



# CITY OF NEWARK CITY COUNCIL

37101 Newark Boulevard, Newark, CA 94560-3796 • 510-578-4266 • E-mail: [city.clerk@Newark.org](mailto:city.clerk@Newark.org)

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

## AGENDA

**Thursday, April 10, 2014**

### CITY COUNCIL:

Alan L. Nagy, Mayor  
Ana M. Apodaca, Vice Mayor  
Luis L. Freitas  
Sucy Collazo  
Robert Marshall

### CITY STAFF:

John Becker  
City Manager  
  
Terrence Grindall  
Assistant City Manager  
  
Susie Woodstock  
Administrative Services Director  
  
Sandy Abe  
Human Resources Director  
  
Peggy A. Claassen  
Public Works Director  
  
Jim Leal  
Police Chief  
  
David Zehnder  
Recreation and Community  
Services Director  
  
David J. Benoun  
City Attorney  
  
Sheila Harrington  
City Clerk

**Welcome** to the Newark City Council meeting. The following information will help you understand the City Council Agenda and what occurs during a City Council meeting. Your participation in your City government is encouraged, and we hope this information will enable you to become more involved. The Order of Business for Council meetings is as follows:

- |                                     |                         |
|-------------------------------------|-------------------------|
| A. ROLL CALL                        | I. COUNCIL MATTERS      |
| B. MINUTES                          | J. SUCCESSOR AGENCY     |
| C. PRESENTATIONS AND PROCLAMATIONS  | TO REDEVELOPMENT AGENCY |
| D. WRITTEN COMMUNICATIONS           | K. ORAL COMMUNICATIONS  |
| E. PUBLIC HEARINGS                  | L. APPROPRIATIONS       |
| F. CITY MANAGER REPORTS             | M. CLOSED SESSION       |
| G. CITY ATTORNEY REPORTS            | N. ADJOURNMENT          |
| H. ECONOMIC DEVELOPMENT CORPORATION |                         |

Items listed on the agenda may be approved, disapproved, or continued to a future meeting. Many items require an action by motion or the adoption of a resolution or an ordinance. When this is required, the words **MOTION**, **RESOLUTION**, or **ORDINANCE** appear in parenthesis at the end of the item. If one of these words does not appear, the item is an informational item.

The attached **Agenda** gives the **Background/Discussion** of agenda items. Following this section is the word **Attachment**. Unless "none" follows **Attachment**, there is more documentation which is available for public review at the Newark Library, the City Clerk's office or at [www.newark.org](http://www.newark.org). Those items on the Agenda which are coming from the Planning Commission will also include a section entitled **Update**, which will state what the Planning Commission's action was on that particular item. **Action** indicates what staff's recommendation is and what action(s) the Council may take.

**Addressing the City Council:** You may speak once and submit written materials on any listed item at the appropriate time. You may speak once and submit written materials on any item **not** on the agenda during **Oral Communications**. To address the Council, please seek the recognition of the Mayor by raising your hand. Once recognized, come forward to the lectern and you may, but you are not required to, state your name and address for the record. Public comments are limited to five (5) minutes per speaker, subject to adjustment by the Mayor. Matters brought before the Council which require an action may be either referred to staff or placed on a future Council agenda.

No question shall be asked of a council member, city staff, or an audience member except through the presiding officer. No person shall use vulgar, profane, loud or boisterous language that interrupts a meeting. Any person who refuses to carry out instructions given by the presiding officer for the purpose of maintaining order may be guilty of an infraction and may result in removal from the meeting.



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City Administration Building  
7:30 p.m.  
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## AGENDA

Thursday, April 10, 2014

**A. ROLL CALL**

**B. MINUTES**

- B.1 Approval of Minutes of the regular City Council meeting of Thursday, March 27, 2014. (MOTION)**

**C. PRESENTATIONS AND PROCLAMATIONS**

- C.1 Presentation by Union Sanitary District. (PRESENTATION)**

**Background/Discussion** – The Union Sanitary District has asked to make a presentation to the City Council on an update of its activities and upcoming plans. Rich Currie, General Manager, will be at the meeting to make the presentation.

