

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

AGENDA

Thursday, October 26, 2017

CITY COUNCIL:

Alan L. Nagy, Mayor
Mike Bucci, Vice Mayor
Luis L. Freitas
Sucy Collazo
Michael K. Hannon

CITY STAFF:

John Becker
City Manager
Terrence Grindall
Assistant City Manager
Susie Woodstock
Administrative Services Director
Sandy Abe
Human Resources Director
Soren Fajeau
Public Works Director
Michael Carroll
Police Chief
David Zehnder
Recreation and Community
Services Director
David J. Benoun
City Attorney
Sheila Harrington
City Clerk

Welcome to the Newark City Council meeting. The following information will help you understand the City Council Agenda and what occurs during a City Council meeting. Your participation in your City government is encouraged, and we hope this information will enable you to become more involved. The Order of Business for Council meetings is as follows:

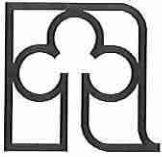
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|-------------------------------------|----------------------------|
| A. ROLL CALL | I. COUNCIL MATTERS |
| B. MINUTES | J. SUCCESSOR AGENCY |
| C. PRESENTATIONS AND PROCLAMATIONS | K. TO REDEVELOPMENT AGENCY |
| D. WRITTEN COMMUNICATIONS | L. ORAL COMMUNICATIONS |
| E. PUBLIC HEARINGS | M. APPROPRIATIONS |
| F. CITY MANAGER REPORTS | N. CLOSED SESSION |
| G. CITY ATTORNEY REPORTS | O. ADJOURNMENT |
| H. ECONOMIC DEVELOPMENT CORPORATION | |

Items listed on the agenda may be approved, disapproved, or continued to a future meeting. Many items require an action by motion or the adoption of a resolution or an ordinance. When this is required, the words **MOTION**, **RESOLUTION**, or **ORDINANCE** appear in parenthesis at the end of the item. If one of these words does not appear, the item is an informational item.

The attached *Agenda* gives the *Background/Discussion* of agenda items. Following this section is the word *Attachment*. Unless "none" follows *Attachment*, there is more documentation which is available for public review at the Newark Library, the City Clerk's office or at www.newark.org. Those items on the Agenda which are coming from the Planning Commission will also include a section entitled *Update*, which will state what the Planning Commission's action was on that particular item. *Action* indicates what staff's recommendation is and what action(s) the Council may take.

Addressing the City Council: You may speak once and submit written materials on any listed item at the appropriate time. You may speak once and submit written materials on any item **not** on the agenda during **Oral Communications**. To address the Council, please seek the recognition of the Mayor by raising your hand. Once recognized, come forward to the lectern and you may, but you are not required to, state your name and address for the record. Public comments are limited to five (5) minutes per speaker, subject to adjustment by the Mayor. Matters brought before the Council which require an action may be either referred to staff or placed on a future Council agenda.

No question shall be asked of a council member, city staff, or an audience member except through the presiding officer. No person shall use vulgar, profane, loud or boisterous language that interrupts a meeting. Any person who refuses to carry out instructions given by the presiding officer for the purpose of maintaining order may be guilty of an infraction and may result in removal from the meeting.



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Thursday, October 26, 2017

A. ROLL CALL

B. MINUTES

- B.1 Approval of Minutes of the City Council meetings of October 3 and 12, 2017. (MOTION)**

C. PRESENTATIONS AND PROCLAMATIONS

- C.1 Commending Newark Days Committee members. (COMMENDATION)**

Background/Discussion – Newark Days was held September 14-17, 2017, and celebrated the City's 62nd birthday. Members of the Newark Days Committee (Committee) volunteer their time and effort to ensure a successful event. Members of the Committee will accept a commendation at the City Council meeting.

D. WRITTEN COMMUNICATIONS

E. PUBLIC HEARINGS

F. CITY MANAGER REPORT

(It is recommended that Items F.1 through F.2 be acted on simultaneously unless separate discussion and/or action is requested by a Council Member or a member of the audience.)

CONSENT

- F.1 Cancellation of the November 23 and December 28, 2017 City Council meetings – from City Clerk Harrington. (MOTION)**

Background/Discussion – Newark Municipal Code Section 2.08.010 provides that when a regular meeting of the City Council falls on a day designated by law as a legal or national holiday, there shall be no meeting. The November 23, 2017 regular meeting falls on the Thanksgiving holiday. The December 28, 2017 meeting occurs during the holiday

furlough. Formally canceling these meetings will allow the City Clerk to notify the public in a timely manner.

Action - It is recommended that the City Council, by motion, cancel the November 23 and December 28, 2017, City Council meetings.

