

# 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 28, 2016

- A. ROLL CALL
  
- B. MINUTES
  - B.1 Approval of Minutes of the regular City Council meeting of Thursday, April 14, 2016. (MOTION)
  
- C. PRESENTATIONS AND PROCLAMATIONS
  - C.1 Introduction of employee.
  
  - C.2 Proclaiming May 13 - 21, 2016, as Affordable Housing Week in Newark. (PROCLAMATION)
  
  - C.3 Proclaiming May as National Water Safety Month in Newark. (PROCLAMATION)
  
  - C.4 Proclaiming May 5, 2016, as National Day of Prayer in Newark. (PROCLAMATION)
  
- D. WRITTEN COMMUNICATIONS
  
- E. PUBLIC HEARINGS
  
- F. CITY MANAGER REPORTS

(It is recommended that Items F.1 through F.5 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 Resolution authorizing the Annual Program Submittal for Measures B and BB funding of paratransit services – from Recreation and Community Services Director Zehnder. (RESOLUTION)**
- F.2 Approval of the final map for Tract 8085, a 213-unit residential subdivision (CDCG Group Holdings Bayshores L.P.) at 37555 Willow Street – from Associate Civil Engineer Cangco. (RESOLUTION)**
- F.3 Adoption of the Five-year Forecast 2016-2021 – from Administrative Services Director Woodstock. (RESOLUTION)**
- F.4 Acceptance of work with Rosas Brothers Construction for 2015 Curb, Gutter and Sidewalk Replacement, Project 1095 – from Public Works Director Fajeau. (RESOLUTION)**
- F.5 Approval to reclassify the Accounting Technician - Confidential position to Accounting Technician II – Confidential by amending the Employee Classification Plan, to add the classification of Accounting Technician II – Confidential and revise the classification of Accounting Technician – Confidential to Accounting Technician I – Confidential; amending the Compensation and Benefit Plan for the Confidential Employee Group to add the classification of Accounting Technician II - Confidential; and amending the 2014-2016 Biennial Budget to add the position and the funding for the position of Accounting Technician II - Confidential and to delete the position and funding for Accounting Technician - Confidential – from Human Resources Director Abe. (RESOLUTIONS – 3)**

**NONCONSENT**

- F.6 Authorization for the City Manager to sign a combined Master Programs Funding Agreement between the Alameda County Transportation Commission and the City of Newark – from Public Works Director Fajeau. (RESOLUTION)**
- F.7 Authorization for the Mayor to sign a Contractual Services Agreement with RHAA Landscape Architecture and Planning Inc. to complete a Citywide Parks Master Plan – from Assistant City Manager Grindall. (RESOLUTION)**

**F.8 Update on the Civic Center Replacement/Relocation Feasibility Study, and direction to proceed with public opinion polling regarding potential funding measures – from Assistant City Manager Grindall. (MOTION)**

**G. CITY ATTORNEY REPORTS**

**H. ECONOMIC DEVELOPMENT CORPORATION**

**I. CITY COUNCIL MATTERS**

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

**K. ORAL COMMUNICATIONS**

**L. APPROPRIATIONS**

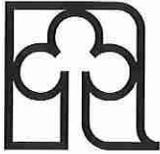
**Approval of Audited Demands for the City Council meeting of April 28, 2016. (MOTION)**

**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, 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.



# 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 28, 2016

### CITY COUNCIL:

Alan L. Nagy, Mayor  
Luis L. Freitas, Vice Mayor  
Sucy Collazo  
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  
  
Soren Fajeau  
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:

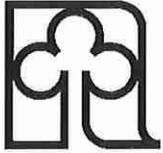
- |                                     |                         |
|-------------------------------------|-------------------------|
| A. ROLL CALL                        | I. COUNCIL MATTERS      |
| B. MINUTES                          | J. SUCCESSOR AGENCY     |
| C. PRESENTATIONS AND PROCLAMATIONS  | 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.



# 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**

## Minutes

**Thursday, April 14, 2016**

### **A. ROLL CALL**

Mayor Nagy called the meeting to order at 7:31 p.m. Present were Council Members Hannon, Collazo, Bucci, and Vice Mayor Freitas.

### **B. MINUTES**

#### **B.1 Approval of Minutes of the regular City Council meeting of Thursday, March 24, 2016.**

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

### **C. PRESENTATIONS AND PROCLAMATIONS**

#### **C.1 Presentation by the Farmers and Farmerettes Square Dance Club.**

Don Baker and members of the Farmers and Farmerettes Square Dance Club presented a contribution to the Newark Betterment Corporation to be used for Meals on Wheels, Graffiti Abatement, and the K-9 Corps.

#### **C.2 Presentation on Alameda County's efforts to develop a Community Choice Energy Program.**

Bruce Jensen from the Alameda County Planning Department and Seth Baruch a consultant for LEAN Energy gave the presentation (copy on file with the City Clerk). The County is exploring the creation a Community Choice Energy program that would allow local governments to procure energy. If the technical study recommends moving forward, then a Joint Powers Agency would be formed that each Alameda City could join.

### **D. WRITTEN COMMUNICATIONS**

#### **D.1 Planning Commission referral of an Architectural and Site Plan Review and an addendum to an Environmental Impact Report for a project consisting of two hotels (Staybridge Suites and SpringHill Suites) and**

**one restaurant (Bubba's 33) at 6000 NewPark Mall Road (APN: 901-111-3 & 4). RESOLUTION NO. 10475-10476**

Assistant City Manager Grindall stated that SyWest Development submitted an application for a 104 unit, four-story, 21,550 square foot Staybridge Suite hotel, a 120-unit, four-story, 18,100 square foot SpringHill Suites, and a Bubba's 33 restaurant with an outdoor game and recreation area. He recommended approval of the project

In response to Council Member Collazo, Assistant City Manager Grindall stated that the Dodge dealer, which currently parks surplus cars at this location, has space on their lot to house more cars or staff could help them find another location to park the cars.

In response to Council Member Bucci, Assistant City Manager Grindall stated that he would check into using the Cinedome for police department training before it was demolished.

Gregory Lemos stated that he hoped the sidewalk would be wide enough for wheelchairs.

Council Member Freitas moved, Council Member Bucci seconded to by resolutions: (1) approve an Architectural and Site Plan Review for a two hotel (Staybridge Suites and SpringHill Suites) and one restaurant (Bubba's 33) project at 6000 NewPark Mall Road and; (2) approve an addendum to an Environmental Impact Report for a two hotel (Staybridge Suites and SpringHill Suites) and one restaurant (Bubba's 33) project at 6000 NewPark Mall Road (APN:901-111-3 and 4). The motion passed, 5 AYES.

**D.2 Planning Commission referral of an extension to Vesting Tentative Map 8157 for the SHH Project along Enterprise Drive and Willow Street. RESOLUTION NO. 10477**

Assistant City Manager Grindall stated that in 2014, the City Council approved Vesting Tentative Map 8157 for 88 townhome/condominium units, 75 affordable senior housing units, and a 15,000 square foot retail building along Enterprise Drive and Willow Street. Integral Communities LLC has requested a two year extension.

Council Member Hannon moved, Council Member Collazo seconded to, by resolution, approve a two-year extension to Vesting Tentative Map 8157. The motion passed, 5 AYES.

**E. PUBLIC HEARINGS**

**E.1 Hearing to consider property owners' objections to the 2016 Weed Abatement Program and instruction to the Superintendent of Streets to abate the public nuisances. MOTION APPROVED**

City Manager Becker stated that the 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 at this hearing or by letter before the hearing.

Mayor Nagy opened the public hearing at 8:38 p.m.

In response to Gregory Lemos, Mayor Nagy stated that the weed abatement program applied to vacant lots.

Mayor Nagy closed the public hearing at 8:39 p.m.

Council Member Bucci moved, Council Member Collazo seconded to, by motion, act upon any objections by property owners to the 2016 Weed Abatement Program, and instruct the Superintendent of Streets to abate the public nuisances. The motion passed, 5 AYES.

## **F. CITY MANAGER REPORTS**

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

### **CONSENT**

- F.1 Second reading and adoption of an ordinance amending the Newark Municipal Code by repealing Chapter 2.20 Redevelopment Agency. ORDINANCE NO. 493**
- F.2 Establishing the number of residents in the City of Newark for the purpose of determining the voluntary expenditure ceiling for the November 8, 2016, Municipal Election. RESOLUTION NO. 10478**
- F.3 Approval of plans and specifications, acceptance of bid and award of contract to R&R Pacific Construction, Inc., and amendment to the 2014-2016 Biennial Budget and Capital Improvement Plan for Fiscal Year 2015-2016 for the Service Center Concrete Pad, Project 1125. MOTION APPROVED RESOLUTION NO. 10479-10480 CONTRACT NO. C16015**

### **NONCONSENT**

- F.4 Presentation of the Draft Five-Year Forecast 2016-2021.**

Administrative Services Director Woodstock presented the Draft Five-Year Forecast for 2016-2021 (copy on file with the City Clerk).

Council Member Hannon requested that the jobs section include the types of jobs that are being created in future reports. He stated that recreation fees should be increased for non-residents. He requested a comparison of fees charged for our state licensed childcare program with other programs to ensure competitiveness.

Administrative Services Director Woodstock stated that the adoption of the Five-Year Forecast will be scheduled for the April 28, 2016, City Council meeting.

**F.5 Update on the 2016-2018 Capital Improvement Plan.**

Public Works Director Fajeau provided an update on the 2016-2018 Capital Improvement Plan (on file with the City Clerk). He noted that as a result of direction received at the February 11, 2016 study session, the Citywide Parks Master Plan was removed from the Capital Improvement Plan. Staff anticipates awarding an agreement to a qualified consultant at an upcoming City Council meeting. The final Capital Improvement Plan will be scheduled for the June 9, 2016, City Council meeting.

**F.6 Approval of specifications, acceptance of proposal and award of contract to SWA Services Group, Inc., and amendment to the 2014-2016 Biennial Budget and Capital Improvement Plan for Fiscal Year 2015-2016 for Janitorial Services to City Buildings.**

**MOTION APPROVED  
RESOLUTION NO. 10481 – 10482  
CONTRACT NO. 16015**

Maintenance Superintendent Costa and Maintenance Supervisor Connolly recommended awarding the contract to SWA Services Group, Inc. for janitorial services to city buildings.

Council Member Freitas moved, Council Member Bucci seconded to, by motion, approve the specifications, and by resolutions: (1) accept the proposal and award the contract to SWA Services Group, Inc., and (2) amend the 2014-2016 Biennial Budget and Capital Improvement Plan for Fiscal Year 2015-2016 for janitorial services to City buildings. The motion passed, 5 AYES.

**G. CITY ATTORNEY REPORTS**

**G.1 Claim of Steve Barrett.**

**MOTION APPROVED**

City Attorney Benoun gave the staff report recommending denial of the claim.

Council Member Hannon moved, Council Member Collazo seconded to by motion, deny the claim and authorize staff to inform the claimant of such denial. The motion passed, 5 AYES.

## **H. ECONOMIC DEVELOPMENT CORPORATION**

## **I. CITY COUNCIL MATTERS**

### **J.1 Reappointing Senior Citizen Standing Advisory Committee members.**

**RESOLUTION NO. 10483**

Mayor Nagy recommended the reappointment of Faye Hall, Rick Arellano, Sandra Arellano, Elwood Ballard, and Dolores Powell to a two year term on the Senior Citizen Standing Advisory Committee.

Council Member Bucci moved, Council Member Collazo seconded to, by resolution, reappoint Faye Hall, Rick Arellano, Sandra Arellano, Elwood Ballard, and Dolores Powell to the Senior Citizen Standing Advisory Committee. The motion passed, 5 AYES.

Mayor Nagy thanked City staff for their work organizing the Alameda County Mayors' Conference in Newark.

Council Member Hannon noted that it was library week. He thanked the library staff and volunteers for their efforts.

Council Member Collazo thanked the Farmers and Farmerettes for their donation to the Newark Betterment Corporation. She stated that the local Rotary Clubs were holding a membership drive at Lake Elizabeth on Saturday. She announced that Avanzando is holding their 7<sup>th</sup> annual scholarship and recognition event in April.

Council Member Bucci thanked the Farmers and Farmerettes and noted that their contribution to Graffiti Abatement pays for a years' worth of paint. He wished his wife Megan a Happy Anniversary.

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

## **K. ORAL COMMUNICATIONS**

Michelle Padilla stated that she was a member of the Bunker/Milani Merger Cohesion Team. In anticipation of the merger, she requested that the City install a four way stop at Birch Street and Robertson Avenue, hire a crossing guard for that location and

provide an additional drop off zone at Birch street. She stated that information on their work was available on the Newark Unified School District website.

In response to Mayor Nagy, City Manager Becker stated that NUSD staff has not contacted the City to discuss potential impacts of merger. City staff will need to analyze the location to make sure it meets warrants for a stop sign. The City pays an outside vendor for crossing guard services.

Gregory Lemos stated that he has a problem with residents who allow their landscaping to block the sidewalk. He shared his opinion on the different types of street repairs and cost versus longevity of the work.

## **L. APPROPRIATIONS**

### **Approval of Audited Demands for the City Council meeting of April 14, 2016.**

City Clerk Harrington read the Register of Audited Demands: Check numbers 107350 to 107544.

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

## **M. CLOSED SESSION**

## **N. ADJOURNMENT**

At 9:32 p.m., Mayor Nagy adjourned the City Council meeting.

