



CITY OF NEWARK CITY COUNCIL

City Administration Building, City Council Chambers

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Minutes

Thursday, July 27, 2023
7:00 P.M.

A. ROLL CALL

Mayor Hannon called the meeting to order at 7:03 p.m. Vice Mayor Collazo, Council Members Bucci, Freitas, and Jorgens were present.

B. PRESENTATIONS

1. Commending the Deaf Plus Adult Community

Mayor Hannon announced that the presentation would be rescheduled for a future meeting.

2. Introduction of employee(s)

Mayor Hannon introduced Panhasak Bun, Police Officer.

C. PUBLIC COMMENT

No one requested to speak.

D. CONSENT CALENDAR

City Manager Benoun requested the removal of item D.7. for separate consideration.

Vice Mayor Collazo moved, Council Member Bucci seconded, to approve Consent Calendar Items D.1 through D.6, and D.8 to D.9 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 July 13, 2023, minutes
3. Adopt a resolution amending the 2022-2024 Biennial Budget and Capital Improvement Plan for Fiscal Year 2024 for solid waste management program specialty contractual services by R3 Consulting Group, Inc.
Resolution No. 11548
Contract No. 22044
4. Adopt a resolution authorizing the City Manager to execute Contractual Services Agreements, in a form approved by the City Attorney, with BKF Engineers and NCE for on-call pavement engineering and management services
Resolution No. 11549
Contract No. 23057 BKF
Contract No. 23058 NCE
5. Adopt a resolution approving a Salary Schedule in conformance with California Code of Regulations, Title 2, Section 570.5
Resolution No. 11550
6. Adopt a resolution authorizing the City Manager to execute an agreement with Faro Technologies Incorporated for the Focus Premium Three-Dimensional Scanner and amend the 2022-2024 Biennial Budget and Capital Improvement Plan for FY 2024
Resolution No. 11551

7. Adopt a resolution authorizing the acceptance of the State of California grants for Quiet Zone Safety Improvement in the amount of \$2,000,000 and for Broadband Improvements in the amount of \$1,800,000 and amend the 2022-2024 Biennial Budget and Capital Improvement Plan
Removed from Consent Calendar separate consideration

8. Adopt a resolution (1) adding multiple positions to the Employee Classification Plan; (2) adding and deleting multiple positions from the 2022-2024 Biennial Budget and Capital Improvement Plan for Fiscal Year 2024; (3) approving a Side Letter amending the Memorandum of Understanding between the City of Newark and Newark Association of Miscellaneous Employees; (4) amending the Compensation and Benefit Plan for Management, Supervisory and Professional Employees; (5) approving an amendment to the City's Salary Schedule; and (6) amending the 2022-2024 Biennial Budget and Capital Improvement Plan
Resolution No. 11552

9. Adopt a resolution finding that emergency conditions exist that do not permit a delay resulting from a competitive solicitation for bids and authorizing the City Manager to take necessary action to negotiate and award an emergency construction contract and expenditure for the repair of a roadway sinkhole and storm drain on Smith Avenue and amendment of the 2022-2024 Biennial Budget for Fiscal Year 2024; exempt from CEQA review per CEQA Guidelines Section 15301
Resolution No. 11553

NONCONSENT

7. Adopt a resolution authorizing the acceptance of the State of California grants for Quiet Zone Safety Improvement in the amount of \$2,000,000 and for Broadband Improvements in the amount of \$1,800,000 and amend the 2022-2024 Biennial Budget and Capital Improvement Plan
Resolution No. 11554

Council Member Freitas announced he would recuse himself due an economic conflict of interest in real properties that are a source of income in proximity to the Quiet Zone Safety Improvements. Council Member Freitas exited the City Council Chambers.

Council Member Jorgens stated that the grants with the State of California did not impact the office of his employer, a State Assembly Member.

City Manager Benoun gave the staff report recommending approval.

