



# CITY OF NEWARK

## CITY COUNCIL

City Administration Building, City Council Chambers

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## Minutes

Thursday, July 22, 2021  
7:00 P.M.

### A. ROLL CALL

Mayor Nagy called the meeting to order at 7:03 p.m. Present were Council Members Hannon, Collazo, Freitas, and Bucci.

### B. PRESENTATIONS

#### B.1 Alameda County Fire Chief McDonald presentation on the 2021 California Fire Season

Alameda County Fire Chief McDonald presented information regarding the outlook and forecast of the 2021 wildland fire season. Presentation on file with the City Clerk.

### C. PUBLIC COMMENT

Manaal Shafi, Government and Community Relations Coordinator with Bloom Energy, invited everyone to participate in their inaugural "Stars and Strides" Community Run. The run will be held on August 22 in San Jose to support and celebrate frontline workers and the patients they serve. They hope to raise \$250,000 for the Valley Medical Center Foundation.

Clark Denning spoke in support of union families on the NewPark development. He understands that the developer agreed to prevailing wage on other Bay Area projects in the Bay Area, and he that Newark residents who are in the construction trades should have a chance to work in their own city and make a prevailing wage rather than having to travel out of the county.

Ronnie Rodriguez also stated support of prevailing wage.

### D. CONSENT CALENDAR

Vice Mayor Bucci moved, Council Member Collazo seconded, to approve Consent Calendar Items D.1 through D.6, 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 Audited Demands.**

**D.2 Approval of July 8, 2021, minutes.**

**D.3 Resolution confirming the continued existence of a local emergency due to the COVID-19 Pandemic.  
RESOLUTION NO. 11244**

**D.4 Adopt a resolution authorizing the City Manager to execute Task Order No. 3 with Vanir Construction Management, Inc. for additional construction management services through the end of December 2021 for the New Civic Center, Project 1188.  
RESOLUTION NO. 11245**

**D.5 Approval of the plans and specifications, and adoption of resolution accepting bid and awarding contract for the Base Bid and Additive Alternate Bids No. 1, No. 2, and No. 3 to DeSilva Gates Construction L.P. for 2020-2021 Asphalt Concrete Street Overlay Program, Project 1250.  
RESOLUTION NO. 11246**

**D.6 Adopt a Resolution Approving and Authorizing the City Manager to Execute a lease with Alameda County for the Alan L. Nagy Library.  
RESOLUTION NO. 11247.**

**E. PUBLIC HEARINGS**

**E.1 Hearing to consider property owners' objections and adopt a resolution confirming the Superintendent of Streets' Report concerning weed abatement assessments.  
RESOLUTION NO. 11248**

City Manager Benoun gave the staff report recommending approval.

At 7:45 p.m. Mayor Nagy opened public hearing.

No one requested to speak.

At 7:46 p.m. Mayor Nagy closed public hearing.

Council Member Hannon moved, Council Member Collazo seconded to, by motion, act upon any objections by property owners for assessments on their parcels for the 2021 Weed Abatement Program and, by resolution, confirm the Superintendent of Streets' Report concerning weed abatement assessments. The motion passed, 5 AYES.

Interim City Attorney Kokotaylo read the resolution title.

**E.2 Hearing to Consider a Resolution Amending the General Plan, Amending the NewPark Place Specific Plan, Approving Design Review for the Phase A Residential Project of 319 units, Approving Design Review for a 161,000 Square Foot Costco Store with a 32 Pump Gasoline Station, and Approving an Alternative Means of Compliance to Payment of Housing Impact Fee, a Resolution Approving a Vesting Tentative Map, and an Ordinance Establishing a Planned Development District and Amending the Zoning Map (APN #s 901-111-5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, & 33). Project address: 2086 NewPark Mall Road (APN #s 901-111-19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, & 30). The Properties are Zoned Regional Commercial. RESOLUTION NO. 11249 AND 11250**

Council Member Hannon disclosed that he had previous communications with representatives from Brookfield Properties concerning this project. They provided an overview which was consistent with what he read in the staff report. He provided some general preliminary thoughts and that was the extent of the meeting.

Vice Mayor Bucci also declared he had met with some members of Brookfield Properties and City staff as well as members of the labor community to discuss the workforce program that is part of the general plan for this project. Most of the conversations regarded that program and local workforce issues.

City Manager Benoun stated that staff would be presenting to the City Council a recommendation to issue entitlements to develop the first phase of the NewPark Mall Specific Plan which will include 319 apartment units (29 of which will be set aside for affordable housing), 3,700 square feet of retail space, as well as 12,900 square feet of amenities, and a 161,000 square foot Costco. It is anticipated that construction will begin in the fall.

City Manager Benoun thanked everyone involved for their efforts over many years in the development of this project.

