



CITY OF NEWARK

CITY COUNCIL

City Administration Building, City Council Chambers

37101 Newark Boulevard, Newark, CA 94560 | (510) 578-4266 | E-mail: city.clerk@newark.org

AGENDA

Thursday, October 22, 2020

7:00 P.M.

**THIS IS A MEETING BY VIRTUAL TELECONFERENCE ONLY.
THE CITY COUNCIL CHAMBERS WILL NOT BE OPEN.
REFER TO THE END OF THE AGENDA TO REVIEW OPTIONS FOR PARTICIPATING IN THE
MEETING REMOTELY OR TO SUBMIT PUBLIC COMMENTS VIA EMAIL.**

A. ROLL CALL

B. PRESENTATIONS

B.1 Proclaiming October as Domestic Violence Awareness Month.

C. PUBLIC COMMENT

Members of the public are invited to address the City Council on any item not listed on the agenda. Public Comments are generally limited to 5 minutes per speaker. Please note that State law prohibits the Council from acting on non-agenda items.

D. CONSENT CALENDAR

Consent Calendar items are considered to be routine and may be approved by one motion. There will be no separate discussion on these items unless there is a request by a Council Member, a staff member, or a member of the public to remove an item for separate discussion and action.

D.1 Approval of Register of Audited Demands.

D.2 Approval of Minutes – October 8, 2020.

D.3 Confirmation of the Continued Existence of a Local Emergency due to COVID-19 – from City Manager Benoun and Interim City Attorney Kokotaylo. (RESOLUTION)

- D.4 Approval of Measure D Expenditure Plan and Amendment of the 2020-2022 Biennial Budget and Capital Improvement Plan for Fiscal Years 2020-2021 and 2021-2022 – from Public Works Director Fajeau. (RESOLUTION)**

E. PUBLIC HEARINGS

F. OTHER BUSINESS

- F.1 Informational report on vote by mail ballots for the November 3, 2020 General Election – from City Clerk Harrington.**

G. CITY COUNCIL MATTERS

City Council Members report on attendance at intergovernmental agency meetings, conferences, and seminars since the last meeting. City Council Members may also announce upcoming events and coordinate attendance; report on local events attended since the last meeting; and make brief comments on issues of concern.

H. CLOSED SESSION

I. ADJOURNMENT

IMPORTANT NOTICE REGARDING CITY COUNCIL MEETING

Due to the COVID-19 pandemic, the City of Newark made changes related to City Council meetings to protect the public's health and prevent the disease from spreading locally. As a result of the COVID-19 public health emergency, including the Alameda County Health Officer and Governor's directives for everyone to shelter in place, **the City Council Chambers will be closed to the public.** Members of the public should attempt to observe and address the Council using the below technological processes.

This meeting is being conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order N-29-20 dated March 17, 2020, regarding the COVID-19 pandemic. In accordance with Executive Order N-29-20, the public may only view the meeting on television and/or online.

Mayor Nagy, Vice Mayor Freitas, and Council Members Collazo, Hannon, and Bucci will be attending this meeting via teleconference. Teleconference locations are not open to the public. All votes conducted during the teleconferencing session will be conducted by roll call vote.

How to view the meeting remotely:

Live television broadcast - Comcast Channel 26

Livestream online at- <https://www.newark.org/departments/city-manager-s-office/agendas-minutes/live-streaming-meetings>

How to participate in the meeting remotely, via Zoom Webinar:

From a PC, Mac, iPad, iPhone or Android device: <https://zoom.us/j/93757139894>

From a telephone dial 1 669 900 9128, Webinar ID 937 5713 9894.

Provide live, remote public comments, when the Mayor calls for comments. Use the raise your hand feature in Zoom to be called upon by the City Clerk.

For frequently asked Zoom questions, please go to <https://www.newark.org/departments/city-manager-s-office/agendas-minutes> and select the Frequently Asked Questions link.

Submission of Public Comments:

Public comments received by 4:00 p.m. on the Council meeting date will be provided to the City Council and considered before Council action. Comments may be submitted by email to City.clerk@newark.org. Comments may also be submitted via e-mail to city.clerk@newark.org at any time prior to closure of the public comment portion of the item(s) under consideration.

Reading of Public Comments: The City Clerk will read aloud email comments received during the meeting that include the subject line "FOR THE RECORD" as well as the item number for comment, provided that the reading shall not exceed five (5) minutes, or such other time as the Council may provide, consistent with the time limit for speakers at a Council meeting and consistent with all applicable laws. Matters brought before the Council that require Council 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 Mayor. 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 Mayor for the purpose of maintaining order may be guilty of an infraction and may result in removal from the meeting.

Council Meeting Access/Materials:

The agenda packet is available for review at <https://www.newark.org/departments/city-manager-s-office/agendas-minutes>. The packet is typically posted to the City website the Friday before the meeting, but no later than 72 hours before the meeting.

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 will be posted, if time allows, at <https://www.newark.org/departments/city-manager-s-office/agendas-minutes>. 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 who require special accommodations, please contact the City Clerk at least two days prior to the meeting at city.clerk@newark.org or 510-578-4266.

B.1 Proclaiming October as Domestic Violence Awareness Month.

Background/Discussion – October is National Domestic Violence Awareness Month. A proclamation has been prepared and Zakia Afrin of Maitri will accept. Maitri is a nonprofit organization that helps families and individuals from South Asia facing domestic violence, emotional abuse, cultural alienation, or family conflict.



City of Newark

MEMO

DATE: October 13, 2020
TO: City Council
FROM: Sheila Harrington, City Clerk
SUBJECT: Approval of Audited Demands for the City Council Meeting of October 22, 2020.

REGISTER OF AUDITED DEMANDS


US Bank General Checking Account

<u>Check Date</u>		<u>Check Numbers</u>	
October 01, 2020	Page 1-5	1537 to 1583	Inclusive
October 08, 2020	Page 1-5	1584 to 1635	Inclusive



City of Newark

MEMO

DATE: October 13, 2020
TO: Sheila Harrington, City Clerk
FROM: Krysten Lee, Finance Director 
SUBJECT: Approval of Audited Demands for the City Council Meeting of October 22, 2020.

The attached list of Audited Demands is accurate and there are sufficient funds for payment.

LIVE Newark CA LIVE
Payment Batch Register
Bank Account: AP - ZBA ACCOUNTS PAYABLE
Batch Date: 10/01/2020

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
Bank Account: AP - ZBA ACCOUNTS PAYABLE					
Check	10/01/2020	1537 Accounts Payable	3QC, INC.		1,638.07
	Invoice	Date	Description		Amount
		62020	08/31/2020	CIVIC CENTER COMMISSIONING SERVICES	1,638.07
Check	10/01/2020	1538 Accounts Payable	ABC FIRE PROTECTION, INC.		745.53
	Invoice	Date	Description		Amount
		54847	09/10/2020	ABC FIRE-FLEET EXTINGUISHER SERVICE	745.53
Check	10/01/2020	1539 Accounts Payable	ACCESS		90.00
	Invoice	Date	Description		Amount
		8347087	08/31/2020	SHREDDING SVC 08/26/20	90.00
Check	10/01/2020	1540 Accounts Payable	ALAMEDA COUNTY TRANSPORTATION COMMISSION		24,539.00
	Invoice	Date	Description		Amount
		952	07/23/2020	MEMBER AGENCY FEES FY20-21	24,539.00
Check	10/01/2020	1541 Accounts Payable	BAY CENTRAL PRINTING		2,091.96
	Invoice	Date	Description		Amount
		186709	08/31/2020	BUSINESS CARDS FOR DET HERBERT	63.78
		186684	08/27/2020	9 X 12 NEWARK DAYS 65TH BIRTHDAY MAILER	2,028.18
Check	10/01/2020	1542 Accounts Payable	CELTIC DOG KENNELS, LLC		100.00
	Invoice	Date	Description		Amount
		002-2020	09/12/2020	K9 PROGRAM KENNEL SERVICES SEPT 2020	100.00
Check	10/01/2020	1543 Accounts Payable	ALAMEDA COUNTY INFORMATION TECHNOLOGY DEPARTMENT		3,499.31
	Invoice	Date	Description		Amount
		112-2008036	09/11/2020	AWS ACCESS FEES AUG 2020	3,499.31
Check	10/01/2020	1544 Accounts Payable	CRIME SCENE CLEANERS INC		140.00
	Invoice	Date	Description		Amount
		78743	09/13/2020	HAZARDOUS WASTE CLEAN UP 09/13/20	70.00
		78790	09/16/2020	HAZARDOUS WASTE CLEAN UP 09/16/20	70.00
Check	10/01/2020	1545 Accounts Payable	DELL MARKETING L.P.		591.51
	Invoice	Date	Description		Amount

