



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, January 23, 2020

A. ROLL CALL

B. MINUTES

- B.1 Approval of Minutes of the special and regular City Council meetings of, December 12, 2019 and January 9, 2020. (MOTION)**

C. PRESENTATIONS AND PROCLAMATIONS

- C.1 Introduction of employee.**

Background/Discussion – Community Development Department Administrative Support Special II Lina Tran will be introduced to the City Council.

- C.2 Commending Police Officers Fredstrom, Hernandez and Pacheco for their life saving actions. (COMMENDATION)**

Background/Discussion – Police Officers Fredstrom, Hernandez, and Pacheco will be presented with Commendations at the City Council meeting in honor of their combined response to a report of a man down and unresponsive at the Salvation Army last year. Their immediate actions saved his life.

D. WRITTEN COMMUNICATIONS

E. PUBLIC HEARINGS

F. CITY MANAGER REPORTS

(It is recommended that Items F.1 through F.4 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 purchase of a replacement street sweeper from Owen Equipment and authorizing the City Manager to execute a four-year Master Lease-Purchase Agreement with PNC Equipment Finance, LLC – from Maintenance Superintendent Connolly. (RESOLUTION)

Background/Discussion- The 2018-2020 Biennial Budget for Fiscal Year 2019-2020 includes funding for the replacement of the City of Newark’s existing street sweeper through the City’s Equipment Replacement Program on a lease-to-purchase basis. Approximately 300 curb miles are swept monthly, which includes monthly residential sweeping and semi-monthly commercial/industrial sweeping. In addition, 68 hours of additional sweeping passes are built into the sweeping schedule during the fall and winter months to reduce leaf build-up in the City’s storm drain system. The existing street sweeper has reached the end of its useful life and requires replacement. Authorization is requested to participate in an intergovernmental procurement process for the purchase of a 2020 Elgin Broom Bear street sweeper.

An intergovernmental procurement process (also known as a “piggybacking”) is an alternative option to Newark’s formal bidding process. By piggybacking onto another agency’s contract, the City would save the cost and time associated with an additional formal bid process but be able to be assured of competitive set prices established by another agency’s formal bidding process.

Upon completion of a formal bidding process, the City of Napa, California entered into a procurement contract with Owen Equipment for the purchase of an Elgin Broom Bear street sweeper in June 2019. The competitive process used by the City of Napa has been reviewed by the Public Works Department and satisfies the City of Newark’s requirements for the proposed equipment purchase.

Based upon the City of Napa contract with Owen Equipment, the combined cost for the 2020 Elgin Broom Bear street sweeper is \$320,762.82. This purchase cost does not include outfitting of the Elgin Broom Bear street sweeper by Priority One and Classic Graphics which is estimated not to exceed \$12,000 and would include a top mounted LED beacon, a LED directional bar, base clearance lights, side safety lights, and City logos. The total cost for replacement of this item is \$332,762.82.

The current budget identifies replacement of this equipment with annual lease-to-purchase payments. The acquisition of this sweeper is proposed to occur through a Master Lease-Purchase Agreement with PNC Equipment Finance, LLC. PNC Equipment Finance, LLC has provided acceptable leasing terms and documents for a four-year lease-purchase which would commence upon receipt of the 2020 Elgin Broom Bear street sweeper as follows:

Year 1 – August 2020	\$85,742.92
Year 2 – August 2021	\$85,742.92

Year 3 – August 2022 \$85,747.92

Year 4 – August 2023 \$85,742.92

Attachments – Resolution; Master Lease-Purchase Agreement

Action – Staff recommends that the City Council, by resolution, authorize the purchase of a replacement street sweeper from Owen Equipment and authorize the City Manager to execute a four-year Master Lease-Purchase Agreement with PNC Equipment Finance, LLC.

F.2 Authorization for the purchase of a replacement large area rotary mower from Turf Star, Inc. and authorizing the City Manager to execute the Contractual Equipment and Services Agreement – from Maintenance Superintendent Connolly. (RESOLUTION)

Background/Discussion- The 2018-2020 Biennial Budget and Capital Improvement Plan for Fiscal Year 2019-2020 includes funding for the replacement of the City of Newark’s existing large area rotary mower through the City’s Equipment Replacement Program. Approximately 74.25 acres of lawn are maintained on a monthly basis by the Maintenance Division. The current large area rotary mower was purchased as used equipment in 2008 and no longer meets the California Area Resource Board emission standards. In addition, other necessary repairs are conservatively estimated to be in excess of \$40,000 and completion of those repairs would not assure extended use of the mower given its age and accrued hours of use. The Toro Groundsmaster 5910 Large Area Rotary Mower meets California Air Resource Board Tier 4 emissions standards and has been identified by the Maintenance Division as the most suitable replacement mower.

An intergovernmental procurement process (also known as a “piggybacking”) is an alternative option to Newark’s formal bidding process. By piggybacking onto another agency’s contract, the City would save the cost and time associated with an additional formal bid process but be able to be assured of competitive set prices established by another agency’s formal bidding process.

