

# 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, February 22, 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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City Administration Building  
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City Council Chambers

## AGENDA

Thursday, February 22, 2018

- A. ROLL CALL
  
- B. MINUTES
  - B.1 Approval of Minutes of the special and regular City Council meetings of February 8, 2018. (MOTION)
  
- C. PRESENTATIONS AND PROCLAMATIONS
  - C.1 Commending K9 Eliot on his retirement. (COMMENDATION)
  
- D. WRITTEN COMMUNICATIONS
  - D.1 JS-18-1, a Joint Staff Committee Review, to construct a duplex at 37136 Magnolia Street (APN: 92-61-15) – from Associate Planner Mangalam. (REVIEW OPTIONAL)
  
- E. PUBLIC HEARINGS
  - E.1 Hearing to consider amendments to the Fiscal Year 2017-2018 Master Fee Schedule to add new Waiver, Minor Use, and Sign Permit Fees – from Deputy Community Development Director Interiano. (RESOLUTION)
  
- 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 Authorization for the City Manager to sign a Bill of Sale for the sale of retired Police Service Canine Eliot - from Police Chief Carroll. (RESOLUTION)

- F.2 Approval to add two Child Care Instructor positions by amending the 2016-2018 Biennial Budget – from Recreation and Community Services Director Zehnder and Human Resources Director Abe. (RESOLUTION)**
- F.3 Approval of the allocation of anticipated Community Development Block Grant (CDBG) Jurisdiction Improvement Project funds for fiscal year 2018-19 – from Associate Planner Sofia Mangalam. (MOTION)**
- F.4 Acceptance of work with Rosas Brothers Construction for 2017 Curb, Gutter, and Sidewalk Replacement, Project 1143 – from Senior Civil Engineer Tran. (RESOLUTION)**
- F.5 Acceptance of work with G. Bortolotto & Company, Inc. for Enterprise Drive Complete Streets and Road Diet, Project 1066 – from Senior Civil Engineer Cangco. (RESOLUTION)**
- F.6 Approval of the Final Map and Subdivision Improvement Agreement for Tract 8311 – Phase III Bayshores (William Lyon Homes, Inc.), an 82-unit residential subdivision at the intersection of Willow Street and Central Avenue in the Dumbarton Transit-Oriented Development Specific Plan project area – from Senior Civil Engineer Cangco. (RESOLUTION)**
- F.7 Acceptance of public improvements for Tract 8028 (Casa Bella), a 14-unit residential townhome-style subdivision at 6249 Thornton Avenue, west of Newark Boulevard – from Public Works Director Fajeau. (RESOLUTION)**
- F.8 Authorization for the purchase of a replacement light control board for the Silliman Family Aquatic Center, and declaration of Syserco, Inc., as the single source vendor – from Maintenance Supervisor Connolly. (RESOLUTION)**

**NONCONSENT**

- F.9 Overview of the 2018-2020 Capital Improvement Plan – from Public Works Director Fajeau. (INFORMATIONAL)**

**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 February 22, 2018. (MOTION)**

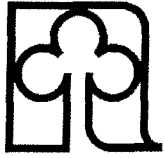
**M. CLOSED SESSION**

**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.





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**SPECIAL MEETING**

## Minutes

Thursday, February 8, 2018

City Administration Building  
5:30 p.m.  
City Council Chambers

### A. ROLL CALL

Mayor Nagy called the meeting to order at 5:30 p.m. Present were Council Members Collazo, Freitas, Bucci, and Vice Mayor Hannon.

### B. STUDY SESSION

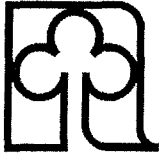
#### B.1 Study Session to review the Operating Section of the Biennial Budget for 2018-2020.

City Manager Becker and Administrative Services Director Woodstock gave the presentation (on file with City Clerk). They reviewed the current budget, budget trends, department priorities, and budget forecasts. The City Council provided feedback on the presentation.

The Capital Improvement Plan will be reviewed at the February 22, 2018 City Council meeting.

### C. ADJOURNMENT

Mayor Nagy adjourned the meeting at 7:15 p.m.



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

## Minutes

Thursday, February 8, 2018

### A. ROLL CALL

Mayor Nagy called the meeting to order at 7:45 p.m. Present were Council Members Collazo, Freitas, Bucci, and Vice Mayor Hannon.

### B. MINUTES

#### B.1 Approval of Minutes of the City Council meeting of January 25, 2018.

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

### C. PRESENTATIONS AND PROCLAMATIONS

#### C.1 Introduction of promoted employees.

Mayor Nagy introduced Trang Tran and Diana Cangco who have each been promoted to the position of Senior Civil Engineer in the Public Works Department.

### D. WRITTEN COMMUNICATIONS

#### D.1 An Architectural and Site Plan Review, to demolish and replace an existing restaurant, Ray's Sushi, with a new restaurant, Lazy Dog, located at 3100 Newpark Mall. **RESOLUTION NO. 10742**

City Manager Becker gave the staff report recommending approval.

Jarod Taylor, on behalf of the applicant, presented pictures of other Lazy Dog locations. He agreed to the conditions in the resolution and estimated that the restaurant would be open around September.

Council Member Bucci moved, Council Member Collazo seconded to, by resolution, approve an Architectural and Site Plan Review to demolish and replace an existing restaurant, Ray's Sushi, with a new restaurant, Lazy Dog, located at 3100 NewPark Mall (APN: 901-0111-017). The motion passed, 5 AYES.

**D.2 Notice of Planning Commission approval of a Conditional Use Permit to allow two special events, the Bay Area Night Market, at 300 Newpark Mall.**

City Manager Becker gave the staff report noting it was review optional.

The City Council chose not to review.

**E. PUBLIC HEARINGS**

**F. CITY MANAGER REPORTS**

John Henneberry requested the removal of F.1 from the Consent Calendar.

**NONCONSENT**

**F.1 Authorization for the purchase of two (2) 2018 Harley Davidson Enforcement Electra Glides as replacement motorcycles for the Police Department from Oakland Harley Davidson with outfitting by Metro Mobile and Classic Graphics. RESOLUTION NO. 10743**

City Manager Becker gave the staff report recommending approval of the purchase.

John Henneberry stated that the Police Department did not need this equipment and that the money should be used toward opening the Newark Library seven days a week.

Council Member Bucci moved, Council Member Collazo seconded by resolution, to authorize the purchase of two (2) 2018 Harley Davidson Enforcement Electra Glides as replacement motorcycles for the Police Department from Oakland Harley Davidson with outfitting by Metro Mobile and Classic Graphics. The motion passed, 5 AYES.

**F.2 Update on preliminary designs of dog parks at Newark Community Park and Birch Grove Park.**

Public Works Director Fajeau stated that community workshops were held for both dog park locations. Staff has suspended design development for the Birch Grove Park location based on feedback from the residents. Alternative locations will be analyzed.

Robert Mowat and Nieve Nielsen of Robert Mowat Associates gave an overview of the refined preliminary master plan for the proposed dog park at Community Park. The next community meeting will be on February 27, 2018 at the Newark Community Center beginning at 7:00 p.m.

This item was informational only.

**G. CITY ATTORNEY REPORTS**

**H. ECONOMIC DEVELOPMENT CORPORATION**

**I. CITY COUNCIL MATTERS**

Vice Mayor Hannon announced that his daughter was scheduled to have her first baby tomorrow.

Council Member Collazo stated that the Newark Rotary Club Crab Feed would be held on Saturday, the League of Volunteers An Elegant Affaire on Friday, and her tamale class on Sunday. She encouraged everyone to shop Newark.

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

**K. ORAL COMMUNICATIONS**

John Henneberry encouraged the public to run for local office in November. He shared his opinion of Newark's public officials.

**L. APPROPRIATIONS**

**Approval of Audited Demands for the City Council meeting of February 8, 2018. MOTION APPROVED**

City Clerk Harrington read the Register of Audited Demands: Check numbers 113455 to 113572

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

**M. CLOSED SESSION**

**N. ADJOURNMENT**

Mayor Nagy adjourned the meeting at 8:31 p.m.

**C.1 Commending K9 Eliot on his retirement.**

**(COMMENDATION)**

**Background/Discussion** – Eliot is a German Shephard who has served in the Police Department's K9 Unit for over seven years. Eliot and his canine handler, Officer Britain Jackman, will be at the meeting to accept a commendation for Eliot's retirement.

**D.1 JS-18-1, a Joint Staff Committee Review, to construct a duplex at 37136 Magnolia Street (APN: 92-61-15) – from Associate Planner Mangalam. (REVIEW OPTIONAL)**

**Background/Discussion** – Mr. and Mrs. Li, property owners, have submitted an application to construct a duplex at 37136 Magnolia Street.

The subject site is on the north side of Magnolia Street, approximately 200 feet east of Graham Avenue. It is zoned as R-2500 (Medium Density Residential – 2,500 District) and has a Medium Density Residential General Plan Land Use Designation. A duplex is a permitted use in the Medium Residential District. Per Section 17.16.200 of Newark Municipal Code, in the Medium Density Residential Districts, all new buildings shall be reviewed by a Joint Staff Committee comprised of the Community Development Director, the Public Works Director, and the Fire Chief or their designated alternatives.

The applicant proposes to build a duplex with one unit on the ground floor and the other unit on the second floor. Each unit consists of a living room, dining room, kitchen, and four bedrooms. The City’s off-street parking requirement is satisfied by the provision of two attached single-car garages, two uncovered spaces (i.e., one garage space and one uncovered space per unit) and an uncovered guest parking space. The proposed duplex meets all of the zoning requirements of the Newark Municipal Code including a maximum coverage of 35% site area, minimum usable open space of 400 square feet/unit, and a minimum landscaping requirement of 25% site area etc.

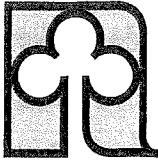
The appearance of the proposed two-story building as a duplex is minimized by a single porch ‘gabled entry’ on the front side. The City’s multi-family residential design guidelines’ objective of minimizing the appearance of the attached garage is aided by providing vehicular entry from the side instead of the front. In addition, there is a false window with shutters on the garage wall facing the street. Exterior wall materials consist of a combination of siding and stucco with composition shingle roof. The 20 foot front yard between uncovered parking spaces and the right-of-way will be landscaped. There is also a proposed 4 foot high wall to screen the proposed parking spaces from street view. The applicant proposes to add six new trees, three in the front yard and three in the rear yard.

**Environmental**

The proposed project is categorically exempt from the California Environmental Quality Act per Section 15303, Class 3b, “New Construction or Conversion of Small Structures - A duplex or similar multi-family residential structure, totaling no more than four dwelling units”.

**Update** – At its February 13, 2018 meeting, the Planning Commission, did not call this item up for review.

**Action** – City Council review of this item is optional.



**CITY OF NEWARK, CALIFORNIA**

37101 Newark Boulevard • Newark, California 94560-3796 • (510) 578-4000 • FAX (510) 578-4306

February 5, 2018

Mr. and Mrs. Li  
37136 Magnolia Street  
Newark, CA 94560

hernandez.adc@gmail.com  
tsc@rcusa88.com

Dear Mr. and Mrs Li,

Subject: Approval of JS2017-001, a Joint Staff Committee Review, for a duplex at 37136 Magnolia Street

The joint Staff Committee has reviewed and approved your application at 37136 Magnolia Street with exhibit A, pages 1 through 10, subject to the following conditions:

The Planning Division

- a. There shall be no roof-mounted equipment other than satellite dishes, other similar television or radio antennas, and solar equipment. A/C units shall not be mounted on the roof.
- b. All lighting shall be directed on-site so as not to create glare off-site, as required by the Community Development Director.
- c. Parking lot cleaning with sweeping or vacuum equipment shall not be permitted between 7:00p.m. and 8:00a.m.
- d. 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.
- e. 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).

- f. Garages shall only be used for automobile parking.
- g. The site and its improvements shall be maintained in a neat and presentable condition, to the satisfaction of the Community Development Director. This shall include, but not be limited to, repainting surfaces damaged by graffiti and site clean-up. Graffiti removal/repainting and site cleanup shall occur on a continuing, as needed basis. Any vehicle or portable building brought on the site during construction shall remain graffiti free.
- h. 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.
- i. Color elevations shall be submitted by the applicant as part of this application to 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. Any minor changes shall be submitted for the review and approval of the Community Development Director to assure consistency with the approved project.
- j. Prior to the issuance of a building permit, the roof material as submitted by the applicant 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 project shall be submitted for the review and approval of Republic Services and the Community Development Director, in that order. The appropriate garbage, refuse and recycling service shall be approved 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 containers.
- l. 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,

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.

- m. Prior to their installation, mailbox locations and designs shall be approved by the Community Development Director and Newark Postmaster, in that order. The mailbox compartments of centralized mailboxes shall identify the individual dwelling units with permanent, easily legible lettering.
- n. Prior to the issuance of a Certificate of Occupancy, roll-up garage doors with automatic garage door openers shall be provided for each unit.
- o. Prior to final inspection and utility release for each unit, the applicant shall pre-wire each unit for satellite and cable television connections, as required by the Community Development Director. The exterior connections for the pre-wire shall be made to the roof and not on the side elevation walls of the units.
- p. Prior to the issuance of a Building Permit, fence details shall be submitted for the review and approval of Community Development Director.
- q. Prior to the issuance of a Certificate of Occupancy, the parking areas, aisles and access drives shall be installed and striped as shown on the approved site plan. Guest parking spaces shall be clearly marked as reserved for guests, as approved by the Community Development Director.
- r. Prior to the issuance of a Building permit, the applicant shall pay the Development impact fees in effect at the time.

#### The Engineering Division

- s. The project must be designed to minimize pollution or contamination of stormwater runoff from the site to satisfy permit requirements under the Municipal Regional Stormwater Permit (MRP) issued to the City of Newark by the San Francisco Bay Regional Water Quality Control Board as Order No. 2015-0049, approved November 19, 2015. Provision C.3.i of this permit requires any detached single-family home projects that create and/or replace 2,500 square feet or more of impervious surface area to implement specific site design measures that may include directing stormwater runoff from impervious surfaces to vegetated areas or for re-use. All site design measures must be constructed and fully functional prior to a Certificate of Occupancy.
- t. The developer shall submit a grading and drainage plan for review and approval by the City Engineer. This plan must be based upon a City benchmark and needs to include pad and finish floor elevations of the proposed structure, proposed on-site property grades, proposed elevations at property lines, and sufficient elevations on all adjacent properties to

show existing drainage patterns. All pavements 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.

- u. 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.
- v. Prior to issuance of a Certificate of Occupancy or release of utilities for any building, common 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.
- w. 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.
- x. All utilities including, but not limited to, electric, telephone and cable television services shall be provided underground for the proposed duplex building from the nearest utility pole riser or any additional riser pole that may be required in accordance with the City of Newark Subdivision Standards. The developer shall enter into an agreement with the City of Newark to pay for the cost of future undergrounding of services along the project frontage at such time as an undergrounding project takes place on this segment of Magnolia Street.
- y. Any proposed utility connections and/or underground work within structurally sound street pavement must be bored or jacked. Open street cuts will not be permitted on Magnolia Street without approval by the City Engineer.
- z. Prior to the issuance of a Certificate of Occupancy, any and all damage to existing public improvements and/or any damage as a result of construction activity associated with this project shall be repaired to the satisfaction of the City Engineer.
- aa. The developer shall retain a licensed landscape architect to prepare working drawings for landscape plans in accordance with City of Newark requirements. All landscape plans are subject to the review and approval of the City Engineer.
- bb. Landscape construction plans shall be developed in accordance with Newark Municipal Code Section 15.44.080 related to Bay Friendly Landscaping Practices and City of Newark standard details.
- cc. This project is subject to all applicable requirements of the State of California's Model

Water Efficient Landscape Ordinance. The landscape design plan package, including the design plans, shall include all applicable requirements specified in this ordinance.

- dd. 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.
- ee. 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.
- ff. 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.

Any above ground utility structures, including backflow prevention devices, and appurtenances, shall be installed within the developer's property line and a minimum of 10 feet behind the street face of curb. The backflow prevention devices shall have a green painted security cage to protect it from vandalism. These locations shall be screened with landscaping to the satisfaction of the City Engineer. The landscape screen shall not interfere with the utility companies' or City Fire Department's access.

#### The Landscape-Parks Division

- gg. The developer shall retain a licensed landscape architect to prepare working drawings for landscape plans in accordance with City of Newark requirements. All landscape plans are subject to the review and approval of the City Engineer.
- hh. Landscape construction plans shall be developed in accordance with Newark Municipal Code Section 15.44.080 related to Bay Friendly Landscaping Practices and City of Newark standard details. All landscaping materials selected for landscape-based stormwater treatment measures shall be consistent with the recommendations in the Alameda Countywide Clean Water Program C.3 Technical Guidance Manual.
- ii. This project is subject to all applicable requirements of the State of California's Model Water Efficient Landscape Ordinance. The landscape design plan package, including the design plans, shall include all applicable requirements specified in this ordinance.
- jj. 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.

- kk. 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.
- ll. 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.
- mm. Any above ground utility structures, including backflow prevention devices, and appurtenances, shall be installed within the developer's property line and a minimum of 10 feet behind the street face of curb. The backflow prevention devices shall have a green painted security cage to protect it from vandalism. These locations shall be screened with landscaping to the satisfaction of the City Engineer. The landscape screen shall not interfere with the utility companies' or City Fire Department's access.

#### The Building Division

- nn. Construction for this project, including site work and all structures, can occur only between the hours of 8:00 AM and 6:00 PM, Monday through Friday. The applicant may make a written request to the Building Official for extended working hours and/or days. In granting or denying any request the Building Official will take into consideration the nature of the construction activity which would occur during extended hours/days, the time duration of the request, the proximity to residential neighborhoods and input by affected neighbors. All approvals will be done so in writing.
- oo. A fully automatic fire sprinkler system shall be installed in each dwelling.
- pp. The removal of the existing building will require a demolition permit issued by the City Building Inspection Division. Prior to the issuance of a demolition permit the applicant will need to provide written clearances from the Bay Area Air Quality Control Board, PG&E, Alameda County Water District, and Union Sanitary District.

#### Fire Division

- qq. A NFPA 13D fire sprinkler system will be required for the duplex.
- rr. Fire lane marking and signs will be required to avoid constructing an approved fire turn around at the end of the property.

The Police Division

- ss. The development shall comply with Chapter 15.06, Security Code, of the Newark Municipal Code.

General

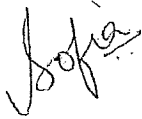
- tt. All proposed changes from the approved exhibits shall be submitted to Community Development Director who shall decide if they warrant Joint Staff Committee Review and if, so decided, said changes shall be submitted for the Committee's review and decision. The applicant shall pay the prevailing fee for each additional separate submittal of development exhibits requiring Joint Staff Committee review and approval.
- uu. If any condition of this Joint Staff Committee Review be declared invalid or unenforceable by a court of competent jurisdiction, this Joint Staff Committee Review shall terminate and be of no force and effect, at the election of the City Council on motion.
- vv. The Joint Staff Committee Review shall be transmitted to the Planning Commission and City Council. Both the Commission and Council have the option to call this item up for review, at which time they may add, delete, or modify condition of approval.
- ww. The applicant 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.
- xx. In the event that any person should bring an action to attack, set aside, void or annul the City's approval of this project, the applicant shall defend, indemnify and hold harmless the City and/or its agents, officers and employees from any claim, action, or proceeding against the City and/or its agents, officers and employees with counsel selected by the applicant (which shall be the same counsel used by applicant) and reasonably approved by the City. Applicants's obligation to defend, indemnify and hold harmless the City and/or its agents, officers and employees shall be subject to the City's compliance with Government Code Section 66474.9.
- yy. Prior to the submittal for building permit review, all conditions of approval for this project, shall be printed on the plans.

This approval now must be transmitted to the Planning Commission and the City Council. The Commission and the Council each have the option to call this item for review, adding or deleting conditions of approval. The Commission is scheduled to review this item at their meeting on February 13, 2018 and the Council is scheduled to review this item on

February 22, 2018. If both, the Commission and the Council, elect not to review this approval, you may submit your plans for next step (Improvement plans and Building Permit). If either the Commission or Council elect to review the action of the Joint Staff Committee, you will be notified of the date of the meeting when your project will be considered.

If you have any questions, please call me at (510) 578-4242.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sofia".

Sofia Mangalam  
Associate Planner



# ABBREVIATIONS & LEGEND

A	And	F.S.	Full Size	S	South
∠	Angle	FT.	Foot or Feet	S.C.	Sold Core
⊕	Centerline	FTC.	Footing	S.C.B.	Seal Cover Dispenser
⊖	Diameter or Round	FURB.	Furred (up)	SCH.	Schedule
J	Perpendicular	FUT.	FUTURE	SCN.	Screen
#	Found or Number	GA.	Gauge	S.D.	Soap Dispenser
(E)	Existing	CA.	Coated	SECT.	Section
A.B.	Ancho Bolt	CALF.	Crab Bar	SM.	Shill, Shining
ABV.	Above	C.B.	Crab Bar	SHB.	Shower
A.C.	Asphaltic concrete	C.C.	General Contractor	SHI.	Shoe
ACOUS.	Acoustical	CG.	Grade (ing)	SHH.	Sheathing
A/C	Air Conditioning	CI.	Cast	SIL.	Slab
A.D.	Area Diagram	CL.	Clash	S.M.D.	Sanitary Napkin Dispenser
A.F.F.	Above Finished Floor	C.M.	Ground	S.M.R.	Sanitary Napkin Receptacle
ADJ.	Adjustable	C.P.	Gypsum	SMT.	Sisalant
ADJL.	Adjustment	H.B.	Hex Bolt	SPIC.	Specification (s)
AGGR.	Aggregate	HED.	Hardware	SD.	Seam
ALT.	Alternate	HDP.	Hardware	SST.	Stainless Steel
ALUM.	Aluminum	HLM.	Hardware Local	SSK.	Service Shaft
ANG.	Angular	H.M.	Horizontal	STA.	Station
APPROX.	Approximate	H.M.	Horizontal	STD.	Standard
ASPH.	Asphalt (see) (was)	HT.	Height	STL.	Steel
ASPH.	Asphalt	HMD.	Hardware	STON.	Stone
		H.M.C.	Masonry/Finishing/Al	STR.	Structure (s)
				SUSP.	Supported
				SYM.	Symmetrical
				SYN.	Synthetic
				T.	Truss
				T.B.	Lead Bar
				T.C.	Terra Cotta
				TEL.	Telephone
				T&C.	Tongue and Groove
				TRK.	Track
				TRR.	Trashbox
				T.R.D.	Trick Paper Dispenser
				YPTH.	Yield Position
				T.V.	Television
				T.O.C.	Top Of Curb
				T.O.P.	Top Of Placement
				T.O.M.	Top Of Mat
				TYP.	Typical
				TY.	Terrace
				UNF.	Unfinished
				U.O.N.	Unites Otherwise Noted
				U.S.C.	Unites
				VERT.	Vertical
				VEST.	Vestibule
				W.	West
				W/W.	Water Closet
				W.D.	Window
				W.D.	Wood
				W.P.	Waterproof
				W.C.T.	Water Closet
				WT.	Weight

# Duplex Development

For: Mr. & Mrs. Li

37136 MAGNOLIA STREET, NEWARK, CA 94560



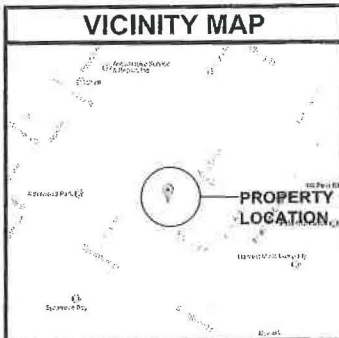
BUILDING RENDERING

## PLAN SECTIONS

	CONCRETE
	CONCRETE BLOCK
	METAL STUDS
	WOOD STUDS
	SOUND INSUL. PKN.

## DETAIL SECTIONS

	CONCRETE
	FINISHED WOOD
	PLYWOOD
	RIGID INSULATION
	BLANKET INSULATION
	ACOUSTICAL TILE
	GYP. BOARD
	METAL
	PLASTER
	MASONRY
	GLASS
	EARTH



### BLDG DATA

APN: 92-61-15  
 LOT SIZE: 7,500 SF  
 ZONE: R-2500

FLOOR AREA:  
 UNIT #1 (DOWNSTAIR) 2,035 S.F.  
 UNIT #2 (UPSTAIR) 1,728 S.F.  
 GARAGE 450 S.F.

OCCUPANCY: R-3/U-1  
 BUILDING TYPE: V-B  
 STORY(IES): TWO (2)  
 FIRE SPRINKLE: YES  
 DESIGN COMPLY WITH:  
 CBC 2016 Ed.  
 CBC 2016 Ed.  
 CBC 2016 Ed.  
 CPC 2016 Ed.  
 CEC 2016 Ed.