	10420955594	09/02/2020	WWAN CARD/HARDWARE FOR DETECTIVE LAPTOPS; QUOTE #3000067409561.1	443.63
	10421630988	09/04/2020	WWAN CARD/HARDWARE FOR DETECTIVE LAPTOPS; QUOTE #3000067409833.1	147.88
Check	10/01/2020	1546 Accounts Payable	ALHAMBRA	670.97
	Invoice	Date	Description	Amount
	15734365 091320	09/13/2020	WATER SERVICE	670.97
Check	10/01/2020	1547 Accounts Payable	DUKE DE LEON	240.00
	Invoice	Date	Description	Amount
	4146	09/28/2020	VIDEO RECORD CC AND PC MEETINGS THE MONTH OF SEPTEMBER	240.00
Check	10/01/2020	1548 Accounts Payable	EAGLE CANYON CAPITAL, LLC	179.00
	Invoice	Date	Description	Amount
	20200909	09/09/2020	PATROL VEHICLE CLEANING AUG 2020	179.00
Check	10/01/2020	1549 Accounts Payable	ENVIRONMENTAL LOGISTICS	8,767.14
	Invoice	Date	Description	Amount
	94776-AG	07/23/2020	HAZARDOUS MATERIAL DISPOSAL	626.75
	93889-AG	07/23/2020	HAZARDOUS MATERIAL DISPOSAL	8,140.39
Check	10/01/2020	1550 Accounts Payable	EQUIFAX INFORMATION SVCS LLC	150.86
	Invoice	Date	Description	Amount
	6012796	09/07/2020	CREDIT BUREAU REPORTS	150.86
Check	10/01/2020	1551 Accounts Payable	EWING IRRIGATION PRODUCTS INC.	963.02
	Invoice	Date	Description	Amount
	12559115	09/09/2020	PARK IRRIGATION SUPPLIES	963.02
Check	10/01/2020	1552 Accounts Payable	ANDREW GARCIA	644.00
	Invoice	Date	Description	Amount
	0727-082120EXP	08/09/2020	PATROL POST ACADEMY EXPS	644.00
Check	10/01/2020	1553 Accounts Payable	GLADWELL GOVERNMENTAL SERVICES, INC.	4,400.00
	Invoice	Date	Description	Amount
	4408	09/22/2020	RECORDS RETENTION SCHEDULES, DRAFT STAFF REPORT AND RESOLUTION	4,400.00
Check	10/01/2020	1554 Accounts Payable	GRAINGER	211.96
	Invoice	Date	Description	Amount
	9633105896	08/26/2020	SILLIMAN UTILITY PUMP	211.96
Check	10/01/2020	1555 Accounts Payable	JUAN HERRERA	2,890.95
	Invoice	Date	Description	Amount
	0726-080620EXP	09/02/2020	PATROL POST TRAINING EXPS HERRERA	2,890.95
Check	10/01/2020	1556 Accounts Payable	INDUSTRIAL PLUMBING SUPPLY, LLC.	334.76
	Invoice	Date	Description	Amount
	88362	07/20/2020	PLUMBING SUPPLIES/MAINT-PARKS	334.76
Check	10/01/2020	1557 Accounts Payable	BRIAN KARRICK	310.50
	Invoice	Date	Description	Amount
	0727-082120EXP	08/23/2020	PATROL POST ACADEMY EXPS	310.50

Check	Invoice	Date	Description	Amount
10/01/2020	1558 Accounts Payable		KIM TURNER, LLC	125.00
	3144	08/20/2020	REC/COMM POST TRAINING	125.00
10/01/2020	1559 Accounts Payable		LOS ANGELES COUNTY SHERIFF'S DEPARTMENT	485.00
	210342SG	09/10/2020	SWAT TRAINING FY 19-20	485.00
10/01/2020	1560 Accounts Payable		LANGUAGE LINE SERVICES	449.55
	4872762	08/31/2020	LANGUAGE LINE SVCS AUG 2020	449.55
10/01/2020	1561 Accounts Payable		LEXIS NEXIS RISK DATA MANAGEMENT INC	424.20
	1415640-20200831	08/31/2020	ACCURINT SUBSCRIPTION AUG 2020	424.20
10/01/2020	1562 Accounts Payable		LINCOLN AQUATICS	221.34
	NU181543	08/25/2020	POOL CHEMICALS AND EQUIPMENT	121.48
	SL022761	08/26/2020	SODIUM BICARBONATE	99.86
10/01/2020	1563 Accounts Payable		MACLEOD WATTS, INC.	10,330.00
	200909NEWAR	09/09/2020	ACTUARIAL VALUATION & REPORT - GASB 68 & 75	10,330.00
10/01/2020	1564 Accounts Payable		MCKIM CORPORATION	47,958.94
	20740	07/27/2020	2019 PARK PATHWAY PROJECT 1232	50,483.09
	20740RET	07/27/2020	PARK PATHWAY PROJECT 1232 RETENTION	(2,524.15)
10/01/2020	1565 Accounts Payable		PACIFIC GAS & ELECTRIC	21,177.74
	7786-092120	09/29/2020	TRAFFIC LIGHT ELECTRIC CHARGES	21,177.74
10/01/2020	1566 Accounts Payable		PERFORMANCE PEST MANAGEMENT	564.00
	52657	09/11/2020	PEST SERVICE-VIOLA BLYTEH #102704	270.00
	52824	09/11/2020	PEST SERVICE-FIRE STATION 3 #102701	77.00
	52828	09/11/2020	PEST SERVICE-SILLIMAN #102710	142.00
	52871	09/11/2020	PEST SERVICE-COMMUNITY CENTER #102700	75.00
10/01/2020	1567 Accounts Payable		PLAN JPA	795.50
	PLAN-2019-536	09/09/2020	GENERAL LIABILITY CLAIMS	795.50
10/01/2020	1568 Accounts Payable		PROFORCE LAW ENFORCEMENT	834.10
	423343	09/09/2020	TASER SUPPLIES	834.10
10/01/2020	1569 Accounts Payable		SMITH & SONS ELECTRIC, INC.	989.06

	Invoice	Date	Description	Amount
	2085-2	09/11/2020	SMITH ELECTRICAL SERVICE-BREAKER REPLACEMENT	989.06
Check	10/01/2020	1570 Accounts Payable	SANDRA SOTO	644.00
	Invoice	Date	Description	Amount
	0727-082120EXP	08/09/2020	PATROL POST ACADEMY EXPS	644.00
Check	10/01/2020	1571 Accounts Payable	STATE OF CALIFORNIA	250.00
	Invoice	Date	Description	Amount
	PR081520-8625	09/28/2020	PAYROLL DEDUCTION - GARNISHMENT	250.00
Check	10/01/2020	1572 Accounts Payable	STATE OF CALIFORNIA	250.00
	Invoice	Date	Description	Amount
	PR093020-8625	09/28/2020	PAYROLL DEDUCTION - GARNISHMENT	250.00
Check	10/01/2020	1573 Accounts Payable	TEMPERATURE TECHNOLOGY INC.	2,646.69
	Invoice	Date	Description	Amount
	1021-655	07/30/2020	TTI FIRE STATION 1	1,199.14
	1021-690	08/18/2020	TTI POLICE STATION SERVICE	738.57
	1021-694	08/18/2020	TTI PUBLIC WORKS SERVICE	708.98
Check	10/01/2020	1574 Accounts Payable	THE GOODYEAR TIRE & RUBBER COMPANY	2,041.55
	Invoice	Date	Description	Amount
	184-1092295	09/09/2020	TIRE AND SERVICE	2,041.55
Check	10/01/2020	1575 Accounts Payable	VANIR CONSTRUCTION MANAGEMENT, INC.	39,874.00
	Invoice	Date	Description	Amount
	168452	09/09/2020	CONSTRUCTION MANAGEMENT FOR THE NEW CIVIC CENTER , PROJECT 1188	39,874.00
Check	10/01/2020	1576 Accounts Payable	VERIZON WIRELESS	3,715.09
	Invoice	Date	Description	Amount
	9863070030	09/18/2020	IPHONE SVC 08/19/20-09/18/20	3,715.09
Check	10/01/2020	1577 Accounts Payable	VERIZON WIRELESS - VSAT	100.00
	Invoice	Date	Description	Amount
	2018498672926222	09/08/2020	CELL TOWER DUMP CASE #20-2652	100.00
Check	10/01/2020	1578 Accounts Payable	VIEVU, LLC	246.94
	Invoice	Date	Description	Amount
	VVSI-1002291	09/22/2020	VIEVU CLIPLOCK MAGNET CLIPS	246.94
Check	10/01/2020	1579 Accounts Payable	YIFTEE INC	5,000.00
	Invoice	Date	Description	Amount
	092220	09/28/2020	MERCHANT GIFT CARD PROGRAM	5,000.00
Check	10/01/2020	1580 Accounts Payable	KHALSA , SHAKATI S	8.00
	Invoice	Date	Description	Amount
	202141	09/28/2020	BUSINESS LICENSE REFUND - RESO#11109	8.00
Check	10/01/2020	1581 Accounts Payable	KUO , ANDY	458.00
	Invoice	Date	Description	Amount

Invoice	Date	Description	Amount
614731	09/23/2020	REFUND FOR A PARTY WAS CANCELLED IN MARCH DUE TO COVID-19	458.00
Check 10/01/2020	1582 Accounts Payable	NELSON , LAURI	90.00
614769	09/24/2020	REQUEST DUE TO COVID SHUTDOWN	90.00
Check 10/01/2020	1583 Accounts Payable	PUBLIC STORAGE	1,510.97
2021-00000204	09/28/2020	BUSINESS LICENSE REFUND - RESO#11109	1,510.97
AP ZBA ACCOUNTS PAYABLE Totals:			Transactions: 47
Checks: 47			\$194,388.21

