



CITY OF NEWARK CITY COUNCIL

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

Minutes

Thursday, September 12, 2019

A. ROLL CALL

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

B. MINUTES

B.1 Approval of Minutes of the City Council meeting of July 25, 2019.

MOTION APPROVED

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

C. PRESENTATIONS AND PROCLAMATIONS

C.1 Proclaiming September as Pain Awareness Month.

Mayor Nagy presented the proclamation to Michele Rice Ambassador-Advocate with the U.S. Pain Foundation. Ms. Rice shared her chronic pain experience.

C.2 Commending the First Presbyterian Church of Newark on their 125th anniversary.

Mayor Nagy presented the commendation to Reverend Garrett Yamada.

C.3 Proclaiming September 19-22, 2019, as Newark Days.

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

D. WRITTEN COMMUNICATIONS

E. PUBLIC HEARINGS

- E. 1 Hearing to consider text amendments to the Newark Municipal Code Zoning Ordinance to revise sections: 17.07.020, 17.07.030, 17.07.040(D)(5), 17.07.040(E), 17.08.020, 17.13.040(B), 17.26.090(E) and 17.26.280, generally affecting land uses, pedestrian walkways, landscaping, design standards, public notice requirements and other development standards. **ORDINANCE INTRODUCED****

Acting Community Development Director Interiano gave the staff report recommending approval. He highlighted key changes: add a 300 foot separation between tutoring and instruction services, allow governmental offices in Residential Medium Density and Residential High Density zoning districts, establish a notice and appeal requirement for large family daycares, clarify that 25 percent landscaping standards along the right-of-way apply only to single family zoning districts, reinstate the guest house standards that were unintentionally removed from the Zoning Code.

Mayor Nagy opened the public hearing at 8:01 p.m.

There was no public testimony.

Mayor Nagy closed the public hearing at 8:02 p.m.

Council Member Freitas moved, Council Member Bucci seconded to introduce an ordinance amending Title 17 (Zoning) of the Newark Municipal Code to revise sections 17.07.020, 17.07.030, 17.07.040(D)(5), 17.07.040(E), 17.08.020, 17.13.040(B), 17.26.090(E) and 17.26.280, generally affecting land uses, pedestrian walkways, landscaping, design standards, public notice requirements and other development standards. The motion passed, 5 AYES.

F. CITY MANAGER REPORTS

Council Member Collazo moved, Council Member Hannon seconded, to approve Consent Calendar Items F.1 through F.8, that the resolutions be numbered consecutively, and that reading of the titles suffice for adoption of the resolutions. The motion passed, 5 AYES.

CONSENT

- F.1 Report on administrative actions during August recess. MOTION APPROVED**
- F.2 Authorization for the City of Newark to accept a State of California Office of Traffic Safety (OTS) Selective Traffic Enforcement Program (STEP) grant and amendment to the 2018-2020 Biennial Budget.**

RESOLUTION NO. 10983

- F.3 Authorizing the City Manager to execute a Side Letter Agreement with the Newark Police Management Association “NPMA” to reinstate the \$100 per month health allowance. RESOLUTION NO. 10984**
- F.4 Approval of an amendment to the Employee Classification Plan Public Safety Dispatcher classification to increase the probationary period. RESOLUTION NO. 10985**
- F.5 Authorization to issue a no-fee encroachment permit to Newark Days Celebration, Inc. for the Newark Days Parade and Newark Mile Race, provide police services for traffic control and waive fees related to the parade and race, and waive fees for use of the Community Center and MacGregor Playfields, with the exception of the fees required for the building attendant and janitorial services. MOTIONS(3) APPROVED**
- F.6 Authorizing the City Manager to execute a Contractual Services Agreement with Consolidated Engineering Laboratories, Inc. to provide materials testing and special inspection services for the New Civic Center, Project 1188 and amending the 2018-2020 Biennial Budget and Capital Improvement Plan for fiscal year 2019-2020. RESOLUTION NO. 10986 CONTRACT NO. 17014**
- F.7 Authorizing the City Manager to execute a Contractual Services Agreement with Mission Critical Partners, LLC, to provide a Public Safety Answering Point (PSAP) Technology Needs Assessment, Cost Estimate and Detailed Migration Plan for the New Civic Center, Project 1188, and amending the 2018-2020 Biennial Budget and Capital Improvement Plan for fiscal year 2019-2020. RESOLUTION NO. 10987 CONTRACT NO. 17014**
- F.8 Adoption of the City of Newark’s Green Stormwater Infrastructure Plan. RESOLUTION NO. 10988**

G. CITY ATTORNEY REPORTS

H. ECONOMIC DEVELOPMENT CORPORATION

I. CITY COUNCIL MATTERS**I.1 Presentation of the Measure GG Transaction and Use Tax Oversight Committee Annual Report.**

Chair Lola stated that the Oversight Committee reviewed the revenues and expenditures for the Transaction and Use Tax and prepared the first annual report for fiscal years 2016-2017 (partial year) and 2017-2018. The Committee concluded that there were no findings to comment on nor recommendations for future expenditures.

Mayor Nagy thanked the Oversight Committee members for their service.

Mayor Nagy stated that construction has begun on the civic center project.

Council Member Hannon stated that the skate park opened last week and the dog park construction has begun. He noted that he attended the annual St Edward Catholic Church “Blue Mass” which honors public safety workers who gave their lives in the line of duty.

Council Member Collazo stated that in September she celebrates her wedding anniversary and her two son’s birth dates. She wished the City of Newark a Happy Birthday. She noted that the Rotary Club sponsors the haystack event during Newark Days. Shop Newark.

Council Member Freitas stated that the Washington Hospital Medical Clinic in Newark was renamed in honor of former Board Member Pat Danielson. He shared that the new library would be named in honor of Mayor Nagy. He stated that Spring Hill Suites and Staybridge Suites were opening new hotels in Newark. He thanked the Newark Days volunteers and the Measure GG Oversight Committee.

Council Member Bucci stated that his daughter dialed 9-1-1 today and encouraged parents to talk to their children about 9-1-1.

Mayor Nagy stated that the all weather turf fields at Sportsfield Park are open. He noted that the City is receiving increased property tax because of the new home sales. He stated that the increased traffic was a result of more jobs in the region and did not think the new homes contributed much to the increased traffic.

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

K. ORAL COMMUNICATIONS

Diane Shaw of the Alameda County Transit Board of Directors stated that AC Transit wants to improve service and requested that people provide feedback by taking a brief survey at actransit.org/redesignfremontnewark. She noted that there is an ACT RealTime app to provide accurate bus arrival times.

Dan Kostenbauder, Silicon Valley Leadership Group Foundation, invited the City Council to participate in the Silicon Valley Turkey Trot on Thanksgiving Day.

L. APPROPRIATIONS**Approval of Audited Demands.****MOTION APPROVED**

City Clerk Harrington read the Register of Audited Demands: Check numbers 118347 to 118860.

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

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

At 8:31 p.m. the City Council recessed to a closed session.

At 8:39 p.m. the City Council convened in closed session.

At 9:39 p.m. the City Council reconvened in open session with all Council Members present.

N. ADJOURNMENT

At 9:39 p.m. Mayor Nagy adjourned the City Council meeting.

SHEILA HARRINGTON
City Clerk