2016 BUILDING ENERGY EFFICIENCY STANDARD  
 2016 CALIFORNIA GREEN BUILDING CODE  
 CITY OF NEWARK ORDINANCE

### SHEET INDEX

NO.	TITLE
A-001	TITLE SHEET
A-002	SITE PLANS - DEMOLITION AND PROPOSED
A-003	CONCEPTUAL GRADING PLAN AND LANDSCAPE PLAN
A-003-A	IMPERVIOUS SURFACE PLAN
A-100-1	FIRST FLOOR PLAN
A-100-2	SECOND FLOOR PLAN
A-200	ROOF PLAN
A-300	EXTERIOR ELEVATIONS
A-400	EXTERIOR - COLOR BOARD
A-500	BUILDING CROSS SECTION

**T SQUARE CONSULTING GROUP, Inc.**  
 2025 CONCOMER HILL, #2  
 SAN JOSE, CA 95031-1982  
 TEL (408) 321-8888  
 FAX (408) 321-8887

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371-0262 154 C-2324

**Duplex Development**  
 For: Mr. & Mrs. Li  
 37136 MAGNOLIA ST., NEWARK, CA 94560

---

TITLE SHEET

DATE: 06/01/17  
 JOB NO. TS170528

ISSUE & REVISION

NO.	DATE	DESCRIPTION
1	11/09/17	CITY SUBMITAL
2	12/21/17	CITY REV.
3		
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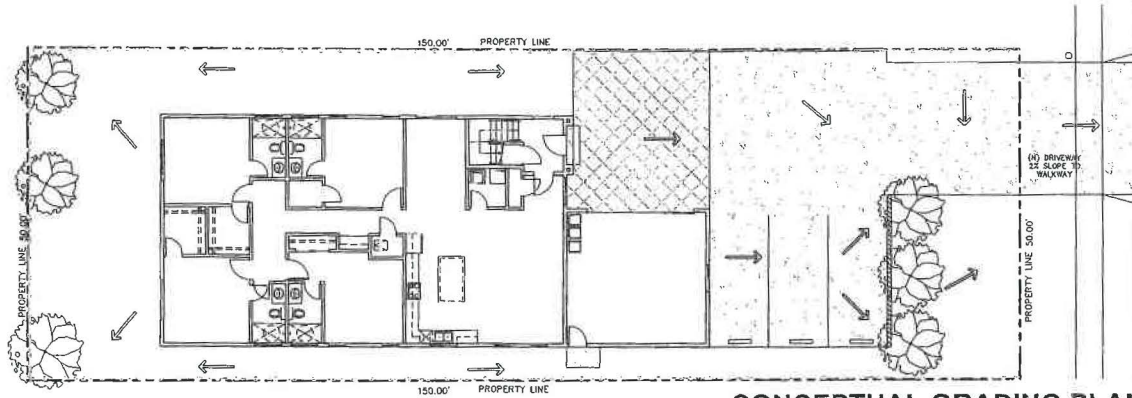
SHEET NO.  
**A-001**

DRAWN BY:

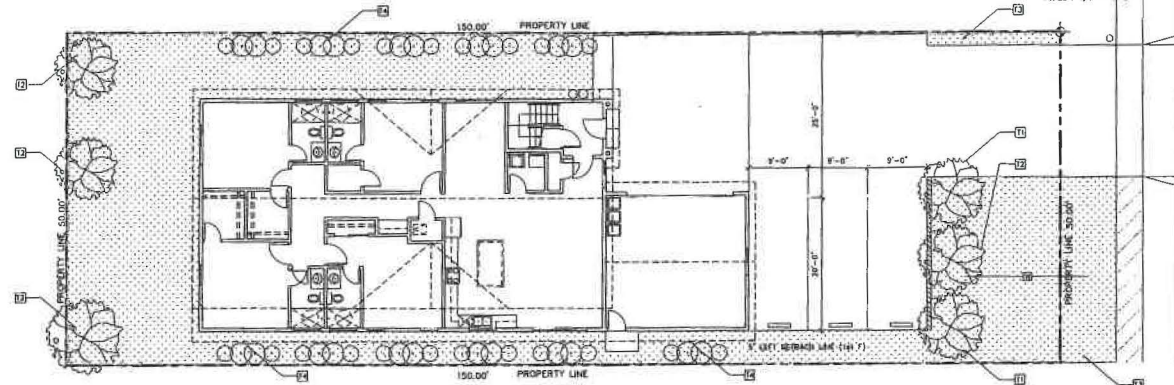
EXHIBIT A-1







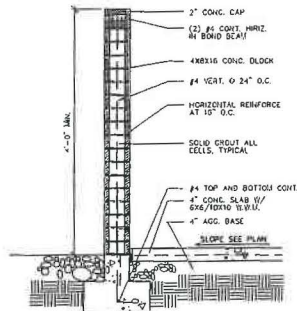
CONCEPTUAL GRADING PLAN  
SCALE: 1/8" = 1'-0"



CONCEPTUAL LANDSCAPE PLAN  
SCALE: 1/8" = 1'-0"

**LANDSCAPE NOTES:**

- LANDSCAPE DESIGN AND PROPOSED AUTOMATIC IRRIGATION SYSTEM SHALL SATISFY THE STATE OF CALIFORNIA'S WATER EFFICIENT LANDSCAPE CRITERIA.
- ALL LANDSCAPE AREA THAT ARE NOT PLANTED WITH VEGETATION GROUND-COVER MUST HAVE A MINIMUM 3" LAYER OF BARK MULCH PLACED.
- RAY FRIENDLY LANDSCAPING PRINCIPLES IMPLEMENTATION: LANDSCAPE LOCALITY USE LOCAL, NATURAL PLANT COMMUNITIES AS MUCH AS POSSIBLE. REFER TO PLANT SCHEDULE.
- LANDSCAPE FOR LESS TO THE LANDFILL: SELECT APPROPRIATE PLANTS, DO NOT PLANT INVASIVE SPECIES. REFER TO PLANT SCHEDULE.
- CONSERVE WATER: GROW DROUGHT TOLERANT CALIFORNIA NATIVE OR MEDITERRANEAN PLANTS. REFER TO PLANT SCHEDULE.
- PROTECT WATER AND AIR QUALITY: MINIMIZE IMPERVIOUS SURFACES. REFER TO SUBSEQUENT CONCEPTUAL PLAN ON SHEET A-003.A



15

SCREENING WALL

LANDSCAPING AREA CALCULATION					
LOT AREA	LANDSCAPING AREA REQUIRED	LANDSCAPING AREA PROVIDED			
7,300 S.F.	7,500 X 25% = 1,875 S.F.	FRONT YARD + SIDE YARDS + REAR YARD = 2,756 S.F.			
<b>COVERAGE</b>		2,756 / 7,500 = 36.74 % > 25%			
LANDSCAPING PLANT SCHEDULE					
SYMBOL	PLANT NAME	SIZE	QUANTITY	HT. & SPREAD	REMARKS
T-1	VICTORIAN BOX	4IN. 2# BOX X 6" HT.	2	15'x15'	
T-2	WIKTLE	4IN. 2# BOX X 6" HT.	8	6'x10'	
T-3	COYOTE BUSH	ERECTING COVER			FRONT & REAR, DROUGHT TOLERANT
T-4	CALIFORNIA WILD LILAC	SHRUB			SIDE YARD, DROUGHT TOLERANT

**EROSION CONTROL NOTES:**

- ALL EROSION CONTROL MEASUREMENT SHALL BE ON-SITE AND READILY ACCESSIBLE PRIOR TO CONSTRUCTION.
- SWEEP OR SCRAPE UP SOILS TRACKED ONTO THE ROAD AT THE END OF EACH DAY DO NOT HOSE INTO STREET, GUTTER, OR STORM DRAIN.
- REVEGETATE SOILBANK AREA. EXPOSED BARE EARTH SHALL BE COVERED WITH MULCH, JUST NETTING OR OTHER EROSION CONTROL PLANTING.
- ALL TEMPORARY STOCKPILES SHALL BE COVERED WITH 16 LB. PLASTIC SHEET, SIXTASY ANCHORED.
- THE SITE SHALL BE MONITOR BY THE CONTRACTOR/OWNER AFTER RAIN EVENT TO VERIFY EROSION CONTROL MEASURES ARE FUNCTIONING.

**LEGEND**

- PROPERTY LINE
- [Pattern] EXISTING PUBLIC SIDEWALK
- [Pattern] NEW CONCRETE DRIVEWAY
- [Pattern] NEW LANDSCAPING AREA
- [Pattern] NEW PERVIOUS SURFACE
- [Arrow] STORM WATER DRAINAGE DIRECTION  
(NOTE: MIN. 1% SLOPE FOR LANDSCAPED SURFACE AND MIN. 0.5% SLOPE FOR CONCRETE WALKWAY OR DRIVEWAY)

EXHIBIT A03

MAGNOLIA ST.  
MAGNOLIA ST.

**T SQUARE CONSULTING GROUP, Inc.**  
3000 CALIFORNIA BLVD. #200 TEL (408) 321-8888  
SAN JOSE, CA 95131-1882 FAX (408) 321-8887

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ST-CHENO 15M C-24234

**Duplex Development**  
For: Mr. & Mrs. Li  
37136 MAGNOLIA ST., NEWARK, CA 94560

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**LANDSCAPE & GRADING PLANS**

DATE: 06/01/17  
JOB NO. TS170528  
ISSUE & REVISION

NO.	DATE	BY	REVISION
1	11/08/17	DEV	SUBMITTAL
2	12/22/17	DEV	REV.
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SHEET NO.  
**A-003**

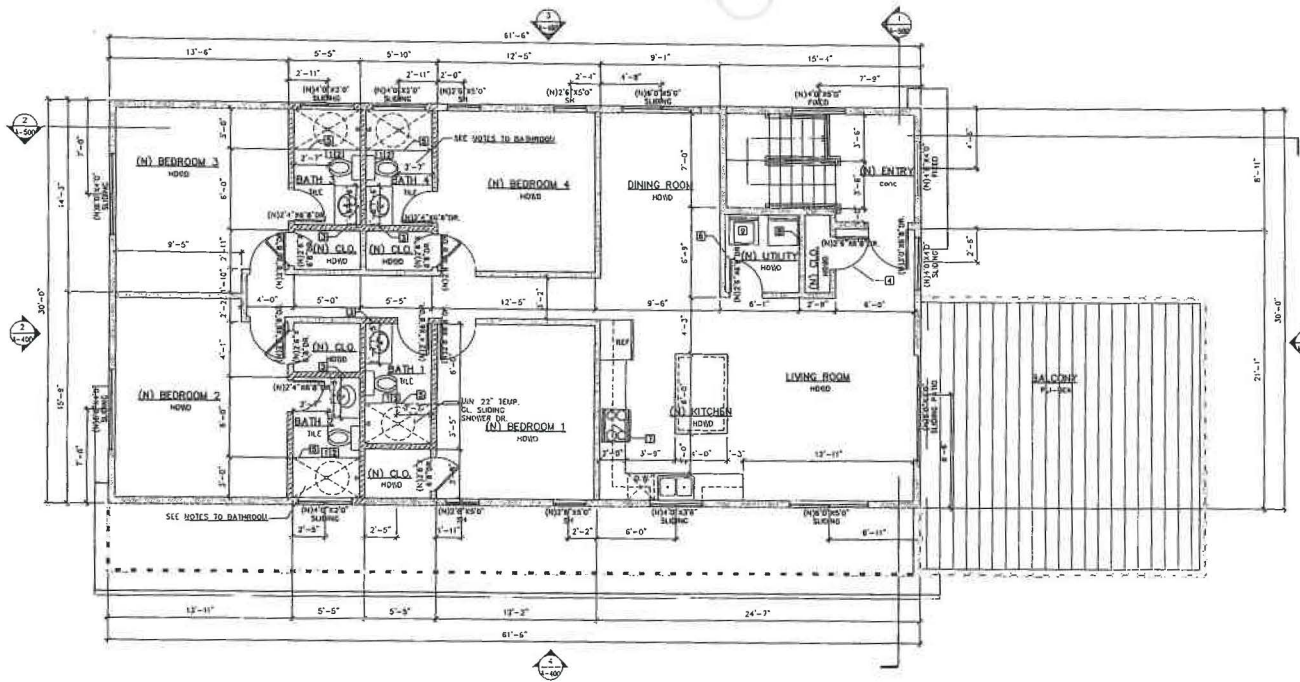
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SECOND FLOOR PLAN   
SCALE: 1/4" = 1'-0"

**KEY NOTES**


1. NEW TOILET/LAVATORY SINK, FAUCET & SHOWER HEADER PER "PLUMBING NOTES" ON THIS SHEET.
2. NEW NON-ABSORBENT CERAMIC WALL TILE SHALL BE MIN. 2" HT. ABOVE SHOWER/TUB DRAIN INLET. TILE COLOR TO BE SELECTED BY OWNER. U.G.I.N. REFER TO FLOOR PLAN GENERAL NOTE #5 FOR WALL BACKING REQUIREMENTS.
3. INSTALL RECESSED MEDICINE CABINET W/MIRROR DOOR.
4. 28-LIN. FIRE-RATED 1-3/4" SOLID CORE WOOD DOOR. LOCKSET SHALL BE FREE OPEN FROM THE INSIDE IF HOUSED WITHOUT USE OF A KEY. SPECIFY KNOWLEDGE OR OTHER.
5. PROVIDE NEW MIN. 22" WIDTH TEmPERED GLASS SHOWER DOOR.
6. PROVIDE MIN. 100-SQUARE INCHES LOUVER OPENING ON DOOR FOR MAKEUP AIR.
7. KITCHEN HOOD DUCTED TO OUTSIDE (MIN. 5" FLEX DUCT WITH A MAX. LENGTH OF 25 FT.) WITH A MIN. EXHAUSTION RATE OF 100 CFM. HOOD TO HAVE BACKDRAFT DAMPER.
8. PROVIDE CLOTHES DRYER VENT TO OUTSIDE WITH A MIN. LENGTH 14'-0" EQUIPPED WITH A BACK-DRAFT DAMPER INCLUDING (2) 90-DEGREE ELBOWS & A MIN. 4"x 4" PER UIC 504.3.1.
9. INSTALL (N) SL LITTED FURNACE FOR ATIC INSTALLATION AS FOLLOWS:
  - A. PROVIDE MINIMUM 24" WIDE 3/4" PLYWOOD NAILED TO FRAMING WITH 36 NAILS @ 8" O.C. AT EDGE & 12" O.C. IN FIELD WITH 3/32 CLIPS IN EACH CORNER OF UNIT.
  - B. PROVIDE A LEVEL SERVICE SPACE MINIMUM 30" DEEP x 30" WIDE LOCATED AT THE FRONT OR SERVICE SIDE OF THE UNIT.
  - C. PROVIDE UNRESTRICTED PASSAGEWAY WITH MINIMUM 30" H. & 30" W. THE UNIT SHALL BE LOCATED WITHIN MAX. 20'-0" IN LENGTH FROM ACCESS OPENING.
  - D. PROVIDE ELECTRICAL POWER PER NEC REQUIREMENTS.

REFER TO SHEET A-100.1 FOR FLOOR PLAN LEGEND, GENERAL NOTES AND PLUMBING FIXTURE NOTES

**EXHIBIT** *ApG*



**T SQUARE CONSULTING GROUP, Inc.**  
1000 CORNING DRIVE, 3RD FLOOR TEL: (408) 331-1886  
SAN JOSE, CA 95128-1887 FAX: (408) 331-1887



57-CHENG TER. C-34334

**Duplex Development**  
For: Mr. & Mrs. Li

37136 MAGNOLIA ST., NEWARK, CA 94560

**SECOND FLOOR PLAN**

DATE: 06/01/17  
JOB NO. TS170528

ISSUE & REVISION	DATE	CITY SUBMITTAL
1	09/09/17	CITY SUBMITTAL
2	11/08/17	CITY SUBMITTAL
3	12/22/17	CITY REV.
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SHEET NO.  
**A-100.2**

DRAWN BY:







**T SQUARE CONSULTING**  
 2000 COVINGTON DRIVE, 500  
 SAN JOSE, CA 95121-1882 FAX (408) 221-9288  
 TEL (408) 221-9288



37136 MAGNOLIA ST., NEWARK, CA 94560  
 For: Mr. & Mrs. Li  
**Duplex Development**

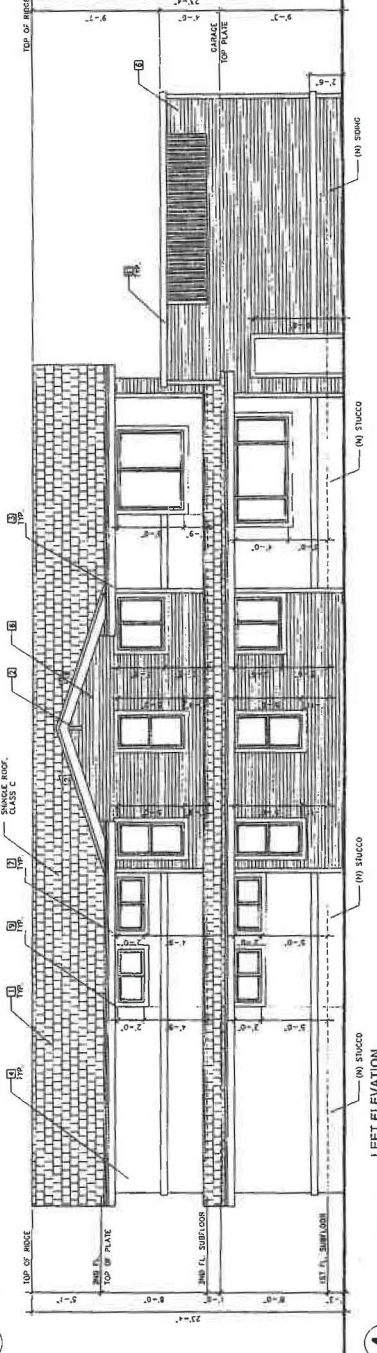
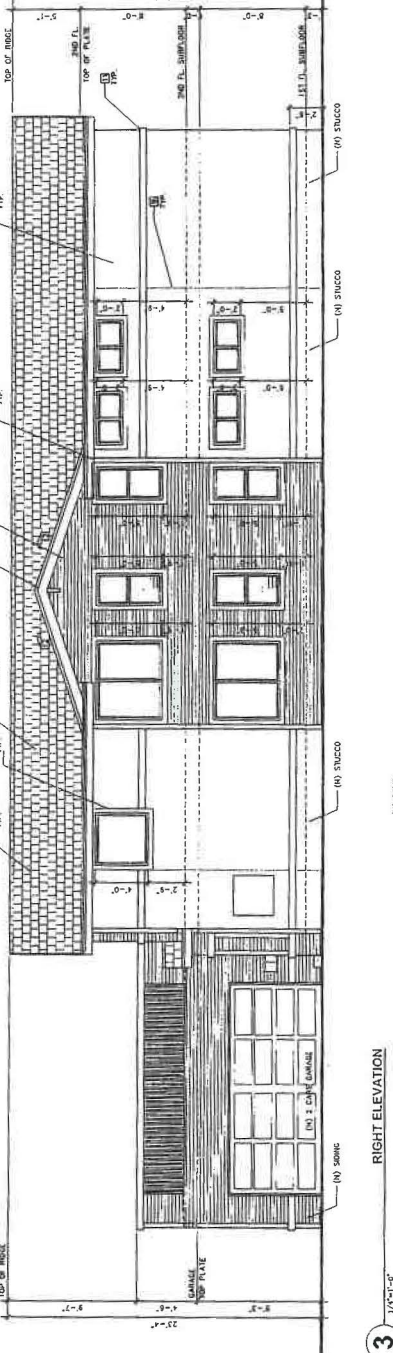
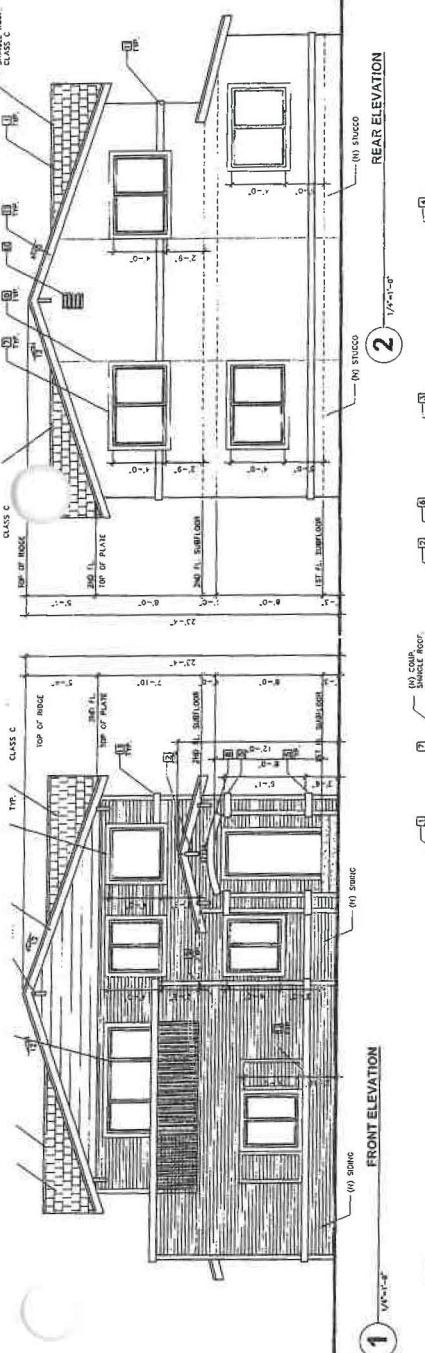
**EXTERIOR ELEVATIONS**

DATE: 06/01/17  
 JOB NO. 15170520  
 ISSUE # REVISION

NO.	DATE	BY	CHKD.	APP'D.
1	11/22/17	DM	DM	
2	12/22/17	DM	DM	
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SHEET NO. **A-300**  
 DRAWN BY:

- BUILDING ELEV. KEY NOTES**
- KEY NOTES REFERRED BY [ ]  
 ALL MATERIALS SHOWN ON THIS SHEET AND COLOR SCHEDULE
- [ ] 150 GLASS-B SHINGLE ROOF.
  - [ ] DECORATIVE 4152 FOAM SHACKET WITH PAINT GRAZE FINISH
  - [ ] DECORATIVE 226 1000 TRU WITH PAINT GRAZE FINISH
  - [ ] EXTERIOR CEMENT PLASTER FINISH WITH FINE TEXTURE
  - [ ] 232 1000 TRU WITH PAINT GRAZE FINISH
  - [ ] WHITE WOOD-LOOK SIDING
  - [ ] 234 1000 SHINGLED SIDING WITH PAINT GRAZE FINISH
  - [ ] ALUMINATE STREET NUMBER, SEE PER LOCAL FIRE DEPARTMENT REQUIREMENTS
  - [ ] STUCCO EXPANSION JOINT
  - [ ] 17"X12"X4" ANGLE LIGHT LOWER WITH PAINTED 1000 TRU
  - [ ] 234 1000 TRU WITH PAINTED GRAZE FINISH
  - [ ] 24"X12"X4" ANGLE LIGHT LOWER WITH PAINTED 1000 TRU
  - [ ] 234 1000 TRU WITH PAINTED GRAZE FINISH
  - [ ] 24"X12"X4" ANGLE LIGHT LOWER WITH PAINTED 1000 TRU
  - [ ] 234 1000 TRU WITH PAINTED GRAZE FINISH

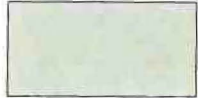


**EXHIBIT A-8**

**EXTERIOR FINISH SCHEDULE:**

- ④ NEW CLASS-D SHINGLE ROOF
- ⑤ EXTERIOR CELEST PLASTER FINISH SMOOTH FINISH
- ⑥ VINYL WOOD-LOOK SIDING
- ⑦ 2X4 WOOD WINDOW HOLDING W/ PAINT GRADE FINISH
- ⑧ ILLUMINATED STREET NUMBER. SEE PER LOCAL FIRE DEPT. REQ.
- ① STUCCO EXPANSION JOINTS
- ② 1 1/2" W/48"X14" ATTIC VENT LOUVER 1/2" PAINTED WOOD TRIM
- ③ 3 1/2" X 3 1/2" T.O. MATCH WINDOW TRIM WOOD DECORATIVE SHUTTER 1/2" PAINT GRADE FINISH
- ④ 2X2 WOOD BALUSTER 1/2" PAINT GRADE FINISH