Community Director Turner gave an overview of the project including the Specific Plan process, background and context, details of requested approvals, and a description of the benefits to the community. Presentation on file with the City Clerk.

At the conclusion of his presentation Community Development Director Turner stated that at their meeting on June 22, 2021, the Planning Commission approved the staff recommendation. The Planning Commission and staff recommend approval of the General Plan Amendment, the Specific Plan Amendment, the Zoning Map and Text Amendment (PD Overlay District), the Design Review for Phase A and Costco Projects, the alternative compliance to payment of Housing Fee, and the Vesting Tentative Map. Staff has one more addition to the resolution, the inclusion of a severability clause approved by the City Attorney.

Bea Hsu, representative of the applicant, Brookfield Properties, spoke on their overall vision. Presentation on file with the City Clerk.

Sarah Klaustermeier, Brookfield Properties, presented a 3-D fly through displaying the project details and spoke on the economic benefits to the City. Presentation on file with the City Clerk.

Kim Katz, Costco, spoke in more detail about Costco's plans. Presentation on file with the City Clerk.

Mayor Nagy opened public hearing at 9:03 pm.

Sohan Sharma spoke in support of this project. He expressed concern with traffic as you turn right onto Mowry Avenue from NewPark Mall Road and about the number of cars that may stack up and impact the small businesses in the area. He would like to make sure the hotels, restaurants, and other businesses are not negatively impacted during construction.

Senior Civil Engineer Cangco replied that all intersections were thoroughly looked at. The new signal at NewPark Mall Road and Alpine Rose Court will be interconnected with the signal that is on Mowry Avenue. No stacking will occur because of this coordination feature.

Community Development Director Turner said that construction impact is a concern. They want to make sure customers can still enter the mall area and properties within the specific plan area comfortably and safely during construction.

Vince Sugrue, representing 120 Newark families who are members of the Electrical, Plumbing, Sheet Metal, and Sprinkler Fitters Unions, asked that the City work with them to make sure Brookfield provides Newark with the type of workforce benefits it is committing to in other jurisdictions.

Rahul Sharma stated that NewPark Mall has been needing upgrades for a long time and many people are going outside the City to spend money for shopping and dining. This is our one opportunity to make Newark a destination for the Bay Area. He hopes the proposal passes.

Mayor Nagy closed the public hearing at 9:15 pm. One more attendee wished to speak and Mayor Nagy reopened the public hearing.

Steve Bui, an instructor at Mission Valley ROP, stated that Brookfield gave a presentation about the construction business to their students. He hopes this project goes through for the students and the community.

Mayor Nagy closed the public hearing at 9:17 pm.

The City Council thanked Community Development Director Turner, staff, Brookfield Properties and the Planning Commission. The community support was noted too.

Vice Mayor Bucci moved, Council Member Hannon seconded to by resolutions 1) Amend the General Plan, amend the NewPark Place Specific Plan, approve Design Review for the Phase A Residential Project of 319 units, approve Design Review for a 161,000 Square Foot Costco Store with a 32 Pump Gasoline Station, and approve an Alternative Means of Compliance to Payment of Housing Impact Fee, including the addition of a severability clause, and 2) Approve a Vesting Tentative Map, and to by Ordinance Establish a Planned Development District and Amending the Zoning Map (APN #s 901-111-5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, & 33). Project address: 2086 NewPark Mall Road (APN #s 901-111-19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, & 30). The Properties are Zoned Regional Commercial. The motion passed, 5 AYES.

Interim City Attorney Kokotaylo read the titles of the resolutions and ordinance.

## **F. OTHER BUSINESS**

## **G. CITY COUNCIL MATTERS**

Mayor Nagy reminded everyone of the August Recess and that the next City Council meeting will be September 9, 2021. It will be a live meeting in the new City Council Chambers in David W. Smith City Hall.

Council Member Hannon stated he thought the City accomplished some outstanding projects this last year. He thanked Mayor Nagy for his leadership and said it was a pleasure working with his colleagues. He wished everyone a safe August.

Council Member Collazo commented on a news story regarding San Francisco spending \$20,000 per garbage can they are putting on city streets. She commented that the City of Newark is very conscientious spending money while saving to provide residents with needed services. Shop Newark!

Mr. Freitas wished that Mayor Nagy enjoy the August recess.

Vice Mayor Bucci announced the Newark Library will be targeting a very soft opening. They hope to have some books available and running some programs by August 23, 2021. Have a great August!

Mayor Nagy thanked City Manager Benoun for his leadership in getting the library ready.

**H. CLOSED SESSION**

**I. ADJOURNMENT**

At 9:34 p.m. Mayor Nagy adjourned the meeting.

Kathleen L. Slafter  
Deputy City Clerk