



# CITY OF NEWARK CITY COUNCIL

City Administration Building, City Council Chambers

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## Minutes

Thursday, May 25, 2023

7:00 P.M.

### A. ROLL CALL

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

### B. PRESENTATIONS

Mayor Hannon introduced Dr. Penelope DeLeon who was recently selected as the Superintendent for the Newark Unified School District.

#### 1. Commendation for Stephanie Schubert Newark Teacher of the Year

Mayor Hannon presented a commendation to Stephanie Schubert for her Teacher of the Year achievement.

### C. PUBLIC COMMENT

No one requested to speak.

### D. CONSENT CALENDAR

Vice Mayor Collazo moved, Council Member Freitas seconded, to approve Consent Calendar Items D.1 through D6, that the resolutions and ordinances be numbered consecutively, and that reading of the titles suffice for adoption. The motion passed, 5 AYES.

#### 1. Approval of Audited Demands

2. Approval of May 11, 2023 minutes
3. Waive full reading, conduct second reading by title only, and adoption of an ordinance amending Chapter 15.04, General Provisions, and Chapter 15.44, Green Building and Construction and Waste Debris Recycling, of the Newark Municipal Code to align with State requirements  
Ordinance No. 540
4. Waive full reading, conduct second reading by title only, and adoption of an ordinance re-adopting Chapter 2.50, "Military Equipment Use Policy", to the Newark Municipal Code  
Ordinance No. 541
5. Adopt a resolution approving amendments to the Contractual Services Agreements with Bear Electrical Solutions, Inc. and Cal West Lighting & Signal Maintenance for additional traffic signal and street light maintenance services and amendment of the 2022-2024 Biennial Budget and Capital Improvement Plan  
Resolution No. 11504  
Contract No. 20043 Bear  
Contract No. 20041 Cal West
6. Adopt a resolution accepting the subdivision improvements for Tract 8462 – Pomegranate, a 21-unit residential subdivision located at 6179 Robertson Avenue  
Resolution No. 11505

**E. PUBLIC HEARINGS**

1. Hearing to consider property owners' objections to the 2023 Weed Abatement Program and instruction to the Superintendent of Streets to abate the public nuisances  
Motion approved

City Manager Benoun gave the staff report recommending approval.

Mayor Hannon opened the public hearing at 7:16 p.m.

Rose Kane requested that the weed abatement procedures not harm the wildlife on the lot at Willow Street and Enterprise Drive.

Mayor Hannon requested that staff follow up with Ms. Kane.

Mayor Hannon closed the public hearing at 7: 22 p.m.

Council Member Bucci moved, Vice Mayor Collazo seconded, to act upon any objections by property owners to the 2023 Weed Abatement Program, and instruct the Superintendent of Streets to abate the public nuisances. The motion passed, 5 AYES.

2. Public Hearing to consider adopting an ordinance establishing a Planned Development Overlay District and adopting a resolution approving a Planned Development Plan, Design Review, a Minor Use Permit, and a Vesting Tentative Map, and adoption of a Mitigated Negative Declaration supported by an Initial Study in accordance with the California Environmental Quality Act for a 118-unit residential development located at 38288-38594 Cedar Boulevard (APNs 92A-2375-002-06, 92A-2375-022-01)  
Resolution No. 11506  
Ordinance Introduced

Senior Planner Lopez gave the staff report recommending approval.  
Presentation on file with City Clerk.

Dominic Boitano, Robson Homes Project Manager gave a presentation.  
Presentation on file with City Clerk.

The City Council asked questions about the enhancements to the crosswalk, the sound wall appearance and height, and the bike lane.

Mayor Hannon opened the public hearing at 7:55 p.m.

There was no public testimony.

Mayor Hannon closed the public hearing at 7:56 p.m.

Council Member Bucci suggested that if a project takes more than 2 years to be presented to the City Council after the community meeting, then another community meeting should be held.

Council Member Jorgens moved, Council Member Freitas seconded, to adopt a resolution approving P2021-002, a Planned Development Plan, Design Review, A Minor Use Permit, and a Vesting Tentative Map and adopting a Mitigated Negative Declaration supported by an Initial Study in accordance with the California Environmental Quality Act for a 118-unit residential development located at 38288-38594 Cedar Boulevard (APNs 92A-2375-002-06, 92A-2375-022-01) and to waive the full reading and introduce an ordinance establishing a Planned Development Overlay District At 38288-38594 Cedar Boulevard (APNS 92A-2375-002-06, 92A-2375-022-01). The motion passed, 5 AYES.

## **F. OTHER BUSINESS**

1. Adopt a resolution authorizing the City Manager to execute a Contractual Services Agreement with RHAA Landscape Architecture & Design for the update of the 2017 Citywide Parks Master Plan and approving an amendment of the 2022-2024 Biennial Budget and Capital Improvement Plan for FY 2023  
Resolution No. 11507  
Contract No. 23029

Administrative Analyst Gonzalez gave the staff report recommending approval. Presentation on file with City Clerk.

Council Member Bucci requested that the Newark Bucks funding exercise be used again for the public meetings.

Council Member Bucci moved, Vice Mayor Collazo seconded, to adopt a resolution authorizing the City Manager to execute a contractual services agreement with RHAA Landscape Architecture & Planning and Authorizing an Amendment of the 2022-2024 Biennial Budget and Capital Improvement Plan for Fiscal Year 2023 to provide funding for the citywide parks master plan update. The motion passed, 5 AYES.

2. Adopt a resolution approving an exception to the 180-day wait period for the post-retirement employment of Joella Kapu as an extra-help rehired annuitant Public Safety Dispatcher  
Resolution No. 11508

Human Resources Director Solito gave the staff report recommending approval.

Council Member Freitas moved, Council Member Bucci seconded, to adopt a resolution approving an exception to the 180 day wait period for the post-retirement employment of Joella Kapu as an extra-help rehired annuitant dispatcher. The motion passed, 5 AYES.

## **G. CITY COUNCIL MATTERS**

Council Member Jorgens stated that he attended the Newark Memorial High School (NMHS) Senior Awards Night and congratulated the Class of 2023. He announced that his brothers, Tyler and Scott, were each named Coaches of the Year for NMHS.

Council Member Bucci thanked City staff for their help for the Community Swearing-In of Supervisor Elisa Márquez. He congratulated Teacher of the Year Stephanie Schubert.

Vice Mayor Collazo stated it was Memorial Day weekend and honored those who had fallen in service to the country. She stated that Bear Bitez was listed as a top burger restaurant and looked forward to trying it. Shop Newark

Mayor Hannon congratulated Betty Gentry Dance Group for the 60<sup>th</sup> dance review. He announced that Fitch Ratings has reaffirmed that the city's financial outlook is stable and reissued an AA+ credit rating. He congratulated Finance Director Lee and her staff. In honor of Memorial Day, he read a poem by William T. Elliot on the Vietnam War.

City Manager Benoun stated that the Broadband Master Plan survey would be available online for the public to fill out over the next 6 weeks and community meetings would be held.

**H. CLOSED SESSION**

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

At 8:24 p.m. the City Council recessed to a closed session.

At 8:42 p.m. the City Council convened in closed session.

At 10:02 p.m. the City Council reconvened in open session with all Council Members present.

**I. ADJOURNMENT**

Mayor Hannon adjourned the meeting at 10:02 p.m.

Sheila Harrington, City Clerk