F.2 Approval of Contractual Services Agreement with Robert Mowat Associates for Professional Design Services for City Dog Parks at Newark Community Park and Birch Grove Park, Project No. 1194 – from Assistant City Engineer Imai. (RESOLUTION)

Background/Discussion – On June 22, 2017 the City Council approved the City’s first Citywide Parks Master Plan. The Parks Master Plan identifies four priority projects, two of which are the construction of new dog parks at Newark Community Park and Birch Grove Park.

The schematic design of Newark Community Park included in the Citywide Parks Master Plan identifies a nearly one acre (38,700 sf) dog park along the park’s northern edge near the intersection of Cedar Boulevard and Chapman Drive. In the Parks Master Plan’s schematic design of Birch Grove Park, a 1.3 acre (56,559 sf) dog park is situated in the western corner of the site. Both dog parks will provide separated fence-enclosed areas with double-gated entrances and exits for small and large dogs, shaded seating and water for both canines and people. Surfacing of the dog parks will be determined during development of the respective preliminary designs, but is anticipated to be comprised of decomposed granite and/or turf.

Selection of Design Consultant

In accordance with the City’s Purchasing Rules and Regulations, staff prepared and initiated an open and competitive Request for Proposals (RFP) for professional design services for the two City dog parks. The RFP specified that selection would be made based on quality and completeness of submissions as well as a firm’s experience with projects of similar scope and complexity, satisfaction of previous clients, and proposed rate schedules.

Staff received a total of ten proposals and evaluated and ranked them based on completeness and responsiveness to the RFP. Based on the initial review of the proposals received, staff invited three firms to be interviewed by the City’s project team, consisting of the Recreation & Community Services Director, Public Works Director, Assistant City Engineer, Maintenance Superintendent and Maintenance Supervisor. The three firms invited to the interviews were:

- Firma Design Group
- Gates + Associates
- Robert Mowat Associates

At the conclusion of the interviews, staff selected Robert Mowat Associates as the recommended consultant based on their experience with projects of similar scope, demonstrated ability to develop and deliver park designs in line with the project budget and satisfaction of previous public municipality clients.

Anticipated Schedule

Development of preliminary designs for both the Newark Community Dog Park and Birch Grove Dog Park is anticipated to begin shortly after an agreement is executed with the selected consultant. Design alternatives will be presented to the community for review and input through separate public workshops focused on each of the two individual dog parks. Staff anticipates presenting preferred design concepts for both dog parks to City Council for review and approval during the first quarter of 2018.

Staff plans to bid, administer and construct both the Birch Grove and Newark Community dog parks together under a single construction contract, with construction projected to begin in Summer 2018. Construction of the dog parks is anticipated to be funded through a combination of City Park Impact Fees and Measure WW funds. Measure WW was approved by voters in Alameda and Contra Costa counties in 2008 and makes funds available to cities for high priority community park projects.

Contractual Services Agreement

Staff is recommending the approval of a Contractual Services Agreement with Robert Mowat Associates for the design of the Newark Community Dog Park and Birch Grove Dog Park for a not-to-exceed amount of \$77,500. On July 27, City Council amended the 2016-2018 Biennial Budget and Capital Improvement Plan to include \$99,000 for the design of the Newark Community and Birch Grove Dog Parks, Project No. 1194.

Attachments

Action – It is recommended that the City Council, by resolution approve the Contractual Services Agreement with Robert Mowat Associates for Professional Design Services for City Dog Parks at Newark Community Park and Birch Grove Park, Project No. 1194.

- G. CITY ATTORNEY REPORTS**
- H. ECONOMIC DEVELOPMENT CORPORATION**
- I. CITY COUNCIL MATTERS**
- J. CITY COUNCIL ACTING AS THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY**

K. ORAL COMMUNICATIONS

L. APPROPRIATIONS

Approval of Audited Demands for the City Council meeting of October 26, 2017. (MOTION)

M. CLOSED SESSION

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

Background/Discussion – City Attorney Benoun has requested that the City Council convene in closed session pursuant to Government Code Section 54957 for a performance evaluation.

N. ADJOURNMENT

Pursuant to Government Code 54957.5: Supplemental materials distributed less than 72 hours before this meeting, to a majority of the City Council, will be made available for public inspection at this meeting and at the City Clerk's Office located at 37101 Newark Boulevard, 5th Floor, during normal business hours. Materials prepared by City staff and distributed during the meeting are available for public inspection at the meeting or after the meeting if prepared by some other person. Documents related to closed session items or are exempt from disclosure will not be made available for public inspection.

For those persons requiring hearing assistance, please make your request to the City Clerk two days prior to the meeting.