



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

Minutes

Thursday, February 23, 2017

A. ROLL CALL

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

B. MINUTES

B.1 Approval of Minutes of the regular City Council meeting of Thursday, February 9, 2017. **MOTION APPROVED**

Council Member Freitas moved, Council Member Collazo seconded, to approve the Minutes of the regular City Council meeting. The motion passed, 5 AYES.

C. PRESENTATIONS AND PROCLAMATIONS

C.1 Introduction of employees.

Mayor Nagy introduced Police Officer Jason Germano, Public Safety Dispatcher Bridget Gregory, and Public Safety Dispatcher Julie Sugimura.

D. WRITTEN COMMUNICATIONS

E. PUBLIC HEARINGS

F. CITY MANAGER REPORT

Council Member Collazo moved, Council Member Hannon seconded, to approve Consent Calendar Item F.1, that the resolution be numbered consecutively, and that reading of the title suffice for adoption of the resolution. The motion passed, 5 AYES.

F.1 Authorization for the Mayor to sign a contractual services agreement with Abbe & Associates for preparation of a Long Term Recycling Plan, assistance with implementing a Commercial Organics Collection Program and audit of Material Stream Reporting. **RESOLUTION NO. 10595**

CONTRACT NO. 17004

NONCONSENT**F.2 Approval of the Newark Pedestrian and Bicycle Master Plan.****RESOLUTION NO. 10596**

Assistant City Manager Grindall, Carrie Modi of Fehr and Peers, and Public Works Director Fajeau gave a presentation (on file with City Clerk) recommending approval of the Newark Pedestrian and Bicycle Master Plan.

Council Member Collazo stated the need for bicycle racks and driver education for the new signs.

Council Member Hannon requested that staff create a matrix identifying the specific recommendations with a time period to complete and potential funding sources. He requested that future developers consider adopting a project in the plan for funding.

Nadja Adolf McClary stated that sidewalks should be wider to encourage walking. She referenced Cherry Street as an area that was difficult to walk for couples. She stated that shared paths for bicyclists and pedestrians need to be reviewed carefully because she thinks those paths are prone to accidents.

Council Member Hannon stated that the area between Willow Street and the Dumbarton Bridge should be a priority.

Vice Mayor moved, Council Member Collazo seconded to, by resolution, approve the Newark Pedestrian and Bicycle Master Plan. The motion passed, 5 AYES.

F.3 Acceptance of the Comprehensive Annual Financial Report (CAFR) for the period ending June 30, 2016. MOTION APPROVED

Administrative Services Director Woodstock gave a presentation (on file with City Clerk) recommending approval of the CAFR.

Council Member Hannon moved, Council Member Collazo seconded to by motion, accept the Comprehensive Annual Financial Report (CAFR) for the period ending June 30, 2016. The motion passed, 5 AYES.

F.4 Establishment of a Pension and Other Post-Employment Benefits Policy. ORDINANCE INTRODUCED RESOLUTION NO. 10597

Administrative Services Director Woodstock gave a presentation (on file with City Clerk) recommending approval. The Pension and Other Post-Employment Benefit Reserve Policy establishes a reserve fund, allows the City Manager to direct surpluses from salary savings to be deposited into the reserve fund and commits the funds in the reserve to pay the unfunded liability in the pension or other post-employment benefit (OPEB) plans.

Nadja Adolf McClary commended the City for addressing this matter. She stated that CalPERS 7 % rate is overly optimistic and should be closer to 5 %.

John Henneberry referenced his 2012 survey regarding employee compensation. He asked if the City has a contract with CalPERS and if the City has a contract with City employees to fund pensions. City salaries need to be reduced and positions combined to fund the pensions.

Angela Akridge stated that there were smaller cities that made better choices and that CalPERS is not entirely to blame. She suggested: merging with a neighboring city, raising developer fees, freeing up money for an additional annual principal payment, and merging departments and staff positions.

Hasin Arteaga stated that she is a government employee and their organization asked the employees to contribute towards their pension obligation. She suggested asking Newark employees to contribute towards their pensions.

In response to Ms. Arteaga, City Manager Becker stated that employees pay the full employee share and contribute additional money.

