



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, June 22, 2017

CITY COUNCIL:

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

CITY STAFF:

John Becker
City Manager
Terrence Grindall
Assistant City Manager
Susie Woodstock
Administrative Services Director
Sandy Abe
Human Resources Director
Soren Fajeau
Public Works Director
Jim Leal
Police Chief
David Zehnder
Recreation and Community
Services Director
David J. Benoun
City Attorney
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.



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Thursday, June 22, 2017

A. ROLL CALL

B. MINUTES

- B.1 Approval of Minutes of the special City Council meeting of May 30, 2017 and the regular City Council meeting of June 8, 2017. (MOTION)**

C. PRESENTATIONS AND PROCLAMATIONS

C.1 Introduction of employees.

Background/Discussion – The following employees were recently promoted in the Police Department and will be introduced at the City Council meeting: Captain Jonathan Arguello, Captain Chomnan Loth, Lieutenant Jolie Macias, Lieutenant Vince Kimbrough, Sergeant Brian Simon, and Sergeant Shannon Todd.

C.2 Commending Police Chief James Leal on his retirement. (COMMENDATION)

Background/Discussion – Police Chief James Leal is retiring after devoting 32 years to public service. The majority of that time, 29 years, was in service to the City of Newark. A commendation has been prepared and will be presented to Police Chief Leal at the meeting.

D. WRITTEN COMMUNICATIONS

E. PUBLIC HEARINGS

- E.1 Hearing to consider annual levy of assessment in conjunction with Landscaping and Lighting District No. 10 – from Public Works Director Fajeau. (RESOLUTION)**

Background/Discussion – The City Council has set June 22, 2017, as the date for the public hearing for the annual levy of assessments in conjunction with Landscaping and Lighting District No. 10. This district is a consolidated district which includes

miscellaneous developments at several locations. These locations and the work involved are as follows:

- 10a. The maintenance of Jarvis Avenue and Lido Boulevard median-island and street landscaping, and lighting adjacent to the boundaries of Tract 5318, Lexington Square.
- 10b. Maintenance of landscaping and the landscape irrigation system within easement areas adjacent to the public right-of-way on the north side of Central Avenue between the Nimitz Freeway and Timber Street.
- 10c. Maintenance of landscaping and the landscape irrigation system within easement areas adjacent to the public right-of-way on Morton Avenue for Geomax.
- 10d. Maintenance of landscaping and the landscape irrigation system within easement areas adjacent to the public right-of-way on Enterprise Court and Enterprise Drive for Parcel 1 of Tentative Parcel Map 5109.
- 10e. Maintenance of landscaping and the landscape irrigation system adjacent to Cedar Boulevard south of Mowry Avenue for Jiffy Lube.
- 10f. Maintenance of landscaping and the landscape irrigation system for the apartment complex at the intersection of Rich Avenue and Magnolia Street.
- 10g. Maintenance of landscaping and the landscape irrigation system within easement areas on Smith Avenue and Cedar Boulevard for the Cedar Boulevard Neighborhood Church.
- 10h. Maintenance of landscaping and the landscape irrigation system within easement areas for the parcel adjacent to Eucalyptus Grove Park.
- 10i. Maintenance of landscaping and the landscape irrigation system within easement areas and the public right-of-way on Cherry Street for Thoro Systems.
- 10j. Maintenance of landscaping and the landscape irrigation system within the public right-of-way and easement areas for the King & Lyons development at Thornton Avenue and Willow Street.
- 10k. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Central Avenue for Bay Mirror.
- 10l. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and easement areas on Cedar Boulevard near Moores Avenue for Empire Tractor.

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- 10m. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Mowry Avenue for the property at the northeast corner of Mowry Avenue and Cedar Boulevard.
 - 10n. The maintenance of street lighting within the public right-of-way and landscaping and the landscape irrigation system within the public right-of-way and easement areas adjacent to the public right-of-way on Cedar Boulevard and Balentine Drive for TJ Maxx.
 - 10o. The maintenance of street lighting within the public right-of-way and landscaping and the landscape irrigation system within the public right-of-way and the easement areas adjacent to the public right-of-way on Newark Boulevard and Cedar Boulevard for Lido Faire Shopping Center.
 - 10p. The maintenance of street lighting within the public right-of-way and landscaping and the landscape irrigation system within the public right-of-way on Sycamore Street for B.K. Mills.
 - 10q. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Magnolia Street for the Moose Lodge.
 - 10r. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Central Avenue at the Southern Pacific railroad right-of-way for Leslie Salt Company.
 - 10s. The maintenance of landscaping and the landscape irrigation system within landscape easement areas on Cedar Boulevard at Central Avenue for Parcel 1 of Parcel Map 4073.
 - 10t. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Cedar Boulevard north of Lake Boulevard for Lot 5 of Tract 5361.
 - 10u. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Magnolia Street south of Graham Avenue for Parcel 1 of Parcel Map 6178.
 - 10v. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Smith Avenue west of Cherry Street for Parcel 4 of Parcel Map 1425.
 - 10w. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Cedar Boulevard and Mowry Avenue for Parcels 1, 2, 3, and 6 of Parcel Map 3028.

- 10x. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on the cul-de-sac of Enterprise Court at 37569 Enterprise Court.
- 10y. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Magnolia Street and Graham Avenue at 37088 Magnolia Street (formerly 6963 Graham Avenue).
- 10z. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on the Thornton Avenue and Locust Street frontage of 37010 Locust Street.
- 10aa. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Enterprise Drive and Hickory Street at 8610 Enterprise Drive.
- 10ac. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Thornton Avenue and Sycamore Street at 7275 Thornton Avenue.
- 10ad. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Thornton Avenue at 6152 Thornton Avenue.
- 10ae. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Cedar Boulevard south of Mowry Avenue.
- 10af. The maintenance of landscaping, the landscape irrigation system, and the concrete block wall within the public right-of-way and adjacent easement areas on Mowry Avenue and Cedar Boulevard for the shopping center that includes 5789 Mowry Avenue.
- 10ag. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Hickory Street at 37137 Hickory Street.
- 10ah. The maintenance of median-island landscaping and lighting, and street frontage landscaping up to 30 feet in width along all streets within the boundaries of Bridgeway Technology Park on Fircrest Street.
- 10ai. The maintenance of lighting within public right-of-way and landscaping and landscape irrigation system within easement areas adjacent to the public right-of-way along Dairy Avenue, Newark Boulevard, and Thornton Avenue for the Foxwood condominium project.

