



CITY OF NEWARK CITY COUNCIL

37101 Newark Boulevard, Newark, CA 94560-3796 • 510-578-4266 • E-mail: city.clerk@newark.org

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

Minutes

Thursday, September 13, 2018

A. ROLL CALL

Mayor Nagy called the meeting to order at 7:40 p.m. Present were Council Members Collazo, Freitas, and Vice Mayor Hannon. Council Member Bucci was noted absent.

B. MINUTES

B.1 Approval of Minutes of the City Council meetings of July 26 and August 20, 2018. **MOTION APPROVED**

Vice Mayor Hannon moved, Council Member Collazo seconded, to approve the Minutes of the regular City Council meeting. The motion passed, 4 AYES, 1 ABSENT.

C. PRESENTATIONS AND PROCLAMATIONS

C.1 Introduction of employees.

Mayor Nagy introduced Public Safety Dispatcher Chelsea Pedranti and Finance Manager Krysten Lee.

C.2 Proclaiming September 20-23, 2018, as Newark Days.

Mayor Nagy presented the proclamation to members of the Newark Days Committee.

C.3 Proclaiming September 15 to October 15 as Hispanic and Latino Heritage Month.

Mayor Nagy presented the proclamation to Patricia Montejano.

D. WRITTEN COMMUNICATIONS

E. PUBLIC HEARINGS

F. CITY MANAGER REPORTS

Council Member Freitas moved, Vice Mayor Hannon seconded, to approve Consent Calendar Items F.1 through F.5, that the resolutions be numbered consecutively, and that reading of the titles suffice for adoption of the resolutions. The motion passed, 4 AYES, 1 ABSENT.

CONSENT

- F.1 Approval to use the Contra Costa County P25 subscriber radio contract to purchase East Bay Regional Communication System Authority (EBRCSA) compliant radios and authorization for the City Manager to sign a lease to own agreement with Motorola Solutions, Inc. (Red Cloud, Inc.).** RESOLUTION NO. 10838
CONTRACT NO. 18033
- F.2 Authorization for the purchase of replacement vehicle rescue tools for Fire Station No. 27, and declaration of L.N. Curtis & Sons as the single source vendor.** RESOLUTION NO. 10839
- F.3 Declaration of certain vehicles and equipment as surplus and authorization for the sale or disposal thereof.** RESOLUTION NO. 10840
- F.4 Approval of plans and specifications, acceptance of bid, and award of contract to Chrisp Company for 2018-2019 Citywide Thermoplastic Street Striping, Project 1222.** MOTION APPROVED
RESOLUTION NO. 10841
CONTRACT NO. 18034
- F.5 Report on administrative actions during August recess.** MOTION APPROVED

NONCONSENT

- F.6 Second reading and adoption of an ordinance establishing a Planned Development Overlay District at 37093 Locust Street.** ORDINANCE NO. 506

Council Member Freitas announced that he owns property within 500 feet of the project and would recuse himself from participation. Council Member Freitas left the Council Chambers.

City Manager Becker stated that the City Council approved a Planned Development Plan to allow construction of a 6-unit apartment project located at 37093 Locust Street in July. A second reading of the ordinance establishing a Planned Development Overlay District is necessary.

Vice Mayor Hannon moved, Council Member Collazo seconded to, by ordinance, establish a Planned Development Overlay District at 37093 Locust Street (APN 92-125-10). The motion passed, 3 AYES, 1 ABSENT, 1 RECUSED.

Council Member Freitas returned to the Council Chambers.

F.7 Approval of Final Conceptual Master Plan for Sportsfield Park Synthetic Turf Fields, Project 1192. RESOLUTION NO. 10842

Assistant City Engineer Imai stated that 6 acres of grass turf at the eastern end of Sportsfield Park would be replaced with synthetic-turf fields. He introduced Mr. McKee.

Derek McKee of Verde Design gave a presentation on the Conceptual Master Plan (on file with City Clerk). The Plan includes two full-size soccer fields, an eight-foot tall perimeter fence, and practice backstops for softball or baseball. There will be an option to provide field striping for up to four smaller soccer fields, lacrosse, and a cricket pitch. Construction is estimated to cost \$4,936,000.

Jose Periera stated that he works at Santa Clara University and they have two synthetic turf fields. He stated that he supports the fields, but that Council needs to consider the long term maintenance costs. Equipment is needed to clean and maintain the fields on a regular basis.

Vice Mayor Hannon moved, Council Member Collazo seconded to, by resolution approve the Final Conceptual Master Plan for the Sportsfield Park Synthetic Turf Fields, Project 1192. The motion passed, 4 AYES, 1 ABSENT.

F.8 Approval of Final Conceptual Master Plan for Newark Skate Park at Sportsfield Park, Project 1193. RESOLUTION NO. 10843

Assistant City Engineer Imai stated that the Skate Park would be constructed at Sportsfield Park in a vacant lot next to Fire Station No. 27. He introduced Mr. Schneider and Mr. Raygada.

Corbin Schneider of Verde Design and Andres Raygada of Wormhoudt, Inc. gave a presentation of the on the Conceptual Master Plan (on file with City Clerk). The Plan includes both “street course” and “bowl” elements, a shaded seating area, perimeter landscaping and a perimeter fence. The installation of lighting will be included as an

alternate bid item. Construction of the Skate Park is estimated to cost \$1,127,000 and if the lighting is included it could bring the total cost to \$1,612,000.