LIVE Newark CA LIVE
Payment Batch Register
Bank Account: AP - ZBA ACCOUNTS PAYABLE
Batch Date: 10/08/2020

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
Bank Account: AP - ZBA ACCOUNTS PAYABLE					
Check	10/08/2020	1584 Accounts Payable	ABACUS PRODUCTS INC		557.72
	Invoice		Date	Description	Amount
		B62301	09/14/2020	CITY ENVELOPES	557.72
Check	10/08/2020	1585 Accounts Payable	AFLAC		1,246.76
	Invoice		Date	Description	Amount
		412388	09/11/2020	SHORT TERM DISABILITY PREMIUM	1,246.76
Check	10/08/2020	1586 Accounts Payable	ALLIED AUTO STORES INC		547.41
	Invoice		Date	Description	Amount
		SEPT'20	09/30/2020	ALLIED FLEET PARTS SEPTEMBER	547.41
Check	10/08/2020	1587 Accounts Payable	ALTA LANGUAGE SERVICES		66.00
	Invoice		Date	Description	Amount
		IS489131	07/31/2020	LISTENING & SPEAKING TEST (LIVE)	66.00
Check	10/08/2020	1588 Accounts Payable	AT&T		70.00
	Invoice		Date	Description	Amount
		360724	08/28/2020	TOWER DUMP DATA CASE #20-2652	70.00
Check	10/08/2020	1589 Accounts Payable	AT&T		321.80
	Invoice		Date	Description	Amount
		2300-090120	09/01/2020	SEPTEMBER WAN MONTHLY BILL ACCT# 2300	186.14
		4367-090720	09/07/2020	SEPTEMBER WAN MONTHLY BILL ACCT# 4367	43.53
		1027-090720	09/07/2020	SEPTEMBER WAN MONTHLY BILL ACCT# 1027	92.13
Check	10/08/2020	1590 Accounts Payable	BAILEY FENCE COMPANY INC		951.00
	Invoice		Date	Description	Amount
		80228	09/16/2020	BAILEY-INSTALLATION OF CHAIN LINK FENCE	951.00
Check	10/08/2020	1591 Accounts Payable	BAY CENTRAL PRINTING		63.78
	Invoice		Date	Description	Amount
		186767	09/11/2020	BUSINESS CARDS FOR OFCR RIVAS	63.78
Check	10/08/2020	1592 Accounts Payable	STACY BURTON		60.20
	Invoice		Date	Description	Amount
		0826-082820EXP	09/28/2020	MILEAGE REIMBURSEMENT	60.20
Check	10/08/2020	1593 Accounts Payable	BUTTERFLY PROPERTY, LP		3,660.00

	Invoice	Date	Description	Amount
	P10	10/02/2020	PARKING FEE AUGUST	1,860.00
	P11	10/02/2020	PARKING FEE SEPTEMBER	1,800.00
Check	10/08/2020	1594 Accounts Payable	CENTER FOR SPECIALIZED VETERINARY CARE	450.00
	Invoice	Date	Description	Amount
	101601	07/28/2020	VET SVCS 07/04/20	150.00
	101531	07/26/2020	VET SVCS 07/10/20	150.00
	101534	07/26/2020	VET SVCS 07/20/20	150.00
Check	10/08/2020	1595 Accounts Payable	CITY OF FREMONT	91,571.00
	Invoice	Date	Description	Amount
	315711	09/18/2020	MCTF CONTRIBUTION FY 20-21	91,571.00
Check	10/08/2020	1596 Accounts Payable	COMCAST	293.68
	Invoice	Date	Description	Amount
	0922-102120SIL	09/17/2020	MONTHLY CABLE SERVICE	192.35
	0928-102720PD	09/23/2020	CABLE SVCS 09/28/20-10/27/20	74.58
	0928-102720YARD	09/23/2020	COMCAST CABLE 09/28/2020-10/27/2020	26.75
Check	10/08/2020	1597 Accounts Payable	CYNTHIA M KIRBY	1,500.00
	Invoice	Date	Description	Amount
	2008054	08/01/2020	POLYGRAPH TESTS	1,500.00
Check	10/08/2020	1598 Accounts Payable	DAILY JOURNAL CORPORATION	188.16
	Invoice	Date	Description	Amount
	B3397563	09/29/2020	LEGAL ADVERTISING	89.60
	B3401214	09/29/2020	LEGAL ADVERTISING	98.56
Check	10/08/2020	1599 Accounts Payable	DALE HARDWARE	237.11
	Invoice	Date	Description	Amount
	SEPT'20	09/25/2020	FY20-21 DALE MONTHLY STATEMENT 2020-09-25	237.11
Check	10/08/2020	1600 Accounts Payable	DELTA DENTAL	17,238.83
	Invoice	Date	Description	Amount
	BE004106705	10/05/2020	DENTAL PREMIUM - OCT'20	17,238.83
Check	10/08/2020	1601 Accounts Payable	DELTA DENTAL INSURANCE COMPANY	248.28
	Invoice	Date	Description	Amount
	BE004104812	10/01/2020	DENTAL PREMIUM - OCT'20	248.28
Check	10/08/2020	1602 Accounts Payable	EAST BAY LAWN MOWER	1,806.18
	Invoice	Date	Description	Amount
	35949	09/28/2020	FIRE STATION # 29 PARTS	1,141.36
	35913	09/28/2020	REPAIR PARTS	664.82
Check	10/08/2020	1603 Accounts Payable	FIDELITY SECURITY LIFE INSURANCE/EYEMED	2,389.89
	Invoice	Date	Description	Amount
	164489784	10/05/2020	VISION PREMIUM - OCT'20	2,389.89

Check	Invoice	Date	Description	Amount
10/08/2020	1604 Accounts Payable		FIRST BAPTIST CHURCH	80.00
	PR093020	10/07/2020	DONATION - 09/20	80.00
10/08/2020	1605 Accounts Payable		FREMONT FORD/AUTOBODY OF FREMONT	325.25
	144786	09/25/2020	FLEET FORD PARTS/SUPPLIES	242.93
	144750	09/23/2020	FLEET BRAKE KIT	82.32
10/08/2020	1606 Accounts Payable		NAPA AUTO PARTS	1,832.86
	SEPT'20	09/30/2020	NAPA FLEET PARTS AND SUPPLIES 8/31/2020-09/29/2020	1,832.86
10/08/2020	1607 Accounts Payable		LOS ANGELES COUNTY SHERIFF'S DEPARTMENT	485.00
	210353SG	09/10/2020	PATROL POST TRAINING	485.00
10/08/2020	1608 Accounts Payable		LINCOLN AQUATICS	630.85
	D8701329	09/04/2020	MURIATIC ACID	630.85
10/08/2020	1609 Accounts Payable		MANAGEMENT PARTNERS INC.	175.00
	INV08832	09/17/2020	JIM STEELE PROVIDE ADVICE TO FINANCE DEPARTMENT	175.00
10/08/2020	1610 Accounts Payable		METLIFE SBC	1,363.34
	PR093020	09/14/2020	LONG TERM DISABILITY PREMIUM	1,363.34
10/08/2020	1611 Accounts Payable		MISSION LINEN SUPPLY - UNIFORM	2,337.72
	SEPT'20	09/02/2020	MISSION LINEN UNIFORM/TOWELS	2,337.72
10/08/2020	1612 Accounts Payable		MONDAY.COM LTD	2,267.41
	IN2000002274	07/31/2020	YEARLY SUBSCRIPTION FEE MONDAY.COM LTD	2,267.41
10/08/2020	1613 Accounts Payable		PACIFIC GAS & ELECTRIC	1,720.08
	0552-092720	09/27/2020	TRAFFIC LIGHT ELECTRIC CHARGES	63.29
	0870-093020	09/30/2020	TRAFFIC LIGHT ELECTRIC CHARGES	207.37
	3926-093020	09/30/2020	TRAFFIC LIGHT ELECTRIC CHARGES	292.18
	1859-093020	09/30/2020	TRAFFIC LIGHT ELECTRIC CHARGES	1,157.24
10/08/2020	1614 Accounts Payable		PAKPOUR CONSULTING GROUP, INC.	7,667.64
	3318	10/05/2020	PLAN CHECK AND INSPECTION SERVICES	7,667.64
10/08/2020	1615 Accounts Payable		PERFORMANCE PEST MANAGEMENT	219.00

