

CITY OF NEWARK CITY COUNCIL

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

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

AGENDA

Thursday, February 14, 2019

CITY COUNCIL:

Alan L. Nagy, Mayor
Sucy Collazo, Vice Mayor
Luis L. Freitas
Michael K. Hannon
Mike Bucci

CITY STAFF:

David J. Benoun
City Manager
Terrence Grindall
Assistant City Manager
Sandy Abe
Human Resources Director
Soren Fajeau
Public Works Director
Michael Carroll
Police Chief
David Zehnder
Recreation and Community
Services Director
Kristopher J. Kokotaylo
Interim 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:

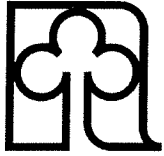
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|-------------------------------------|-------------------------|
| A. ROLL CALL | I. COUNCIL MATTERS |
| B. MINUTES | J. SUCCESSOR AGENCY |
| C. PRESENTATIONS AND PROCLAMATIONS | TO REDEVELOPMENT AGENCY |
| D. WRITTEN COMMUNICATIONS | K. ORAL COMMUNICATIONS |
| 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. Those items on the Agenda which are coming from the Planning Commission will also include a section entitled *Update*, which will state what the Planning Commission's action was on that particular item. *Action* indicates what staff's recommendation is and what action(s) the Council may take.

Addressing the City Council: You may speak once and submit written materials on any listed item at the appropriate time. You may speak once and submit written materials on any item **not** on the agenda during **Oral Communications**. To address the Council, please seek the recognition of the Mayor by raising your hand. Once recognized, come forward to the lectern and you may, but you are not required to, state your name and address for the record. Public comments are limited to five (5) minutes per speaker, subject to adjustment by the Mayor. Matters brought before the Council which require an action may be either referred to staff or placed on a future Council agenda.

No question shall be asked of a council member, city staff, or an audience member except through the presiding officer. No person shall use vulgar, profane, loud or boisterous language that interrupts a meeting. Any person who refuses to carry out instructions given by the presiding officer for the purpose of maintaining order may be guilty of an infraction and may result in removal from the meeting.



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AGENDA

Thursday, February 14, 2019

A. ROLL CALL

B. MINUTES

- B.1 Approval of Minutes of the City Council meeting of January 24, 2019. (MOTION)**

C. PRESENTATIONS AND PROCLAMATIONS

- C.1 Commending Eagle Scouts Matthew Jacobs, Arsh Hothi, and Shray Khanna. (COMMENDATIONS)**

Background/Discussion – Matthew Jacobs, Arsh Hothi, and Shray Khanna of the Mission Peak District of the Boy Scouts of America, Troop 186, have each been awarded the rank of Eagle Scout. In recognition of this achievement, each Eagle Scout will receive a commendation at the City Council Meeting

- C.2 Introduction of employee.**

Background/Discussion – Sofia Mangalam, who was recently promoted to Senior Planner, will be introduced at the City Council meeting.

D. WRITTEN COMMUNICATIONS

E. PUBLIC HEARINGS

F. CITY MANAGER REPORTS

(It is recommended that Items F.1 through F.7 be acted on simultaneously unless separate discussion and/or action is requested by a Council Member or a member of the audience.)

CONSENT

- F.1 Second reading and adoption of an ordinance to amend Newark Municipal Code Chapter 6.28 Regulations - Generally to address shelter,**

food and water requirements for animals kept outside - from Assistant City Manager Grindall. (ORDINANCE)

Background/Discussion - The Newark Municipal Code governs the keeping of animals and pets in Newark. At the City Council meeting held on January 24, 2019, the City Council introduced an ordinance amending Newark Municipal Code Sections 6.28.110 – Shelter and 6.28.120 – Food and Water with new language that describes the type of shelter that shall be provided to animals. Animals maintained outdoors must have accessible shelter that protects them from the elements. The shelter must be of adequate size, include a roof, a floor, bedding, and is cleaned and maintained to sanitary conditions. Clean water and food shall be supplied to meet the daily requirements of the species. The water and food will be kept in containers designed to prevent tipping.

A second reading is required before the ordinance may be adopted.

Attachment - Ordinance

Action - Staff recommends that the Council adopt the ordinance amending Newark Municipal Code Title 6 Animals, Chapter 6.28 Regulations – Generally, Sections 6.28.110 – Shelter and 6.28.120 - Food and Water.

