

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, March 12, 2015

At 6:30 p.m. the City Council will plant a tree for Arbor Day in the City Hall parking lot.

A. ROLL CALL

B. MINUTES

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

C. PRESENTATIONS AND PROCLAMATIONS

- C.1 Commending Newark Police Officers for their life saving actions. (COMMENDATION)
- C.2 Proclaiming March 12, 2015, as Arbor Day in Newark. (PROCLAMATION)
- C.3 Presentation by the Farmers and Farmerettes Square Dance Club. (PRESENTATION)

D. WRITTEN COMMUNICATIONS

E. PUBLIC HEARINGS

- E.1 Hearing to consider an amendment to U-83-41, a conditional use permit, for a truck unloading station and the addition of loading asphalt to railcar at 6880 Smith Avenue (Safety-Kleen of California, Inc.) – from Assistant City Manager Grindall. (RESOLUTION)

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 ordinances repealing Ordinance No. 442 approving and adopting the Newark Area 3 and 4 Specific Plan Development Agreement; and Ordinance No. 443 approving Z-10-17, a Map Amendment to Title 17 of the Newark Municipal Code rezoning parcels to be consistent with the proposed Newark Area 3 and 4 Specific Plan – from City Clerk Harrington. (ORDINANCES-2)**

- F.2 Acceptance of contract with J&J Landscape Management for the 2014 Weed Abatement Program – from Maintenance Supervisor Carey. (RESOLUTION)**

- G. CITY ATTORNEY REPORTS**

- H. ECONOMIC DEVELOPMENT CORPORATION**

- I. CITY COUNCIL MATTERS**

 - I.1 Considering a text amendment to Title 2 (Administration and Personnel), Chapter 2.12 (Planning Commission), Sections 2.12.010 (Created) and 2.12.20 (Qualifications) to reduce the number of Planning Commissioners from seven to five – from Assistant City Manager Grindall. (INTRODUCTION OF ORDINANCE)**

- 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, 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.



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AGENDA

Thursday, March 12, 2015

CITY COUNCIL:

Alan L. Nagy, Mayor
Socy 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:

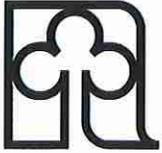
- | | |
|-------------------------------------|-------------------------|
| A. ROLL CALL | I. COUNCIL MATTERS |
| B. MINUTES | J. SUCCESSOR AGENCY |
| C. PRESENTATIONS AND PROCLAMATIONS | TO REDEVELOPMENT AGENCY |
| D. WRITTEN COMMUNICATIONS | K. ORAL COMMUNICATIONS |
| E. PUBLIC HEARINGS | L. APPROPRIATIONS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



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

Minutes

Thursday, February 26, 2015

A. ROLL CALL

Mayor Nagy called the meeting to order at 7:34 p.m. Present were Council Members, Hannon, Freitas, Bucci, and Vice Mayor Collazo.

B. MINUTES

B.1 Approval of Minutes of the regular City Council meeting of Thursday, February 12, 2015.

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

C. PRESENTATIONS AND PROCLAMATIONS

C.1 Introduction of employees.

Mayor Nagy introduced Public Safety Dispatcher Heidi Horner, Police Officer Natasha Stone, and Public Safety Clerk Wendy Walker.

C.2 Proclaiming March as American Red Cross Month in Newark.

Mayor Nagy presented the proclamation to Helen Knudson, Chair of the American Red Cross Leadership Council.

D. WRITTEN COMMUNICATIONS

E. PUBLIC HEARINGS

E.1 Hearing to consider: U-88-42, an amendment to a conditional use permit, for a remodel to the Salvation Army building at 36700 Newark Boulevard.

RESOLUTION NO. 10322

City Manager Becker stated that the Salvation Army proposes to demolish the existing building and construct a new 11,513 square foot building occupying the same footprint of the existing structure. The new facility would include a chapel, multipurpose room,

commercial kitchen, classrooms, computer lab, teenage game room, social services offices, administrative offices, covered outdoor space, basketball courts and public restrooms. Proposed new services include a senior lunch program, emergency disaster services, nutrition, computer, and English as-a-second language classes. The flagpole telecommunication facility will be replaced with a monopine in the back.

Mayor Nagy opened the public hearing at 7:48 p.m.

Captain Dan Williams, representing the Salvation Army, stated that the current facility is not adequate for their needs.

In response to City Council questions, Captain Williams stated that they will provide services at a temporary facility during the construction of the building. The new building will have space for people inside the building while they wait for services such as food distribution.

Captain Williams stated that he read and agreed to the conditions in the resolution.

Keel Turner stated that his home borders the parking lot of the Salvation Army. He did not want the monopine moved to the back because he was concerned that the structure would be maintained at night. Mr. Turner was also concerned that the construction workers would park in his neighborhood.

City Manager Becker stated that staff would work with the Salvation Army to encourage the workers to park on Newark Boulevard.

Captain Williams stated that he will encourage the construction workers to not park on Birch Street. He also noted that the equipment for the monopine will be on the left side of the facility away from Mr. Turner's home. He stated that he would bring up Mr. Turner's concerns with AT&T.

Council Member Hannon requested that Captain Williams modify condition F to prevent truck deliveries from 6 pm and 7 am instead of 11 pm and 7 am.

Captain Williams agreed to modify Condition F to prevent truck deliveries from 8 pm and 7 am.

Mayor Nagy closed the public hearing at 8:07 p.m.

Council Member Collazo moved, Council Member Bucci seconded to by resolution, approve an amendment to a conditional use permit (U-88-42) for a remodel to the Salvation Army building at 36700 Newark Boulevard. The motion passed, 5 AYES.

Mayor Nagy noted that that the resolution included the revisions provided by staff before the meeting (construction hours to start at 8 am instead of 7 am, updated page 1 of Exhibit A) and the modification to condition F as discussed at the meeting.

E.2 Hearing to consider REPEAL of: Resolution No. 9745 certifying the Environmental Impact Report for the Newark Area 3 and 4 Specific Plan Project and approving the Mitigation Monitoring and Reporting Program; Resolution No. 9746 approving and adopting the Newark Area 3 and 4 Specific Plan Project and related General Plan Amendment; Ordinance No. 442 approving and adopting the Newark Area 3 and 4 Specific Plan Development Agreement; and Ordinance No. 443 approving Z-10-17, a Map Amendment to Title 17 of the Newark Municipal Code rezoning parcels to be consistent with the proposed Newark Area 3 and 4 Specific Plan.

**RESOLUTION NO. 10323
RESOLUTION NO. 10324
INTRODUCTION OF ORDINANCES-2**

City Attorney Benoun stated that in 2010, the City Council approved the Area 3 and 4 Specific Plan Project. The project included housing, parks, a school site, open space, transportation improvements, and a golf course or other recreational amenity.

The Citizen's Committee to Complete the Refuge filed a legal petition in Alameda County Superior Court alleging that environmental disclosures associated with the project failed to comply with the California Environmental Quality Act ("CEQA") and that the City's police powers were improperly contracted away in the Development Agreement.

In November 2014, the Court entered a Final Judgment and a Peremptory Writ of Mandate was issued. Although the Court denied the majority of the Citizen's claims, the Judgment and Writ command the City to void the resolutions and ordinances approving the project.

Mayor Nagy opened the public hearing at 8:14 p.m.

No one came forward to speak.

Mayor Nagy closed the public hearing at 8:15 p.m.

Council Member Freitas moved, Vice Mayor Collazo seconded to approve: 1) Resolution repealing Resolution No. 9745 certifying the Environmental Impact Report for the Newark Area 3 and 4 Specific Plan Project and approving the Mitigation Monitoring and Reporting Program; 2) Resolution repealing Resolution No. 9746 approving and adopting the Newark Area 3 and 4 Specific Plan Project and related General Plan Amendment; 3) Ordinance repealing Ordinance No. 442 approving and adopting the Newark Area 3 and 4 Specific Plan Development Agreement; and 4) Ordinance repealing Ordinance No. 443 approving Z-10-17, a Map Amendment to Title 17 of the Newark Municipal Code rezoning parcels to be consistent with the proposed Newark Area 3 and 4 Specific Plan. The motion passed, 5 AYES.

- E.3 MOTION TO CANCEL Public Hearing to consider: 1) Certifying a Recirculated Final Environmental Impact Report addressing and disclosing the Environmental Impacts of the Newark Areas 3 and 4 Specific Plan Project and approving a Mitigation Monitoring and Reporting Program; 2) Approving the Newark Specific Plan: Areas 3 and 4 of the General Plan and related General Plan amendments: A map amendment to the General Plan Diagram to change the General Plan land use designations for certain parcels of land; 3) Introducing an Ordinance approving the Newark Areas 3 and 4 Specific Plan Project Development Agreement and; 4) Introducing an Ordinance 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.**
- PUBLIC HEARING CANCELED**

City Manager Becker stated that staff is in the process of further reviewing the Areas 3 and 4 Specific Plan Project. He requested that the City Council cancel this hearing. A duly noticed public hearing will be held at a future date.

Council Member Freitas moved, Council Member Bucci seconded to, by motion, cancel the public hearing. The motion passed, 5 AYES.

- E.4 Hearing to consider adoption of a resolution clarifying the City Council's intent in certifying the 2013 General Plan Tune Up Environmental Impact Report.**
- RESOLUTION NO. 10325**

City Attorney Benoun stated that in December 2013, the City Council approved the update to the Newark General Plan and certification of the General Plan Tune Up Environmental Impact Report ("EIR").

The Citizen's Committee to Complete the Refuge filed a petition alleging that the EIR failed to comply with the California Environmental Quality Act. The lawsuit alleges that the City improperly referred to and relied upon prior environmental documents for the 2010 Area 3 and 4 Specific Plan Project.

City Attorney Benoun recommended that the City Council adopt a resolution that would clarify the intent of the resolutions approving the General Plan Tune Up EIR as follows: (1) that the adoption of the General Plan Tune Up EIR was not intended to provide environmental disclosure or compliance with CEQA or clearance for the Specific Plan Area 3 and 4 project; (2) that nothing contained in the General Plan Tune Up EIR was intended to affect, limit, or circumvent the then-judicial review of the Specific Plan Area 3 and 4 Project EIR; and (3) that the Specific Plan Area 3 and 4 Project does not rely on the General Plan Tune Up EIR to comply with CEQA.

