



# CITY OF NEWARK

## CITY COUNCIL

City Administration Building, City Council Chambers

37101 Newark Boulevard, Newark, CA 94560 | (510) 578-4266 | E-mail: [city.clerk@newark.org](mailto:city.clerk@newark.org)



## Minutes

Thursday, September 14, 2023  
7:00 P.M.

### A. ROLL CALL

Mayor Hannon called the meeting to order at 7:05 p.m. Vice Mayor Collazo, Council Members Bucci, Freitas, and Jorgens were present.

Mayor Hannon announced that the City Council would consider item G.1 Appointment to the Senior Citizen Standing Advisory Committee at the end of Presentations.

### B. PRESENTATIONS

#### 1. Proclamation for Newark Days

Mayor Hannon presented the proclamation to Newark Days Celebration representative Ramona McMaster and thanked the committee for their work. Ms. McMaster announced the activities to be enjoyed during the four-day event.

#### 2. Proclaiming September as National Preparedness Month

Mayor Hannon presented the proclamation to Emergency Services Coordinator Richard Martinez and CERT volunteers David Libby and Garry Zatarain.

#### 3. Commending the Deaf Plus Adult Community

Mayor Hannon presented the commendation to Executive Director Theresa Nold. He also presented her with a \$14,000 grant awarded by the City's nonprofit grant award program.

#### 4. Introduction of employee(s)

Mayor Hannon introduced Human Resources Director Cathreene Ingham-Watters, Associate Civil Engineer Esther Jung, Associate Civil Engineer Vibha Deshmukh, Administrative Support Specialist II Tianna Jones, and Accounting Assistant I Bengil Ranillo.

Mayor Hannon announced that a proclamation proclaiming September as Childhood Cancer Awareness month was issued off agenda.

Mayor Hannon highlighted the cancer fundraising efforts of “Relay for Life”, Newark Optimist Club, and Newark Rotary Club. Council Member Bucci stated that in the last few years “Relay for Life” in Newark raised over \$1M to combat cancer.

**5. Presentation of Certificates of Appreciation for the Senior Advisory Committee**

Mayor Hannon presented certificates to members of the Senior Citizen Standing Advisory Committee in recognition of their efforts to support seniors and bring issues affecting them to the City’s attention.

**G. CITY COUNCIL MATTERS**

**1. Adopt a resolution approving the Mayor's appointment to the Senior Citizen Standing Advisory Committee  
Resolution No. 11558**

Mayor Hannon addressed this agenda item out of order.

Mayor Hannon stated that he appointed Shirley Ferrante and Linda Mapes to fill the two vacancies on the Senior Citizen Standing Advisory Committee.

There was no public comment.

Vice Mayor Collazo moved, Council Member Bucci seconded, to adopt a resolution approving the Mayor’s appointments to the Senior City Standing Advisory Committee. The motion passed, 5 AYES.

At 7:58 p.m. Mayor Hannon called for a short recess so that those who wished to leave could do so.

Mayor Hannon called the meeting back to order at 8:02 p.m.

**C. PUBLIC COMMENT**

Richard Woon commented on the resurgence of fear of COVID and the exodus of many Californians to other states. He would like Newark schools, businesses, and City offices to remain open.

## **D. CONSENT CALENDAR**

Council Member Bucci moved, Council Member Jorgens seconded, to approve Consent Calendar Items D.1 through D.5, 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 27, 2023, minutes**
- 3. Report on administrative actions during August recess**
- 4. Adopt a resolution accepting completion of Smith Avenue Sinkhole Repairs, Project No. 1358, by Mountain Cascade, Inc., terminating emergency contracting actions pursuant to Public Contract Code Section 22050 and amending the 2022-2024 Biennial Budget for Fiscal Year 2024; exempt from CEQA review per CEQA Guidelines Section 15301  
Resolution No. 11559**
- 5. Adopt a resolution approving side letter agreements to the Memorandum of Understanding with the Newark Association of Miscellaneous Employees (NAME) and to the Memorandum of Understanding with the Newark Police Association (NPA) to provide that NPA serve as the sole and exclusive bargaining representative for the Vehicle Abatement Officer classification  
Resolution No. 11560**

## **E. PUBLIC HEARINGS**

- 1. Public Hearing to consider approval of a Resolution finding the project exempt from further environmental review pursuant to CEQA and approving a Design Review, Minor Use Permit, and Vesting Tentative Map for a 76-unit residential development located at 38600 Cedar Boulevard (APNs 92A-2585-12-1, 92A-2585-31)  
Resolution No. 11561**

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

The City Council asked questions about the sound wall appearance and height, sidewalk and crosswalk enhancements, continuity from development to development, the single entry into the development, and graffiti on the sound walls.