- 10aj. The maintenance of lighting within public right-of-way and landscaping and landscape irrigation system within easement areas adjacent to the public right-of-way on Magnolia Street, Graham Avenue, and Sycamore Street for the Summerhill Apartments.
- 10ak. The maintenance of lighting within public right-of-way and landscaping and landscape irrigation system within easement areas adjacent to the public right-of-way on Cherry Street and Dairy Avenue for the Summerhill Apartments.
- 10al. Maintenance of landscaping, landscape irrigation and lighting within the entire street right-of-way of Potrero Avenue; the easterly portion of Cherry Street, Buena Vista Drive and Parada Street contiguous to Tract 5869; and the easterly portion of Parada Street contiguous to Tract 5810; and the northerly portion of Stevenson Boulevard contiguous to Tract 5810, excluding the median islands within Cherry Street and Stevenson Boulevard.
- 10am. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and easement areas on Smith Avenue for the Oatey Company.
- 10an. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Thornton Avenue at Cedar Boulevard for Newark Square shopping center.
- 10ao. The maintenance and/or construction of landscaping and the irrigation system within the public right-of-way and adjacent easement areas on the Mowry School Road frontage of the property to the rear of Fremont Ford.
- 10ap. The construction and maintenance of landscaping and an irrigation system within the public right-of-way and adjacent easement areas on Morton Avenue for Morton Salt.
- 10aq. Construction and maintenance of landscaping and the landscape irrigation system within the public right-of-way and easement areas on the Cedar Boulevard frontage of the shopping center on the northwest corner of Newark Boulevard and Cedar Boulevard.
- 10ar. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Central Avenue and on Clark Avenue for Matheson Gas.
- 10as. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Smith Avenue at 6565 Smith Avenue.
- 10at. The construction and/or maintenance of the Art in Public Places Element required in accordance with Newark City Council Resolution No. 5682 within the public right-of-way and/or adjacent easement areas on Parcels 1 and 2 of Tract 5343.

- 10au. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Newark Boulevard at 35193 Newark Boulevard.
- 10av. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Cedar Boulevard at 37300 Cedar Boulevard.
- 10aw. The maintenance and/or construction of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Fircrest Street at Assessor's Parcel No. 537-460-12-3.
- 10ax. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Enterprise Drive and Willow Street at 8400 Enterprise Drive.
- 10ay. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Mowry Avenue and Cherry Street.
- 10az. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Balentine Drive at Parcel 1 of Parcel Map 6692.
- 10ba. The maintenance and/or construction of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Cherry Street north of Thornton Avenue.
- 10bb. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Jarvis Avenue and Newark Boulevard.
- 10bc. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Cherry Street south of Robertson Avenue.
- 10bd. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement areas on Filbert Street and Central Avenue.
- 10be. The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement along the street frontage on Balentine Drive.

Since this district is for properties responsible for their own maintenance, all property owners for all subdistricts in this district will receive a “zero” assessment for 2017-2018.

Attachment

Action - Upon conclusion of the public hearing, it is recommended that the City Council, by resolution, approve the diagram and assessment and levy the annual assessment for Landscaping and Lighting District No. 10 for the 2017-2018 fiscal year.

E.2 Hearing to consider annual levy of assessment in conjunction with Landscaping and Lighting District No. 11 – from Public Works Director Fajeau. (RESOLUTION)

Background/Discussion – The City Council has set June 22, 2017, as the date for the public hearing for the annual levy of assessments in conjunction with Landscaping and Lighting District No. 11. This district provides for the maintenance of landscaped medians on Edgewater Drive and Parkshore Drive within the Lake Area.

The total assessment for this district as provided in the Engineer's Report is \$24,600 for the 2017-2018 fiscal year. There are a total of 1,127 properties within this district. The assessment per property is approximately \$22, which is the same amount charged per property last year.

Attachment

Action - Upon conclusion of the public hearing, it is recommended that the City Council, by resolution, approve the diagram and assessment and levy the annual assessment for Landscaping and Lighting District No. 11 for the 2017-2018 fiscal year.

E.3 Hearing to consider annual levy of assessment in conjunction with Landscaping and Lighting District No. 1 – from Public Works Director Fajeau. (RESOLUTION)

Background/Discussion – The City Council has set June 22, 2017, as the date for the public hearing for the annual levy of assessments in conjunction with Landscaping and Lighting District No. 1. This district includes properties which abut Central Avenue between Filbert Street and Willow Street and provides for the maintenance of median landscaping on Central Avenue between Filbert Street and Willow Street, and buffer landscaping adjacent to the Alameda County flood control channel immediately west of Filbert Street. Maintenance and operation of median street lights along this portion of Central Avenue are also included in this district. An annual public hearing is necessary to adopt the Engineer's Report to provide funds for this district.

The total assessment for this district as provided in the Engineer's Report is \$42,100 for the 2017-2018 fiscal year.

Attachment

Action - Upon conclusion of the public hearing, it is recommended that the City Council, by resolution, approve the diagram and assessment and levy the annual assessment for Landscaping and Lighting District No. 1 for the 2017-2018 fiscal year.

E.4 Hearing to consider annual levy of assessment in conjunction with Landscaping and Lighting District No. 2 – from Public Works Director Fajeau. (RESOLUTION)

Background/Discussion – The City Council has set June 22, 2017, as the date for the public hearing for the annual levy of assessments in conjunction with Landscaping and Lighting District No. 2. This district provides for the maintenance of median and in-tract buffer landscaping on Jarvis Avenue adjacent to and within the boundaries of Tract 5232, Dumbarton Technology Park, on Jarvis Avenue at Lido Boulevard, as well as the Newark Boulevard medians fronting the Raley’s and Safeway shopping centers. An annual public hearing is necessary to adopt the Engineer’s Report to provide funds for this district.