He noted that the resolution has been amended to remove a reference to the canceled public hearing E.3.

Mayor Nagy opened the public hearing at 8:22 p.m.

Carin High, Citizens Committee to Complete the Refuge, requested that the City Council defer action on the resolution. She stated that the proposed resolution did not go to the heart of the lawsuit which in her opinion was that the General Plan Tune Up EIR improperly relied on the Area 3 and 4 Specific Plan EIR.

City Attorney Benoun stated that the City Council's certification of the 2013 General Plan EIR completely satisfied CEQA. This action would confirm this by stating they were not relying on the 2010 Specific Plan EIR when adopting the 2013 General Plan EIR.

Mayor Nagy closed the public hearing at 8:27 p.m.

Mayor Nagy noted that the resolution to be voted on was the revised version as described by City Attorney Benoun earlier.

Council Member Collazo moved, Council Member Hannon seconded to adopt a resolution clarifying the City Council's intent as to the certification of the City of Newark 2013 General Plan Tune Up Environmental Impact Report. The motion passed, 5 AYES.

F. CITY MANAGER REPORTS

Council Member Hannon requested that staff provide a list of the street names that will be impacted by the paving project for item F.3. City Manager Becker agreed with the request.

Council Member Bucci moved, Vice Mayor Collazo seconded, to approve Consent Calendar Items F.1 through F.3, that the resolution and ordinance be numbered consecutively, and that reading of the titles suffice for adoption. The motion passed, 5 AYES.

CONSENT

- F.1 Initiation of the 2015 Weed Abatement Program and setting a date for a public hearing. RESOLUTION NO. 10326**

- F.2 Second reading and adoption of an ordinance amending Title 17 (Zoning) of the Newark Municipal Code, Section 17.44.010 "Zoning Map" by rezoning all that real property shown on Vesting Tentative Map 8212 (APN: 92A-775-46) from R6000 (Single Family Residential) to LDR-FBC (Low Density Residential-Form Based Code). ORDINANCE NO. 480**

F.3 Approval of the 2014-2015 Pavement Maintenance Program and authorization to advertise for bids for 2015 Street Patch Paving Program, Project 1092; 2015 Street Asphalt Concrete Overlay Program, Project 1093; and 2015 Street Slurry Seal Program, Project 1094. MOTION APPROVED

G. CITY ATTORNEY REPORTS

H. ECONOMIC DEVELOPMENT CORPORATION

I. CITY COUNCIL MATTERS

Vice Mayor Collazo encouraged the public to donate blood. She pointed out that one pint helps three people.

Council Member Bucci wished his wife Megan a Happy Birthday.

Council Member Freitas announced that the Newark Senior Center would be open on Fridays starting next month. He stated that four Newark schools would be participating in the Golden Sneakers contest. In March, students will walk or bike to school for a chance to win prizes. He congratulated the Building Department on the high grade it received in the Insurance Services Office report.

Mayor Nagy congratulated Administrative Services Director Woodstock for the clean audit results.

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

K. ORAL COMMUNICATIONS

Gregory Lemos stated that his foot went through an opening in the sidewalk. He reported the problem to the Public Works Department and complimented them for the quick response.

L. APPROPRIATIONS

City Clerk Harrington read the Register of Audited Demands: Check numbers 103890 to 104026.

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

M. CLOSED SESSION

M.1 Closed session for conference with Labor Negotiators pursuant to California Government Code Section 54957.6. Agency designated representatives: Human Resources Director Abe and Community Development Director Grindall; Employee Groups: the Newark Police Association, the Newark Association of Miscellaneous Employees; City Officials and the Management, Supervisory, and Professional Employee Group; and the Confidential Employee Group – from City Attorney Benoun and Human Resources Director Abe.

M.2 Closed session for conference with Legal Counsel on existing litigation Henneberry v. City of Newark, et al. United States District Court, Northern District of California Case No. C13-5238 MEJ pursuant to Section 54956.9(a) of the California Government Code: – from City Attorney Benoun.

At 8:42 p.m. the City Council recessed to the closed sessions.

At 8:49 p.m. the City Council convened in closed session.

At 11:03 p.m. the City Council reconvened in open session with all Council Members present.

N. ADJOURNMENT

At 11:03 p.m. Mayor Nagy moved, Vice Mayor Collazo seconded to adjourn the City Council meeting. The motion passed, 5 AYES.

C.1 Commending Newark Police Officers for their life saving actions.

(COMMENDATION)

Background/Discussion – In October, Newark Police Officers Khairy, Arroyo, and Knutson responded to a vehicle crash with the driver trapped inside. The Officers worked together to free the driver and pull her out of the burning vehicle. The officers will be at the City Council meeting to be honored for their life saving actions.

C.2 Proclaiming March 12, 2015, as Arbor Day in Newark.

(PROCLAMATION)

Background/Discussion – In recognition of our continued dedication and commitment to the management of tree resources, the City of Newark has been named a Tree City U.S.A. for the twenty-eighth consecutive year by the National Arbor Day Foundation. An effective urban tree management program requires an on-going maintenance program, along with a program of renewal that includes planting new trees. In celebration of Arbor Day, a public tree planting will be held before the City Council meeting on the west side of the City Administration Building parking lot.

Maintenance Supervisor Carey will be at the meeting to accept the proclamation.

C.3 Presentation by the Farmers and Farmerettes Square Dance Club.

(PRESENTATION)

Background/Discussion – The Farmers and Farmerettes Square Dance Club is a Newark-based group that does exhibition and entertainment square dancing and is also involved with local charities. Don Baker and representatives from the Farmers and Farmerettes will be at the City Council meeting to present a contribution to the Newark Betterment Corporation.

**E.1 Hearing to consider an amendment to U-83-41, a conditional use permit, for a truck unloading station and the addition of loading asphalt to railcar at 6880 Smith Avenue (Safety-Kleen of California, Inc.) – from Assistant City Manager Grindall.
(RESOLUTION)**

Background/Discussion – Safety-Kleen is subject to the conditions of the use permit previously associated with Evergreen Oil. As such, any notable changes to the site or new structures visible from the adjacent right-of-way require Planning Commission and City Council review.

Safety-Kleen is the largest re-refiner of used oil and provider of parts cleaning services in North America. An important part of Safety-Kleen’s operation is the offloading of used oil from trucks. The purpose of this proposal is to improve safety and operating efficiency.

Safety-Kleen is proposing to construct a new truck unloading station which will be located adjacent to the existing loading/unloading stations, which will remain intact. The new station consists of a truck access platform and an unloading pump. The access platform will be fabricated from carbon steel with a sliding gangway to allow safe access to multi-compartment truck domes. The platform columns will be mounted on concrete piers. This expansion will safely increase truck unloading capacity to facilitate the use of greater quantities of California-collected used motor oils. This will not change the production capacity of the refinery.

Safety-Kleen currently loads asphalt product onto tanker trucks. They would like to have the capability to load asphalt onto railcars which will reduce the asphalt truck loading frequency. Loading asphalt to railcar is simply a piping system connecting the existing loading pump. Piping will be added to the railcar loading area to move the asphalt to railcars. The project provides better loading capabilities and new equipment which will make the transfers safer.

The proposal is categorically exempt from the California Environmental Quality Act per Section 15301, Class 1, (Existing Facilities) in that the new structure and process involve a negligible expansion of the existing recycling use.

Attachment

Update – At its meeting of February 24, 2015, the Planning Commission approved Resolution No. 1905, with Exhibit A, pages 1 through 7, approving the amendment to U-83-41, a conditional use permit, for a truck unloading station and the addition of loading asphalt to railcar at 6880 Smith Avenue (Safety-Kleen).

Action – It is recommended that the City Council, by resolution, approve the amendment to U-83-41, a conditional use permit, for a truck unloading station and the addition of loading asphalt to railcar at 6880 Smith Avenue (Safety-Kleen of California, Inc.).

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWARK APPROVING AN AMENDMENT TO U-83-41, A CONDITIONAL USE PERMIT, FOR A TRUCK UNLOADING STATION AND THE ADDITION OF LOADING ASPHALT TO RAILCAR AT 6880 SMITH AVENUE (SAFETY- KLEEN OF CALIFORNIA, INC.)

WHEREAS, Clean Harbors has filed with the City Council of the City of Newark an application for an amendment to a conditional use permit for a truck unloading station and the addition of loading asphalt to railcar at 6880 Smith Avenue; and

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby approve this application as shown on Exhibit A, pages 1 through 7, subject to compliance with the following conditions and finds that the project is categorically exempt from the California Environmental Quality Act per Section 15301, Class 1, operation of existing facilities involving negligible or no expansion of an existing use:

Planning Division

- a. The site and its improvements shall be maintained in a neat and presentable condition, to the satisfaction of the Community Development Director. This shall include, but not be limited to, repainting surfaces damaged by graffiti and site clean-up. Graffiti removal/repainting and site clean-up shall occur on a continuing, as needed basis, as required by the Community Development Director. Any vehicle or portable building brought on the site during construction shall remain graffiti free.
- b. Prior to the issuance of a building permit, the color elevations of all dissimilar sides of the buildings as submitted as part of this application, shall be submitted for the review and approval of the Planning Commission and City Council. The building elevations shall reflect all architectural features and projections and shall specify exterior materials. A site plan showing the building locations with respect to property lines shall also show the projections.
- c. Construction site trailers and buildings located on-site shall be used for office and storage purposes only, and shall not be used for living or sleeping quarters.
- d. Prior to the issuance of a building permit, the developer shall pay the Community Development Maintenance Fee which is 0.5% of the construction valuation.