**C.1 Introduction of employee.**

**Background/Discussion** – Newly hired Police Officer Blair Slavazza will be introduced at the City Council meeting.

**C.2 Proclaiming May 13 - 21, 2016, as Affordable Housing Week in Newark.**  
**(PROCLAMATION)**

**Background/Discussion** – May 13-21, 2016, has been designated Affordable Housing Week in Newark. A proclamation has been prepared and a representative from the East Bay Housing Organizations will accept it at the meeting.

**C.3 Proclaiming May as National Water Safety Month in Newark. (PROCLAMATION)**

**Background/Discussion** – In recognition of the popularity of swimming and other water-related recreational activities, and the resulting need for ongoing public education on safer water practices, the month of May 2016 has been designated as National Water Safety Month.

Recreation and Community Services staff will be at the meeting to accept the proclamation.

**C.4 Proclaiming May 5, 2016, as National Day of Prayer in Newark. (PROCLAMATION)**

**Background/Discussion** – May 5, 2016, has been designated as National Day of Prayer in Newark. Pastor Emeritus Ed Moore will be at the meeting to accept the proclamation.

**F.1 Resolution authorizing the Annual Program Submittal for Measures B and BB funding of paratransit services – from Recreation and Community Services Director Zehnder. (RESOLUTION)**

**Background/Discussion** – The Alameda County Transportation Commission (ACTC) administers the distribution of Measure B and Measure BB, a combined one 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 \$185,155 in Measure B sales tax revenue and \$114,301 in Measure BB sales tax revenue for Fiscal Year 2016-2017. The Measure BB revenue increased slightly from the original projection of \$113,232.

In 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 services:

- Service hours – Monday through Friday, 8:00am – 6:00pm, Saturday and Sunday, 9:00am – 3:00pm
- Service area – service is provided to all parts of Fremont, Union City and Newark
- Reservation and dispatch system – Monday through Friday, 8:00am – 5:00pm, Saturday and Sunday, 9:00am – 3:00pm

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

For these services, the City of Newark will reimburse the City of Fremont at a cost not to exceed \$180,000. This includes a cost per trip billing for all one-way trips as well as monthly administrative fees. The remainder of the funds will be transferred to operational reserves. Should rider demand be greater than projected, the City of Newark has sufficient Measure B and Measure BB Operational Reserves which can be used to offset additional service costs.

The City will also utilize Measure B and Measure BB funding to subsidize the Life Eldercare, Inc., Meals on Wheels service, which provides over 13,000 home-delivered meals annually to Newark residents. Staff is proposing that the level of funding for Fiscal Year 2016-2017 remain at \$7,000.

**Attachment**

**Action** – It is recommended that the City Council, by resolution, approve the annual program submittal for Measure B and Measure BB funding for paratransit services for Fiscal Year 2016-2017.

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWARK APPROVING THE ANNUAL PROGRAM SUBMITTAL FOR MEASURE B AND MEASURE BB FUNDING FOR PARATRANSIT SERVICES FOR FISCAL YEAR 2016-2017.

BE IT RESOLVED by the City Council of the City of Newark hereby approves the annual program submittal for Measure B and Measure BB funding for Paratransit Services.

DZR



## **Annual Paratransit Program Plan Application for Measure B and Measure BB Funding Fiscal Year 2016-2017 (July 1, 2016 - June 30, 2017)**

### **Requirements and Instructions**

The Alameda County Transportation Commission (Alameda CTC) requires recipients of paratransit funding to participate in an Annual Paratransit Program Plan Review. Recipients are required to complete and submit a program plan application to Alameda CTC that outlines their prior expenditures and anticipated revenues and expenditures related to delivering paratransit services to seniors and people with disabilities.

### **Paratransit Program Plan Application Deadline: March 25, 2016**

The Annual Paratransit Program Plan Application includes the following documents:

1. Paratransit Program Plan Application (this MS Word document)
2. Paratransit Program Plan Attachments A-D (Tables A, B, C and D of the provided MS Excel workbook) *NOTE: The FY2016-17 Program Plan Excel workbook contains a new tab to report on FY 2014-15 performance (Attachment A Table). The FY 2014-15 program information entered into Table A will be used to monitor program performance and, where applicable, is to align with program information included in the FY 2014-15 compliance report.*
3. References:
  - FY 2016-17 MB & MBB Paratransit DLD Revenue Projections, (distributed to ParaTAC, January 2016)
  - Alameda CTC Special Transportation for Seniors and People with Disabilities (Paratransit) Implementation Guidelines and Performance Measures, revised 2/25/16
  - Alameda CTC Timely Use of Funds Policy, adopted 12/3/15

**Submit the Word and Excel files listed above electronically via email by March 25, 2016 to Naomi Armenta: [narmenta@alamedactc.org](mailto:narmenta@alamedactc.org).**

*Be sure to include your agency name and FY 16-17 in the file name of both the Word document and the Excel workbook (e.g., Albany\_FY1617\_Paratransit\_Program\_Application.doc).*

If you have questions, please contact Naomi Armenta via email or at (510) 208-7469.

## FY 2016-17 Paratransit Program Plan Application

### Due by March 25, 2016

CONTACT INFORMATION	
Agency:	City of Newark
Contact Name:	David Zehnder
Title:	Recreation and Community Services Director
Phone Number:	510.578.4405
E-mail Address:	David.zehnder@newark.org

Date Submitted: March 21, 2016

### TYPES OF SERVICES PROVIDED

1. **What type of paratransit projects and programs will be funded, fully or partially, with Measures B and BB Direct Local Distribution (pass-through) and Gap Grant funds?** To answer this question, complete Attachment B (Table B tab of the Microsoft Excel workbook).

Below is a list of the types of services/programs that are eligible for Alameda CTC funding. For detailed information about these eligible services, including minimum service requirements and performance measures, refer to the Alameda CTC's Special Transportation for Seniors and People with Disabilities (Paratransit) Implementation Guidelines, revised 2/25/16 (provided with the application materials).

- **Management/Overhead:** Program oversight, planning, budgeting, participation in regional/countywide meetings. Include admin/labor even if it is paid by the City/transit agency for accurate reporting of full program expenses.
- **Customer Service/Outreach:** Activities associated with educating consumers about services that are available to them, answering questions from consumers and taking, tracking and responding to complaints and commendations. Include costs even if paid by the City/transit agency for accurate reporting of full program expenses.
- **ADA-mandated Paratransit:** Paratransit services provided by fixed-route transit operators to fulfill requirements under the American's with Disabilities Act.
- **City-based Door-to-Door:** Pre-scheduled, accessible, door-to-door service provided by city. Provides a similar level of service to mandated ADA services; designed to fill gaps not met by ADA-mandated providers and/or relieve ADA-mandated providers of some trips.
- **Taxi Program:** Provides a same day, curb-to-curb service intended for situations when consumers cannot make their trip on a pre-scheduled basis; allows eligible consumers to use taxis at a reduced fare.

- **City-based Specialized Accessible Van Service:** Specialized van service provides accessible, door-to-door trips on a pre-scheduled or same-day basis. These services are generally implemented as a supplement to a taxi program that does not meet critical needs for particular trips in accessible vehicles in certain communities.
- **Accessible Fixed-Route Shuttle:** Generally accessible vehicles that operate on a fixed route and schedule to serve common trip origins and destinations, e.g. senior centers, medical facilities, grocery stores, BART stations, other transit stations, community centers, commercial districts, and post offices.
- **Group Trips Program:** Round-trip accessible van rides for pre-planned outings or to attend specific events or go to specific destinations for fixed amounts of time, e.g. shopping trips or religious services. Trips usually originate from a senior center or housing facility.
- **Volunteer Driver Program:** Pre-scheduled, door-through-door services that are generally not accessible; rely on volunteers to drive eligible consumers for critical trip needs, such as medical trips. May also have an escort component.
- **Mobility Management/Travel Training:** Covers a wide range of activities, such as travel training, trip planning, and brokerage. Does not include provision of trips. (This is considered "non-trip provision").
- **Scholarship/Subsidized Fare Program:** Program to subsidize any service for customers who are low-income and can demonstrate financial need.
- **Meal Delivery:** Program to fund meal delivery to the homes of individuals who are transportation disadvantaged. Currently, only existing operating programs can continue to use Measure B funds for these service costs. No new meal delivery services can be established.
- **Capital Expenditure:** Capital purchase or other capital expenditure.
- **Note on volunteer driver programs and mobility management/training:** If your program is using DLD funds, but not Gap funds, you will be required to submit further information.

**1A. Provide a short narrative description of your agency's FY 2016-17 program:**

The City of Newark offers prescheduled, accessible door-to-door paratransit services through a MOU agreement with the City of Fremont. The City of Fremont contracts with a local service provider to offer rides for our most vulnerable population; seniors ages 70 and older and those persons 18 and over with disabilities. The City of Newark also contributes a portion of Measure B and Measure BB funds to Life Eldercare for the delivery of Meals on Wheels to seniors.

**1B. Explain how the suite of services offered is targeted towards the seniors and people with disabilities in your community. Why have these services been selected to meet the trip needs of your consumers over other eligible service types? How do these services enhance their quality of life and help them meet basic life needs?**

Without a door-to-door transportation service, some of our community members would not have access to travel to medical appointments, food shopping, social and recreational activities, places of worship and other important locations. In addition to these services, we also contribute Measure B and Measure BB funds towards the Life Elder Care Meals on Wheels (MOW) program. MOW provides daily hot and nutritional meals to homebound seniors. These are seniors that are typically frail and unable to prepare their own meals. This service also provides a well-check whereby Life Elder Care driver volunteers can provide referrals for those seniors in need.

**1C. List the most common trip destinations for seniors and people with disabilities in your community that your services are designed to serve , e.g. dialysis centers, hospitals, major shopping complexes, senior centers.**

Recurring primary destinations within the Newark Paratransit service areas include:  
 Dialysis appointments  
 Medical and dental appointments  
 Newark Senior Center  
 Silliman Activity Center  
 Grocery stores  
 NewPark Mall  
 Places of worship  
 Medical centers such as Washington Hospital and Kaiser

**2. Will your agency's program for FY 2016-17 conform to the Paratransit Program Implementation Guidelines, as required? (FY 2016-17 Programs are *required* to conform to the Implementation Guidelines, revised February 2016)**

✓ ( ) Yes      [ ] No

**2A. If "No", explain below and contact Alameda CTC staff to discuss (prior to March 25, 2016)**

**3. If proposing service changes in FY 2016-17 from the current year, FY 2015-16, describe the changes and explain why they are proposed. Describe how these changes will impact the**

ability of seniors and people with disabilities in your community to meet their basic life needs.

N/A
-----

#### PROGRAM ELEMENTS REQUIRING ALAMEDA CTC STAFF REVIEW

4. The 2016 Paratransit Program Implementation Guidelines require Alameda CTC staff review of several program elements prior to implementation. The program elements requiring staff review are listed as items 4A – 4F below and for each item, further explanation is requested. **If your FY 2016-17 program plan includes any of the elements listed, in the box provided below, list the elements and the requested explanation for each.** Applicants must address any applicable paratransit projects and programs listed in Attachment B.
- A. **Planned capital expenditure** (describe planned capital expenditures, such as purchase of vehicles or durable equipment, below)
  - B. **City-based Door-to-Door Service that includes trip limitations based on trip purpose** (describe the proposed trip limitations that are proposed below)
  - C. **Taxi Subsidy Program that includes incentives to drivers and/or transportation providers** (describe the proposed incentives below)
  - D. **Accessible Shuttle Service** (describe service plan and how city is coordinating with the local fixed route transit provider)
  - E. **New mobility management and/or travel training programs** (describe the well-defined set of activities below)
  - F. **Low-income requirements for any scholarship and fare subsidy programs** (describe the proposed subsidy and the means that will be used to determine and verify eligibility below)

N/A
-----

## DEVELOPMENT OF PROGRAM PLAN

- 5. How was consumer input sought in development of the program and selection of the services offered?** Describe all general outreach activities undertaken in connection with this plan, including consumer or public meetings; meetings with other agencies; presentations to boards, commissions, or committees. If possible provide dates for these activities. Note below if this plan was reviewed by a local paratransit advisory committee, including the name of the committee, and the date of the meeting.

Program updates and consumer input were solicited and received during meetings with the Newark, Fremont and Union City Paratransit Advisory Committee members on October 28, 2015 and January 20, 2016. This committee provided valuable input related to service quality and operational issues.

- 6. Describe any outreach, surveys and/or analysis conducted to develop this plan and to determine the types of services the program offers.**

The City of Newark and City of Fremont reviewed ridership data as well as service parameters and performance to determine the type of service needed to meet the demands of our ridership.

- 7. Describe how results from the community outreach, surveys and/or analysis described in Questions 5 and 6 were used to guide the development of the program plan.**

Through ongoing communication and analysis of services, we have been able to affirm that current service levels continue to meet the needs of the community.

- 8. Was this program plan approved by a governing body (or is it scheduled for action)?** *This is not required by the Alameda CTC. Jurisdictions should follow their established internal process.*

[ ] Yes

Alameda CTC Paratransit Program Plan Application  
 Application Period: July 1, 2016 - June 30, 2017

No

If yes, provide the name of the governing body and planned or actual approval date.

City of Newark City Council April, 2016

## OUTREACH

- 9. How do community members and potential users learn about the Alameda CTC-funded services provided in your community?** Specify for each of the paratransit projects and programs listed in Attachment B.

A description of the Newark Paratransit program is included in our department's Activity Guide which is distributed three times per year and is directly mailed to all Newark residences and businesses. Newark Paratransit is also promoted at our Senior Center, Silliman Activity and Family Aquatic Center, Newark Library, Newark City Hall and various local business and service organizations. Partner agency City of Fremont also provides information through their Human Services Department and the Fremont Resource Center.