**D. WRITTEN COMMUNICATIONS**

**E. PUBLIC HEARINGS**

- E.1 CANCELLATION of continued hearing to consider the development of approximately 217 residential units (Trumark Homes) on an approximately 21.4 acre project site (Jones Hamilton property) generally located on the south side of Enterprise Drive east of Willow Street: (1) Adoption of a resolution making certain findings and adopting the Supplemental Environmental Impact Report (E-12-30) to the Environmental Impact Report (State Clearinghouse No. 2010042012) for the Dumbarton Transit Oriented Development Specific Plan; (2) Introduction of an ordinance amending Title 17 (Zoning) of the Newark Municipal Code and Section 17.44.040, "Zoning Map" by rezoning all that real property shown on Vesting Tentative Map 8098 from ML (Limited Industrial) to MDR-FB (Medium Density Residential – Form Based Code); (3) adoption of a resolution making findings supporting the use of an alternative means of compliance with the inclusionary housing ordinance and approving the affordable housing implementation agreement for the Jones Hamilton Project; (4) adoption of a resolution authorizing the**

**Mayor to sign a Community Financing Agreement with Newark Enterprise Joint Venture, LLC; (5) adoption of a resolution authorizing the Mayor to sign a Park Agreement with Newark Enterprise Joint Venture, LLC; (6) adoption of a resolution approving TM-12-32, Vesting Tentative Map 8098; (7) By motion, approving ASR-12-33, an Architectural and Site Plan Review, with Exhibit A, pages 1 through 69; and (8) By motion, approving Exhibit B, Schedule of Impact Fees – from Assistant City Manager Grindall.**  
**(MOTION TO CANCEL HEARING)**

**Background/Discussion** - At the March 27, 2014 City Council meeting, staff informed the City Council that a 19 page letter had been received late that afternoon from legal counsel representing Gallade Chemical, Inc. (“Gallade”), the owner of property adjacent to the project. The letter raised several concerns. Staff requested, and the Council so voted, to continue the hearing so that staff could review the contents of the letter.

After reviewing the 19-page letter, staff recommends that the Council close and cancel the public hearing on this item. This effectively means that this matter would need to be reheard by the Planning Commission and then subsequently considered by the City Council.

**Action** - It is recommended that the City Council, by motion, close and cancel the public hearing regarding this item.

- E.2 CANCELLATION of continued hearing to consider the development of approximately 27 residential units (Trumark Homes) on an approximately 2.14-acre project site (Enterprise Property) generally located on the north side of Enterprise Drive east of Willow Street: (1) Adoption of a resolution making certain findings and adopting a Supplemental Environmental Impact Report (E-12-30) to the Environmental Impact Report (State Clearinghouse No. 2010042012) for the Dumbarton Transit Oriented Development Specific Plan; (2) Introduction of an ordinance amending Title 17 (Zoning) of the Newark Municipal Code and Section 17.44.010 “Zoning Map” by rezoning all that real property shown on vesting tentative map 8110 from MI (limited industrial) to Mdr-Fbc (medium density residential – form based codes); (3) adoption of a resolution making findings supporting the use of an alternative means of compliance with the Inclusionary Housing Ordinance and approving the Affordable Housing Implementation Agreement for the Enterprise Drive Project; 4) adoption of a resolution approving TM-12-28, Vesting Tentative Map 8110; 5) adopt a resolution authorizing the Mayor to sign a Community Financing Agreement with Enterprise Drive, LLC; 6) By motion, approving ASR-12-29, an Architectural and Site Plan Review, with Exhibit A, pages 1 through 29; and 7) By motion, approving Exhibit B, Schedule of Impact Fees – from Assistant City Manager Grindall.**  
**(MOTION TO CANCEL HEARING)**

**Background/Discussion** – At the March 27, 2014 City Council meeting, staff informed the City Council that a 19 page letter had been received late that afternoon from legal counsel representing Gallade Chemical, Inc. (“Gallade”), the owner of property adjacent to the project. The letter raised several concerns. Staff requested, and the Council so voted, to continue the hearing so that staff could review the contents of the letter.