**EXTERIOR PAINT COLOR SCHEDULE:**



1 SHERWIN-WILLIAMS SW 7543 AVENUE TAN



2 SHERWIN-WILLIAMS SW 6155 RICE GRAIN



3 SHERWIN-WILLIAMS SW 7006 ALABASTER



4 SHERWIN-WILLIAMS SW 7591 RED BARN

**MATERIAL SCHEDULE:**



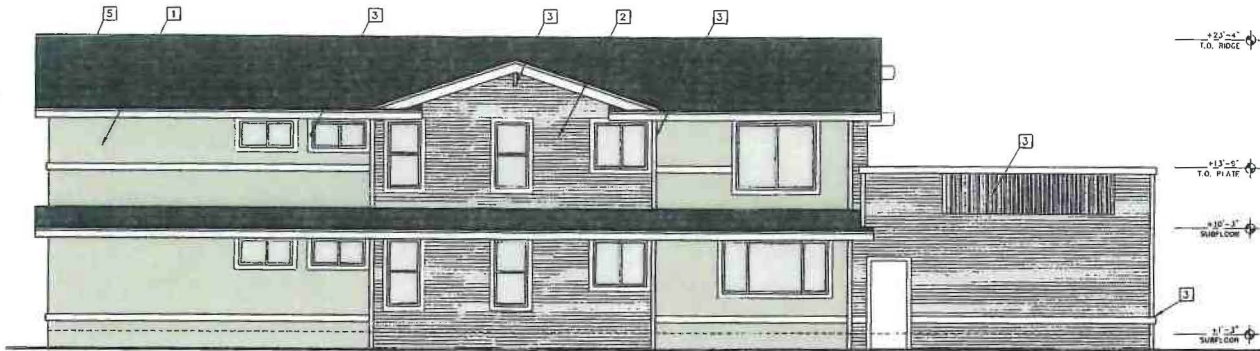
5 CHAPARRAL CEDAR PRESIDENTIAL SNAKE SHINGLES BY CERTANTEED



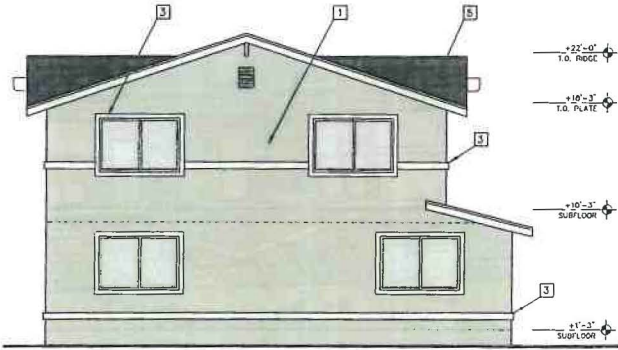
1 STUCCO, SMOOTH FINISH



2 ENCORE HORIZONTAL VINYL SIDING BY CERTANTEED



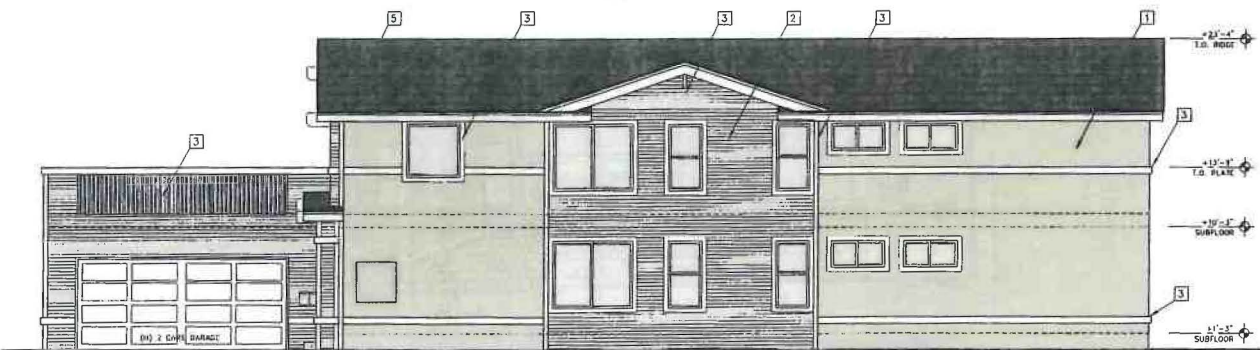
1 1/4"=1'-0" WEST ELEVATION (RIGHT)



4 1/4"=1'-0" NORTH ELEVATION (REAR)



2 1/4"=1'-0" SOUTH ELEVATION (FRONT)



3 1/4"=1'-0" EAST ELEVATION (LEFT)

EXHIBIT Ap9

**T SQUARE CONSULTING GROUP, Inc.**  
 2000 CONCHASO DRIVE, #200 TEL: (408) 321-8888  
 SW. 4000 S. GARDEN ST. #200 TEL: (408) 321-8887  
 SW. 4000 S. GARDEN ST. #200 FAX: (408) 321-8887

---

STEVEN M. TSAI C-24234

**Duplex Development**  
 For: Mr. & Mrs. Li  
 37136 MAGNOLIA ST., NEWARK, CA 94560

---

**COLOR BOARD**

DATE:	06/01/17
JOB NO.:	TS170520
ISSUE & REVISION	
1	06/08/17 CITY SUBMITTAL
2	11/08/17 CITY SUBMITTAL
3	12/22/17 CITY REV.
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SHEET NO. **A-400**  
 DRAWN BY: CY





**E.1 Hearing to consider amendments to the Fiscal Year 2017-2018 Master Fee Schedule to add new Waiver, Minor Use, and Sign Permit Fees – from Deputy Community Development Director Interiano. (RESOLUTION)**

**Background/Discussion** – The City's Master Fee Schedule (MFS) is reviewed annually using an analysis of both direct and indirect costs for the delivery of certain City programs and services. New fees for services have been identified since the last review and are being proposed to add to the existing MFS.

New fees for services associated with the new zoning regulations adopted on January 25, 2018 by the City Council are being proposed. The fee changes are needed to recoup the cost of staff time while not overburdening the general public. The fees will be double if there are existing sanctions on the property.

These additions would be to the Development Enterprise Fund, Section D, as follows:

020-0000	3610	Waiver Fee	\$100 (\$200 w/sanctions)
020-0000	3610	Minor Use Permit	\$100 (\$200 w/sanctions)
020-0000	3610	Sign Permit	\$25 (\$50 w/sanctions)

**Attachments**

**Action** – It is recommended that the City Council, by resolution, amend the 2017-2018 Master Fee Schedule to add new Waiver, Minor Use Permit, and Sign Permit fees.

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
NEWARK AMENDING THE 2017-2018 MASTER FEE  
SCHEDULE TO ADD NEW WAIVER, MINOR USE PERMIT,  
AND SIGN PERMIT FEES

WHEREAS, the City Council of the City of Newark is authorized to prescribe and establish fees in regard to services or functions performed by the City for the public in a governmental and proprietary capacity; and

WHEREAS, the City Council of the City of Newark has, from time to time, established fees by resolution for services as authorized pursuant to the Newark Municipal Code; and

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby amend only those portions of the City of Newark Master Fee Schedule as set forth below:

Development Enterprise Fund, Section D:

<b>Fund</b>	<b>Account No.</b>	<b>Description</b>	<b>Fee</b>
020-0000	3610	Waiver Fee	\$100 (\$200 w/sanctions)
020-0000	3610	Minor Use Permit	\$100 (\$200 w/sanctions)
020-0000	3610	Sign Permit	\$25 (\$50 w/sanctions)

**F.1 Authorization for the City Manager to sign a Bill of Sale for the sale of retired Police Service Canine Eliot - from Police Chief Carroll. (RESOLUTION)**

**Background/Discussion** – Eliot is an eight and a half year old Police Service Canine who has served in the City of Newark’s K9 program for over seven years, which is two years beyond the minimum term for this assignment. Per Newark Police Department Policy #318 – Police Service Dog Program, “Police service canines which become unsuitable for police service work due to age or physical disability shall be retired from active duty. Upon retirement of a police service canine, the current handler of the canine will receive an option to purchase the canine from the City of Newark for a nominal amount (\$1.00).”

A request dated January 25, 2018 from K9 Officer Britain Jackman states that he wishes to purchase Police Service Canine Eliot from the City of Newark. The Police Department recommends the sale of Eliot to Officer Jackman for the amount of \$1.00. A Bill of Sale and sales receipt have been prepared for this transaction. The Bill of Sale states that the title of the canine will be given to Officer Jackman, who will be solely responsible for all expenses and any liability that may be accrued from the date and time of sale stated in the agreement.

**Attachment**

**Action** - It is recommended that the City Council, by resolution, authorize the City Manager to sign a Bill of Sale for the sale of retired Police Service Canine Eliot.

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
NEWARK AUTHORIZING THE CITY MANAGER TO SIGN A  
BILL OF SALE FOR THE SALE OF RETIRED POLICE  
SERVICE CANINE ELIOT

WHEREAS, Police Service Canine Eliot has served over seven years in the City of Newark's K9 Program and shall be retired from active duty; and

WHEREAS, Officer Britain Jackman wishes to purchase retired Police Service Canine Eliot from the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newark that the City Manager is hereby authorized to sign a Bill of Sale for the sale of retired Police Service Canine Eliot.



**BILL OF SALE, WAIVER OF LIABILITY, AND  
HOLD HARMLESS AGREEMENT FOR RETIRED CANINE**

The City of Newark (“City”), in consideration of one dollar (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, does hereby grant, bargain, sell, and assign to Britain Jackman (“Transferee”), his successors and assigns, the following retired City police service canine known as “Eliot”, an eight and a half year old male German Shepherd, together with all kennel and housing equipment installed at Transferee’s residence by City for the use of said canine.

The canine and kennel facility are transferred in “as is” condition for Transferee’s personal use.

It is understood that this canine was removed from police service because age, performance, or disability made such canine unqualified for further police purposes.

City, its City Council, boards, commissions, officers, agents, and employees (hereinafter collectively referred to as “Releasees”) shall have no liability for further care of said canine or for claims or suits, including claims for death or injury to persons, or loss of, or damage to, property, arising out of activities of, related to, said canine occurring after transfer of said canine to Transferee by City.

To the extent authorized by law, Transferee expressly agrees to defend, indemnify, and hold harmless Releasees from and against any and all liability, claims, demands, damages, losses, causes of action, suits, or judgments of any kind whatsoever (including attorney’s fees and all costs and expenses incurred in connection therewith) by reason of injury to, or death of, any person or persons, or property damage, including loss of use thereof resulting from any act or omission to act by Releasee associated with said canine, effective upon transfer of ownership of said canine to Transferee.

The duty of transferee to indemnify and hold harmless, as set forth herein, shall include the duty to defend as set forth in Section 2778 of the California Civil Code; provided, however, that nothing herein shall be constructed to require Transferee to indemnify Releasees against any responsibility or liability in contravention of Section 2782 of the California Civil Code.

This release, waiver, and hold harmless agreement is binding upon Transferee, his/her heirs, executors, administrators, and assigns.

**CITY OF NEWARK**

**TRANSFEEEE**

\_\_\_\_\_  
John Becker, City Manager

\_\_\_\_\_  
Britain Jackman

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**APPROVED AS TO FORM:**

\_\_\_\_\_  
David Benoun, City Attorney

\_\_\_\_\_  
Date

**F.2 Approval to add two Child Care Instructor positions by amending the 2016-2018 Biennial Budget – from Recreation and Community Services Director Zehnder and Human Resources Director Abe. (RESOLUTION)**

**Background/Discussion** – The City of Newark State Licensed Child Care program, held at the Newark Community Center Annex building, is a year-round comprehensive preschool curriculum program for children ages 3-5 years. The program is licensed to accept up to 48 children so long as a teacher to student ratio of 1:12 is maintained. Current staffing includes: 1 full-time Child Care Lead Instructor, 2 full-time Child Care Instructors and 2 PST PERS Preschool Instructors. The program operates 11 hours per day, 5 days per week exclusive of City holidays.

In 2013, as a cost-savings measure, 2 full-time Child Care Instructor positions were converted to 2 PST PERS Preschool Instructors. This was followed by the retirement of the long-time Child Care Supervisor position which was not back-filled. These staffing reductions initially saved the City funds. As the program enrollment steadily increased, maintaining proper teacher to student ratios became increasingly difficult. Due to regularly scheduled staff vacations and unplanned sick days, we are relying more and more on a combination of PST and administrative staff, including a Senior Recreation Supervisor, in order to stay in compliance with State Licensing requirements.

For Fiscal Year 2017-2018, staffing challenges continue to affect our ability to maintain enrollment at previous levels. During fiscal year 2016-2017, weekly average enrollment was 43. Halfway through this fiscal year, weekly average enrollment is 36. This is mainly due to an extended absence of one PST PERS Preschool Instructor who was on medical leave from August 30 – October 30. In order to remain within State Licensing requirements, we were forced to turn away students, thus significantly reducing program revenue.

The net cost to add these two positions for the remainder of Fiscal Year 2017-2018 is approximately \$25,000 (new full time position salaries less current PST salaries). For Fiscal Year 2018-2019, the net cost is approximately \$87,000. Staff projects that approximately half the cost of adding these positions will be offset by an anticipated July 1, 2018 fee increase and our ability to consistently maximize student enrollment.

**Attachment**

**Action** - It is recommended that the City Council approve by resolution: amend the 2016-2018 Biennial Budget to add two Child Care Instructor positions.

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
NEWARK AMENDING THE 2017-2018 BUDGET TO ADD  
TWO CHILD CARE INSTRUCTOR POSITIONS

BE IT RESOLVED by the City Council of the City of Newark that the 2017-2018 Budget is hereby amended as follows:

1. Effective March 1, 2018, add two positions of Child Care Instructor as follows:

<b>Add New Classification</b>	<b>Add New Allocation (Activity Code/%)</b>
(2.0) Child Care Instructor	3041- 100%

2. Add funding to the Recreation and Community Services Department budget as follows:

For Fiscal Year 2017-2018:

FROM		
010-0000-2991	Unallocated Fund Balance	\$25,000
TO		
030-3041-4100	Child Care Instructor Staff	\$25,000



**F.3 Approval of the allocation of anticipated Community Development Block Grant (CDBG) Jurisdiction Improvement Project funds for fiscal year 2018-19 – from Associate Planner Sofia Mangalam. (MOTION)**

**Background/Discussion** – The City of Newark’s anticipated allotment of Community Development Block Grant (CDBG) funds for fiscal year 2018-19 is still unknown. However, in order to meet the deadlines for approval by the U.S. Department of Housing and Urban Development (HUD), Newark needs to allocate the funds at this time. Therefore, we are using an estimate of \$165,509 for planning purposes. This estimate is based on the last year funding amount. Actual funding could be greater or smaller than this amount. Newark’s CDBG funds are allocated by formula into three primary categories – General Administration (\$7,800), Housing Rehabilitation (\$40,459) and Jurisdiction Improvement Projects (\$117,250).

The General Administration funds are used to reimburse the City for the expense of administering the CDBG funds. The Housing Rehabilitation funds are dedicated to two county-run programs that assist qualified homeowners with repairs to their homes (the Minor Home Repair Program and the Owner Rehabilitation Program). The Jurisdiction Improvement Project funds are available to the City for qualifying projects.

The Community Development Advisory Committee (CDAC) met on January 25, 2018 to review the status of CDBG projects and to determine the recommended allocation of Jurisdiction Improvement funds for fiscal year 2018-19. At that meeting, the CDAC voted unanimously to recommend that the City Council allocate \$117,250 to the Citywide ADA Compliance Improvements. This project would address ADA compliance needs at City-owned parks, facilities, and parking lots as identified in the City’s Disabled Access Transition Plan. The scope of work could include ADA parking accessibility, pathway and sidewalk repairs, curb ramp installations and upgrades, and other exterior surface improvements. These improvements would provide accessibility benefits for the entire community.

**Action** - It is recommended that the City Council, by motion, approve the allocation of anticipated CDBG Jurisdiction Improvement Project funds of estimated \$117,250 for fiscal year 2018-19 to the Citywide ADA Compliance Improvements.

**F.4 Acceptance of work with Rosas Brothers Construction for 2017 Curb, Gutter, and Sidewalk Replacement, Project 1143 – from Senior Civil Engineer Tran.  
(RESOLUTION)**

**Background/Discussion** – On May 11, 2017, the City of Newark awarded a contract to Rosas Brothers Construction for 2017 Curb, Gutter, and Sidewalk Replacement, Project 1143 with the options to renew annually for up to three additional years. The project provided replacement of damaged sidewalk, curb and gutter, and other concrete repairs at various locations located throughout the City. In addition, the project upgraded curb ramps to meet current ADA standards along those streets included in last year’s asphalt concrete overlay project.

This project was completed on time and within the original budget using a combination of Alameda County Measure B/BB Sales Tax funds, Vehicle Registration Fee funds, and the Traffic Congestion Relief Fund.

**Attachment**

**Action** - It is recommended that the City Council, by resolution, accept the work with Rosas Brothers Construction for 2017 Curb, Gutter, and Sidewalk Replacement, Project 1143.

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
NEWARK ACCEPTING THE WORK WITH ROSAS  
BROTHERS CONSTRUCTION FOR 2017 CURB, GUTTER,  
AND SIDEWALK REPLACEMENT, PROJECT 1143

WHEREAS, the City of Newark has entered into a contract with Rosas Brothers Construction, pursuant to Resolution No. 10625, for 2017 Curb, Gutter, Sidewalk Replacement, Project 1143, in the City of Newark, in accordance with plans and specifications for the contract; and

WHEREAS, said work has been completed in conformance with the plans and specifications of the contract hereinabove referred to and the conditions thereof;

NOW, THEREFORE, BE IT RESOLVED that said work is hereby accepted and the City Council does hereby authorize the release of bonds guaranteeing completion of the work, the filing of a Notice of Completion, and payment to the contractor pursuant to the contract.

**F.5 Acceptance of work with G. Bortolotto & Company, Inc. for Enterprise Drive Complete Streets and Road Diet, Project 1066 – from Senior Civil Engineer Cangco. (RESOLUTION)**

**Background/Discussion** – On June 22, 2017, the City Council awarded a contract to G. Bortolotto & Company, Inc. for Enterprise Drive Complete Streets and Road Diet, Project 1066. The project rehabilitated Enterprise Drive between Filbert Street and Wells Avenue and added Class II bike lanes in each direction.

The project was completed on time and within budget using gas tax, Traffic Congestion Relief Fund, and an approved federal grant.

**Attachment**

**Action** - It is recommended that the City Council, by resolution, accept the work with G. Bortolotto & Company, Inc. for Enterprise Drive Complete Streets and Road Diet, Project 1066.

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
NEWARK ACCEPTING THE WORK WITH G. BORTOLOTTO  
& COMPANY, INC. FOR ENTERPRISE DRIVE COMPLETE  
STREETS AND ROAD DIET, PROJECT 1066

WHEREAS, the City of Newark entered into contract with G. Bortolotto & Company, Inc., pursuant to Resolution No. 10,665, for Enterprise Drive Complete Streets and Road Diet, Project 1066, in the City of Newark, in accordance with plans and specifications for the contract; and

WHEREAS, said work has been completed in conformance with the plans and specifications of the contract hereinabove referred to and the conditions thereof;

NOW, THEREFORE, BE IT RESOLVED that said work is hereby accepted and the City Council does hereby authorize the release of the bonds, the filing of a Notice of Completion, and payment to the contractor pursuant to the contract at the discretion of the City Engineer.

**F.6 Approval of the Final Map and Subdivision Improvement Agreement for Tract 8311 – Phase III Bayshores (William Lyon Homes, Inc.), an 82-unit residential subdivision at the intersection of Willow Street and Central Avenue in the Dumbarton Transit-Oriented Development Specific Plan project area – from Senior Civil Engineer Cangco. (RESOLUTION)**

**Background/Discussion** – On November 29, 2012, the City Council approved Vesting Tentative Tract Map 8085 for a 553-unit residential subdivision at 37555 Willow Street, generally located on the west side of Willow Street near Central Avenue. The Vesting Tentative Tract Map was subsequently amended on February 28, 2013 by the City Council for a 547-unit residential subdivision. On April 28, 2016, the first phase of the project was approved by the City Council. The second phase, Tract 8310, was later approved by City Council on May 25, 2017. This project, Tract 8311, is the third and final phase of the development for an 82-unit subdivision. The developer, William Lyon Homes, Inc., has submitted the required fees, bonds, and other documents for approval of the Final Map for Tract 8311.

The Final Map dedicates additional public street right-of-way for Central Avenue. The developer has executed a Subdivision Improvement Agreement and has posted a Performance Bond in the amount of \$4,658,000 and a Materials Bond in the amount of \$2,329,000. The bonds will guarantee construction of the new public street, private streets internal to the subdivision, and public improvements on Willow Street and Hickory Street.

The Final Map for Tract 8311 has been reviewed and found to be in conformance with Vesting Tentative Tract Map 8085 and the Conditions of Approval, and is now ready for City Council approval. Recording of the Final Map and issuance of subsequent permits and approvals for construction activity will be at the discretion of the City Engineer.

The estimated annual maintenance of the street improvements associated with Tract 8311 is \$13,500 for street sweeping and pavement maintenance. The street lights and landscaping along Central Avenue and Hickory Street will be maintained by Landscaping and Lighting District No. 19 and the homeowners association.

**Attachment**

**Action** – It is recommended that the City Council, by resolution, approve the Final Map and Subdivision Improvement Agreement for Tract 8311 – Phase III Bayshores (William Lyon Homes, Inc.), an 82-unit residential subdivision at the intersection of Willow Street and Central Avenue in the Dumbarton Transit-Oriented Development Specific Plan project area.

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWARK APPROVING THE FINAL MAP AND SUBDIVISION IMPROVEMENT AGREEMENT FOR TRACT 8311 – PHASE III BAYSHORES (WILLIAM LYON HOMES, INC.), AN 82-UNIT RESIDENTIAL SUBDIVISION AT THE INTERSECTION OF WILLOW STREET AND CENTRAL AVENUE IN THE DUMBARTON TRANSIT-ORIENTED DEVELOPMENT SPECIFIC PLAN PROJECT AREA

WHEREAS, on November 29, 2012, with Resolution No. 10,035, the City Council of the City of Newark approved Vesting Tentative Tract Map 8085 for a 553-unit residential subdivision on an approximately 42.22-acre project site generally located on the west side of Willow Street at the terminus of Central Avenue; and

WHEREAS, on February 28, 2013, with Resolution No. 10,066, the City Council of the City of Newark approved an Amendment to Vesting Tentative Tract Map 8085 amending the number of approved residential units to 547 residential units; and

WHEREAS, Tract 8311 is the third and final phase development of Vesting Tentative Tract Map 8085;

NOW THEREFORE, BE IT RESOLVED BY THE City Council of the City of Newark that the City Council does hereby approve the final map and improvement plans for Tract 8311, City of Newark, County of Alameda, State of California, and that the Mayor is authorized and hereby directed to execute an agreement between the City of Newark and William Lyon Homes, Inc., for the improvements of said tract.

BE IT FURTHER RESOLVED that the City Council does hereby accept all parcels of land offered for public use in conformity with the terms of offer of dedication as shown on the final map for Tract 8311.

BE IT FURTHER RESOLVED that the City Council does hereby approve the Performance Bond in the amount of \$4,658,000 and the Materials Bond in the amount of \$2,329,000 posted by the developer to secure the installation of improvements in accordance with the plans and specifications and the Subdivision Improvement Agreement.

BE IT FURTHER RESOLVED that the recording of the final map and final approval for the start of construction activity for Tract 8311, including issuance of all related construction permits, shall be at the discretion of the City Engineer.