The total assessment for this district as provided in the Engineer’s Report is \$27,000 for the 2017-2018 fiscal year.

Attachment

Action - Upon conclusion of the public hearing, it is recommended that the City Council, by resolution, approve the diagram and assessment and levy the annual assessment for Landscaping and Lighting District No. 2 for the 2017-2018 fiscal year.

E.5 Hearing to consider annual levy of assessment in conjunction with Landscaping and Lighting District No. 4 – from Public Works Director Fajeau. (RESOLUTION)

Background/Discussion – The City Council has set June 22, 2017, as the date for the public hearing for the annual levy of assessments in conjunction with Landscaping and Lighting District No. 4. This district provides for the maintenance of median landscaping on Stevenson Boulevard from the Nimitz Freeway to Eureka Drive (west) and on Cherry Street between Stevenson Boulevard and the Sportsfield Park. An annual public hearing is necessary to adopt the Engineer’s Report to provide funds for this district.

The total assessment for this district as provided in the Engineer’s Report is \$48,100 for the 2017-2018 fiscal year.

Attachment

Action - Upon conclusion of the public hearing, it is recommended that the City Council, by resolution, approve the diagram and assessment and levy the annual assessment for Landscaping and Lighting District No. 4 for the 2017-2018 fiscal year.

E.6 Hearing to consider annual levy of assessment in conjunction with Landscaping and Lighting District No. 6 – from Public Works Director Fajeau. (RESOLUTION)

Background/Discussion – The City Council has set June 22, 2017, as the date for the public hearing for the annual levy of assessments in conjunction with Landscaping and Lighting District No. 6. This district provides for the maintenance of median and greenbelt landscaping and the irrigation systems in the area formerly known as Redevelopment Area No. 2. The area is the property generally bounded by Balentine Drive, Cedar Boulevard, Stevenson Boulevard, and the Nimitz Freeway.

This district is currently inactive. All property owners in this district will receive a “zero” assessment for 2017-2018.

Attachment

Action - Upon conclusion of the public hearing, it is recommended that the City Council, by resolution, approve the diagram and assessment and levy the annual assessment for Landscaping and Lighting District No. 6 for the 2017-2018 fiscal year.

E.7 Hearing to consider annual levy of assessment in conjunction with Landscaping and Lighting District No. 7 – from Public Works Director Fajeau. (RESOLUTION)

Background/Discussion – The City Council has set June 22, 2017, as the date for the public hearing for the annual levy of assessments in conjunction with Landscaping and Lighting District No. 7. This district provides for the maintenance of Rosemont Square Shopping Center buffer landscaping and the landscape irrigation system within the public right-of-way and easement areas on Jarvis Avenue, Newark Boulevard, and Cedar Boulevard.

The total assessment for this district as provided in the Engineer’s Report is \$25,600 for the 2017-2018 fiscal year.

Attachment

Action - Upon conclusion of the public hearing, it is recommended that the City Council, by resolution, approve the diagram and assessment and levy the annual assessment for Landscaping and Lighting District No. 7 for the 2017-2018 fiscal year.

E.8 Hearing to consider annual levy of assessment in conjunction with Landscaping and Lighting District No. 13 – from Assistant City Engineer Fajeau. (RESOLUTION)

Background/Discussion – The City Council has set June 22, 2017, as the date for the public hearing for the annual levy of assessments in conjunction with Landscaping and Lighting District No. 13. This district provides for the maintenance of landscaping within portions of the Citation Homes and Bren developments located on Thornton Avenue near Willow Street. An annual public hearing is necessary to adopt the Engineer’s Report to provide funds for this district.

Since this district performs its own maintenance of frontage landscaping, all property owners in this district will receive a “zero” assessment for 2017-2018.

Attachment

Action - Upon conclusion of the public hearing, it is recommended that the City Council, by resolution, approve the diagram and assessment and levy the annual assessment for Landscaping and Lighting District No. 13 for the 2017-2018 fiscal year.

E.9 Hearing to consider annual levy of assessment in conjunction with Landscaping and Lighting District No. 15 – from Public Works Director Fajeau. (RESOLUTION)

Background/Discussion – The City Council has set June 22, 2017, as the date for the public hearing for the annual levy of assessments in conjunction with Landscaping and Lighting District No. 15. This district provides for the maintenance of landscaping along Robertson Avenue at Iris Court. An annual public hearing is necessary to adopt the Engineer’s Report to provide funds for this district.

The total assessment for this district as provided in the Engineer’s Report is \$5,046 for the 2017-2018 fiscal year. The assessment per property is \$174.00.

Attachment

Action - Upon conclusion of the public hearing, it is recommended that the City Council, by resolution, approve the diagram and assessment and levy the annual assessment for Landscaping and Lighting District No. 15 for the 2017-2018 fiscal year.

E.10 Hearing to consider annual levy of assessment in conjunction with Landscaping and Lighting District No. 16 – from Public Works Director Fajeau. (RESOLUTION)

Background/Discussion – The City Council has set June 22, 2017, as the date for the public hearing for the annual levy of assessments in conjunction with Landscaping and Lighting District No. 16. This district provides for the maintenance of landscaping for Tract 6671 on Jarvis Avenue at Kiote Drive. An annual public hearing is necessary to adopt the Engineer’s Report to provide funds for this district.

The total assessment for this district as provided in the Engineer’s Report is \$19,900 for the 2017-2018 fiscal year. The assessment per property is \$210.

Attachment

Action - Upon conclusion of the public hearing, it is recommended that the City Council, by resolution, approve the diagram and assessment and levy the annual assessment for Landscaping and Lighting District No. 16 for the 2017-2018 fiscal year.