Invoice	Date	Description	Amount
52825	09/18/2020	PEST SERVICE-FIRE STATION #3 #102701	77.00
52829	09/18/2020	PEST SERVICE-SILLIMAN #102710	142.00
Check 10/08/2020	1616 Accounts Payable	PHAN'S SMOG STATION	280.00
031682	09/29/2020	SMOG VEH #118	40.00
031677	09/29/2020	SMOG VEH #124	40.00
031726	10/01/2020	SMOG VEH #128	40.00
031717	09/30/2020	SMOG VEH # 133	40.00
031708	09/30/2020	SMOG VEH # 132	40.00
031700	09/30/2020	SMOG VEH # 16	40.00
031570	09/23/2020	SMOG VEH # 13	40.00
Check 10/08/2020	1617 Accounts Payable	PHOENIX GROUP INFORMATION SYSTEMS	247.00
082020101	09/15/2020	PARKING CITATION PROGRAM AUG 2020	247.00
Check 10/08/2020	1618 Accounts Payable	PROVIDENT LIFE & ACCIDENT INSURANCE	261.24
PR093020	09/21/2020	PAYROLL PREMIUM - E0246926	261.24
Check 10/08/2020	1619 Accounts Payable	QUADIENT FINANCE USA, INC.	1,039.00
4857-091520	09/15/2020	NEOPOST POSTAGE	1,039.00
Check 10/08/2020	1620 Accounts Payable	SFPUC	3,420.18
44639	09/21/2020	SFPUC RENT-WATER ACCT# 2866	2,567.46
44601	09/21/2020	SFPUC RENT-WATER ACCT#3642	852.72
Check 10/08/2020	1621 Accounts Payable	COUNTY OF SAN MATEO	375.00
10/19-10/23/20	09/23/2020	PATROL POST TRAINING	375.00
Check 10/08/2020	1622 Accounts Payable	SIMON & COMPANY INC	1,720.00
SEPTEMBER 2020	09/28/2020	PROFESSIONAL FEDERAL AFFAIRS ASSISTANCE	1,720.00
Check 10/08/2020	1623 Accounts Payable	SNG & ASSOCIATES, INC.	5,265.00
2020-0806A	09/28/2020	PLAN CHECK AND INSPECTION SERVICES	5,265.00
Check 10/08/2020	1624 Accounts Payable	CENTERVILLE LOCKSMITH	11.52
317575	07/29/2020	SILLIMAN KEYS	11.52
Check 10/08/2020	1625 Accounts Payable	SUPERION, LLC	22,118.00
233426	09/29/2020	TRAKIT MAINTENANCE FY19-20	22,118.00
Check 10/08/2020	1626 Accounts Payable	T-MOBILE	6.16

	Invoice	Date	Description	Amount
	966241989-092120	09/21/2020	IPHONE SVC 08/21/20-09/20/20	6.16
Check	10/08/2020	1627 Accounts Payable	T-MOBILE USA, INC	408.00
	Invoice	Date	Description	Amount
	9411372713	09/08/2020	CALL DETAIL RECORDS - PATROL	408.00
Check	10/08/2020	1628 Accounts Payable	HDL SOFTWARE, LLC	10,983.00
	Invoice	Date	Description	Amount
	SIN003696	09/15/2020	PRIME ANNUAL USE FEE INV #1 OF 1 & MIGRATION INV# 3 OF 3	10,983.00
Check	10/08/2020	1629 Accounts Payable	THYSSENKRUPP ELEVATOR CORPORATION	4,049.33
	Invoice	Date	Description	Amount
	3005537642	10/01/2020	THYSSENKRUPP ELEVATOR SERVICE 10/01/2020-12/31/2020	4,049.33
Check	10/08/2020	1630 Accounts Payable	TYLER TECHNOLOGIES, INC.	4,664.00
	Invoice	Date	Description	Amount
	045-315412	08/31/2020	ERP IMPLEMENTATION - FM, HR, ESUITE 08/17-08/20/20	3,360.00
	045-315411	08/31/2020	EXECUTIME - 08/24/20	1,304.00
Check	10/08/2020	1631 Accounts Payable	V5 SYSTEMS, INC.	643.68
	Invoice	Date	Description	Amount
	SUB00057	09/19/2020	CAMERA SURVEILLANCE MAINTENANCE SEPT 2020	643.68
Check	10/08/2020	1632 Accounts Payable	VERIZON WIRELESS	1,364.63
	Invoice	Date	Description	Amount
	9862420998	09/09/2020	CELL SVC FOR MDC'S AUG 10 - SEPT 9 2020	1,364.63
Check	10/08/2020	1633 Accounts Payable	WASHINGTON HOSPITAL	300.00
	Invoice	Date	Description	Amount
	0820-NPD-2	09/17/2020	VICTIM MEDICAL EXAM 08/16/20 CASE #20-2649	300.00
Check	10/08/2020	1634 Accounts Payable	CHRISTI WAYBRIGHT	1,827.64
	Invoice	Date	Description	Amount
	0817-082820EXP	09/23/2020	DETS POST TRAINING EXPS WAYBRIGHT	1,827.64
Check	10/08/2020	1635 Accounts Payable	YORK	3,182.25
	Invoice	Date	Description	Amount
	500020268	07/01/2020	WORKERS COMPENSATION ADMINISTRATION FEES 07/01/20 - 07/31/20	3,182.25
AP ZBA ACCOUNTS PAYABLE Totals:			Transactions: 52	\$204,737.58
Checks:	52		\$204,737.58	



CITY OF NEWARK

CITY COUNCIL

City Administration Building, City Council Chambers

37101 Newark Boulevard, Newark, CA 94560 | (510) 578-4266 | E-mail: city.clerk@newark.org

MINUTES

Thursday, October 8, 2020

7:00 P.M.

A. ROLL CALL

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

B. PRESENTATIONS

B.1 Introduction of employee.

Mayor Nagy introduced Senior Administrative Support Specialist Helen Gordon.

B.2 Wellness Committee Fitness Challenge presentation.

Mayor Nagy announced that a Wellness Committee was formed to plan health initiatives for City employees. He congratulated George Emmett and Trang Tran who were the top participants in the recent 6 Week Fitness Challenge. Wellness Committee Members Bryan Cobb, Franklin Lee, and Lisa Vera were present.

B.3 Proclaiming October 15, 2020 as *The Great California Shakeout*.

Mayor Nagy presented the proclamation to Alameda County Fire Division Chief Nishimoto.

B.4 Presentation on East Bay Community Energy.

Alex DiGiorgio, Public Engagement Manager for East Bay Community Energy, gave a presentation on the status of the City of Newark's enrollment in the East Bay Community Energy. Presentation on file with the City Clerk.

The City Council discussed bilingual public outreach efforts during the COVID-19 pandemic.

C. PUBLIC COMMENT

No one from the public requested to speak.

D. CONSENT CALENDAR

Council Member Bucci moved, Council Member Collazo seconded, to approve Consent Calendar Items D.1 through D.4, that the resolutions be numbered consecutively, and that reading of the titles suffice for adoption of the resolutions. The motion passed, 5 AYES.

D.1 Approval of Register of Audited Demands.

D.2 Approval of Minutes – September 24, 2020.

D.3 Acceptance of work with McKim Corporation for the 2019 Park Pathways Resurfacing for ADA Access, Project 1232. RESOLUTION NO. 11125

D.4 Authorization for the purchase of Police Department mobile data computers from Lehr Auto Electric and amendment of the 2020-2022 Biennial Budget and Capital Improvement Plan for fiscal year 2020-2021. RESOLUTION NO. 11126

E. PUBLIC HEARINGS

E.1 Adoption of an ordinance repealing and replacing Chapters 15.09 (California Residential Code) and 15.21 (California Existing Building Code) of Title 15 of the Newark Municipal Code with modifications to address unique local conditions for the 2019 editions of the California Residential Code and the California Existing Building Code. ORDINANCE NO. 525

City Manager Benoun gave the staff report recommending approval.

Mayor Nagy opened the public hearing at 7:55 p.m.

No one from the public requested to speak.

Mayor Nagy closed the public hearing at 7:56 p.m.

Council Member Hannon moved, Council Member Bucci seconded to adopt by title only and waive further reading of an ordinance to repeal and replace Chapters 15.09 (California Residential Code) and 15.21 (California Existing Building Code) of Title 15 of the Newark Municipal with modifications to

address unique location conditions for the 2019 editions of the California Residential Code and the California Existing Building Code. The motion passed, 5 AYES.

F. OTHER BUSINESS

G. CITY COUNCIL MATTERS

Mayor Nagy announced that AC Transit will resume fare collection on October 19, 2020. He encouraged people to vote in the November 3, 2020 election.

Council Member Hannon stated that every vote counts and also encouraged people to vote.

Council Member Collazo stated that September 15 to October 15 is National Hispanic Heritage Month. She stated that the City of Newark welcomes people of all cultures. October is Cancer Awareness Month and she encouraged everyone to get their annual medical screenings. She gave an update on the programs and materials available through the library. Shop Newark.

Council Member Bucci stated that, due to the civic center construction, the ballot drop box has been moved from City Hall to the library. He stated that ballots are picked up daily, by election staff.

H. CLOSED SESSION

I. ADJOURNMENT

At 8:02 p.m., Council Member Collazo moved, Vice Mayor Freitas seconded to adjourn the meeting. The motion passed, 5 AYES.

D.3 Confirmation of the Continued Existence of a Local Emergency due to COVID-19 – from City Manager Benoun and Interim City Attorney Kokotaylo. (RESOLUTION)

Summary - The City Council ratified a proclamation of local emergency on March 17, 2020 as a result of the COVID-19 pandemic. The City Council on May 14, 2020, July 9, 2020, and September 2, 2020 again confirmed the continued existence of the local emergency due to the COVID-19 pandemic in accordance with state law. City staff recommends that the City Council confirm the continued existence of the local emergency.