Engineering Division

- e. The project must be designed to include appropriate source control, site design, and stormwater treatment measures to prevent stormwater runoff pollutant discharges and increases in runoff flows from the site in accordance with Provision C.3 of the Municipal Regional Stormwater NPDES Permit (MRP), Order R2-2009-0074, revised November 28, 2011, issued to the City of Newark by the Regional Water Quality Control Board, San

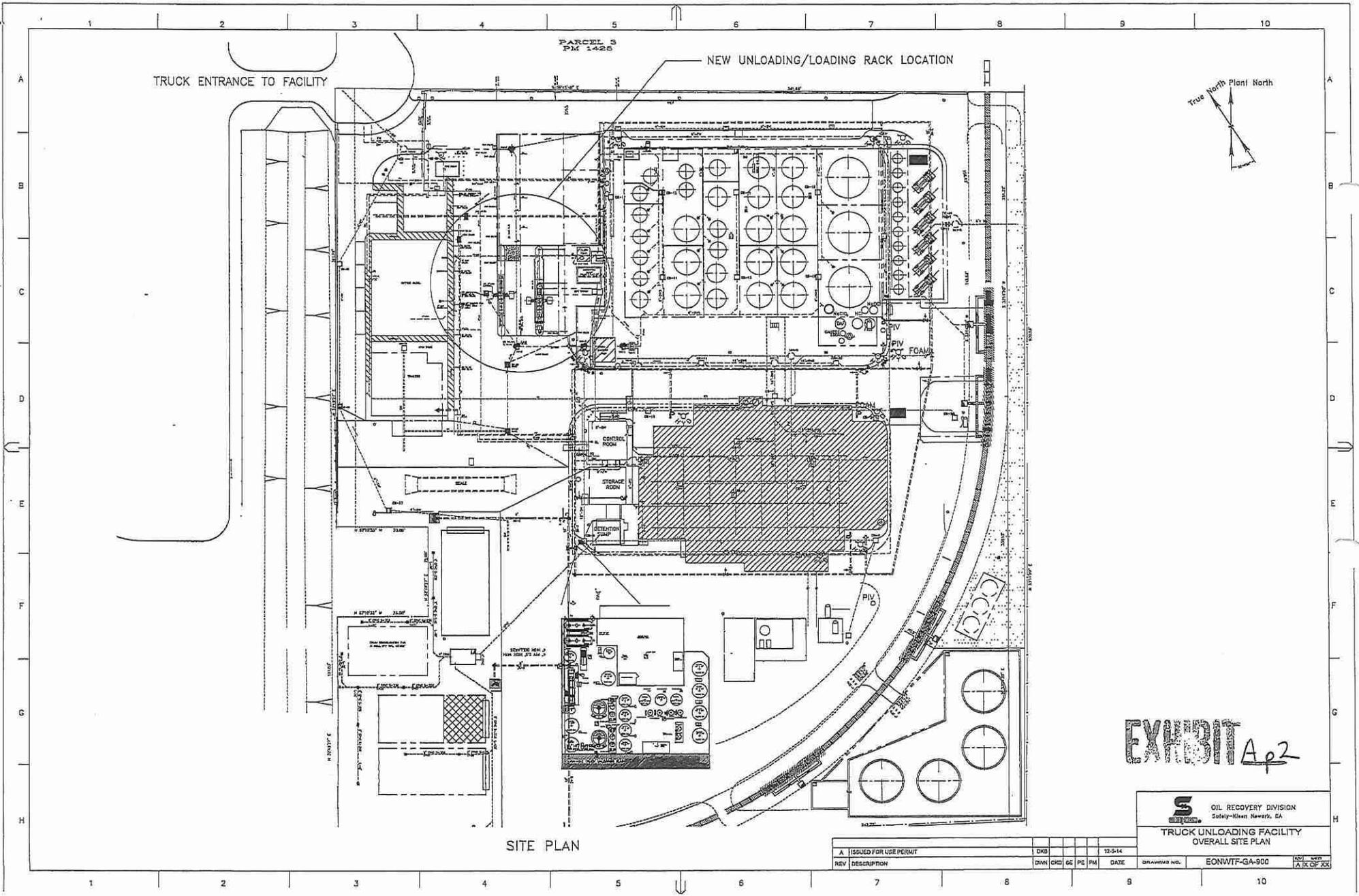
Francisco Bay Region. Examples of source control and site design requirements include, but are not limited to: secondary containment, sanitary sewer connections for all non-stormwater discharges, minimization of impervious surfaces, etc.

- f. The property owner shall submit a grading and drainage plan for review and approval by the City Engineer prior to the issuance of a building permit. This plan must be based upon a City benchmark and needs to include sufficient elevations to show drainage patterns upon completion of work. All on-site pavement shall drain at a minimum of one percent. The developer shall ensure that all upstream drainage is not blocked and that no ponding is created by this development. Any construction necessary to ensure this shall be the property owner's responsibility. A note to this effect shall appear on the plans.
- g. The contractor shall implement all applicable Best Management Practices (BMPs) from the California Stormwater Quality Association's (CASQA) Handbook for Construction for the duration of all work activity. Additional BMPs may be required by the City Engineer as necessary to minimize the pollution of stormwater runoff from the project area. A note to this effect shall appear on the plans.

General

- h. All proposed changes from approved exhibits shall be submitted to the Community Development Director who shall decide if they warrant Planning Commission and City Council review and, if so decided, said changes shall be submitted for the Commission's and Council's review and decision. The applicant shall pay the prevailing fee for each additional separate submittal of development exhibits requiring Planning Commission and/or City Council review and approval.
- i. If any condition of this amendment to a conditional use permit be declared invalid or unenforceable by a court of competent jurisdiction, this amendment to a conditional use permit shall terminate and be of no force and effect, at the election of the City Council on motion.
- j. Prior to the submittal for building permit review, all conditions of approval of this project, as approved by the City Council, shall be printed on the plans.
- k. The developer hereby agrees to defend, indemnify, and save harmless the City of Newark, its Council, boards, commissions, officers, employees and agents, from and against any and all claims, suits, actions, liability, loss, damage, expense, cost (including, without limitation, attorneys' fees, costs and fees of litigation) of every nature, kind or description, which may be brought by a third party against, or suffered or sustained by, the City of Newark, its Council, boards, commissions, officers, employees or agents to challenge or void the permit granted herein or any California Environmental Quality Act determinations related thereto or, alternatively, the City will rescind the approval.
- l. The Conditions of Project Approval set forth herein include certain fees, dedication requirements, reservation requirements and other exactions. Pursuant to Government Code Section 66020(d)(1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations and other

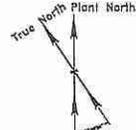
exactions. The developer is hereby further notified that the 90-day approval period in which the developer may protest these fees, dedications, reservations and other exactions, pursuant to Government Code Section 66020(a), has begun. If the developer fails to file a protest within this 90-day period complying with all of the requirements of Section 66020, the developer will be legally barred from later challenging such exactions.



PARCEL 3
PM 1426

TRUCK ENTRANCE TO FACILITY

NEW UNLOADING/LOADING RACK LOCATION

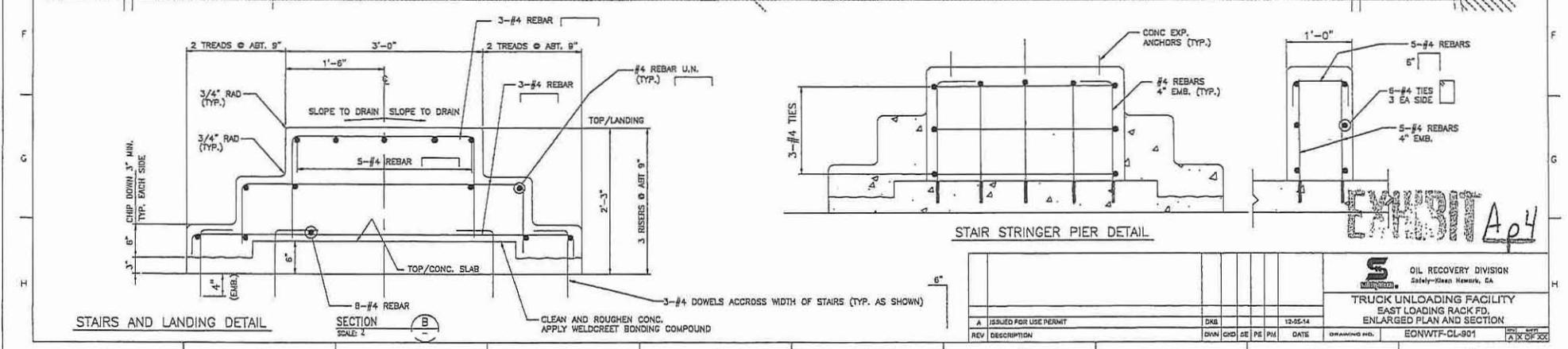
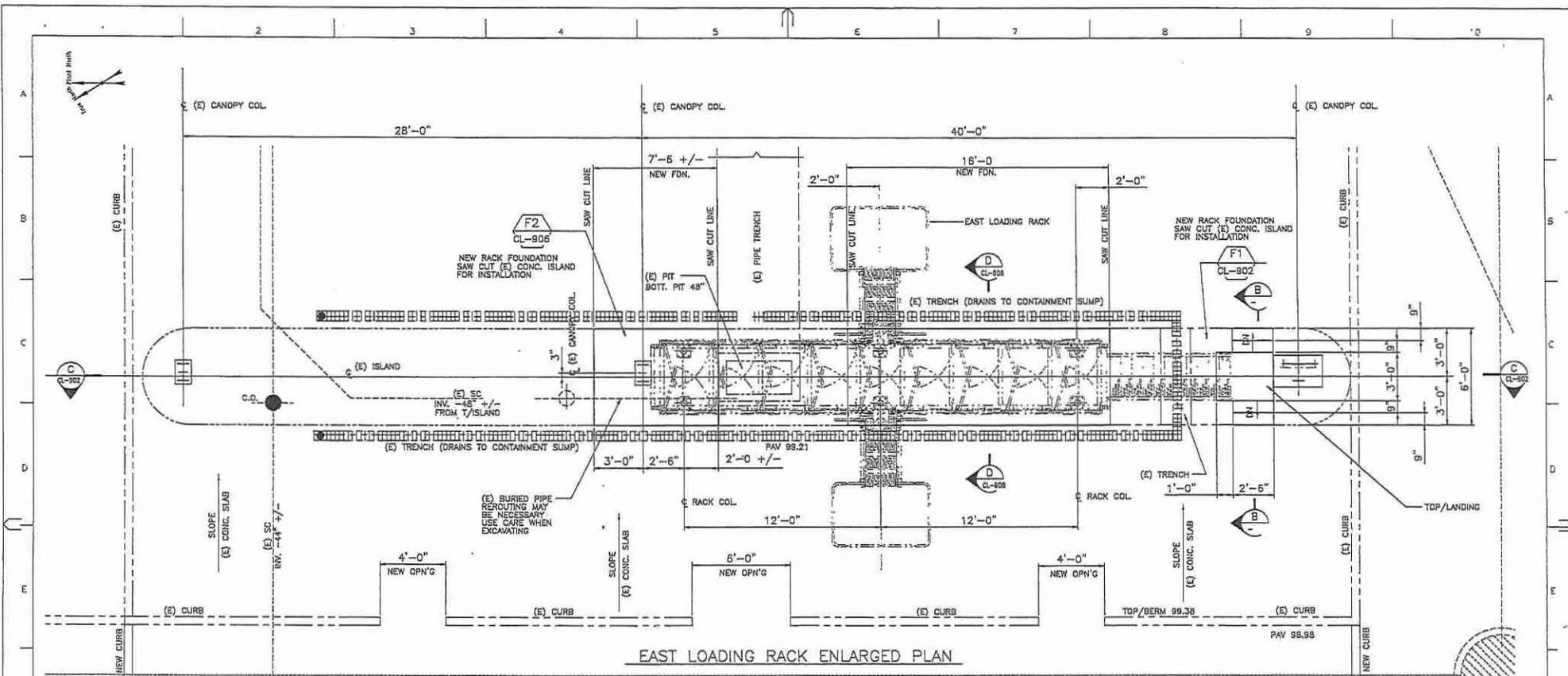


