The construction and/or maintenance of the Art in Public Places Element required in accordance with Newark City Council Resolution No. 5682 within the public right-of-way and/or adjacent easement areas on Parcels 1 and 2 of Tract 5343.
- 10au. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Newark Boulevard at 35193 Newark Boulevard.
- 10av. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Cedar Boulevard at 37300 Cedar Boulevard.
- 10aw. The maintenance and/or construction of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Fircrest Street at Assessor's Parcel No. 537-460-12-3.
- 10ax. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Enterprise Drive and Willow Street at 8400 Enterprise Drive.
- 10ay. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Mowry Avenue and Cherry Street.
- 10az. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Balentine Drive at Parcel 1 of Parcel Map 6692.
- 10ba. The maintenance and/or construction of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Cherry Street north of Thornton Avenue.

- 10bb. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Jarvis Avenue and Newark Boulevard.
- 10bc. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Cherry Street south of Robertson Avenue.
- 10bd. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Filbert Street and Central Avenue.
- 10be. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement along the street frontage on Balentine Drive.

Since this district is for properties responsible for their own maintenance, all property owners for all subdistricts in this district will receive a “zero” assessment for 2018-2019.

#### **Attachment**

**Action** - Upon conclusion of the public hearing, it is recommended that the City Council, by resolution, approve the diagram and assessment and levy the annual assessment for Landscaping and Lighting District No. 10 for the 2018-2019 fiscal year.

#### **E.13 Hearing to consider annual levy of assessment in conjunction with Landscaping and Lighting District No. 11 – from Public Works Director Fajeau. (RESOLUTION)**

**Background/Discussion** – The City Council has set June 28, 2018, as the date for the public hearing for the annual levy of assessments in conjunction with Landscaping and Lighting District No. 11. This district provides for the maintenance of landscaped medians on Edgewater Drive and Parkshore Drive within the Lake Area.

The total assessment for this district as provided in the Engineer’s Report is \$24,600 for the 2018-2019 fiscal year. There are a total of 1,127 properties within this district. The assessment per property is approximately \$22, which is the same amount charged per property last year.

#### **Attachment**

**Action** - Upon conclusion of the public hearing, it is recommended that the City Council, by resolution, approve the diagram and assessment and levy the annual assessment for Landscaping and Lighting District No. 11 for the 2018-2019 fiscal year.

#### **E. 14 Hearing to consider a text amendment to Title 17 (Zoning) of the Newark Municipal Code to revise various sections including Chapters 17.07, 17.08, 17.10, 17.13, 17.17, 17.21, 17.22, 17.23, 17.25, 17.26 and 17.46, generally affecting land uses, heights, landscaping, signs, parking and various other development standards– from Deputy Community Development Director Interiano. (ORDINANCE)**

**Background/Discussion** – A zoning text amendment is being requested by staff to address minor issues that needed additional clarification or are needed to address a specific issue which was not contemplated before adoption of the new Zoning Ordinance in January. One item of significance is the introduction of additional parking requirements for multifamily projects. Specifically, staff is increasing parking standards to address the growing issue of under parked developments which have an effect on single family home neighborhoods. Below is a summary of changes to those parking standards.

**Summary of Changes:**

**Section 17.23.040 Parking Table**

Residential Uses	Existing Guest Parking	Proposed Guest Parking
Two-Unit Dwellings	None	1 Space per Unit
Multi-Unit Dwellings	1 Per Project, Plus 1 for Each 4 Units	.5 Per Unit, unless the project is located 100 feet from RS and RL districts, or are located across an arterial roadway or units have driveway aprons or the project is located in a Specific Plan which will then require 1 space plus .25 per unit

Example:

- A 30-unit apartment complex with 2 bedroom units: The existing code would require 69 parking spaces; the proposed code would require 75 spaces if located within 100 feet of a single family home.