## ELIGIBILITY AND ENROLLMENT

- 10. What are your requirements for eligibility? (E.g., age, residency, income, ADA-certification status, or other verification of disability).**

Eligible Newark Paratransit riders must be at least 70 years of age or older or disabled and 18 years of age or older. Riders must have limitations that will not allow them to use fixed route services such as AC Transit.

- 11. How do consumers enroll in your program? Include how long the enrollment process takes, and how soon newly enrolled applicants can use the services offered.**

Consumers enroll the program by completing an application through service provider City of Fremont Human Services Department. Once the application is screened and approved, consumers are notified and allowed to purchase rider tickets.

**CUSTOMER SATISFACTION**

**12. Describe your complaint and commendation process.** Describe your process from beginning to end, including instructions you provide to customers for filing program suggestions, complaints or commendations, your documentation procedures and your follow up. *(See questions 12A and 12B that follow)*

Passengers may file a complaint any time that the service is not satisfactory, safe or secure. Complaints should be directed to the Fremont Paratransit Program Office. Complaints may be filed in writing or by telephone. When filing a complaint, customers need to provide the following information:

- Rider’s name, address and phone number
- Date and time of incident
- Details of the incident

Staff from the City of Fremont Human Services Department will investigate each complaint and make every effort to resolve complaints in a timely manner.

**12A. Describe any common or recurring service complaints, commendations and/or suggestions your program has received.** Specify for each of the paratransit projects and programs listed in Attachment B. *(Complaints are defined as phone calls, letters, or emails received for the specific purpose of making a complaint.)*

We only receive a small amount of complaints throughout the year. The most common complaint is a rider unable to schedule a ride during a popular time of day because the vehicles are already booked. Staff is usually able to find an alternate appointment time for these riders.

**12B. Describe any changes you have made to your program as a result of these customer complaints, commendations and suggestions.**

N/A

**EXPECTED DEMAND/USE OF SERVICES**

**13. How many people are/have been/will be registered in the program during the following time periods? Fill in the boxes below.**

Alameda CTC Paratransit Program Plan Application  
Application Period: July 1, 2016 - June 30, 2017

<b>Registrants at beginning of FY 2014-15</b>
---

337
-----

<b>Registrants at end of FY 2014-15</b>
---

336
-----

<b>Current Registrants for FY 2015-16</b>
---

314
-----

<b>Estimated Registrants for FY 2016-17</b>
---

325
-----

**13A. Based on the registration projection provided, explain why you expect your program registration to increase, decrease or stay the same compared to the current year.**

We expect our registration to remain very close to FY 2015-2016 numbers.
--

**14. Do you expect the total number of one-way trips provided by your program to increase, decrease or stay the same compared to the current year, FY 2015-16? Why?**

We expect our one-way trips to stay the same as last year.
--

**15. Do the ridership numbers reported in Attachments A and B include companions and/or attendants?**

[ ] Yes

No

If yes, and if known, what percent of total ridership are companions/attendants? *(If providing an estimate, please clearly indicate it as such.)*

7%
----

**16. Please provide data on lift/ramp trips provided, if available.** If lift/ramp trips were provided in more than one service, please specify for each.

Alameda CTC Paratransit Program Plan Application  
 Application Period: July 1, 2016 - June 30, 2017

<b>Lift/ramp trips provided in FY 2014-15</b>
---

26%
-----

<b>Lift/ramp trips to be provided in FY 2015-16</b>
---

19%
-----

<b>Lift/ramp trips to be provided in FY 2016-17</b>
---

20%
-----

## VEHICLE FLEET

**17. Provide details regarding your vehicle fleet.** To answer this question, complete Attachment D (Table D tab of the Excel workbook). **Vehicles are supplied through partnership agreement with the City of Fremont's contract service provider MV Transportation. Please refer to the City of Fremont's program application for explanation of vehicle fleet.**

## SAFETY INCIDENTS

**18. Describe any safety incidents recorded by your program in FY 2014-15, or to date in FY 2015-16.** Specify for each of the paratransit projects and programs listed in Attachment B. *(Report incidents resulting in any of the following: a fatality other than a suicide; injuries requiring immediate medical attention away from the scene for two or more persons; property damage equal to or exceeding \$7,500; an evacuation due to life safety reasons; or a collision at a grade crossing.)*

N/A
-----

## FINANCES: PROGRAM REVENUE AND COST

**19. Detail your FY 2016-17 program's total estimated revenue (all fund sources) and total cost by completing Attachment C (Table C tab of the Excel workbook).** For program components funded with a Measure B Gap Grant, segregate the Gap Grant funding by entering it in the "Other Measure B" column.

**20. Describe below the "Management/Overhead" and "Customer Service and Outreach" costs included in Attachment C and how these cost allocations were determined?** (These two categories are defined under Question 1). *The amount spent on Customer*

*Service/Outreach and Management/Overhead is to be included as part of the total program cost, even if it is not funded with Alameda CTC funding. This includes city/agency staff time paid for by a city's general fund.*

**20A. Management/Overhead Costs**

N/A
-----

**20B. Customer Service and Outreach Costs**

N/A
-----

**PROGRAM FUNDING RESERVES**

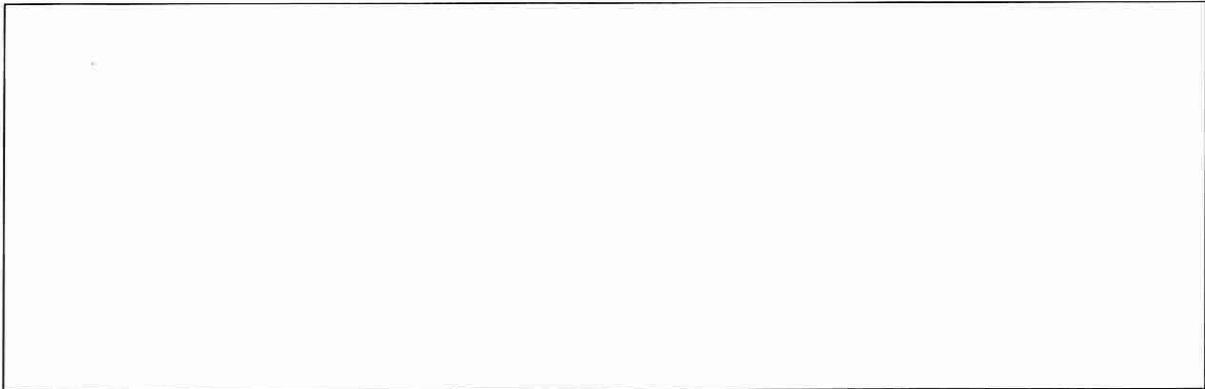
**21. If your paratransit program is anticipated to have a remaining balance of Measure B/BB DLD funding at the end of FY 2016-17, as shown in Attachment C, please explain. How do you plan to expend these funds and when?**

Funds will be used for operational needs as required by ridership.
--

Alameda CTC Paratransit Program Plan Application  
Application Period: July 1, 2016 - June 30, 2017

**MISCELLANEOUS**

**22. Use this space to provide any additional notes or clarifications about your program plan.**

A large, empty rectangular box with a thin black border, intended for providing additional notes or clarifications about the program plan. The box is currently blank.



**Alameda CTC Paratransit Program Application - FY 2016-17 (July 1, 2016 - June 30, 2017)**  
**Attachment C: Program Revenue, Cost and Fund Sources**

Total FY 2016-17 Program Revenue (Measure B, Measure BB and all other funds available for FY 2016-17)	
Estimated Measure B Paratransit DLD ending balance at the end of THIS fiscal year, FY 2015-16 (June 30, 2016)	\$65,100
Projected FY 2016-17 Measure B DLD Paratransit revenue (Use projections distributed by the Alameda CTC)	\$185,155
Estimated Measure BB Paratransit DLD ending balance at the end of THIS fiscal year, FY 2015-16 (as of June 30, 2016)	\$101,954
Projected FY 2016-17 Measure BB DLD Paratransit revenue (Use projections distributed by the Alameda CTC)	\$113,232
<b>Total FY 2016-17 Measure B and BB Paratransit DLD Revenue (Automatically calculated)</b>	<b>\$465,440</b>
Total FY 2016-17 Other Revenue (All other revenue sources, non-DLD, including Gap grant)	
<b>Total FY 2016-17 Program Revenue (Measure B, Measure BB and all other sources available for FY 2016-17) (Automatically calculated)</b>	<b>\$465,440</b>

Total FY 2016-17 Program Costs by Fund Source (Measure B, Measure BB and all other funds planned to be expended during FY 2016-17)												Total Cost
Service/Program Name	Column B	Column C	Column D	Column E	Column F	Column G	Column H	Column I	Column J	Column K	Column L	Column M
Service/Program/Project Name	Quantity Planned for FY 16-17	Amount of RESERVE Measure B Paratransit DLD funds	Amount of FY 2016-17 Measure B Paratransit DLD funds	Amount of RESERVE Measure BB Paratransit DLD funds	Amount of FY 2016-17 Measure BB Paratransit DLD funds	Amount of OTHER Measure B/BB funds	What is the source of these OTHER Measure B/BB funds? (e.g. MB Gap Grant, LSR, MB LSR, etc.)	Fare Revenue expected from service	Fare Revenue to be expended on service	Amount of all Non-Alameda CTC funds (not including fares)	What is the source of these non-Alameda CTC funds? (e.g. city funds, federal, state, etc.)	Total Cost (all sources) <i>Automatically calculated</i>
Newark Paratransit	4,350		\$ 92,500		\$ 92,500			\$ 8,000				\$ 185,000
Meals on Wheels	13,500		\$ 7,000									\$ 7,000
0	0											\$ -
0	0											\$ -
0	0											\$ -
0	0											\$ -
0	0											\$ -
0	0											\$ -
0	0											\$ -
0	0											\$ -
0	0											\$ -
0	0											\$ -
0	0											\$ -
0	0											\$ -
0	0											\$ -
<b>Totals</b>	<b>17,850</b>	<b>\$ -</b>	<b>\$ 99,500</b>	<b>\$ -</b>	<b>\$ 92,500</b>	<b>\$ -</b>		<b>\$ 8,000</b>	<b>\$ -</b>	<b>\$ -</b>		<b>\$ 192,000</b>

Budget check (total revenue less total cost): \$273,440

PARATRANSIT DLD RESERVE BALANCES	Measure B	Measure BB
Estimated Reserve Balance, June 30, 2017:	\$150,755	\$122,686
<i>Reserve balance as percent of FY 16/17 Revenue</i>	<i>81%</i>	<i>108%</i>



**F.2 Approval of the final map for Tract 8085, a 213-unit residential subdivision (CDCG Group Holdings Bayshores L.P.) at 37555 Willow Street – from Associate Civil Engineer Cangco. (RESOLUTION)**

**Background/Discussion** – On November 29, 2012, the City Council approved Vesting Tentative Tract Map 8085 for a 553-unit residential subdivision at 37555 Willow Street. The Vesting Tentative Tract Map was subsequently amended on February 28, 2013 by the City Council for a 547-unit residential subdivision. The project is being proposed to be built in two phases with Tract 8085 being the first of the two phases. This first phase of the project is for a 213-unit residential subdivision. CDCG Group Holdings Bayshores L.P. has submitted the required fees, bonds, and other documents for approval of the final map for Tract 8085. Recording of the final map and issuance of subsequent permits and approvals 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 8085, a 213-unit residential subdivision (CDCG Group Holdings Bayshores L.P.) at 37555 Willow Street.

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
NEWARK APPROVING THE FINAL MAP FOR TRACT 8085,  
A 213-UNIT RESIDENTIAL SUBDIVISION (CDCG GROUP  
HOLDINGS BAYSHORES L.P.) AT 37555 WILLOW STREET

WHEREAS, on November 29, 2012, with Resolution No. 10,035, the City Council of the City of Newark approved Vesting Tentative Tract Map 8085 for a 553-unit residential subdivision on an approximately 42.22 acre project site (Torian Property) generally located on the west side of Willow Street at the terminus of Central Avenue; and

WHEREAS, on February 28, 2013, with Resolution No. 10,066, the City Council of the City of Newark approved an Amendment to Vesting Tentative Tract Map 8085 amending the number of approved residential units to 547 residential units.

NOW THEREFORE, BE IT RESOLVED BY THE City Council of the City of Newark that the City Council does hereby approve the final map and improvement plans for Tract 8085, City of Newark, County of Alameda, State of California, and that the Mayor is authorized and hereby directed to execute an agreement between the City of Newark and CDCG Group Holdings Bayshores L.P., for the improvements of said tract; and

BE IT FURTHER RESOLVED that the City Council does hereby accept all parcels of land offered for public use in conformity with the terms of offer of dedication as shown on the final map for Tract 8085; and

BE IT FURTHER RESOLVED that the City Council does hereby approve the Performance Bond in the amount of \$6,510,300 and the Materials Bond in the amount of \$3,255,150 posted by the developer to secure the installation of improvements in accordance with the plans and specifications and the Subdivision Improvement Agreement; and

BE IT FURTHER RESOLVED that the recording of the final map and final approval for the start of construction activity for Tract 8085, including issuance of all related construction permits, shall be at the discretion of the City Engineer.