After reviewing the 19-page letter, staff recommends that the Council close and cancel the public hearing on this item. This effectively means that this matter would need to be reheard by the Planning Commission and then subsequently considered by the City Council.

**Action** – It is recommended that the City Council, by motion, close and cancel the public hearing regarding this item.

**E.3 Hearing to consider property owners’ objections to the 2014 Weed Abatement Program and instruction to the Superintendent of Streets to abate the public nuisances - from Deputy Fire Marshal Guier/Maintenance Supervisor Carey. (MOTION)**

**Background/Discussion** - On February 27, 2014, the City Council adopted Resolution No. 10,173 initiating the 2014 Weed Abatement Program and setting a public hearing for April 10, 2014. The annual weed abatement program abates weeds on vacant commercial and industrial properties not maintained by the property owners as directed by the Fire Marshal. Property owners may object in person by attending this hearing or by letter. As of April 1, 2014, no written objections have been received. Several owners have notified staff that they will perform the work themselves. If the weeds on these parcels are not abated in a timely manner, the City’s contractor will perform the work in May. This will provide these owners ample time to complete the abatement.

The property owners, as listed on the County Assessor’s roll, have been given the required notice of the public hearing date. If objections are received prior to or during the public hearing, the Council should consider the objections; and then, by motion, allow or overrule the objections. The Council may then instruct the Superintendent of Streets to abate the public nuisance on the parcels remaining in the program.

**Attachment** - None

**Action** - It is recommended that the City Council, by motion, act upon any objections by property owners to the 2014 Weed Abatement Program, and instruct the Superintendent of Streets to abate the public nuisances.

**E.4 Introduction of an Ordinance amending Chapter 17.18 (Affordable Housing Program) of the Newark Municipal Code to replace Inclusionary Housing requirements with a Housing Impact Fee and approval of a Resolution setting Housing Impact Fees and establishing affordable units needed to mitigate impacts of Residential Development - from Assistant City Manager Grindall. (ORDINANCE)(RESOLUTION)**

**Background/Discussion** – Newark has an inclusionary housing program which requires that 15% percent of housing units that are developed be price restricted and reserved for moderate and lower income households. The required units are envisioned to be located within the particular housing developments. The goal of the program is to provide a community benefit by addressing the need for housing affordable to lower income households. The City of Newark adopted the Inclusionary Housing Ordinance in 2004. Due to limited housing development since that time; no inclusionary housing units have actually been produced. However there were a number of project that agreed to alternative means of compliance with the Ordinance either through agreeing to build senior housing or payment of a fee. Because there are a number of issues with inclusionary housing programs, staff is recommending that this approach to the problem of housing affordability be replaced with an Affordable Housing Impact Fee.

There have been several successful legal challenges to inclusionary housing requirements and there are other challenges pending. At this point application of an inclusionary requirement to a rental project is illegal and the application to for sale projects is in question as well.

Staff is recommending that the Affordable Housing Program (Municipal Code Section 17.18) be amended to require that residential developments pay a housing impact fee, to be established by resolution of the City Council, rather than provide a percentage of affordable housing within the development.

The reasons for this change include:

- Legal questions surrounding inclusionary housing fees requirements.
- Inclusionary Housing Programs do not allow the flexibility needed to provide the type and location of housing assistance that the community most needs.
- A housing fee would provide resources for the City to leverage other housing funds, such as State Tax Exempt Bonds or Federal Community Development Block Grant funds.
- A housing fee would allow the City to utilize funds collected to simultaneously address other community issues, such as spurring sustainable developments such at the Dumbarton Transit Oriented Development or Old Town.

The establishment of a Housing Impact Fee requires the completion of a study to determine the connection (nexus) between the fee and the impact. The City hired

Keyser Marston Inc. to conduct such a study. The study is attached. As shown in the table below the Study would support a fee ranging between \$59,600 and 30,300 depending on the size of the unit.

