



CITY OF NEWARK CITY COUNCIL

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

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

AGENDA

Thursday, April 9, 2015

CITY COUNCIL:

Alan L. Nagy, Mayor
Sucy Collazo, Vice Mayor
Luis L. Freitas
Michael K. Hannon
Mike Bucci

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:

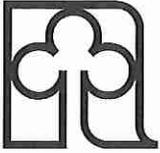
- | | |
|-------------------------------------|-------------------------|
| A. ROLL CALL | I. COUNCIL MATTERS |
| B. MINUTES | J. SUCCESSOR AGENCY |
| C. PRESENTATIONS AND PROCLAMATIONS | TO REDEVELOPMENT AGENCY |
| D. WRITTEN COMMUNICATIONS | K. ORAL COMMUNICATIONS |
| E. PUBLIC HEARINGS | L. APPROPRIATIONS |
| 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. 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.



CITY OF NEWARK CITY COUNCIL

37101 Newark Boulevard, Newark, CA 94560-3796 • 510-578-4266 • E-mail: city.clerk@newark.org

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

AGENDA

Thursday, April 9, 2015

A. ROLL CALL

B. MINUTES

- B.1 Approval of Minutes of the regular City Council meeting of Thursday, March 26, 2015. (MOTION)**

C. PRESENTATIONS AND PROCLAMATIONS

- C.1 Newark Police Department Citizen Appreciation Award for Jennifer Bauer and Gary Stadler.**

Background/Discussion – On February 15, 2015, Jennifer Bauer and Gary Stadler assisted the Newark Police Department in locating and arresting a suspect in a crime that had occurred earlier in the day. The Police Department will honor Ms. Bauer and Mr. Stadler for their assistance to the community.

- C.2 Proclaiming May 7, 2015, as National Day of Prayer in Newark. (PROCLAMATION)**

Background/Discussion – May 7, 2015, has been designated as National Day of Prayer in Newark. A member of the religious community will be at the meeting to accept the proclamation.

- C.3 Proclaiming May 2015 as Older Americans Month in Newark.(PROCLAMATION)**

Background/Discussion – May is Older Americans Month. A proclamation has been prepared and members of the Newark Senior Citizen Standing Advisory Committee will accept the proclamation at the City Council meeting.

- C.4 Proclaiming April 18, 2015 as Earth Day in Newark. (PROCLAMATION)**

Background/Discussion – In an effort to raise awareness and appreciation for our environment, the League of Volunteers has teamed up with Newark Memorial High School Interact and UNICEF to host an Earth Day Fair. The Earth Day Fair will be held on April 18, 2015, at Swiss Park from 10:00 am to 4:00 pm. A proclamation has been prepared for the event and certificates of appreciation for the students who help organize the event.

D. WRITTEN COMMUNICATIONS**E. PUBLIC HEARINGS****E.1 Hearing to consider property owners' objections to the 2015 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 26, 2015, the City Council adopted Resolution No. 10326 initiating the 2015 Weed Abatement Program and setting a public hearing for April 9, 2015. 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, 2015, 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 2015 Weed Abatement Program, and instruct the Superintendent of Streets to abate the public nuisances.

F. CITY MANAGER REPORTS

(It is recommended that Items F.1 through F.2 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 Second reading and adoption of two ordinances approving the Newark Areas 3 and 4 Specific Plan Project Development Agreement and approving a Map Amendment to Title 17 (Zoning) of the Newark Municipal Code rezoning parcels to be consistent with the Newark Specific Plan: Areas 3 and 4 of the General Plan – from City Clerk Harrington.****(ORDINANCES-2)**

Background/Discussion – On March 26, 2015, the City Council introduced two ordinances approving the Newark Areas 3 and 4 Specific Plan Project Development Agreement and Z-10-17, a Map Amendment to Title 17 (Zoning) of the Newark Municipal Code Rezoning Parcels to be consistent with the Newark Areas 3 and 4 Specific Plan.

Attachment

Action - It is recommended that the City Council adopt ordinances approving: 1) The Newark Areas 3 and 4 Specific Plan Project Development Agreement and; 2) Z-10-17, a Map Amendment to Title 17 (Zoning) of the Newark Municipal Code Rezoning Parcels to be consistent with the Newark Areas 3 and 4 Specific Plan.

F.2 Approval of the final map for Tract 8028, a 14-unit residential townhome-style subdivision (Casa Bella Homes, LLC) at 6249 Thornton Avenue, approximately 570 feet west of Newark Boulevard – from Assistant City Engineer Fajeau. (RESOLUTION)

Background/Discussion – In 2012, the City Council approved a 14-unit residential townhome-style subdivision at 6249 Thornton Avenue. Casa Bella Homes, LLC has submitted the required fees, documents, and bonds for approval of the final map for Tract 8028. Off-site improvements include placement of two new driveways on Thornton Avenue, utility connections, and frontage landscaping. Recording of the final map and issuance of any subsequent permits for construction activity will be at the discretion of the City Engineer.

Attachment

Action – It is recommended that the City Council, by resolution approve the final map for Tract 8028.

G. CITY ATTORNEY REPORTS

H. ECONOMIC DEVELOPMENT CORPORATION

I. CITY COUNCIL MATTERS

I.1 Appointments to the Community Choice Aggregation Steering Committee – from Mayor Nagy. (RESOLUTION)

Background/Discussion – The Alameda County Board of Supervisors has directed the Community Development Agency to determine if a Community Choice Aggregation (CCA) program is feasible for Alameda County. A CCA program would allow for

competition in electricity generation services and accelerate investments in clean energy resources and local energy projects. A CCA Steering Committee is being formed that will advise the Board on key aspects of the program's development and to provide a forum for stakeholders and the public to express their views.

The first tasks of the Committee will be to finalize the scope of the CCA technical study, which will be required to size the CCA program and determine its overall feasibility; and help refine the goals and objective of the CCA program going forward for guidance to the JPA and CCA agency that would be formed to carry the program forward once it is established.

The CCA Steering Committee will consist of appointees from the Alameda County Supervisorial Districts, representatives from each of the County's 14 cities that choose to participate, and "at large" representatives. The Committee will be subject to the Brown Act and will meet on a monthly or bi-monthly basis. The first meeting is expected to occur in mid-May.

Mayor Nagy will appoint a representative and an alternate to represent the City of Newark on the Steering Committee.

Attachment

Action - It is recommended that the City Council, by resolution, confirm the appointments of a representative and an alternate to the Community Choice Aggregation Steering Committee.

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 April 9, 2015. (MOTION)

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, 5th 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.