**OWNER'S STATEMENT**

THE UNDERSIGNED, CDCG GROUP HOLDINGS BAYSHORES LP, HEREBY STATES THAT THEY ARE THE OWNER OF ALL THE LANDS DELINEATED AND EMBRACED WITHIN THE BOUNDARY LINES UPON THE HEREIN EMBRACED MAP ENTITLED "TRACT 8085, CITY OF NEWARK, ALAMEDA COUNTY, CALIFORNIA" CONSISTING OF EIGHTEEN (18) SHEETS, THIS STATEMENT BEING ON SHEET ONE (1) THEREOF; THAT IT HAS CAUSED SAID MAP TO BE PREPARED FOR RECORD AND DOES CONSENT TO THE MAKING AND RECORDEATION OF SAID MAP; THAT SAID MAP PARTICULARLY SETS FORTH AND DESCRIBES ALL THE LOTS INTENDED FOR SALE BY NUMBERS WITH THEIR PRECISE LENGTH AND WIDTH; THAT SAID MAP PARTICULARLY SETS FORTH AND DESCRIBES ALL THE PARCELS SO RESERVED FOR PUBLIC PURPOSES BY THEIR BOUNDARY COURSES AND EXTENT.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED IN FEE FOR PUBLIC STREET PURPOSES; THE AREAS OVER, UNDER AND ACROSS THOSE CERTAIN STRIPS OF LAND DESIGNATED AND DELINEATED AS WILLOW STREET, SEAWIND WAY, SPRING TIDE ROAD, BAYSHORES AVENUE, LOOKOUT WAY, QUIET COVE WAY, & HARBOR LIGHT ROAD, FOR ROADWAY AND UTILITY PURPOSES AS DELINEATED WITHIN THE EXTERIOR BOUNDARY OF THIS MAP.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED AS EASEMENTS FOR PUBLIC PURPOSES:

- 1) THE UNDERSIGNED HEREBY DEDICATES TO THE PUBLIC FOREVER THE RIGHT TO CONSTRUCT, RECONSTRUCT, AND MAINTAIN PUBLIC UTILITIES AND APPURTENANCES THERETO UNDER, ON AND OVER THOSE CERTAIN STRIPS OF LAND SHOWN UPON SAID MAP AS "PUE" (PUBLIC UTILITY EASEMENT) THEREON, ALL AS EMBRACED WITHIN THE BOUNDARY LINES UPON SAID MAP, AND THE RIGHT TO ENTER UPON SAID STRIPS OF LAND FOR THE PURPOSES OF CONSTRUCTING, RECONSTRUCTING, MAINTAINING, AND REPAIRING SAID PUBLIC UTILITIES AND APPURTENANCES THERETO.
- 2) THE UNDERSIGNED HEREBY DEDICATES TO THE PUBLIC FOREVER THE RIGHT OF INGRESS AND EGRESS FOR EMERGENCY VEHICLES ON AND OVER THOSE CERTAIN STRIPS OF LAND SHOWN UPON SAID MAP AS "EVAE" (EMERGENCY VEHICLE ACCESS EASEMENT).
- 3) THE UNDERSIGNED HEREBY DEDICATES TO THE PUBLIC FOREVER THE RIGHT OF INGRESS AND EGRESS FOR EMERGENCY PERSONNEL AND EQUIPMENT, EXCLUDING VEHICULAR ACCESS, ON AND OVER THOSE CERTAIN STRIPS OF LAND SHOWN UPON SAID MAP AS "EAE" (EMERGENCY ACCESS EASEMENT).
- 4) THE UNDERSIGNED HEREBY DEDICATES TO THE PUBLIC FOREVER THE RIGHT TO CONSTRUCT, RECONSTRUCT, AND MAINTAIN TRAILS INTENDED FOR PUBLIC ACCESS ON AND OVER THOSE CERTAIN STRIPS OF LAND SHOWN UPON SAID MAP AS "TE" (TRAIL EASEMENT) TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OF THE PUBLIC FOR PEDESTRIAN USE OVER AND ALONG THE PUBLIC TRAIL THEREIN.
- 5) THE UNDERSIGNED HEREBY DEDICATES TO THE PUBLIC FOREVER THE RIGHT TO CONSTRUCT, RECONSTRUCT, AND MAINTAIN SEWER LINES AND APPURTENANCES THERETO UNDER, ON AND OVER THOSE CERTAIN STRIPS OF LAND SHOWN UPON SAID MAP AS "SSE" (SANITARY SEWER EASEMENT) HEREON, ALL AS EMBRACED WITHIN THE BOUNDARY LINES UPON SAID MAP, AND THE RIGHT TO ENTER UPON SAID STRIPS OF LAND FOR THE PURPOSES OF CONSTRUCTING, RECONSTRUCTING, MAINTAINING, AND REPAIRING SAID SANITARY SEWERS AND APPURTENANCES THERETO.
- 6) THE UNDERSIGNED HEREBY DEDICATES TO THE PUBLIC FOREVER THE RIGHT TO CONSTRUCT, RECONSTRUCT, AND MAINTAIN WATER LINES AND APPURTENANCES THERETO UNDER, ON AND OVER THOSE CERTAIN STRIPS OF LAND SHOWN UPON SAID MAP AS "WLE" (WATER LINE EASEMENT) THEREON, ALL AS EMBRACED WITHIN THE BOUNDARY LINES UPON SAID MAP, AND THE RIGHT TO ENTER UPON SAID STRIPS OF LAND FOR THE PURPOSES OF CONSTRUCTING, RECONSTRUCTING, MAINTAINING, AND REPAIRING SAID WATER LINE AND APPURTENANCES THERETO.

THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED AS AN EASEMENT FOR PUBLIC PURPOSES; THE RIGHT TO CONSTRUCT AND MAINTAIN PUBLIC SIDEWALKS AND APPURTENANCES THERETO, ON AND OVER THOSE CERTAIN STRIPS OF LAND SHOWN ON THIS MAP AS "SWE" (SIDEWALK EASEMENT), AS DELINEATED WITHIN THE TRACT BOUNDARY LINES OF THIS MAP, AND THE RIGHT TO ENTER UPON SAID STRIPS OF LAND FOR THE PURPOSES OF CONSTRUCTING, RECONSTRUCTING, MAINTAINING, AND REPAIRING SAID PUBLIC SIDEWALKS AND APPURTENANCES THERETO, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OF THE PUBLIC FOR PEDESTRIAN USE OVER AND ALONG SAID PUBLIC SIDEWALKS.

THE UNDERSIGNED HEREBY RESERVES THE RIGHTS TO CONSTRUCT, RECONSTRUCT, AND MAINTAIN PRIVATE STORM DRAIN FACILITIES TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS, IN THOSE AREAS DESIGNATED AS "PSDE" (PRIVATE STORM DRAIN EASEMENT) TO BE GRANTED TO THE HOMEOWNERS ASSOCIATION BY SEPARATE INSTRUMENT.

THE UNDERSIGNED HEREBY RESERVES THE RIGHTS TO CONSTRUCT, RECONSTRUCT, AND MAINTAIN PRIVATE WATER LINE FACILITIES TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS, IN THOSE AREAS DESIGNATED AS "PWLE" (PRIVATE WATER LINE EASEMENT) TO BE GRANTED TO THE HOMEOWNERS ASSOCIATION BY SEPARATE INSTRUMENT.

THE UNDERSIGNED ALSO HEREBY RESERVES FOR THE OWNERS OF THE LOTS ADJOINING EACH EASEMENT, AND THEIR LICENSEES, VISITORS, AND TENANTS, RECIPROCAL RIGHTS OF INGRESS AND EGRESS UPON AND OVER THOSE CERTAIN STRIPS OF LAND DESIGNATED AND DELINEATED AS "PIE" (PRIVATE INGRESS AND EGRESS EASEMENT).

WE ALSO HEREBY DECLARE THAT THE REAL PROPERTY DESCRIBED BELOW IS DEDICATED AS AN EASEMENT FOR STORM DRAINAGE, INUNDATION, AND OPEN SPACE PURPOSES; THE AREAS OVER, UNDER, AND UPON THE PARCELS OF LAND DESIGNATED AS PARCELS N, O, & P FOR THE PURPOSE OF PERMITTING STORM WATER RUNOFF FROM PUBLIC STREETS; SAID AREAS OR STRIPS OF LAND ARE TO BE KEPT OPEN AND FREE FROM BUILDINGS AND STRUCTURES OF ANY KIND, EXCEPT IRRIGATION SYSTEMS AND APPURTENANCES THERETO AND LAWFUL FENCES.

**TRACT 8085**

CITY OF NEWARK, ALAMEDA COUNTY, CALIFORNIA  
FOR CONDOMINIUM AND SINGLE FAMILY RESIDENCE PURPOSES  
BEING A SUBDIVISION OF A PORTION OF HICKORY AVENUE, AND  
THOSE CERTAIN PARCELS OF LAND DESCRIBED IN DEEDS RECORDED  
SEPTEMBER 18, 2013, INSTRUMENT NOS. 2013-310645 AND 2013-310647,  
OFFICIAL RECORDS OF ALAMEDA COUNTY  
Carlson, Barbee & Gibson, Inc.  
CIVIL ENGINEERS • SURVEYORS • PLANNERS  
SAN RAMON, CALIFORNIA

APRIL 2016

**OWNER'S STATEMENT (CONTINUED)**

PARCELS A, B, C, D, E, F, G, H, I, J, K, L, M AND LOTS A, B, C, D, E, F, & G SHALL BE GRANTED TO A HOMEOWNERS ASSOCIATION BY SEPARATE INSTRUMENT. PARCELS A, B, C, D, E, F, G, H, I, J, K, L & M SHALL BE RESERVED FOR PUBLIC OPEN SPACE AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION. LOTS A, B, C, D, E, F, & G (BREAKERS ROAD, SHELTER ROAD, PRESERVE AVENUE, LATITUDES LANE, JETTY WAY, BOARDWALK WAY, PIERVIEW WAY, CASANA WAY, MASTS COVE WAY) SHALL BE RESERVED FOR PRIVATE STREETS AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION.

PARCEL R IS TO BE RETAINED BY OWNER FOR FUTURE SUBDIVISION.

WE ALSO HEREBY STATE LOTS 1 THROUGH 21, INCLUSIVE, ARE FOR CONDOMINIUM PURPOSES.

PARCELS N, D, P AND Q ARE TO BE RETAINED BY THE OWNER AND MAY BE GRANTED TO THE HOMEOWNERS ASSOCIATION BY SEPARATE INSTRUMENT.

CDCG GROUP HOLDINGS BAYSHORES LP,  
A DELAWARE LIMITED PARTNERSHIP

BY: CDCG ASSET MANAGEMENT, LLC,  
AN ARIZONA LIMITED LIABILITY COMPANY,  
ITS AUTHORIZED AGENT

BY: STEVEN S. BENSON, ITS MANAGER DATE: \_\_\_\_\_

**OWNER'S ACKNOWLEDGMENT**

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF \_\_\_\_\_ } SS.  
COUNTY OF \_\_\_\_\_ }

ON \_\_\_\_\_, BEFORE ME, \_\_\_\_\_, A NOTARY PUBLIC, PERSONALLY APPEARED \_\_\_\_\_ WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND:

SIGNATURE: \_\_\_\_\_

NAME (PRINT): \_\_\_\_\_

PRINCIPAL COUNTY OF BUSINESS: \_\_\_\_\_

MY COMMISSION NUMBER: \_\_\_\_\_

MY COMMISSION EXPIRES: \_\_\_\_\_

**TRUSTEE'S STATEMENT**

THE UNDERSIGNED CORPORATION, AS TRUSTEE UNDER DEED OF TRUST RECORDED ON SEPTEMBER 18, 2013, IN INSTRUMENT NO. 2013310652 OF OFFICIAL RECORDS, AND AMENDED BY DOCUMENT RECORDED MARCH 4, 2016, IN INSTRUMENT NO. 2016053611 OF OFFICIAL RECORDS, ALAMEDA COUNTY, CALIFORNIA; DOES HEREBY JOIN IN AND CONSENT TO THE FOREGOING OWNERS STATEMENT AND ALL DEDICATIONS SHOWN HEREIN.

CHICAGO TITLE COMPANY

BY: \_\_\_\_\_

NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

**TRUSTEE'S ACKNOWLEDGMENT**

A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.

STATE OF \_\_\_\_\_ } SS.  
COUNTY OF \_\_\_\_\_ }

ON \_\_\_\_\_, BEFORE ME, \_\_\_\_\_, A NOTARY PUBLIC, PERSONALLY APPEARED \_\_\_\_\_ WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S), OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITNESS MY HAND:

SIGNATURE: \_\_\_\_\_

NAME (PRINT): \_\_\_\_\_

PRINCIPAL COUNTY OF BUSINESS: \_\_\_\_\_

MY COMMISSION NUMBER: \_\_\_\_\_

MY COMMISSION EXPIRES: \_\_\_\_\_

**RECORDER'S STATEMENT**

FILED FOR RECORD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AT \_\_\_\_\_ M.  
IN BOOK \_\_\_\_\_ OF MAPS, AT PAGES \_\_\_\_\_ AT THE REQUEST OF CHICAGO TITLE COMPANY.

FEE: \_\_\_\_\_ PD. SERIES NO. \_\_\_\_\_

STEVE MANNING  
COUNTY RECORDER IN AND FOR THE COUNTY  
OF ALAMEDA, STATE OF CALIFORNIA

BY: \_\_\_\_\_  
DEPUTY

**TRACT 8085**

# TRACT 8085

CITY OF NEWARK, ALAMEDA COUNTY, CALIFORNIA  
FOR CONDOMINIUM AND SINGLE FAMILY RESIDENCE PURPOSES  
BEING A SUBDIVISION OF A PORTION OF HICKORY AVENUE, AND  
THOSE CERTAIN PARCELS OF LAND DESCRIBED IN DEEDS RECORDED  
SEPTEMBER 18, 2013, INSTRUMENT NOS. 2013-310645 AND 2013-310647,  
OFFICIAL RECORDS OF ALAMEDA COUNTY

**Carlson, Barbee & Gibson, Inc.**

CIVIL ENGINEERS • SURVEYORS • PLANNERS  
SAN RAMON, CALIFORNIA

APRIL, 2016

## SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A FIELD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF WILLIAM LYON HOMES IN OCTOBER 2014. I HEREBY STATE THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP AND ANY APPROVED ALTERATIONS THERETO, AND THAT THE SURVEY IS TRUE AND COMPLETE AS SHOWN, AND THAT ALL MONUMENTS WILL BE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED BEFORE DECEMBER 31, 2018, THAT SAID MONUMENTS WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACTED.