Prototype:	<i>Single Family (2,500 sf)</i>	<i>Small Single Family (2,000 sf)</i>	<i>Townhome (1,500 sf)</i>	<i>Condo (1,300 sf)</i>	<i>Apartment (850 sf)</i>
Maximum Fee Supported by 2014 Residential Nexus	\$59,600	\$52,600	\$42,900	\$45,900	\$30,300

It is important that the existing impact fee that is charged for commercial property be taken in to account to avoid “double mitigation” of the impacts and further that the fee be set in a way that does not discourage the development of higher density housing then our General Plan encourages. The fee would set by the City Council by Resolution and is not a part of the ordinance itself. Staff is recommending that the City Council set the initial fee at \$20 per square foot of building area for the first 1000 square feet and for \$8 per square foot above 1000 square feet. This fee structure results in proposed fee for typical units as shown in the table below:

Prototype:	<i>Single Family (2,500 sf)</i>	<i>Small Single Family (2,000 sf)</i>	<i>Townhome (1,500 sf)</i>	<i>Condo (1,300 sf)</i>	<i>Apartment (850 sf)</i>
Proposed Housing Impact Fee	\$32,000	\$28,000	\$24,000	\$22,400	\$17,000

The ordinance includes provisions whereby the fee can be waived if the Planning Commission and City Council find that there is a substantial public benefit in doing so. This could include support for major economic development initiatives or providing incentives to removing objectionable uses.

Approved projects and any project that had made a development application prior to the fee’s effectiveness would not be subject to the impact fee and would instead be subject to the existing inclusionary housing ordinance. The first 200 square feet of an expansion of an existing residence would be exempt from the fee.

On March 25, 2014 the Planning Commission recommended that the City Council approve the Ordinance and that the initial fee be set as \$20 per square foot of building area for the first 1000 square feet and for \$8 per square foot above 1000 square feet.

**Action** – It is recommended that the City Council introduce an ordinance amending the Newark Municipal Code by repealing Chapter 17.18 (Affordable Housing Program) and adding a new Chapter 17.18 (Affordable Housing Program) and approve a resolution establishing affordable units needed to fully mitigate the impact of residential development on the need for affordable housing; and Housing Impact Fees for Residential Developments.

**F. CITY MANAGER REPORTS**

**(It is recommended that Items F.1 through F.4 be acted on simultaneously unless separate discussion and/or action is requested by a Council Member or a member of the audience.)**

**CONSENT**

- F.1 Authorization for the Mayor to sign the Amendment to the Agreement between the City and All Star Building Maintenance, Inc. for Janitorial Services for City Buildings to assign the Agreement to Marina Zepeda – Tri County Building Maintenance and authorize a one year extension – from Maintenance Superintendent Costa. (RESOLUTION)**

**Background/Discussion** – The City entered into an Agreement with All Star Building Maintenance, Inc. to provide janitorial services for City Buildings effective May 1, 2013. The duration of the contract was until April 30, 2014. The Agreement had provisions that upon mutual agreement, the contract could be renewed for two additional one year periods.

Recently, Marina Zepeda, a principal of All Star Building Maintenance, Inc., split from her partners to establish a new firm, Marina Zepeda – Tri County Building Maintenance. The two firms have presented to the City a Notice of Assignment effectively transferring all of the responsibilities under the original contract to the newly formed firm. Marina Zepeda has been working satisfactorily with the City throughout the contract period.

**Attachment**

**Action** – It is recommended that the City Council, by resolution, authorize the Mayor to sign the Amendment to the Agreement between the City of Newark and All Star Building Maintenance, Inc. for Janitorial Services for City Buildings to assign the Agreement to Marina Zepeda – Tri County Building Maintenance and authorize a one year extension.