In addition to the proposed parking standards discussed above, a summary of all other changes and their respective sections are listed below:

- 17.07.020-Allow Community Assembly with a Conditional Use Permit (CUP) in RS District.
- 17.07.030-Require a Minor Use Permit (MUP) for heights over 35 ft. in RM and RH Districts.
- 17.08.020-Require a MUP for a Drive-Thru in CC and RC Districts.
- 17.10.020-Require a MUP for unmanned aircraft activity in PK and OS Districts.
- 17.13.040.B-Reduce Paseo (distance between buildings) distance from 19’ to 16’ ft. in FBC District.
- 17.17.020.D.2-Limit accessory structures to 25% of principal structure.
- 17.17.040.A-Clarify fence restrictions and require a MUP for additional height.
- 17.17.070-Limit storage of inoperable vehicles in Residential Districts.
- 17.21.050.A.3.c-All required trees shall be 24” box instead of only 25% of site.
- 17.22.030.B-Clarify that screening and parking are not exempt from nonconforming status.
- 17.23.090.D-Change Drive isle width to 25 ft. instead of 20 ft.
- 17.25.060.F-Clarify Cabinet signs are prohibited.
- 17.25.090.B.3-Monument signs shall be limited to a height of 6 ft.

- 17.25.100.B- Clarify all signs require design review.
- 17.26.140.B&E&F-Provides language to revoke a Home Occupation and require license
- 17.26.260.B.2-Increase review time for a special event permit from 20 to 45 days.
- 17.46.120-Reintroduce the definition of a Lodging House.

**CEQA**-The proposed text amendment is categorically exempt from the California Environmental Quality Act (CEQA) under section 5060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and Section 1506(b)(3) (General Rule that CEQA only applies to project which have the potential to cause a significant effect on the environment) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3.

**Update**- This item was unanimously approved by the Planning Commission on May 8, 2018. The Planning Commission recommends that City Council approved Resolution 1956 as attached.

#### **Attachment**

**Action** – It is recommended that the City Council introduce an ordinance for text amendments to Title 17 (Zoning Ordinance) of the Newark Municipal Code to revise Chapters 17.07, 17.08, 17.10, 17.13, 17.17, 17.21, 17.22, 17.23, 17.25, 17.26 and 17.46, generally affecting land uses, heights, landscaping, signs, parking and various other development standards.

#### **E.15 Hearing to consider a planned development and vesting tentative tract map 8409, for a six unit multi-family residential townhome subdivision located at 36589 Newark Boulevard – from Assistant Planner Bowab. (RESOLUTIONS-2) (ORDINANCE)**

**Background/Discussion** – David Langon Construction, Inc. has submitted an application for a six unit residential townhome project at 36589 Newark Boulevard. The project area is a vacant lot that is approximately 22,449 square feet (0.53 +/- acre) in size and is bounded by low density residential to the north, Mayhews Landing Road to the west, and Newark Boulevard on the east. The project site was previously developed with a gas station, which was abandoned and removed in 1992. The subject site is triangular shaped and bisected with a 14 foot easement. The site is zoned RM (Medium Density Residential) with a Medium Density Residential general plan land use designation.

The project consists of two buildings of 2-story townhomes with 3 units per building. Each unit is approximately 2,017 to 2,408 square feet, 3 to 4 bedrooms, 2.5 to 3 bathrooms, an attached 2-car garage, and a private yard. Vehicular access will be off a driveway on Mayhews Landing Road. The architectural design and character is influenced by a Tuscan style with a variety of finishes and textures to complement the single family subdivision directly to the north of the site. Each unit was designed with a distinct main entry porch, articulated roof lines, and pop-out elements to avoid large expanses of blank walls. Exterior materials consist of stone veneer, stucco, trim treatments, decorative doors,

corbels, and roof tiles. Careful attention was given to the street side elevations to provide the streetscape with visual interest and attractiveness. All units along the street fronts were designed with street facing porch entryways with decorative front gates.

An 8 foot high precast wall with decorative columns will be built along the perimeter of the project. This wall is designed to match the existing decorative perimeter wall and columns around the adjacent development directly to the north of the site. Enhanced landscaping will be installed along the entire front of the site along with 7 new street trees and street improvements. In addition to the street trees, there will be 25 new trees on-site. 10 new trees were placed in the rear of the project to provide an additional buffer between the existing single family homes and proposed project. In addition to the six new 2-car garages, the project will provide three uncovered guest parking spaces.

A community meeting was held by the applicant on January 11, 2018. The notice was sent to property owners within a 300 foot radius around the project site. Three adjacent property owners attended. Some concern regarding parking was raised but there was overall support of the project.