SABRINA KYLE PACK, P.L.S.  
L.S. NO. 8164

DATE \_\_\_\_\_



## CITY ENGINEER'S STATEMENT

I, SOREN E. FAJEAU, CITY ENGINEER FOR THE CITY OF NEWARK, ALAMEDA COUNTY, CALIFORNIA, DO HEREBY STATE THAT I HAVE EXAMINED THE HEREIN EMBODIED MAP ENTITLED "TRACT 8085, CITY OF NEWARK, ALAMEDA COUNTY, CALIFORNIA" AND THE SUBDIVISION SHOWN UPON SAID MAP IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE APPROVED TENTATIVE PARCEL MAP AND ANY APPROVED ALTERATIONS THEREOF; AND THAT ALL PROVISIONS OF STATE LAW AND LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE PARCEL MAP HAVE BEEN COMPLIED WITH.

IN WITNESS, I HAVE HEREUNTO SET MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016

SOREN E. FAJEAU  
RCE 68454, EXPIRES: JUNE 30, 2016  
CITY ENGINEER, CITY OF NEWARK,  
ALAMEDA COUNTY, CALIFORNIA

I, MITCHELL L. MOUGHON, SPECIAL ASSISTANT FOR THE CITY OF NEWARK, ALAMEDA COUNTY, CALIFORNIA, DO HEREBY STATE THAT I HAVE EXAMINED THIS MAP ENTITLED "TRACT 8085, CITY OF NEWARK, ALAMEDA COUNTY, CALIFORNIA" AND THAT I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT.

IN WITNESS, I HAVE HEREUNTO SET MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016

MITCHELL L. MOUGHON  
RCE 28569, EXPIRES: MARCH 31, 2017  
SPECIAL ASSISTANT FOR  
THE CITY OF NEWARK, ALAMEDA COUNTY,  
STATE OF CALIFORNIA

## CITY CLERK'S STATEMENT

I, SHEILA HARRINGTON, CITY CLERK AND CLERK OF THE CITY COUNCIL OF THE CITY OF NEWARK, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, DO HEREBY STATE THAT THE HEREIN EMBODIED FINAL MAP ENTITLED "TRACT 8085, CITY OF NEWARK, ALAMEDA COUNTY, CALIFORNIA," CONSISTING OF EIGHTEEN (18) SHEETS, THIS STATEMENT BEING ON SHEET TWO (2) THEREOF, WAS PRESENTED TO SAID COUNCIL OF THE CITY OF NEWARK AS PROVIDED BY LAW AT A MEETING HELD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AND THAT SAID COUNCIL OF THE CITY OF NEWARK DID THEREUPON BY RESOLUTION NO. \_\_\_\_\_ DULY PASSED AND ADOPTED AT SAID MEETING, APPROVE SAID MAP AND ACCEPTED ON BEHALF OF THE PUBLIC ALL PARCELS OF LAND AND EASEMENTS OFFERED FOR DEDICATION FOR PUBLIC USE, IN CONFORMITY WITH THE OFFERS OF THE DEDICATIONS AS SHOWN ON SAID MAP.

AND THAT BY SAID RESOLUTION DID ACCEPT THE ABANDONMENT OF ALL EASEMENTS DESCRIBED TO BE ABANDONED ON THIS SUBDIVISION MAP.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

SHEILA HARRINGTON  
CITY CLERK AND CLERK OF THE CITY  
COUNCIL OF THE CITY OF NEWARK,  
COUNTY OF ALAMEDA, STATE OF CALIFORNIA

## SOILS REPORT

A SOILS REPORT ON WAS PREPARED BY ENGED INCORPORATED, DATED JANUARY 14, 2014, PROJECT NO. 7811,000,000, SIGNED BY JOSEF, J. TOOTLE, GE., AND ROBERT H. BOECHE, CEG AND HAS BEEN FILED AT THE OFFICE OF THE CITY ENGINEER.

## CLERK OF THE BOARD OF SUPERVISOR'S STATEMENT

I, ANIKA CAMPBELL-BELTON, CLERK OF THE BOARD OF SUPERVISORS FOR THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA, DO HEREBY STATE, AS CHECKED BELOW, THAT:

- [ ] AN APPROVED BOND HAS BEEN FILED WITH THE BOARD OF SUPERVISORS OF SAID COUNTY AND STATE IN THE AMOUNT OF \$ \_\_\_\_\_ CONDITIONED FOR THE PAYMENT OF ALL TAXES AND SPECIAL ASSESSMENTS COLLECTED AS TAXES WHICH ARE NOW A LIEN AGAINST SAID LAND OR ANY PART THEREOF BUT NOT YET PAYABLE AND WAS DULY APPROVED BY SAID LOCAL BOARD IN SAID AMOUNT.
- [ ] ALL TAXES AND SPECIAL ASSESSMENTS COLLECTED AS TAXES HAVE BEEN PAID AS CERTIFIED BY THE TREASURER-TAX COLLECTED AS TAXES HAVE BEEN PAID AS CERTIFIED BY THE TREASURER-TAX COLLECTOR OF THE COUNTY OF ALAMEDA.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

ANIKA CAMPBELL-BELTON  
CLERK OF THE BOARD OF SUPERVISORS  
COUNTY OF ALAMEDA, STATE OF CALIFORNIA

BY: \_\_\_\_\_  
DEPUTY COUNTY CLERK

# TRACT 8085

SHEET 2 OF 18

**EASEMENTS:**

- (E1) INTENTIONALLY DELETED.
- (E2) EASEMENT FOR ROADWAY AND PUBLIC UTILITIES IN FAVOR OF CITY OF NEWARK PER 2013-316274.
- (E3) EASEMENT FOR ROADWAY AND PUBLIC UTILITIES IN FAVOR OF CITY OF NEWARK PER 2013-316075.
- (E4) EASEMENT FOR ROADWAY AND PUBLIC UTILITIES IN FAVOR OF CITY OF NEWARK PER 2013-316076.
- (E5) 25' EASEMENT FOR TELEPHONE AND ELECTRICAL TRANSMISSION LINE IN FAVOR OF PG&E PER 1988 D 233, AND 2860 OR 1.
- (E6) 27.50' TELEPHONE AND ELECTRICAL TRANSMISSION LINE IN FAVOR OF PG&E PER 8932 OR 471.
- (E7) PIPELINE EASEMENT IN FAVOR OF EAST BAY DISCHARGERS AUTHORITY PER REEL 5227, IMAGE 153, AND IN FAVOR OF UNION SANITARY DISTRICT PER 82-117469.
- (E8) STORM DRAIN EASEMENT IN FAVOR OF ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT PER 1629 OR 695.
- (E9) STORM DRAIN EASEMENT IN FAVOR OF ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT PER REEL 2206, IMAGE 642.
- (E10) STREET EASEMENT AGREEMENT FOR 2013-310648, TO BE QUITCLAIMED BY SEPARATE INSTRUMENT.
- (E11) PUBLIC UTILITY EASEMENT RESERVED BY CITY OF NEWARK PER 2015-198434, 2015-206658.
- (E12) PUBLIC UTILITY EASEMENT RESERVED BY CITY OF NEWARK PER 2015-198434, 2015-206658.

**BASIS OF BEARINGS:**

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CENTERLINE OF HICKORY STREET BETWEEN TWO FOUND IRON PIPES IS TAKEN AS NORTH 21°48'56" WEST AND ROTATED 00°00'27" COUNTERCLOCKWISE FROM THE BASIS OF BEARINGS AS SHOWN ON PARCEL MAP 9837 (315 PM 84). THE BEARINGS SHOWN HEREON ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM ZONE 3 (NAD 83). DISTANCES SHOWN HEREON ARE GROUND DISTANCES. MULTIPLY THE DISTANCES SHOWN BY 0.9999378 TO OBTAIN GRID DISTANCES.

**NOTE:**

1. THE ROTATION OF THE BASIS OF BEARINGS SHOWN THIS SURVEY IS DETERMINED BY FOUND MONUMENTS W1448 PID H12440 AND FLBERT DOBBSL. THE BEARING BETWEEN WHICH BEING N30°19'32"W (CALCULATED).
2. PURSUANT TO SECTIONS 65434(g) AND 65498.20.2 OF THE CALIFORNIA SUBDIVISION MAP ACT, THE FOLLOWING EASEMENT IS HEREBY ABANDONED AND IS NOT SHOWN HEREON: 1) ALL OF THAT CERTAIN EASEMENT FOR ROADWAY AND PUBLIC UTILITIES IN THE DEED RECORDED SEPTEMBER 25, 2015, IN INSTRUMENT NO. 2013-316073 OF OFFICIAL RECORDS OF ALAMEDA COUNTY.
3. REFER TO OTHER SHEETS FOR PUBLIC STREET DEDICATIONS.

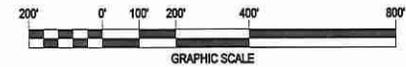
**TRACT 8085**

CITY OF NEWARK, ALAMEDA COUNTY, CALIFORNIA  
 FOR CONDOMINIUM AND SINGLE FAMILY RESIDENCE PURPOSES  
 BEING A SUBDIVISION OF A PORTION OF HICKORY AVENUE, AND  
 THOSE CERTAIN PARCELS OF LAND DESCRIBED IN DEEDS RECORDED  
 SEPTEMBER 18, 2013, INSTRUMENT NOS. 2013-310645 AND 2013-310647,  
 OFFICIAL RECORDS OF ALAMEDA COUNTY

**Carlson, Barbee & Gibson, Inc.**

CIVIL ENGINEERS • SURVEYORS • PLANNERS  
 SAN RAMON, CALIFORNIA

SCALE: 1" = 200' APRIL 2016



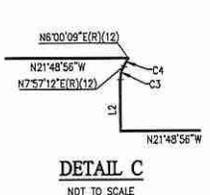
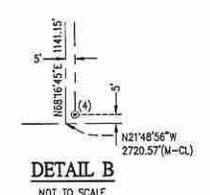
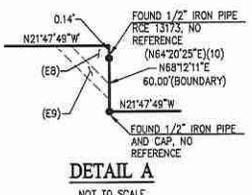
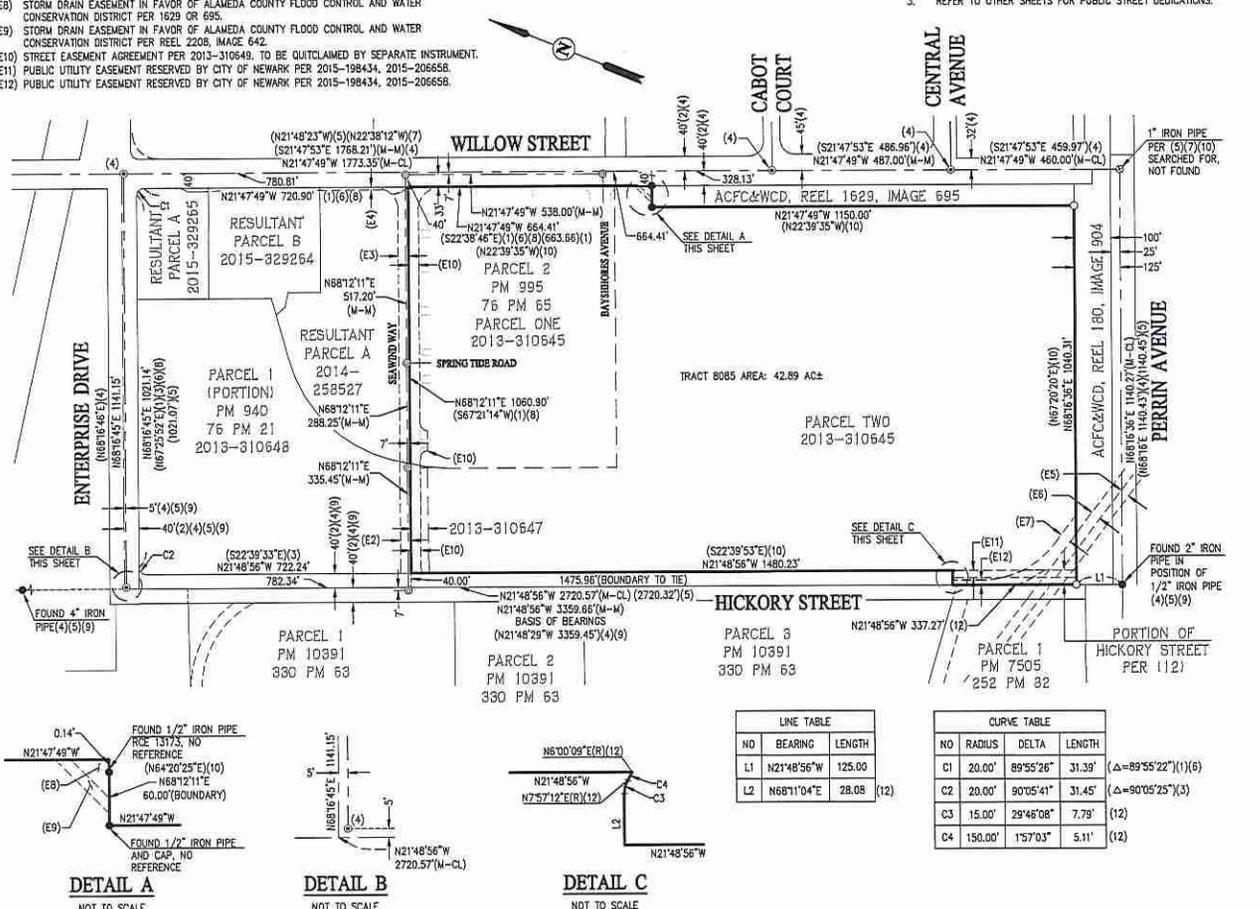
**LEGEND**

