



CITY OF NEWARK CITY COUNCIL

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

Minutes

Thursday, January 11, 2018

A. ROLL CALL

Mayor Nagy called the meeting to order at 7:30 p.m. Present were Council Members Bucci, Collazo, Freitas, and Vice Mayor Hannon.

B. MINUTES

B.1 Approval of Minutes of the City Council meetings of December 7 and 14, 2017. **MOTION APPROVED**

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

C. PRESENTATIONS AND PROCLAMATIONS

C.1 Commending Sergeant Ray Hoppe on his retirement.

Mayor Nagy presented the commendation to Sergeant Ray Hoppe.

D. WRITTEN COMMUNICATIONS

D.1 Notice of the Planning Commission approval of a conditional use permit to allow a fitness gym, GFY CrossFit, in a building at 36601 Newark Boulevard, Suite #77. The property is zoned Community Mixed Use.

City Manager Becker stated that the Planning Commission approved the conditional use permit for this request. He noted the item was review optional.

Council Member Bucci recused himself since he lives within 500 feet of the location and left the City Council Chambers.

In response to Mayor Nagy, staff will find out what the acronym GFY means.

The City Council choose not to review the item.

Council Member Bucci returned to the City Council Chambers.

D.2 Notice of Planning Commission’s decision to uphold the Community Development Director’s denial of a single-family design review change of exterior building material from siding to stucco at 8215 Thornton Avenue.

City Manager Becker stated that the Planning Commission upheld the Community Development Director’s denial to change the exterior building material. The property owners have not appealed that decision and the item is review optional

The City Council choose not to review.

E. PUBLIC HEARINGS

E.1 Hearing to consider an amendment to the Master Fee Schedule to add an Improvement Plan Review by Outside Consulting Firm by Applicant Request Fee. RESOLUTION NO. 10731

City Manager Becker proposed adding an Improvement Plan Review Fee to the Master Fee Schedule. This will allow an applicant to request improvement plan review by an outside consulting firm. The applicant will pay for the consulting services in addition to any other fees already required for the plan review.

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

There was no public testimony.

Mayor Nagy closed the public hearing at 7:45 p.m.

Council Member Bucci moved, Council Member Collazo seconded to, by resolution, amend the Master Fee Schedule for Fiscal Year 2017-2018 to add a new fee for improvement plan review by outside consulting firms upon applicant request. The motion passed, 5 AYES.

E.2 Hearing to introduce an ordinance to repeal and replace Title 17 (“Zoning”) of the Newark Municipal Code and rezone properties by adopting the Official Zoning Map. ORDINANCE INTRODUCED

Assistant City Manager Grindall gave the presentation (on file with City Clerk) recommending the repeal and replacement of the Zoning Code. He highlighted revisions to the noise section that staff made after the packet was distributed. He stated that property owners whose properties were proposed for rezoning were notified via letter in December. The property owner of Le Lan salon at 36602 Newark Boulevard requested that their zoning not be changed.

Vice Mayor Bucci requested that social service facility, listed as not allowed in mixed use zoning, be allowed.

In response to Vice Mayor Bucci, Assistant City Manager Grindall stated that the Old Town Center is commercial mixed use and is incorporated into the Housing Element. Any changes to this location would require a separate process.

Mayor Nagy opened the public hearing at 8:13 p.m.

No one came forward to speak.

Mayor Nagy closed the public hearing at 8:14 p.m.

Vice Mayor Hannon moved, Council Member Bucci seconded to introduce an ordinance repealing and replacing Title 17 (Zoning) of the Newark Municipal Code in order to update the Newark Zoning Code, Rezone Districts and Properties and add a new Zoning Map. The motion included maintaining the current zoning for Le Lan salon at 36602 Newark Boulevard, incorporating the changes to noise section, and allowing social service facilities as allowed in commercial mixed use zoning areas. The motion passed, 5 AYES.

Assistant City Manager Grindall stated that staff will evaluate the Old Town Center and will bring it back for City Council discussion at a future meeting.