Council Member Freitas moved, Vice Mayor Bucci seconded to by resolution, approve the Pension and Other Post-Employment Benefit Reserve Policy and, by introduction of an ordinance, commit funds for the purpose reserves being held for future payments toward the City's CalPERS and OPEB Unfunded Accrued Liabilities. The motion passed, 5 AYES.

G. CITY ATTORNEY REPORTS

H. ECONOMIC DEVELOPMENT CORPORATION

I. CITY COUNCIL MATTERS

I.1 Consideration of a resolution declaring the City of Newark a Welcoming City. RESOLUTION NO. 10598

Vice Mayor Bucci requested that the City Council consider adopting a resolution declaring the City of Newark a Welcoming City. There are residents who do not report crimes because of their immigration status.

Mayor Nagy stated that this resolution would not make Newark a sanctuary city, nor support illegal immigration. The city has been an inclusive community through the National League of Cities for the last 10 years and it restates that policy.

Nadja Adolf McClary stated that she is the victim of identification theft and asked why provide a safe haven for id thieves. She further asked: what if federal funds are withheld,

will the City look the other way to prevent deportation, and are we creating a special class who does not have to follow laws?

Richard Valle, Alameda County Board of Supervisors shared the actions that the Supervisors have taken on this issue and expressed his support of the resolution. He stated that the California Trust Act prevents law enforcement from holding people with ICE holds unless there is a violent crime involved. They will hold a meeting on March 11, 2017 from 10 am to 1 pm at the Union City Senior Center to address these issues.

Kary Bloom stated that she supported the resolution. Her family line would have ended in the concentration camps if they had not come to this country. She said that immigrants work hard for a better life and in safe communities all people have access to the police.

Guadalupe Lopez stated that local businesses depend on the impact of immigrants. Immigrants contribute to the community. We all have immigrant stories in our heritage. She supported the resolution.

Pat Danielson stated that she liked the term welcoming city. She stated that the resolution says that the Police Department is here for the community and not an enforcement agency of the federal government.

Ana Apodaca stated that she supported the resolution and that it was consistent with the conversations that she had with the Police Chief when she was on the City Council.

Francisco Preciado, Newark Unified School District Board Member, commended the City Council for bringing this resolution forward. He stated that the School Board passed a resolution that they will not tolerate hate.

Vivian Larsen, Board of Trustees for the Ohlone Community College District stated that the College Board passed a resolution of no discrimination. The City serves all of its residents.

Vice Mayor Bucci moved, Council Member Collazo seconded to adopt a resolution declaring the City of Newark a Welcoming City. The motion passed, 5 AYES.

Vice Mayor Bucci wished his wife a Happy Birthday.

Council Member Collazo stated that she was recently in Mexico for her son's wedding. She noted that there is an app that notifies people when ICE raids are occurring.

Council Member Freitas congratulated Newark Employee of the Year Ryan Johnson. He also attended the Alameda CTC Safe Routes to School biannual review meeting. Students with financial difficulties may apply for transportation through Safe Routes to School program. He requested that the information be shared with the School Superintendent.

Council Member Hannon requested that the welcoming city resolution be printed in the City newsletter in English and Spanish.

Mayor Nagy wished his wife a Happy Birthday.

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

K. ORAL COMMUNICATIONS

Leticia Salinas, NUSD Assistant Superintendent, invited the City Council to participate in the Read Across America event at local classrooms on March 2.

John Henneberry expressed his displeasure with government compensation. He requested that the City Council place government compensation on a future agenda and open the Newark library daily.

L. APPROPRIATIONS

Approval of Audited Demands for the City Council meeting of February 23, 2017. MOTION APPROVED

City Clerk Harrington read the Register of Audited Demands: Check numbers 110157 to 110286.

Council Member Freitas moved, Council Member Collazo seconded, to approve the Register of Audited Demands. The motion passed, 5 AYES.

M. CLOSED SESSION

N. ADJOURNMENT

At 9:39 p.m., Mayor Nagy adjourned the City Council meeting.

SHEILA HARRINGTON
City Clerk