F.2 Second reading and adoption of an ordinance to establish a Planned Development Overlay District at 36304 to 36310 Newark Boulevard for Classics at Newark nine single family homes project - from Assistant City Manager Grindall. (ORDINANCE)

Background/Discussion – Classic Communities submitted an application to allow construction of a residential project comprising of nine single-family homes on an approximately 1.72-acre site located at 36304-36310 Newark Boulevard. On January 24, 2019 the City Council approved the Planned Development Plan, Vesting Tentative Tract Map 8498 and introduced an ordinance to establish a Planned Development Overlay District for this project. A second reading of the ordinance is required before adoption.

Attachment - Ordinance

Action - Staff recommends that the City Council, adopt the ordinance establishing a Planned Development Overlay District at 36304-36310 Newark Boulevard (Assessor Parcel Numbers 92A-779-5 and 92A-779-7).

F.3 Second reading and adoption of an ordinance for a rezoning of a 17.4-acre portion of Vesting Tentative Tract Map 8453 from Business and Technology Park (BTP) to Residential Medium Density with Form Based Code (RM-FBC) and Planned Development Overlay District (PD) and rezoning of a 5-acre site from Business and Technology Park (BTP) to

Park (PK) for property located west of Hickory Street and Enterprise Drive - from Assistant City Manager Grindall. (ORDINANCE)

Background/Discussion – Parcel C Project Owner, LLC, submitted an application to allow construction of 192 single-family homes on an approximately 17.4-acre site located to the west of the intersection of Hickory Street and Enterprise Drive.

On January 24, 2019, the City Council approved an addendum to the Dumbarton Transit Oriented Development Specific Plan Environmental Impact Report and certified that the previously approved EIR the impacts of the proposed development, Vesting Tentative Tract Map 8453, a Planned Development Plan, a Community Financing Agreement with Parcel C Project Owner C, LLC, a Park Agreement, and introduced an ordinance amending Title 17 (Zoning) of the Newark Zoning Code Section 17.03.020 “Zoning Map” by rezoning all that real property shown on Vesting Tentative Tract Map 8453 from Business and Technology Park (BTP) to Residential Medium Density with Form Based Code (RM-FBC) and Planned Development Overlay District (PD) and by rezoning an approximately 5-acre site from Business and Technology Park (BTP) to Park (PK) (APNs: 537-852-1-2; 537-852-2-7 and 537-852-2-8). A second reading of the ordinance is required before adoption.

Attachment - Ordinance

Action - Staff recommends that the City Council, adopt the ordinance amending Title 17 (Zoning) of the Newark Zoning Code Section 17.03.020 “Zoning Map” by rezoning all that real property shown on Vesting Tentative Tract Map 8453 from Business and Technology Park (BTP) to Residential Medium Density with Form Based Code (RM-FBC) and Planned Development Overlay District (PD) and by rezoning an approximately 5-acre site from Business and Technology Park (BTP) to Park (PK) (APNs: 537-852-1-2; 537-852-2-7 and 537-852-2-8).

F.4 Initiation of proceedings and declaration of intention to order the formation of Zone 2 – Sanctuary of Landscaping and Lighting District No. 4 including an increase of the Maximum Assessment Rate, approval of the Preliminary Engineer’s Report, and setting an April 11, 2019 public hearing date – from Assistant City Engineer Imai. (RESOLUTION)

Background/Discussion – On June 13, 1985 the City Council approved the formation of Landscaping and Lighting District No. 4 (Resolution No. 4472), bounded by Cherry Street to the east, Stevenson Boulevard to the south, the Union Pacific Railroad tracks to the west, and Sportsfield Park to the north. Tract 8270 (Sanctuary) and underlying Tracts 8417, 8418, 8419 and 8420 (Sanctuary Villages 1 through 4) are located within the existing Landscaping and Lighting District No. 4 at the northwestern corner of the intersection of Stevenson Boulevard and Cherry Street, but have remained undeveloped until 2018. When development of the Sanctuary project began, it was determined that the parcels within the Sanctuary development would benefit from additional improvements and services, over and above what the remaining parcels in Landscaping and Lighting District No. 4 were benefiting from. As a result, LS-Newark, LLC (Landsea Homes),

master developer of Tract 8270, has submitted a petition requesting the formation of Zone 2 of Landscaping and Lighting District No. 4 to include Tract 8270 and the underlying Tracts 8417, 8418, 8419 and 8420.