Council Member Bucci thanked Assembly Member Alex Lee for his assistance in acquiring the grants. He stated that the Broadband Community meeting will be held on August 25, 2023 at 2 pm.

Moved by Council Member Bucci, seconded by Council Member Jorgens to adopt a resolution. The motion passed 4 AYES, 1 RECUSED.

Council Member Freitas returned to the City Council Chambers.

E. PUBLIC HEARINGS

1. Hearing to consider adoption of a resolution approving Development Impact Fee amendments to the Master Fee Schedule for Fiscal Year 2024
Resolution No. 11555

City Manager Benoun stated that the Master Fee Schedule was undergoing a comprehensive review and would be presented to the City Council at a future meeting. He recommended increases to the Development Impact Fees based on the Engineering News Record Cost Construction Index.

Mayor Hannon opened the public hearing at 7:19 p.m.

No one requested to speak.

Mayor Hannon closed the public hearing at 7:19 p.m.

Moved by Council Member Freitas, seconded by Vice Mayor Collazo to adopt a resolution. The motion passed, 5 AYES.

2. Hearing to consider property owners' objections and adopt a resolution confirming the Superintendent of Streets' Report concerning weed abatement

assessments
Resolution No. 11556

City Manager Benoun gave the staff report recommending approval.

Mayor Hannon opened the public hearing at 7:20 p.m.

No one requested to speak.

Mayor Hannon closed the public hearing at 7:21 p.m.

Moved by Council Member Bucci, seconded by Vice Mayor Collazo to adopt a resolution. The motion passed, 5 AYES.

F. OTHER BUSINESS

1. Resolution approving an amendment to the Employment Agreement with City Manager David J. Benoun to serve as City Manager and an amendment to the 2022-2024 Biennial Budget and Capital Improvement Plan for Fiscal Year 2024 Resolution No. 11557

City Attorney Kokotaylo gave the staff report recommending approval.

Council Member Bucci stated City Manager Benoun has done a great job.

Vice Mayor Collazo thanked City Manager Benoun for his round the clock service.

Mayor Hannon stated that City Manager Benoun is an outstanding leader.

Moved by Council Member Bucci, seconded by Vice Mayor Collazo to adopt a resolution. The motion passed, 5 AYES.

G. CITY COUNCIL MATTERS

Council Member Bucci welcomed Officer Bun. He announced that Super Mario Brothers would play for Movie Night at the Community Center on Saturday. He stated that his friend Griffin Daily, announced his colon cancer diagnosis and he recommended that anyone 45 or older get screened.

Vice Mayor Collazo recommended people stay up to date on pneumonia vaccines and shared her experience with pneumonia. She welcomed Officer Bun. She noted that the city of Vallejo Police Department was understaffed and she felt safe here. She announced that OMT and Tortilla Soup would perform at Groovin at the Grove. Shop Newark.

Council Member Freitas stated that the Volunteer Recognition Ceremony was held last week. He thanked all of the volunteers for their service. He thanked City Manager Benoun for his service and noted that with 4 ½ years of service, he was one of the senior city managers in Alameda County.

Mayor Hannon congratulated Vice Mayor Collazo for the Mariachi Festival success. The Newark Optimist Club is hosting a garage sale this Saturday to benefit Relay for Life. The City Council holds an August Recess and will not meet again until September. September is the city of Newark's birthday.

H. CITY MANAGER UPDATES

City Manager Benoun stated that August 1 is National Night Out and Newark Days begins on September 14.

Assistant City Manager Hovorka stated that the Parks Master Plan and the Active Transportation Plan Updates will have a table at the Newark Days Community Information Faire. The Broadband Masterplan online survey was reopened until August 21. A Pop-up Recreation event will be held at Birch Grove Park on August 3 and a Family Fun Run at Lakeshore Park on August 18.

I. CLOSED SESSION

J. ADJOURNMENT

Mayor Hannon adjourned the meeting at 7:40 p.m.

Sheila Harrington
City Clerk