



CITY OF NEWARK

CITY COUNCIL

City Administration Building, City Council Chambers

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MINUTES

Thursday, September 22, 2022

A. ROLL CALL

Mayor Nagy called the meeting to order to 7:00 p.m. Present were Council Members Collazo, Freitas, Bucci, and Vice Mayor Hannon.

B. PRESENTATIONS

1. Commending the U16 Boys National Premier League, National Champions in soccer

Mayor Nagy presented commendations to the 1974 Newark FC 06 Boys U16 Boys National Premier League National Champions.

Ryan Medrano thanked the City for the Mel Nunes Sports fields.

2. Introduction of employees

Mayor Nagy introduced Gustavo Perez, Building Mechanic II, Mark Valdez, Building Mechanic II, and Roberto Garcia-Acosta, Accountant.

3. Presentation on Newark Library

Joe Stoner, Newark Library Manager, gave the annual presentation on the library highlighting programs and usage (presentation on file with City Clerk).

C. PUBLIC COMMENT

Namit Saksena requested to speak on the public hearing at this time. Mayor Nagy advised that he may speak on the public hearing when it opens.

D. CONSENT CALENDAR

Council Member Bucci moved, Vice Mayor Hannon seconded, to approve Consent Calendar Items D.1 through D.7, that the resolutions be numbered consecutively, and that reading of the titles suffice for adoption of the resolutions. The motion passed, 5 AYES.

1. Approval of Audited Demands
2. Approval of September 8, 2022 minutes
3. Adopt a resolution confirming the continued existence of a local emergency due to the COVID-19 Pandemic
Resolution No. 11402
4. Adopt a resolution finding that there is a proclaimed state of emergency; finding that meeting in person would present imminent risks to the health or safety of attendees as a result of the state of emergency; and authorizing continued remote teleconferenced meetings of the legislative bodies of the City of Newark for the 30 day period beginning September 22 pursuant to AB 361
Resolution No. 11403
5. Adopt a resolution amending the Conflict of Interest Code for nonelected officials and designated employees
Resolution No. 11404
6. Adopt a resolution approving Amendment No. 1 to the Contractual Services Agreement with GHD Inc. for additional traffic engineering and transportation planning services and amendment of the 2022-2024 Biennial Budget
Resolution No. 11405
7. Adopt a Resolution authorizing the acceptance of the Selective Traffic Enforcement Program (STEP) grant through the State of California Office of Traffic Safety (OTS) and amending the 2022-2024 Biennial Budget
Resolution No. 11406

E. PUBLIC HEARINGS

1. Public hearing to consider (1) adoption of a resolution approving the following: an Amendment to the General Plan, an Amendment to the Bayside Newark Specific Plan, a Vesting Tentative Map, a Design Review, a Minor Use Permit, a

Density Bonus Incentive, an Addendum to EIR (SC#2010042012), a Transit Station Dedication Agreement, an Alternate Means of Compliance to Payment of Housing Impact Fees, and Grand Park Agreement Amendment; and (2) introduction of an ordinance amending the Zoning Map; for approval of the FMC Willow and Grand Park project consisting of 279 residential units, 3,600 square feet of retail, 91 affordable housing units, and a 1,485 square foot community building [APN's 537-0852-001-02 (portion), 537-0852-001-07 (portion), 537-0852-002-08 & 092-0100-005].

Resolution No. 11407

Introduction of Ordinance

Deputy Community Development Director Interiano gave the presentation recommending approval (presentation on file with City Clerk). The FMC Willow Grand Park project at Willow Street and Enterprise Drive, consists of 279 multifamily units, 3,600 square feet of retail, 91 multifamily affordable units, a 1,485 square foot community building, 5-acre Grand Park, and 1.8 acres for a future transit station.

Mr. Interiano reviewed the Bayside Transit Oriented Development Specific Plan, project history, design review, the transit station dedication agreement, Bay Trail access, the amendment to the previously approved Park Agreement, playground equipment upgrades that the developer agreed to for the Grand Park, parking reduction incentives, the vesting tentative map, amendments to the Specific Plan, General Plan and Zoning Map, the Affordable Housing and Compliance Agreement, and the California Environmental Quality Act. He noted that the Planning Commission approved the project in July.

Mark Butler, Integral Communities gave introductory comments and introduced Steve Jones.

Steve Jones, Integral Communities gave a presentation. He shared graphics of the site plan, the affordable housing development with retail, affordable rent samples, the Grand Park, the Bay Trail extension, the transit station parcel with interim improvements, and the building architecture.

Council Member Collazo suggested including a greywater recycling plan to use for the project landscaping.

In response to Vice Mayor Hannon's question, Jatin Malhotra stated that there will be staff, in addition to the manager, at the affordable housing site.

In response to Vice Mayor Hannon's questions regarding a cricket pitch, Recreation and Community Services Manager Cuevas shared the dimensions of soccer fields and cricket fields. He stated that staff was looking to add a cricket pitch at MacGregor Playfields.

Vice Mayor Hannon requested that staff explore a cricket pitch as an interim use on the transit station parcel.

Council Member Bucci requested clarification on the parking/density bonus and expressed his concern with the 20% reduction allowed for the project. Deputy Community Development Director Interiano stated that the project qualified for the reduction due to the Code.

Mayor Nagy opened the public hearing at 8:20 p.m.

Namit Saksena stated that he was excited to see the project move forward. He commended staff for incorporating feedback in the park design. He requested a cricket pitch, would like to connect to the Bayside Trail in the map above the Grand Park to allow easier access to green space. He requested that the park be built sooner.