E.11 Hearing to consider annual levy of assessment in conjunction with Landscaping and Lighting District No. 17 – from Public Works Director Fajeau. (RESOLUTION)

Background/Discussion – The City Council has set June 22, 2017, as the date for the public hearing for the annual levy of assessments in conjunction with Landscaping and Lighting District No. 17. This district provides for the maintenance of landscaping for Tract 7004 on Newark Boulevard and Mayhews Landing Road. An annual public hearing is necessary to adopt the Engineer's Report to provide funds for this district.

The total assessment for this district as provided in the Engineer's Report is \$6,200 for the 2017-2018 fiscal year. The assessment per property is \$188.

Attachment

Action - Upon conclusion of the public hearing, it is recommended that the City Council, by resolution, approve the diagram and assessment and levy the annual assessment for Landscaping and Lighting District No. 17 for the 2017-2018 fiscal year.

E.12 Hearing to consider annual levy of assessment in conjunction with Landscaping and Lighting District No. 18 – from Public Works Director Fajeau. (RESOLUTION)

Background/Discussion – The City Council has set June 22, 2017, as the date for the public hearing for the annual levy of assessments in conjunction with Landscaping and Lighting District No. 18. This district provides for the maintenance of landscaping in the medians in front of Tract 8130 on Cedar Boulevard between Central Avenue and Smith Avenue. An annual public hearing is necessary to adopt the Engineer's Report to provide funds for this district.

The total assessment for this district as provided in the Engineer's Report is \$11,000 for the 2017-2018 fiscal year. The assessment per dwelling unit is approximately \$67.

Attachment

Action - Upon conclusion of the public hearing, it is recommended that the City Council, by resolution, approve the diagram and assessment and levy the annual assessment for Landscaping and Lighting District No. 18 for the 2017-2018 fiscal year.

E.13 Hearing to consider adoption of Master Fee Schedule for Fiscal Year 2017-2018 – from Senior Accountant Lee. (RESOLUTION)

Background/Discussion – The City's Master Fee Schedule (MFS) is reviewed annually. The proposed MFS for Fiscal Year 2017-2018 is based on an analysis of both direct and indirect costs for the delivery of certain City programs and services.

Market factors were also considered in establishing the proposed fees. The proposed MFS is the result of input from all City departments.

The City Attorney has advised that as a result of a December 22, 2005, California Supreme Court case (Barratt-American, Inc. vs. City of Rancho Cucamonga), the reenactment of previously existing fees without change nullifies the applicable statute of limitations and, thus, reopens those fees to legal challenge. It is recommended that the Council amend only those sections of the Master Fee Schedule that staff is suggesting be changed. The sections adopted, deleted, or amended by Council will then be editorially merged with the unchanged portions of the Master Fee Schedule as last amended by the City Council in Resolution No. 10,522 on June 23, 2016.

Attachment

Action - It is recommended that the City Council, by resolution, amend the Master Fee Schedule for Fiscal Year 2017-2018.

- E.14 Hearing to consider a planned unit development and a conditional use permit, for a two-day night market special event to be held on July 7 and 8, 2017, in the NewPark Mall parking lot (APN: 901-0111-025). NewPark Mall is bounded, generally, to the north by Mowry Avenue, to the west by Cedar Boulevard, to the south by Balentine Drive, and to the east by Interstate 880 (Nimitz Freeway) – from Assistant Planner Bowab.**

(RESOLUTION)

Background/Discussion – Ms. Ria Abellera has submitted an application to hold their second annual outdoor special event called “The Bay Area Night Market” in the NewPark Mall parking lot on July 7, 2017 (Friday) and July 8, 2017 (Saturday). The previous event was held last year at the Newark Pavilion. NewPark Mall is zoned CR (Regional Commercial) and approval of a planned unit development and a conditional use permit is required.

The Bay Area Night Market is an open air market hosting local food vendors and small businesses. The market celebrates the vibrant and diverse communities of the Bay Area through selling cultural foods, arts and crafts, and goods. There will be live music, karaoke, and arcade games. This event will not be selling alcoholic beverages. The Bay Area Night Market is proposed to be held from 4:00 p.m. to 11:00 p.m. each day.

The event will take place in the NewPark Mall parking lot area west of the Burlington store. The event is expected to host approximately 12,000 – 15,000 attendees over the two-day period. The proposed event area will be fenced off to assist in controlling access to the event. In the past, staff has closely monitored these types of events specifically relating to concerns regarding noise, clean-up after the event, and security. The applicant has agreed to limit amplified sound away from any residential areas. The event will be cleaned up within 24 hours after the final performance on July 8th

and there will be security officers present at the event to the satisfaction of the Police Department.

Staff believes this will be a beneficial event for the City and recommends approval of the two-day event to be held on July 7th & 8th, 2017, subject to the conditions of approval listed in the attached resolution.

Environmental Review

This project is categorically exempt from the California Environmental Quality Act (CEQA) per section 15304, Class 4(e), minor temporary use of land having negligible or no permanent effects on the environment.

Update – At its meeting of June 13, 2017, the Planning Commission approved Resolution No. 1943 with Exhibit A, for a planned unit development, and U-17-12, a conditional use permit to allow for a two-day night market special event to be held on July 7 and 8, 2017, in the NewPark Mall parking lot (APN: 901-0111-025).

Attachments - Site Plan

Action – It is recommended that the City Council, by resolution, with Exhibit A, approve P-17-11, a planned unit development, and U-17-12, a conditional use permit to allow for a two-day night market special event to be held on July 7 and 8, 2017, in the NewPark Mall parking lot (APN: 901-0111-025).

F. CITY MANAGER REPORT

(It is recommended that Items F.1 through F.10 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 Adoption of the City of Newark's Framework for Green Infrastructure Plan Development – from Assistant City Engineer Imai. (RESOLUTION)

Background/Discussion – The San Francisco Bay Regional Water Quality Control Board (RWQCB) regulates the discharge of stormwater collected in public storm drain systems through the issuance of a National Pollutant Discharge Elimination System (NPDES) Permit to the various cities and counties. In November 2015, the RWQCB reissued the Municipal Regional Stormwater NPDES Permit (MRP2) to jurisdictions within the Bay Area. In order to be in compliance with the MRP2, the City of Newark must develop and submit a Green Infrastructure Plan to the RWQCB by September 30, 2019.