#### Planned Development Findings

The subject site is constrained for development. With an irregular triangular shape lot, two street frontages, and a 14 foot easement bisecting the lot, a Planned Development is needed to build a viable project. The findings given in the resolution of approval contains language that comes from the Newark Zoning Ordinance, Section 17.12 (Planned Development Overlay District) and are supported by the application materials on file, this staff report, and the attached supporting exhibits.

Further elaboration for each finding is as follows:

- a. *The proposed development is consistent with the General Plan and any applicable specific plan, including the density and intensity limitations that apply.*  
The general plan land use designation for this site is Medium Density Residential which allows for 14 to 30 units per net acre. The proposed project's density is 15 units per net acre, which falls within the allowed density envisioned by the general plan for this site.
- b. *Adequate transportation facilities and public services exist or will be provided in accord with the conditions of development plan approval, to serve the proposed development; and the approval of the proposed development will not result in a reduction of traffic levels of service or public services so as to be a detriment to public health, safety, or welfare.*  
The subject site is located on one of the major arterials in the City that provides adequate transportation facilities and public services for the area. Existing public streets are adequate to accommodate the addition of six units and the proposal will not affect the existing level of service. The proposed development meets the off-street parking requirements for residential uses as well as guest parking as required by Newark Municipal Code. The development will be using existing driveways and access to the site will only be provided through Mayhews Landing Road. The project is conditioned to relocate utilities and provide storm drain improvements to ensure the new residential development will not overload existing utilities.

- c. *The proposed development will not have a substantial adverse effect on surrounding land uses and will be compatible with the existing and planned land use character of the surrounding area.*  
The proposed project is designed to meet what the general plan envisioned for this site and was carefully designed to match the Tuscan style of the neighboring subdivision, provide additional landscape buffer, and kept small in scale to mitigate the impact to the surrounding neighborhoods. In addition, the proposed project will upgrade the surrounding area with a right-of-way dedication, undergrounding of existing overhead lines, and provide a landscape easement dedication along both street fronts.
- d. *The development generally complies with applicable adopted design guidelines;* The proposed project was carefully designed to generally comply with all design standards.
- e. *The proposed development is demonstratively superior to the development that could occur under the standards applicable to the underlying base district, and will achieve superior community design, environmental preservation and/or substantial public benefit.*  
The subject site is constrained for development with an irregular triangular shape, two street frontages, and a 14 foot easement bisecting the site. A Planned Development approval will allow for a grander viable project with a very restricted site.

#### Environmental Review

An environmental noise assessment (Exhibit B) was prepared by Illingworth & Rodkin, Inc. due to the proximity of Newark Boulevard. The project is conditioned to meet the interior and exterior noise standards of the General Plan and to construct a recommended 8 foot high block wall along the perimeter of the project.

The project site was formally a gas station facility. The gas station facility was removed in December, 1992. The San Francisco Bay Regional Water Quality Control Board monitored the site cleanup and closed the case on June 24, 2016. This project is conditioned to comply with the San Francisco Bay Regional Water Quality Control Board requirements for residential use prior to any building permit approval.

This project is categorically exempt from the California Environmental Quality Act (CEQA) per Section 15332, Class 32, In-Fill Development Projects.

Staff believes this project will be beneficial for the City and recommends approval of the proposed six unit multi-family residential townhome subdivision project, subject to the conditions of approval listed in the attached resolutions.

**Update** – On May 29, 2018, the Planning Commission approved Resolution No. 1959 recommending approval of P-16-6, a planned development, to allow for a six unit multi-family residential townhome subdivision at 36598 Newark Boulevard (APN:92A-623-43) and Resolution No. 1960 approving Vesting Tentative Tract Map 8409 and subdivision and zoning variances thereto.

#### **Attachments**



**Action** – It is recommended that the City Council: 1) by resolution, approve P-18-6, a planned development to allow for a six unit multi-family residential townhome subdivision at 36589 Newark Boulevard (APN: 92A-623-43), with Exhibits A and B; 2) introduce an ordinance establishing a Planned Development Overlay District at 36589 Newark Boulevard (APN:92A-623-43), and 3 )by resolution, approve vesting tentative tract map 8409 and subdivision and zoning variances thereto.