Because the landscaping and lighting improvements associated with Tract 8270 would provide a different level of service and benefit to the parcels within Tract 8270 than to the remaining parcels currently within Landscaping and Lighting District No. 4, a new zone, “Zone 2 – Sanctuary,” would need to be created to differentiate it from the remainder of Landscaping and Lighting District No. 4. Parcels within Zone 2 would be assessed for improvements and services associated with the existing Landscaping and Lighting District No. 4 as well as improvements and services specific to the Sanctuary development. This would result in an increase of the Maximum Assessment Rate for the parcels within Zone 2 of Landscaping and Lighting District No. 4.

A Preliminary Engineer’s Report has been prepared and is attached for City Council review. The formation of Zone 2 – Sanctuary of Landscaping and Lighting District No. 4 and the increased Maximum Assessment Rate for parcels within Zone 2 is recommended for consideration by the City Council at a Public Hearing on April 11, 2019. Approval of the Preliminary Engineer’s Report and adoption of a Resolution would start the required 45-day noticing period for the Public Hearing.

The Landscaping and Lighting Act of 1972 allows local government to finance the costs and expenses of landscaping and lighting of public areas. The establishment of Zone 2 – Sanctuary, of Landscaping and Lighting District No. 4 would provide for:

- I. The maintenance of the street lighting system along public streets internal to the Sanctuary development – Tract 8270;
- II. The maintenance of trash capture devices located along the Cherry Street frontage of Tract 8270;
- III. The maintenance of trash capture devices located along the Stevenson Boulevard frontage of Tract 8270;
- IV. The maintenance of trash capture devices located within the “in-tract” public rights-of-way internal to the Sanctuary development – Tract 8270; and
- V. The maintenance of the landscaping and landscape irrigation system within a future public neighborhood park internal to the Sanctuary development, located north of Dragonfly Street, between Brush Rabbit Avenue and Sea Turtle Avenue

Maintenance of landscape improvements along the public street frontages and medians within Tract 8270 would be the responsibility of the developer and eventually the Homeowner’s Association of Tract 8270.

The current maximum assessment of existing Landscaping and Lighting District No. 4 for parcels located within Zone 2 is \$26,420.92. Based on the Preliminary Engineer’s Report, the maximum assessment for Fiscal Year 2019-20 for the new improvements associated

with Zone 2 would be \$48,486.24, for a total maximum assessment for Zone 2 of \$74,907.16. The new total maximum assessment would be divided equally among the 386 residential parcels within Zone 2 for a maximum assessment of \$194.06 for each single-family unit within Zone 2 – Sanctuary.

To cover rising energy and water rates, the maximum assessment rate for improvements associated with Zone 2 would be adjusted annually based on the Consumer Price Index or three percent (3%), whichever is greater. The annual assessment rate would be less than or equal to the adjusted maximum assessment rate established for that fiscal year. The existing Landscaping and Lighting District No. 4 does not allow for an annual inflation rate to be applied to the maximum assessment rate of the existing District. Therefore, the maximum assessment rate for improvements associated with the original Landscaping and Lighting District No. 4 would not be adjusted.

In accordance with Proposition 218, a parcel's assessment for any certain improvement shall be based on the proportional special benefit conferred on that parcel by that improvement. While trash capture devices provide a certain level of special benefit to the parcels within Zone 2 – Sanctuary, they also provide a general benefit to the City of Newark as a whole by reducing the amount of trash and contaminants in our streams and bay. Based on studies from the Environmental Protection Agency and California State Water Resources Control Board, it is estimated that eighty percent (80%) of trash that ends up in our waterways originates on land. Therefore, the City's contribution for the general benefits from the trash capture devices is 80% of the \$2,444.24 in annual maintenance and reserve costs for the trash capture devices installed within Zone 2 – Sanctuary, or \$1,955.39 per year.

Similarly, because there are parcels located outside of the Sanctuary development that will receive special benefit from the new public neighborhood park, parcels within Zone 2 – Sanctuary may only be assessed for their share of the special benefit from the park improvements. Therefore, the share of special benefit from the neighborhood park received by parcels outside of Zone 2 – Sanctuary must be funded by the City. The National Recreation and Parks Association uses a standard service radius of 0.25 miles for neighborhood parks, which means that any parcels located within a 0.25-mile radius of the future neighborhood park within Zone 2 – Sanctuary could potentially receive special benefit from the park. A survey of all parcels within a 0.25-mile radius of the neighborhood park in Zone 2 – Sanctuary revealed that 363 residential condominium parcels east of Cherry Street could receive special benefit from the park. The share of special benefit from the neighborhood park received by parcels outside of Zone 2 – Sanctuary would have to be funded by the City. Based on the number of condominium units outside of Zone 2 – Sanctuary that could potentially receive special benefit from the neighborhood park the City's share of the \$26,484.48 in annual maintenance costs for the park would be \$9,553.36 per year, for a total City contribution towards the maintenance of Zone 2 – Sanctuary improvements of \$11,508.75 per year.