“Green Infrastructure” is a term that refers to engineered structures or features that are designed to remove pollutants from stormwater runoff, such as grassy swales or permeable pavement. A Green Infrastructure Plan must demonstrate how green infrastructure features will be incorporated into both public and private storm drain systems in order to reduce the impacts urbanization has on our creeks and the San Francisco Bay.

One of the first required steps towards developing a Green Infrastructure Plan is the development and approval of a Framework document that identifies specific tasks and time frames required to complete the Green Infrastructure Plan. The RWQCB requires all jurisdictions to approve their Green Infrastructure Plan Framework document by June 30, 2017.

Newark is a member agency of the Alameda Countywide Clean Water Program (ACCWP). The ACCWP has developed a Green Infrastructure Framework template for use by its member agencies to comply with MRP2. The City of Newark’s Framework document is based on this template and includes deadlines, tasks, evaluation of funding sources, training and outreach, staffing requirements and timeframes for the development of the Green Infrastructure Plan.

There is no cost associated with adoption of the City’s Green Infrastructure Framework document. However, additional staff time and resources will be required to develop the City’s Green Infrastructure Plan and then, once it is approved, implement it over the next 23-plus years. Consultants will also likely be required to augment City staff and provide needed technical expertise. Furthermore, there will be direct cost implications to retrofit a portion of the City’s storm drain system with Green Infrastructure in order to meet the targets established by the RWQCB.

Attachment

Action – It is recommended that the City Council, by resolution, adopt the City of Newark’s Framework for Green Infrastructure Plan Development.

F.2 Authorization for the City Manager to sign Task Order No. 13 to the Joint Powers Agreement with the City of Fremont for Paratransit Services – from Recreation and Community Services Director Zehnder. (RESOLUTION)

Background/Discussion – Door-to-door shared ride transportation services are an essential service offered to Newark residents who are 70 years of age and older or those who are unable to access public transit independently due to a medical or disabling health condition. These paratransit services are provided to elderly and disabled Newark residents in order to improve their access to health care, shopping, errands and social and recreational activities. Funding for Newark Paratransit services is provided through Measure B and Measure BB sales tax and administered through the Alameda County Transportation Committee.

The size and scope of Fremont’s program provides Newark residents with expanded and efficient services. The following table provides a summary of services to be provided through the City of Fremont under a contract for services with MV Transportation:

FY17/18 Service Parameters	Fremont/Newark Paratransit
Service Hours	Monday – Friday, 8 am – 6 pm *Saturday and Sunday, 9 am – 3 pm *limited Sat./Sun. service within Newark
Service Area	All of Fremont, Newark and Union City.
Fares	\$2.50 per one-way trip within Newark, Fremont and Union City
Reservation Hours	Monday – Friday, 8 am – 5 pm Centralized reservations and dispatch with our contracted service provider that ensures that riders can reach a live person to make reservations and to check on the status of a ride (weekdays and weekends).
Enrollment processing time	On the same day of receipt of application. Expedited access to transportation can also be arranged on the same day or the next day as scheduling capacity allows.

In addition to the expanded paratransit service, Newark residents benefit from the high level of service coordination and customer service provided by the City of Fremont’s paratransit services team. City of Fremont staff ensure that elderly and disabled residents have expedited access to transportation services (applications can be processed within hours and urgent need transportation can be scheduled on the next day and sometimes even on the same day). Paratransit enrollment packets are sent out within a day or two of receipt of a completed application.

A same day ride request with taxi companies is an additional service made available for Newark Paratransit riders ages 80 and above. The City of Fremont coordinates the Tri-City Taxi Voucher program. The City of Newark contributes a portion of Measure B and Measure BB funds based on the total number of taxi vouchers redeemed by

Newark Paratransit program registrants. Staff projects that there are ample funds available within the fiscal year 2017-2018 paratransit budget to cover this additional expense.

The City has contracted for paratransit services with the City of Fremont since September 1, 2013. Due to anticipated increased demand for same day taxi voucher services and associated administrative fees, for fiscal year 2017-2018, staff is recommending funding in the amount of \$229,020.

City staff and the City Attorney have reviewed the agreement and recommend that it be approved.

Attachment

Action - It is recommended that the City Council, by resolution, authorize the City Manager to sign Task Order No. 13 to the Joint Powers Agreement with the City of Fremont for Newark Paratransit services.

F.3 Approval of Investment Policy – from Accounting Manager Lee. (RESOLUTION)

Background/Discussion – State law requires that the City’s Investment Policy be reviewed and approved by the City Council at least annually. The City’s current Investment Policy will remain the same and provides for all of the standard and material issues that an Investment Policy should include. The Investment Policy’s primary objective is the safety of principal balances, with liquidity and return on investment as the second and third priorities respectively.

Attachment

Action - It is recommended that the City Council, by resolution, approve the Investment Policy.

F.4 Authorization for the Mayor to sign a three-year cooperation agreement for fiscal years 2018-2020 with Alameda County for participation in the Alameda County Urban County for the Community Development Block Grant (CDBG) Program – from Associate Planner Mangalam. (RESOLUTION)

Background/Discussion – Because the City of Newark has a population of less than 50,000, the City needs to be included as part of the Alameda County Urban County in order to qualify for annual funding under the United States Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) Program. As part of that process, Newark and Alameda County need to execute a three-year cooperation agreements for fiscal years 2018-2020.

This agreement generally provides that the City and County will work together to undertake community renewal and housing assistance activities, that the City will receive a share of Urban County CDBG funds each year, that both the City and the County will follow the rules established by HUD, and that the County will administer the program for the City. A copy of three-year agreement between Newark and Alameda County is attached.