## **F. CITY MANAGER REPORT**

**(It is recommended that Items F.1 through F.8 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 Approval of Investment Policy – from Accounting Manager Lee. (RESOLUTION)**

**Background/Discussion** – State law requires that the City’s Investment Policy be reviewed and approved by the City Council at least annually. The option of investing in a Local Government Investment Pools (LGIP) has been added to Section 9 of the policy. This option is being added to the City’s Investment Policy to provide an additional option similar to Local Agency Investment Fund (LAIF), which has reached the maximum deposit allowed. The LGIP is governed by Government Code 6509.7 which allows local agencies to pool their investments and Government Code 53601 which sets the requirements for oversight of government funds.

The remainder of the City’s current Investment Policy will remain the same because it provides for all of the standard and material issues that an Investment Policy should include. The Investment Policy’s primary objective is the safety of principal balances, with liquidity and return on investment as the second and third priorities respectively.

#### **Attachment**

**Action** - It is recommended that the City Council, by resolution, approve the City’s Investment Policy.

#### **F.2 Establishment of the Fiscal Year 2018-2019 Appropriations Limit – from Accounting Manager Lee. (RESOLUTION)**

**Background/Discussion** – State law requires the adoption of the Appropriations Limit by resolution prior to the beginning of each fiscal year and a recorded vote of the Council regarding which of the annual adjustment factors have been selected to calculate the Appropriations Limit each fiscal year. On December 14, 2017, the City Council adopted

Resolution No. 10725 establishing the Fiscal Year 2017-2018 Appropriations Limit to \$348,992,523.

The State Constitution specifies the annual adjustment factors that the City may choose to calculate the Appropriations Limit. These adjustment factors are comprised of: (1) either the California per capita income or the percentage change in the local assessment roll due to the addition of local nonresidential construction in the City and (2) either the City's population growth or the population growth of the entire county. The two percentage increases are multiplied together to determine the final percentage by which the prior year's limit is increased.

The City chooses to use the percentage change in California personal income for the inflationary adjustment. Local assessment roll data necessary to calculate the percentage change in the nonresidential assessed valuation is generally not available from the County Assessor's Office until well into the fiscal year. In the absence of final information on this important factor, it is recommended that the known California per capita personal income of 3.67 percent be adopted for Fiscal Year 2018-2019. For the population adjustment factor, it is recommended that the City's percent change in population of 3.94 percent be adopted for Fiscal Year 2018-2019 since the higher percentage change in population is most advantageous to the City.

Based on the above information, the proposed Fiscal Year 2018-2019 Appropriations Limit is \$376,055,491. The 2018-2019 Biennial Budget contains appropriations subject to the limit and the budget is well below that limit.

#### **Attachment**

**Action** - It is recommended that the City Council, by resolution, update the Appropriations Limit and annual adjustment factors for Fiscal Year 2018-2019.

### **F.3 Amendment of the 2016-2018 Biennial Budget and Capital Improvement Plan for Fiscal Year 2017-2018 for General Revisions – from Administrative Services Director Woodstock. (RESOLUTION)**

**Background/Discussion** – Fiscal Year 2017-2018 is the second year in the City's two-year budget cycle. As part of the year-end closing, a number of general revisions are proposed to the annual budget. These revisions affect activities where savings or deficiencies have been identified. Savings are usually realized when there are staffing vacancies or reduction in expenditures for services or supplies. Deficiencies occur as a result of unforeseen increases in cost or need for services or supplies. A typical situation having no fiscal impact on the overall budget but requires a budget revision or amendment, is a reallocation of resources from one activity to another. The redistribution of resources may be necessary in order to respond to changing demands and needs.

The year-end financial audit requires that necessary transfers be approved by the City Council. The transfers for the PERS Reserve Policy, the Fund Balance Policy and the

Debt Service payments have all been identified on Exhibit A along with the year-end Amendments.

The expenditure modifications to the General Fund operating budget for Fiscal Year 2017-2018 include an increase in cost for Recreation contract instructors and part-time staff and a change in the charge fund for Community Development Maintenance staff.

In other funds, expenditure modifications are all offset by fund balance in each of those accounts. The adjustments to those accounts include an increase in ABAG deductible costs, increases in Equipment Maintenance expenses and an increase in costs of two projects funded by the Community Development Maintenance Fee.

Exhibit A lists the adjustments to the budget expenditures and transfers.