# TRACT 8311

CITY OF NEWARK, ALAMEDA COUNTY, CALIFORNIA  
FOR SINGLE FAMILY RESIDENCE PURPOSES BEING A SUBDIVISION  
OF PARCEL C OF TRACT 8310, FILED FOR RECORD ON JUNE 9, 2017  
IN BOOK 347 OF MAPS AT PAGE 49 OF  
ALAMEDA COUNTY RECORDS  
**Carison, Barbee & Gibson, Inc.**  
CIVIL ENGINEERS • SURVEYORS • PLANNERS  
SARAYMONI, CALIFORNIA  
JANUARY 2018

## OWNER'S STATEMENT

THE UNDERSIGNED, WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION, HEREBY STATES THAT THEY ARE THE OWNER OF ALL THE LANDS DELINEATED AND EMBRACED WITHIN THE BOUNDARY LINES UPON THE HERETO EMBRACED MAP ENTITLED "TRACT 8311, CITY OF NEWARK, ALAMEDA COUNTY, CALIFORNIA" CONSISTING OF TWELVE (12) SHEETS, THIS STATEMENT BEING ON SHEET ONE (1) THEREOF; THAT IT HAS CAUSED SAID MAP TO BE PREPARED FOR RECORD AND DOES CONSENT TO THE MAKING AND RECORDATION OF SAID MAP; THAT SAID MAP PARTICULARLY SETS FORTH AND DESCRIBES ALL THE LOTS INTENDED FOR SALE BY NUMBERS WITH THEIR PRECISE LENGTH AND WIDTH; THAT SAID MAP PARTICULARLY SETS FORTH AND DESCRIBES ALL THE PARCELS SO RESERVED FOR PUBLIC PURPOSES BY THEIR BOUNDARY COURSES AND EXTENT.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED IN FEE FOR PUBLIC PURPOSES:

CENTRAL AVENUE FOR ROADWAY AND UTILITY PURPOSES.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED AS EASEMENTS FOR PUBLIC PURPOSES:

- 1) THE UNDERSIGNED HEREBY DEDICATES TO THE PUBLIC FOREVER THE RIGHT TO CONSTRUCT, RECONSTRUCT, AND MAINTAIN PUBLIC UTILITIES AND APPURTENANCES THERETO UNDER, ON AND OVER THOSE CERTAIN STRIPS OF LAND SHOWN UPON SAID MAP AS "PUE" (PUBLIC UTILITY EASEMENT) THEREON, ALL AS EMBRACED WITHIN THE BOUNDARY LINES UPON SAID MAP, AND THE RIGHT TO ENTER UPON SAID STRIPS OF LAND FOR THE PURPOSES OF CONSTRUCTING, RECONSTRUCTING, MAINTAINING, AND REPAIRING SAID PUBLIC UTILITIES AND APPURTENANCES THERETO.
- 2) THE UNDERSIGNED HEREBY DEDICATES TO THE PUBLIC FOREVER THE RIGHT OF INGRESS AND EGRESS FOR EMERGENCY VEHICLES ON AND OVER THOSE CERTAIN STRIPS OF LAND SHOWN UPON SAID MAP AS "EVAE" (EMERGENCY VEHICLE ACCESS EASEMENT).
- 3) THE UNDERSIGNED HEREBY DEDICATES TO THE PUBLIC FOREVER THE RIGHT OF INGRESS AND EGRESS FOR EMERGENCY PERSONNEL AND EQUIPMENT, EXCLUDING VEHICULAR ACCESS, ON AND OVER THOSE CERTAIN STRIPS OF LAND SHOWN UPON SAID MAP AS "EAE" (EMERGENCY ACCESS EASEMENT).
- 4) THE UNDERSIGNED HEREBY DEDICATES TO THE PUBLIC FOREVER THE RIGHT TO CONSTRUCT, RECONSTRUCT, AND MAINTAIN SEWER LINES AND APPURTENANCES THERETO UNDER, ON AND OVER THOSE CERTAIN STRIPS OF LAND SHOWN UPON SAID MAP AS "SSE" (SANITARY SEWER EASEMENT) HEREON, ALL AS EMBRACED WITHIN THE BOUNDARY LINES UPON SAID MAP, AND THE RIGHT TO ENTER UPON SAID STRIPS OF LAND FOR THE PURPOSES OF CONSTRUCTING, RECONSTRUCTING, MAINTAINING, AND REPAIRING SAID SANITARY SEWERS AND APPURTENANCES THERETO.
- 5) THE UNDERSIGNED HEREBY DEDICATES TO THE PUBLIC FOREVER THE RIGHT TO CONSTRUCT, RECONSTRUCT, AND MAINTAIN WATER LINES AND APPURTENANCES THERETO UNDER, ON AND OVER THOSE CERTAIN STRIPS OF LAND SHOWN UPON SAID MAP AS "WLE" (WATER LINE EASEMENT) THEREON, ALL AS EMBRACED WITHIN THE BOUNDARY LINES UPON SAID MAP, AND THE RIGHT TO ENTER UPON SAID STRIPS OF LAND FOR THE PURPOSES OF CONSTRUCTING, RECONSTRUCTING, MAINTAINING, AND REPAIRING SAID WATER LINE AND APPURTENANCES THERETO.
- 6) THE UNDERSIGNED HEREBY DEDICATES TO THE PUBLIC FOREVER THE RIGHT TO CONSTRUCT, RECONSTRUCT, AND MAINTAIN TRAILS INTENDED FOR PUBLIC ACCESS ON AND OVER THOSE CERTAIN STRIPS OF LAND SHOWN UPON SAID MAP AS "TE" (TRAIL EASEMENT) TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OF THE PUBLIC FOR PEDESTRIAN USE OVER AND ALONG THE PUBLIC TRAIL THERON.

THE UNDERSIGNED HEREBY DECLARES THAT THE AREAS DESIGNATED "NON-EXCLUSIVE SANITARY SEWER EASEMENT" (NESSE) ARE FOR THE PURPOSES OF CONSTRUCTION, RECONSTRUCTION, AND MAINTENANCE OF SEWER LINES AND APPURTENANCES THERETO, UNDER, ON AND OVER SAID AREAS ALL AS EMBRACED WITHIN THE BOUNDARY LINES UPON SAID MAP, AND THE RIGHT TO ENTER UPON SAID AREAS OF LAND FOR THE PURPOSES OF CONSTRUCTING, RECONSTRUCTING, MAINTAINING, AND REPAIRING SAID SANITARY SEWERS AND APPURTENANCES THERETO, AND THAT SAID AREAS SHALL BE GRANTED TO THE UNION SANITARY DISTRICT BY SEPARATE INSTRUMENT.

THE UNDERSIGNED HEREBY RESERVES THE RIGHTS TO CONSTRUCT, RECONSTRUCT, AND MAINTAIN PRIVATE STORM DRAIN FACILITIES TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS, IN THOSE AREAS DESIGNATED AS "PSDE" (PRIVATE STORM DRAIN EASEMENT) TO BE GRANTED TO THE HOMEOWNERS ASSOCIATION BY SEPARATE INSTRUMENT.

THE UNDERSIGNED HEREBY RESERVES THE RIGHTS TO CONSTRUCT, RECONSTRUCT, AND MAINTAIN PRIVATE WATER LINE FACILITIES TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS, IN THOSE AREAS DESIGNATED AS "PWLE" (PRIVATE WATER LINE EASEMENT) TO BE GRANTED TO THE HOMEOWNERS ASSOCIATION BY SEPARATE INSTRUMENT.

PARCEL A AND PARCEL E ARE RESERVED BY OWNER AND SHALL BE GRANTED TO THE HOMEOWNERS ASSOCIATION OF TRACT 8311 BY SEPARATE INSTRUMENT.

## OWNER'S STATEMENT (CONT.)

PARCEL B, PARCEL C, PARCEL D, AND PARCEL F, ARE RESERVED FOR OPEN SPACE AND SHALL BE GRANTED TO THE HOMEOWNERS ASSOCIATION OF TRACT 8311 BY SEPARATE INSTRUMENT. A PORTION OF PARCEL G IS RESERVED FOR OPEN SPACE AND A PORTION OF PARCEL G IS RESERVED FOR PRIVATE STREET AND SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION OF TRACT 8311. SAID PARCEL TO BE GRANTED TO THE HOMEOWNERS ASSOCIATION BY SEPARATE INSTRUMENT.

THE AREAS DESIGNATED "SALLY COVE ROAD" AND "PORTSIDE WAY" ARE RESERVED FOR PRIVATE STREETS AND SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION OF TRACT 8311.

WILLIAM LYON HOMES, INC., A CALIFORNIA CORPORATION

BY: \_\_\_\_\_ DATE: \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

BY: \_\_\_\_\_ DATE: \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

## OWNER'S ACKNOWLEDGMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF \_\_\_\_\_ | SS.  
COUNTY OF \_\_\_\_\_

ON \_\_\_\_\_, BEFORE ME, \_\_\_\_\_, A NOTARY PUBLIC, PERSONALLY APPEARED \_\_\_\_\_, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(ES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND:

SIGNATURE: \_\_\_\_\_

NAME (PRINT): \_\_\_\_\_

PRINCIPAL COUNTY OF BUSINESS: \_\_\_\_\_

MY COMMISSION NUMBER: \_\_\_\_\_

MY COMMISSION EXPIRES: \_\_\_\_\_

## TRUSTEE'S STATEMENT

THE UNDERSIGNED CORPORATION, AS TRUSTEE UNDER DEED OF TRUST RECORDED ON SEPTEMBER 1, 2017, IN INSTRUMENT NO. 2017-193445 OF OFFICIAL RECORDS, ALAMEDA COUNTY, CALIFORNIA, DOES HEREBY JOIN IN AND CONSENT TO THE FOREGOING OWNERS STATEMENT AND ALL DEDICATIONS SHOWN HEREIN.

CHICAGO TITLE COMPANY

BY: \_\_\_\_\_

NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

## TRUSTEE'S ACKNOWLEDGMENT

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF \_\_\_\_\_ | SS.  
COUNTY OF \_\_\_\_\_

ON \_\_\_\_\_, BEFORE ME, \_\_\_\_\_, A NOTARY PUBLIC, PERSONALLY APPEARED \_\_\_\_\_, WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(ES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND:

SIGNATURE: \_\_\_\_\_

NAME (PRINT): \_\_\_\_\_

PRINCIPAL COUNTY OF BUSINESS: \_\_\_\_\_

MY COMMISSION NUMBER: \_\_\_\_\_

MY COMMISSION EXPIRES: \_\_\_\_\_

## RECORDER'S STATEMENT

FILED FOR RECORD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AT \_\_\_\_\_, IN BOOK \_\_\_\_\_ OF MAPS, AT PAGES \_\_\_\_\_, AT THE REQUEST OF CHICAGO TITLE COMPANY.

FEES: \_\_\_\_\_ PD. SERIES NO. \_\_\_\_\_

STEVE MANNING  
COUNTY RECORDER IN AND FOR THE COUNTY  
OF ALAMEDA, STATE OF CALIFORNIA

BY: \_\_\_\_\_ DEPUTY

# TRACT 8311



# TRACT 8311

CITY OF NEWARK, ALAMEDA COUNTY, CALIFORNIA  
FOR SINGLE FAMILY RESIDENCE PURPOSES BEING A SUBDIVISION  
OF PARCEL C OF TRACT 8310, FILED FOR RECORD ON JUNE 9, 2017  
IN BOOK 347 OF MAPS AT PAGE 49 OF  
ALAMEDA COUNTY RECORDS  
**Carlson, Barbee & Gibson, Inc.**  
CIVIL ENGINEERS + SURVEYORS + PLANNERS  
SAN RAMON, CALIFORNIA

JANUARY 2018

## SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF WILLIAM LYON HOMES, LLC, A CALIFORNIA CORPORATION IN SEPTEMBER 2016. I HEREBY STATE THAT THIS TRACT MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY, THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN; THAT ALL MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, OR THAT THEY WILL BE SET IN THOSE POSITIONS ON OR BEFORE DECEMBER 31, 2020; AND THAT THE MONUMENTS ARE, OR WILL BE, SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED.

DATE \_\_\_\_\_



MARK H. WEHBER, P.L.S.  
L.S. NO. 7960

## SOILS REPORT

A SOILS REPORT ON WAS PREPARED BY ENGED INCORPORATED, DATED JANUARY 14, 2014, PROJECT NO. 7811.000.000, SIGNED BY JOSEF J. TOOTLE, CE, AND ROBERT H. BOECHE, CEG AND HAS BEEN FILED AT THE OFFICE OF THE CITY ENGINEER.

## CITY ENGINEER'S STATEMENT

I, SOREN E. FAJEAU, CITY ENGINEER FOR THE CITY OF NEWARK, ALAMEDA COUNTY, CALIFORNIA, DO HEREBY STATE THAT I HAVE EXAMINED THE HEREIN EMBODIED MAP ENTITLED "TRACT 8311, CITY OF NEWARK, ALAMEDA COUNTY, CALIFORNIA" AND THE SUBDIVISION SHOWN UPON SAID MAP IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE APPROVED TENTATIVE PARCEL MAP AND ANY APPROVED ALTERATIONS THEREOF; AND THAT ALL PROVISIONS OF STATE LAW AND LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE PARCEL MAP HAVE BEEN COMPLIED WITH.

IN WITNESS, I HAVE HEREUNTO SET MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018

SOREN E. FAJEAU  
RCE 86454, EXPIRES: JUNE 30, 2018  
CITY ENGINEER, CITY OF NEWARK,  
ALAMEDA COUNTY, CALIFORNIA



I, MITCHELL L. MCGOUGH, SPECIAL ASSISTANT FOR THE CITY OF NEWARK, ALAMEDA COUNTY, CALIFORNIA, DO HEREBY STATE THAT I HAVE EXAMINED THIS MAP ENTITLED "TRACT 8311, CITY OF NEWARK, ALAMEDA COUNTY, CALIFORNIA" AND THAT I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT.

IN WITNESS, I HAVE HEREUNTO SET MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018

MITCHELL L. MCGOUGH  
RCE 29509, EXPIRES: MARCH 31, 2019  
SPECIAL ASSISTANT FOR  
THE CITY OF NEWARK, ALAMEDA COUNTY,  
STATE OF CALIFORNIA



## CLERK OF THE BOARD OF SUPERVISOR'S STATEMENT

I, ANIKA CAMPBELL-BELTON, CLERK OF THE BOARD OF SUPERVISORS FOR THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA, DO HEREBY STATE, AS CHECKED BELOW, THAT:

- AN APPROVED BOND HAS BEEN FILED WITH THE BOARD OF SUPERVISORS OF SAID COUNTY AND STATE IN THE AMOUNT OF \$ \_\_\_\_\_ CONDITIONED FOR THE PAYMENT OF ALL TAXES AND SPECIAL ASSESSMENTS COLLECTED AS TAXES WHICH ARE NOW A LIEN AGAINST SAID LAND OR ANY PART THEREOF BUT NOT YET PAYABLE AND WAS DULY APPROVED BY SAID LOCAL BOARD IN SAID AMOUNT.
- ALL TAXES AND SPECIAL ASSESSMENTS COLLECTED AS TAXES HAVE BEEN PAID AS CERTIFIED BY THE TREASURER-TAX COLLECTOR AS TAXES HAVE BEEN PAID AS CERTIFIED BY THE TREASURER-TAX COLLECTOR OF THE COUNTY OF ALAMEDA.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20 \_\_\_\_\_

ANIKA CAMPBELL-BELTON  
CLERK OF THE BOARD OF SUPERVISORS  
COUNTY OF ALAMEDA, STATE OF CALIFORNIA

BY: \_\_\_\_\_  
DEPUTY COUNTY CLERK

## CITY CLERK'S STATEMENT

I, SHEILA HARRINGTON, CITY CLERK AND CLERK OF THE CITY COUNCIL OF THE CITY OF NEWARK, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, DO HEREBY STATE THAT THE HEREIN EMBODIED FINAL MAP ENTITLED "TRACT 8311, CITY OF NEWARK, ALAMEDA COUNTY, CALIFORNIA", CONSISTING OF TWELVE (12) SHEETS, THIS STATEMENT BEING ON SHEET TWO (2) THEREOF, WAS PRESENTED TO SAID COUNCIL OF THE CITY OF NEWARK AS PROVIDED BY LAW AT A MEETING HELD ON THE DAY OF \_\_\_\_\_, 20 \_\_\_\_\_ AND THAT SAID COUNCIL OF THE CITY OF NEWARK DID THEREUPON BY RESOLUTION NO. \_\_\_\_\_, DULY PASSED AND ADOPTED AT SAID MEETING, APPROVE SAID MAP AND ACCEPTED ON BEHALF OF THE PUBLIC ALL PARCELS OF LAND AND EASEMENTS OFFERED FOR DEDICATION FOR PUBLIC USE, IN CONFORMANCE WITH THE OFFERS OF THE DEDICATIONS AS SHOWN ON SAID MAP.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20 \_\_\_\_\_

SHEILA HARRINGTON  
CITY CLERK AND CLERK OF THE CITY  
COUNCIL OF THE CITY OF NEWARK,  
COUNTY OF ALAMEDA, STATE OF CALIFORNIA

TRACT 8311

SHEET 2 OF 12

**EASEMENTS:**

- (E1) 20' SANITARY SEWER EASEMENT PER TRACT B085 (339 M 76)
- (E2) PUBLIC UTILITY EASEMENT RESERVED BY CITY OF NEWARK PER 2015-198434, 2015-206658
- (E3) NON-EXCLUSIVE WATER LINE EASEMENT IN FAVOR OF ALAMEDA COUNTY WATER DISTRICT PER 2017-037125 TO BE OBTAINED BY SEPARATE INSTRUMENT.
- (E4) EXCLUSIVE-USE AND ACCESS RESERVE EASEMENTS PER 2016-286027.
- (E5) EXCLUSIVE-USE AND ACCESS RESERVE EASEMENTS PER 2016-313248
- (E6) EXCLUSIVE-USE AND ACCESS RESERVE EASEMENTS PER 2017-25762.

**BASIS OF BEARINGS:**

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CENTERLINE OF HICKORY STREET BETWEEN TWO FOUND IRON PIPES TAKEN AS NORTH 21°48'56" WEST AS SHOWN ON TRACT B085 (339 M 76). THE BEARINGS SHOWN HEREON ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM ZONE 3 (NAD 83). MULTIPLY THE DISTANCES SHOWN BY 0.9999378 TO OBTAIN GRID DISTANCES.

**NOTES:**

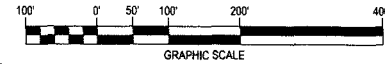
1. SEE OTHER SHEETS FOR PUBLIC STREET DEDICATIONS, SSE, AND OTHER DEDICATED PUBLIC EASEMENTS.
2. NON-EXCLUSIVE SANITARY SEWER EASEMENT (NESSE) TO BE GRANTED TO UNION SANITARY DISTRICT BY SEPARATE INSTRUMENT.
3. PROPERTY SUBJECT TO AN EASEMENT FOR THE PURPOSE OF COMMUNICATION, BROADBAND AND CABLE TELEVISION FACILITIES GRANTED TO COMCAST OF CALIFORNIA/MASSACHUSETTS/MICHIGAN/UTAH, LLC, RECORDED MARCH 16, 2017, INSTRUMENT NO. 2017-063462 ALAMEDA COUNTY RECORDS.

**TRACT 8311**

CITY OF NEWARK, ALAMEDA COUNTY, CALIFORNIA  
 FOR SINGLE FAMILY RESIDENCE PURPOSES BEING A SUBDIVISION  
 OF PARCEL C OF TRACT 8310, FILED FOR RECORD ON JUNE 9, 2017  
 IN BOOK 347 OF MAPS AT PAGE 49 OF  
 ALAMEDA COUNTY RECORDS

**Carlson, Barbee & Gibson, Inc.**

CIVIL ENGINEERS + SURVEYORS + PLANNERS  
 SAN RAMON, CALIFORNIA  
 SCALE: 1" = 100' JANUARY 2018

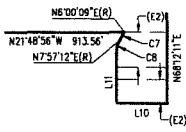
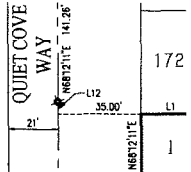


**LEGEND**

- SUBDIVISION BOUNDARY LINE
- RIGHT OF WAY LINE
- LOT LINE
- - - EASEMENT LINE
- CENTERLINE
- MONUMENT LINE
- (R) RADIAL
- (T) TOTAL
- (M-M) MONUMENT TO MONUMENT
- (M-CL) MONUMENT TO CENTERLINE
- (M-PL) MONUMENT TO PROPERTY LINE
- (LL) LOT LINE
- ⊙ FOUND STANDARD STREET MONUMENT
- ⊙ SET STANDARD STREET MONUMENT, LS 7960
- ⊙ STANDARD STREET MONUMENT, LS 8164, TO BE SET PER (1)
- ⊙ 5/8" REBAR AND CAP, LS 8164, TO BE SET PER (1)
- ⊙ EMERGENCY ACCESS EASEMENT
- ⊙ EMERGENCY VEHICLE ACCESS EASEMENT
- ⊙ PRIVATE STORM DRAIN EASEMENT
- ⊙ SANITARY SEWER EASEMENT
- ⊙ NON-EXCLUSIVE SANITARY SEWER EASEMENT
- ⊙ PUBLIC UTILITY EASEMENT
- ⊙ PRIVATE WATER LINE EASEMENT
- ⊙ TRAIL EASEMENT
- ⊙ WATER LINE EASEMENT
- (E#) INDICATES EXISTING EASEMENT. SEE SHEET 3 FOR MORE INFORMATION

**REFERENCES:**

- (#) INDICATES REFERENCE NUMBER
- (1) TRACT B085 (339 M 76)
- (2) MAP OF THE TOWN OF NEWARK (17 M 10)
- (3) PARCEL MAP 940 (76 PM 21)
- (4) PARCEL MAP 7505 (252 PM 81)
- (5) PARCEL MAP 1130 (105 PM 52)
- (6) PARCEL MAP 9837 (315 PM 84)
- (7) DEED (2015-206658)

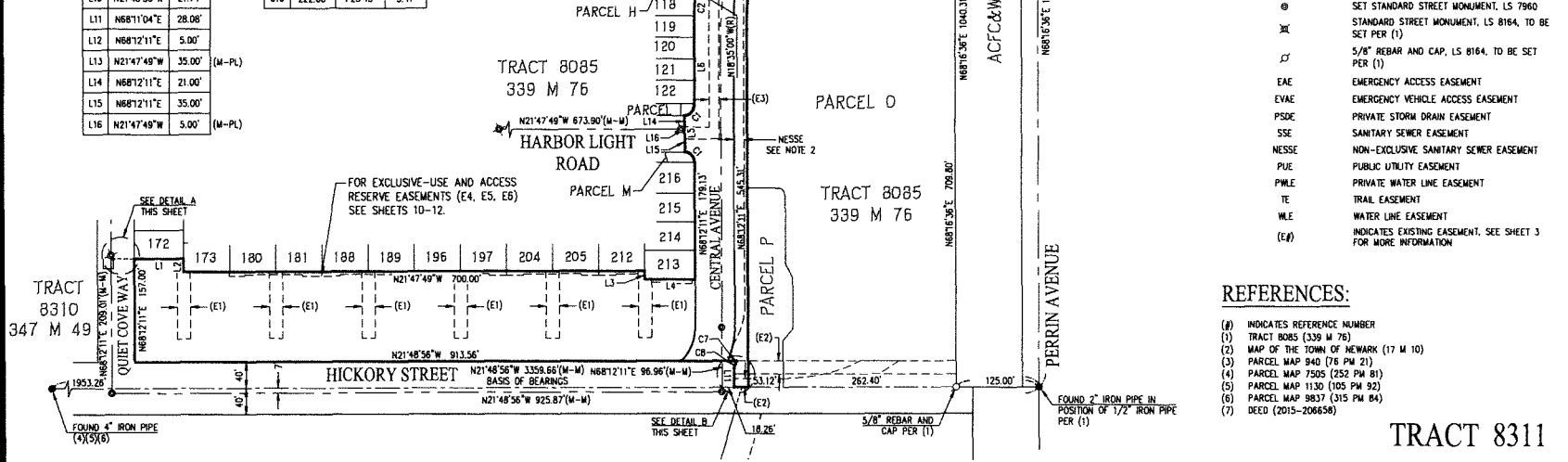


**DETAIL A**  
NOT TO SCALE

NO	BEARING	LENGTH
L1	N21°47'49"W	75.00'
L2	N68°12'11"E	19.74'
L3	N68°12'11"E	13.13'
L4	N21°47'49"W	75.87'
L5	N68°12'11"E	56.00' (R)
L6	N68°12'11"E	118.35'
L7	N68°12'11"E	114.79'
L8	N21°47'49"W	6.54'
L9	N75°33'09"E	28.28'
L10	N21°48'56"W	21.74'
L11	N68°11'04"E	28.08'
L12	N68°12'11"E	5.00'
L13	N21°47'49"W	35.00' (M-PL)
L14	N68°12'11"E	21.00'
L15	N68°12'11"E	35.00'
L16	N21°47'49"W	5.00' (M-PL)

**DETAIL B**  
NOT TO SCALE

NO	RADIUS	DELTA	LENGTH
C1	15.00'	90°00'00"	23.56'
C2	1030.00'	37°2'49"	57.78'
C3	15.00'	91°49'06"	24.04'
C4	85.00'	46°56'09"	69.63'
C5	800.00'	6°27'56"	90.28'
C6	950.00'	7°20'58"	121.86'
C7	150.00'	1°57'03"	5.11'
C8	15.00'	29°46'06"	7.79'
C9	26.00'	8°48'31"	4.00'
C10	222.00'	17°54'3"	5.41'



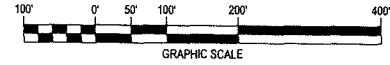
# TRACT 8311

CITY OF NEWARK, ALAMEDA COUNTY, CALIFORNIA  
 FOR SINGLE FAMILY RESIDENCE PURPOSES BEING A SUBDIVISION  
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**Carlson, Barbee & Gibson, Inc.**

CIVIL ENGINEERS • SURVEYORS • PLANNERS  
 SAN RAMON, CALIFORNIA

SCALE: 1" = 100' JANUARY 2018



## BASIS OF BEARINGS:

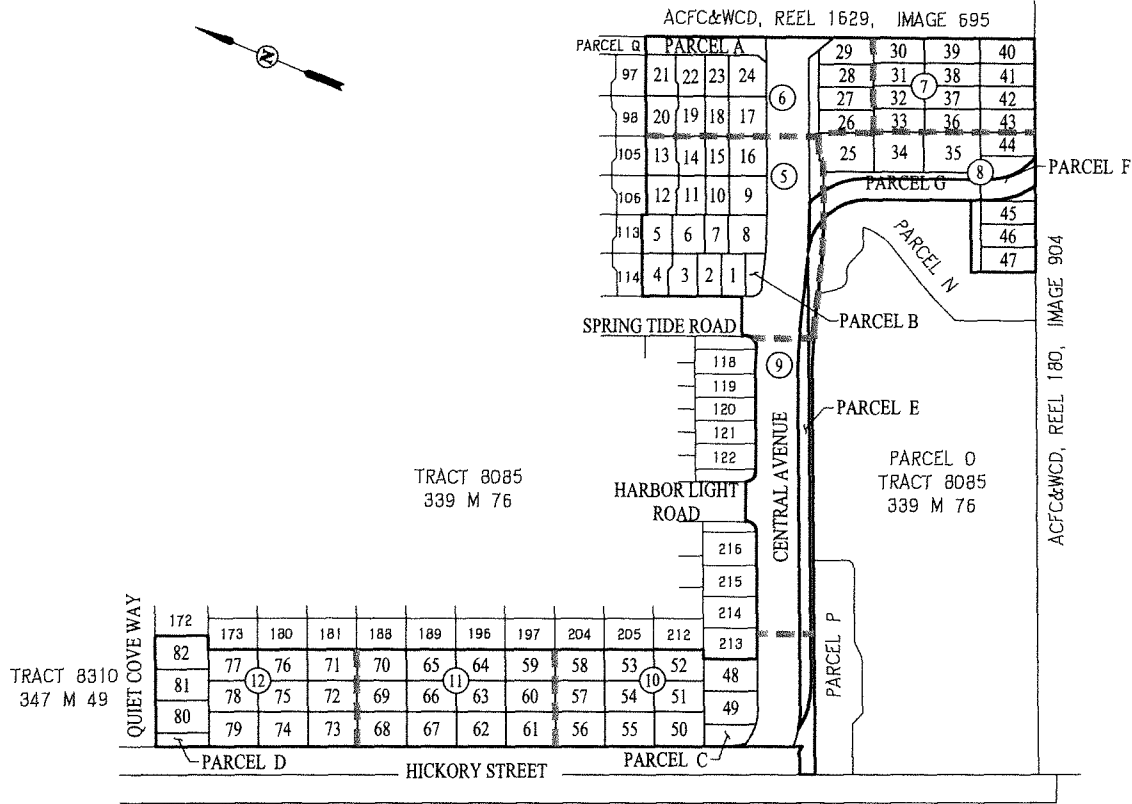
THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CENTERLINE OF HICKORY STREET BETWEEN TWO FOUND IRON PIPES TAKEN AS NORTH 21°48'56" WEST AS SHOWN ON TRACT 8085 (339 M 76). THE BEARINGS SHOWN HEREON ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM ZONE 3 (NAD 83). MULTIPLY THE DISTANCES SHOWN BY 0.9999378 TO OBTAIN GRID DISTANCES.