Attachment – Three year agreement between City of Newark and Alameda County.

Action – It is recommended that the City Council, by resolution, authorize the Mayor to sign a three-year cooperation agreement with Alameda County for participation in the Alameda County Urban County Community Development Grant (CDBG) Program.

F.5 Authorization for the purchase of two (2) 2017 Toyota Siennas as replacement vehicles for the Police Department from Freeway Toyota and outfitting by Telepath – from Maintenance Supervisor Connolly.

(RESOLUTION)

Background/Discussion – The Newark Police Department is in need of two (2) replacement vehicles that have reached the end of their useful lives. The 2016-2018 Biennial Budget and Capital Improvement Plan includes funding for vehicle replacements in the amount of \$84,000 as part of the Equipment Replacement Budget. Staff requested a quote from Fremont Toyota for fleet pricing and determined that the pricing was cost prohibitive. Authorization is requested to participate in an intergovernmental procurement process for the purchase of two (2) 2017 Toyota Siennas.

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 the 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 State of California entered into a master contract and a procurement contract with Freeway Toyota for the purchase of new vehicles. This contract is in effect through February 21, 2018, and includes a provision to allow other agencies to participate.

The competitive process used by the State of California has been reviewed by the Public Works Department and satisfies the City’s requirements for the proposed vehicle purchases.

Based upon the State of California contract with Freeway Toyota, the combined purchase cost for the two (2) vehicles will be \$74,000. The purchase cost does not include outfitting of the vehicles which is estimated not to exceed \$10,000 combined for both vehicles. The outfitting is based on specialized vendor quotes for the

installation of emergency response equipment, window tinting, speakers, antennas, and specialized wiring.

Action - It is recommended that the City Council, by resolution, authorize the purchase of two (2) 2017 Toyota Siennas as replacement vehicles for the Police Department from Freeway Toyota and outfitting by Telepath.

F.6 Approval of plans and specifications, acceptance of bid, award of contract for the Base Bid and Additive Alternate Bid No. 2 to G. Bortolotto & Company, Inc. for Enterprise Drive Complete Streets and Road Diet, Project 1066, and amendment of the 2016-2018 Biennial Budget for Fiscal Year 2017-2018 – from Associate Civil Engineer Cangco. (MOTION)(RESOLUTION)

Background/Discussion – The Enterprise Drive Complete Streets and Road Diet Project will implement the City of Newark’s Complete Streets Policy to provide room for other modes of transportation. The project will rehabilitate Enterprise Drive, reduce the number of vehicle travel lanes from two in each direction to a single lane in each direction with a center two-way left-turn lane, and add Class II bike lanes in each direction. The project includes two Additive Alternate Bids for reimbursable work on behalf of Alameda County Water District (ACWD) and Union Sanitary District (USD).

The project bid opening occurred on June 8, 2017. Only one bid was submitted and the bid amounts are as follows:

Bidder	Base Bid	Alt Bid No. 1	Alt Bid No. 2
G. Bortolotto & Company, Inc.	\$937,987.87*	\$19,417.00	\$ 10,006.00
Engineer’s Estimate	\$ 880,255.00	\$ 14,750.00	\$10,500.00

*Mathematically Corrected

After review of the bids received from G. Bortolotto & Company, Inc. for Additive Alternate Bid No. 1, ACWD does not recommend adding their item to the contract. However, USD recommends adding Additive Alternate Bid No. 2 to the contract. The scope of work for USD includes grade adjustment and alterations of existing facilities along with associated insurance requirements. The City would be reimbursed for all work performed by the contractor on behalf of USD. Staff recommends that the City Council accept the bid and award the contract to G. Bortolotto & Company, Inc., for the Base Bid and Additive Alternate Bid No. 2 in the amount of \$947,993.87.

The Enterprise Drive Complete Streets and Road Diet Project will commence with construction activity in July 2017. The project includes \$760,000 in approved funding in the 2016-2018 Biennial Budget for Fiscal Year 2016-2017 through an approved federal grant and matching gas tax funds. A budget amendment in the amount of

\$187,993.87 is necessary to appropriate additional gas tax funds anticipated in fiscal year 2017-2018 to provide the total project funding amount of \$947,993.87.

Attachment

Action - It is recommended that the City Council, by motion, approve the plans and specifications and, by resolution, accept the bid and award the contract for the Base Bid and Additive Alternate Bid No. 2 to G. Bortolotto & Company, Inc. for the Enterprise Drive Complete Streets and Road Diet, Project 1066 and amend the 2016-2018 Biennial Budget for Fiscal Year 2017-2018.

F.7 Approval of Contractual Services Agreements with various consultants for Building Inspection and Plan Check Services, Fuel Supply, Geologic and Geotechnical Engineering Services, and Traffic Signal and Street Light Maintenance – from Assistant City Engineer Imai. (RESOLUTION)

Background/Discussion – In accordance with the City’s Purchasing Rules and Regulations, staff prepared and initiated an open and competitive Request for Qualifications (RFQ) and formal bidding process for various contractual services. A Notice Inviting Bids and RFQs were sent to firms previously under contract with the City and firms that expressed interest in receiving such notices and RFQs. The RFQs specified that selection would be made based on quality and completeness of submissions as well as a firm’s experience with engagements of similar scope and complexity, satisfaction of previous clients, and proposed rate schedules.

Professional services sought through the RFQ process include: Building Inspection Plan Check and Field Inspection Services, Geologic and Geotechnical Engineering Services, and Traffic Signal and Street Light Maintenance. Contractual services sought through a formal bidding procedure included Gasoline and Diesel Fuel Supply.

Building Inspection Plan Check and Field Inspection Services

The selected consultants may provide services that include the review of development plans and permit applications; inspection of commercial, industrial and residential construction projects; permit technician duties; fire sprinkler review; inspections related to the California Fire Code; and Public Works inspections.