#### **Attachments**

**Action** - It is recommended that the City Council, by resolution, amend the 2016-2018 Biennial Budget and Capital Improvement Plan for Fiscal Year 2017-2018.

#### **F.4 Calling and giving notice of the holding of a General Municipal Election on Tuesday, November 6, 2018, for the election of certain officers of the City of Newark – from City Clerk Harrington. (MOTION)(RESOLUTION)**

**Background/Discussion** – The City’s next General Municipal Election will be held on November 6, 2018. A Mayor will be elected for a two-year term and two Council Members will be elected for four-year terms. Candidates may file nomination papers from July 16, 2018, through August 10, 2018. Should an incumbent fail to file, then the nomination period would extend to August 15, 2018 for that incumbent’s elective office. The incumbent who did not file would not be eligible to file during the extended period.

The Alameda County Registrar of Voters (ROV) establishes polling places, secures precinct workers, prepares sample and official ballots, provides absentee voting, and tabulates the votes. In order for the ROV to render these services, the City must adopt a resolution requesting the services of the ROV through the Alameda County Board of Supervisors.

The Registrar’s estimate for election services is between \$4.00 and \$6.00 per registered voter. Based on Newark’s current voter registration of 21,300, the estimated cost for the election will be between \$85,200 and \$127,800, plus other publication printing, translation, and supply costs borne directly by the City. Funds to cover the services provided by the County and other vendors are included in the 2018-2019 fiscal year budget.

Resolution No. 7400 requires the City Clerk to estimate the cost and collect the deposit for the optional Candidate Statement of Qualifications. Candidates are responsible for

the actual costs associated with their Statement of Qualifications. Based on the last election, staff has estimated an approximate cost of \$400 per statement. The candidate will be refunded any overage or billed for any additional costs within 30 days of the final invoice from the ROV.

**Attachment**

**Action** - It is recommended that the City Council, by motion, approve the estimated cost of \$400 to be paid by each candidate at the time nomination papers are filed for his/her Statement of Qualifications and, by resolution calling for the holding of a General Municipal Election to be held on Tuesday, November 6, 2018, for the election of certain officers; requesting the Alameda County Board of Supervisors to consolidate the General Municipal Election with the General Election to be held on November 6, 2018; and request services of the Registrar of Voters.

**F.5 Notification to nonelected officials and designated employees to review their Conflict of Interest Code – from City Clerk Harrington. (MOTION)**

**Background/Discussion** – The California Political Reform Act requires that biennially every local Conflict of Interest Code reviewing body shall direct any local group which has adopted a Conflict of Interest Code to review its Code and, if a change in its Code is necessitated by changed circumstances, to prepare and submit an amended Conflict of Interest Code to the code reviewing body.

The only local group in Newark that has adopted a Conflict of Interest Code is the nonelected officials and designated employee group. The code reviewing body for this group is the City Council. The Political Reform Act provides that the City Council must notify the nonelected officials and employees to review their Conflict of Interest Code and submit no later than October 1, 2018, either a written statement that no change in the Code is necessary or that an amended Code must be adopted.

**Attachment**

**Action** - It is recommended that the City Council, by motion, notify the nonelected officials and designated employees to review their Conflict of Interest Code and file their report no later than October 1, 2018.

**F.6 Authorization for the City Attorney to sign a Certification and Mutual Indemnification Agreement with the County of Alameda - from Accounting Manager Lee and City Attorney Benoun. (RESOLUTION)**

**Background/Discussion** – The City currently has an agreement with Alameda County which authorizes the collection of various taxes, assessments, and fees on the secured property tax roll. Since the passage of Proposition 218 in 1996, the County has required that each agency or district sign an annual statement certifying that each assessment, fee, and/or special tax placed on the tax rolls meets the requirements of Proposition 218.

Staff has reviewed each of the City’s taxes, assessments, and fees to ensure compliance with the proposition. It is the opinion of the City Attorney that the City’s taxes, assessments, and fees are in compliance with Proposition 218 requirements and the City is able to sign the certification.

**Attachment**

**Action** - It is recommended that the City Council, by resolution, authorize the City Attorney to sign a Certification and Mutual Indemnification Agreement with the County of Alameda.

