



CITY OF NEWARK CITY COUNCIL

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City Administration Building
7:30 p.m.
City Council Chambers

Minutes

Thursday, January 12, 2017

A. ROLL CALL

Mayor Nagy called the meeting to order at 7:33 p.m. Present were Council Members Hannon, Collazo, Freitas, and Vice Mayor Bucci.

B. MINUTES

B.1 Approval of Minutes of the regular and special City Council meetings of December 8 and 13, 2016. MOTION APPROVED

Council Member Bucci moved, Council Member Collazo seconded, to approve the Minutes of the regular City Council meeting. The motion passed, 4 AYES, 1 ABSTENTION (Hannon).

C. PRESENTATIONS AND PROCLAMATIONS

D. WRITTEN COMMUNICATIONS

E. PUBLIC HEARINGS

E.1 Hearing to Consider Adoption of an Urgency Ordinance and Introduction of a Zoning Text Amendment Ordinance Amending Newark Municipal Code Chapters 17.08 ("Definitions") and 17.16 ("R Residential Districts") to Comply with Recent Amendments to State Law Regarding Accessory Dwelling Units. URGENCY ORDINANCE NO. 496U

Assistant City Manager Grindall gave a presentation on the proposed amendment to Title 17 (Planning and Zoning) of the Newark Municipal Code to conform to State regulations for Accessory Dwelling Units (ADU). The new rules are intended to make it easier to create ADUs on single-family residential properties and address the shortage of affordable rental units.

Council Member Hannon suggested presenting these types of units to developers to consider including in their new developments, if the lot size would allow.

Vice Mayor Bucci suggested amending the ordinance to remove the owner occupied requirement. Council Member Hannon suggested that the City Council consider making a conditional use permit a requirement for the non-owner occupancy so the neighbors would be notified and could provide feedback.

Council Member Collazo suggested making it two bedrooms instead of one bedroom.

Mayor Nagy opened the public hearing at 7:41 p.m.

Angela Akridge requested clarification on the contiguous passageway language and how the owner occupancy would be enforced.

Mayor Nagy closed the public hearing at 8:01 p.m.

In response to City Council comments, City Manager Becker suggested removing the owner occupied provision from the urgency ordinance and returning at a future meeting with proposed language for the issues that were raised at the meeting. The City Council concurred with this suggestion.

Council Member Hannon requested that staff contact other cities and review their conditional requirements for secondary units relative to numbers of bedrooms and size of units.

Council Member Hannon moved, Vice Mayor Bucci seconded to adopt an Urgency Ordinance striking out Section 3, Paragraph (5)(A) “An ADU may be occupied as a separate single-family dwelling only if the legal owner of the lot occupies one of the dwellings located on the lot; otherwise, the ADU and the principal residence shall be occupied as if they were one single-family dwelling.” and replace it with “intentionally left blank” amending Newark Municipal Code Chapters 17.08 (“Definitions”) and 17.16 (“R Residential Districts”) to comply with recent amendments to State law regarding Accessory Dwelling Units. The motion passed, 4 AYES, 1 ABSTENTION (Freitas).

F. CITY MANAGER REPORTS

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

CONSENT

- F.1 Acceptance of work with Bond Blacktop, Inc. for 2016 Street Slurry Seal Program, Project 1117. RESOLUTION NO. 10586**

G. CITY ATTORNEY REPORTS

H. ECONOMIC DEVELOPMENT CORPORATION

I. CITY COUNCIL MATTERS

The entire City Council extended their condolences to the family of retired Assistant City Manager Dennis Jones.

Council Member Collazo stated that the drought is officially over.

Council Member Hannon requested that the City Council adjourn the meeting in memory of Dennis Jones.

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

- J.1 Resolution of the City of Newark acting as the Successor Agency to the Newark Redevelopment Agency adopting and endorsing the Recognized Obligation Payment Schedule for the period of July 2017 to June 2018 (ROPS 17-18) and approving the Last and Final ROPS.**

RESOLUTION NO. SA 2017-1

Administrative Services Director Woodstock stated that the outstanding debt on the loan from the City to the Newark Redevelopment Agency is \$215,696. The Agency can request \$62,894 in Fiscal Year 2017-2018 for repayment. The Last and Final ROPS allows the Agency to list the estimated requested amounts for future years until fully paid.

Council Member Collazo moved, Council Member Freitas seconded to by resolution, adopt and endorse the Recognized Obligation Payment Schedule for the period of July 2017 to June 2018 (ROPS 17-18) and approve the Last and Final Recognized Obligation Payment Schedule. The motion passed, 5 AYES.

K. ORAL COMMUNICATIONS

Ricardo Corte presented a letter to the City Council (on file with City Clerk). He requested a peer review of the Group 4 Architecture historical assessment of the Library and the addition of the library to the City's historical resource list.

Chris Moylan introduced himself as Congressman Ro Khanna's district office director. He requested that his office be informed of events within Newark.

Angela Akridge stated that the Newark Library League membership letter discusses the architecture of the library. She suggested providing informational flyers for the assessor's dwelling unit.

L. APPROPRIATIONS

Approval of Audited Demands for the City Council meeting of January 12, 2017. MOTION APPROVED

City Clerk Harrington read the Register of Audited Demands: Check numbers 109656 to 109878.

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

M. CLOSED SESSION

M.1 Closed session pursuant to Government Code Section 54957 Public Employee Performance Evaluation Title: City Manager.

At 8:38 p.m. the City Council recessed to a closed session.

At 8:45 p.m. the City Council convened in closed session.

At 10:10 p.m. the City Council reconvened in open session with all Council Members present.

N. ADJOURNMENT

At 10:10 p.m. Mayor Nagy adjourned the City Council meeting in memory of retired Assistant City Manager Dennis Jones.