SITE PLAN

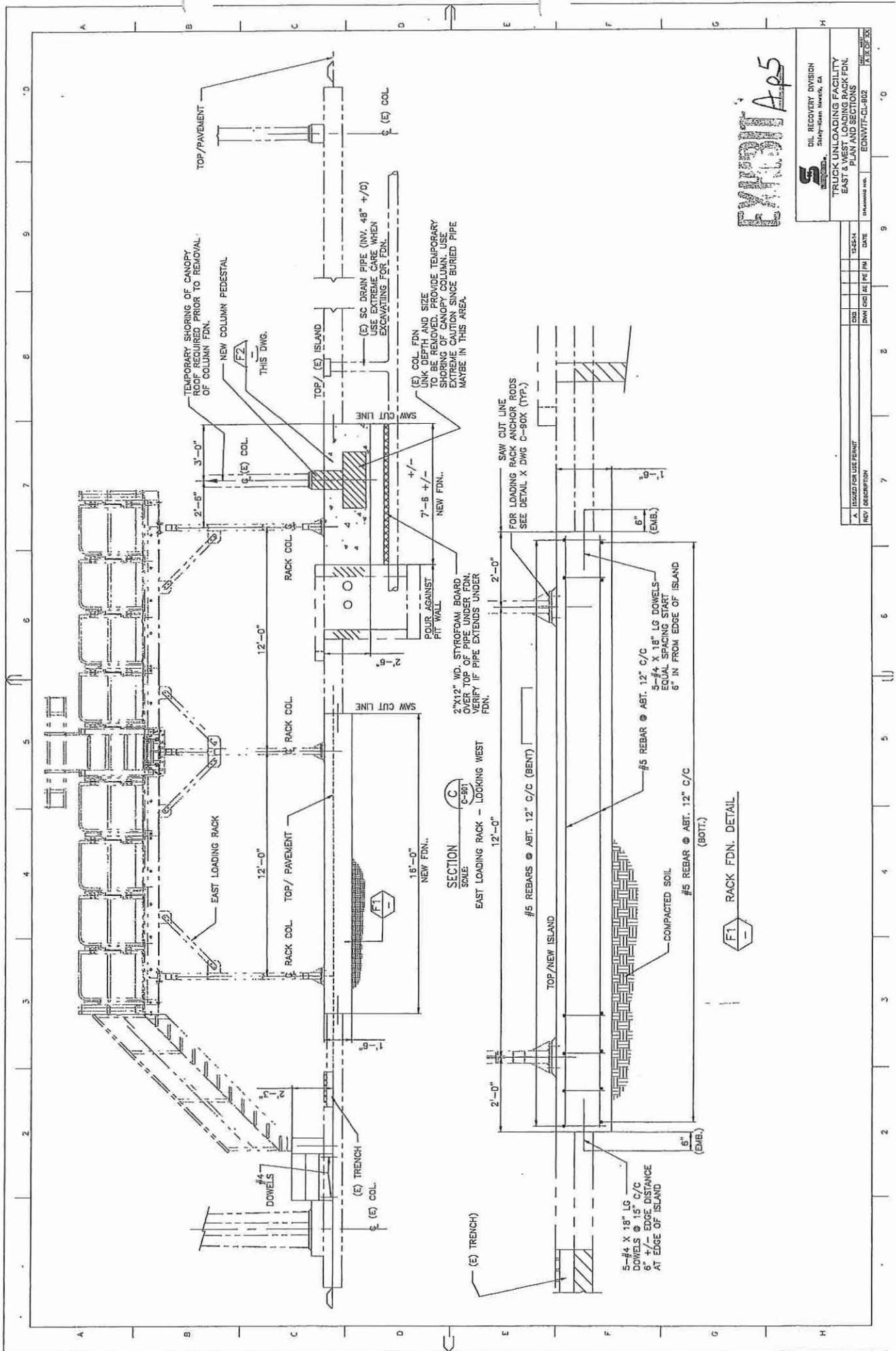
EXHIBIT *Ap2*

S OIL RECOVERY DIVISION
Sohay-Nixon Neworks, CA
TRUCK UNLOADING FACILITY
OVERALL SITE PLAN

A	ISSUED FOR USE PERMIT	DKD				12-5-14			
REV	DESCRIPTION	DWN	CHK	GR	PE	PM	DATE	DRAWING NO.	EONWTF-GA-900
									SHEET NO. 1 A R OF XX



A		ISSUED FOR USE PERMIT		DKB	12-05-14	OIL RECOVERY DIVISION Savely-Dean Newark, GA	
REV	DESCRIPTION	DIV	CHD	SE	PE	PM	DATE
							DRAWING NO. EONWTF-CL-901
							SCALE: 1/2" = 1'-0"
							1 OF 2