Gasoline and Diesel Fuel Supply

The scope of services includes the supply and delivery of unleaded fuel and undyed/clear diesel fuel. The capacity of Newark’s fuel tanks, located at Newark’s Service Yard (37440 Filbert Street), is 12,000 gallons for unleaded fuel and 4,000 gallons for diesel. The City of Newark uses an estimated 20,000 gallons of unleaded fuel and 10,000 gallons of diesel fuel annually.

Geologic and Geotechnical Engineering Services

The selected consultants may provide services that include geologic and geotechnical peer review services; geotechnical investigation; geological hazards evaluation;

construction observations and testing; observations during remedial grading; review or development of mitigation recommendations; and attendance at meetings.

Traffic Signal and Street Light Maintenance

Traffic signal and street light maintenance services include the preventative and routine maintenance, responsive maintenance, and emergency repair of equipment associated with the City of Newark's traffic signal and street light system. The selected firm will provide these services for all traffic signals, street lights and associated equipment owned and operated by the City of Newark.

Staff received a total of sixteen statements of qualifications and evaluated and ranked them based on completeness and responsiveness to the RFQs. A total of one proposal from Bosco Oil, Inc. dba Valley Oil Company was received in response to the notice inviting bids for gasoline and diesel fuel supply. Valley Oil Company is experienced in this type of service, is a responsible contractor and submitted a responsive bid.

Staff is recommending the approval of Contractual Services Agreements with nine different consultant firms, each with a not to exceed amount as indicated below.

Building Inspection Plan Check and Field Inspection Services

- 4LEAF, Inc. – \$52,300
- Bureau Veritas North America, Inc. – \$100,000
- CEL Consulting, Inc. – \$50,000
- TRB & Associates, Inc. – \$50,000

Gasoline and Diesel Fuel Supply

- Bosco Oil, Inc. dba Valley Oil Company – \$150,000

Geologic and Geotechnical Engineering Services

- Cal Engineering & Geology, Inc. – \$25,000
- Cotton Shires and Associates, Inc. – \$25,000

Traffic Signal and Street Light Maintenance

- Cal West Lighting & Signal Maintenance, Inc. – \$67,500
- St. Francis Electric, LLC – \$67,500

All agreements will be for a one-year term, beginning on July 1, 2017 and expiring on June 30, 2018, renewable for two (2) additional one (1) year terms upon mutual consent of the City and selected consultant, subject to available funding.

Under the terms of the agreements, the selected firms will provide the requested services based upon the adopted compensation rates. The 2016-2018 Biennial Budget includes sufficient funds in the respective division operating budgets to fund the requested services for Fiscal Year 2017-2018.

Attachments

Action – It is recommended that the City Council, by resolution approve Contractual Service Agreements with various consultants for Building Inspection and Plan Check Services, Fuel Supply, Geologic and Geotechnical Engineering Services, and Traffic Signal and Street Light Maintenance.

F.8 Amendment of the 2016-2018 Biennial Budget and Capital Improvement Plan for Fiscal Year 2016-2017 for General Revisions – from Administrative Services Director Woodstock. (RESOLUTION)

Background/Discussion – Fiscal Year 2016-2017 is the first year in the City’s two-year budget cycle. As a part of the year-end closing, a number of general revisions are proposed to the annual budget. These revisions affect activities where savings or deficiencies have been identified. Savings are usually realized when there are staffing vacancies or reduction in expenditures for services or supplies. Deficiencies occur as a result of unforeseen increases in cost or need for services or supplies. A typical situation having no fiscal impact on the overall budget but requires a budget revision or amendment, is a reallocation of resources from one activity to another. The redistribution of resources may be necessary in order to respond to changing demands and needs.

The year-end financial audit requires that necessary transfers be approved by the City Council. The transfers for the PERS Reserve Policy, the Fund Balance Policy and the Debt Service payments have all been identified on Exhibit A along with the year-end Amendments.

The expenditure modifications to the General Fund operating budget for Fiscal Year 2016-2017 include increases in legal fees and an increase in cost for part-time staff due to minimum wage increases. These two items increase the operating budget by \$315,000.

In other funds, expenditure modifications are all offset by existing balance in each of those funds. The adjustments to those funds include an increase in Workers Compensation costs, addition of revenue and expenditures related to reimbursable Risk Management activities and increases in Building Maintenance expenses.

Exhibit A lists the adjustments to the budget expenditures and transfers.

Attachments

Action - It is recommended that the City Council, by resolution, amend the 2016-2018 Biennial Budget and Capital Improvement Plan for Fiscal Year 2016-2017.

F.9 Establishment of the Fiscal Year 2017-2018 Appropriations Limit – from Accounting Manager Lee. (RESOLUTION)

Background/Discussion – State law requires the adoption of the Appropriations Limit by resolution prior to the beginning of each fiscal year and a recorded vote of the Council regarding which of the annual adjustment factors have been selected to calculate the Appropriations Limit each fiscal year. On June 23, 2016, the City Council adopted Resolution No. 10528 establishing the Fiscal Year 2016-2017 Appropriations Limit to \$331,204,526.

The State Constitution specifies the annual adjustment factors that the City may choose to calculate the Appropriations Limit. These adjustment factors are comprised of: (1) either the California per capita income or the percentage change in the local assessment roll due to the addition of local nonresidential construction in the City and (2) either the city's population growth or the population growth of the entire county. The two percentage increases are multiplied together to determine the final percentage by which the prior year's limit is increased.

The City chooses to use the percentage change in California personal income for the inflationary adjustment. Local assessment roll data necessary to calculate the percentage change in the nonresidential assessed valuation is generally not available from the County Assessor's Office until well into the fiscal year. In the absence of final information on this important factor, it is recommended that the known California per capita personal income of 3.69 percent be adopted for Fiscal Year 2017-2018. For the population adjustment factor, it is recommended that the County's percentage change in population of 1.04 percent be adopted for Fiscal Year 2017-2018 since the higher percentage change in the County's population is most advantageous to the City.

Based on the above information, the proposed Fiscal Year 2017-18 Appropriations Limit is \$346,345,094. The 2017-2018 Biennial Budget contains appropriations subject to the limit and the budget is well below that limit.

