



# CITY OF NEWARK CITY COUNCIL

City Administration Building, City Council Chambers

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## Minutes

Thursday, October 26, 2023  
7:00 P.M.

### A. ROLL CALL

Mayor Hannon called the meeting to order at 7:11 p.m. Vice Mayor Collazo, Council Members Bucci, Freitas, and Jorgens were present.

### B. PRESENTATIONS

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

Mayor Hannon introduced Senior Parks and Landscape Maintenance Worker Thomas Curtis and Senior Streets Maintenance Worker Jason Avery who were each recently promoted.

#### 2. Proclaim October as Promotores Month

Mayor Hannon presented the proclamation to Administrative Assistant Edda Rivera, Special Assistant Adriana Lopez, Special Assistant Veronica Torres and members of the Newark Promotores.

#### 3. Proclaim October as Filipino American History Month

Mayor Hannon presented the proclamation to Rosalinda Canlas.

#### 4. Senator Aisha Wahab California legislative update

Senator Wahab provided a California legislative update (presentation on file with City Clerk).

**C. PUBLIC COMMENT**

No one requested to speak.

**D. CONSENT CALENDAR**

Council Member Jorgens moved, Council Member Bucci seconded, to approve Consent Calendar Items D.1 through D.7, 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 October 12, 2023 minutes
3. Resolution for acceptance of work with Sposeto Engineering, Inc. for Safe Routes to School Improvements, Project 1280  
Resolution No. 11570
4. Adopt a resolution authorizing the City Manager to execute a Contractual Equipment and Services Agreement with PB Loader Corporation for the purchase of a dump truck and authorization for outfitting by Classic Graphics and amend the 2022-2024 Biennial Budget and Capital Improvement Plan  
Resolution No. 11571  
Contract No. 23075
5. Adopt a resolution accepting public subdivision improvements for Tract 8459 – Compass Bay, a 138-unit residential subdivision generally located in Bayside Newark on the southeast corner of Enterprise Drive and Hickory Street  
Resolution No. 11572
6. Adopt a resolution authorizing the City Manager to execute a Contractual Services Agreement with Joseph Chow & Associates, Inc. for on-call architectural services  
Resolution No. 11573  
Contract No. 23076

7. Adopt a resolution authorizing an amendment to the agreement with Stantec Consulting Inc. for environmental services for the Mowry Village project  
Resolution No. 11574  
Contract No. 21025

## **E. PUBLIC HEARINGS**

1. Public Hearing to consider adoption of the 2023-2031 Housing Element and Safety Element of the City of Newark General Plan  
Resolution No. 11575

Mayor Hannon announced that Vice Mayor Collazo and Council Member Freitas would need to recuse themselves from certain approvals due to real property/business interests. The City Council would consider those locations first and then review the remaining Housing Element sites.

Community Development Director Turner provided an overview of the General Plan, Housing and Safety Elements. He noted that Newark's Regional Housing Needs Allocation(RHNA) is 1,874 housing units, a 70% increase over the previous RHNA.

Vice Mayor Collazo stated that she would recuse from Site Inventory List A which included Site 9 6781 Thornton Avenue and Site 28 APN 92-24-10 Neighborhood Infill Lots due to a conflict of interest.

Vice Mayor Collazo exited the City Council Chambers.

Mayor Hannon opened the public hearing for List A at 8:30 p.m.

No one requested to speak.

Mayor Hannon closed the public hearing for List A at 8:31 p.m.

Moved by Council Member Bucci, seconded by Council Member Jorgens to approve Site 9 and Site 28 (APN 92-24-10) in the Sites Inventory (Table C-1) of the 2023-2031 Housing Element. The Motion passed 4 AYES, 1 RECUSED.

Vice Mayor Collazo returned to the City Council Chambers.

Council Member Freitas stated that he would recuse from Site Inventory List B which included Site 12 37280 Magnolia Street, Site 21 Sycamore Vacant Lot and Site 28 APN 92-125-2-2 Neighborhood Infill Lots due to a conflict of interest.

Council Member Freitas exited the City Council Chambers.

Mayor Hannon opened the public hearing for List B at 8:33 p.m.

No one requested to speak

Mayor Hannon closed the public hearing for List B at 8:34 p.m.

Moved by Council Member Bucci, seconded by Vice Mayor Collazo to approve Sites 12,21, 28 APN 92-125-2-2 in the Sites Inventory (Table C-1) of the 2023-2031 Housing Element. The motion passed 4 AYES, 1 RECUSED.

Council Member Freitas returned to the City Council Chambers.

Kristy Wang, Planning Collaborative, reviewed the 2023-2031 Housing Element: Community Engagement, Constraints, Goals and Policies (preserve and improve existing housing; facilitate the development of more homes for more people; reduce and remove constraints to affordable housing development; help people stay in their homes and communities; increase access to affordable housing; enhance quality of life/equity and environmental justice; further fair housing throughout the city.