- F.2 Amendment to Resolution No. 2505, Employee Classification Plan, to revise the Police Lieutenant classification specification; and amendment to Resolution No. 10130, The City Officials, and the Management, Supervisory, and Professional Employee Group Compensation and Benefit Plan, to add the Police Lieutenant position, effective April 10, 2014 – from Human Resources Technician Gendreau. (RESOLUTIONS- 2)**

**Background/Discussion** – Effective with the 2014-2016 Biennial Budget, the Police Department is adding two Police Lieutenant positions. The Police Lieutenant position was deleted from the City Officials, and Management, Supervisory, and Professional Employee

Group Compensation and Benefit plan in 2008 following a restructuring of the command staff in the Police Department.

There is now a need to add the Police Lieutenant position to the City Officials, and Management, Supervisory, and Professional Employee Group Compensation and Benefit plan. Upon review of the salary previously assigned to the Police Lieutenant position, it is recommended that a salary change from salary range 17 to salary range 18 be made to be in-line with the internal salary structure.

The classification specification has also been revised to update the current command staff reporting structure (change from Police Captain to Police Commander).

### **Attachments**

**Action** - It is recommended that the City Council, by resolution, amend Resolution No. 2505, Employee Classification Plan, to revise the Police Lieutenant classification specification; Amend Resolution No. 10130, the City Officials, and the Management, Supervisory, and Professional Employee Group Compensation and Benefit plan to add the Police Lieutenant position.

### **F.3 Establishing the number of residents in the City of Newark for the purpose of determining the voluntary expenditure ceiling for the November 4, 2014, Municipal Election - from City Clerk Harrington. (RESOLUTION)**

**Background/Discussion** – Pursuant to Municipal Code 2.11.010, Voluntary Expenditure Ceiling, the City has a voluntary campaign expenditure ceiling for elections to City offices at one dollar (\$1) per resident of the City. The contribution limits were established in 1997 and remained the same until 2007 when the City Council updated the contribution limits. The current contribution limit for any candidate who accepts the voluntary expenditure ceiling is \$500. The contribution limit for any candidate who does not accept the voluntary expenditure ceiling is \$100.

Municipal Code 2.11.010 requires the City Council, prior to each election for a City elective office, to adopt a resolution that establishes the number of residents in the City. The most recent data from the *State of California, Department of Finance, E-1 Population Estimates for Cities, Counties and the State with Annual Percent Change — January 1, 2012 and 2013. Sacramento, California, May 2013*, finds that there are 43,342 residents. Therefore, the amount of the voluntary expenditure ceiling for campaigns for City elective office will be \$43,342 for the November 4, 2014, Municipal Election.

### **Attachment**

**Action** - It is recommended that the City Council, by resolution, establish the number of residents in the City of Newark for the purpose of determining the voluntary expenditure ceiling for the November 4, 2014, Municipal Election.

**F.4 Resolution of the City of Newark City Council Authorizing the Annual Program Submittal for Measure B Funding of Paratransit Services – from Recreation and Community Services Director Zehnder. (MOTION)**

**Background/Discussion** – The Alameda County Transportation Commission (ACTC) administers the distribution of Measure B, a half-cent transportation sales tax, which provides funding to the City of Newark to provide paratransit services for the elderly and disabled. Each year the City is required to submit an application for funding and a budget to ACTC outlining the paratransit services to be offered in the upcoming fiscal year.

ACTC forecasts that the City of Newark will receive approximately \$155,354.84 in Measure B sales tax revenue for Fiscal Year 2014-2015.

On September 3, 2013, the City of Newark amended the Joint Powers Agreement with the City of Fremont enabling Fremont to provide paratransit services to eligible Newark residents. Fremont Paratransit provides door-to-door wheelchair accessible service for Newark seniors ages 70 and older and for people with disabilities, ages 18 and older. Fremont's robust, reliable and efficient paratransit service provides Newark riders with the following enhanced services:

- Expanded service hours – Monday through Friday, 8:00am – 6:00pm
- Increased service area – service is now provide to all parts of Fremont, Union City and Newark
- Expanded reservation and dispatch system – Monday through Friday, 8:00am – 5:00pm.