Attachment

Action – It is recommended that the City Council, by resolution: (1) initiate proceedings for the creation of Zone 2 – Sanctuary of Landscaping and Lighting District No. 4 and

increase of Maximum Assessment Rate, (2) approve the Preliminary Engineer's Report, (3) declare the intention to order the formation of Zone 2 – Sanctuary of the assessment district and to increase the Maximum Assessment Rate, and (4) set the Public Hearing date on April 11, 2019.

F.5 Approval of the Used Oil Payment Program planned expenditures for fiscal years 2018-2019 and 2019-2020 and an amendment to the 2018-2020 Biennial Budget and Capital Improvement Plan – from Administrative Analyst Khuu-Seeman. (RESOLUTION)

Background/Discussion – The Department of Resources and Recycling and Recovery (CalRecycle) administers the Used Oil Payment Program (OPP) which provides funding to local governments/jurisdictions for the purpose of maintaining used oil and used oil filter collection/recycling programs.

Used oil collection programs funded by the OPP must provide at least one of the following: ensuring there is at least one Certified Used Oil Collection Center for every 100,000 residents not served by curbside collection, and, providing used oil curbside collection at least once a month. Additionally, recipients of OPP funding must have a public education component that informs the public of locally available used oil recycling opportunities.

The City of Newark has received OPP funding since 1995, and currently has six Certified Used Oil Collection Centers throughout the City. Additionally, Republic Services provides used oil curbside collection—Republic drivers deliver new motor oil and filter recovery kits upon request, and residents are able to recycle used motor oil by placing the oil next to their recycling cart on collection day.

As part of the public education component of the grant, City of Newark staff work at community events during the year (such as Newark Days and Family Day at the Park), staffing a booth to promote awareness of the program. In past years, staff purchased and distributed used oil recycling kits as a way to encourage residents to properly dispose of used motor oil. Although the kits were initially popular, staff has recently found it increasingly difficult to generate continued interest in the kits. As a result, staff intends to focus on program outreach through participation in the regional media campaign along with purchasing Newark specific outreach (such as movie theater ads at the AMC NewPark 12 theaters). The regional media campaign is coordinated and managed by StopWaste and provides economies of scale, as well as a consistent outreach message for the program. The campaign typically includes, but is not limited to: BART advertising, bus advertising, online advertising, and radio advertising.

The City of Newark received \$12,370 in OPP funding from CalRecycle in fiscal year 2017-2018, to be used by June 30, 2019, and was awarded \$12,616, to be received in the 2018-2019 fiscal year, to be used by June 30, 2020. A budget amendment is necessary to authorize program expenditures by transferring funds from the OPP funding account to the expenditure account.

All expenditures using OPP funding must be for the purposes of establishing and maintaining a used oil program. Anticipated expenditures for fiscal year 2018-2019 and 2019-2020 will continue to be similar to expenditures from past fiscal years, and may include, but are not limited to, expenses for: flyers, advertising to promote awareness of the program, translations for flyers, promotional items, training, and staff time. Specifically, staff anticipates the following approximate expenditures: Regional Media Campaign - \$5,000, Newark specific advertising (such as movie theater ads purchased through the Regional Media Campaign) - \$5,000, HAZWOPPER training (hazardous waste training for staff) - \$2,000, and miscellaneous expenses (printed flyers, staff time) - \$300-\$600. All anticipated expenditures are eligible costs under the program guidelines.

Attachment

Action - It is recommended that the City Council, by resolution, approve the fiscal year 2018-2019 and 2019-2020 planned expenditures for the City of Newark's Used Oil Collection Program, and an amendment to the 2018-2020 Biennial Budget and Capital Improvement Plan.