Recreation and Community Services Director Zehnder stated that staff will be researching best practices for park use and noted that Silliman Center staff will be nearby.

Jose Periera stated that he liked the design, but reiterated his previous remarks that funding would be needed for maintenance and keeping this area clean of biohazards.

Council Member Collazo moved, Vice Mayor Hannon seconded to by resolution approve the Final Conceptual Master Plan for the Skate Park at Sportsfield Park, Project 1193. The motion passed, 4 AYES, 1 ABSENT.

F.9 Introduction of an Ordinance repealing and replacing Chapter 2.09 of the Newark Municipal Code (“City Councilmembers—Salaries”) to increase the salaries of City Councilmembers and Mayor by ten percent (10%) and to increase the health and welfare benefits of City Councilmembers and Mayor to be equivalent with benefits offered to City employees under the Compensation and Benefit Plan for City Officials and the Management, Supervisory, and Professional Employee Group. ORDINANCE INTRODUCED

City Manager Becker stated that in July, the Council directed staff to draft an ordinance that would reflect a ten percent salary increase, health and welfare benefits equivalent to management staff, and an automatic compensation review with each budget cycle, including consideration of a potential salary increase equal to the Consumer Price Index or salary increase awarded to City staff, subject to the five percent (5%) per calendar year increase limitation imposed by State law.

Beginning January 1, 2019, Council’s salary would be \$1,247, the Mayor’s salary would be \$2,727, and the health and welfare benefit would be \$821. All changes are on a per month basis.

Vice Mayor Hannon moved, Council Member Collazo seconded, to introduce an ordinance repealing and replacing Chapter 2.09 of the Newark Municipal Code (“City Councilmembers—Salaries”) to increase the salaries of City Councilmembers and Mayor by ten percent (10%) and to increase the health and welfare benefits of City Councilmembers and Mayor to be equivalent with benefits offered to City employees under the Compensation and Benefit Plan for City Officials and the Management, Supervisory, and Professional Employee Group. The motion passed, 4 AYES, 1 ABSENT.

G. CITY ATTORNEY REPORTS

H. ECONOMIC DEVELOPMENT CORPORATION

I. CITY COUNCIL MATTERS

Mayor Nagy encouraged everyone to attend Newark Days.

Vice Mayor Hannon thanked the City's volunteers. He stated that the Newark Rotary Club sponsors the Friday night haystack at Newark Days.

Council Member Collazo stated that her wedding anniversary and both her son's birthdays are in September. She stated that Hispanic Heritage Month was a good reminder to learn from the diversity in the community. Shop Newark.

Council Member Freitas mentioned the cost savings from canceling the November election. He noted a few locations in the City that needed some attention: 1. Thornton Avenue and Cedar Boulevard, the City sign needs cleaning; 2. Cedar Boulevard and Central Avenue a private property with old fire damage needs to be cleaned; and 3. the landscaping at the Prima Development on the north side of Cedar Boulevard between Birch Street and Moores Avenue needs to be maintained.

Council Member Freitas thanked the Newark Days Committee and noted that Joe Perry passed away in August.

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

Namit Saksena requested that City Council consider establishing quiet zones at train crossings in Newark. He suggested starting at Carter Avenue because it already meets the Federal Railway Authority standards. (Copy of Mr. Saksena's materials on file with City Clerk.)

Jose Periera encouraged the City Council to be cautious before spending any money on quiet zones. He noted that City of Fremont spent \$30 million on a crossing that still requires train horns because of a business in that area. He noted that the City cannot control rail traffic and the safety requirements of train horns.

Yosha Yee requested that the City consider establishing a quiet zone at Carter Avenue.

Mayor Nagy requested that City staff look into this matter.

In response to Mr. Periera's concerns regarding the dumping of items at Baine Avenue, Mayor Nagy stated that this was referred to City staff.

L. APPROPRIATIONS

Approval of Audited Demands.

MOTION APPROVED

City Clerk Harrington read the Register of Audited Demands: Check numbers 115160 to 115637.

Council Member Freitas moved, Vice Mayor Hannon seconded, to approve the Register of Audited Demands. The motion passed, 4 AYES, 1 ABSENT.

M. CLOSED SESSIONS

Mayor Nagy stated that after the agenda was posted, the need to take action on the following matter arose:

**Closed session pursuant to Government Code Section 54957
Public Employment
Title: City Manager.**

Vice Mayor Hannon moved, Council Member Collazo seconded to add to the Closed Session to the agenda as item M.2. The motion passed, 4 AYES, 1 ABSENT.

M.1 Closed Session for conference with legal counsel on existing litigation pursuant to Government Code Section 54956.9(d)(1) *Conrad Rodgers v. City of Newark, et. al* Workers Compensation Appeals Board, Case Numbers: ADJ10840163 – from Human Resources Director Abe.

**M.2 Closed session pursuant to Government Code Section 54957
Public Employment
Title: City Manager.**

At 9:19 p.m. the City Council recessed to a closed session.

Council Member Bucci arrived at this time.

At 9:38 p.m. the City Council convened in closed session.

At 11:10 p.m. the City Council reconvened in open session with all Council Members present.

Mayor Nagy announced that as to item M.1 because final approval rests with some other party to the litigation or with the court, no action can be reported at this time. If settlement becomes final, then the City will disclose the action that was taken upon inquiry by any person. There was no reportable action for item M.2.

N. ADJOURNMENT

Mayor Nagy adjourned the City Council meeting at 11:10 p.m.