In addition to these paratransit services, Newark riders also receive access to supplemental transportation services offered through the Fremont Human Services Department:

- Tri-City Travel Training Program
- Senior Clipper Card Distribution Program
- Tri-City Mobility Management Program.

The City of Newark will reimburse the City of Fremont at a cost to not exceed \$145,000. This includes a cost per trip billing for all one-way trips as well as monthly administrative fees. Should rider demand be greater than projected, the City of Newark has sufficient Measure B Operational Reserves which can be used to offset excess service costs.

The City also utilizes Measure B funding to subsidize the Life Eldercare, Inc., Meals on Wheels service, which provides over 11,500 home-delivered meals annually to Newark residents. The proposed level of funding for Fiscal Year 2014-2015 will remain at \$7,000.

**Attachment**

**Action** – Staff recommends that the City of Newark City Council, via motion, approve the annual program submittal for Measure B funding of paratransit services for Fiscal Year 2014-2015.

**NONCONSENT**

- F.5 Approval of the 2014 Alameda County Transportation Expenditure Plan and recommendation for the Alameda County Board of Supervisors to place a 30-year extension and augmentation of the existing transportation sales tax on the November 4, 2014 general election ballot – from Senior Civil Engineer Fajeau. (RESOLUTION)**

**Background/Discussion** – At the March 27, 2014 City Council meeting, Mr. Arthur Dao, Executive Director of the Alameda County Transportation Commission (Alameda CTC) and Ms. Tess Lengyel, Deputy Director of Policy, Public Affairs, and Legislation of the Alameda CTC, provided the City Council with a presentation of the 2014 Alameda County Transportation Expenditure Plan (TEP). A new ballot measure supported by this plan would augment and extend the existing half-cent sales tax for transportation programs and projects in Alameda County for a 30-year term. The Alameda CTC Board approved the 2014 TEP on January 23, 2014. The Alameda CTC is seeking formal approval of the TEP from all Alameda County jurisdictions, as well as a recommendation for the Board of Supervisors to place the measure funding this plan on the November 4, 2014 general election ballot.

**Historical Perspective and Future Needs**

In 1986, voters approved Measure B, a 1/2 cent sales tax, to fund transportation improvements and programs throughout Alameda County. In November 2000, Alameda County voters approved an extension of the first sales tax through 2022 to fund a new set of project and program investments throughout the County. All of the major projects promised to and approved by the voters in the 2000 Measure are either underway or complete. Funds that go to cities and other local jurisdictions to maintain and improve local streets, provide critical transit service and services for seniors and persons with disabilities, as well as bicycle and pedestrian safety projects will continue until the current Measure B expenditure plan ends in 2022.

In 2012, 66.53 percent of Alameda County voters supported a 2012 Transportation Expenditure Plan, which was just 721 votes shy of achieving the two-thirds majority required to pass. Because of the strong voter support and the ongoing and growing need for transportation investments in Alameda County, the Alameda CTC unanimously approved a slightly revised 2014 Transportation Expenditure Plan that includes a sunset date. The Alameda CTC is recommending the 2014 Plan for approval by the cities in Alameda County and the Board of Supervisors, so that voters will have

an opportunity to reauthorize and augment Measure B to fund critical transportation projects included in the detailed 2014 TEP that directly benefit all jurisdictions in Alameda County.

Without new transportation investments, Alameda County will lose jobs, experience increased traffic, suffer potential service cuts on buses and BART, and see more costly transportation services for seniors and people with disabilities. Over the term of the 2014 TEP, Alameda County's population will grow by almost 30 percent, and the senior population will double—this growth demands investments to meet current and future transportation needs in Alameda County.