Brian Steele, Principal, Waymark Development, CBG, gave a presentation. Presentation on file with the City Clerk.

Mayor Hannon opened the public hearing at 8:22 p.m.

There was no public comment.

Mayor Hannon closed the public hearing at 8:22 p.m.

City Manager Benoun noted that the City Council received a memo before the meeting explaining that the resolution incorrectly states that the proposed sound wall will step down from a height of 18 to 10 feet from the rear to the front of the property. The step down will be from a height of 18 to 8 feet. He recommended that the resolution be amended with the correct number when the motion was considered.

Council Member Freitas moved, Vice Mayor Collazo seconded, to adopt a resolution finding the project exempt from further environmental review pursuant to CEQA and approving DR2002022-011 and MEP2022-026 a Design Review Minor Use Permit, and Vesting Tentative Map for a 76-unit residential development located at 38600 Cedar Boulevard (APNs 92A-2585-12-1, 92A-2585-31) and to amend the sound wall step down from a height of 18 to 8 feet. The motion passed, 5 AYES.

## **F. OTHER BUSINESS**

- 1. Presentation of programs and services delivered by the City of Newark's Clark W. Redeker Newark Senior Center and adopt a resolution approving the revised guidelines and procedures for the Senior Citizen Standing Advisory Committee  
Resolution No. 11562**

Recreation and Community Services Manager Cuevas gave the presentation of the services offered at the Clark W. Redeker Newark Senior Center and the changes proposed to the Senior Citizen Standing Advisory Committee guidelines and procedures that will facilitate conducting meetings.

There was no public comment.

Council Member Bucci moved, Council Member Jorgens seconded, to adopt a resolution approving the revised guidelines and procedures for the Senior Citizen Standing Advisory Committee. The motion passed, 5 AYES.

## **G. CITY COUNCIL MATTERS**

Council Member Jorgens wished everyone a happy Newark Days. He stated that Newark Days is a volunteer event and volunteers have created Newark's unique character. He is glad to see it continue.

Council Member Freitas also wished all a happy Newark Days.

Council Member Bucci wished Newark a happy birthday and recognized the Newark Days committee for their commitment. He welcomed the new employees and congratulated Senior Advisory Committee member Rick Arellano on his 50 years in Newark. He expressed his disappointment with the level of housing projects and would like to see something that does not include a HOA. He is disappointed that there is no grocery store in Area 2 or a bus depot in the City.

Vice Mayor Collazo wished Newark a happy birthday. She reminded everyone about emergency preparedness and that October is a good month to review supplies. Vice Mayor Collazo stated that cancer has touched everyone in some way and to not ignore your health. Regarding COVID, continue to wear a mask if you choose. Shop Newark!

Mayor Hannon commented on Council's desire to see affordable housing in future development and changes to affordable housing fees. He also commented on approved housing projects that have not been built and the process for extending build time.

Mayor Hannon stated that we need to be respectful of others' decision to wear a mask or not and he encouraged everyone to take advantage of the new booster.

Mayor Hannon recognized the Jewish community which will be celebrating Rosh Hashanah, the Jewish New Year.

## **H. CITY MANAGER UPDATES**

### **I. CLOSED SESSION**

- 1. Closed session for conference with Labor Negotiators pursuant to California Government Code Section 54957.6. Agency designated representatives: City Manager Benoun, Assistant City Manager Hovorka, Human Resources Director Ingham-Watters, and Labor Attorney; Employee Group: the Newark Police Association**

There was no public comment.

At 9:43 p.m. the City Council recessed to a closed session.

At 9:52 p.m. the City Council convened in closed session.

At 11:05 p.m. the City Council reconvened in open session with all Council Members present.

## **J. ADJOURNMENT**

Mayor Hannon adjourned the meeting at 11:05 p.m.

Kathleen Slafter  
Deputy City Clerk