- SUBDIVISION BOUNDARY LINE
- RIGHT OF WAY LINE
- LOT LINE
- - - EASEMENT LINE
- CENTERLINE
- MONUMENT LINE
- (R) RADIAL
- (T) TOTAL
- (M-M) MONUMENT TO MONUMENT
- (M-CL) MONUMENT TO CENTERLINE
- (M-PL) MONUMENT TO PROPERTY LINE
- (LL) LOT LINE
- ⊙ FOUND STANDARD STREET MONUMENT
- ⊙ SET STANDARD STREET MONUMENT, LS 8164
- SET 5/8" REBAR AND CAP, LS 8164
- EAE EMERGENCY ACCESS EASEMENT
- EVAE EMERGENCY VEHICLE ACCESS EASEMENT
- PSDE PRIVATE STORM DRAIN EASEMENT
- SSE SANITARY SEWER EASEMENT
- SWE SIDEWALK EASEMENT
- PUE PUBLIC UTILITY EASEMENT
- PWLE PRIVATE WATER LINE EASEMENT
- TE TRAIL EASEMENT
- WLE WATER LINE EASEMENT
- (C#) INDICATES CONDOMINIUM LOT AND NUMBER OF UNITS
- (E#) INDICATES EXISTING EASEMENT

**REFERENCES:**

- (#) INDICATES REFERENCE NUMBER
- (1) PARCEL MAP 995 (76 PM 65)
- (2) MAP OF THE TOWN OF NEWARK (17 M 10)
- (3) PARCEL MAP 940 (76 PM 21)
- (4) PARCEL MAP 7505 (252 PM 81)
- (5) PARCEL MAP 1130 (103 PM 92)
- (6) PARCEL MAP 1471 (84 PM 23)
- (7) RECORD OF SURVEY NO. 640 (11 RS 81)
- (8) PARCEL MAP 1689 (87 PM 68)
- (9) PARCEL MAP 9837 (315 PM 84)
- (10) DEED (2013-310645)
- (11) DEED (2013-310647)
- (12) DEED (2015-206658)

**TRACT 8085**



LINE TABLE		
NO	BEARING	LENGTH
L1	N21°48'56\"	125.00
L2	N68°11'04\"	28.08 (12)

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	20.00'	89°55'26\"	31.39'
C2	20.00'	90°05'41\"	31.45'
C3	15.00'	29°48'08\"	7.79'
C4	150.00'	1°57'03\"	5.11'

**BOUNDARY SHEET**

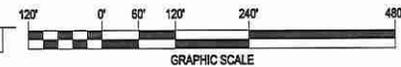
# TRACT 8085

CITY OF NEWARK, ALAMEDA COUNTY, CALIFORNIA  
 FOR CONDOMINIUM AND SINGLE FAMILY RESIDENCE PURPOSES  
 BEING A SUBDIVISION OF A PORTION OF HICKORY AVENUE, AND  
 THOSE CERTAIN PARCELS OF LAND DESCRIBED IN DEEDS RECORDED  
 SEPTEMBER 18, 2013, INSTRUMENT NOS. 2013-310645 AND 2013-310647,  
 OFFICIAL RECORDS OF ALAMEDA COUNTY

**Carlson, Barbee & Gibson, Inc.**

CIVIL ENGINEERS • SURVEYORS • PLANNERS  
 SAN RAMON, CALIFORNIA

SCALE: 1" = 120' APRIL 2016

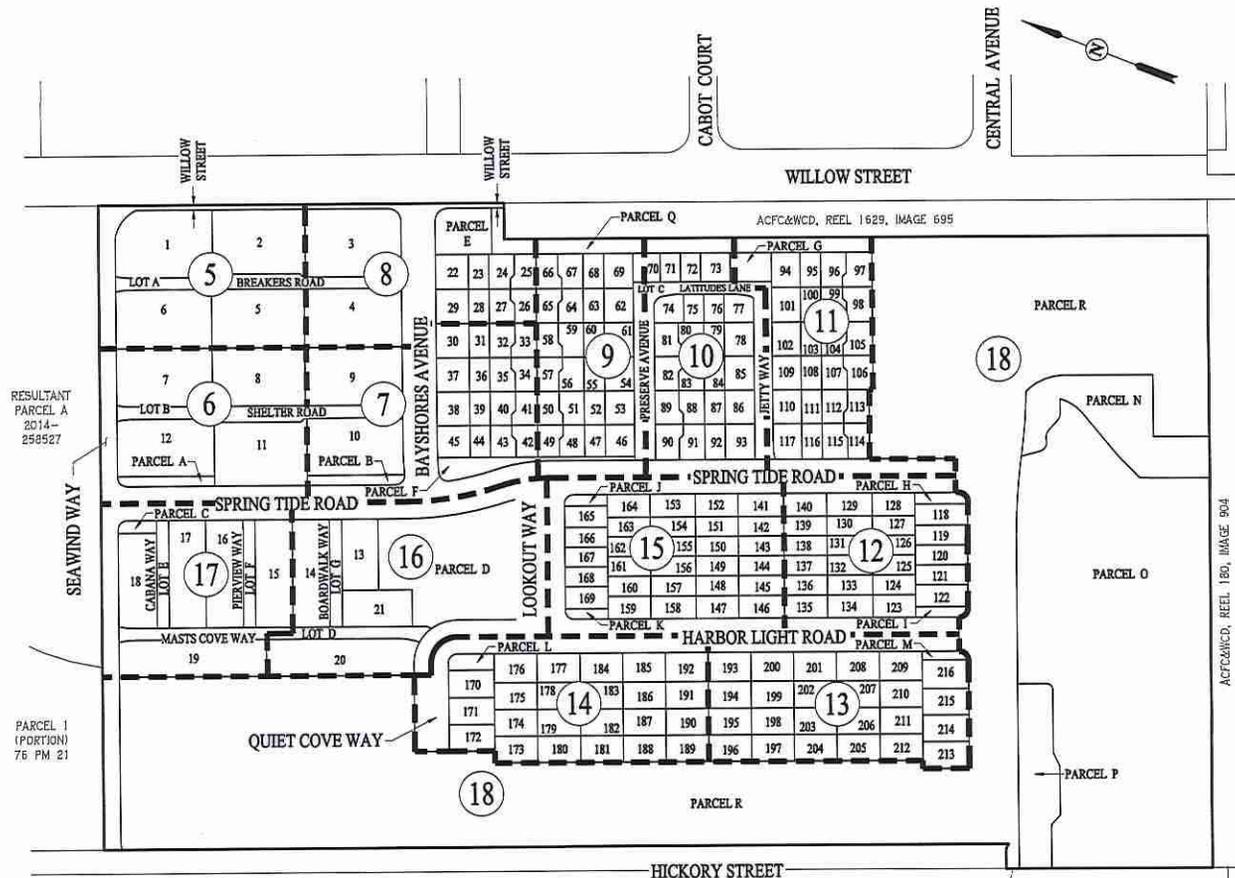


## BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CENTERLINE OF HICKORY STREET BETWEEN TWO FOUND IRON PIPES IS TAKEN AS NORTH 21°48'56" WEST AND ROTATED 90°00'27" COUNTERCLOCKWISE FROM THE BASIS OF BEARINGS AS SHOWN ON PARCEL MAP 9837 (315 PM 84). THE BEARINGS SHOWN HEREON ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM ZONE 3 (NAD 83). DISTANCES SHOWN HEREON ARE GROUND DISTANCES. MULTIPLY THE DISTANCES SHOWN BY 0.9899378 TO OBTAIN GRID DISTANCES. SEE NOTE 1 ON SHEET 3 FOR ADDITIONAL INFORMATION.

## LEGEND

- SUBDIVISION BOUNDARY LINE
- RIGHT OF WAY LINE
- LOT LINE
- EASEMENT LINE
- CENTERLINE
- MONUMENT LINE
- (R) RADIAL
- (T) TOTAL
- (M-M) MONUMENT TO MONUMENT
- (M-CL) MONUMENT TO CENTERLINE
- (M-PL) MONUMENT TO PROPERTY LINE
- (LL) LOT LINE
- ⊙ FOUND STANDARD STREET MONUMENT
- ⊙ SET STANDARD STREET MONUMENT, LS 8164
- SET 5/8" REBAR AND CAP, LS 8164
- EAE EMERGENCY ACCESS EASEMENT
- EVAE EMERGENCY VEHICLE ACCESS EASEMENT
- PSOE PRIVATE STORM DRAIN EASEMENT
- SSE SANITARY SEWER EASEMENT
- SWE SIDEWALK EASEMENT
- PUE PUBLIC UTILITY EASEMENT
- PWLE PRIVATE WATER LINE EASEMENT
- TE TRAIL EASEMENT
- WLE WATER LINE EASEMENT
- (C#) INDICATES CONDOMINIUM LOT AND NUMBER OF UNITS
- SHEET LIMIT
- 1** SHEET NUMBER



RESULTANT  
 PARCEL A  
 2014-  
 256527

PARCEL 1  
 (PORTION)  
 76 PM 21

PARCEL 1  
 PM 10391  
 330 PM 63

PARCEL 2  
 PM 10391  
 330 PM 63

PARCEL 3  
 PM 10391  
 330 PM 63

INDEX SHEET

TRACT 8085

SHEET 4 OF 18

# TRACT 8085

CITY OF NEWARK, ALAMEDA COUNTY, CALIFORNIA  
 FOR CONDOMINIUM AND SINGLE FAMILY RESIDENCE PURPOSES  
 BEING A SUBDIVISION OF A PORTION OF HICKORY AVENUE, AND  
 THOSE CERTAIN PARCELS OF LAND DESCRIBED IN DEEDS RECORDED  
 SEPTEMBER 18, 2013, INSTRUMENT NOS. 2013-310645 AND 2013-310647,  
 OFFICIAL RECORDS OF ALAMEDA COUNTY

**Carlson, Barbee & Gibson, Inc.**

CIVIL ENGINEERS • SURVEYORS • PLANNERS  
 SAN RAMON, CALIFORNIA

SCALE: 1" = 30' APRIL 2016

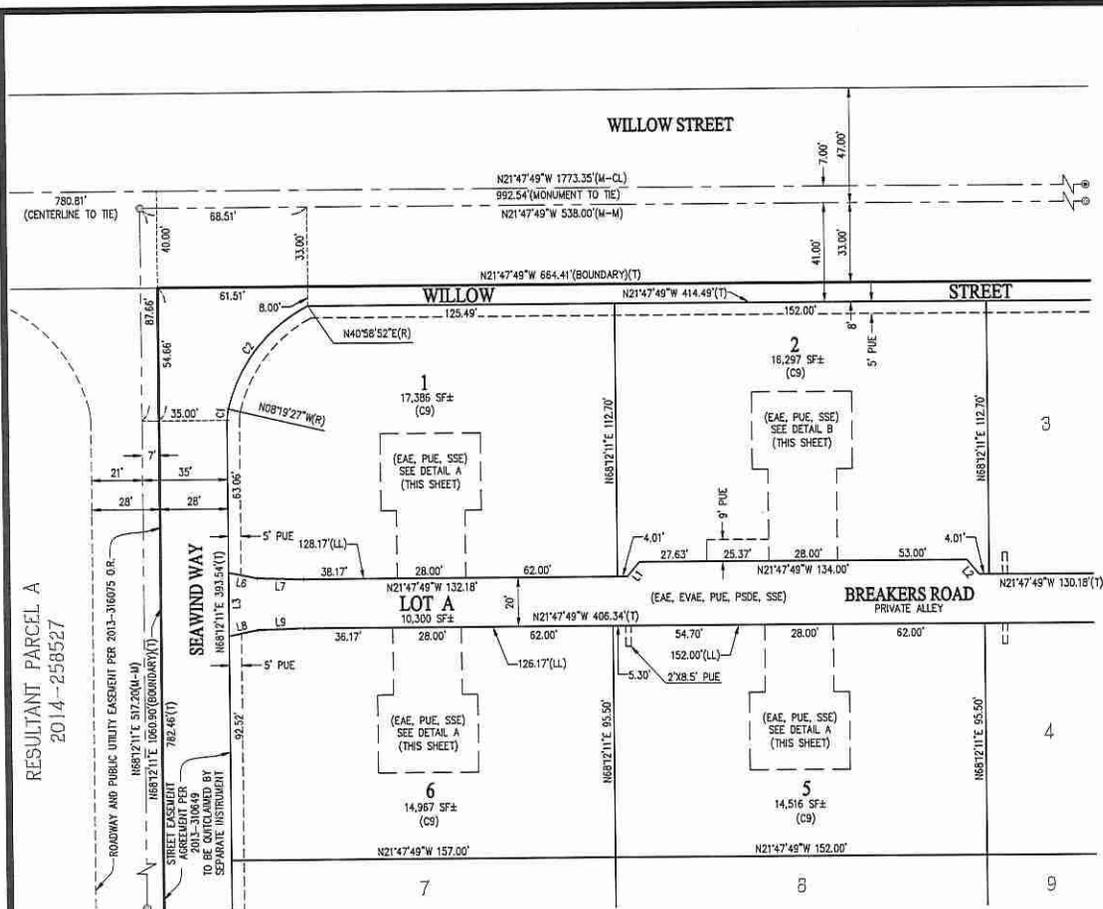


## BASIS OF BEARINGS:

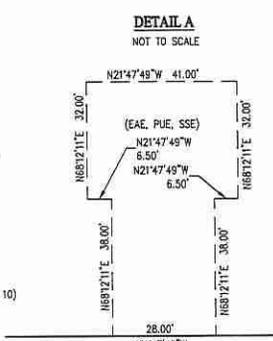
THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CENTERLINE OF HICKORY STREET BETWEEN TWO FOUND IRON PIPES IS TAKEN AS NORTH 21°48'56" WEST AND ROTATED 00°00'27" COUNTERCLOCKWISE FROM THE BASIS OF BEARINGS AS SHOWN ON PARCEL MAP 9837 (315 PM 84). THE BEARINGS SHOWN HEREON ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM ZONE 3 (NAD 83). DISTANCES SHOWN HEREON ARE GROUND DISTANCES. MULTIPLY THE DISTANCES SHOWN BY 0.9999378 TO OBTAIN GRID DISTANCES. SEE NOTE 1 ON SHEET 3 FOR ADDITIONAL INFORMATION.