**F.7 Authorization for the City Manager to sign Task Order No. 15 to the Joint Powers Agreement with the City of Fremont for Paratransit Services – from Recreation and Community Services Director Zehnder. (RESOLUTION)**

**Background/Discussion** – Door-to-door shared ride transportation services are an essential service offered to Newark residents who are 70 years of age and older who are unable to access public transit independently due to a medical or disabling health condition. These paratransit services are provided to elderly and disabled Newark residents in order to improve their access to health care, shopping, errands and social and recreational activities. Funding for Newark Paratransit services is provided through Measure B and Measure BB sales tax and administered through the Alameda County Transportation Committee.

The size and scope of Fremont’s program provides Newark residents with expanded and efficient services including a new Direct Ride-Hailing Service with Lyft. The following table provides a summary of services to be provided through the City of Fremont under a contract for services with MV Transportation, local taxi companies, Lyft and Life ElderCare:

<b>FY18/19 Service Parameters</b>	<b>Fremont/Newark Wheelchair Accessible Paratransit Service</b>
Service Hours	Monday – Friday, 8 am – 6 pm *Saturday and Sunday, 9 am – 3 pm *limited Sat./Sun. service within Newark
Service Area	All of Fremont, Newark and Union City.
*Fares	\$4 per one-way trip within Newark, Fremont and Union City
Reservation Hours	Monday – Friday, 8 am – 5 pm Centralized reservations and dispatch with our contracted service provider that ensures that riders can reach a live person to make reservations and to check on the status of a ride (weekdays and weekends).
Enrollment processing time	On the same day of receipt of application. Expedited access to transportation can also be arranged on the same day or the next day as scheduling capacity allows.

\*The following justification was used in evaluating a fee increase from \$2.50 to \$4 per one-way trip for the wheelchair-accessible paratransit service through MV Transportation:

- There has been no fare increases in the program in the last 10 years.
- Wheelchair-accessible service costs have increased substantially over the years. The Fiscal Year 18/19 billing rate for the wheelchair-accessible van service is \$59.49 per hour. Typically 1.5 passengers are transported per hour thus a one-way trip on the wheelchair accessible service is about \$40. Rides on the taxi and the new subsidized Lyft service will cost the City \$16 - \$20 per one-way trip.
- Other transportation services (taxi and the new subsidized Lyft rides) have a passenger share of cost of \$4 for a \$16 subsidy on the ride from the City. Raising the fare for the service will also make the fees more equal across the services and be a disincentive for ambulatory riders who previously have wanted to keep using the more expensive wheelchair-accessible van service.
- Shifting ambulatory rider demand to taxi and Lyft will allow us to experiment with providing more same-day ride capacity for individuals who use wheelchairs, thereby creating more equity across the services.

<b>FY18/19 Service Parameters</b>	<b>Subsidized Taxi Voucher Program</b>
Service Hours	24 hours per day, seven days a week. Ride requests are made same day. Riders will be picked up within 45 minutes of their call or within 10 minutes of time a time order request.
Service Area	All of Newark, Fremont and Union City.
Fares	Depends on distance traveled. \$4 per taxi voucher (purchased through City of Fremont). Each voucher subsidizes up to \$16 in taxi meter fare. Riders responsible for fares beyond the voucher subsidy.
Enrollment Requirements	Must be enrolled in the Fremont/Newark Paratransit program.
<b>FY18/19 Service Parameters</b>	<b>“NEW” Subsidized Direct-Ride Hailing Service with Lyft and Ride-Hailing Service with Life Elder Care</b>
Service Hours	24 hours per day, seven days a week for rides ordered through an individual’s smart phone. Rides provided through LifeElder Care (for individuals without smartphones) will be available Monday-Friday, 8 am – 6 pm. Ride requests are made on the same day through the Lyft app on the rider’s own smartphone. Riders will receive special codes to apply to their rides in order to receive subsidized rides. Riders without smartphones will call Life ElderCare for a ride and Life ElderCare will book the individual’s ride on the Lyft ride-hailing platforms.
Service Area	All of Newark, Fremont and Union City. Out-of-Area medical trips by staff approval only.
Fares	Riders pay the first \$4 of a trip and up to \$16 of the trip will be subsidized. Riders are responsible for all fares above \$20. For staff-approved medical

	out-of-area trips, rider pays first \$4 of trip and up to \$46 of the trip will be subsidized; riders are responsible for all fares above \$50. Passenger fares will be charged directly through the Lyft app or by Life ElderCare.
Enrollment Requirements	Must be enrolled in the Fremont/Newark Paratransit program.

