

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 13, 2020

A. ROLL CALL

B. MINUTES

- B.1 Approval of Minutes of the City Council meeting of January 23, 2019.
(MOTION)**

C. PRESENTATIONS AND PROCLAMATIONS

D. WRITTEN COMMUNICATIONS

E. PUBLIC HEARINGS

F. CITY MANAGER REPORTS

(It is recommended that Items F.1 through F.5 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 Acceptance of work with Chrisp Company for 2018-2019 Citywide Thermoplastic Street Striping – from Senior Civil Engineer Tran. (RESOLUTION)**

Background/Discussion – On September 13, 2018, the City of Newark awarded a contract to Chrisp Company for 2018-2019 Citywide Thermoplastic Street Striping, Project 1222. The project installed thermoplastic striping and markings, and replaced missing or damaged pavement markers at various locations throughout the City.

This project was completed within the original budget using Highway Users Tax Account funds.

Attachment – Resolution

Action – Staff recommends that the City Council, by resolution, accept the work with Chrisp Company for 2018-2019 Citywide Thermoplastic Street Striping, Project 1222.

F.2 Approval of a Contractual Services Agreement with Maze and Associates to provide Enterprise Resource System Implementation Management and Professional Services to the Finance Department – from Finance Manager Lee. (RESOLUTION)

Background/Discussion – On July 25, 2019, the City Council approved a contract with Tyler Technologies (Tyler) for the New World Enterprise Resource System (ERP) to replace the City’s obsolete financial software and related implementation services.

Staff recommends the City Council adopt a resolution to approve a contractual services agreement with Maze and Associates to provide professional assistance with managing day-to-day accounting operations, best practice review, quality assurance testing support, ERP implementation management, and other various financial accounting services in an amount not to exceed \$320,000. A new contractual services agreement with Maze and Associates will ensure not only a successful ERP implementation but also to ensure that the City’s Finance Department has the necessary professional assistance to manage daily operations.

The 2018-2020 Biennial Budget included initial funding of \$1,250,000 for the replacement of the ERP financial management system and was appropriated in the Capital Improvement Program (CIP) project 401-5600-5280-1086. There is currently sufficient funding for this agreement.

Attachments – Resolution and Contractual Services Agreement with Maze and Associates.

Action – Staff recommends that the City Council adopt a resolution authorizing the City Manager to execute a contractual services agreement with Maze and Associates in the amount not to exceed \$320,000 to provide Enterprise Resource System implementation management services and professional services.

F.3 Approval of plans and specifications, acceptance of bid, and award of contract to Sposeto Engineering, Inc. for Newark Boulevard Barrier Placement, Project No. 1231 – from Assistant City Engineer Imai. (MOTION)(RESOLUTION)

Background/Discussion – The Newark Boulevard Barrier Placement Project will install a safety barrier along southbound Newark Boulevard between Dairy Avenue and Thornton Avenue, fronting the Foxwood Townhomes development. The safety barrier will be constructed utilizing Caltrans standard Midwest Guardrail placed at the existing curb line between the outside southbound travel lane and sidewalk.

Bid Results

Project bids were opened on January 28, 2020. The City received a total of four bids as follows:

	Sposeto Engineering	Golden Bay Construction	Bay Construction	Terramark General Engineering Contractors	Engineer’s Estimate
TOTAL BID	\$99,789.60	\$114,857.00	\$181,380.00	\$184,000.00	\$100,000.00

There were no alternate bid items included with this project.

Staff determined that Sposeto Engineering, Inc., is a responsible bidder that provided the lowest responsive bid. Sposeto Engineering, Inc. is experienced in this type of project.

Project Costs

In addition to the total bid cost of \$99,789.60, staff recommends including \$15,210.40 in construction contingency, equivalent to approximately fifteen percent of the contract amount, to account for material testing, special inspection services, compliance with clean water monitoring and reporting requirements, and other unanticipated construction costs. The added contingency would bring the recommended allocation for the project to \$115,000.00

The 2018-2020 Biennial Budget and Capital Improvement Plan includes sufficient funding for this project in Fiscal Year 2019-2020 through the use of Gas Tax funds.

Attachments – Resolution

Action - Staff recommends that the City Council, by motion, approve the plans and specifications and, by resolution, accept the bid and award the contract to Sposeto Engineering, Inc. for Newark Boulevard Barrier Placement, Project No. 1231.

F.4 Approval to add one classification of Community Preservation Manager by amending the Employee Classification Plan and the Compensation and Benefit Plan for City Officials and the Management, Supervisory, and Professional Employee Group; and Approving an Amendment to the City’s Salary Schedule in Conformance with California Code of Regulations, Title 2, Section 570.5 – from Community Development Director Turner and Acting Human Resources Director Que-Garcia.

(RESOLUTIONS-2)

Background/Discussion – The Community Development Department and the Human Resources Department recommend the classification of Community Preservation Manager to lead the City’s Community Preservation Division and to provide supervisory oversight

of the two Community Preservation Specialist positions. The Community Preservation Division is responsible for enforcing the provisions of the Zoning Ordinance, the Newark Municipal Code, and various other related codes and policies. Currently, the two Community Preservation Specialists report directly to the Deputy Community Development Director. Community Preservation and Planning Division workloads have increased over time to a point where existing department resources will not be able to sustain current customer services levels and will limit future growth and innovation. The addition of a Community Preservation Manager would allow existing code enforcement responsibilities to transfer from the Deputy Community Development Director and enhance opportunities to improve customer service and introduce new code enforcement initiatives and programs.