F.6 Approval of the recommendation from the Community Development Advisory Committee for allocation of anticipated Community Development Block Grant Jurisdiction Improvement Project funds for fiscal year 2019-2020 – from Senior Planner Sofia Mangalam. (MOTION)

Background/Discussion – The City of Newark's anticipated allotment of Community Development Block Grant (CDBG) funds for fiscal year 2019-2020 is still unknown. However, in order to meet the deadlines for approval by the U.S. Department of Housing and Urban Development (HUD), the City Council must accept a recommendation from the Community Development Advisory Committee (CDAC) to allocate the anticipated funds at this time. Therefore, City staff is using an estimate of \$188,600 for planning purposes. This estimate is based on the last year's 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 (\$134,417). The General Administration funds are used to reimburse the City for the expense of administering the CDBG funds. The Housing Rehabilitation fund is dedicated to assist qualified homeowners with repairs to their homes under the Minor Home Repair Program. The Jurisdiction Improvement Project funds are available to the City for qualifying projects.

Recommendations for use of 2019-20 Jurisdiction Improvement Funds

The CDAC met on January 31, 2019 to review the status of CDBG projects and to determine the recommended allocation of Jurisdiction Improvement funds for fiscal year 2019-2020. At that meeting, the CDAC voted unanimously to recommend that the City Council allocate \$134,417 in anticipated funds to the Citywide ADA Compliance Improvements. This project would address ADA compliance needs at Bridgepointe Park and Sports Field Park. The scope of work includes ADA parking accessibility, repairing and resurfacing pathway and sidewalk to remove tripping hazards, curb ramp installations

and upgrades, and other exterior surface improvements to make connections more accessible. These improvements would provide accessibility benefits for the entire community.

Attachment - None

Action - It is recommended that the City Council, by motion, accept the recommendation from the CDAC to approve the allocation of anticipated CDBG Jurisdiction Improvement Project estimated \$134,417 funds for fiscal year 2019-20 to the Citywide ADA Compliance Improvements.

F.7 Amendment of the 2018-2020 Biennial Budget and Capital Improvement Plan to include two position control adjustments for previously budgeted reclassifications in the Public Works Department – from Human Resources Director Abe and Public Works Director Fajeau. (RESOLUTION)

Background/Discussion – The 2018-2020 Biennial Budget and Capital Improvement Plan includes funding for the reclassifications of one Administrative Analyst to a Senior Administrative Analyst and one Administrative Support Specialist II to a Senior Administrative Support Specialist in the Public Works Department. The position control portion of the budget document should be amended to include these previously budgeted reclassifications.

The essential duties and level of responsibility associated with these two positions in the Public Works Department have been steadily increasing for several years and are consistent with the higher level classifications. With the recent transfer of administration of the City's solid waste services contracts to the Public Works Department, there is now a significant additional increase in the breadth and complexity of duties assigned to the Administrative Analyst. A portion of the duties previously assigned to the Administrative Analyst have been transferred to the Administrative Support Specialist II, resulting in a higher level of responsibility and increased overall demands for that position as well. Based on a detailed analysis for each position, staff has determined that the higher level classifications of Senior Administrative Analyst and Senior Administrative Support Specialist are appropriate.

There is no fiscal impact to the 2018-2020 Biennial Budget and Capital Improvement Plan due to these position control adjustments.

Attachments

Action – It is recommended that the City Council, by resolution, amend the 2018-2020 Biennial Budget and Capital Improvement Plan to include position control adjustments for two previously budgeted reclassifications in the Public Works Department.

NONCONSENT

- F.8 Second reading and adoption of an ordinance to establish a Planned Development Overlay District at 37256 Magnolia Street, 37280 Magnolia Street and 6849 Baine Avenue for 10 single family homes - from Assistant City Manager Grindall. (ORDINANCE)**

Background/Discussion – GoldSilverIsland Homes LLC submitted an application to allow a 10-lot subdivision for the construction of ten single-family homes at 37256 Magnolia Street, 37280 Magnolia Street and 6849 Baine Avenue. On January 24, 2019 the City Council approved the Planned Development Plan, Vesting Tentative Tract Map 8494 and introduced an ordinance to establish a Planned Development Overlay District for this project. A second reading of the ordinance is required before adoption.

Attachment - Ordinance

Action - Staff recommends that the City Council, adopt the ordinance establishing a Planned Development Overlay District at 37256 Magnolia Street, 37280 Magnolia Street and 6849 Baine Avenue (APNs 92-61-12-1, 92-61-12-2 and 92-61-11).