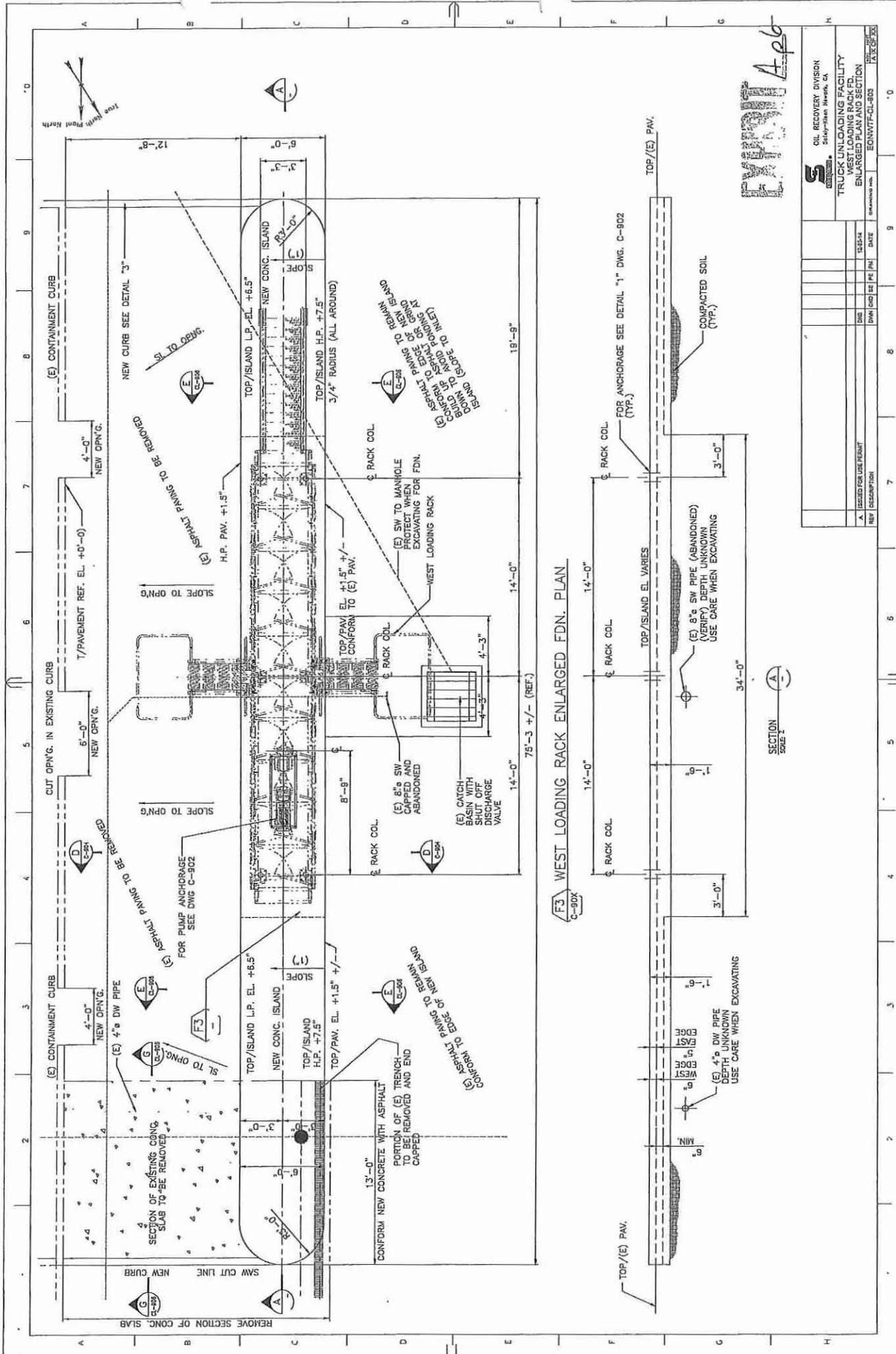
SECTION C-C
SCALE: 1/8" = 1'-0"
EAST LOADING RACK - LOOKING WEST

RACK FDN. DETAIL

EXHIBIT A-5

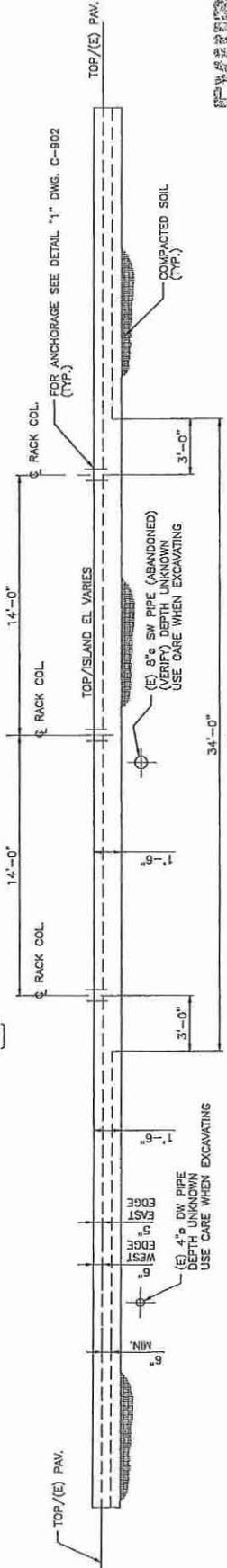
S OIL RECOVERY DIVISION
State-Barbier, Inc.
TRUCK UNLOADING FACILITY
EAST LOADING RACK FDN.
PLAN AND SECTIONS
DRAWING NO. ECRWTF-CL-902
DATE

NO.	DESCRIPTION	DATE
1	ISSUED FOR USE PERMIT	10-25-24
2		
3		
4		
5		
6		
7		
8		
9		
10		



F3 WEST LOADING RACK ENLARGED FDN. PLAN

SECTION A-A



OIL RECOVERY DIVISION
 SOLUTIONS
 TRUCK UNLOADING FACILITY
 WEST LOADING RACK F.D.
 ENLARGED PLAN AND SECTION

NO.	DATE	BY	CHKD	APP'D	DESCRIPTION
1	12-24-14	...	...	...	ISSUED FOR USE PERMIT
2	...	...	...	...	...
3	...	...	...	...	...

PROJECT NO. EONWTRFCL-003

SECTION A-A

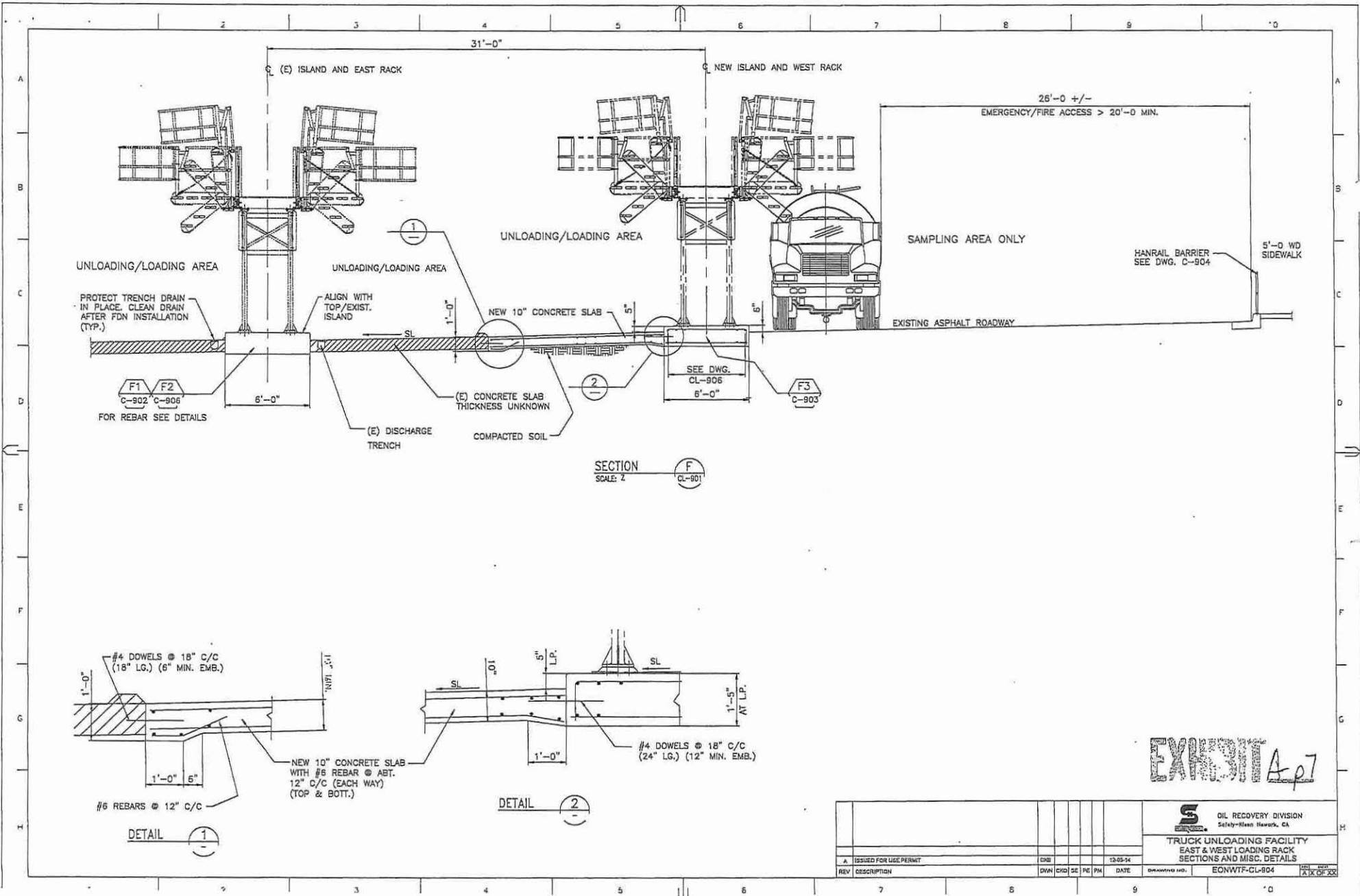


EXHIBIT A-7

ISSUED FOR USE PERMIT		DATE	12-09-74
REV	DESCRIPTION	DATE	BY
DRAWN		CHKD	SE
PE		PM	DATE
EONWTF-CL-804		DATE	12-09-74
EONWTF-CL-804		DATE	12-09-74

S OIL RECOVERY DIVISION
Safety/Emerg. Hazmat, CA

TRUCK UNLOADING FACILITY
EAST & WEST LOADING RACK
SECTIONS AND MISC. DETAILS

**Planning Commission Resolution No. 1905 approved
February 24, 2015**

RESOLUTION NO. 1905

RESOLUTION APPROVING AN AMENDMENT TO U-83-41,
A CONDITIONAL USE PERMIT, FOR A TRUCK
UNLOADING STATION AND THE ADDITION OF LOADING
ASPHALT TO RAILCAR AT 6880 SMITH AVENUE (SAFETY-
KLEEN OF CALIFORNIA, INC.)

WHEREAS, Clean Harbors has filed with the Planning Commission of the City of Newark application for an amendment to a conditional use permit for a truck unloading station the addition of loading asphalt to railcar at 6880 Smith Avenue; and

PURSUANT to Municipal Code Section 17.72.060, a public hearing notice was published in The Argus on February 13, 2015 and mailed as required, and the Planning Commission held a public hearing on said application at 7:30 p.m. on February 24, 2015 at the City Administration Building, 37101 Newark Boulevard, Newark, California; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby approve this application as shown on Exhibit A, pages 1 through 7, subject to compliance with the following conditions and recommends that the City Council find that the project is categorically exempt from the California Environmental Quality Act per Section 15301, Class 1, operation of existing facilities involving negligible or no expansion of an existing use:

Planning Division

- a. The site and its improvements shall be maintained in a neat and presentable condition, to the satisfaction of the Community Development Director. This shall include, but not be limited to, repainting surfaces damaged by graffiti and site clean-up. Graffiti removal/repainting and site clean-up shall occur on a continuing, as needed basis, as required by the Community Development Director. Any vehicle or portable building brought on the site during construction shall remain graffiti free.
- b. Prior to the issuance of a building permit, the color elevations of all dissimilar sides of the buildings as submitted as part of this application, shall be submitted for the review and approval of the Planning Commission and City Council. The building elevations shall reflect all architectural features and projections and shall specify exterior materials. A site plan showing the building locations with respect to property lines shall also show the projections.
- c. Construction site trailers and buildings located on-site shall be used for office and storage purposes only, and shall not be used for living or sleeping quarters.
- d. Prior to the issuance of a building permit, the developer shall pay the Community Development Maintenance Fee which is 0.5% of the construction valuation.

Engineering Division

- e. The project must be designed to include appropriate source control, site design, and stormwater treatment measures to prevent stormwater runoff pollutant discharges and increases in runoff flows from the site in accordance with Provision C.3 of the Municipal Regional Stormwater NPDES Permit (MRP), Order R2-2009-0074, revised November 28, 2011, issued to the City of Newark by the Regional Water Quality Control Board, San Francisco Bay Region. Examples of source control and site design requirements include, but are not limited to: secondary containment, sanitary sewer connections for all non-stormwater discharges, minimization of impervious surfaces, etc.
- f. The property owner shall submit a grading and drainage plan for review and approval by the City Engineer prior to the issuance of a building permit. This plan must be based upon a City benchmark and needs to include sufficient elevations to show drainage patterns upon completion of work. All on-site pavement shall drain at a minimum of one percent. The developer shall ensure that all upstream drainage is not blocked and that no ponding is created by this development. Any construction necessary to ensure this shall be the property owner's responsibility. A note to this effect shall appear on the plans.
- g. The contractor shall implement all applicable Best Management Practices (BMPs) from the California Stormwater Quality Association's (CASQA) Handbook for Construction for the duration of all work activity. Additional BMPs may be required by the City Engineer as necessary to minimize the pollution of stormwater runoff from the project area. A note to this effect shall appear on the plans.

