



# CITY OF NEWARK CITY COUNCIL

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

## Minutes

Thursday, April 9, 2020

### A. ROLL CALL

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

Mayor Nagy stated that if anyone in the audience wanted to address the City Council under Oral Communications, the City Council could move that item to the beginning of the agenda. No one raised their hand to speak.

Mayor Nagy stated that because the meeting was being teleconferenced, City Clerk Harrington would call the roll when the City Council voted.

### B. MINUTES

#### B.1 Approval of Minutes of the City Council meetings of March 12 and 17, 2020. **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

### D. WRITTEN COMMUNICATIONS

### E. PUBLIC HEARINGS

#### E.1 Authorization to renew an agreement with Redflex Traffic Systems, Inc. for an automated red-light camera enforcement system.

**RESOLUTION NO. 11032  
CONTRACT NO. 06003**

Mayor Nagy opened the public hearing at 7:35 p.m.

Police Captain Arguello gave a presentation (on file with City Clerk). The Redflex Traffic Systems, Inc. agreement for an automated red-light camera enforcement system expires in April. He stated that staff considered issuing a Request for Proposals;

however, the necessary commitment of city resources and staff costs associated in reviewing and approving new engineering and construction plans, the substantial impact on police staff costs and significant exposure to public safety during the 12 months of inoperability during a change-over period justified a sole-source selection approach. He recommended that the City Council authorize a renewal of the agreement for a period of 5 years with options for an additional 4 years. The pricing for existing services (4 approaches at 3 intersections) would decrease by \$1,400 per month.

No one from the public came forward to speak.

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

Council Member Bucci announced that he would abstain from voting because he was participating via telephone and there were technical difficulties with the council chambers equipment that made it difficult to hear everything.

Council Member Collazo moved, Council Member Hannon seconded to by resolution, authorize the City Manager to renew an agreement with Redflex Traffic Systems, Inc. for an automated red-light camera enforcement system. The motion passed, 4 AYES, 1 ABSTENSION (Bucci).

## **F. CITY MANAGER REPORTS**

Council Member Freitas moved, Council Member Hannon seconded, to approve Consent Calendar Items F.1 through F.7, 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 Approval of the Final Map and Subdivision Improvement Agreement for Tract 8498 – Classic (Classic 36304 Newark Boulevard, L.P.), a 9-lot residential subdivision at 36304-36310 Newark Boulevard.**

**RESOLUTION NO. 11033  
CONTRACT NO. 20018**

- F.2 Approval of the Final Map and Subdivision Improvement Agreement for Tract 8494 – Magnolia Residences (Goldsilverisland Homes, LLC), a 10-lot residential subdivision at 37256 and 37280 Magnolia Street and 6849 Baine Avenue.**

**RESOLUTION NO. 11034  
CONTRACT NO. 20019**

- F.3 Authorize the carry-over unspent appropriation for a mobile command vehicle and amend the 2018-2020 Biennial Budget. RESOLUTION NO. 11035**
- F.4 Approval of a Contractual Service Agreement with Avenu/Muniservices, LLC to provide consulting and auditing services for City of Newark's Utility User Tax revenues and to amend the 2018-2020 Biennial Budget and Capital Improvement Plan. RESOLUTION NO. 11036  
CONTRACT NO. 20020**
- F.5 Approval of a Contractual Services Agreement with HdL Coren & Cone for Property Tax Audit and Information Services and to amend the 2018-2020 Biennial Budget and Capital Improvement Plan. RESOLUTION NO. 11037  
CONTRACT NO. 20021**
- F.6 Approval of a Contractual Service Agreement with Avenu/MuniServices, LLC to provide consulting and auditing services for the City of Newark's Transient Occupancy Tax and to amend the 2018-2020 Biennial Budget and Capital Improvement Plan. RESOLUTION NO. 11038  
CONTRACT NO. 20014**
- F.7 Acceptance of the Comprehensive Annual Financial Report (CAFR) for the period ended June 30, 2019. MOTION APPROVED**

## **NONCONSENT**

- F.8 Oral Update on the City's response to the COVID-19 Local Emergency.**

City Manager Benoun shared information from the Alameda County Public Health Department COVID-19 Dashboard website. The Dashboard reported 24 confirmed cases of COVID-19 in Newark.

City Manager Benoun stated that the Shelter in Place Order was extended to May 3, 2020 with additional protections. He outlined the City's public outreach efforts including a special edition of the Newark News to be distributed next week, public service announcement videos recorded by City Council Members and staff, and updates to the City's website and social media channels.

## **G. CITY ATTORNEY REPORTS**

- G.1 Adopt an Urgency Ordinance of the City of Newark Enacting a Temporary Moratorium on Evictions Due to Nonpayment of Rent for Residential and Commercial Tenants Where the Failure to Pay Rent is From Income Loss Resulting From the Novel Coronavirus (COVID-19).**

**URGENCY ORDINANCE NO. 520U**

Council Member Freitas recused himself from participation due to his interest in real property. Council Member Freitas left the City Council Chambers.

Interim City Attorney Kokotaylo gave the staff report recommending approval. He stated that this item was brought back to the City Council to ensure proper reading of the title of the ordinance. The substantive provisions remain the same as Urgency Ordinance No. 519 adopted at the previous meeting.

Council Member Collazo moved, Council Member Hannon seconded to introduce by title, waive further reading and adopt an urgency ordinance that establishes a temporary moratorium on evictions due to nonpayment of rent for residential and commercial tenants where the failure to pay rent is from income loss resulting from the coronavirus (COVID-19). The motion passed, 4 AYES, 1 RECUSAL (Freitas).

Council Member Freitas returned to the City Council Chambers.

Council Member Bucci left the City Council meeting at this time.

**H. ECONOMIC DEVELOPMENT CORPORATION****I. CITY COUNCIL MATTERS**

Mayor Nagy welcomed newly hired Police Chief Gina Anderson to the City.

Police Chief Anderson thanked Mayor Nagy and stated that she was warmly welcomed.

Mayor Nagy complimented the Alameda County Health Department for their work on the Covid-19 Dashboard website. He noted that a number of organizations and businesses have helped the community and stated that Newark will come out of this as a stronger community.

Council Member Collazo thanked the residents for abiding by the shelter in place order and social distancing. She stated that she hoped everyone stayed healthy, enjoyed Easter and shopped Newark.

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

**K. ORAL COMMUNICATIONS**

No one came forward to speak.

**L. APPROPRIATIONS**

**Approval of Audited Demands.**

**MOTION APPROVED**

City Clerk Harrington read the Register of Audited Demands: Check numbers 120490 to 120732.

Council Member Collazo moved, Council Member Hannon seconded, to approve the Register of Audited Demands. The motion passed, 4 AYES, 1 ABSENT (Bucci).

**M. CLOSED SESSION**

**N. ADJOURNMENT**

Mayor Nagy adjourned the meeting at 8:40 p.m.

SHEILA HARRINGTON  
City Clerk