In addition to paratransit, taxi voucher and the new direct-ride hailing services, Newark residents benefit from the high level of service coordination and customer service provided by the City of Fremont’s paratransit services team. City of Fremont staff ensure that elderly and disabled residents have expedited access to transportation services (applications can be processed within hours and urgent need transportation can be scheduled on the next day and sometimes even on the same day). Paratransit enrollment packets are sent out within a day or two of receipt of a completed application.

The City has contracted for paratransit services with the City of Fremont since September 1, 2013. For fiscal year 2018-2019, staff is recommending funding in the amount of \$240,000.

City staff and the City Attorney have reviewed the agreement and recommend that it be approved.

**Attachment**

**Action** - It is recommended that the City Council, by resolution, authorize the City Manager to sign Task Order No. 15 to the Joint Powers Agreement with the City of Fremont for Newark Paratransit services.

**F.8 Authorization for the City Manager to sign Task Order No. 16 to the Joint Powers Agreement with the City of Fremont for Case Management services – from Recreation and Community Services Director Zehnder.**

**(RESOLUTION)**

**Background/Discussion** – Case Management is a vital component of the services offered through the City of Newark Senior Services program. It targets frail, homebound Newark seniors, striving to keep the elder person in their own home rather than being institutionalized. An assessment is made of the senior’s overall well-being, including health (physical and mental), financial, transportation and/or housing needs, personal safety issues, and the ability to care for themselves, either on their own or with assistance. If appropriate, a care plan for services is begun to assist the client with whatever services are needed and to provide ongoing monitoring of the client and the services put in place.

The Case Management Program receives referrals from the Police and Fire Departments. As first responders they encounter elderly that need assistance on many

levels. The case manager is the answer to many of these referrals. Case Management services often result in the elimination of repeated callouts for the Police and Fire Departments as a crisis situation receives prompt intervention. This allows safety personnel to focus on other business within the City, thereby not straining the City's safety resources. With ever-increasing demands on City staff, it is reassuring to know that assistance is available for the City's most vulnerable residents.

The City has contracted for Case Management services with the City of Fremont since July 1, 1997. The Fiscal Year 2017-2018 agreement was in the amount of \$5,000 and provided one and one half hours of Case Management services per week. Staff is recommending that the Case Management funding for Fiscal Year 2018-2019 remain at \$5,000. Based on the number of cases opened during the current fiscal year, it appears that one and one half hour of service per week will be sufficient to meet the needs of Newark clients. If demand exceeds the available funding, new clients may be placed on a waiting list or directed to other fee-based agencies until the case load can accommodate them.

City staff and the City Attorney have reviewed the agreement and recommend that it be approved.

#### **Attachment**

**Action** - It is recommended that the City Council, by resolution, authorize the City Manager to sign Task Order No. 16 to the Joint Powers Agreement with the City of Fremont for Case Management Services.

### **G. CITY ATTORNEY REPORTS**

### **H. ECONOMIC DEVELOPMENT CORPORATION**

### **I. CITY COUNCIL MATTERS**

#### **I.1 Resolution supporting the Chinese American World War II Veterans Congressional Gold Medal Act – from Mayor Nagy. (RESOLUTION)**

**Background/Discussion** – The Congressional Gold Medal is the highest civilian honor bestowed by Congress and has been awarded in recent years to World War II groups including the Native American code talkers, the Monuments Men, and Filipino World War II veterans.

Chinese American World War II veterans served with distinction, in spite of the fact that the Chinese Exclusion Act of 1882 was still in effect at the beginning of the war. The United States Senate and the House of Representatives have introduced bills to



collectively award the Congressional Gold Medal to Chinese American Veterans of World War II.

The attached resolution would call for Congress to pass the Act and honor these veterans for their service, valor, and bravery.

**Attachment**

**Action** - It is recommended that the City Council, by resolution, support H.R.2358/S.1050 – The Chinese American World War II Veterans Congressional Gold Medal Act.

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

**K. ORAL COMMUNICATIONS**

**L. APPROPRIATIONS**

**Approval of Audited Demands.**

**(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, 5<sup>th</sup> 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.