## LEGEND

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- RIGHT OF WAY LINE
- LOT LINE
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- (T) TOTAL
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- EVAE EMERGENCY VEHICLE ACCESS EASEMENT
- PSDE PRIVATE STORM DRAIN EASEMENT
- SSC SANITARY SEWER EASEMENT
- NESSE NON-EXCLUSIVE SANITARY SEWER EASEMENT
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- PWLE PRIVATE WATER LINE EASEMENT
- TE TRAIL EASEMENT
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- (E#) INDICATES EXISTING EASEMENT, SEE SHEET 3 FOR MORE INFORMATION

— SHEET LIMIT  
 ① SHEET NUMBER

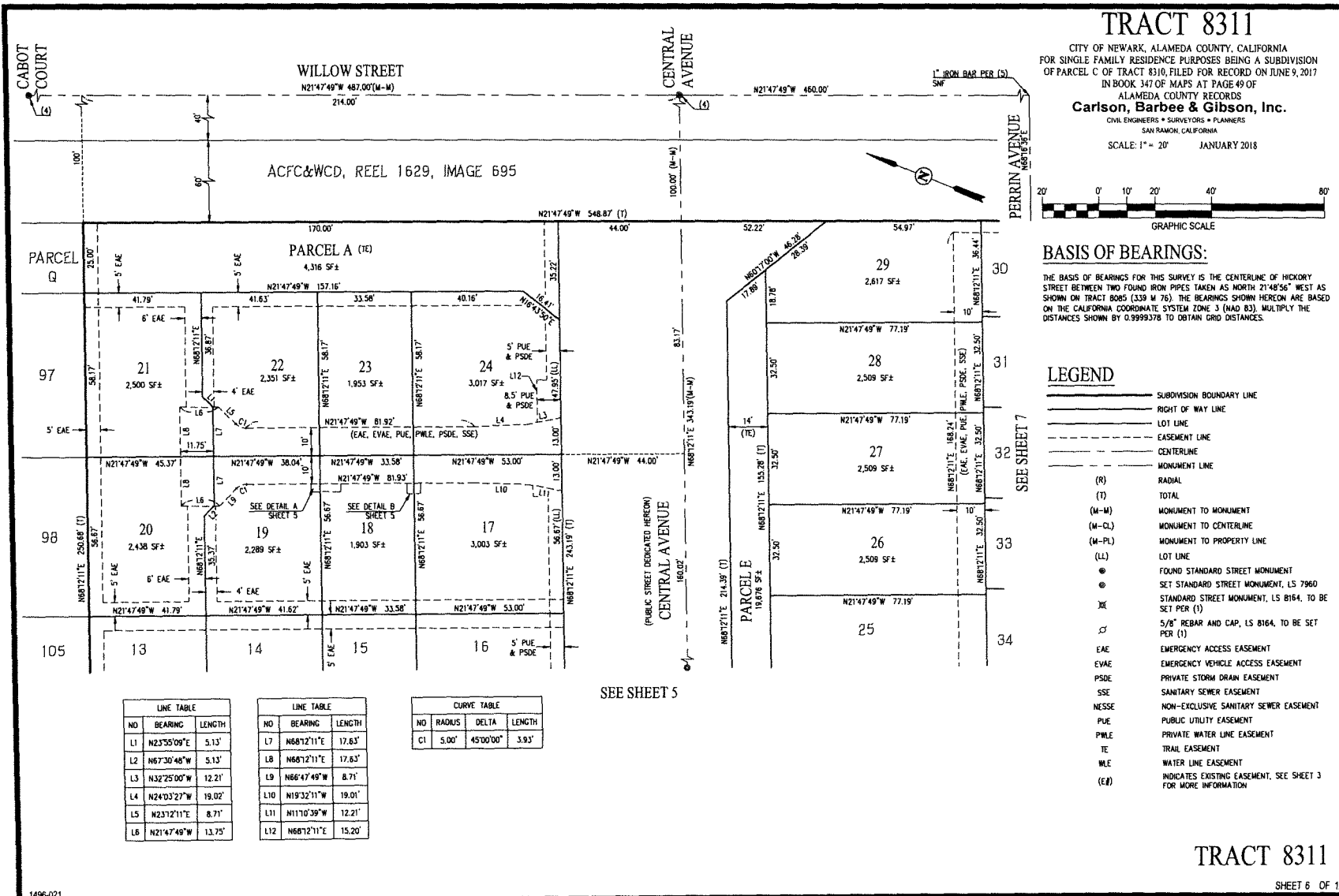
ACFC&WCD, REEL 1629, IMAGE 695



INDEX SHEET

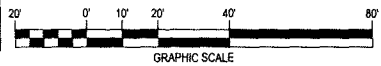
TRACT 8311





# TRACT 8311

CITY OF NEWARK, ALAMEDA COUNTY, CALIFORNIA  
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**Carlson, Barbee & Gibson, Inc.**  
CIVIL ENGINEERS • SURVEYORS • PLANNERS  
SAN RAMON, CALIFORNIA  
SCALE: 1" = 20' JANUARY 2018



## BASIS OF BEARINGS:

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NO	BEARING	LENGTH
L1	N23°55'09"E	5.13'
L2	N67°30'46"W	5.13'
L3	N32°25'00"W	12.21'
L4	N24°03'27"W	19.02'
L5	N23°12'11"E	8.71'
L6	N21°47'49"W	13.75'

NO	BEARING	LENGTH
L7	N68°12'11"E	17.63'
L8	N68°12'11"E	17.63'
L9	N68°47'49"W	8.71'
L10	N19°32'11"W	19.01'
L11	N11°10'39"W	12.21'
L12	N68°12'11"E	15.20'

NO	RADIUS	DELTA	LENGTH
C1	5.00'	45°00'00"	3.93'

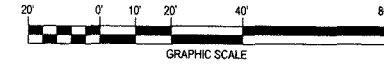
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CITY OF NEWARK, ALAMEDA COUNTY, CALIFORNIA  
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CIVIL ENGINEERS • SURVEYORS • PLANNERS  
SAN RAMON, CALIFORNIA

SCALE: 1" = 20' JANUARY 2018



## BASIS OF BEARINGS:

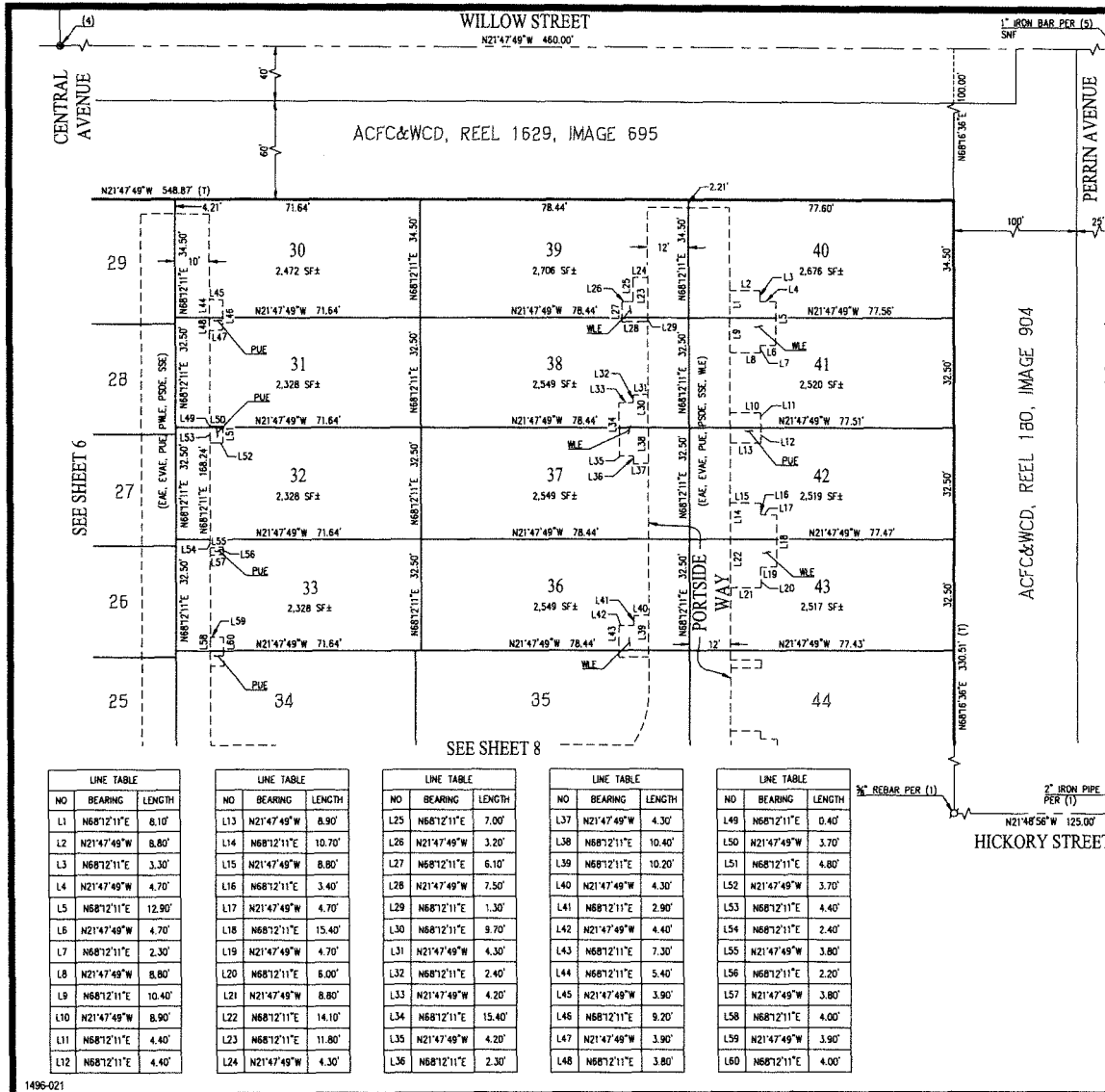
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# TRACT 8311

SHEET 7 OF 12



# TRACT 8311

CITY OF NEWARK, ALAMEDA COUNTY, CALIFORNIA  
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 SAN RAMON, CALIFORNIA

SCALE: 1" = 20' JANUARY 2018



## BASIS OF BEARINGS:

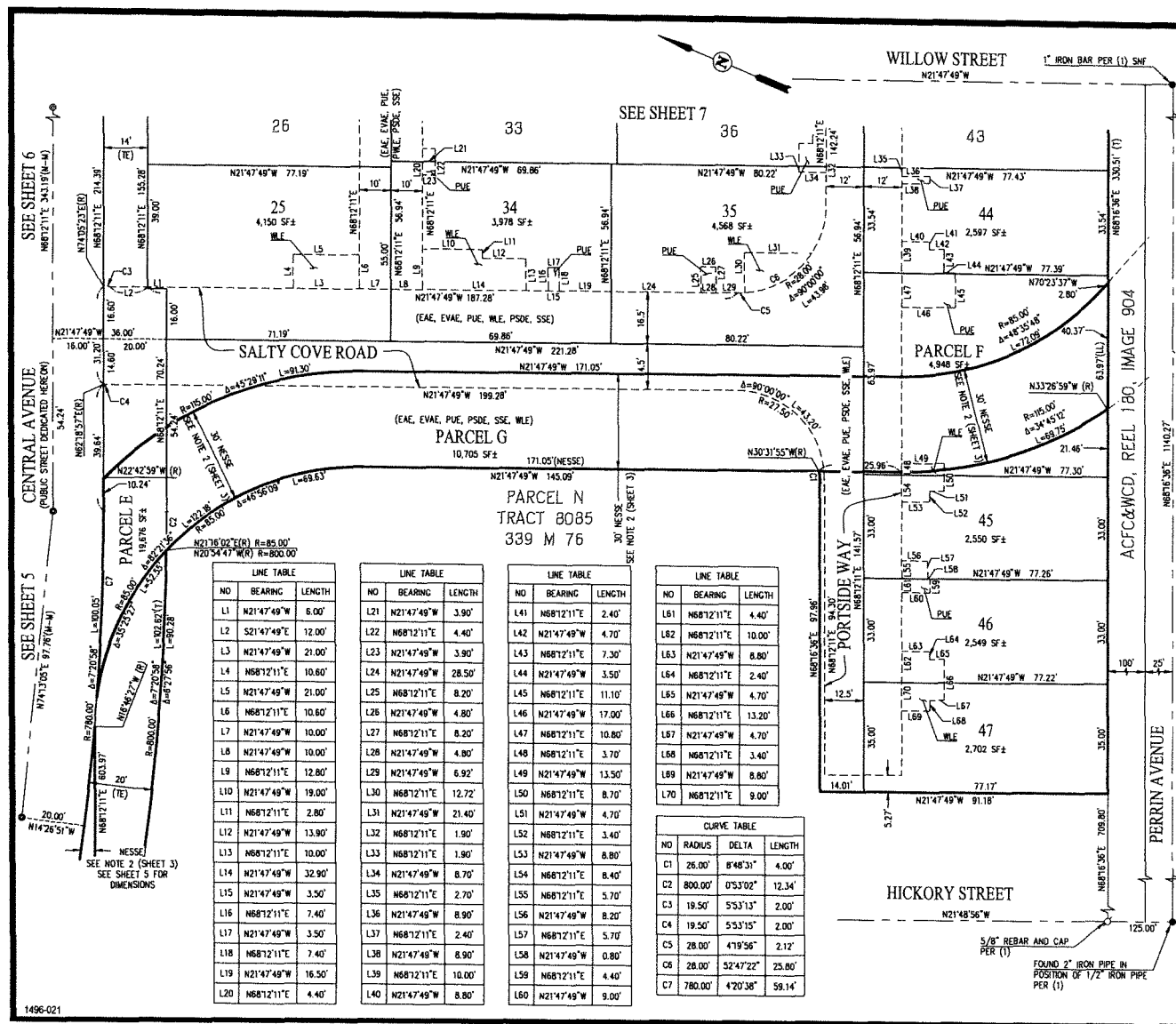
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# TRACT 8311

SHEET 8 OF 12



NO	BEARING	LENGTH
L1	N21°47'49"W	6.00'
L2	S21°47'49"E	12.00'
L3	N21°47'49"W	21.00'
L4	N68°12'11"E	10.60'
L5	N21°47'49"W	21.00'
L6	N68°12'11"E	10.60'
L7	N21°47'49"W	10.00'
L8	N21°47'49"W	10.00'
L9	N68°12'11"E	12.80'
L10	N21°47'49"W	19.00'
L11	N68°12'11"E	2.80'
L12	N21°47'49"W	13.90'
L13	N68°12'11"E	10.00'
L14	N21°47'49"W	32.90'
L15	N21°47'49"W	3.50'
L16	N68°12'11"E	7.40'
L17	N21°47'49"W	3.50'
L18	N68°12'11"E	7.40'
L19	N21°47'49"W	16.50'
L20	N68°12'11"E	4.40'

NO	BEARING	LENGTH
L21	N21°47'49"W	3.90'
L22	N68°12'11"E	4.40'
L23	N21°47'49"W	3.90'
L24	N21°47'49"W	28.50'
L25	N68°12'11"E	8.20'
L26	N21°47'49"W	4.80'
L27	N68°12'11"E	8.20'
L28	N21°47'49"W	4.80'
L29	N21°47'49"W	6.92'
L30	N68°12'11"E	12.72'
L31	N21°47'49"W	21.40'
L32	N68°12'11"E	1.90'
L33	N68°12'11"E	1.90'
L34	N21°47'49"W	8.70'
L35	N68°12'11"E	2.70'
L36	N21°47'49"W	8.90'
L37	N68°12'11"E	2.40'
L38	N21°47'49"W	8.90'
L39	N68°12'11"E	10.00'
L40	N21°47'49"W	8.80'

NO	BEARING	LENGTH
L41	N68°12'11"E	2.40'
L42	N21°47'49"W	4.70'
L43	N68°12'11"E	7.30'
L44	N21°47'49"W	3.50'
L45	N68°12'11"E	11.10'
L46	N21°47'49"W	17.00'
L47	N68°12'11"E	10.80'
L48	N68°12'11"E	3.70'
L49	N21°47'49"W	13.50'
L50	N68°12'11"E	8.70'
L51	N21°47'49"W	4.70'
L52	N68°12'11"E	3.40'
L53	N21°47'49"W	8.80'
L54	N68°12'11"E	8.40'
L55	N68°12'11"E	5.70'
L56	N21°47'49"W	8.20'
L57	N68°12'11"E	5.70'
L58	N21°47'49"W	0.80'
L59	N68°12'11"E	4.40'
L60	N21°47'49"W	9.00'

NO	BEARING	LENGTH
L61	N68°12'11"E	4.40'
L62	N68°12'11"E	10.00'
L63	N21°47'49"W	8.80'
L64	N68°12'11"E	2.40'
L65	N21°47'49"W	4.70'
L66	N68°12'11"E	13.20'
L67	N21°47'49"W	4.70'
L68	N68°12'11"E	3.40'
L69	N21°47'49"W	8.80'
L70	N68°12'11"E	9.00'

NO	RADIUS	DELTA	LENGTH
C1	26.00'	8°48'31"	4.00'
C2	800.00'	0°53'02"	12.34'
C3	19.50'	5°53'13"	2.00'
C4	19.50'	5°53'15"	2.00'
C5	28.00'	4°19'56"	2.12'
C6	28.00'	52°47'22"	25.80'
C7	780.00'	4°20'38"	59.14'

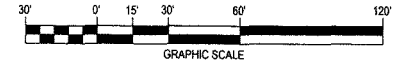
1496-021

# TRACT 8311

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 CIVIL ENGINEERS • SURVEYORS • PLANNERS  
 SAN RAMON, CALIFORNIA

SCALE: 1" = 30' JANUARY 2018



## BASIS OF BEARINGS:

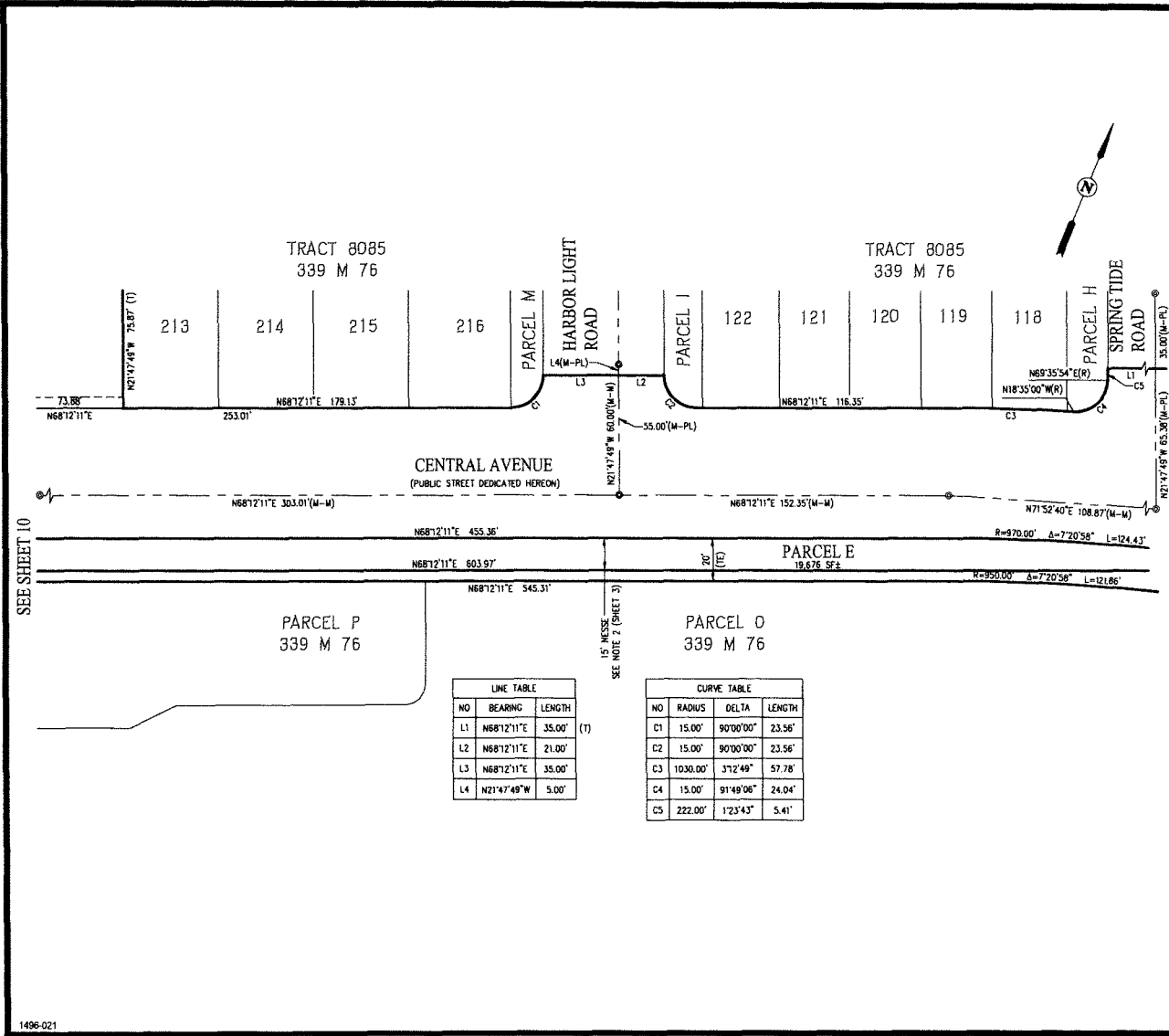
THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CENTERLINE OF HICKORY STREET BETWEEN TWO FOUND IRON PIPES TAKEN AS NORTH 21°48'56" WEST AS SHOWN ON TRACT 8085 (339 M 76). THE BEARINGS SHOWN HEREON ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM ZONE 3 (NAD 83). MULTIPLY THE DISTANCES SHOWN BY 0.9999378 TO OBTAIN GRID DISTANCES.

