



CITY OF NEWARK CITY COUNCIL

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

Minutes

Thursday, June 27, 2019

A. ROLL CALL

Vice Mayor Collazo called the meeting to order at 7:33 p.m. Present were Council Members Hannon, Freitas, and Bucci. Mayor Nagy was noted absent.

B. MINUTES

B.1 Approval of Minutes of the City Council meetings of June 13, 2019.

MOTION APPROVED

Council Member Freitas moved, Council Member Hannon seconded, to approve the Minutes of the regular City Council meeting. The motion passed, 4 AYES, 1 ABSENT.

C. PRESENTATIONS AND PROCLAMATIONS

C.1 Introduction of employees.

Vice Mayor Collazo introduced Senior Administrative Support Specialist Franklin Lee who recently joined the Public Works Department Maintenance Division.

D. WRITTEN COMMUNICATIONS

E. PUBLIC HEARINGS

F. CITY MANAGER REPORTS

Council Member Hannon moved, Council Member Bucci seconded, to approve Consent Calendar Items F.1 through F.12, that the resolutions be numbered consecutively, and that reading of the titles suffice for adoption of the resolutions. The motion passed, 4 AYES, 1 ABSENT.

CONSENT

F.1 Authorization for the City Manager to execute Task Order No. 18 to the Joint Powers Agreement with the City of Fremont for Paratransit Services.

**RESOLUTION NO. 10936
CONTRACT NO. 09044**

- F.2 Authorization for the City Manager to execute Task Order No. 19 to the Joint Powers Agreement with the City of Fremont for Case Management services.**
RESOLUTION NO. 10937
CONTRACT NO. 09044
- F.3 Authorization for the Mayor to execute an Emergency Medical Services First Responder Advanced Life Support Services Agreement between the City of Newark and the County of Alameda.**
RESOLUTION NO. 10938
CONTRACT NO. 19027
- F.4 Establishment of the Fiscal Year 2019-2020 Tax Appropriations Limit.**
RESOLUTION NO. 10939
- F.5 Approval to add one classification of Vehicle Abatement Officer position by amending the Employee Classification Plan, and the Memorandum of Understanding between the City of Newark and the Newark Association of Miscellaneous Employees (NAME).**
RESOLUTION NOS. 10940-10941
- F.6 Approval to add one Lead Child Care Instructor position to the Employee Classification Plan, and amend the Memorandum of Understanding between the City of Newark and the Newark Association of Miscellaneous Employees (NAME).**
RESOLUTION NOS. 10942-10943
- F.7 Approval of 2019 Engineering and Traffic Survey for Citywide Speed Limits, Project No. 1184 and Establishment of Speed Limits.**
RESOLUTION NO. 10944
- F.8 Approval of plans and specifications, acceptance of bid and award of contract to for the Base Bid and Additive Alternate Bids No. 1 and No. 2 to DeSilva Gates Construction LP for the 2019 Asphalt Concrete Street Overlay Program, Project.**
MOTION APPROVED
RESOLUTION NO. 10945
CONTRACT NO. 19035
- F.9 Approval of plans and specifications, acceptance of bid, and award of contract for the Base Bid to Bay Construction Co. for Newark Community Dog Park, Project No. 1208 and amendment of the 2018-2020 Biennial Budget and Capital Improvement Plan for fiscal year 2019-2020 – from Assistant City Engineer Imai.**
MOTION APPROVED
RESOLUTION NO. 10946
CONTRACT NO. 19036

- F.10 Setting a July 25, 2019, public hearing date for the establishment of an Underground Utility District on Newark Boulevard between Fair Avenue and Bellhaven Avenue (Newark Underground District No. 15). RESOLUTION NO. 10947**
- F.11 Approval of Investment Policy. RESOLUTION NO. 10948**
- F.12 Amendment of the 2018-2020 Biennial Budget and Capital Improvement Plan for Fiscal Year 2018 - 2019 for General Revisions and Operating Increases. RESOLUTION NO. 10949**