Upon completion of a formal bidding process, the City of Lemoore, California entered into a procurement contract with Turf Star, Inc. for the purchase of a Toro Groundsmaster 5910 Large Area Rotary Mower. The competitive process used by the City of Lemoore has been reviewed by the City of Newark Public Works Department and satisfies the City of Newark’s requirements for the proposed equipment replacement purchase.

The mower would be equipped with flashers and City logos by staff for an additional cost of \$2,000. The total budget for replacement of this item is \$133,393.

Attachment – Resolution; Contractual Equipment and Services Agreement

Action - Staff recommends that the City Council, by resolution, authorize the purchase of a replacement large area rotary mower from Turf Star, Inc. and authorizing the City Manager to execute the Contractual Equipment and Services Agreement.

F.3 Authorization for the purchase of a replacement front line fire engine (pumper) from Golden State Fire Apparatus, Inc. and authorizing the City Manager to enter into a nine-year Master Lease-Purchase Agreement with PNC Equipment Finance, LLC – from Maintenance Superintendent Connolly. (RESOLUTION)

Background/Discussion- The 2018-2020 Biennial Budget and Capital Improvement Plan for Fiscal Year 2019-2020 includes a line item for funding the replacement of one front line fire engine (pumper). The purchase of this engine is necessary to ensure emergency response personnel are able to safely and expeditiously respond to emergencies at all times. The existing front line fire engine (pumper) would be utilized as a back-up engine. Staff seeks authorization to participate in an intergovernmental procurement process for the purchase of a front line fire engine (pumper) from Golden State Fire Apparatus, Inc.

An intergovernmental procurement process (also known as a “piggybacking”) is an alternative option to the City of Newark’s formal bidding process. By piggybacking onto another agency’s contract, the City would save the cost and time associated with an additional formal bid process but be able to be assured of competitive set prices established by another agency’s formal bidding process.

Upon completion of a formal bidding process, the Alameda County Fire Department entered into a procurement contract with Golden State Fire Apparatus, Inc. for the purchase of front line fire engine (pumper). The competitive process used by the Alameda County Fire Department has been reviewed by the Public Works Department and satisfies the City’s requirements for the proposed equipment purchase.

Based upon the Alameda County Fire Department contract with Golden State Fire Apparatus, Inc., the combined cost for the front line engine (pumper) would be \$647,564. The replacement cost does not include specialty outfitting of the front line engine (pumper) by specialized vendors which is estimated not to exceed \$196,000 for all necessary onboard equipment and required outfitting needed to place the new apparatus into service as a front line fire engine (pumper). The total budget for replacement of this item is \$843,564.

The current budget identifies replacement of this equipment with annual lease-to-purchase payments in the amount of \$85,000. The acquisition of the front line fire engine (pumper) is proposed to occur through a Master Lease-Purchase Agreement with PNC Equipment Finance, LLC. PNC Equipment Finance, LLC has provided acceptable leasing terms and documents for a nine-year lease-purchase to commence upon receipt of the front line fire engine (pumper) as follows:

Year 1 - December 2020	\$109,076.40
Year 2 – December 2021	\$109,076.40
Year 3 – December 2022	\$109,076.40
Year 4 – December 2023	\$109,076.40
Year 5 - December 2024	\$109,076.40
Year 6 – December 2025	\$109,076.40
Year 7 – December 2026	\$109,076.40
Year 8 – December 2027	\$109,076.40
Year 9 – December 2028	\$109,076.40

With the annual lease payments proposed, authorization is needed to modify the future budget, commencing in Fiscal Year 2020-2021 by \$24,076.40 annually. This future increase is identified in the attached resolution.

Attachments – Resolution; Master Lease-Purchase Agreement

Action – Staff recommends that the City Council, by resolution, authorize the purchase of a replacement front line fire engine (pumper) from Golden State Fire Apparatus, Inc. and authorize the City Manager to execute a nine-year Master Lease-Purchase Agreement with PNC Equipment Finance, LLC.

F.4 Amendment of the 2018-2020 Biennial Budget and Capital Improvement Plan for Fiscal Year 2019/20 for General Revisions and Operating Increases – from Finance Manager Lee. (RESOLUTION)

Background/Discussion – Fiscal Year 2019/20 is the second year in the City’s two-year budget cycle. As part of the mid-cycle budget review, a number of revisions are proposed to the annual budget. These revisions have been identified where changes have occurred since the adoption of the Operating Budget in June of 2018.

The budget amendment includes increases to the General Fund program revenue sources such as charges for services, operating grants, and contributions. These increases are based on last year’s performance, the economic trends, and our estimated year-end actuals. The remainder of the revenue modifications to the operating budget for Fiscal Year 2019/20 primarily includes adjustments to the Alameda County Transportation Commission (ACTC) Measure B/BB direct local distributions.

The expenditure modifications to the General Fund operating budget for Fiscal Year 2019/20 include:

1. Increase the Government Finance Officers Association's best practice training for staff;
2. Increase in Police special departmental supplies;
3. Increase in crossing guard services. A location was recently added to the current agreement, along with annual rate increases;
4. Increase in animal shelter operating costs;

5. Adding appropriation for economic development market research and printing of a restaurant guide;
6. Adding appropriation for Engineering plan check and inspection consulting services. These added expenditures will be partially offset with reimbursement revenue; and
7. Adding appropriation for annual Transaction Use Tax analysis provided by HdL sales tax consultants.

