



CITY OF NEWARK CITY COUNCIL

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

Minutes

Thursday, September 22, 2016

A. ROLL CALL

Mayor Nagy called the meeting to order at 7:35 p.m. Present were Council Members Hannon, Collazo, Bucci, and Vice Mayor Freitas.

B. MINUTES

B.1 Approval of Minutes of the special and regular City Council meetings of September 8, 2016. **MOTION APPROVED**

Council Member Hannon moved, Council Member Bucci seconded, to approve the Minutes of the regular City Council meeting. The motion passed, 5 AYES.

C. PRESENTATIONS AND PROCLAMATIONS

C.1 Commending Julia M. DeLipski.

Mayor Nagy presented a commendation to Julia M. DeLipski who earned the Girl Scout Gold Award.

C.2 Commending the 30th Anniversary of the National Community Emergency Response Team (CERT).

Mayor Nagy presented the commendation to members of the Newark Community Emergency Response Team.

D. WRITTEN COMMUNICATIONS

E. PUBLIC HEARINGS

F. CITY MANAGER REPORTS

Vice Mayor Freitas moved, Council Member Collazo seconded, to approve Consent Calendar Item F.1 and that reading of the title suffice for adoption of the resolutions. The motion passed, 5 AYES.

CONSENT

- F.1 Approval to reclassify one Building Inspector/Zoning Enforcement Officer position to Senior Building Inspector by amending the Employee Classification Plan, the Memorandum of Understanding Between the City of Newark and the Newark Association of Miscellaneous Employees, and the 2016-2018 Biennial Budget. RESOLUTION NO. 10550 - 10552**

NONCONSENT

- F.2 Approval of Resolutions authorizing membership in Property Assessed Clean Energy (PACE) Programs to allow property owners the option to finance clean energy improvements. RESOLUTION NO. 10553 – 10558
CONTRACT NO. 16044-16045**

Senior Accountant Djurovic stated that Property Assessed Clean Energy programs allow property owners to finance clean energy improvements through a debt obligation that runs with their property. All transactions are voluntary and City Council authorization is necessary for the programs to conduct business in the City of Newark.

Council Member Bucci moved, Council Member Hannon seconded to by resolutions:

- 1). Approve associate membership in the California Home Finance Authority doing business as Golden State Finance Authority;
- 2). Authorize the inclusion of properties within the City's jurisdiction in the California Home Finance Authority Community Facilities District No. 2014-1 (Clean Energy) to finance distributed generation renewable energy sources, energy or water efficiency improvements and electric vehicle charging infrastructure (SB 555 PROGRAM);
- 3). Authorize the inclusion of properties within the City's jurisdiction in the California Home Finance Authority AB 811 PACE Program to finance distributed generation renewable energy sources, energy or water efficiency improvements and electric vehicle charging infrastructure;
- 4). Authorize the inclusion of properties within the City's jurisdiction in the California Statewide Communities Development Authority ("CSCDA") Open Pace Programs; authorizing the California Statewide Communities Development Authority to accept applications from property owners, conduct contractual assessment proceedings and levy contractual assessments within the territory of the City of Newark; and authorizing related actions;
- 5). Approve the amendment to the Western Riverside Council of Governments Joint Powers Agreement;

6). Authorize the inclusion of properties within the City’s jurisdiction in the California HERO Program to finance distributed generation renewable energy sources, energy or water efficiency improvements and electric vehicle charging infrastructure.

The motion passed, 5 AYES.

F.3 Authorization and Direction to the City Manager to: (1) Terminate the City’s Existing Contract with JT2 Integrated Resources for Workers’ Compensation Third Party Claims Administration; and (2) Negotiate and Enter Into an Agreement With York Risk Management Services to Serve as the Third Party Administrator of the City of Newark’s Workers’ Compensation Program. RESOLUTION NO. 10559

Human Resources Director Abe recommended York Risk Management Services for the Third Party Administrator for the City’s Workers’ Compensation Program.

Council Member Bucci noted that the current contract was awarded in 2001. He suggested establishing a policy that contracts go out to bid within a certain time frame.

Council Member Bucci moved, Council Member Collazo seconded to recommend that the City Council, by resolution, authorize and direct, the City Manager to: (1) terminate the City’s existing contract with JT2 Integrated Resources for Workers’ Compensation Third Party Claims Administration; and (2) negotiate and enter into an agreement with York Risk Management Services to serve as the Third Party Administrator of the City of Newark’s Workers’ Compensation Program. The motion passed, 5 AYES.

G. CITY ATTORNEY REPORTS

H. ECONOMIC DEVELOPMENT CORPORATION

I. CITY COUNCIL MATTERS

Mayor Nagy stated he would adjourn the meeting in memory of James Roy Davis, Jr.

Mayor Nagy thanked the Newark Days Celebration Committee.

Vice Mayor Freitas commended Julia DeLipski and the CERT Team.

Council Member Hannon commented on the contributions of volunteers to the community.

Council Member Collazo complimented Newark Days. She noted that it was National Ice Cream Cone Day. She stated that the City was funding Sunday hours at the Newark Library.

Council Member Bucci announced that the Chamber of Commerce Oktoberfest Event would be on Saturday at Swiss Park.

J. CITY COUNCIL ACTING AS THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY

K. ORAL COMMUNICATIONS

No one came forward to speak.

L. APPROPRIATIONS

Approval of Audited Demands for the City Council meeting of September 22, 2016. MOTION APPROVED

City Clerk Harrington read the Register of Audited Demands: Check numbers 108877 to 108969.

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

M. CLOSED SESSION

City Attorney Benoun stated that after the agenda was posted, the need to take action on the following matter arose:

Closed Session for Conference with Legal Counsel pursuant to Government Code Section 54956.9, Anticipated Litigation.

City Attorney Benoun stated that the Brown Act allows the item to be added to the agenda if two-thirds of the City Council determines that the need to take action arose subsequent to the agenda being posted and votes to add it to the agenda.

Council Member Bucci moved, Council Member Collazo seconded to add to the agenda item M.1 Closed Session for Conference with Legal Counsel pursuant to Government Code Section 54956.9, Anticipated Litigation. The motion passed, 5 AYES.

At 8:10 p.m. the City Council recessed to a closed session.

At 8:18 p.m. the City Council convened in closed session.

At 9:03 p.m. the City Council reconvened in open session with all Council Members present.

N. ADJOURNMENT

At 9:03 p.m. Council Member Hannon moved, Council Member Collazo seconded, to adjourn the meeting in memory of James Roy Davis, Jr. The motion passed, 5 AYES.