



CITY OF NEWARK CITY COUNCIL

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City Administration Building
7:30 p.m.
City Council Chambers

Minutes

Thursday, July 14, 2016

A. ROLL CALL

Mayor Nagy called the meeting to order at 8:06 p.m. Present were Council Members Hannon, Collazo, Bucci, and Vice Mayor Freitas.

B. MINUTES

B.1 Approval of Minutes of the regular City Council meeting of Thursday, June 23, 2016. **MOTION APPROVED**

Moved by Council Member Collazo, seconded by Council Member Bucci to approve the minutes. The motion passed, 5 AYES.

Mayor Nagy suggested moving Oral Communication to the beginning of the agenda to allow the public to speak on behalf of the Valencia Family. Moved by Council Member Bucci, seconded by Council Member Hannon to move Oral Communications to the beginning of the meeting. The motion passed, 5 AYES.

ORAL COMMUNICATIONS

The following speakers addressed the City Council on the death of Teodoro Valencia Junior:

Luis Valencia (copy of his statement in the City Clerk's office)

Mrs. Valencia

Mr. Valencia

Anonymous Speaker Male

Oscar Salinas

Adam Jordan

Anonymous Speaker Female

Ramon

Michael Chapman

Rafael

Anonymous Speaker Male

Dusty

Lee Davenport

Christoff

Ruby

Christina

They requested that the police officer involved in the matter be held accountable; a retraction of previous statements and public apology, the demilitarization of the police department, reform police training and change recruitment practices, they felt disrespected at the funeral home and want the business license revoked.

Mayor Nagy stated that nothing could be said at this time as the matter was being reviewed by the District Attorney, a claim has been filed and litigation threatened.

At 9:22 p.m. Mayor Nagy declared a recess; at 9:45 p.m. the meeting resumed.

C. PRESENTATIONS AND PROCLAMATIONS

The presentations were cancelled and will be rescheduled for the next City Council meeting.

D. WRITTEN COMMUNICATIONS

E. PUBLIC HEARINGS

F. CITY MANAGER REPORTS

Council Member Collazo moved, Council Member Hannon seconded, to approve Consent Calendar Item F.1, that the resolution be numbered consecutively, and that reading of the titles suffice for adoption of the resolution. The motion passed, 5 AYES.

CONSENT

- F.1 Approval of plans and specifications, acceptance of bid and award of contract to Bond Blacktop, Inc. for 2016 Street Slurry Seal Program, Project 1117 – from Associate Civil Engineer Tran.**
- MOTION APPROVED
RESOLUTION NO. 10534
CONTRACT NO. 16032**

NONCONSENT

- F.2 Authorization for the City Manager to sign a Memorandum of Understanding and a Framework Agreement with Pacific Gas & Electric Company regarding implementation of the Community Pipeline Safety Initiative in the City of Newark.**
- MOTION APPROVED
CONTRACT NO. 16033**

City Manager Becker stated that Pacific Gas & Electric Company's (PG&E) "Community Pipeline Safety Initiative" will remove trees, vegetation, and structures that are located in close proximity to PG&E's high pressure gas transmission pipelines.

An agreement has been reached that would require PG&E to follow City regulations and reimburse the City for staff time related to this project. It also requires private property owner agreement prior to any removal of trees, structures, or other items within their easement. This would include restoration as well as any compensation to be provided to the property owner.

Mike Parsons stated that the the MOU is good, but he would like to see guidelines posted on the website regarding the distance of the tree from the house and the distance related to the pipeline.

Ryan Willis a PG&E representative stated that they provide a detailed analysis to each property owner and they would prefer not to post the data requested on the website.

Council Member Hannon requested a summary report when the project is completed.

Council Member Collazo moved, Council Member Bucci seconded to, by motion, authorize the City Manager to sign a Memorandum of Understanding and a Framework Agreement with Pacific Gas & Electric Company regarding implementation of the Community Pipeline Safety Initiative in the City of Newark. The motion passed, 5 AYES.

F.3 Adoption of a resolution placing a local one-half cent sales tax increase on the November 8, 2016 Election Ballot for voter consideration and related election procedures and consideration of the Ballot Measure language and participation in Ballot Arguments. RESOLUTION NO. 10535

City Manager Becker gave the staff report (presentation on file with City Clerk) and recommended that the City Council approve the ballot language and place an ordinance on the November 8, 2016 ballot to increase the local sales tax by one-half cent. This measure will provide approximately \$3.5 million per year in additional sales tax revenue for 25 years.

The City Council concurred to revise the ballot question from senior/teen/children's "programs" to senior/teen/children's "facilities".

Dean Lewis commented on the ballot question He stated that he or his wife would like to be on the Oversight Committee.

Angela Akridge also commented on the ballot question. She requested a safe crosswalk from the library to the park in the design plan. She asked for meaningful duties for the Oversight Committee. She would like the public facilities fee increased before this measure goes on the ballot.

Council Member Collazo moved, Council Member Hannon seconded to order the submission to the qualified electors of the City Of Newark a certain measure relating to a proposed ordinance adding chapter 3.14 to the Newark Municipal Code imposing a one-half of one percent (0.5%) transactions and use (“sales”) tax for general purposes at the General Municipal Election to be held on Tuesday, November 8, 2016, as called by Resolution No. 10,506; directing the city attorney to prepare an impartial analysis of the measure; setting the dates for arguments on the measure; and requesting the Board of Supervisors of The County of Alameda to consolidate said election pursuant to Section 10403 of the Elections Code, The motion passed, 5 AYES.

G. CITY ATTORNEY REPORTS

G.1 Discussion of Draft Joint Powers Agreement for Alameda County Community Choice Aggregation Energy Program. MOTION APPROVED

City Attorney Benoun stated that the Alameda County Board of Supervisors is expected to consider adopting a Joint Powers Agreement (“JPA”) to implement a countywide “Community Choice Aggregation Energy Program” next month. He reviewed the substantive policy provisions contained in the draft JPA.

The City Council provided feedback on the draft document.

Mike Parsons questioned if there would be a significant rate reduction.

Angela Akridge stated that she uses solar and asked if this would have an impact in that situation.

Council Member Hannon moved, Council Member Bucci seconded to by motion, direct the City Attorney to convey the Council’s comments, regarding the policy considerations contained in the draft Joint Powers Agreement to the County Counsel’s Office of Alameda County. The motion passed, 5 AYES.

H. ECONOMIC DEVELOPMENT CORPORATION

I. CITY COUNCIL MATTERS

The entire City Council commended the Alameda County Fire Department for their response to the large fire last week at the recycling facility.

Council Member Bucci stated that Relay for Life was this weekend and they are \$400 away from their fundraising goal.

Council Member Collazo stated that the Mariachi Festival will be held on Sunday at Shirley Sisk Grove.

Division Chief Eric Moore of the Alameda County Fire Department thanked the Police Department, the Public Works Department, and the RAVEN volunteers for their assistance during the fire response.

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 July 14, 2016. MOTION APPROVED

City Clerk Harrington read the Register of Audited Demands: Check numbers 108119 to 108266.

Council Member Freitas moved, Council Member Hannon seconded, to approve the Register of Audited Demands. The motion passed, 5 AYES.

M. CLOSED SESSION

N. ADJOURNMENT

At 11:46 pm, Mayor Nagy adjourned the City Council meeting.