## LEGEND

- SUBDIVISION BOUNDARY LINE
- RIGHT OF WAY LINE
- LOT LINE
- EASEMENT LINE
- CENTERLINE
- MONUMENT LINE
- (R) RADIAL
- (T) TOTAL
- (M-M) MONUMENT TO MONUMENT
- (M-CL) MONUMENT TO CENTERLINE
- (M-PL) MONUMENT TO PROPERTY LINE
- (LL) LOT LINE
- ⊙ FOUND STANDARD STREET MONUMENT
- ⊙ SET STANDARD STREET MONUMENT, LS 8164
- ⊙ SET 5/8" REBAR AND CAP, LS 8164
- EAE EMERGENCY ACCESS EASEMENT
- EVAE EMERGENCY VEHICLE ACCESS EASEMENT
- PSDE PRIVATE STORM DRAIN EASEMENT
- SSE SANITARY SEWER EASEMENT
- SWE SIDEWALK EASEMENT
- PUE PUBLIC UTILITY EASEMENT
- PWLE PRIVATE WATER LINE EASEMENT
- TE TRAIL EASEMENT
- WLE WATER LINE EASEMENT
- (C#) INDICATES CONDOMINIUM LOT AND NUMBER OF UNITS



SEE SHEET 8



SEE SHEET 6

## REFERENCES:

- (#) INDICATES REFERENCE NUMBER
- (1) PARCEL MAP 995 (76 PM 65)
- (2) MAP OF THE TOWN OF NEWARK (17 M 10)
- (3) PARCEL MAP 940 (76 PM 21)
- (4) PARCEL MAP 7505 (252 PM 81)
- (5) PARCEL MAP 1130 (105 PM 92)
- (6) PARCEL MAP 1471 (84 PM 23)
- (7) RECORD OF SURVEY NO. 640 (11 RS 81)
- (8) PARCEL MAP 1689 (87 PM 68)
- (9) PARCEL MAP 9837 (315 PM 84)
- (10) DEED (2013-310645)
- (11) DEED (2013-310647)
- (12) DEED (2015-206658)

LINE TABLE		
NO	BEARING	LENGTH
L1	N72°04'05"W	7.80'
L2	N28°28'26"E	7.80'
L3	N68°12'11"E	25.86'
L6	N101°3'52"W	11.84'
L7	N20°00'02"W	19.23'
L8	N33°21'47"W	11.84'

LINE TABLE		
NO	BEARING	LENGTH
L9	N23°35'37"W	19.23'

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
CL	20.00'	132°28'22"	4.70'
C2	64.00'	132°28'19"	55.07'

RESULTANT PARCEL A  
 2014-258527

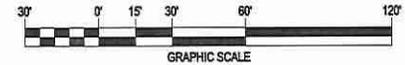
# TRACT 8085

CITY OF NEWARK, ALAMEDA COUNTY, CALIFORNIA  
 FOR CONDOMINIUM AND SINGLE FAMILY RESIDENCE PURPOSES  
 BEING A SUBDIVISION OF A PORTION OF HICKORY AVENUE, AND  
 THOSE CERTAIN PARCELS OF LAND DESCRIBED IN DEEDS RECORDED  
 SEPTEMBER 18, 2013, INSTRUMENT NOS. 2013-310645 AND 2013-310647,  
 OFFICIAL RECORDS OF ALAMEDA COUNTY

**Carlson, Barbee & Gibson, Inc.**

CIVIL ENGINEERS • SURVEYORS • PLANNERS  
 SAN RAMON, CALIFORNIA

SCALE: 1" = 30' APRIL 2016



## BASIS OF BEARINGS:

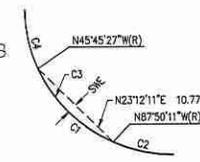
THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CENTERLINE OF HICKORY STREET BETWEEN TWO FOUND IRON PIPES IS TAKEN AS NORTH 21°48'56" WEST AND ROTATED 00°00'27" COUNTERCLOCKWISE FROM THE BASIS OF BEARINGS AS SHOWN ON PARCEL MAP 9837 (315 PM 84). THE BEARINGS SHOWN HEREON ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM ZONE 3 (NAD 83). DISTANCES SHOWN HEREON ARE GROUND DISTANCES. MULTIPLY THE DISTANCES SHOWN BY 0.9999378 TO OBTAIN GRID DISTANCES. SEE NOTE 1 ON SHEET 3 FOR ADDITIONAL INFORMATION.

## LEGEND

- SUBDIVISION BOUNDARY LINE
- RIGHT OF WAY LINE
- LOT LINE
- - - EASEMENT LINE
- CENTERLINE
- MONUMENT LINE
- (R) RADIAL
- (T) TOTAL
- (M-M) MONUMENT TO MONUMENT
- (M-CL) MONUMENT TO CENTERLINE
- (M-PL) MONUMENT TO PROPERTY LINE
- (LL) LOT LINE
- ⊙ FOUND STANDARD STREET MONUMENT
- ⊙ SET STANDARD STREET MONUMENT, LS 8164
- ⊙ SET 5/8" REBAR AND CAP, LS 8164
- EAE EMERGENCY ACCESS EASEMENT
- EVAE EMERGENCY VEHICLE ACCESS EASEMENT
- PSDE PRIVATE STORM DRAIN EASEMENT
- SSE SANITARY SEWER EASEMENT
- SWE SIDEWALK EASEMENT
- PUE PUBLIC UTILITY EASEMENT
- PWLE PRIVATE WATER LINE EASEMENT
- TE TRAIL EASEMENT
- WLE WATER LINE EASEMENT
- (C#) INDICATES CONDOMINIUM LOT AND NUMBER OF UNITS

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	15.00'	90°00'00"	23.56'
C2	15.00'	23°57'38"	6.27'
C3	15.00'	42°04'44"	11.02'
C4	15.00'	23°57'38"	6.27'

LINE TABLE		
NO	BEARING	LENGTH
L1	N28°28'26"E	7.80'
L2	N72°04'05"W	7.80'
L3	N68°12'11"E	1.50'
L4	N101°3'52"W	11.84'
L5	N20°00'02"W	19.23'
L6	N23°35'37"W	19.23'
L7	N33°21'47"W	11.84'



RESULTANT PARCEL A  
 2014-258527

STREET EASEMENT  
 AGREEMENT PER  
 2013-310649 TO  
 BE OBTAINED  
 BY SEPARATE  
 INSTRUMENT

SEE SHEET 5

SEE SHEET 8

SEE SHEET 7

SPRING TIDE ROAD

SEE SHEET 17

SEE SHEET 16

TRACT 8085

SHEET 6 OF 18

# TRACT 8085

CITY OF NEWARK, ALAMEDA COUNTY, CALIFORNIA  
 FOR CONDOMINIUM AND SINGLE FAMILY RESIDENCE PURPOSES  
 BEING A SUBDIVISION OF A PORTION OF HICKORY AVENUE, AND  
 THOSE CERTAIN PARCELS OF LAND DESCRIBED IN DEEDS RECORDED  
 SEPTEMBER 18, 2013, INSTRUMENT NOS. 2013-310645 AND 2013-310647,  
 OFFICIAL RECORDS OF ALAMEDA COUNTY

**Carlson, Barbee & Gibson, Inc.**

CIVIL ENGINEERS • SURVEYORS • PLANNERS  
 SAN RAMON, CALIFORNIA

SCALE: 1" = 30' APRIL 2016



## BASIS OF BEARINGS:

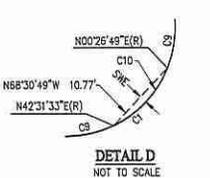
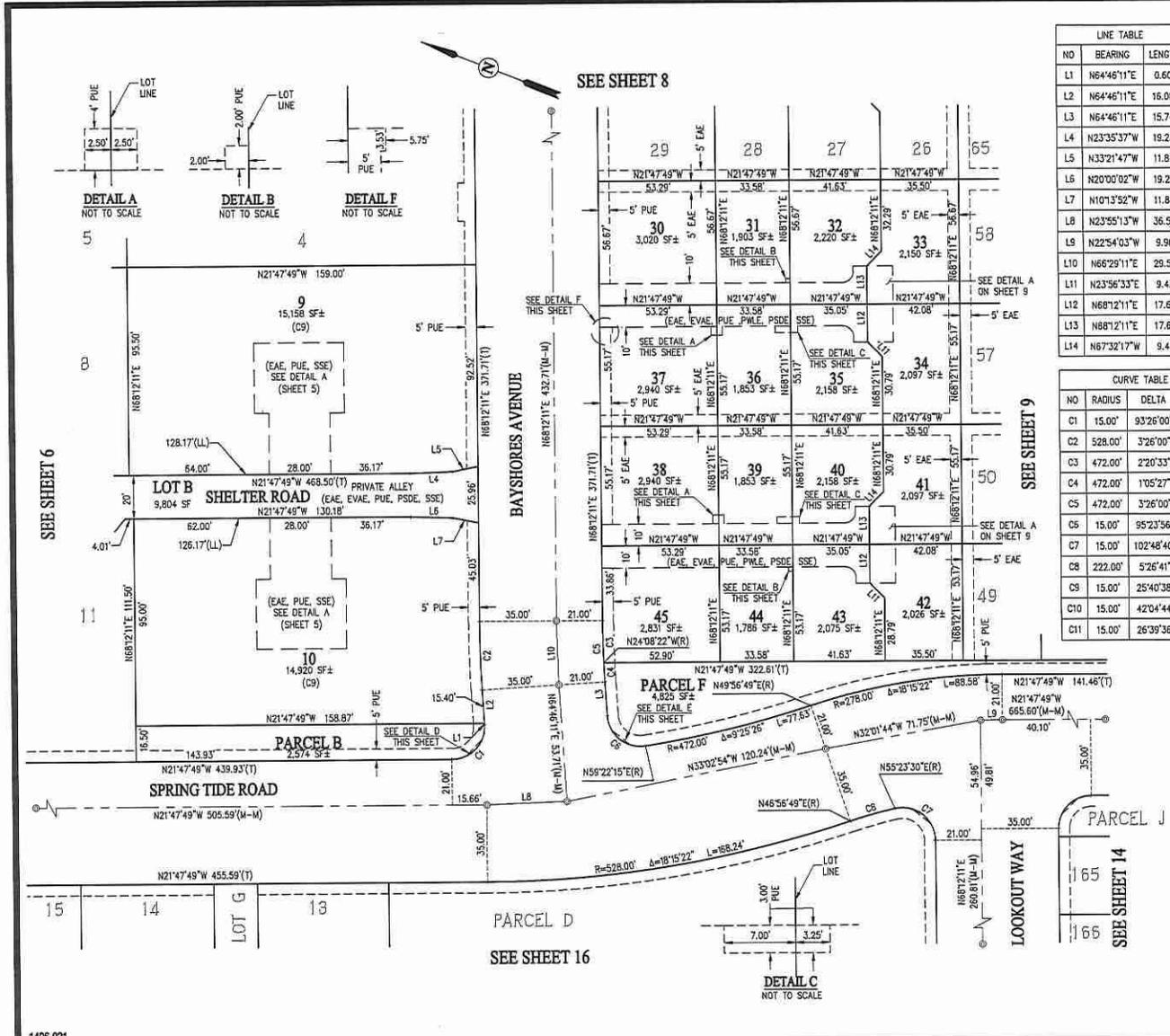
SEE SHEET 3

## LEGEND

- SUBDIVISION BOUNDARY LINE
- RIGHT OF WAY LINE
- LOT LINE
- - - EASEMENT LINE
- - - CENTERLINE
- - - MONUMENT LINE
- (R) RADIAL
- (T) TOTAL
- (M-M) MONUMENT TO MONUMENT
- (M-CL) MONUMENT TO CENTERLINE
- (M-PL) MONUMENT TO PROPERTY LINE
- (L) LOT LINE
- ⊙ FOUND STANDARD STREET MONUMENT
- SET STANDARD STREET MONUMENT, LS 8164
- SET 5/8" REBAR AND CAP, LS 8164
- EAE EMERGENCY ACCESS EASEMENT
- EVAE EMERGENCY VEHICLE ACCESS EASEMENT
- PSDE PRIVATE STORM DRAIN EASEMENT
- SSE SANITARY SEWER EASEMENT
- SWE SIDEWALK EASEMENT
- PUE PUBLIC UTILITY EASEMENT
- PWLE PRIVATE WATER LINE EASEMENT
- TE TRAIL EASEMENT
- WLE WATER LINE EASEMENT
- (C#) INDICATES CONDOMINIUM LOT AND NUMBER OF UNITS