Paul Peninger, Bay Area Economics reviewed programs: Preservation - create housing rehabilitation and repair programs and a rental inspection program; Missing Middle Housing develop housing options close to services, support ADU production, encourage middle-density housing types; Special Needs Housing local response to homelessness, support development of single room occupancy units, identify housing opportunities for those with developmental disabilities; Addressing Government Constraints streamline ministerial permit procedures, design standards for housing, update impact fees, adjust zoning to allow mixed uses in commercial zones, parking study; Partnerships/Public Lands collaborate for the redevelopment of school district owned sites, develop programs and policies to increase the utilization of public land for affordable housing; Anti-displacement and Tenant Support develop anti-displacement programs for the Old-Town Newark Specific Plan, develop a Just Cause Eviction Ordinance, connect residents to existing shared housing programs, support tenant stability; Affordable Housing Development ensure an adequate amount of affordable housing through programs; First Time Homebuyer Program. He briefly reviewed the sites inventory

Community Development Director Turner reviewed the Housing Element Revisions requested by the State of California Department of Housing and Community Development (HCD). He recommended that the City Council incorporate the revisions to ADUS Program H2.2, Four Corners Program H2.3, Parking Standards Program H3.5, Definitions and process review Program 4.10, incentive program for small lot consolidation and

development H2.11, achievable maximum residential densities H2.12, and monitor progress and residential development potential H7.6 (October 26, 2023 memorandum to City Council detailed the proposed revisions on file with the City Clerk).

A discussion ensued on Homeowner Association fees.

Grace Nelson Environmental Science Associates (via Zoom) presented the Safety Element She highlighted Air Quality, Drought and Water Quality, Flooding Hazards, Hazardous Materials, Emergency Preparedness and new requirements from the State related to evacuation routes.

Community Development Director Turner stated that the Planning Commission held a public hearing on October 24, 2023 and voted 4-0-1 (Commissioner Fitts absent) to recommend that the City Council adopt a General Plan amendment to repeal the Fifth Cycle Housing Element for the period of 2015-2023 and adopt the Housing Element of the General Plan for the period of 2023-2031 and adopt the Safety Element of the General Plan, in compliance with State Housing Element Law.

Mayor Hannon opened the public hearing at 10:00 p.m.

No one requested to speak.

Mayor Hannon closed the public hearing at 10:01 p.m.

Council Member Jorgens stated that bicycle storage was needed at businesses for public convenience.

Council Member Bucci suggested including preapproved plans for Accessory Dwelling Units to help people save money on architectural design fees.

Mayor Hannon stated that he would like to see a higher percentage of lower income standards for housing. He requested that Echo Housing provide a presentation of their services in 2024.

Council Member Bucci moved, Council Member Jorgens seconded to adopt a resolution for a General Plan Amendment to repeal the Fifth Cycle Housing Element for the period of 2015-2023 and adopt the Housing Element of the General Plan for the Period 2023-2031 and repeal the existing Natural Hazards Element and adopt the Safety Element of the General Plan, in compliance with State Housing Element Law. The motion included the Housing Element Revisions as outlined by Community Development Director Turner and in the October 26 memorandum to the City Council (on file with City Clerk). The motion passed, 5 AYES.

Mayor Hannon called for a recess at 10:14 p.m. The meeting resumed at 10:26 p.m.

## **F. OTHER BUSINESS**

1. Waive full reading and, by title only, introduce an ordinance to repeal and replace Title 16 “Subdivisions” of the Newark Municipal Code  
Introduction of Ordinance

Principal Civil Engineer Cangco gave the presentation recommending introduction of the Ordinance. Presentation on file with City Clerk.

No one from the public requested to speak.

Principal Civil Engineer Cangco and City Engineer Imai responded to Council Member Bucci’s questions and concerns regarding the security release process.

Vice Mayor Collazo moved, Council Member Freitas seconded to waive full reading and, by title only, introduce an ordinance to repeal and replace Title 16 “Subdivisions” of the City of Newark Municipal Code In its entirety. The motion passed, 5 AYES.

## **G. CITY COUNCIL MATTERS**

Council Member Jorgens stated that the East Bay Community Energy has rebranded as Ava Community Energy.

Council Member Freitas extended his sympathy to former Council Member Ana Apodaca and her family on her mother’s death. He complimented the Maintenance Division for the well-organized Community Clean up event. He stated that the corner of Mayhews Landing Road and Newark Boulevard and a property on Thornton and Mulberry Street were blight and needed attention. He suggested requiring a covered fence for future infill property approvals.

Council Member Bucci congratulated the Newark Memorial High School football team for winning the homecoming game. He requested drivers to slow down on Halloween and that he would give away full size candy bars on Halloween.

Vice Mayor Collazo extended her condolences to the Apodaca family. She stated that the Dia de las Muertos event has grown in size and they may need to close Thornton Avenue next year. Shop Newark.

Mayor Hannon stated he would adjourn the meeting in recognition of the mass shooting event in Maine.

## **H. CITY MANAGER UPDATES**

**I. CLOSED SESSION**

**J. ADJOURNMENT**

Mayor Hannon adjourned the meeting at 10:55 p.m. in tribute to the Lewiston, Maine's mass shooting victims.

Sheila Harrington, City Clerk