## LEGEND

- SUBDIVISION BOUNDARY LINE
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- (E#) INDICATES EXISTING EASEMENT, SEE SHEET 3 FOR MORE INFORMATION

# TRACT 8311

SHEET 9 OF 12



TRACT 8085  
339 M 76

TRACT 8085  
339 M 76

PARCEL P  
339 M 76

PARCEL O  
339 M 76

PARCEL E  
39,676.87±

LINE TABLE

NO	BEARING	LENGTH
L1	N88°12'11"E	35.00' (T)
L2	N88°12'11"E	21.00'
L3	N88°12'11"E	35.00'
L4	N21°47'49"W	5.00'

CURVE TABLE

NO	RADIUS	DELTA	LENGTH
C1	15.00'	90°00'00"	23.56'
C2	15.00'	90°00'00"	23.56'
C3	1030.00'	372°49'	57.78'
C4	15.00'	91°49'06"	24.04'
C5	222.00'	1°23'43"	5.41'

SEE SHEET 10

SEE SHEET 5



**LEGEND**

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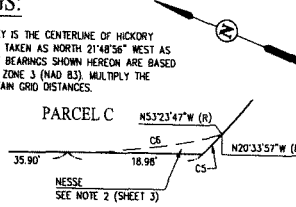
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CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	150.00'	157°03'	5.31'
C2	15.00'	28°46'08"	7.79'
C3	70.00'	155°10'3"	19.37'
C4	130.00'	113°9'10"	26.44'
C5	70.00'	312°11'	3.91'
C6	85.00'	14°47'17"	21.94'

LINE TABLE		
NO	BEARING	LENGTH
L1	N68°12'11"E	13.13'
L2	N21°48'56"W	21.74'

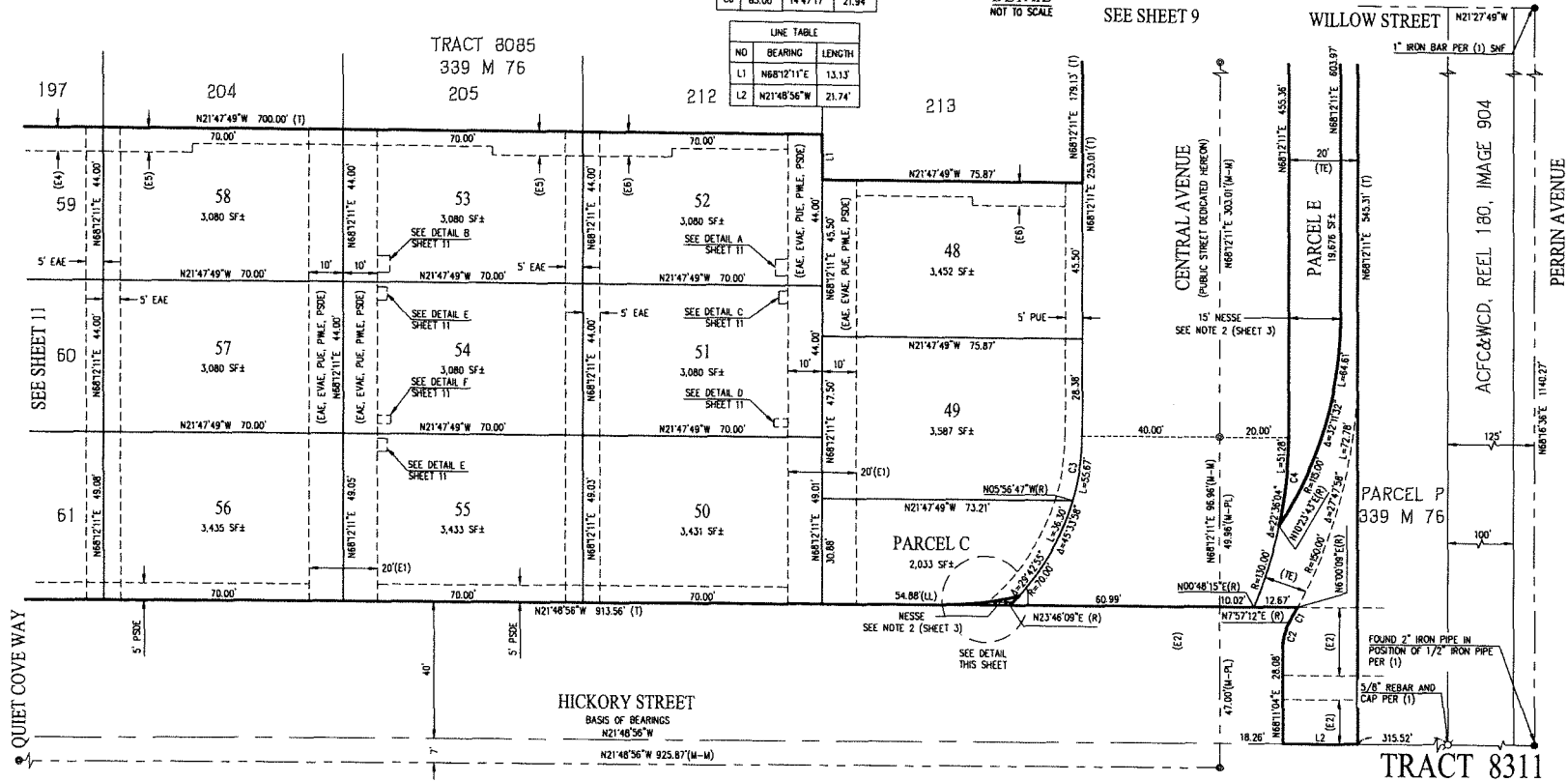
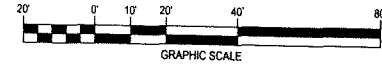


**TRACT 8311**

CITY OF NEWARK, ALAMEDA COUNTY, CALIFORNIA  
FOR SINGLE FAMILY RESIDENCE PURPOSES BEING A SUBDIVISION  
OF PARCEL C OF TRACT 8310, FILED FOR RECORD ON JUNE 9, 2017  
IN BOOK 347 OF MAPS AT PAGE 49 OF  
ALAMEDA COUNTY RECORDS

**Carlson, Barbee & Gibson, Inc.**  
CIVIL ENGINEERS • SURVEYORS • PLANNERS  
SAN RAMON, CALIFORNIA

SCALE: 1" = 20' JANUARY 2018



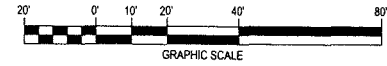
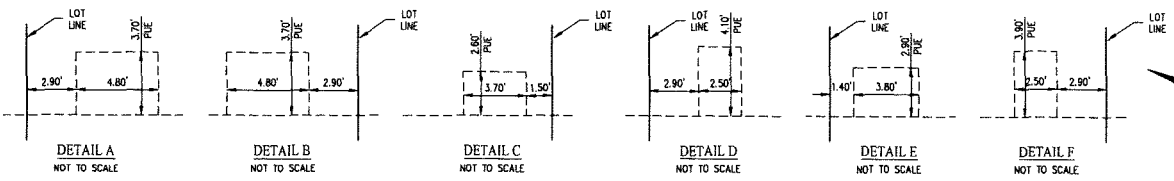
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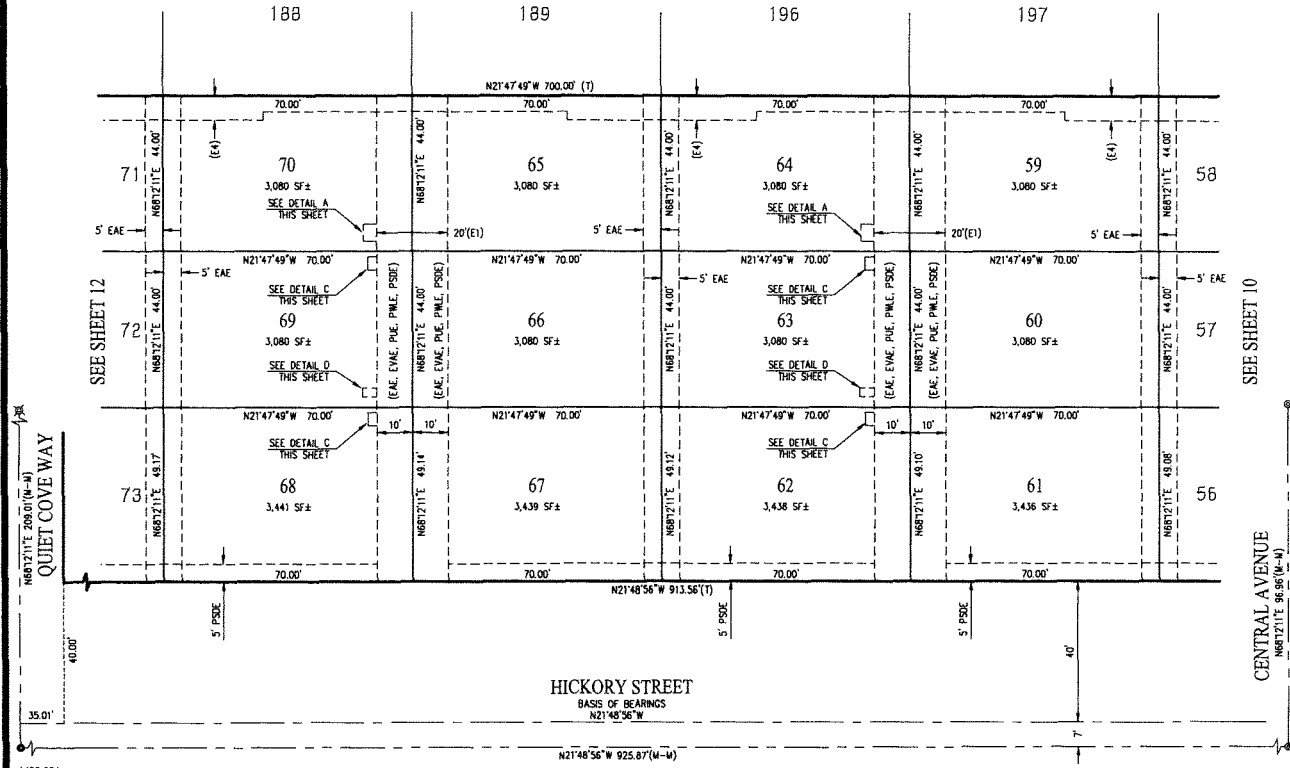
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CIVIL ENGINEERS • SURVEYORS • PLANNERS  
 SAN RAMON, CALIFORNIA

SCALE: 1" = 20' JANUARY 2018



TRACT 8085  
 339 M 76



### BASIS OF BEARINGS:

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TRACT 8311

SHEET 11 OF 12

1496-021

LINE TABLE		
NO	BEARING	LENGTH
L1	N68°12'11"E	19.74'
L2	N68°12'11"E	3.00'

TRACT 8085  
339 M 76

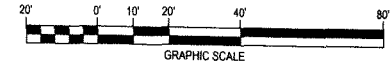
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SAN RAMON, CALIFORNIA

SCALE: 1" = 20'      JANUARY 2018



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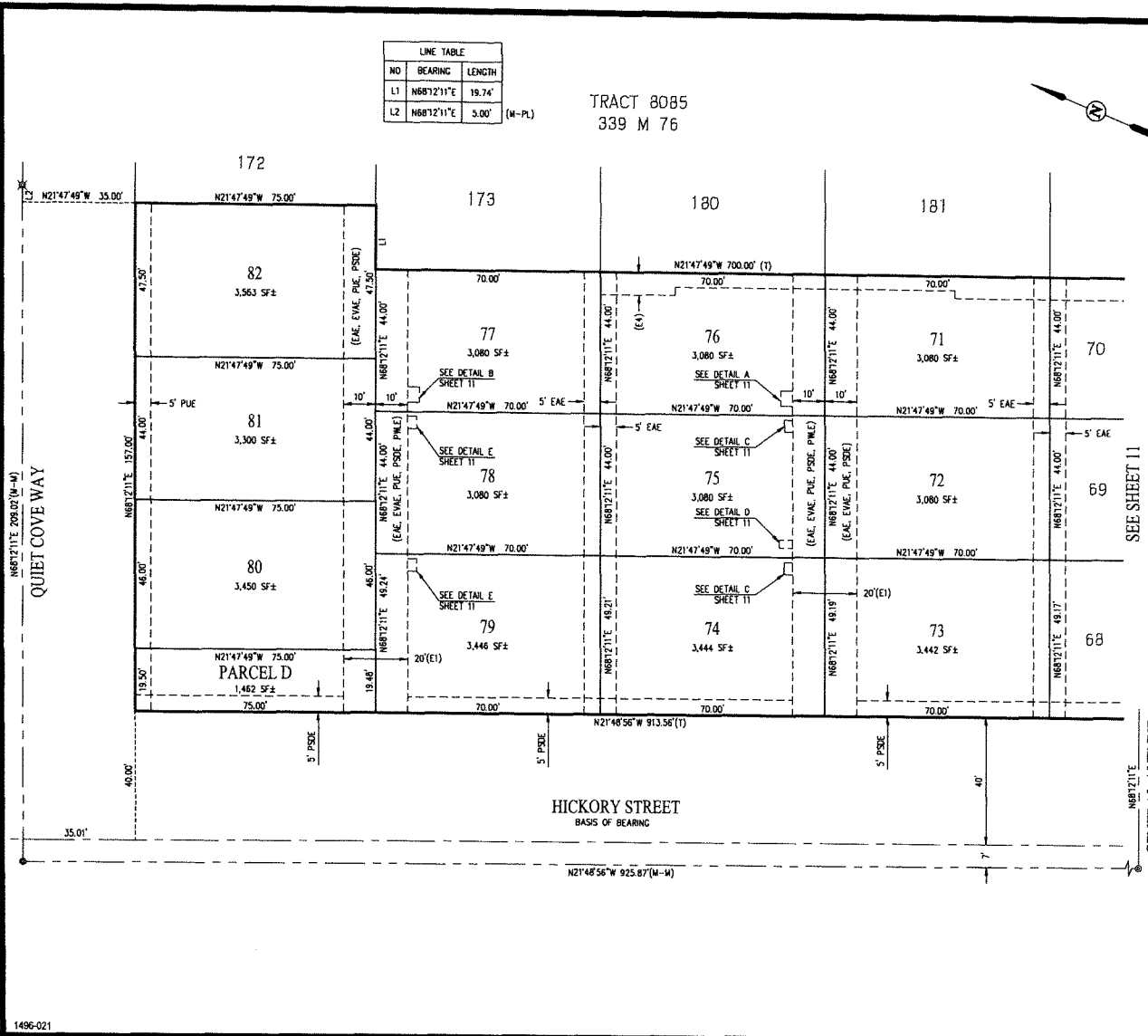
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TRACT 8311

SHEET 12 OF 12



**CITY OF NEWARK**  
**SUBDIVISION IMPROVEMENT AGREEMENT**  
**TRACT 8311**  
(Phase III Bayshores)

This Subdivision Improvement Agreement (hereinafter "Agreement") is made and entered into by and between the CITY OF NEWARK, a municipal corporation (hereinafter "City"), and WILLIAM LYON HOMES, INC. a California corporation (hereinafter "Developer"). City and Developer may be collectively referred to herein as the "parties."

**RECITALS**

- A.** In accordance with the Subdivision Map Act (California Government Code Sections 66410, *et seq.*), and the Subdivision Ordinance (Newark Municipal Code, Title 16, Chapters 16.04, 16.08, 16.12, 16.16, 16.20, and 16.32), and the Street Ordinance (Newark Municipal Code, Title 12, Chapters 12.04 and 12.08), the Developer has submitted to the City a Final Map (hereinafter "Final Map") for the Project known as Tract 8311 Phase III Bayshores in Newark, California (hereinafter "Project").
- B.** The Project is geographically located within the boundaries of the Tentative Tract Map known as "Tentative Map 8085". The Tentative Map is on file with the City Engineer, and is incorporated herein by reference.
- C.** The City's approval of the Tentative Map was subject to specified conditions of approval (hereinafter "Conditions"). The Conditions are on file with the City Engineer, and are incorporated herein by reference.
- D.** Improvement Plans and Specifications have been prepared on behalf of the Developer, and approved by the City Engineer, which describe the improvements which are required to be constructed by the Developer. The term "Plans and Specifications" shall include \_\_\_\_\_ ( ) sheets of improvement plans titled "Bayshores Tract 8311 Phase III Improvement Plans," approved by the City Engineer on \_\_\_\_\_. The Plans and Specifications are on file with the City Engineer, and are incorporated herein by reference.

**NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS AND CONDITIONS IDENTIFIED HEREIN, THE PARTIES HEREBY AGREE AS FOLLOWS:**

- 1. SCOPE OF WORK.** The Developer shall perform, or cause to be performed, the Work described in the Plans and Specifications and the Conditions (hereinafter "Work"), to the satisfaction of the City Engineer. The Work shall be performed, and all materials and labor shall be

**CITY OF NEWARK – SUBDIVISION IMPROVEMENT AGREEMENT  
TRACT 8311 Phase III Bayshores**

provided, at the Developer's sole cost and expense. No change shall be made to the Scope of Work unless authorized in writing by the City Engineer.

2. **PERMITS, LICENSES, AND COMPLIANCE WITH LAW.** The Developer shall, at the Developer's expense, obtain and maintain all necessary permits and licenses for the performance of the Work. The Developer shall comply with all local, state, and federal laws, whether or not said laws are expressly stated in this Agreement.
3. **DEVELOPER'S AUTHORIZED REPRESENTATIVE.** At all times during the progress of the Work, Developer shall have a competent foreperson or superintendent (hereinafter "Authorized Representative") on site with authority to act on behalf of the Developer. The Developer shall, at all times, keep the City Engineer informed in writing of the name and telephone number of the Authorized Representative. The Developer shall, at all times, keep the City Engineer informed in writing of the names and telephone numbers of all contractors and subcontractors performing the Work.
4. **IMPROVEMENT SECURITY.** The Developer shall furnish faithful performance and labor and material security concurrently with the execution of this Agreement by the Developer, and prior to the commencement of any Work. The Developer shall furnish warranty security prior to the City's acceptance of the Work. The form of the security shall be as authorized by the Subdivision Map Act (including Government Code Sections 66499, *et seq.*) and the Newark Municipal Code, and as set forth below:
  - 4(a). **Faithful Performance.** Performance Bonds in the amount of \$4,658,000 to secure faithful performance of this Agreement (until the date on which the City Council accepts the Work as complete) pursuant to Government Code Sections 66499.1, 66499.4, and 66499.9.
  - 4(b). **Labor and Material.** Materials Bonds in the amount of \$2,329,000 to secure payment by the Developer to laborers and materialmen pursuant to Government Code Sections 66499.2, 66499.3, and 66499.4.
  - 4(c). **Warranty.** Performance Bonds in the amount of \$466,000 to secure faithful performance of this Agreement (from the date on which the City accepts the Work as complete until one year thereafter) pursuant to Government Code Sections 66499.1, 66499.4, and 66499.9.

**CITY OF NEWARK – SUBDIVISION IMPROVEMENT AGREEMENT  
TRACT 8311 Phase III Bayshores**

5. **BUSINESS LICENSE.** The Developer shall apply for and pay the business license fees, in accordance with Newark Municipal Code Title 5, Chapter 5.04.
  
6. **INSURANCE.** Developer shall, throughout the duration of this Agreement, maintain insurance to cover Developer (including its agents, representatives, contractors, subcontractors, and employees) in connection with the performance of services under this Agreement. This Agreement identifies the minimum insurance levels with which Developer shall comply; however, the minimum insurance levels shall not relieve Developer of any other performance responsibilities under this Agreement (including the indemnity requirements), and Developer may carry, at its own expense, any additional insurance it deems necessary or prudent. Concurrently with the execution of this Agreement by the Developer, and prior to the commencement of any services, the Developer shall furnish written proof of insurance (certificates and endorsements), in a form acceptable to the City. Developer shall provide substitute written proof of insurance no later than 30 days prior to the expiration date of any insurance policy required by this Agreement.
  - 6(a). **Minimum Insurance Levels.** Developer shall maintain insurance at the following minimum levels:
    - 6(a)(1). **Commercial General Liability** (with coverage at least as broad as ISO form CG 00 01 01 96) coverage in an amount not less than \$5,000,000 general aggregate and \$2,000,000 per occurrence for general liability, bodily injury, personal injury, and property damage.
    - 6(a)(2). **Automobile Liability** (with coverage at least as broad as ISO form CA 00 01 07 97, for “any auto”) coverage in an amount not less than \$1,000,000 per accident for bodily injury and property damage.
    - 6(a)(3). **Workers’ Compensation** coverage as required by the State of California.
  
  - 6(b). **Minimum Limits of Insurance.** It shall be a requirement under this Agreement that any available insurance proceeds broader than or in excess of the specified minimum Insurance coverage requirements and/or limits shall be available to the Additional Insured. Furthermore, the requirements for coverage and limits shall be (1) the minimum coverage and limits specified in this Agreement; or (2) the broader coverage and maximum limits of coverage of any Insurance policy or proceeds available to the named Insured; whichever is greater.

**CITY OF NEWARK – SUBDIVISION IMPROVEMENT AGREEMENT  
TRACT 8311 Phase III Bayshores**

- 6(c). Endorsements.** The insurance policies shall be endorsed as follows:
- 6(c)(1).** For the commercial general liability insurance, the City (including its elected officials, employees, volunteers, and agents) shall be named as additional insured, and the policy shall be endorsed with a form at least as broad as ISO form CG 20 10 11 85.
- 6(c)(2).** Developer's insurance is primary to any other insurance available to the City with respect to any claim arising out of this Agreement. Any insurance maintained by the City shall be excess of the Developer's insurance and shall not contribute with it.
- 6(c)(3).** Developer's insurance will not be canceled, limited, or allowed to expire without renewal until after 30 days written notice has been given to the City. During the term of this Agreement, Consultant will not materially alter any of the policies or reduce any of the levels of coverage afforded by its insurance policies.
- 6(c)(4).** Maintenance of proper insurance coverage in conformity with this Section 6 is a material element of this Agreement and failure to maintain or renew coverage or to provide evidence of coverage or renewal may be treated by City as a material breach of this Agreement.
- 6(d). Qualifications of Insurers.** All insurance companies providing coverage to Developer shall be insurance organizations authorized by the Insurance Commissioner of the State of California to transact the business of insurance in the State of California, and shall have an A.M Best's rating of not less than "A:VII."
- 7. REPORTING DAMAGES.** If any damage (including death, personal injury or property damage) occurs in connection with the performance of this Agreement, Developer shall immediately notify the City Engineer's office by telephone at 510-578-4290, and Developer shall promptly submit to the City's Risk Manager and the City's Authorized Representative, a written report (in a form acceptable to the City) with the following information: (a) a detailed description of the damage (including the name and address of the injured or deceased person(s), and a description of the damaged property), (b) name and address of witnesses, and (c) name and address of any potential insurance companies.
- 8. INDEMNIFICATION.** To the fullest extent permitted by law, Developer shall indemnify, hold harmless, and defend the City (including its elected officials, officers, volunteers, agents and employees) from and against any and all claims (including all litigation, demands, damages, liabilities, costs, and expenses, and including court costs and attorney's fees)

**CITY OF NEWARK – SUBDIVISION IMPROVEMENT AGREEMENT  
TRACT 8311 Phase III Bayshores**

resulting or arising from performance, or failure to perform, under this Agreement (with the exception of the sole negligence or willful misconduct of the City).

- 9. TIME OF PERFORMANCE.** Time is of the essence in the performance of the Work, and the timing requirements set forth herein shall be strictly adhered to unless otherwise modified in writing in accordance with this Agreement. The Developer shall submit all requests for extensions of time to the City, in writing, no later than ten (10) days after the start of the condition which purportedly caused the delay, and not later than the date on which performance is due.
- 9(a). Commencement of Work.** No later than fifteen (15) days prior to the commencement of Work, the Developer shall provide written notice to the City Engineer of the date on which the Developer shall commence Work. The Developer shall not commence Work until after the notice required by this section is properly provided, and the Developer shall not commence Work prior to the date specified in the written notice.
- 9(b). Schedule of Work.** Concurrently with the written notice of commencement of Work, the Developer shall provide the City with a written schedule of Work, which shall be updated in writing as necessary to accurately reflect the Developer's prosecution of the Work.
- 9(c). Completion of Work.** The Developer shall complete all Work by no later than three hundred sixty-five (365) days after the City's execution of this Agreement.
- 10. INSPECTION BY THE CITY.** In order to permit the City to inspect the Work, the Developer shall, at all times, provide to the City proper and safe access to the Project site, and all portions of the Work, and to all shops wherein portions of the Work are in preparation.
- 11. DEFAULT.** If either party ("demanding party") has a good faith belief that the other party ("defaulting party") is not complying with the terms of this Agreement, the demanding party shall give written notice of the default (with reasonable specificity) to the defaulting party, and demand the default to be cured within ten days of the notice. If: (a) the defaulting party fails to cure the default within ten days of the notice, or, (b) if more than ten days are reasonably required to cure the default and the defaulting party fails to give adequate written assurance of due performance within ten days of the notice, then (c) the demanding party



**CITY OF NEWARK – SUBDIVISION IMPROVEMENT AGREEMENT  
TRACT 8311 Phase III Bayshores**

may terminate this Agreement upon written notice to the defaulting party.