F. CITY MANAGER REPORTS

Council Member Collazo moved, Vice Mayor Hannon seconded, to approve Consent Calendar Items F.1 through F.3, that the resolutions be numbered consecutively, and that reading of the titles suffice for adoption of the resolutions. The motion passed, 5 AYES.

CONSENT

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| F.1 | Approval of Local Debt Policy. | RESOLUTION NO. 10732 |
| F.2 | Authorization for the City Manager to sign Task Order No.1 with Heller Manus Architects for additional architectural services for the renovation of the existing library under the original Newark Civic Center Contractual Services Agreement, Project 1188. | RESOLUTION NO. 10733
CONTRACT NO. 17014 |
| F.3 | Acceptance of the Annual Report on Newark Development Impact Fees for Fiscal Year 2016-2017 in accordance with Government Code Section 66006(b). | MOTION APPROVED |

NONCONSENT**F.4 Acceptance of the Comprehensive Annual Financial Report (CAFR) for the period ending June 30, 2017. MOTION APPROVED**

Administrative Services Director Woodstock gave a presentation (on file with City Clerk) on the audited Comprehensive Annual Financial Report.

Vice Mayor Hannon requested that staff place the housing impact fees on a future City Council meeting to discuss how to use the funds.

Council Member Collazo moved, Vice Mayor Bucci seconded to by motion, accept the Comprehensive Annual Financial Report (CAFR) for the period ending June 30, 2017. The motion passed, 5 AYES.

F.5 Amendment of the 2016-2018 Biennial Budget and Capital Improvement Plan for Fiscal Year 2017-2018 for Budget Revisions. RESOLUTION NO. 10734

Administrative Services Director Woodstock outlined the proposed amendments that were presented in the staff report. The amendment includes \$1.79 million in additional expenditures which are offset by increases in revenues and a \$1.37 million transfer from the unallocated fund balance.

Council Member Freitas moved, Council Member Bucci seconded to by resolution, amend the 2016-2018 Biennial Budget and Capital Improvement Plan for Fiscal Year 2017-2018 budget and position revisions. The motion passed, 5 AYES.

G. CITY ATTORNEY REPORTS**H. ECONOMIC DEVELOPMENT CORPORATION****I. CITY COUNCIL MATTERS**

Mayor Nagy stated that he would adjourn the meeting in memory of Tony Zeuli. The entire City Council extended their condolences.

Council Member Collazo congratulated Ray Hoppe on his retirement. She noted that Monday is Martin Luther King, Jr. Day and society is still struggling with civil rights. She encouraged everyone to Shop Newark.

Council Member Bucci congratulated Vice Mayor Hannon who was selected as the vice mayor at the last council meeting.

Mayor Nagy stated that the Afro American Historical Society would be holding a Martin Luther King, Jr. event on Sunday at the First Presbyterian Church. Mayor Nagy commended City staff for all of the work that has been accomplished in the last year.

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

K. ORAL COMMUNICATIONS

No one came forward to speak.

L. APPROPRIATIONS

Approval of Audited Demands for the City Council meeting of January 11, 2018. MOTION APPROVED

City Clerk Harrington read the Register of Audited Demands: Check numbers 113131 to 113338.

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

M. CLOSED SESSION

**M.1 Closed session pursuant to Government Code Section 54957
Public Employee Performance Evaluation
Title: City Manager.**

**M.2 Conference with Labor Negotiator
Government Code Section 54957.6
Agency Designated Representative: Mayor Nagy
Unrepresented employee: City Manager**

At 9:09 p.m. the City Council recessed to a closed session.

At 9:20 p.m. the City Council convened in closed session.

At 10:55 p.m. the City Council reconvened in open session with all Council Members present.

N. ADJOURNMENT

At 10:55 p.m. Mayor Nagy adjourned the meeting in memory of Tony Zeuli.

SHEILA HARRINGTON
City Clerk