General

- h. All proposed changes from approved exhibits shall be submitted to the Community Development Director who shall decide if they warrant Planning Commission and City Council review and, if so decided, said changes shall be submitted for the Commission's and Council's review and decision. The applicant shall pay the prevailing fee for each additional separate submittal of development exhibits requiring Planning Commission and/or City Council review and approval.
- i. If any condition of this amendment to a conditional use permit be declared invalid or unenforceable by a court of competent jurisdiction, this amendment to a conditional use permit shall terminate and be of no force and effect, at the election of the City Council on motion.
- j. This amendment to a conditional use permit shall be given a hearing before the City Council for the Council's review and approval.
- k. Prior to the submittal for building permit review, all conditions of approval of this project, as approved by the City Council, shall be printed on the plans.

1. The developer hereby agrees to defend, indemnify, and save harmless the City of Newark, its Council, boards, commissions, officers, employees and agents, from and against any and all claims, suits, actions, liability, loss, damage, expense, cost (including, without limitation, attorneys' fees, costs and fees of litigation) of every nature, kind or description, which may be brought by a third party against, or suffered or sustained by, the City of Newark, its Council, boards, commissions, officers, employees or agents to challenge or void the permit granted herein or any California Environmental Quality Act determinations related thereto or, alternatively, the City will rescind the approval.

- m. The Conditions of Project Approval set forth herein include certain fees, dedication requirements, reservation requirements and other exactions. Pursuant to Government Code Section 66020(d)(1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations and other exactions. The developer is hereby further notified that the 90-day approval period in which the developer may protest these fees, dedications, reservations and other exactions, pursuant to Government Code Section 66020(a), has begun. If the developer fails to file a protest within this 90-day period complying with all of the requirements of Section 66020, the developer will be legally barred from later challenging such exactions.

This Resolution was introduced at the Planning Commission's February 24, 2015 meeting by Commissioner Bridges, seconded by Commissioner Otterstetter, and passed as follows:

AYES: Bridges, Fitts, Nillo and Otterstetter.

NOES: None.

ABSENT: Aguilar.

s/Terrence Grindall
TERRENCE GRINDALL, Secretary

s/William Fitts
WILLIAM FITTS, Chairperson

F.1 Second reading and adoption of ordinances repealing Ordinance No. 442 approving and adopting the Newark Area 3 and 4 Specific Plan Development Agreement; and Ordinance No. 443 approving Z-10-17, a Map Amendment to Title 17 of the Newark Municipal Code rezoning parcels to be consistent with the proposed Newark Area 3 and 4 Specific Plan – from City Clerk Harrington.

(ORDINANCES-2)

Background/Discussion – On February 26, 2015, the City Council introduced two ordinances: 1) Ordinance repealing Ordinance No. 442 approving and adopting the Newark Area 3 and 4 Specific Plan Development Agreement; and 2) Ordinance repealing Ordinance No. 443 approving Z-10-17, a Map Amendment to Title 17 of the Newark Municipal Code rezoning parcels to be consistent with the proposed Newark Area 3 and 4 Specific Plan.

Attachment

Action – Staff recommends that the City Council adopt the following ordinances: 1) Ordinance repealing Ordinance No. 442 approving and adopting the Newark Area 3 and 4 Specific Plan Development Agreement; and 2) Ordinance repealing Ordinance No. 443 approving Z-10-17, a Map Amendment to Title 17 of the Newark Municipal Code rezoning parcels to be consistent with the proposed Newark Area 3 and 4 Specific Plan.

ORDINANCE NO.

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
NEWARK REPEALING ORDINANCE NO. 442 APPROVING
AND ADOPTING THE NEWARK AREA 3 AND 4 SPECIFIC
PLAN PROJECT DEVELOPMENT AGREEMENT

WHEREAS, in 2010, the City Council approved a development project known as the “Area 3 and 4 Specific Plan Project” (“Project”); and

WHEREAS, in 2010, the City Council approved the Project by adopting and enacting the following:

- Resolution No. 9745 Certifying the Environmental Impact Report (“EIR”) for the Newark Area 3 and 4 Specific Plan Project and Approving the Mitigation Monitoring and Reporting Program;
- Resolution No. 9746 Approving and Adopting the Newark Area 3 and 4 Specific Plan and Related General Plan Amendment;
- Ordinance No. 442 Approving and Adopting the Newark Area 3 and 4 Specific Plan Project Development Agreement; and
- Ordinance No. 443 Approving Z-10-17, a Map Amendment to Title 17 (Zoning) of the Newark Municipal Code Rezoning Parcels to be Consistent with the Proposed Newark Area 3 & 4 Specific Plan.

WHEREAS, the Citizen’s Committee to Complete the Refuge, Inc. filed a legal challenge in Alameda County Superior Court naming the City, the City Council, and the Planning Commission as Respondents and alleging that the environmental disclosures failed to comply with the California Environmental Quality Act and that the City’s police powers were improperly contracted away in the Development Agreement entered into between Newark Partners and the City (Alameda County Superior Court Case No. RG10530015); and

WHEREAS, on October 17, 2014, the Court entered a Statement of Decision finding, in summary, that: (1) the last sentence of Section 4.02 of the Development Agreement is unenforceable; (2) all other provisions of the Development Agreement are enforceable; (3) the EIR was not clear as to which portions of the Project would require further environmental review and those that would not; (4) the EIR improperly deferred mitigation of impacts to trees; (5) the EIR Improperly deferred mitigation of impacts to sensitive habitats and special status species; and (6) all other environmental disclosure and analysis in the EIR were performed in accordance with CEQA;and

WHEREAS, on November 25, 2014, the Court entered a Final Judgment and the Clerk of the Court issued a Peremptory Writ that commands the City to, within 90 days, void all resolutions and ordinances that were adopted and enacted by the City Council in order to approve the Project, including, but not limited to, Ordinance No. 442, approving the Newark Area 3 and 4 Specific Plan Project Development Agreement.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF NEWARK DOES
ORDAIN AS FOLLOWS: that Ordinance No. 442 approving and adopting the Newark Area 3 and 4
Specific Plan Project Development Agreement is hereby REPEALED in its entirety.

ORDINANCE NO.

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEWARK REPEALING ORDINANCE NO. 443 APPROVING Z-10-17, A MAP AMENDMENT TO TILE 17 (ZONING) OF THE NEWARK MUNICIPAL CODE REZONING PARCELS TO BE CONSISTENT WITH THE PROPOSED NEWARK AREA 3 AND 4 SPECIFIC PLAN

WHEREAS, in 2010, the City Council approved a development project known as the “Area 3 and 4 Specific Plan Project” (“Project”); and

WHEREAS, in 2010, the City Council approved the Project by adopting and enacting the following:

- Resolution No. 9745 Certifying the Environmental Impact Report (“EIR”) for the Newark Area 3 and 4 Specific Plan Project and Approving the Mitigation Monitoring and Reporting Program;
- Resolution No. 9746 Approving and Adopting the Newark Area 3 and 4 Specific Plan and Related General Plan Amendment;
- Ordinance No. 442 Approving and Adopting the Newark Area 3 and 4 Specific Plan Project Development Agreement; and
- Ordinance No. 443 Approving Z-10-17, a Map Amendment to Title 17 (Zoning) of the Newark Municipal Code Rezoning Parcels to be Consistent with the Proposed Newark Area 3 & 4 Specific Plan.

WHEREAS, the Citizen’s Committee to Complete the Refuge, Inc. filed a legal challenge in Alameda County Superior Court naming the City, the City Council, and the Planning Commission as Respondents and alleging that the environmental disclosures failed to comply with the California Environmental Quality Act and that the City’s police powers were improperly contracted away in the Development Agreement entered into between Newark Partners and the City (Alameda County Superior Court Case No. RG10530015); and

WHEREAS, on October 17, 2014, the Court entered a Statement of Decision finding, in summary, that: (1) the last sentence of Section 4.02 of the Development Agreement is unenforceable; (2) all other provisions of the Development Agreement are enforceable; (3) the EIR was not clear as to which portions of the Project would require further environmental review and those that would not; (4) the EIR improperly deferred mitigation of impacts to trees; (5) the EIR improperly deferred mitigation of impacts to sensitive habitats and special status species; and (6) all other environmental disclosure and analysis in the EIR were performed in accordance with CEQA; and

WHEREAS, on November 25, 2014, the Court entered a Final Judgment and the Clerk of the Court issued a Peremptory Writ that commands the City to, within 90 days, void all resolutions and ordinances that were adopted and enacted by the City Council in order to approve the Project, including, but not limited to, Ordinance No. 443, approving Z-10-17, a map amendment to the Newark Municipal Code.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF NEWARK DOES ORDAIN AS FOLLOWS: that Ordinance No. 443 Approving Z-10-17, a Map Amendment to Title 17 (Zoning) of the Newark Municipal Code Rezoning Parcels to be Consistent with the Proposed Newark Area 3 & 4 Specific Plan is hereby REPEALED in its entirety.

F.2 Acceptance of contract with J&J Landscape Management for the 2014 Weed Abatement Program – from Maintenance Supervisor Carey. (RESOLUTION)

Background/Discussion – On March 27, 2014 the City Council awarded a contract to J&J Landscape Management, for providing weed abatement services. All work on this project is now complete.

Attachment

Action - It is recommended that the City Council, by resolution, accept the contract with J&J Landscape Management for the 2014 Weed Abatement Project.

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
NEWARK ACCEPTING THE 2014 CONTRACT WITH J&J
LANDSCAPE MANAGEMENT, FOR 2014 WEED
ABATEMENT SERVICES

WHEREAS, the City of Newark has entered into a 2014 contract with Coast Landscape Management, pursuant to Resolution No. 10,181, in accordance with plans and specifications for the contract; and

WHEREAS, said work has been completed in conformance with the plans and specifications of the 2014 contract herein above referred to and the conditions there of;

NOW, THEREFORE, BE IT RESOLVED that said 2014 contract is hereby accepted and the City Council does hereby authorize the release of bonds guaranteeing completion of work, the filing of a Notice of Completion, and payment to the contractor pursuant to the contract.

