



CITY OF NEWARK CITY COUNCIL

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

Minutes

Thursday, July 12, 2018

A. ROLL CALL

Mayor Nagy called the meeting to order at 7:32 p.m. Present were Council Members Collazo, Freitas, Bucci and Vice Mayor Hannon.

B. MINUTES

B.1 Approval of Minutes of the City Council meeting of June 28, 2018.

MOTION APPROVED

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

C. PRESENTATIONS AND PROCLAMATIONS

C.1 Introduction of employee.

Mayor Nagy introduced recently hired Accountant Michelle Villanueva.

C.2 Proclamation for the Portuguese Fraternal Society of America Council No. 16 Holy Ghost Festival and 96th Anniversary.

Mayor Nagy presented the proclamation to Council President Fabio Pereira and officers of the Society.

D. WRITTEN COMMUNICATIONS

E. PUBLIC HEARINGS

F. CITY MANAGER REPORTS

Council Member Bucci moved, Council Member Collazo seconded, to approve Consent Calendar Items F.1 through F.5, that the resolutions be numbered consecutively, and that reading of the titles suffice for adoption of the resolutions and ordinances. The motion passed, 5 AYES.

CONSENT

- F.1 Authorization for the Mayor to sign an agreement with Alameda County for participation in the Alameda County Urban County for Fiscal Year 2018-2019.**
RESOLUTION NO. 10822
CONTRACT NO. 18020
- F.2 Second reading and adoption of an ordinance establishing a Planned Development Overlay District at 36589 Newark Boulevard.**
ORDINANCE NO. 504
- F.3 Second reading and adoption of an ordinance amending Title 17 (Zoning) of the Newark Municipal Code to revise Chapters 17.07, 17.08, 17.10, 17.13, 17.17, 17.21, 17.22, 17.23, 17.25, 17.26, and 17.46 generally affecting land uses, heights, landscaping, signs, parking, and other development standards.**
ORDINANCE NO. 505
- F.4 Authorizing the City Manager to sign the California Asset Management Trust Investor Agreement for the investment of funds in a Local Government Investment Pool.**
RESOLUTION NO. 10823
CONTRACT NO. 18021
- F.5 Approval of Second Amendment to the Transfer Services Agreement with BLT Enterprises for garbage transfer services.**
RESOLUTION NO. 10824
CONTRACT NO. 07044

G. CITY ATTORNEY REPORTS

H. ECONOMIC DEVELOPMENT CORPORATION

I. CITY COUNCIL MATTERS

- I.1 Request for direction regarding potentially amending Mayor and City Council Salary and Benefits.**

City Manager Becker stated that the salary and benefits for the Mayor and City Council have not changed since 2007. A recent survey found that the combined salary and benefits are significantly lower than the average of the cities surveyed.

Vice Mayor Hannon stated that if they increased the salary and benefits to the maximum allowed, they would still be below the average of the salary survey. He stated that fair compensation would attract people to run for office.

Council Member Bucci stated his concern with increasing compensation when the Utility Users Tax (UUT) was in place. He stated that they need a plan in place on what to do when the UUT expires.

Council Member Freitas agreed that they need a plan to address the UUT. He would like to see the salary and benefit numbers before making a decision.

Mayor Nagy noted that UUT brings in approximately \$3.5 million. The maximum amount of the potential compensation increase is around \$43,400 for the entire City Council. A council member could donate the difference to the Newark Betterment Corporation.

Vice Mayor Hannon moved, Council Member Collazo seconded, by motion, that staff draft an ordinance that would include: 1) Automatic compensation review every other year with an increase to equal the Consumer Price Index or the compensation increase given to City staff, but no more than 5%; 2) Reflect a 10 percent salary increase for council and mayor to be effective after the next City Council election; and 3) include a health benefit equivalent to what city staff receives beginning January 1, 2019 (\$821). The motion passed, 4 AYES, 1 NO (Bucci).

Council Member Collazo stated that the Alameda County Library is using the SimplyE app for easier access to e-books. She stated that the 5th Annual Mariachi Festival would be held on Sunday at Shirley Sisk Grove.

Council Member Bucci stated that Relay for Life raised \$185,000 for the American Cancer Society. He stated that local nonprofits raised around \$600,000 from the safe and sane fireworks sales. The Outdoor Movie Night will be held in the softball field behind the Silliman Center on Friday.

- J. CITY COUNCIL ACTING AS THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY**
- K. ORAL COMMUNICATIONS**
- L. APPROPRIATIONS**

Approval of Audited Demands.

MOTION APPROVED

City Clerk Harrington read the Register of Audited Demands: Check numbers 114868 to 115025.

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

M. CLOSED SESSION

- M.1 Closed Session for conference with legal counsel on existing litigation pursuant to Government Code Section 54956.9(d)(1) *Ethan Katz v. City of Newark, et. al* Workers Compensation Appeals Board, Case Numbers: ADJ10739897; ADJ10623626 – from City Attorney Benoun and Human Resources Director Abe.**

At 8:13 p.m. the City Council recessed to a closed session.

At 8:19 p.m. the City Council convened in closed session.

At 8:43 p.m. the City Council reconvened in open session with all Council Members present.

City Attorney Benoun announced that because final approval rests with some other party to the litigation or with the court and therefore, no action can be reported at this time. If settlement becomes final, then the City will disclose the action that was taken upon inquiry by any person.

N. ADJOURNMENT

At 8:43 p.m. Council Member Bucci, Mayor Nagy seconded, to adjourn the meeting. The motion passed, 5 AYES.

SHEILA HARRINGTON
City Clerk