For over 25 years, Alameda CTC has successfully delivered transportation projects throughout Alameda County that create good quality, local jobs while delivering transportation solutions. These projects were funded in large part by Measure B. Alameda CTC combined agencies, saving millions of dollars per year, and earned AAA financial credit ratings—the highest possible—and 100 percent of its annual audits have been verified by independent auditors and a citizens watchdog committee made up of Alameda County residents. These ratings underscore the strong financial management and accountability measures at Alameda CTC. Reauthorizing and augmenting Measure B is critical to meet local and countywide transportation needs, and the 2014 TEP has the highest level of accountability, including strict limits and oversight of the funds.

### **Benefits of the TEP for Alameda County and City of Newark Residents and Businesses**

The ballot measure supported by the 2014 TEP will augment and extend the existing half-cent transportation sales tax by a half cent through March 31, 2045. Recognizing that transportation needs, technology, and circumstances change over time, the 2014 TEP covers the period from the approval date and subsequent sales tax collections for 30 years, programming nearly \$8 billion in new transportation funding. All funding decisions by Alameda CTC and the jurisdictions that receive these funds will be made through open and transparent public processes. All expenditures, as well as performance and cost-effectiveness measures will be reviewed by an Independent Watchdog Committee made up of Alameda County residents. In addition, annual independent audits will be performed on expenditures by Alameda CTC and all jurisdictions that receive these funds to ensure they are spent in accordance with the 2014 TEP. The 2014 TEP will:

- Expand BART, bus and commuter rail for reliable, safe and fast services, including BART expansion and improvements within Alameda County, bus service expansion, and commuter rail service improvements.
- Keep fares affordable for seniors, youth and people with disabilities, including affordable senior shuttles, vans and services that help keep seniors independent, and critical funding for student transit passes to ensure youth can affordably get to school. It also funds reliable and inexpensive transportation for people with disabilities.

- Provide traffic relief, including funds to every city in the County to repave streets, fill potholes, and upgrade local transportation infrastructure. It also invests in aging highway corridors to upgrade on and off ramps, using modern technology to manage traffic and improve safety.
- Improve air quality and provide clean transportation by reducing pollution using innovative technology and expanding bike and pedestrian paths, and BART, bus and commuter rail expansion and operations.
- Create good jobs within Alameda County by requiring local contracting that supports residents and businesses in Alameda County.

While the above benefits positively impact all of Alameda County, the 2014 TEP and associated ballot measure would also directly benefit the City of Newark's residents and businesses. The TEP includes potential funding for several local projects including the Central Avenue Railroad Overpass, Thornton Avenue Widening, Dumbarton Corridor area investments and transit oriented development improvements, and other Newark streets and roads projects. Funding for any given project is not guaranteed. Projects will be funded through the Alameda CTC Capital Improvement Program based on geographic equity and the state of readiness for each project.

In addition to capital project funding, the 2014 TEP will provide increased direction allocations to the City of Newark for local streets maintenance and safety, bicycle and pedestrian paths and safety, and paratransit for seniors and people with disabilities. The combined direct annual allocation to the City is anticipated to increase from approximately \$680,000 under the current Measure B program to \$1,250,000 under the 2014 TEP. This will significantly improve the City's ability to maintain its local street and road infrastructure for all roadway users.

The Alameda CTC has also committed to reviewing the local streets and roads direct allocation formula within the first five years of implementation of the 2014 TEP. The current formula is weighted to provide additional funding to North County cities at the expense of the remaining County jurisdictions. A more equitable distribution of these funds would further benefit Newark.

#### **Attachments**

**Action** - It is recommended that the City Council, by resolution, approve the 2014 Alameda County Transportation Expenditure Plan and recommend that the Alameda County Board of Supervisors place a 30-year extension and augmentation of the existing transportation sales tax on the November 4, 2014 general election ballot.