Background/Discussion – On March 16, 2020, the City Manager, acting as Director of Emergency Services, proclaimed a local emergency pursuant to California Government Code Section 8630 and Newark Municipal Code Chapter 2.16. The emergency declaration was based on conditions of extreme peril to the safety of persons and property within the City as a consequence of the global spread of novel coronavirus 2019 ("COVID-19"), including confirmed cases in Alameda County. On March 17, 2020, the City Council adopted a resolution ratifying the Proclamation of Local Emergency issued by the Director of Emergency Services.

On May 14, 2020, the City Council adopted a resolution confirming the continued existence of the local emergency due to the COVID-19 pandemic. Again on July 9, 2020, the City Council adopted a resolution confirming the continued existence of the local emergency. The City Council then adopted another resolution confirming the continued existence of the local emergency on September 2, 2020.

Pursuant to Government Code Section 8630, the City Council must review and confirm the continued existence of a local emergency at least once every sixty (60) days.

In recent weeks, there has been progress in mitigating the spread of COVID-19. However, the conditions that prompted the original declaration of a local emergency continue to exist and health officials are still learning more information regarding the nature of COVID-19 and how it is transmitted. Community transmission of COVID-19 continues to occur, and the number of cases within Alameda County continues to rise. At the time of this writing there are now 22,116 cases within the County, and 431 deaths (as of October 12, 2020), including 11 in Newark. This displays a continuing rise in the infection and death rates. The Alameda County Health Officer continues to update the County shelter in place order and the order remains in place until rescinded. Public health and safety concerns for persons and property within the City as a consequence of the global spread of COVID-19 continue to exist.

Declaring a state of emergency provides local governments with the power necessary to coordinate and implement plans aimed at protecting the community and property during a disaster. For example, a declaration of emergency is often necessary to secure mutual disaster aid from local, state, and federal agencies. This will also permit the Director of Emergency Services to promulgate orders and regulations necessary for the protection of life and property and ensures that the City and its officials and employees are immune from liability when exercising their official duties during this emergency.

If adopted, the declaration of emergency will continue to remain in place until the emergency conditions have ended. However, the City Council will be required to continue to review the declaration at least every 60 days.

Attachment – Resolution

Action – Staff recommends that the City Council, by resolution, confirm the continued existence of the local emergency due to COVID-19.

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
NEWARK CONFIRMING THE CONTINUED EXISTENCE OF
A LOCAL EMERGENCY DUE TO COVID-19

WHEREAS, Government Code Section 8630 and Newark Municipal Code Section 2.16.060 authorize the Director of Emergency Services to proclaim a local emergency when conditions of disaster or extreme peril to the safety of persons and property within the territorial limits of a city exist if the City Council is not in session and provides that the City Council shall ratify the proclamation within seven days thereafter; and

WHEREAS, in accordance with Government Code Section 8630 and Newark Municipal Code Section 2.16.060, the Director of Emergency Services proclaimed the existence of a local emergency caused by the Novel Coronavirus (COVID-19), a respiratory disease first identified in China that may result in serious illness or death that is easily transmissible from person to person, on March 16, 2020; and

WHEREAS, on March 17, 2020, the City Council ratified and confirmed the proclamation of the existence of a local emergency issued by the Director of Emergency Services; and

WHEREAS, on May 14, 2020, the City Council adopted a Resolution confirming the continued existence of the local emergency; and

WHEREAS, on July 9, 2020, the City Council adopted a Resolution confirming the continued existence of the local emergency; and

WHEREAS, on September 2, 2020, the City Council adopted a Resolution confirming the continued existence of the local emergency; and

WHEREAS, pursuant to Government Code Section 8630 the City Council must periodically review the need for continuing the local emergency; and

WHEREAS, pursuant to Government Code Section 8630, the City Council must review the need for continuing the local emergency at least every sixty (60) days; and

WHEREAS, the conditions that prompted the original declaration of a local emergency continue to exist; and

WHEREAS, the recitals contained in Resolution No. 11031 adopted by the City Council on March 17, 2020, the recitals contained in Resolution No. 11048 adopted by the City Council on May 14, 2020, the recitals contained in Resolution No. 11100 adopted by the City Council on July 9, 2020, and the recitals contained in Resolution No. 11126 adopted by the City Council on September 2, 2020 are incorporated into this Resolution as if stated herein; and

WHEREAS, while there has been progress in mitigating the spread of COVID-19, community transmission of COVID-19 has continued to occur and health officials are still learning more information regarding the nature of COVID-19 and how it is transmitted; and

WHEREAS, the number of cases within Alameda County has continued to rise, and there are now 22,216 confirmed cases of COVID-19 within the County, and 431 deaths as of October 12, 2020, including 11 in Newark; and

WHEREAS, the Alameda County Health Officer continues to update the County shelter in place order and the order remains in place until rescinded; and

WHEREAS, the public health and safety concerns for persons and property within the City as a consequence of the global spread of COVID-19 continue to exist; and

WHEREAS, the health, safety, and welfare of Newark residents, businesses, visitors, and staff is of utmost importance to the City and additional future measures may be needed to protect the community; and

WHEREAS, the City may require additional assistance in the future, and a formal declaration of emergency allows the City to access resources in a timely manner in a timely fashion; and

WHEREAS, the City Council finds that conditions of peril to the safety of persons and property within the territorial limits of the City related to COVID-19 pandemic continue in existence; and

WHEREAS, the City Council finds that extraordinary measures are required to protect the public health, safety, and of persons and property within the City that are or are likely to be beyond the control or capability of the services, personnel, equipment, and facilities of the City; and

WHEREAS, the City Council desires to confirm the continued existence of a local emergency within the City of Newark due to COVID-19.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Newark hereby declares as follows:

1. The local emergency declared by Resolution No. 11031 due to the COVID-19 pandemic continues to exist within the City of Newark.

2. During the existence of the declared local emergency, the powers, functions, and duties of the City Manager, acting as Director of Emergency Services, and the emergency organization of this City shall be those prescribed by State law and by ordinances and resolutions of the City of Newark.
3. The declaration of local emergency shall remain in effect until such time that the City Council determines that the emergency conditions have been abated.
4. City staff is directed to place an item on the agenda for review at least every sixty (60) days from the effective date of this Resolution to determine the need for continuing the local emergency pursuant to Government Code Section 8630.

D.4 Approval of Measure D Expenditure Plan and Amendment of the 2020-2022 Biennial Budget and Capital Improvement Plan for Fiscal Years 2020-2021 and 2021-2022 – from Public Works Director Fajeau. (RESOLUTION)

Background/Discussion – The Alameda County Waste Reduction and Recycling Initiative (Measure D) allows for a surcharge on solid waste disposed of at landfills and distributes half of the revenue to Alameda County jurisdictions. Disbursements are based on population and are for the purpose of continuation and expansion of municipal recycling programs. The City of Newark receives approximately \$150,000 of Measure D funds annually.

There is a cap for unspent Measure D funds for each Alameda County jurisdiction. The Measure D threshold for unspent funds is calculated by multiplying eight dollars (\$8) by the population. Using this formula, the threshold for Newark in fiscal year 2020-2021 is \$391,728 (\$8 x 48,966). Once this threshold is surpassed, the Alameda County Waste Management Authority (StopWaste) requires an expenditure plan in order for a jurisdiction to continue to receive Measure D funds. The City of Newark’s Measure D fund balance currently exceeds the unspent threshold with an estimated balance of \$620,119.

A larger balance was originally and intentionally established in previous years for the purpose of using the funds to implement the new commercial organics collection program that began in 2018. However, before the City was able to use the funds for that purpose, it was determined that language in the contract between the City and the City’s franchise hauler made the use of Measure D funds ineligible.

As a result an expenditure plan was previously established for fiscal years 2018-2019 and 2019-2020. This plan included significant planned expenditures for the New Civic Center project in fiscal year 2019-2020 for project elements that include LEED Certification (Silver), Bay Friendly Landscaping improvements, and the purchase of Recycled Content Materials, such as building materials, trash receptacles, and office chairs. The LEED Certification and Bay Friendly Landscaping project elements will actually take place near the end of the project, most likely with all expenditures in fiscal year 2021-2022. The Recycled Content Materials expenditures have now taken place this current fiscal year, but could not be reported with the last fiscal year.

In addition, due to the COVID-19 pandemic, other program elements had to be reduced or suspended, resulting in a continued Measure D fund balance that is above the minimum threshold. A continuation of the City’s expenditure plan is therefore required at this time. Based on the most recent Department of Finance data, the City’s population is 48,966 allowing for a maximum allowable unexpended balance of \$391,728. The City proposes to expend a total of \$316,500 this fiscal year to reduce the estimated balance to \$433,084 which would be \$41,356 above the maximum allowed. At the conclusion of fiscal year 2021-2022, it is estimated that the City’s Measure D balance would be approximately \$137,000, about 35% of the allowable maximum.