**11(a).** The Developer shall be in default of this Agreement if the City Engineer determines that any one of the following conditions exist:

**11(a)(1).** The Developer is insolvent, bankrupt, or makes a general assignment for the benefit of its creditors.

**11(a)(2).** The Developer abandons the Project site.

**11(a)(3).** The Developer fails to perform one or more requirements of this Agreement.

**11(a)(4).** The Developer fails to replace or repair any damage caused by Developer or its agents, representatives, contractors, subcontractors, or employees in connection with performance of the Work.

**11(a)(5).** The Developer violates any legal requirement related to the Work.

**11(b).** In the event that the Developer fails to cure the default, the City may, in the discretion of the City Engineer, take any or all of the following actions:

**11(b)(1).** Cure the default and charge the Developer for the costs therefor, including administrative costs and interest in an amount equal to seven percent (7 %) per annum from the date of default.

**11(b)(2).** Demand the Developer to complete performance of the Work.

**11(b)(3).** Demand the Developer's surety (if any) to complete performance of the Work.

**12. ACCEPTANCE OF WORK.** Prior to acceptance of the Work by the City Engineer, the Developer shall be solely responsible for maintaining the quality of the Work, and maintaining safety at the Project site. The Developer's obligation to perform the Work shall not be satisfied until after the City Engineer has made a written determination that all obligations of the Agreement have been satisfied and all outstanding fees and charges have been paid, and the City Engineer has accepted the Work as complete.

**13. WARRANTY PERIOD.** The Developer shall warrant the quality of the Work, in accordance with the terms of the Plans and Specifications, for a period of one year after acceptance of the Work by the City. In the event that (during the one year warranty period) any portion of the Work is determined by the City Engineer to be defective as a result of an obligation of the Developer under this Agreement, the Developer shall be in default.

**CITY OF NEWARK – SUBDIVISION IMPROVEMENT AGREEMENT  
TRACT 8311 Phase III Bayshores**

- 14. RELATIONSHIP BETWEEN THE PARTIES.** Developer is, and at all times shall remain, an independent contractor solely responsible for all acts of its employees, agents, contractors, or subcontractors, including any negligent acts or omissions. Developer is not City’s agent, and shall have no authority to act on behalf of the City, or to bind the City to any obligation whatsoever, unless the City provides prior written authorization to Developer.
- 15. CONFLICTS OF INTEREST PROHIBITED.** Developer (including its employees, agents, contractors, and subcontractors) shall not maintain or acquire any direct or indirect interest that conflicts with the performance of this Agreement. If Developer maintains or acquires a conflicting interest, any contract with the City (including this Agreement) involving Developer’s conflicting interest may be terminated by the City.
- 16. NONDISCRIMINATION.** Developer shall comply with all applicable federal, state, and local laws regarding nondiscriminatory employment practices, whether or not said laws are expressly stated in this Agreement. Developer shall not discriminate against any employee or applicant because of race, color, religious creed, national origin, physical disability, mental disability, medical condition, marital status, sexual orientation, or sex.
- 17. NOTICES.** All notices required or contemplated by this Agreement shall be in writing and shall be delivered to the respective party as set forth in this section. Communications shall be deemed to be effective upon the first to occur of: (a) actual receipt by a party’s Authorized Representative, or (b) actual receipt at the address designated below, or (c) three working days following deposit in the United States Mail of registered or certified mail sent to the address designated below. The Authorized Representative of either party may modify their respective contact information identified in this section by providing notice to the other party.

**TO: City of Newark**  
Attn: City Engineer  
37101 Newark Boulevard  
Newark, CA 94560

**To: William Lyon Homes, Inc.**  
Attn: Scott Hilk  
2603 Camino Ramon  
Suite 450  
San Ramon, CA 94583

- 18. HEADINGS.** The heading titles for each paragraph of this Agreement are included only as a guide to the contents and are not to be considered as controlling, enlarging, or restricting the interpretation of the Agreement.

**CITY OF NEWARK – SUBDIVISION IMPROVEMENT AGREEMENT  
TRACT 8311 Phase III Bayshores**

19. **SEVERABILITY.** If any term of this Agreement (including any phrase, provision, covenant, or condition) is held by a court of competent jurisdiction to be invalid or unenforceable, the Agreement shall be construed as not containing that term, and the remainder of this Agreement shall remain in full force and effect; provided, however, this paragraph shall not be applied to the extent that it would result in a frustration of the parties' intent under this Agreement.
20. **GOVERNING LAW, JURISDICTION, AND VENUE.** The interpretation, validity, and enforcement of this Agreement shall be governed by and interpreted in accordance with the laws of the State of California. Any suit, claim, or legal proceeding of any kind related to this Agreement shall be filed and heard in a court of competent jurisdiction in the County of Alameda.
21. **ATTORNEY'S FEES.** In the event any legal action is commenced to enforce this Agreement, the prevailing party is entitled to reasonable attorney's fees, costs, and expenses incurred.
22. **ASSIGNMENT AND DELEGATION.** This Agreement, and any portion thereof, shall not be assigned or transferred, nor shall any of the Developer's duties be delegated, without the written consent of the City. Any attempt to assign or delegate this Agreement without the written consent of the City shall be void and of no force or effect. A consent by the City to one assignment shall not be deemed to be a consent to any subsequent assignment.
23. **MODIFICATIONS.** This Agreement may not be modified orally or in any manner other than by an agreement in writing signed by both parties.
24. **WAIVERS.** Waiver of a breach or default under this Agreement shall not constitute a continuing waiver or a waiver of a subsequent breach of the same or any other provision of this Agreement.
25. **CONFLICTS.** If any conflicts arise between the terms and conditions of this Agreement and the terms and conditions of the attached exhibits or any documents expressly incorporated, the terms and conditions of this Agreement shall control.
26. **ENTIRE AGREEMENT.** This Agreement, including all documents incorporated herein by reference, comprises the entire integrated understanding between the parties concerning the Work described herein. This Agreement supersedes all prior negotiations, agreements, and understandings regarding this matter, whether written or oral. The

**CITY OF NEWARK – SUBDIVISION IMPROVEMENT AGREEMENT  
TRACT 8311 Phase III Bayshores**

documents incorporated by reference into this Agreement are complementary; what is called for in one is binding as if called for in all.

**CITY OF NEWARK – SUBDIVISION IMPROVEMENT AGREEMENT  
TRACT 8311 Phase III Bayshores**

**27. SIGNATURES.** The individuals executing this Agreement represent and warrant that they have the right, power, legal capacity, and authority to enter into and to execute this Agreement on behalf of the respective legal entities of the Developer and the City. This Agreement shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

**IN WITNESS WHEREOF,** the City and Developer do hereby agree to the full performance of the terms set forth herein.

**WILLIAM LYON HOMES, INC.,**  
a California corporation

**CITY OF NEWARK,**  
a municipal corporation

\_\_\_\_\_  
By: \_\_\_\_\_

Its: \_\_\_\_\_

By: \_\_\_\_\_  
Alan L. Nagy, Mayor

ATTEST:

\_\_\_\_\_  
Sheila Harrington, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
David J. Benoun, City Attorney

**F.7 Acceptance of public improvements for Tract 8028 (Casa Bella), a 14-unit residential townhome-style subdivision at 6249 Thornton Avenue, west of Newark Boulevard – from Public Works Director Fajeau. (RESOLUTION)**

**Background/Discussion** – Public improvements have been completed for Tract 8028 (Casa Bella), a 14-unit residential townhome-style subdivision located on the north side of Thornton Avenue, approximately 570 feet west of Newark Boulevard. The public improvements were limited to placement of new driveways, sidewalk removal and replacement, utility connections, and frontage landscaping on Thornton Avenue. On-site improvements for the common benefit of all homeowners will be owned and maintained by the Casa Bella Newark Homeowners Association.

**Attachment**

**Action** – It is recommended that the City Council, by resolution, accept the public improvements for Tract 8028 (Casa Bella), a 14-unit residential townhome-style subdivision located on the north side of Thornton Avenue, approximately 570 feet west of Newark Boulevard.



RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWARK ACCEPTING THE PUBLIC IMPROVEMENTS FOR TRACT 8028, A 14-UNIT RESIDENTIAL TOWNHOME-STYLE SUBDIVISION LOCATED ON THE NORTH SIDE OF THORNTON AVENUE, APPROXIMATELY 570 FEET WEST OF NEWARK BOULEVARD.

WHEREAS, the City of Newark entered into an agreement with Casa Bella Homes, LLC, on April 9, 2015 as authorized under Resolution No. 10,333, for the performance of certain work in connection with public improvements in Tract 8028, a 14-unit residential townhome-style subdivision located at 6249 Thornton Avenue, approximately 570 feet west of Newark Boulevard; and

WHEREAS, the scope of public improvements on Thornton Avenue included new driveway openings, sidewalk removal and replacement, utility connections, and frontage landscaping; and

WHEREAS, said work has been completed in substantial compliance with the plans and specifications of the contract entered into heretofore and the City Engineer has recommended the acceptance of these public improvements on Thornton Avenue; and

WHEREAS, additional work was completed, in substantial compliance with the plans and specifications, within the common area of the project site to be owned and maintained by the Casa Bella Newark Homeowners Association of Tract 8028; and

WHEREAS, Casa Bella Homes, LLC, has furnished a Maintenance Bond (Warranty) in the amount of \$35,000 for correction of any defective materials or workmanship within a designated one-year maintenance period.

NOW THEREFORE, BE IT RESOLVED BY THE City Council of the City of Newark that the City Council does hereby approve the Maintenance Bond in the amount of \$35,000 and that said public improvements on Thornton Avenue are hereby accepted and that the City Council does hereby authorize the release of the Performance Bond in the amount of \$348,000 and the Materials Bond in the amount of \$174,000 guaranteeing the completion of work in Tract 8028.

**F.8 Authorization for the purchase of a replacement light control board for the Silliman Family Aquatic Center, and declaration of Syserco, Inc., as the single source vendor – from Maintenance Supervisor Connolly. (RESOLUTION)**

**Background/Discussion-** The 2016-2018 Biennial Budget and Capital Improvement Plan includes funding in Fiscal Year 2017-2018 for the replacement of a light control board at the Silliman Family Aquatic Center. The existing light control board no longer functions properly and has reached the end of its useful life. The light control board is used to program lighting at the Silliman Family Aquatic Center via Alerton, which is a proprietary energy management system serviced solely by Syserco, Inc. The purchase of a replacement light control board to match the existing board is necessary to avoid significant and costly modifications to the existing backbone energy management system and associated infrastructure. Staff is recommending that Syserco, Inc., be declared a single source vendor for this purchase.

In accordance with the Single Source Exemption in the City’s Purchasing Ordinance, formal bidding procedures are not required in the event the City Council, by resolution, makes certain findings and declarations that:

1. Formal bids would work in incongruity and would be unavailing in affecting the final results; and
2. Formal bids would not produce any advantage to the City; or,
3. It is practically impossible to obtain what is required through the formal bidding process; or,
4. The product sought or a significant portion thereof is the subject of a patent and cannot be purchased from any source other than the holder of the patent.

The single source exemption is appropriate for this recommended purchase under paragraphs 1., 2., 3., and 4. There is only one manufacturer to provide a suitable replacement light control board. Since that is the case, it is incongruous, or not appropriate, to require a formal bid for the purchase since only one manufacturer could bid and it would be useless (unavailing), failing to achieve the desired result (i.e. competitive, multiple bids assuring the best use of public funds). Formal bids would not produce any advantage to the City, but would instead result in an extraneous use of public funds to lead to the same result. It is impossible, in a practical sense, to obtain competitive bids through a formal bidding process since only a single manufacturer could meet the City’s needs for replacement of the light control board.

**Attachment**

**Action** – It is recommended that the City Council, by resolution, authorize the purchase of a replacement light control board for the Silliman Family Aquatic Center and declare Syserco, Inc., as a single source vendor.

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
NEWARK AUTHORIZING THE PURCHASE OF  
REPLACEMENT LIGHT CONTROL BOARD FOR THE  
SILLIMAN FAMILY AQUATIC CENTER, AND  
DECLARATION OF SYSERCO, INC., AS THE SINGLE  
SOURCE VENDOR

WHEREAS, the 2016–2018 Biennial Budget and Capital Improvement Plan includes funding for replacement of a light control board at the Silliman Family Aquatic Center, and

WHEREAS, replacement of the light control board is necessary as the existing unit no longer functions properly and has reached the end of its useful life; and

WHEREAS, replacement of the light control board with a matching unit is necessary to ensure proper integration with Alerton, the existing proprietary energy management system at the Silliman Family Aquatic Center, and to avoid significant and costly modifications to other infrastructure; and

WHEREAS, Syserco, Inc., is the exclusive Bay Area vendor for the purchase and servicing of the light control board and associated energy management system; and

WHEREAS, per the City of Newark Purchasing Ordinance, formal bidding procedures shall not apply in the event that the City Council makes certain findings and declarations; and

WHEREAS, the City Council, having reviewed and considered the facts related to the purchase of a replacement light control board at the Silliman Activity and Family Aquatic Center, finds and declares, as set forth below, and as required by Resolution No. 9816 which modified the Single Source Exemption Regulations in Resolution 7053, Purchasing Rules and Regulations that:

1. Formal bids would work an incongruity and would be unavailing in affecting the final results since there is one manufacturer to provide a suitable and cost-effective replacement light control board and therefore there is no comparable competitive product for which a competitive bid could be provided; and
2. Formal bids would not produce any advantage to the City since, as stated above, a formal bid would produce only a single bid from one manufacturer for the desired product; or,
3. It is practically impossible to obtain what is required through the formal bidding process, because, as stated above, multiple competitive bids for the desired product cannot be obtained; or,

4. The product sought or a significant portion thereof is the subject of a patent and cannot be purchased from any source other than the holder of the patent.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Newark authorizes the purchase of a replacement light control board for the Silliman Family Aquatic Center and declare Syserco, Inc., as a single source vendor.

**F.9 Overview of the 2018-2020 Capital Improvement Plan – from Public Works Director Fajeau. (INFORMATIONAL)**

**Background/Discussion** – As part of the 2018-2020 Biennial Budget and Capital Improvement Plan preparation, the Public Works Department is coordinating the development of the Capital Improvement Plan (CIP) budget component. The CIP development process commenced in November with a call for projects to all City departments. Projects have been submitted and have been reviewed by staff. This informational item is intended to provide a summary of the proposed projects submitted, prioritization criteria for project selection, available funding sources, and recommended modifications in approach to CIP with respect to ongoing maintenance projects.

The general purpose of the CIP for each Biennial Budget is to identify and prioritize capital improvement projects for potential funding. Projects can include streets, park, and building construction as well as specific maintenance projects for existing infrastructure. Feasibility studies and master plans to help identify and quantify future projects are typically included in the CIP. Major acquisitions of new equipment that would fall outside of a department’s operating budget can also be included. In general, any project as defined above with an expenditure of \$5,000 or more is included in the CIP.

During the previous 2016-2018 CIP review process, the City Council approved modifications to the City’s approach to project selection methodology. In addition to ensuring that projects satisfy at least one of the five critical issues form the City’s Strategic Plan, projects are now categorized into three priority levels, as follows:

Priority Level 1 (Mandatory): Projects that meet a federal, State, or local legal or regulatory requirement, satisfy a critical risk management issue to ensure citizen safety, or serve to preserve and protect the City’s existing assets and public infrastructure.

Priority Level 2 (Necessary): Projects that are considered necessary but not mandatory as they would not clearly address a critical legal, safety, or asset-protection need. Projects at this level could be funded by a consensus priority opinion of the City Council for the benefit of the community. This can also include projects that would provide a local funding matching for outside funding sources, provide a definitive service level increase, or would complete the final phase of a multi-phased project. Feasibility studies and Master Plans are also categorized as Priority Level 2.

Priority Level 3 (Desirable): All other projects that do not satisfy Level 1 or Level 2 criteria.

For the past five budget cycles, many ongoing general maintenance needs were funded through the CIP as projects in order to minimize impacts on the operating budget. This included projects such as “Citywide Building Roof Repairs,” “Citywide Playground Surfacing,” and “Citywide Street Signs.” These and many other similar general maintenance projects did not have a specific scope of work identified, but were essentially placeholders to ensure that there was a minimum

amount of funding to maintain the City's infrastructure. Funding was commonly saved over a period of two years or more in a given project category to address maintenance needs as those needs developed. Over time, this became cumbersome in terms of the number of project listings. Given the improved economy and overall budget conditions, staff is now recommending that the Maintenance Division operating budget be increased to accommodate most of these general maintenance needs. Street pavement maintenance, sidewalk repair, and street tree maintenance will remain in the CIP. Other maintenance projects included in the CIP will now have an identified scope of work to address a specific street, building, or park need. This change was initially presented at the February 8<sup>th</sup> Study Session to review the Operating Section of the 2018-2020 Biennial Budget.

In terms of funding, staff is currently projecting an unallocated fund balance of \$8,200,000 in the Capital Fund for new projects. These are Capital Funds not associated with an impact fee that can be used for any type of project. Gas Tax funds, which are a combination of local transportation sales tax measures and fees (Measure B, Measure BB, Vehicle Registration Fee), State Highway Users Tax Accounts (HUTA) and the addition of the Road Maintenance and Rehabilitation Act (RMRA, also known as SB-1) funding, will result in projected annual revenue of \$3,314,000 for the 2018-2019 fiscal year. Gas Tax funding must be used within the public right-of-way for transportation related improvements and maintenance. The City also has a current fund balance of approximately \$5,200,000 for Park Impact Fees.

The 2018-2020 CIP will feature two major projects, the New Civic Center and the construction phase of the Central Avenue railroad overpass, as well as high-priority projects emerging from the Citywide Parks Master Plan. In addition, there are numerous streets, buildings, and parks projects as well as vehicle purchases for the City Council to consider. A complete list of project submissions will be provided as an informational item at the meeting.

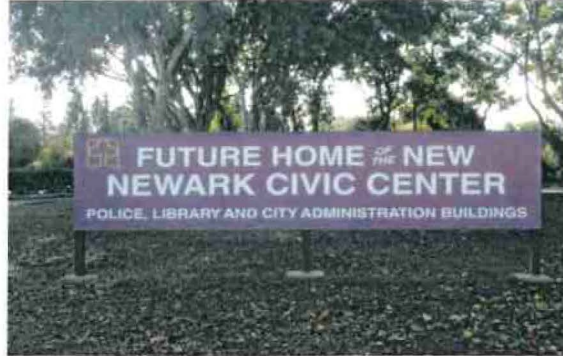
A "first cut" review of proposed CIP projects will be completed by the Executive Team in early March. A formal review of the Draft CIP, including recommended project rankings, is scheduled to be presented to the City Council during the April 12 meeting.

**Action** – This item is informational only.

F. 9  
Public Works Dir.  
Fayeau presentation



CITY OF NEWARK  
2018 - 2020  
CAPITAL IMPROVEMENT PLAN  
OVERVIEW



February 22, 2018

2018-2020 CIP  
OVERVIEW AGENDA



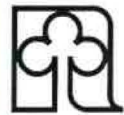
1. CIP Process Summary /Selection Methodology
2. Ongoing Maintenance Projects to Operating Budget
3. CIP Funding Summary
4. New Projects Submitted for Consideration
5. Next Steps

## CIP PROCESS OVERVIEW



- General Overview of the Biennial Capital Improvement Plan (CIP)
- Types of Projects in the CIP
  - Streets, Parks, and Buildings
  - Feasibility Studies and Master Plans
  - New Equipment Purchases
- Projects or Purchases of \$5,000 or more

## CIP PROCESS OVERVIEW (cont.)



### CIP Schedule for Review and Approval

1. Call for Projects
2. Staff Evaluation of Projects Submitted
3. **City Council Overview of Submitted Projects**
4. Executive Team Review/Ranking of Projects (early March)
5. City Council Review of early Draft CIP (April)
6. Draft CIP Completed (late April)
7. Draft CIP to Planning Commission (early May)
8. Biennial Budget/CIP City Council Work Session (May)
9. Recommended City Council Approval of Biennial Budget and CIP (June)



## PROJECT SELECTION METHODOLOGY



### CIP Selection Criteria

- Evaluation of Critical Issues
- Evaluation of Project Prioritization Criteria
  - Priority Level 1 (Mandatory)
  - Priority Level 2 (Necessary)
  - Priority Level 3 (Desirable)
- Evaluation of Available Funding Sources
- Review of staffing and maintenance impacts

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## PROJECT SELECTION METHODOLOGY (cont.)



### PROJECT PRIORITIZATION CRITERIA

#### PRIORITY LEVEL 1 (Mandatory)

- Level 1 projects are of the highest priority and must be completed for one of the following reasons:
  - A. Legal/Regulatory Obligations
  - B. Safety Obligations
  - C. Preservation of Existing Assets

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## PROJECT SELECTION METHODOLOGY (cont.)



### PROJECT PRIORITIZATION CRITERIA

#### PRIORITY LEVEL 2 (Necessary)

- Level 2 projects are considered to be necessary, and include the following categories:
  - A. City Council Consensus Priority
  - B. Matching Requirements for Outside Funding
  - C. Service Level Increase
  - D. Feasibility Studies and Master Plans
  - E. Final Phase of a Project

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## PROJECT SELECTION METHODOLOGY (cont.)



### PROJECT PRIORITIZATION CRITERIA

#### PRIORITY LEVEL 3 (Desirable)

- Level 3 projects are desirable but do not meet Level 1 or Level 2 criteria:
  - A. Aesthetic Improvements
  - B. All other projects

Priority Levels will be assigned to each project description in the CIP document.

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8

## ONGOING MAINTENANCE PROJECTS TO OPERATING BUDGET



Building Maintenance (4):                      \$ 105,000 (Capital)

- Flooring, Painting, Roof Repairs, General Upgrades

Park/Facilities/Streets Maintenance (8):    \$ 215,000 (Capital)

- Parking Lot Repairs/Resealing, Fence Repairs, Irrigation System Upgrades, Playground Resurfacing, Pathway Repairs, General Park Renovation, Park Tree Pruning, Parks Furniture, Street Signs Maintenance

Total (12 projects) to Operating Budget:    \$ 320,000 annually

"Gas Tax" funded projects for ongoing street maintenance to remain in Capital Improvement Plan.

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## FUNDING SUMMARY



### Major Funding Sources for the CIP:

1. Capital Funds
2. Gas Tax Funds
3. Outside Grants
4. Local Fees



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## CAPITAL FUNDS SUMMARY



### Reserves and Unallocated Fund Balances

Reserves	2017-2018	2018-2019	2019-2020	2020-2021	2021-2022
Catastrophic = 15%	\$7.9	\$8.6	\$9.0	\$9.5	\$9.6
Fiscal Uncertainty = 10%	\$5.3	\$5.7	\$6.0	\$6.3	\$6.4
Unrestricted Capital	\$8.2	\$8.2	\$8.2	\$8.2	\$8.2
Equipment Replacement	\$2.7	\$2.9	\$3.1	\$3.3	\$3.5
PERs	8.4	8.4	8.4	8.4	8.4

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## GAS TAX FUNDS SUMMARY



### "Gas Tax" Fund Sources:

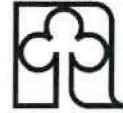
1. State Highway Users Tax Account and the Road Maintenance and Rehabilitation Account (RMRA), SB1
2. Measure B Direct Distributions
3. Measure BB Direct Distributions
4. Vehicle Registration Fee (Measure F) Direct Distributions



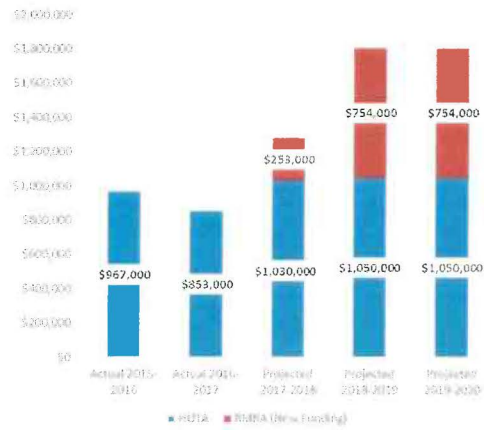
12



# STATE HIGHWAY USERS TAX



City of Newark State Highway Users Tax Revenue



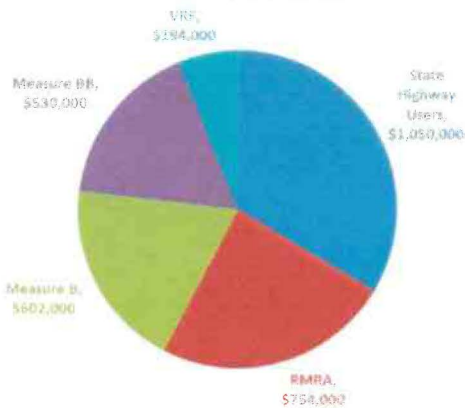
Source: State Department of Finance through League of California Cities as of January 2018

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# STATE & LOCAL GAS TAX REVENUES



PROJECTED GAS TAX REVENUE  
FY18-19 AND FY19-20  
TOTAL \$3,134,000

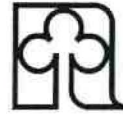


Sources: State Department of Finance through League of California Cities as of January 2018  
Alameda County Transportation Commission

Note: Measure B and Measure BB estimates do not include Paratransit funds

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## OUTSIDE GRANT FUNDING



### Transportation Grant Funds:

- Transportation Development Act (TDA), Article 3
  - About \$35,000 per year
- Transportation Fund for Clean Air (TFCA)
  - Current Available Balance \$445,000
- Discretionary Measure B and Measure BB
- One Bay Area Grant (OBAG) program
- State Grade Separation Program

### Parks and Other Grant Funds:

- Regional Open Space, Wildlife, Shoreline, and Parks Bond Extension (Measure WW)
  - \$700,000 Remaining
- Community Development Block Grant (CDBG)
- State Grant Funds

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## LOCAL FEE FUNDING



### Park Impact Fees (formerly Park-in-Lieu fees)

- July 2017 balance: \$5,200,000

### Capital Facilities Impact Fees

#### Public Safety Facilities:

- July 2017 balance: \$1,250,000

#### Community Services Facilities:

- July 2017 balance: \$2,600,000

#### Transportation Facilities:

- July 2017 balance: \$3,630,000

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## NEW PROJECTS SUBMITTED



### Major Projects

New Civic Center (Measure GG)	\$74,000,000
Central Avenue RR Overpass (Measure B/BB)	\$29,300,000

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## NEW PROJECTS SUBMITTED (cont.)