I.1 Considering a text amendment to Title 2 (Administration and Personnel), Chapter 2.12 (Planning Commission), Sections 2.12.010 (Created) and 2.12.20 (Qualifications) to reduce the number of Planning Commissioners from seven to five – from Assistant City Manager Grindall. (INTRODUCTION OF ORDINANCE)

Background/Discussion - Chapter 2.12.010 (Creation) of the Newark Municipal Code (NMC) establishes a seven member Planning Commission for the City. This code section has been in place since the adoption of the NMC in 1956. Since 1956, there have been seven Planning Commissioners appointed by the City Council. Qualifications have always been that the person is a registered voter and that they must be appointed by the Mayor with the approval of the City Council.

With the election of former Planning Commissioner Hannon to the City Council and the recent passing of Commissioner Drews, the City of Newark Planning Commission has been operating with five Commissioners. These Commissioners have heard complex land use issues and provided balanced decisions and thoughtful recommendations to the City Council. It is clear that, though traditionally there have been seven sitting Commissioners, there is enough diversity and representation with five.

After surveying over 30 cities in California, staff found that several cities with populations similar to Newark operate with five Commissioners. Given the high standards to which our Commissioners are held, to, staff feels that five is sufficient to make recommendations regarding land use issues. In addition, the savings in staff time and material preparation, as well as the additional training funds that will be available, make for a very efficient transition from seven to five Commissioners.

In order to process such a change, Chapter 2.12 (Planning Commission) would need to be amended to change the references from seven to five Commissioners. In addition, the Planning Commission By-Laws would also need to be amended to reduce a quorum from four Commissioners to “a majority of Commissioners”.

Environmental Review

The proposed text amendment is exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 5060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and Section 15061(b)(3) (General Rule that CEQA only applies to project which have the potential to cause a significant effect on the environment) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3.

Attachment

Action - It is recommended that the City Council introduce an ordinance amending the Newark Municipal Code, Title 2 (Administration and Personnel), Chapter 2.12 (Planning Commission), Sections 2.12.010 (Created) and 2.12.20 (Qualifications) to reduce the number of Planning Commissioners from seven to five.

ORDINANCE NO.

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEWARK AMENDING THE NEWARK MUNICIPAL CODE, TITLE 2 (ADMINISTRATION AND PERSONNEL), CHAPTER 2.12 (PLANNING COMMISSION), SECTIONS 2.12.010 (CREATED) AND 2.12.20 (QUALIFICATIONS) TO REDUCE THE NUMBER OF PLANNING COMMISSIONERS FROM SEVEN TO FIVE

The City Council of the City of Newark does ordain as follows:

Section1: Title 2 (Administration and Personnel) of the Newark Municipal Code is hereby amended as shown in Exhibit A, with ~~strike through~~ denoting deletions and underline denoting additions.

Section 2: Effective Date. This ordinance shall take effect thirty (30) days from the date of its passage. Before expiration of fifteen (15) days after its passage, this ordinance shall be published in The Argus, a newspaper of general circulation published and printed in the County of Alameda and circulated in the City of Newark.

EXHIBIT A

Sections 2.12.010 (Created) and 2.12.020 (Qualifications), of Title 2 (Administration and Personnel) of the Newark Municipal Code are hereby amended to read as follows (strikethrough denotes deletions, underline denotes additions):

2.12.010 - Created.

There is created a commission to consist of ~~seven~~ five members, which shall be designated as the planning commission of the city.

2.12.020 - Qualifications.

~~Seven~~ Five members of the commission shall be registered voters residing within the city and shall be appointed by the mayor, with the approval of the city council.

L. APPROPRIATIONS



City of Newark

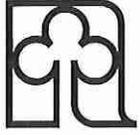
MEMO

DATE: February 26, 2015
TO: City Council
FROM: Sheila Harrington, City Clerk *S.H.*
SUBJECT: Approval of Audited Demands for the City Council Meeting of March 12, 2015.

REGISTER OF AUDITED DEMANDS

Bank of America General Checking Account

<u>Check Date</u>		<u>Check Numbers</u>	
February 20, 2015	Pages 1-2	104027 to 104076	Inclusive
February 27, 2015	Pages 1-2	104077 to 104145	Inclusive



City of Newark

RECEIVED
MAR 02 2015
CITY CLERK
MEMO

DATE: February 26, 2015
TO: Sheila Harrington, City Clerk
FROM: Susie Woodstock, Administrative Services Director *skw*
SUBJECT: Approval of Audited Demands for the City Council Meeting of March 12, 2015.

The attached list of Audited Demands is accurate and there are sufficient funds for payment.

Final Disbursement List. Check Date 02/20/15, Due Date 03/10/15, Discount Date 03/10/15. Computer Checks.

Bank 1001 BANK OF AMERICA

MICR Check#	Vendor Number	Payee	Check Date	Check Amount	Description
104027	7922	AARP ATTN ANNETTE PAREDES	02/20/15	60.00	MATURE DRIVING COURSE
104028	332	ADAMSON POLICE PRODUCTS PROFESSIONAL POL	02/20/15	21.27	MISCELLANEOUS PURCHASES
104029	1774	AIRGAS USA, LLC	02/20/15	49.87	FY14-15 WELDING SUPPLIE
104030	3835	ALAMEDA COUNTY TREASURER PUBLIC WORKS AG	02/20/15	7,337.84	PROJECT 1063-AC OVERLAY
104031	5821	ALL CITY MANAGEMENT SERVICES, INC	02/20/15	3,124.17	CROSSING GUARD SVCS
104032	12	ALLIED AUTO STORES INC	02/20/15	494.27	MISC AUTO PARTS
104033	14	ALPINE AWARDS INC	02/20/15	455.14	VOLUNTEER TSHIRTS
104034	348	AT&T	02/20/15	657.03	ANNUAL TELECOM FY2014-15
104035	1085	AT&T	02/20/15	38.55	LONG DISTANCE FY2014-15
104036	6900	BARTEL ASSOCIATES LLC	02/20/15	2,400.00	ACTUARIAL REPORTS
104037	8137	BAVCO BACKFLOW APPARATUS & VALVE CO	02/20/15	468.70	FY14-15 BACKFLOW SUPPLIES
104038	4534	BAY AREA BARRICADE SERVICE INC	02/20/15	40.87	FY14-15 STEEL POSTS
104039	381	BAY AREA NEWS GROUP EAST BAY	02/20/15	88.14	LEGAL ADS - BIDS NOTICE FOR SILLIMAN TAB
104040	9680	BAY CENTRAL PRINTING	02/20/15	53.41	BUSINESS CARD IMPRINTING
104041	3046	BEEELINE GLASS CO INC	02/20/15	332.00	FY14-15 GLASS REPAIR
104042	9888	BUREAU VERITAS NORTH AMERICA INC FILE 59	02/20/15	1,486.00	BLDG INSPECTION SERVICES
104043	1521	MICHAEL CARROLL	02/20/15	194.38	POST TRAINING
104044	214	CENTRAL VETERINARY HOSPITAL	02/20/15	308.45	VET SVCS
104045	10825	CHEVROLET OF FREMONT	02/20/15	127.04	GENERAL MOTORS PARTS & SERVICES
104046	63	THE GOODYEAR TIRE & RUBBER CO	02/20/15	1,376.19	FY14-15 TIRES
104047	7183	DEMARAY'S GYMNASTICS ACADEMY	02/20/15	778.05	GYMNASTICS & TUMBLE TOTS 1/5-2/7
104048	11015	EAST BAY LAWN MOWER	02/20/15	592.76	FY14-15 SMALL ENGINES & TOOLS
104049	310	EQUIFAX INFORMATION SVCS LLC	02/20/15	50.00	CREDIT CHECK FEE ANNUAL PURCHASE ORDER
104050	10642	FASTENAL COMPANY	02/20/15	29.42	FY14-15 HARDWARE & FASTENERS
104051	5106	CITY OF FREMONT FINANCIAL SERVICES OFFIC	02/20/15	96,712.38	PARATRANSIT SERVICES JULY 2014
104052	60	FREMONT FORD/AUTOBODY OF FREMONT ATTN: P	02/20/15	224.11	FY14-15 FORD PARTS & SERVICES
104053	11224	FREMONT RECYCLING & TRANSFER STATION	02/20/15	108,884.01	EMS ANNUAL SHORTFALL
104054	550	FREMONT RUBBER STAMP CO INC	02/20/15	11.62	STAMPERS
104055	10771	HOGAN, RODERICK	02/20/15	179.20	POST TRAINING 2/3-2/6/15
104056	10663	HOSE & FITTING ETC	02/20/15	172.35	FY14-15 HYDRAULIC HOSES, PARTS, REPAIR
104057	4064	ADECELI KOVACH	02/20/15	99.00	TRAINING - CODE 4
104058	293	LANGUAGE LINE SERVICES INC	02/20/15	480.57	INTERPRETATION SVCS
104059	7189	LINCOLN EQUIPMENT INC	02/20/15	394.41	CHEMICALS
104060	11237	MAJESTIC PAINTERS	02/20/15	1,795.00	TEEN CENTER PAINTING
104061	2611	METROPOLITAN TRANSPORTATION COMMISSION A	02/20/15	6,280.00	PTAP AWARD
104062	7799	MORGAN ENVIRONMENTAL SERVICE INC	02/20/15	1,647.90	FY14-15 HAZARDOUS WASTE PICK-UP
104063	611	KKR AUTOMOTIVE DBA NAPA AUTO PARTS	02/20/15	934.26	FY14-15 AUTO SUPPLIES
104064	325	NEWARK UNIFIED SCHOOL DISTRICT BUSINESS	02/20/15	39.86	CORRECTION NOTICE NCR SHEETS
104065	11089	NEWARK AUTO SERVICE	02/20/15	76.08	FY14-15 SMOGS AND REPAIRS
104066	5681	OMNI-MEANS LTD	02/20/15	700.00	ADT PROJECT FY13-14
104067	349	PACIFIC GAS & ELECTRIC	02/20/15	40,786.97	FY14-15 GAS/ELECTRIC CHARGES
104068	78	PERFORMANCE PEST MANAGEMENT	02/20/15	299.00	FY14-15 PEST CONTROL
104069	10729	PETTY CASH CUSTODIAN-POLICE BEVERLY RYAN	02/20/15	684.02	PETTY CASH
104070	11203	R.F. MACDONALD	02/20/15	548.42	FY 14-15 BOILER REPAIRS/SERVICE
104071	9811	REDFLEX TRAFFIC SYSTEMS	02/20/15	23,456.00	REDLIGHT CAMERA MONITORING
104072	10116	SAFETY COMPLIANCE MANAGEMENT	02/20/15	1,695.00	FIRST RESPONDER TRAINING
104073	10822	DINAH SHAH	02/20/15	399.00	WEE HOOP 1/13-2/10/15
104074	11171	SSP DATA, INC	02/20/15	3,733.00	ANNUAL BARRACUDA CLOUD BACKUP
104075	1765	TEMPERATURE TECHNOLOGY INC	02/20/15	3,617.66	FY14-15 HVAC REPAIRS.
104076	5623	VERIZON WIRELESS	02/20/15	94.35	CELL SVC FOR IPHONES

MICR Check#	Vendor Number	Payee	Check Date	Check Amount	Description
		Total		314,507.72	

1

Final Disbursement List. Check Date 02/27/15, Due Date 03/10/15, Discount Date 03/10/15. Computer Checks.