The proposed fiscal year 2020-2021 and fiscal year 2021-2022 expenditure plan is as follows:

Fiscal Year 2020-2021	
Approximate Measure D Fund Balance	\$620,119
Estimated Measure D Funds Received	\$122,465
Estimated Interest Earned	\$7,000
TOTAL Measure D Balance =	\$749,584
Ongoing/Annual Expenditures	
Newark Staff Salary (time spent on Measure D)	\$8,000 this fiscal year
Promotional/outreach items	\$10,000 annually
Measure D/Bay Friendly Trainings	\$500 annually
One-Time Projects	
Consultant (implementation of long-term diversion plan – remainder for current contract)	\$52,000
Green Halo online waste management software system (initial set-up fees and fees for first year)	\$6,000
New Civic Center Recycled Content Furnishings and Furniture (carpeting, waste receptacles, building materials, office chairs, etc.)	\$150,000
Consultant for SB 1383 Planning and Implementation	\$80,000
Consultant for WELO Enforcement	\$10,000
TOTAL Proposed Expenditures =	\$316,500
Measure D Balance - Proposed Expenditures \$749,584 - \$316,500 =	\$433,084
Maximum Unspent Funds (\$8 x 48,966) =	\$391,728
Amount Above Maximum Threshold =	\$41,356

Fiscal Year 2021-2022	
Approximate Measure D Fund Balance	\$433,084
Estimated Measure D Funds Received	\$125,000
Estimated Interest Earned	\$5,000
TOTAL Measure D Balance =	\$563,084
Ongoing/Annual Expenditures	
Newark Staff Salary (time spent on Measure D)	\$30,000 annually
Promotional/outreach items	\$15,000 annually
Measure D/Bay Friendly Trainings	\$1,000 annually
One-Time Projects	
New Civic Center LEED Certification (Silver)	\$50,000
New Civic Center Bay-Friendly Landscaping	\$100,000
Consultant - implementation of long-term waste diversion plan (new or extended contract)	\$50,000
Consultant for SB 1383 Planning and Implementation (continued)	\$170,000
Consultant for WELO Enforcement	\$10,000
TOTAL Proposed Expenditures =	\$426,000
Measure D Balance - Proposed Expenditures \$563,084 - \$426,000 =	\$137,084
Maximum Allowable Unspent Measure D Funds =	\$391,728
Amount Above Maximum Threshold =	\$0

In addition to ongoing annual expenditures for salaries, promotional items and training, there are significant one-time projects proposed with the expenditure plan over the next two years, including:

- Recycled content material purchases associated with the New Civic Center project, estimated at \$150,000;
- Bay-Friendly Landscaping for the New Civic Center, estimated at \$100,000;
- Leadership in Energy and Environmental Design (LEED) Certification for the New Civic Center, estimated at \$50,000 ;
- Continuation of implementation of the Long-Term Waste Diversion Plan through contract services, estimated at \$102,000;
- Contractual services with specialty consultant(s) to prepare and implement a plan to satisfy SB 1383 requirements for Short-Lived Climate Pollutants (SLCP) Organic Waste Methane Emission Reductions, estimated at \$250,000 ;
- California Water Efficient Landscape Ordinance enforcement through specialty consultants, estimated at \$20,000; and
- Implementation of Green Halo contractual services for online waste management software, estimated at \$6,000.

The Alameda County Recycling Board approved the City's proposed Measure D expenditure plan unanimously at their October 8, 2020 meeting. Staff recommends that the City Council approve the expenditure plan and the associated budget amendments for the expenditure of these funds.

Attachments – Resolution

Action – Staff recommends that the City Council, by resolution, approve the Measure D Expenditure Plan and amend the 2020-2022 Biennial Budget and Capital Improvement Plan for Fiscal Years 2020-2021 and 2021-2022.

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
NEWARK APPROVING THE MEASURE D EXPENDITURE
PLAN AND AMENDING THE 2020-2022 BIENNIAL BUDGET
AND CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS
2020-2021 AND 2021-2022

WHEREAS, the City of Newark receives funding from the Alameda County Waste Reduction and Recycling Initiative (Measure D), which is generated from a fee charged at solid waste landfills; and

WHEREAS, the Alameda County Waste Management Authority (StopWaste) established a threshold for unspent funds, which is calculated by multiplying eight dollars (\$8) by the City's population. Using this formula, the threshold for the City of Newark for fiscal year 2020-2021 is \$391,728 (\$8 x 48,966); and

WHEREAS, once the threshold has been reached, the City cannot continue to receive funds unless an expenditure plan is submitted and approved; and

WHEREAS, the City of Newark has surpassed the threshold limit; and

WHEREAS, proposed expenditures for fiscal years 2020-2021 and 2021-2022 may include, but are not limited to, expenses for: Newark staff time spent on Measure D activities, Measure D eligible trainings, promotional/outreach items, a variety of consultant costs including SB 1383 compliance and waste diversion implementation, set-up and ongoing maintenance of an online waste management tracking system, water-efficient landscape ordinance enforcement, and costs for recycled content building materials, bay-friendly landscaping and LEED certification related to the New Civic Center project; and

WHEREAS, the StopWaste Recycling Board unanimously approved the City of Newark Measure D Expenditure Plan as proposed at its October 8, 2020 meeting.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Newark approves the latest Measure D Expenditure Plan and amends the 2020-2022 Biennial Budget as follows:

For Fiscal Year 2020-2021:

From Account:	215.3000	Unappropriated Fund Balance	\$316,500
To Account:	215.00.5000	Salaries	\$8,000
	215.00.6220	Professional & Special Services	\$160,000
	215.00.6221	Other Contractual Services	\$148,000
	215.00.6450	Training	\$500

For Fiscal Year 2021-2022:

From Account:	215.3000	Unappropriated Fund Balance	\$426,000
To Account:	215.00.5000	Salaries	\$30,000
	215.00.6220	Professional & Special Services	\$115,000
	215.00.6221	Other Contractual Services	\$280,000
	215.00.6450	Training	\$1,000

3607648.1

F.1 Informational report on vote-by-mail ballots for the November 3, 2020 General Election – from City Clerk Harrington.

Background/Discussion – On May 8, 2020, Governor Newsom issued Executive Order N-64-20 which ordered that the November 3, 2020, General Election be conducted as an all-mail ballot election. The Alameda County Registrar of Voters (ROV) began mailing ballots to all registered voters on October 5, 2020. There will still be options for in-person voting.

All registered voters were sent a vote-by-mail packet that included the ballot(s), a prepaid postage return envelope, instructions for returning the voted ballot(s), and the popular “I Voted” sticker. Voters must date and sign the Voter’s Declaration before submitting his/her ballot. Every signature is verified before the ballot is cleared for counting. If a signature is missing or if the signature does not match the one on file, the ROV will notify the impacted voter to allow him/her an opportunity to provide a valid signature.

There are three options for returning the ballot(s):

US Mail

Voters may use the prepaid postage return envelopes via US Mail delivery. The envelopes must be postmarked on or before November 3, 2020 and received by the Alameda County Registrar of Voters no later than 17 days after the election. The United States Postal Service recommends mailing the ballots at least one week before Election Day to ensure timely delivery.

Vote-by-Mail Ballot Drop Box

The City of Newark currently has one ballot drop box installed by the parking lot at the Newark Library. The ballots are collected from the box on a daily basis by ROV staff. The ROV is working with their vendor to have another box delivered to the Community Center. City Maintenance staff will install the box outside of the Community Center as soon as it is delivered.

Accessible Voting Locations

At Accessible Voting Locations (“AVLS”), a voter will be able to: vote in-person; drop off a vote-by-mail ballot; use accessible ballot marking devices that allows voters with disabilities to vote independently; receive a replacement ballot; obtain language assistance; register to vote and update registration information. In person-voting locations will offer safe, accessible and secure options by using personal protective equipment and having physical distancing protocols in place.

Voters will have four days to vote at AVLS. The AVLS will be open from 9am to 5pm on October 31 to November 2, 2020. On Election Day, November 3, 2020, the AVLS will be open from 7am to 8pm. The AVLS in Newark will be at the NewPark Mall located at 2086 NewPark Mall Road, the Aloft Silicon Valley Hotel located at 8200 Gateway Boulevard, and the Newark Community Center located at 35501 Cedar Boulevard.

The Secretary of State's office has a ballot tracking tool called "Where's My Ballot?" Registered Voters may sign up at acvote.ballottrax.net to receive email or text notifications when: the county elections office mailed the voter's ballot, the county received the ballot, counted the ballot, and if there are any issues with the voter's ballot.