#### **G. CITY ATTORNEY REPORTS**

#### **H. ECONOMIC DEVELOPMENT CORPORATION**

## I. CITY COUNCIL MATTERS

### I.1 **Approve changing the Newark City Council – Board of Education Joint Task Force on Youth Issues into the Newark City Council – Newark Board of Education Liaison Committee and appointing two members – from City Manager Becker. (RESOLUTION)**

**Background/Discussion** – In 1990, the Newark City Council and the Newark Board of Education created the Joint Task Force on Youth Issues Committee to discuss and address issues affecting Newark youth. The Committee includes two appointed representatives from the Newark City Council and two appointed members from the Newark Board of Education. The City Manager and School Superintendent also attend the Committee meetings as ex-officio members. Since its formation, the Committee has facilitated numerous activities and special events relevant to Newark youth and their parents. These have included facilitating the establishment of an after school recreation program, youth seminars, parent education programs, gang prevention training, student and parent surveys, Internet safety programs, and health education programs and activities.

Over the years, the Committee members have found that the discussions at their meetings have frequently included topics of mutual interest outside the scope of the original intent and mission of the Youth Issues Committee. These discussions have been extremely valuable and have led to enhanced communication and cooperation between the two agencies.

During the Committee’s February 27, 2014 meeting, members discussed the history of the Committee, recent accomplishments, and how the Committee might be more effective at addressing community-wide issues of mutual concern. The Committee discussed options for enhancing communication between the two agencies and ultimately voted unanimously to “repurpose” the Joint Task Force on Youth Issues Committee into a new City Council - Board of Education Liaison Committee. The Committee’s role would expand beyond youth issues to include addressing all issues of mutual concern between the two agencies. The Committee would meet on a semi-regular basis dependent on topics/issues of relevance. Committee members will report on their activities as needed to their respective governing bodies.

The Committee would include the same two-member representation from the City Council and the Board of Education. The City Manager and School Superintendent would continue to act as ex-officio members of the Liaison Committee.

#### **Attachment**

**Action** - It is recommended that the City Council, by resolution, approve changing the Newark City Council – Board of Education Joint Task Force on Youth Issues into the Newark City Council – Newark Board of Education Liaison Committee and appoint two members to the Committee.

**I.2 Approval of appointment of Jeffrey J. Lucia to the Community Development Advisory Committee and acceptance of resignation from Tanya Mendoza – from Mayor Nagy. (RESOLUTION)(MOTION)**

**Background/Discussion** – The Community Development Advisory Committee (CDAC) is an appointed committee that provides recommendations to the City Council for the use of Community Development Block Grant funds and to the Community Development Director on priorities for the use of Housing funds.

The CDAC consists of two City Council Members, two Planning Commissioners and the balance from the community. Tanya Mendoza, who has served on the CDAC since 2008, has resigned. Jeffrey J. Lucia, who recently applied for the Planning Commission, and indicated an interest to serve on the Community Development Advisory Committee.

**Attachment**

**Action** - It is recommended that the City Council, by resolution, appoint Jeffrey J. Lucia to the Community Development Advisory Committee and; by motion, accept the resignation of Tanya Mendoza.

**I.3 Appointment of Sandra Marie Arellano to the Senior Citizen Standing Advisory Committee – from Mayor Nagy. (RESOLUTION)**

**Background/Discussion** – On March 13, 2014, the City Council declared two vacancies on the Senior Citizen Standing Advisory Committee. Sandra Marie Arellano has submitted an application for one of the vacancies. Applications for the remaining vacancy will be accepted until the position is filled.

**Attachment**

**Action** - It is recommended that the City Council, by resolution, approve the appointment of Sandra Marie Arellano to the Senior Citizen Standing Advisory Committee.

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

**K. ORAL COMMUNICATIONS**

**L. APPROPRIATIONS**

**M. CLOSED SESSION**

**N. ADJOURNMENT**

Pursuant to Government Code 54957.5: Supplemental materials distributed less than 72 hours before this meeting, to a majority of the City Council, will be made available for public inspection at this meeting and at the City Clerk's Office located at 37101 Newark Boulevard, 5<sup>th</sup> Floor, during normal business hours. Materials prepared by City staff and distributed during the meeting are available for public inspection at the meeting or after the meeting if prepared by some other person. Documents related to closed session items or are exempt from disclosure will not be made available for public inspection.

For those persons requiring hearing assistance, please make your request to the City Clerk two days prior to the meeting.