Attachment

Action - It is recommended that the City Council, by resolution, updating the Fiscal Year 2017-2018 Appropriations Limit and annual adjustment factors for Fiscal Year 2017-2018.

F.10 Approval of plans and specifications, acceptance of bid, and award of contract to G. Bortolotto & Company, Inc. for the 2017 Asphalt Concrete Street Overlay Program, Project 1141 – from Associate Civil Engineer Tran. (MOTION)(RESOLUTION)

Background/Discussion – The annual pavement maintenance overlay and patch paving projects are typically combined into one project to encourage better unit prices. The combined project scope of work includes localized patch paving, pavement grinding, placement of new asphalt concrete pavement, and re-striping on various City streets.

Patch paving consists of the removal and replacement of localized pavement failures. The project includes work on streets that will be resurfaced with a slurry seal under a separate contract, Project 1142, anticipated to be awarded in July. It also includes streets where a localized pavement failure is too severe to correct with a surface (skin) patch, but the entire street does not need structural upgrading with an asphalt overlay.

Asphalt overlays involve the placement of an additional layer of asphalt concrete pavement on streets showing a relatively uniform distress pattern over most of the pavement surface. This condition indicates that the pavement needs structural upgrading to accommodate current and future traffic loads. A structural upgrade will prevent complete failure of the street pavement and avoid the very expensive process of complete reconstruction. The increased structural strength extends the life of the streets at least ten years.

The streets on the asphalt overlay project include: Bonnie Street, Christine Court, Christine Street, Deborah Street, George Avenue, Jennifer Street, Leone Street, Noel Avenue, Wilma Avenue, and Zulmida Avenue.

Bids for the project were opened on June 6, 2017 with the following results:

Bidder	Amount
G. Bortolotto & Company, Inc.\$	979,979.79
Engineer’s Estimate	\$ 850,000.00

The 2016-2018 Biennial Budget includes sufficient funding for this project in Fiscal Year 2016-2017 through a combination of Alameda County Measure B/BB Sales Tax funds, Vehicle Registration Fee funds, and the Traffic Congestion Relief Fund.

Staff recommends that this project be awarded to the lowest responsible bidder, G. Bortolotto & Company, Inc.

Attachment

Action – It is recommended that the City Council, by motion, approve the plans and specifications and by resolution, accept the bid and award the contract to G. Bortolotto & Company, Inc. for the 2017 Asphalt Concrete Street Overlay Program, Project 1141.

NONCONSENT

- F.11 Approval of Citywide Parks Master Plan – from Assistant City Manager Grindall. (RESOLUTION)**

Background/Discussion: Since May of 2016 City staff and RHAA Landscape Architecture and Planning Inc. have been conducting a comprehensive planning process to 1) identify the recreation needs of all segments of the Newark community; 2) assess the “gaps” not being presently met by existing park facilities; 3) develop conceptual plans for each of Newark’s parks, and 4) identify priority projects in consultation with the community.

There have been four well attended community meetings as this plan was developed. Public input was critical to the development of this plan. The Planning Commission reviewed, approved, and recommended that the City Council approve the Master Plan at their June 13, 2017 meeting.

The City of Newark operates and maintains 131 acres of City parks and several recreational facilities. Of this total, 121 acres are owned by the City and 10 acres are leased from the Newark Unified School District. There are 13 parks in the City, including eight neighborhood parks, three community parks, the Shirley Sisk Grove and the MacGregor Play Fields. The City also owns and operates the Silliman Activity and Family Aquatic Center, the Clark W. Redeker Newark Senior Center, and the Newark Community Center.

There are 3-acre and 5-acre parks proposed in the Dumbarton Transit Oriented Development, a 3- acre joint use park planned in the Sanctuary Development (Area 3) and a 2-acre park envisioned in Sanctuary West (Area 4). These parks are to be funded by developers. There are also 110 acres designated for a golf course or other recreational use at the southern end of Mowry Avenue. Development of this area will be the subject of future analysis.

Although the City has Master Plans for individual parks, there has never been a comprehensive citywide plan for park facilities. The proposed Master Plan is a vision and is not a commitment to fund the identified projects. The Master Plan includes projects that would cost over \$34 million dollars. Since the cost of the identified projects far exceeds our financial capacity; priority projects were identified and are recommended for shorter term implementation. The priority improvements identified in the Master Plan are:

Sportsfield Park All- Weather Turf Fields with Pathway	\$4,790,692
Skate Park at Sportsfield Park	\$1,140,450
Birch Grove Park Dog Park	\$503,783
Community Park Dog Park	\$315,648
Total Cost of Priority Projects	\$6,750,673

It is staff’s intention to bring an item to the Council in the near future that would add the priority projects to Capital Improvement Plan and Biennial Budget.

The proposed Master Plan contains analysis of community demographics, recreational need and trends, detailed plans for each park, and cost projections of improvements and maintenance. The draft Master Plan is attached.

Attachment

Action - It is recommended that the City Council by resolution, approve the Citywide Parks Master Plan.

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 for the City Council meeting of June 22, 2017. (MOTION)

M. CLOSED SESSIONS

- M.1 Closed Session for Conference with Legal Counsel pursuant to Government Code Section 54956.9(d)(1), Existing Litigation, *Henneberry v. City of Newark, et al.*; United States District Court, Northern District of California, Case No. C13-05238 MEJ – from City Attorney Benoun.**

Background/Discussion – The City Attorney has requested a closed session to discuss existing litigation: *Henneberry v. City of Newark, et al.*; United States District Court, Northern District of California, Case No. C13-05238 MEJ.

M.2 Closed session for conference with Legal Counsel pursuant to Government Code Section 54956.9(d)(2), Anticipated Litigation: One case – City Attorney Benoun.

Background/Discussion – City Attorney Benoun has requested that the City Council convene in closed session pursuant to Government Code Section 54956.9(b), Anticipated Litigation: one case.

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.