In other funds, expenditure modifications are all offset by fund balance in each of those funds. The adjustments to the Special Revenue Funds, Capital Projects Fund, and Internal Services Funds include:

1. Adding appropriation for Francisco and Associates special assessment consulting services;
2. Adding appropriation for R3 Consultants providing garbage rate review services;
3. Adding appropriation for Life Elder Care meal delivery services. These services are funded by Paratransit funding;
4. Increase appropriation for contractual services to help the City complete essential transportation improvement projects funded by ACTC Measure B/BB funds;
5. Adding appropriation for Public Education Government (PEG) broadcasting services for Council and Planning Commission meetings;
6. Increase in insurance premium costs; and
7. Increase for Police departmental equipment & fleet replacements.

The amendment for Fiscal Year 2019/20 includes transfers, which total \$2,450,000 from the General Fund into the other Governmental Funds, such as the Capital Projects Fund, the Pension Reserve Fund, and Equipment Replacement Reserve Fund.

Attachments - Resolution
Exhibit A Budget Amendments

Action - It is recommended that the City Council, by resolution, amend the 2018-2020 Biennial Budget and Capital Improvement Plan for Fiscal Year 2019/20.

NONCONSENT

F.5 Authorization for the City to accept the First 5 Alameda County Early Learning Communities Network Grant to develop an Early Learning Action Plan and amending the 2019-2020 Budget – from Recreation and Community Services Director Zehnder. (RESOLUTION)

Background – In January of 2019, the City was offered an opportunity by First 5 Alameda County to participate in an Early Learning Communities Networking event as a precursor to applying for possible grant funding. The Mayor and the City Manager attended this function on behalf of the City. After the initial kickoff event, First 5 recommended that the City develop a team of community stakeholders to develop an Early Learning Action Plan

(ELAP) that would qualify for grant funding. Staff invited Newark Library Branch Manager Joe Stoner and Promotoras leaders Adrianna Lopez and Veronica Torres to assist with development of the plan. Promotoras is a parent-lead community advocacy organization.

During Early Learning Communities Network sessions, the Newark team developed an ELAP based on the overall goal of providing training and support to Spanish-speaking families with young children. Specific initiatives of the plan will include:

1. Provide for social and emotional support and training for parents;
2. Develop bilingual literacy programs for parents and children together with the assistance of the Alameda County Library Literacy Services Department;
3. Build awareness of child development issues through a variety of trainings;
4. Facilitate access to development prevention screenings;
5. Share information related to physical and mental health and offer relevant classes and programs;
6. Share resources for financial assistance;
7. Help families culturally adapt to the community and learn about the range of career and education options for them and their children; and
8. Improve childcare access, especially through promoting and training Family, Friend, and Neighbor (FFN) providers. Help coordinate access to childcare subsidies for FFN providers.

The team envisions the implementation of the ELAP in three main phases during the 18-month grant period. Each phase will last approximately 6 months with some activities overlapping. Activities that will be offered throughout the 18-month cycle include:

- Activity classes for parent and child at the Silliman Activity and Family Aquatic Center;
- Workshops supported by the Alameda County Library, including literacy and basic computer classes;
- Career and business mentoring provided by MoveUpToday.org, a non-profit working primarily with low-income women in the Bay Area; and
- Other guest speakers, trainings and discussions as needed.

In November of 2019, First 5 Alameda County awarded the City \$135,000 in grant funding to implement the 18-month ELAP. In order to accomplish the goals set forth in the ELAP and to spark long-term systems and policy changes to improve support for young families at the local level, the City will retain two temporary part-time, grant-funded contract staff members, both working 15 hours per week. Staff has determined that Promotoras Leaders Adrianna Lopez and Veronica Torres are the best choice for these positions as both assisted in developing the ELAP, are bilingual in English and Spanish, and have strong ties to the community including previous work with the Newark Unified School District and Tiburcio Vasquez Health Center.

Staff has prepared a PowerPoint presentation (attached) for the oral report at the City Council meeting.

Action – Staff recommends that the City Council, by resolution, authorize the City to accept the First 5 Alameda County Early Learning Communities Network Grant and amend the 2019-2020 Budget.

Attachments - Resolution

PowerPoint Presentation

First 5 Contract and Scope of Services

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.

(MOTION)

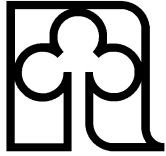
M. CLOSED SESSION

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

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.



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, January 23, 2020

CITY COUNCIL:

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

CITY STAFF:

David J. Benoun
City Manager

Michael Carroll
Interim Police Chief

Soren Fajeau
Public Works Director

David Zehnder
Recreation and Community Services Director

Helen Que-Garcia
Acting Human Resources Dir.

Kristopher J. Kokotaylo
Interim City Attorney

Krysten Lee
Finance Manager

Steven M. Turner
Community Development Dir.

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. 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.