- F.9 Approval of a Contractual Services Agreement with Vanir Construction Management, Inc. to provide professional construction managements services for the New Civic Center, Project 1188 – from Chief Building Official/City Architect Collier. (RESOLUTION)**

Background/Discussion – The City is now ready to select a firm to provide construction management services for the New Civic Center project. This firm will provide professional support during the review of the proposals submitted by the three Design Build Entities and the preparation of the construction documents by the Design Build Entity that will be selected in the near future. The firm will also provide a full-time, on-site construction manager during the actual construction of the Civic Center along with part-time professional assistance.

Over 25 requests for proposals were sent to construction management firms. Seven firms responded by submitting proposals. Staff analyzed these seven submittals and invited four firms to be interviewed. At the conclusion of these interviews the firm of Vanir Construction Management, Inc. was selected because of their staff qualifications, staffing capacity, presentation during the interview, and fee. Staff is recommending City Council approve this selection of Vanir Construction Management, Inc. as the construction management firm for the construction of the Civic Center.

Firms responding to the RFP:

Vanir Construction Management, Inc.
APSI Construction Management
Mack 5
Griffin Structures

MCK Americas, Inc.
Jtec HCM. Inc.
Cumming Construction Management, Inc.

Firms that participated in interviews:

Vanir Construction Management, Inc.
APSI Construction Management
Mack 5
Griffin Structures

Firm selected:

Vanir Construction Management, Inc.

Compensation for the scope of service required for the project is a lump sum amount of \$1,034,016. The fees are reasonable for the scope of work proposed and very competitive with the other construction management firms. The project budget has sufficient funding for this contract.

As for the next steps in the New Civic Center project, requests for proposals for construction were sent out to three Design/Build Entities on October 26, 2018. The responses to those proposal requests are due on February 11, 2019. Staff will analyze the proposals and anticipates returning to the City Council in about 60 days with a recommendation for the selection of a Design/Build firm. Staff anticipates some construction activity commencing in late spring with work on the buildings starting in earnest by late summer and completion around spring of 2021.

Attachments

Action – It is recommended that the City Council, by resolution, approve the Contractual Services Agreement in an amount not to exceed \$1,034,016 with Vanir Construction Management, Inc. to provide construction management services for the New Civic Center, Project 1188.

G. CITY ATTORNEY REPORTS

H. ECONOMIC DEVELOPMENT CORPORATION

I. CITY COUNCIL MATTERS

I.1 Appointments to the Community Development Advisory Committee – from Mayor Nagy. (RESOLUTION)

Background/Discussion – The Community Development Advisory Committee (CDAC) is an appointed committee that provides recommendations to the City Council for the use of Community Development Block Grant funds and to the Assistant City Manager on priorities for the use of Housing funds. Kathleen Vennemeyer, who served on the Committee for many years, passed away in November. In December, the City Council declared a vacancy and authorized the City Clerk to post a notice of vacancy. The application period closed on January 31, 2019 and applications were received from Lori Bogisich and Olga Borjon.

The Community Development Advisory Committee membership consists of two Council Members, two Planning Commissioners, and the balance from the community. Since there is no limit on the number of community members appointed, it is recommended that both Lori Bogisich and Olga Borjon be appointed to the Committee.

Action - It is recommended that the City Council, by resolution, approve the appointments of Lori Bogisich and Olga Borjon to the Community Development Advisory Committee.

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

K. ORAL COMMUNICATIONS

L. APPROPRIATIONS

Approval of Audited Demands.

(MOTION)

M. CLOSED SESSION

- M.1 Closed session for conference with Legal Counsel pursuant to Government Code Section 54956.9(d)(1), Existing Litigation, Name of Case: Valencia et al. v. City of Newark et al.; United States District Court, Northern District of California, Case No. 4:16-CV-04811-SBA – from Interim City Attorney Kokotaylo.**

N. ADJOURNMENT

Pursuant to Government Code 54957.5: Supplemental materials distributed less than 72 hours before this meeting, to a majority of the City Council, will be made available for public inspection at this meeting and at the City Clerk's Office located at 37101 Newark Boulevard, 5th Floor, during normal business hours. Materials prepared by City staff and distributed during the meeting are available for public inspection at the meeting or after the meeting if prepared by some other person. Documents related to closed session items or are exempt from disclosure will not be made available for public inspection.

For those persons requiring hearing assistance, please make your request to the City Clerk two days prior to the meeting.