Example duties of the Community Preservation Manager would include:

- Plans, directs, coordinates and reviews the work plan for code enforcement staff; assigns work activities, projects and programs; reviews and evaluates work products, methods and procedures; meets with staff to identify and resolve problems;
- Selects, trains, motivates, supervises, and evaluates code enforcement personnel; provides or coordinates staff training; works with employees to correct deficiencies; implements discipline and termination procedures;
- Manages the development of goals and objectives for programs; recommends and administers policies and procedures;
- Identifies opportunities for improving service delivery methods and procedures; recommends, within departmental policy, appropriate services and staffing levels; and
- Provides responsible staff assistance to the Community Development Director; conducts a variety of organizational studies, investigations, and operational studies; recommends modifications to Code Enforcement programs, policies, and procedures as appropriate.

The recommended monthly salary range for the Community Preservation Manager is \$7,896 to \$11,448. This position would report to the Community Development Director.

If approved, recruitment for the Community Preservation Manager would begin immediately. Employee costs associated with this position in Budget Year 2019-2020 would be covered by the expected salary savings in the Code Enforcement Division (Dept. 2013). This position would be fully accounted for in future budget years.

Attachments – Resolutions (2); Class Specification

Action – Staff recommends that the City Council by resolutions: (1) amend Resolution No. 2505, Employee Classification Plan, to add one new classification entitled Community Preservation Manager, and (2) amend Resolution No. 10962, the Compensation and Benefit Plan for City Officials and the Management, Supervisory, and Professional Employee Group to add one new classification, entitled Community

Preservation Manager; and approve an amendment to the City's salary schedule in conformance with California Code of Regulations, Title 2, Section 570.5.

F.5 Authorizing the City Manager to execute a Memorandum of Understanding (MOU) with the City of Union City to share an Emergency Services Coordinator position – from City Manager Benoun. (RESOLUTION)

Background/Discussion – Newark has historically relied upon outside agencies to provide emergency response training for staff and the community. Over the years it has become apparent that a single point of contact – preferably an emergency preparedness coordinator – is needed in order to provide comprehensive emergency preparedness training and a disaster response program for the City.

Neither Newark nor Union City have had a dedicated staff position for this purpose of tracking, coordinating, and training staff and the community (such as CERT). This shared position will be a first step for Newark to have a full-fledged emergency preparedness program. Historically, the emergency preparedness efforts have been shared among departments and classroom training programs have been provided through Alameda County Fire. Having an Emergency Services Coordinator will allow a more comprehensive training approach for the City in the inevitable event that there is an emergency or disaster.

Staff recommends that Newark and Union City share the Emergency Services Coordinator (ESC) position in order to maximize resources and save cost. The ESC will attend local and regional meetings to coordinate and maintain relationships among partnering agencies.

Key responsibilities of this position include:

- Monitoring emergency preparedness and disaster response plans;
- Liaison to Alameda County Fire and Sheriff departments, as well as State and Federal agencies;
- Assist in the development of goals, objectives, and budget requests for emergency services planning and disaster preparedness;
- Respond to the emergency operations center, when activated;
- Develop and maintain a community Emergency Response Team (CERT);
- Oversee and guide training of City staff; and
- Maintain records and files associated with training and emergency response.

The position will be maintained in Union City as a full-time position and Union City will invoice Newark for its fifty-percent share. Newark and Union City will share all expenses for personnel, travel and training. Attached to the staff report is the detailed job description and the MOU.

Approval of the attached position will not impact the City's existing budget and General Fund because the City currently enjoys savings from budgeted salaried positions. Staff recommends including this position in the upcoming budget schedule for the 2020-2022 Biennial Budget.

The cost of this position under the attached MOU – which includes salary, benefits, travel, and training – is projected to be a total of \$164,000 for Year 1, \$177,000 for Year 2, and \$190,000 for Year 3. The cost of this position will be shared equally between the two agencies.

Attachments – Resolution, MOU, and job description

Action – Staff recommends that the City Council, by resolution, authorize the City Manager to execute a Memorandum of Understanding (MOU) with the City of Union City to share an Emergency Services Coordinator position.

G. CITY ATTORNEY REPORTS

H. ECONOMIC DEVELOPMENT CORPORATION

I. CITY COUNCIL MATTERS

I.1 Declaring a vacancy on the Senior Citizen Standing Advisory Committee and authorizing the City Clerk to post a notice of vacancy – from Mayor Nagy. (MOTION)

Background/Discussion – Newark Senior Citizen Standing Advisory Committee (Committee) Member Dolores Powell recently notified Recreation Supervisor Cuevas that she would no longer be able to serve on the Committee. Ms. Powell has moved to another city, creating an immediate vacancy on the Committee.

The City Clerk is seeking authorization to post a notice of the vacancy.

Attachment - None

Action - It is recommended that the City Council, by motion, declare a vacancy on the Senior Citizen Standing Advisory Committee, and authorize the City Clerk to post the notice of vacancy.

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

K. ORAL COMMUNICATIONS

L. APPROPRIATIONS

Approval of Audited Demands.

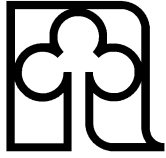
(MOTION)

M. CLOSED SESSION

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, February 13, 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.