NONCONSENT

- F.13 Approval of Annual Engineer's Reports, intention to levy and collect assessments and setting date of public hearing on July 25, 2019 for Landscaping and Lighting District Nos. 1, 2, 4, 6, 7, 10, 11, 13, 15, 16, 17, 18 and 19 for fiscal year 2019-2020 in accordance with the provisions of the Landscaping and Lighting Act of 1972. RESOLUTION NOS. 10950-10951**

Vice Mayor Collazo stated that she owns property in Landscaping and Lighting Districts 10 and 11 and would recuse herself from participation. She left the City Council Chambers.

Council Member Freitas became Mayor Pro Tempore, per the Municipal Code that names the Council Member with the longest service to serve as Mayor Pro Tempore in the absence of the Mayor and Vice Mayor.

City Manager Benoun gave the staff report recommending approval.

No one from the public came forward to speak.

Council Member Hannon moved, Council Member Bucci seconded to (1) by resolution, approve the Annual Engineer's Reports; and, (2) by resolution, declare an intention to levy and collect assessments for Landscaping and Lighting District Nos. 1, 2, 4, 6, 7, 10, 11, 13, 15, 16, 17, 18 and 19 for fiscal year 2019-2020, and setting the annual public Hearing for July 25, 2019, in accordance with the provisions of the Landscaping and Lighting Act of 1972. The motion passed, 3 AYES, 1 RECUSED (Collazo), 1 ABSENT (Nagy).

Vice Mayor Collazo returned to the City Council Chambers at this time.

G. CITY ATTORNEY REPORTS

H. ECONOMIC DEVELOPMENT CORPORATION**I. CITY COUNCIL MATTERS**

Vice Mayor Collazo wished everyone a safe Fourth of July and encouraged everyone to support the nonprofits that sell fireworks. She stated that Decades would be performing on July 5 for Music at The Grove and to shop Newark.

Council Member Hannon thanked city staff who will be working on the Fourth of July

Council Member Bucci stated that the first Outdoor Movie Night would be this Saturday at the Silliman Activity Center softball fields. He commended Vice Mayor Collazo and Council Member Freitas for chairing the meeting in the Mayor's absence.

Council Member Hannon thanked Council Member Bucci for his Relay for Life volunteer work. Council Member Bucci stated that they raised \$185,000 this year and \$1 million over the last 10 years.

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

Laurie Pasquale stated that Assembly Bill 967 would allow for liquid cremations beginning in 2020. She was concerned that this would impact water quality and cause health issues. She requested that people contact their elected representatives to repeal the Assembly Bill.

Wynn Greich spoke against Assembly Bill 967 (hand out on file with City Clerk). She stated that the city of Mill Valley has blocked the installation of 5G cell towers due to residents' health concerns. She suggested that the City Council block the cell towers.

L. APPROPRIATIONS**Approval of Audited Demands.****MOTION APPROVED**

City Clerk Harrington read the Register of Audited Demands: Check numbers 117921 to 118070.

Council Member Bucci moved, Council Member Hannon seconded, to approve the Register of Audited Demands. The motion passed, 4 AYES, 1 ABSENT.

M. CLOSED SESSION

- M.1 Conference with Legal Counsel for initiation of litigation pursuant to paragraph (4) of subdivision (d) of California Government Code Section 54956.9: 3 cases, for the City Council to consider whether to authorize the Mayor and Interim City Attorney to sign onto amicus briefs in *R.G. & G.R. Harris Funeral Homes Inc. v. EEOC & Aimee Stephens*; *Altitude Express Inc. v. Zarda*; and *Bostock v. Clayton County* – from Interim City Attorney Kokotaylo.**

At 8:01 p.m. the City Council recessed to a closed session.

At 8:13 p.m. the City Council convened in closed session.

At 8:40 p.m. the City Council reconvened in open session with all Council Members present.

N. ADJOURNMENT

At 8:40 p.m., Vice Mayor Collazo adjourned the meeting.