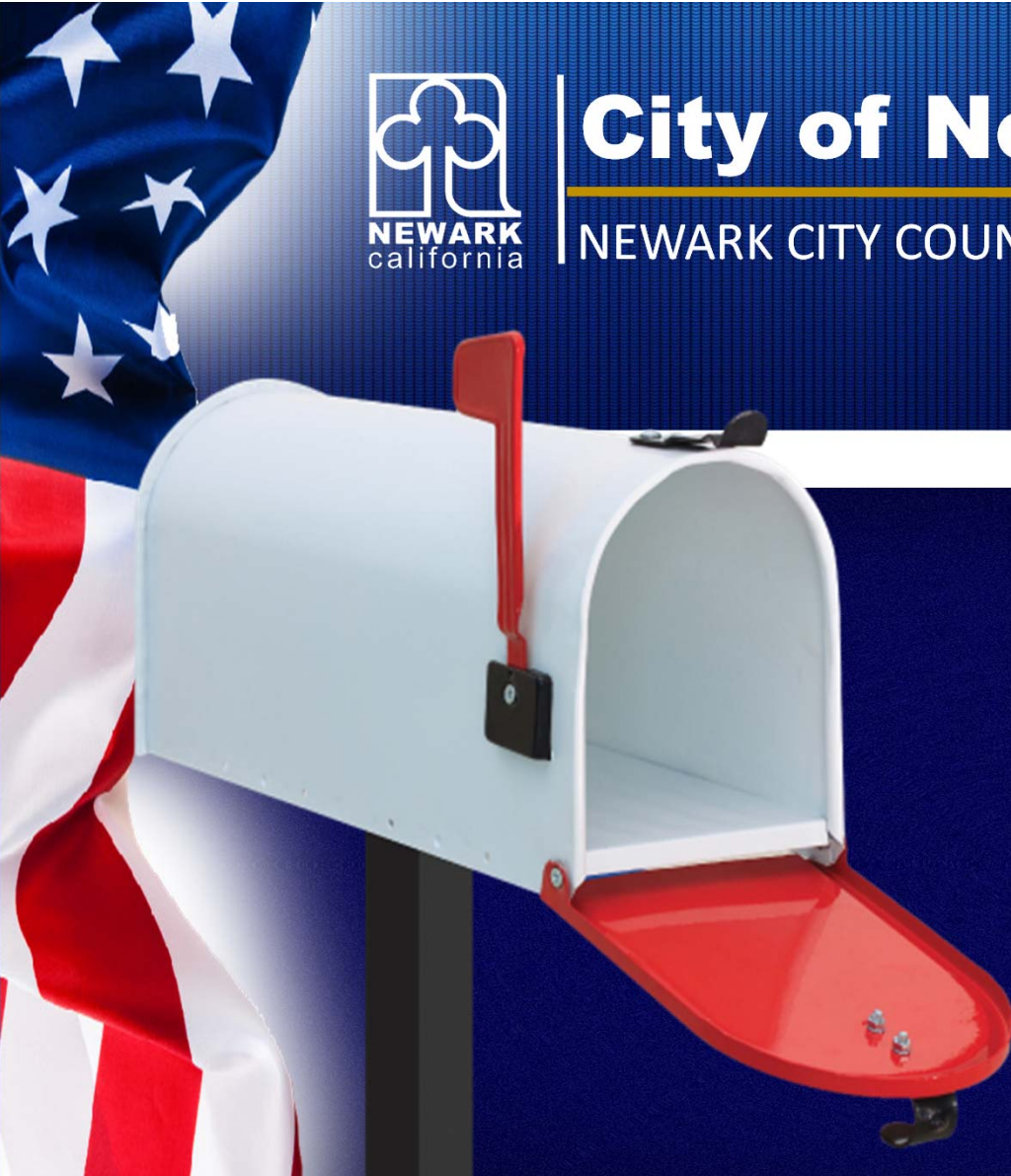
Attachments – A PowerPoint presentation (copy attached) will be given to the Council during the meeting that summarizes the main points contained in this staff report.

Action – No action requested, informational report.



City of Newark

NEWARK CITY COUNCIL MEETING – October 22, 2020



VOTE BY MAIL

November 3, 2020 General Election



EXECUTIVE ORDER N-64-20

WHEREAS on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS on November 3, 2020, California—like the other states of the United States—will hold a General Election, and Californians throughout the state will exercise their right to vote; and

WHEREAS it is unknown to what degree COVID-19 will pose a threat to public health in November, and California and its counties must begin taking action now—to procure supplies, secure polling places, enlist volunteers, and draw up plans, among other steps—to ensure that the November 3, 2020 General Election is held in a manner that is accessible, secure, and safe; and

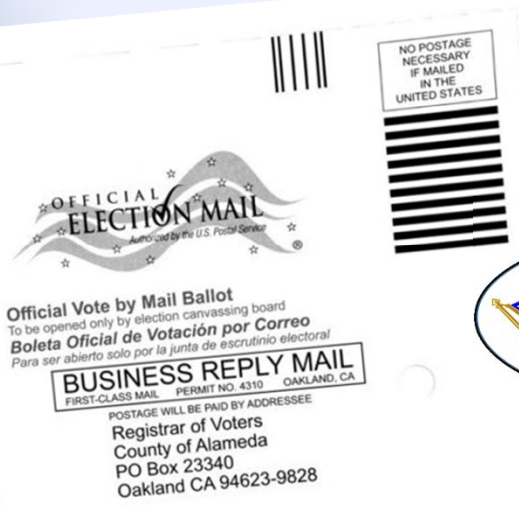
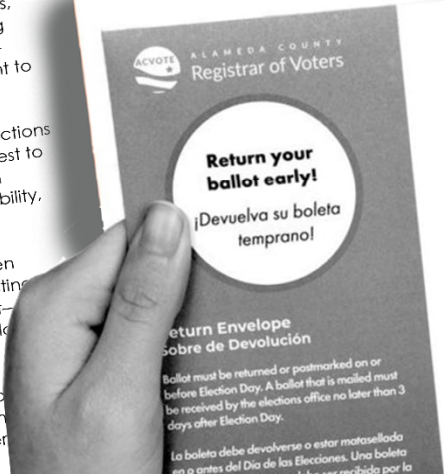
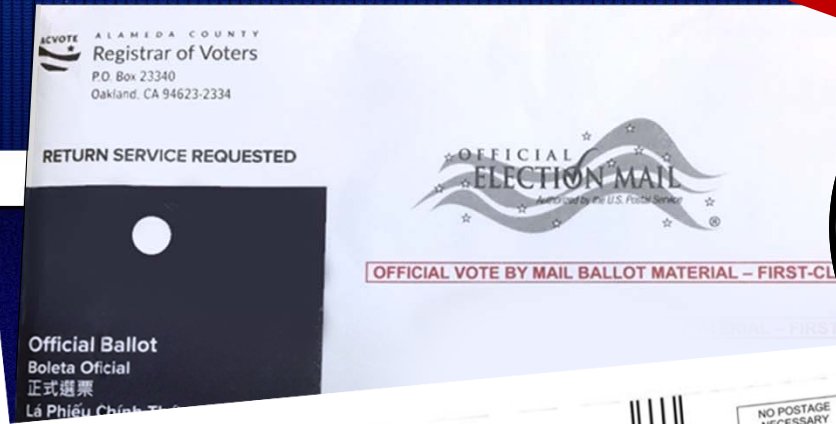
WHEREAS to preserve public health in the face of the threat of COVID-19, and to ensure that the November election is accessible, secure, and safe, all Californians must be empowered to vote by mail, from the safety of their own homes; and

WHEREAS it is also essential to ensure that all Californians who may need access to in-person voting opportunities—including individuals with disabilities, individuals who speak languages other than English, individuals experiencing homelessness, and others who may find vote-by-mail less accessible than in-person voting—are able to access such opportunities and exercise their right to vote; and

WHEREAS the Secretary of State has been working with California elections officials, voting rights advocates, and other stakeholders to explore how best to implement procedures for the November election that will make in-person voting opportunities available, give county elections officials needed flexibility, and preserve public health; and

WHEREAS discussions concerning the November election have been informed, and should continue to be informed, by the ways in which existing California law—including, in particular, the California Voter's Choice Act—provide standards to ensure that, even in the context of an "all-mail ballot" election, voters are able to access in-person voting opportunities; and

WHEREAS work in partnership with the Legislature and the Secretary of State to update the standards in existing California law and the exigent circumstances of the COVID-19 pandemic to ensure that the November election is held in a manner that is accessible, secure, and safe; and