Mayor Nagy closed the public hearing at 8:24 p.m.

Mark Butler explained the steps necessary before park construction could begin. He estimated that the park would be complete by June or July of 2025.

Council Member Bucci reiterated that a 20% reduction in parking was a bad idea. He stated the lack of parking would impact the community and Police resources. He stated that the rest of the project was great.

Vice Mayor Hannon moved, Council Member Freitas seconded to (1) adopt a resolution approving the following: an Amendment to the General Plan, an Amendment to the Bayside Newark Specific Plan, a Vesting Tentative Map, a Design Review, a Minor Use Permit, a Density Bonus Incentive, an Addendum to EIR (SC#2010042012), a Transit Station Dedication Agreement, an Alternate Means of Compliance to Payment of Housing Impact Fees, and Grand Park Agreement Amendment; and (2) introduction of an ordinance amending the Zoning Map; for approval of the FMC Willow and Grand Park project consisting of 279 residential units, 3,600 square feet of retail, 91 affordable housing units, and a 1,485 square foot community building [APN's 537-0852-001-02 (portion), 537-0852-001-07 (portion), 537-0852-002-08 & 092-0100-005]. The motion approved the following amendments to the Initial Study and Addendum: 1) Addendum- Pg.2 revise acreage for Commercial/Mixed Use SP to 1.6 acres(from 1.2) and revise Medium /High Density in SP to 13.4 acres(from 13.1) and 2) Initial Study- Pg.5,97 &98 Revise any 1.2 acre reference to 1.6 acres, also revise any reference of 13.1 to 13.4 acres, including any updates to density due to revisions. The motion passed, 5 AYES.

F. OTHER BUSINESS

1. Adopt two resolutions approving (1) a Standard Agreement, Loan Agreement, Regulatory Agreement, Promissory Note and Deed of Trust, and (2) a

Subordination Agreement for the Towne Place Suite Homekey Project known as "Cedar Community Apartments" at 39802 Cedar Boulevard
Resolution No. 11408 standard agreement
Resolution No. 11409 loan agreement and associated agreements

Community Development Director Turner gave the presentation recommending approval (presentation on file with City Clerk). He outlined the Project Homekey history, grants and funding Overview, affordable housing, funding agreements, operation and development overview, policy and program conformance and next steps.

Lieutenant Sandoval provided crime analysis of the area. He reviewed Project Roomkey and noted that the reported incidents before, during, and after that project remained consistent. He requested security cooperation and camera access with Abode Services.

Community Development Director Turner stated that site would include security fencing with controlled access, security cameras, security guard 24/7, and a live-in manager. Site improvements include a modular building for resident services, new security fencing and cameras, bicycle spaces, Accessible parking and mobility. 88 parking spaces will be provided. He outlined next steps with leasing/tenant move in estimated between November 2022 through March 2023.

Louis Chicoine, CEO, Vivian Wan, Chief Operating Officer, and Jon White, Chief Real Estate Officer of Abode Services gave a presentation (on file with City Clerk) in support of the project.

Council Member Bucci suggested an application fair and local nonprofits to contact.

Terrence Grindall stated that he supported the project. This project secures millions of dollars for the city and the developer had a strong track record. He urge staff to monitor the project for any negative impacts to the area.

Austin Blach spoke in favor of the project and recommended approval.

Ashley Mo's husband, stated he was neutral on the project. He asked what could be done with the unsheltered individuals currently living in the neighborhood.

Vice Mayor Hannon requested that Abode Services report back in a year on the project. He requested modifications to the social services section asked staff to incorporate specific timeframe of at least 30 days to notify the City if there is a significant change of the services provided. If for any reason the promissory note goes into default or foreclosure, that the City Council be notified immediately.

Council Member Bucci moved, Vice Mayor Hannon seconded to adopt two resolutions approving (1) a Standard Agreement, Loan Agreement, Regulatory Agreement, Promissory Note and Deed of Trust, and (2) a Subordination Agreement for the Towne

Place Suite Homekey Project known as "Cedar Community Apartments" at 39802 Cedar Boulevard. The motion passed, 5 AYES.

G. CITY COUNCIL MATTERS

1. Adopt a resolution approving the Mayor's appointment to the Planning Commission
Resolution No. 11410

Mayor Nagy recommended the appointment of Patricia Pitpitan to the unexpired term on the Planning Commission.

Moved by Council Member Collazo, seconded by Vice Mayor Hannon to approve the appointment of Patricia Pitpitan to the Planning Commission. The motion passed, 5 AYES.

Mayor Nagy complimented the productivity of the meeting.

Council Member Bucci stated that he was proud of the work accomplished at this meeting. He commended Laurie Gratz, the Boy Scouts and the Newark Memorial Varsity Football Team for their quick closing activities for Newark Days.

Council Member Collazo thanked Assistant to the City Manager Gebhard for her work on the City Council's float for Newark Days. Shop Newark.

Council Member Freitas stated that he agreed with the previous comments.

Vice Mayor Hannon stated that 215 affordable housing units were approved tonight through two outstanding projects. He requested that the City Council adjourn the meeting in memory of Monica Lynn Bennett, daughter of Russ and Marla Blowers.

H. CLOSED SESSION

I. ADJOURNMENT

Mayor Nagy adjourned the meeting at 10:01 pm, in memory of Monica Lynn Bennett.

Sheila Harrington, City Clerk