Bank 1001 BANK OF AMERICA

MICR Check#	Vendor Number	Payee	Check Date	Check Amount	Description
104077	10658	4LEAF INC	02/27/15	304.85	FY14-15 BLDG INSPECTION SRVCS
104078	149	ABAG PLAN CORPORATION	02/27/15	5,878.58	DEDUCTIBLE COSTS
104079	10449	AFLAC ATTN: REMITTANCE PROCESSING SERVIC	02/27/15	1,679.90	PAYROLL PREMIUMS
104080	1396	ALAMEDA COUNTY FIRE DEPARTMENT ATTN: ACC	02/27/15	705,351.58	FIRE SERVICES CONTRACT
104081	287	ALAMEDA COUNTY SHERIFF'S OFFICE GREGORY	02/27/15	1,208.75	CRIME LAB FEES
104082	344	ALAMEDA COUNTY WATER DISTRICT	02/27/15	1,768.19	FY14-15 WATER CHARGES
104083	11266	ALECKA PAVING INC	02/27/15	9,994.00	SIDEWALK REPLACEMENT - DAMAGE FROM FALLE
104084	14	ALPINE AWARDS INC	02/27/15	3,330.15	T-SHIRTS
104085	411	AIG BENEFIT SOLUTIONS	02/27/15	454.40	LIFE INSURANCE PREMIUM ANNUAL PURCHASE O
104086	4391	THE ARGUS EAST BAY CIRCULATION	02/27/15	103.35	SUBSCRIPTION
104087	7077	B & A FRICTION MATERIALS	02/27/15	54.16	FY14-15 BRAKE SUPPLIES
104088	4534	BAY AREA BARRICADE SERVICE INC	02/27/15	106.27	STREET SIGNS
104089	381	BAY AREA NEWS GROUP EAST BAY	02/27/15	762.06	PH NOTICES
104090	10301	MARTHA G BRONITSKY	02/27/15	465.50	PAYROLL WITHOLDINGS
104091	3665	BRUCE'S TIRE INC	02/27/15	210.00	FY14-15 TIRE PURCHASES/REPAIRS
104092	1349	CAHN MEMBERSHIP	02/27/15	40.00	CAHN MEMB
104093	33	CENTRAL TOWING & TRANSPORT LLC	02/27/15	445.00	FY14-15 TOWING
104094	458	CHEVRON AND TEXACO BUSINESS CARD SERVICE	02/27/15	546.13	FY14-15 FUEL
104095	10942	TIMOTHY D. CLANCY	02/27/15	2,400.00	LITIGATION SERVICES
104096	160	CPOA CALIFORNIA PEACE OFFICERS' ASSOCIAT	02/27/15	180.00	INVESTIGATIONS NONPOST TRAINING
104097	11184	CRW SYSTEMS INC	02/27/15	29,375.00	BLDG PERMIT TRACKING SOFTWARE SYSTEM
104098	10649	STREAMLINE PLUMBING	02/27/15	1,000.00	PERFORMANCE BOND RTN
104099	10649	ZAYO GROUP	02/27/15	3,000.00	PERFORMANCE BOND RTN
104100	10649	TAO XIE	02/27/15	3,000.00	PERFORMANCE BOND RTN
104101	10649	D'ARCY & HARTY CONSTRUCTION INC	02/27/15	5,000.00	PERFORMANCE BOND RTN
104102	10793	VERONICA SANDOVAL	02/27/15	100.00	BDAY DEPOSIT RTN
104103	10793	JOSEPHINE MARIN	02/27/15	99.90	SENIOR TRIP CANCELLED
104104	10793	HEIDI BISCHOFF	02/27/15	42.00	RECREATION PROGRAM
104105	10793	SELENA ADAME	02/27/15	300.00	RENTAL DEPOSIT RTN
104106	10793	RODGER SPEDOWFSKI	02/27/15	121.50	RECREATION PROGRAM
104107	7631	DELTA DENTAL	02/27/15	7,037.35	PAYROLL PREMIUMS
104108	7641	DELTA DENTAL INSURANCE COMPANY ATTN: ACC	02/27/15	494.25	PAYROLL PREMIUMS
104109	3739	ENVIRONMENTAL SAFETY SERVICES	02/27/15	19.84	SAFETY GLOVES
104110	11057	FBI-LEEDA, INC	02/27/15	50.00	UB FBI-LEEDA MEMB
104111	1733	FIRST BAPTIST CHURCH	02/27/15	80.00	PAYROLL CONTRIBUTION
104112	1120	FORENSIC ANALYTICAL SCIENCES, INC	02/27/15	221.00	LAB TESTS
104113	60	FREMONT FORD/AUTOBODY OF FREMONT ATTN: P	02/27/15	55.76	FY14-15 FORD PARTS & SERVICES
104114	550	FREMONT RUBBER STAMP CO INC	02/27/15	30.74	STAMPERS
104115	11225	GHILOTTI BROS., INC	02/27/15	42,570.64	RETENTION PAYMENT FOR PRJ 1063
104116	65	JERRY HAAG URBAN PLANNER	02/27/15	1,000.00	CONTRACT PO
104117	3284	ANTHONY HECKMAN	02/27/15	1,663.46	CATO TRAINING EXPENSES
104118	1457	HOME DEPOT CREDIT SERVICES DEPT 32-25409	02/27/15	362.50	MISC SUPPLIES
104119	1762	IACP	02/27/15	1,200.00	PATROL NON-POST TRAINING
104120	6009	JT2 INTEGRATED RESOURCES CORPORATE ACCOU	02/27/15	3,303.47	WORKER'S COMPENSATION ADMINISTRATION FEE
104121	5069	KIDZ LOVE SOCCER	02/27/15	1,659.00	RECREATION CONTRACT
104122	10897	VINCENT KIMBROUGH	02/27/15	678.43	SLI POST TRAINING
104123	10298	MANAGED HEALTH NETWORK BANK OF AMERICA	02/27/15	451.35	EMPLOYEE ASSISTANCE PROGRAM FEE ANNUAL P
104124	5248	MOORE MEDICAL CORP	02/27/15	1,466.07	MEDICAL SUPPLIES
104125	324	NEWARK CHAMBER OF COMMERCE	02/27/15	20,000.00	MEASURE D FUNDING EVENTS
104126	11089	NEWARK AUTO SERVICE	02/27/15	3,066.08	FY14-15 SMOGS AND REPAIRS
104127	349	PACIFIC GAS & ELECTRIC	02/27/15	17,244.76	FY14-15 STREET/TRAFFIC LIGHT ENERGY

Final Disbursement List. Check Date 02/27/15, Due Date 03/10/15, Discount Date 03/10/15. Computer Checks.

Bank 1001 BANK OF AMERICA

MICR Check#	Vendor Number	Payee	Check Date	Check Amount	Description
104128	2460	PERS LONG-TERM CARE PROGRAM	02/27/15	67.54	PAYROLL PREMIUMS
104129	11265	PRI MANAGEMENT GROUP	02/27/15	145.00	RECORDS NON-POST TRAINING
104130	7885	RENNE SLOAN HOLTZMAN SAKAI LLP	02/27/15	1,510.26	LEGAL ADVICE FEES
104131	11218	JESSE RIOS	02/27/15	15.00	RECREATION CONTRACT
104132	295	SCHOOL SPECIALTY	02/27/15	321.41	LICENSED CHILD CARE SUPPLIES
104133	11133	COMMERCIAL SPEEDOMETER SERVICES, INC DBA	02/27/15	792.00	CALIBRATION SRVS FOR PD VEHICLES
104134	40	STAPLES ADVANTAGE DEPT LA	02/27/15	1,809.46	OFFICE SUPPLIES
104135	2778	STATE OF CALIFORNIA FRANCHISE TAX BOARD	02/27/15	150.00	PAYROLL WITHHOLDING
104136	2778	STATE OF CALIFORNIA FRANCHISE TAX BOARD	02/27/15	135.00	PAYROLL WITHHOLDING
104137	676	SUMMIT UNIFORMS CORP	02/27/15	69.60	PSA UNIFORM
104138	7744	T-MOBILE USA, INC	02/27/15	50.00	CALL DETAIL RECORDS
104139	135	TURF & INDUSTRIAL EQUIPMENT CO	02/27/15	455.63	FY14-15 MOWER & AMT PARTS AND REPAI
104140	8751	PROVIDENT LIFE & ACCIDENT INSURANCE COMP	02/27/15	388.98	PAYROLL PREMIUMS
104141	10998	GARY M SHELDON VBS SERVICES	02/27/15	250.00	BLOOD WITHDRAWAL SVC
104142	5623	VERIZON WIRELESS	02/27/15	2,525.24	PURCHASE OF IPADS/ IPAD SERVICE
104143	338	VSS INTERNATIONAL, INC	02/27/15	11,367.94	RETENTION PAYMENT FOR PRJ 1064
104144	143	WILCO SUPPLY P O BOX 3047	02/27/15	30.58	FY14-15 LOCKS & SUPPLIES
104145	340	WITMER-TYSON IMPORTS	02/27/15	968.50	K9 TRAINING/SUPPLIES
Total				901,028.11	