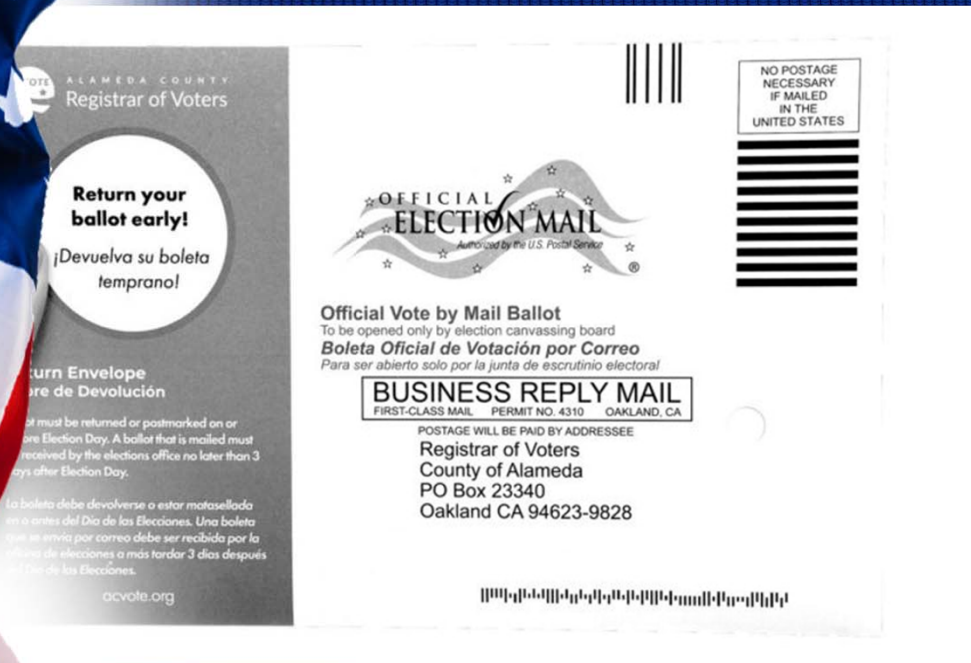


All Mail Ballot Election

Start Mailing
Oct. 5



US Mail



Postmarked
on or
before
Nov. 3, 2020



No later
than 17
days after
election

Ballot Drop Box



Installed :
Newark
Library
Parking Lot

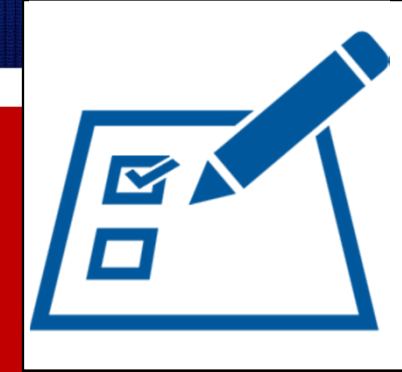
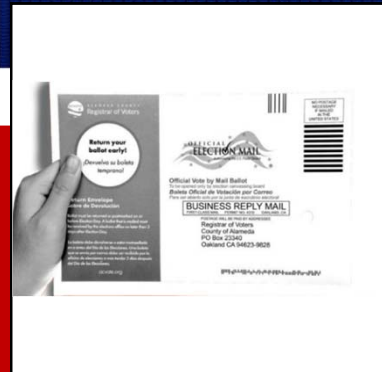
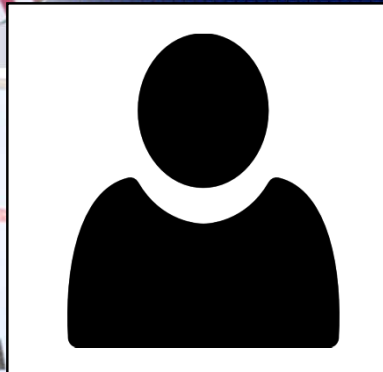


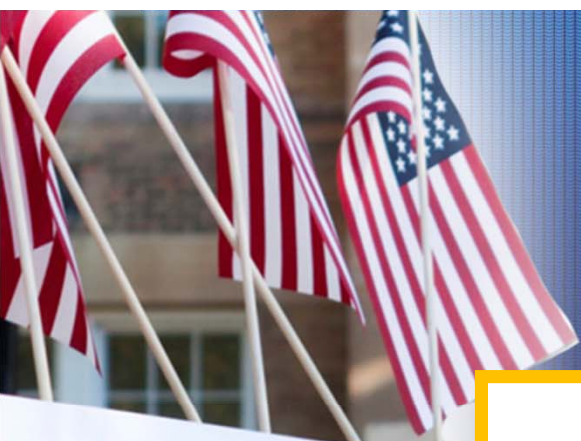
Outside
Newark
Community
Center
(Delivery Pending)

Accessible Voting Locations



**VOTE
HERE**





**VOTE
HERE**

Accessible Voting Locations

4 days
to Vote

Open
9 am–5 pm

Oct. 31
to
Nov. 2

Nov. 3
7 am–8 pm

NEWPARK
2086
NewPark
Mall Rd

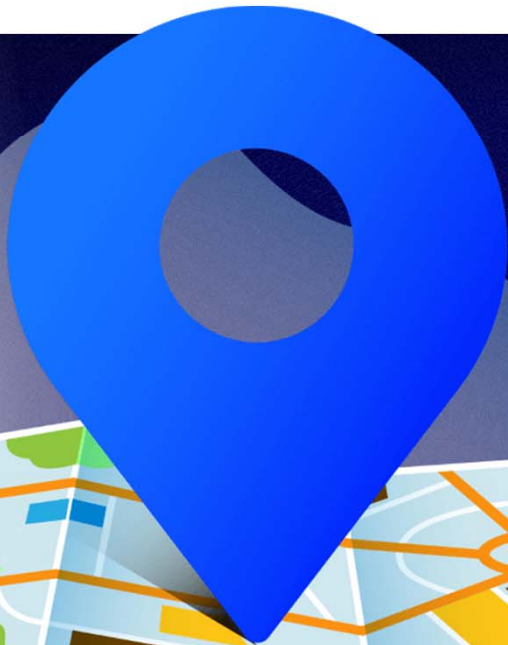

W HOTELS
8200
Gateway Blvd

 Community
Center
35501
Cedar Blvd



City of Newark

NEWARK CITY COUNCIL MEETING – October 22, 2020



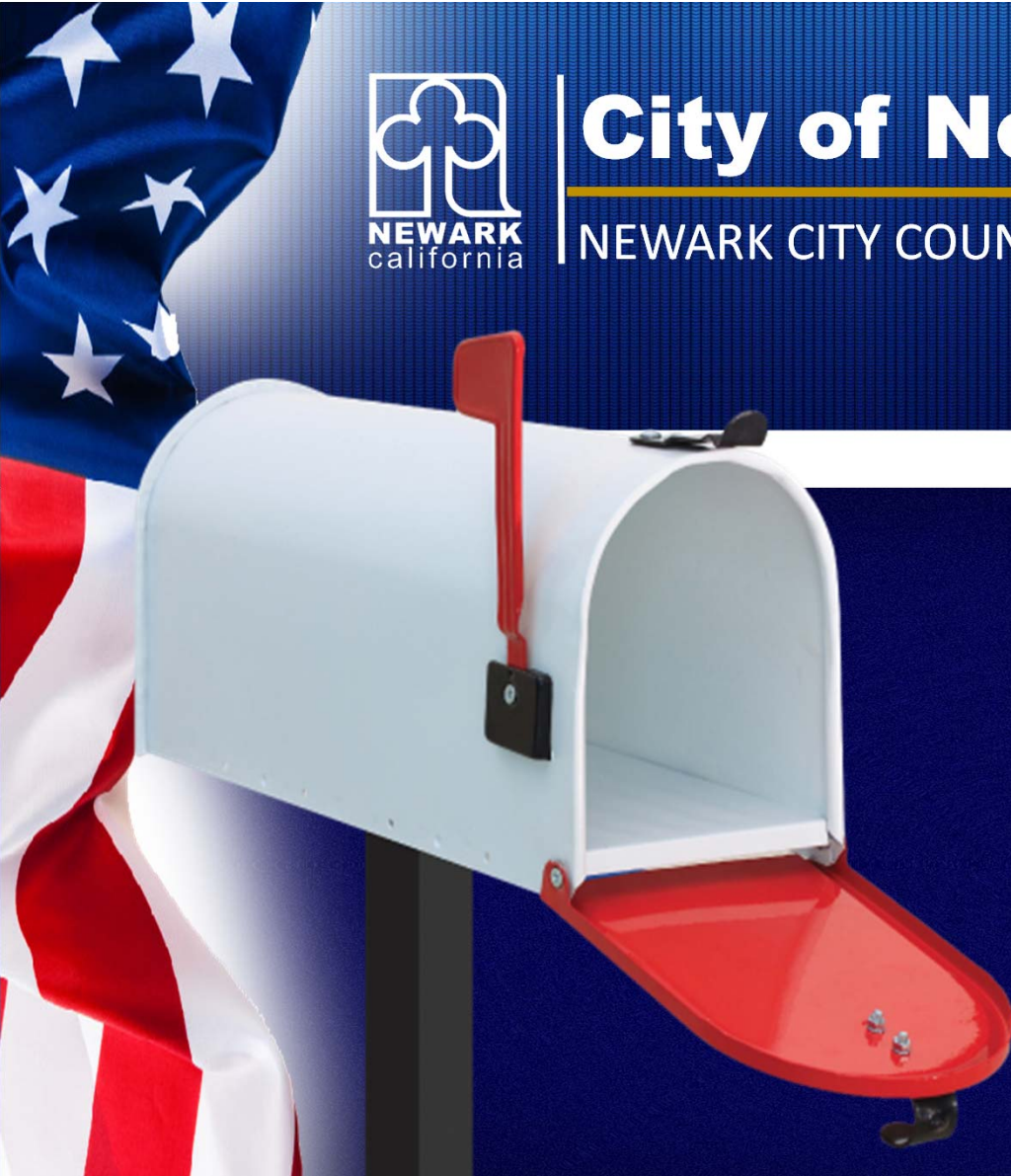
“Where’s My Ballot?”

acvote.ballottrax.net



City of Newark

NEWARK CITY COUNCIL MEETING – October 22, 2020



VOTE BY MAIL

November 3, 2020 General Election