### Street Construction/Maintenance

1. Pavement Maintenance Program (Annual)	\$ 1,500,000
2. Street Tree Maintenance (Annual)	\$ 300,000
3. Sidewalk, Curb and Gutter Replacement (Annual)	\$ 400,000
4. Citywide Accessible Ramps (Annual)	\$ 30,000
5. Thermoplastic Street Striping	\$ 30,000
6. Traffic Calming Measures	\$ 100,000
7. Storm Drain Trash Capture Devices (Phase 3)	\$ 230,000
8. Lindsey Tract Street/Drainage Improvements	\$ 2,500,000
9. Thornton Avenue Street Overlay	\$ 1,750,000
10. Citywide Traffic Signal Street Name Signs	\$ 65,000
11. Cedar Boulevard Landscape Improvements	\$ 120,000
12. Mowry Avenue Backup Wall/Landscaping	\$ 1,050,000
13. Mowry Avenue Median Landscaping	\$ 320,000
14. Citywide Bus Shelters	\$ TBD
Total	\$8,395,000

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## NEW PROJECTS SUBMITTED (cont.)



### Park Improvements

1. Newark Community Park Dog Park	\$ 316,000
2. Birch Grove Park Dog Park	\$ 505,000
3. Sportsfield Park All-Weather Turf Fields/Updated Paths	\$ 4,800,000
4. Sportsfield Park Skate Park	\$ 1,141,000
5. Ash Street Park Sport Facilities	\$ 96,000
6. Newark Community Park Updated Restrooms	\$ 321,000
7. Sisk Grove Amphitheater	\$ 532,000
8. Sisk Grove Parking	\$ 386,000
9. Sisk Grove Pedestrian Pathway	\$ 197,000
10. Sisk Grove Planting and Irrigation	\$ 92,000
11. Sisk Grove Playground	\$ 662,000
12. Sisk Grove Restroom/Storage	<u>\$ 210,000</u>
Total	\$9,258,000

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## NEW PROJECTS SUBMITTED (cont.)



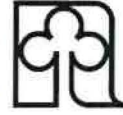
### Park/Street Maintenance

1. Ash Street Park Basketball Court Resurfacing	\$ 30,000
2. Birch Grove Park Tennis Court Resurfacing	\$ 40,000
3. Lakeshore Park Tree Project	\$ 50,000
4. Lakeshore Park Well Rehabilitation	\$ 75,000
5. Mayhews Landing/Bridgepoint Park Trees	\$ 50,000
6. Newark Boulevard Overpass Tree/Slope Clean-Up	<u>\$ 48,000</u>
Total	\$ 293,000

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## NEW PROJECTS SUBMITTED (cont.)



### Building Maintenance

1. Community Center/Annex Roof Replacement	\$ 1,660,000
2. Community Center Annex HVAC Replacement	\$ 232,000
3. Community Center HVAC Replacement	\$ 800,000
4. Fire Station No. 27 (Cherry Street) Fencing	\$ 75,000
5. Fire Station No. 27 (Cherry Street) Painting	\$ 50,000
6. Fire Station No. 27 (Cherry Street) Roofing	\$ 55,000
7. Fire Station No. 29 (Ruschin Drive) Fencing	\$ 65,000
8. Fire Station No. 29 (Ruschin Drive) Painting	\$ 23,000
9. Service Center – Rear Garage Overhang	\$ 75,000
10. Service Center Buildings – Painting	\$ 80,000
Total	\$ 3,097,000

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## NEW PROJECTS SUBMITTED (cont.)



### New Vehicles

1. Police Department – Captain Vehicle	\$ 48,000
2. Police Department – Patrol Vehicles(3)	\$ 180,000
3. Public Works Maintenance Vehicles (2)	\$ 68,000
Total	\$ 296,000

TOTAL NO. OF SUBMITTED PROJECTS: 45  
ESTIMATED PRELIMINARY TOTAL COST: \$21,339,000

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## Questions and Comments



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## NEXT STEPS



1. Executive Team "First Cut" Review of Projects (early March)
2. City Council Review of Draft CIP (early April)
3. Draft CIP Completed (late April)
4. Planning Commission review for conformance with General Plan (early May)
5. Biennial Budget and CIP Study Session to City Council for review of final draft (May)
6. Recommended City Council Approval of Biennial Budget and CIP (June)

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City of Newark

MEMO

**DATE:** February 12, 2018  
**TO:** City Council  
**FROM:** Sheila Harrington, City Clerk *SH*  
**SUBJECT:** Approval of Audited Demands for the City Council Meeting of Feb. 22, 2018.

**REGISTER OF AUDITED DEMANDS**

US Bank General Checking Account

<u>Check Date</u>		<u>Check Numbers</u>	
February 02, 2018	Page 1-2	113573 to 113652	Inclusive
February 08, 2018	Page 1-2	113653 to 113703	Inclusive



City of Newark

MEMO

**DATE:** February 12, 2018

**TO:** Sheila Harrington, City Clerk

**FROM:** Susie Woodstock, Administrative Services Director *SW*

**SUBJECT:** Approval of Audited Demands for the City Council Meeting of Feb. 22, 2018.

The attached list of Audited Demands is accurate and there are sufficient funds for payment.

1

Final Disburse List. Check Date 02/02/18, Due Date 02/12/18, Discount Date /12/18. Computer Checks.  
Bank 1001 US BANK

MICR Check#	Vendor Number	Payee	Check Date	Check Amount	Description
113573	11351	2XL CORPORATION	02/02/18	150.84	UB GYM WIPES
113574	9723	A-1 SEPTIC TANK SERVICE INC	02/02/18	1,490.00	SEPTIC MAINTENANCE
113575	10736	ABACUS PRODUCTS INC	02/02/18	984.23	PRINTING SVCS
113576	332	ADAMSON POLICE PRODUCTS	02/02/18	169.98	MISCELLANEOUS PURCHASES
113577	10449	AFLAC ATTN: REMITTANCE PROCESSING SERVIC	02/02/18	1,485.96	PAYROLL - SHORT TERM DISABILITY
113578	2036	ALAMEDA COUNTY SHERIFF'S OFFICE REGIONAL	02/02/18	337.50	RANGE FEES
113579	284	INFORMATION TECHNOLOGY DEPARTMENT ATTN:	02/02/18	3,556.89	AWS ACCESS FEES
113580	5821	ALL CITY MANAGEMENT SERVICES, INC	02/02/18	1,953.00	CROSSING GUARD SVCS
113581	8414	ANDRE'S MECHANICAL & GENERAL ENGINEERING	02/02/18	165.00	SUMP PUMP CITY HALL
113582	348	AT&T	02/02/18	113.66	AT & T MONTHLY TELECOM
113583	4534	BAY AREA BARRICADE SERVICE INC	02/02/18	769.73	HI-VIS SAFETY VESTS
113584	9680	BAY CENTRAL PRINTING	02/02/18	274.87	BUSINESS CARD IMPRINTING
113585	9888	BUREAU VERITAS NORTH AMERICA INC.	02/02/18	10,533.51	PLAN REVIEW SERVICES
113586	6950	CALICO CENTER	02/02/18	5,500.00	CALICO INTERVIEWING SVC
113587	11563	CENTRAL VALLEY TOXICOLOGY, INC.	02/02/18	648.00	LAB TESTS
113588	10747	COLLECTION BUREAU OF AMERICA	02/02/18	40.00	COLLECTION COMMISSIONS
113589	10060	COMCAST	02/02/18	118.33	CABLE BILL
113590	10650	SHAWN HOMEN	02/02/18	500.00	DISMISSAL OF ADMIN CITATION NO. P8108
113591	10650	FENG LIN	02/02/18	98.00	BUSINESS LICENSE REFUND - OVERPAYMENT
113592	10649	NORMA BROUSSARD	02/02/18	1,000.00	PERFORMANCE BOND RTN EP# 2016-00329
113593	10649	LARRY L. MCELVOGUE	02/02/18	1,000.00	PERFORMANCE BOND RTN EP# 2016-00328
113594	10649	LEI CHEN	02/02/18	7,000.00	PERFORMANCE BOND RTN EP# 2015-071
113595	10649	SANCO PIPELINES	02/02/18	1,000.00	PERFORMANCE BOND RTN EP# 2017-0128
113596	10649	ARCTIC MECHANICAL	02/02/18	164.06	PERMIT REFUND - OVERPAYMENT
113597	10649	LENNAR HOMES OF CALIFORNIA	02/02/18	4,807.39	PERMIT REFUND - OVERPAYMENT #MFD2017-007
113598	10649	MURIETA OWNERS ASSOCIATION	02/02/18	1,000.00	PERFORMANCE BOND RTN EP# 2016-0316
113599	10649	THARALDSON HOSPITALITY DEVELOPMENT, LLC.	02/02/18	31,561.14	PERMIT REFUND - OVERPAYMENT #HM2016-0001
113600	10793	CHRISTINE SCARBROUGH	02/02/18	95.00	CLASS REFUND
113601	10793	GERALD DEPERIO	02/02/18	194.00	CLASS REFUND
113602	10677	DAILY JOURNAL CORPORATION CALIFORNIA NEW	02/02/18	36.25	PUBLIC HEARING NOTICES
113603	41	DALE HARDWARE	02/02/18	504.41	FLEET SUPPLIES
113604	10794	DUKE DE LEON	02/02/18	300.00	VIDEO RECORDING SERVICES
113605	7631	DELTA DENTAL	02/02/18	14,641.98	DENTAL PREMIUM FEB'18
113606	7641	DELTA DENTAL INSURANCE COMPANY ATTN: ACC	02/02/18	397.51	DENTAL PREMIUM FEB'18
113607	11259	KATHRYN DENNIS	02/02/18	65.81	EXPENSE REIMBURSEMENT
113608	3130	DOWNTOWN FORD SALES	02/02/18	72,572.93	EQUIPMENT REPLACEMENT VEHICLES (2) #2018
113609	11343	ENVIRONMENTAL LOGISTICS, INC.	02/02/18	1,283.00	CONTRACT 17043 HAZARDOUS WASTER E-WASTER
113610	7663	FIDELITY SECURITY LIFE INSURANCE/EYEMED	02/02/18	1,795.98	VISION PREMIUM
113611	522	FEDEX	02/02/18	10.49	PACKAGE DELIVERY
113612	1733	FIRST BAPTIST CHURCH	02/02/18	80.00	PAYROLL DEDUCTION - DONATION JAN'18
113613	11112	FREMONT CHRYSLER DODGE JEEP RAM	02/02/18	21.11	FLEET SERVICE & PARTS
113614	11112	FREMONT CHRYSLER DODGE JEEP RAM	02/02/18	29,934.31	DODGE CARAVAN PRJ#2018-11
113615	10983	G BORTOLOTO & CO INC	02/02/18	1,594.10	CIP #1066: ENTERPRISE DR REHAB PROJECT
113616	11571	GEOCON CONSULTANTS, INC.	02/02/18	13,237.61	GEOTECHNICAL SERVICES FOR CIVIC CENTER S
113617	10707	GYM DOCTORS	02/02/18	173.60	GYM MAINTENANCE
113618	11553	HELLER MANUS ARCHITECTS	02/02/18	110,782.52	DESIGN SERVICES FOR CIVIC CENTER
113619	1457	HOME DEPOT CREDIT SERVICES DEPT. 32 - 25	02/02/18	364.54	FLEET SUPPLIES
113620	1762	IACP	02/02/18	150.00	IACP MEMBERSHIP 2018
113621	11546	INDUSTRIAL PLUMBING SUPPLY, LLC.	02/02/18	444.82	PLUMBING SUUPLIES
113622	187	INDUSTRIAL SAFETY SUPPLY CORPORATION	02/02/18	359.74	RAIN GEAR AND SAFETY SUPPLIES
113623	3866	JAM SERVICES INC	02/02/18	4,042.25	TRAFFIC SIGNAL PARTS

ICS.AP Accounts Payable Release 8.3.0 R\*APZCKREG\*FDL

By BRETT OEVERNDIEK (BRETTO)

Final Disbursement List. Check Date 02/02/18, Due Date 02/12/18, Discount Date 02/12/18. Computer Checks.

Bank #1001 US BANK

MICR Check#	Vendor Number	Payee	Check Date	Check Amount	Description
13624	2540	DEOL OIL JARVIS SHELL	02/02/18	2,094.33	PATROL VEHICLE CLEANING
13625	11562	JEFF'S MOBILE GLASS INC.	02/02/18	278.65	FLEET GLASS REPAIR
13626	11494	KANEN TOURS, INC.	02/02/18	1,898.00	CRIME LAB - 01/25/18
13627	11577	KBA DOCUSYS INC.	02/02/18	182.50	COPIER LEASE AGREEMENT
13628	6690	KELLY MOORE PAINTS	02/02/18	104.96	BUILDING MAINT PAINT
13629	11492	KIER & WRIGHT CIVIL ENGINEERS AND SURVEY	02/02/18	16,980.59	CIP #1194: DOG PARKS, TOPOGRAPHIC SURVEY
13630	6554	BRIAN LILJEBLAD	02/02/18	250.00	EXPENSE REIMBURSEMENT
13631	80	LYNN PEAVEY COMPANY	02/02/18	102.62	EVIDENCE SUPPLIES
13632	11482	MARCI MARINO	02/02/18	305.00	PAYROLL DEDUCTION - SS PAYMENTS FOR PR01
13633	7618	METLIFE SBC	02/02/18	1,775.17	PAYROLL - LONG TERM DISABILITY PREMIUM
13634	11378	MNS ENGINEERS INC	02/02/18	17,955.00	ENGINEERING PLAN CHECK AND INSPECTION SE
13635	10865	NEW IMAGE LANDSCAPE	02/02/18	2,860.00	MISC IRRIGATION REPAIR
13636	11272	NICHOLAS CUEVAS	02/02/18	46.06	EXPENSE REIMBURSEMENT
13637	11325	OFFICE RELIEF, INC.	02/02/18	853.97	CIP #1136 CITYWIDE WORK STATION REPLACEM
13638	349	PACIFIC GAS & ELECTRIC	02/02/18	2,227.30	CITY ELECTRIC & GAS
13639	78	PERFORMANCE PEST MANAGEMENT LPC SERVICES	02/02/18	142.00	PEST CONTROL
13640	2247	PSDRB	02/02/18	600.00	DISP RECOGNITION BANQUET
13641	7885	RENNE SLOAN HOLTZMAN SAKAI PUBLIC LAW GR	02/02/18	189.00	LEGAL ADVICE FEES
13642	11547	RLSAFETY, INC.	02/02/18	2,696.01	RISK MANAGEMENT SUPPLIES
13643	654	SFPUC-WATER DEPARTMENT CUSTOMER SERVICE	02/02/18	3,152.26	RENT/WATER
13644	5164	SAN MATEO REGIONAL NETWORK INC SMRN.COM	02/02/18	270.00	SMRN SPAM FILTERING/WEB HOSTING 01/18
13645	11296	SIGNATURE CARPET ONE	02/02/18	150.00	REPAIR "RIPPED BUBBLED" IN WORKOUT ROOM
13646	11396	SWA SERVICES GROUP INC	02/02/18	132.49	JANITORIAL SERVICE
13647	2342	TELEPATH CORPORATION	02/02/18	2,489.94	NPD CAR REPLACEMENT #2017-28
13648	1765	TEMPERATURE TECHNOLOGY INC.	02/02/18	1,518.88	HVAC REPAIR
13649	8751	PROVIDENT LIFE & ACCIDENT INSURANCE COMP	02/02/18	261.24	PAYROLL PREMIUM - E0246926
13650	10968	UTILITY TELEPHONE	02/02/18	16,342.96	NETWROK/PHONE SERVICES 0/18
13651	5623	VERIZON WIRELESS	02/02/18	4,459.10	IPHONE SVC
13652	11416	VISION TECHNOLOGY SOLUTIONS LLC DBA VISI	02/02/18	15,403.00	WEBSITE PROJECT
Total				425,225.08	

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Final Disburse List. Check Date 02/08/18, Due Date 02/19/18, Discount Date /19/18. Computer Checks.  
Bank 1001 US BANK

MICR Check#	Vendor Number	Payee	Check Date	Check Amount	Description
113653	10736	ABACUS PRODUCTS INC	02/08/18	701.29	CITY LETTERHEAD/ENVELOPES
113654	332	ADAMSON POLICE PRODUCTS	02/08/18	75.15	MISCELLANEOUS PURCHASES
113655	1396	ALAMEDA COUNTY FIRE DEPARTMENT ATTN: ACC	02/08/18	1,422.47	FLEET SUPPLIES AND MAINT
113656	1396	ALAMEDA COUNTY FIRE DEPARTMENT ATTN: ACC	02/08/18	812,480.83	FIRE SERVICES
113657	886	ALAMEDA COUNTY MAYORS CONFERENCE CITY OF	02/08/18	3,405.00	MEMBERSHIP DUES
113658	344	ALAMEDA COUNTY WATER DISTRICT	02/08/18	33.52	CITY WATER USE
113659	11270	ARBORWELL	02/08/18	3,960.00	DECORATIVE LIGHTING
113660	3046	BEE LINE GLASS CO INC	02/08/18	304.84	WINDOW AND DOOR REPAIR
113661	7275	PETER BEIREIS	02/08/18	125.45	EXPENSE REIMBURSEMENT
113662	882	CLEAR, INC. PALO ALTO POLICE DEPT. ATTN	02/08/18	50.00	CLEAR MEMBERSHIP FOR 2018
113663	11286	CAL PERS FISCAL SERVICES DIVISION	02/08/18	880,000.00	DEPOSIT TO ALAMEDA COUNTY FIRE DEPT. CER
113664	9150	CAL-WEST LIGHTING & SIGNAL MAINTENANCE I	02/08/18	5,099.99	TRAFFIC SIGNAL MAINTENANCE
113665	10261	CARBONIC SERVICE	02/08/18	81.35	POOL CHEMICALS
113666	33	CENTRAL TOWING & TRANSPORT LLC	02/08/18	195.00	TOWING SVCS
113667	163	CHILDREN'S HOSPITAL - OAKLAND	02/08/18	662.00	VICTIM MEDICAL EXAMS
113668	10060	COMCAST	02/08/18	103.09	CABLE TV
113669	10649	SERVICE CHAMPIONS HEATING & AIR	02/08/18	96.80	BP# MECH2017-0217 80% REFUND
113670	10793	MELINDA GARCIA	02/08/18	300.00	RENTAL DEPOSIT REFUND
113671	184	DEPARTMENT OF TRANSPORTATION CASHIER HQ	02/08/18	774.42	SHARED ENERGY AND MAINTENANCE COSTS FOR
113672	11431	EXTENDED STAY AMERICA	02/08/18	2,254.20	ACADEMY TRAINEE HOTEL
113673	11596	SAMANTHA FALLON	02/08/18	185.68	EXPENSE REIMBURSEMENT
113674	11112	FREMONT CHRYSLER DODGE JEEP RAM	02/08/18	24.77	FLEET SERVICE & PARTS
113675	550	FREMONT RUBBER STAMP CO INC	02/08/18	76.40	STAMPERS/DESK SIGNS
113676	10983	G BORTOLOTTO & CO INC	02/08/18	73,502.07	CIP #1159 THERMOPLASTIC STREET STRIPING
113677	11593	DANIELA GONZALEZ	02/08/18	110.30	PAYROLL - DIRECT DEPOSIT ACCOUNT CLOSED
113678	3638	MARK GOTHARD	02/08/18	3,862.30	RECREATION CONTRACT
113679	11595	SALVADOR HERNANDEZ	02/08/18	184.75	EXPENSE REIMBURSEMENT
113680	11594	JUAN HERRERA	02/08/18	180.94	EXPENSE REIMBURSEMENT
113681	187	INDUSTRIAL SAFETY SUPPLY CORPORATION	02/08/18	554.55	RAIN GEAR AND SAFETY SUPPLIES
113682	1163	LEAGUE OF CALIFORNIA CITIES	02/08/18	15,152.00	MEMBERSHIP DUES
113683	11335	LEGACY ROOFING & WATERPROOFING	02/08/18	230.00	PROJECT 1128 ROOF REPAIRS
113684	711	MATTHEW BENDER & CO., INC.	02/08/18	662.78	BOOKS & BULLETINS
113685	11455	NATIONAL DATA & SURVEYING SERVICES	02/08/18	190.00	CIP PROJECT #1160 TRAFFIC CALMING, TRAFF
113686	11272	NICHOLAS CUEVAS	02/08/18	126.27	EXPENSE REIMBURSEMENT
113687	349	PACIFIC GAS & ELECTRIC	02/08/18	108.12	STREETLIGHTS AND TRAFFIC SIGNALS
113688	11346	PHAN'S SMOG STATION	02/08/18	40.00	SMOG SERVICE
113689	329	PHOENIX GROUP INFORMATION SYSTEMS	02/08/18	414.00	PARKING CITATION PROGRAM
113690	11376	QUINCY ENGINEERING INC	02/08/18	78,814.43	PROFESSIONAL ENGINEERING SERVICES FOR CE
113691	9547	ROSAS BROTHERS CONSTRUCTION	02/08/18	2,332.57	CIP PROJECT #1142: STREET SLURRY SEAL PR
113692	112	WILLE ELECTRICAL SUPPLY CO INC	02/08/18	433.25	LIGHT BULES
113693	40	STAPLES ADVANTAGE DEPT LA	02/08/18	2,295.07	OFFICE SUPPLIES
113694	11396	SWA SERVICES GROUP INC	02/08/18	24,099.29	JANITORIAL SERVICE
113695	679	TARGET SPECIALTY PRODUCTS	02/08/18	7,664.75	PESTICIDES
113696	5463	MARY TEIXEIRA	02/08/18	9.27	EXPENSE REIMBURSEMENT
113697	11589	UNIVERSE CORPORATION DBA UNIVERSE FACADE	02/08/18	900.00	SHIPPING COST FOR MATERIALS
113698	853	VALLEY OIL COMPANY LOCKBOX# 138719	02/08/18	19,380.25	FUEL
113699	5623	VERIZON WIRELESS	02/08/18	615.65	CELL SVC FOR MDT'S
113700	11582	WESTERN WATER FEATURES, INC.	02/08/18	215,650.00	CIP PROJECT #1114: SILLIMAN AQUATIC CENT
113701	9357	WILMA LOTT CATERING	02/08/18	1,774.75	EMPLOYEE RECOGNITION LUNCHEON ON 2/14/18
113702	7308	THE GOODYEAR TIRE & RUBBER COMPANY	02/08/18	885.79	FLEET TIRES
113703	11466	YORK RISK SERVICES GROUP ATTN: CLIENT TR	02/08/18	59,500.00	PREFUND PAYMENT REQUEST FOR CLAIM #NEWA-

Final Disbursement List. Check Date 02/08/18, Due Date 02/19/18, Discount Date 02/19/18. Computer Checks.

Bank 1001 US BANK

MICR check#	Vendor Number	Payee	Check Date	Check Amount	Description
		Total		2,222,085.40	