LINE TABLE		
NO	BEARING	LENGTH
L1	N64°46'11"E	0.60'
L2	N64°46'11"E	16.00'
L3	N64°46'11"E	15.74'
L4	N23°35'37"W	18.23'
L5	N33°21'47"W	11.84'
L6	N20°00'02"W	19.23'
L7	N10°13'52"W	11.84'
L8	N23°55'13"W	36.53'
L9	N22°54'03"W	9.90'
L10	N66°29'11"E	29.54'
L11	N23°56'33"E	9.43'
L12	N68°12'11"E	17.62'
L13	N88°12'11"E	17.63'
L14	N67°32'17"W	9.43'

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	15.00'	93°26'00"	24.46'
C2	528.00'	3°26'00"	31.64'
C3	472.00'	2°20'33"	19.30'
C4	472.00'	1°05'27"	8.99'
C5	472.00'	3°26'00"	28.28'
C6	15.00'	95°23'56"	24.98'
C7	15.00'	102°48'40"	26.92'
C8	222.00'	5°26'41"	21.10'
C9	15.00'	25°40'38"	6.72'
C10	15.00'	42°04'44"	11.02'
C11	15.00'	26°39'36"	6.98'



# TRACT 8085

CITY OF NEWARK, ALAMEDA COUNTY, CALIFORNIA  
 FOR CONDOMINIUM AND SINGLE FAMILY RESIDENCE PURPOSES  
 BEING A SUBDIVISION OF A PORTION OF HICKORY AVENUE, AND  
 THOSE CERTAIN PARCELS OF LAND DESCRIBED IN DEEDS RECORDED  
 SEPTEMBER 18, 2013, INSTRUMENT NOS. 2013-310645 AND 2013-310647,  
 OFFICIAL RECORDS OF ALAMEDA COUNTY

**Carlson, Barbee & Gibson, Inc.**

CIVIL ENGINEERS • SURVEYORS • PLANNERS  
 SAN RAMON, CALIFORNIA

SCALE: 1" = 30' APRIL 2016

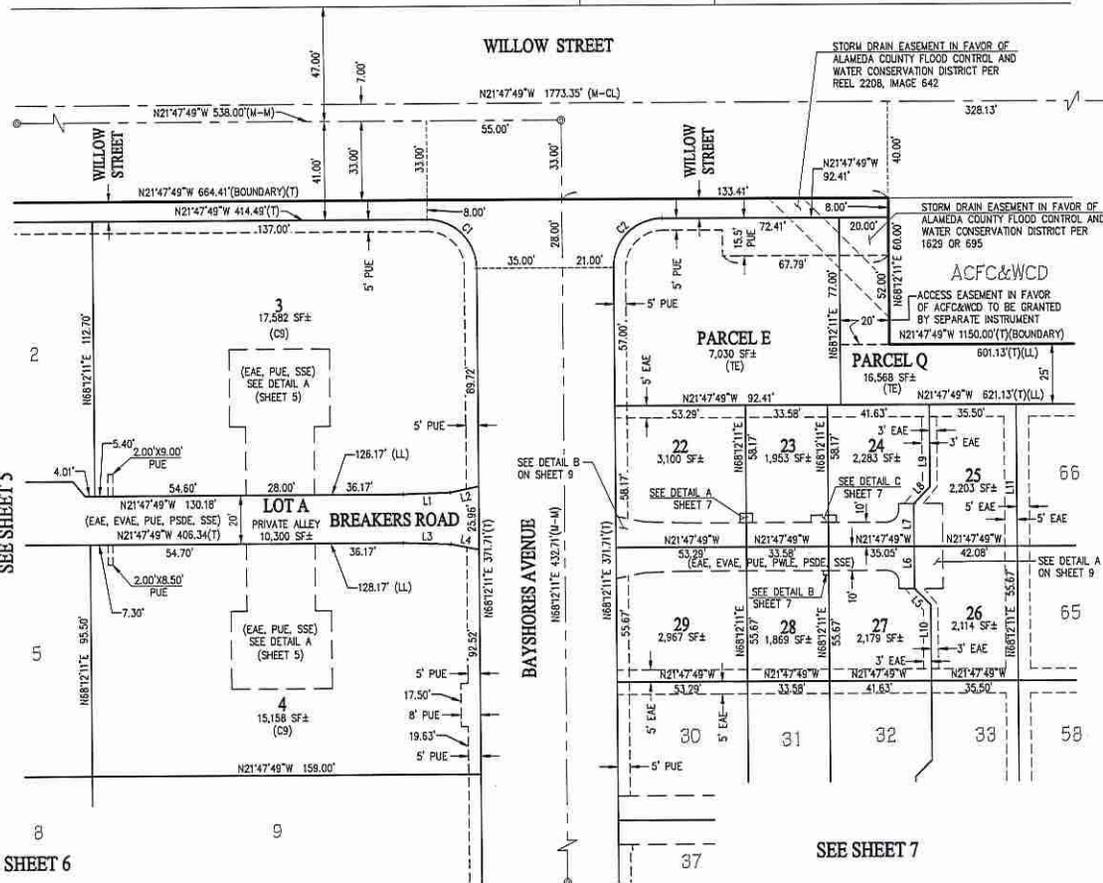
GRAPHIC SCALE

## BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CENTERLINE OF HICKORY STREET BETWEEN TWO FOUND IRON PIPES IS TAKEN AS NORTH 21°48'56" WEST AND ROTATED 0°00'02.72" COUNTERCLOCKWISE FROM THE BASIS OF BEARINGS AS SHOWN ON PARCEL MAP 9837 (315 PM 84). THE BEARINGS SHOWN HEREON ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM ZONE 3 (NAD 83). DISTANCES SHOWN HEREON ARE GROUND DISTANCES. MULTIPLY THE DISTANCES SHOWN BY 0.98989378 TO OBTAIN GRID DISTANCES. SEE NOTE 1 ON SHEET 3 FOR ADDITIONAL INFORMATION.

## LEGEND

- SUBDIVISION BOUNDARY LINE
- RIGHT OF WAY BOUNDARY LINE
- LOT LINE
- EASEMENT LINE
- CENTERLINE
- MONUMENT LINE
- (R) RADIAL
- (T) TOTAL
- (M-W) MONUMENT TO MONUMENT
- (M-CL) MONUMENT TO CENTERLINE
- (M-PL) MONUMENT TO PROPERTY LINE
- (LL) LOT LINE
- ⊙ FOUND STANDARD STREET MONUMENT
- ⊙ SET STANDARD STREET MONUMENT, LS 8164
- ⊙ SET 5/8" REBAR AND CAP, LS 8164
- EAE EMERGENCY ACCESS EASEMENT
- EVAE EMERGENCY VEHICLE ACCESS EASEMENT
- PSDE PRIVATE STORM DRAIN EASEMENT
- SSE SANITARY SEWER EASEMENT
- SWE SIDEWALK EASEMENT
- PUE PUBLIC UTILITY EASEMENT
- PWLE PRIVATE WATER LINE EASEMENT
- TE TRAIL EASEMENT
- WLE WATER LINE EASEMENT
- (C#) INDICATES CONDOMINIUM LOT AND NUMBER OF UNITS



SEE SHEET 6

NO	BEARING	LENGTH
L1	N23°35'37"W	19.23'
L2	N33°21'47"W	11.84'
L3	N20°00'02"W	19.23'
L4	N10°13'52"W	11.84'

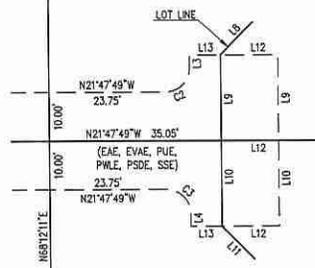
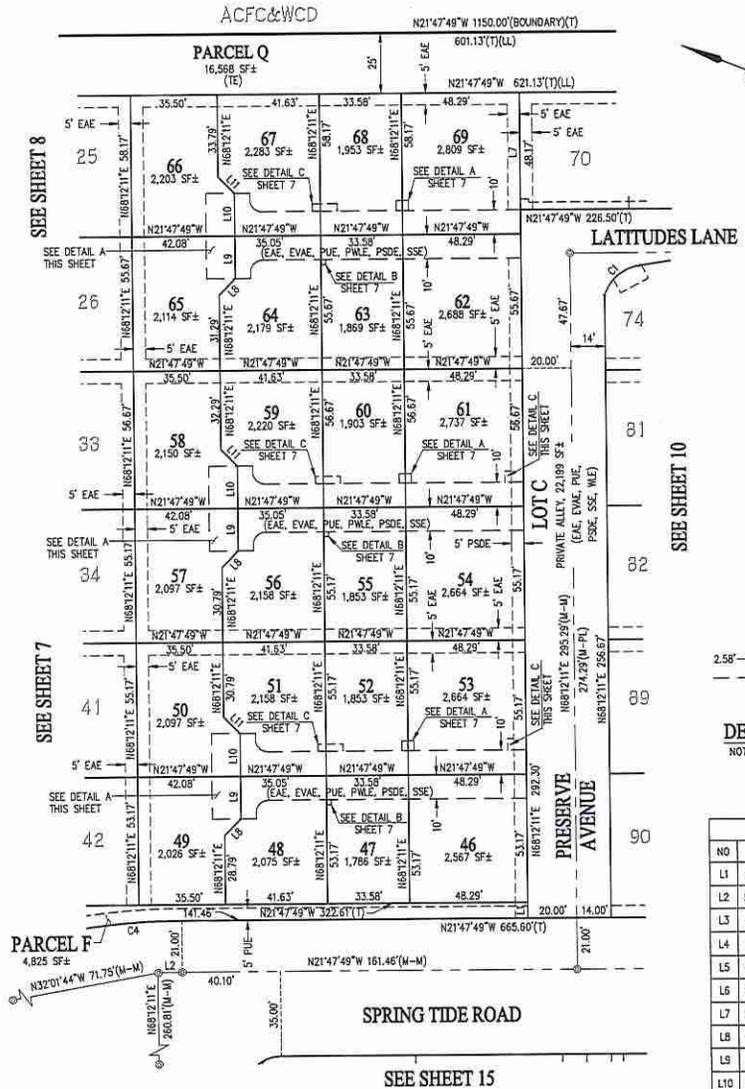
NO	BEARING	LENGTH
L5	N23°56'33"E	9.43'
L6	N68°12'11"E	17.62'
L7	N68°12'11"E	17.63'
L8	N67°32'17"W	9.43'

NO	BEARING	LENGTH
L9	N68°12'11"E	33.79'
L10	N68°12'11"E	31.29'
L11	N68°12'11"E	58.17'

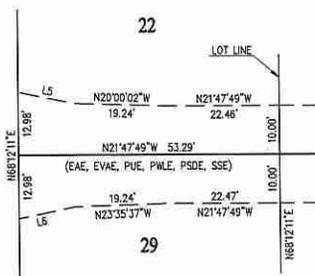
NO	RADIUS	DELTA	LENGTH
C1	20.00'	90°00'00"	31.42'
C2	20.00'	90°00'00"	31.42'

# TRACT 8085

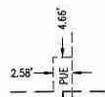
ACFC&WCD



**DETAIL A**  
TYPICAL EAE, EVAE, PUE,  
PWLE, PSDE, SSE EASEMENT  
NOT TO SCALE



**DETAIL B**  
NOT TO SCALE



**DETAIL C**  
NOT TO SCALE

LINE TABLE		
NO	BEARING	LENGTH
L1	N68°12'11"E	6.45'
L2	N22°54'03"W	9.90'
L3	N68°12'11"E	2.63'
L4	N68°12'11"E	2.62'
L5	N101°3'52"W	11.84'
L6	N33°21'47"W	11.84'
L7	N68°12'11"E	58.17'
L8	N67°32'17"W	9.43'
L9	N68°12'11"E	17.63'
L10	N68°12'11"E	17.62'

LINE TABLE		
NO	BEARING	LENGTH
L11	N23°56'33"E	9.43'
L12	N21°47'49"W	11.71'
L13	N21°47'49"W	6.29'

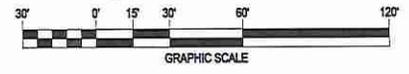
CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	18.00'	63°32'59"	19.96'
C2	5.00'	90°00'00"	7.85'
C3	5.00'	90°00'00"	7.85'
C4	278.00'	187°5'22"	88.58'

# TRACT 8085

CITY OF NEWARK, ALAMEDA COUNTY, CALIFORNIA  
FOR CONDOMINIUM AND SINGLE FAMILY RESIDENCE PURPOSES  
BEING A SUBDIVISION OF A PORTION OF HICKORY AVENUE, AND  
THOSE CERTAIN PARCELS OF LAND DESCRIBED IN DEEDS RECORDED  
SEPTEMBER 18, 2013, INSTRUMENT NOS. 2013-310645 AND 2013-310647,  
OFFICIAL RECORDS OF ALAMEDA COUNTY

**Carlson, Barbee & Gibson, Inc.**  
CIVIL ENGINEERS • SURVEYORS • PLANNERS  
SAN RAMON, CALIFORNIA

SCALE: 1" = 30' APRIL 2016



## BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CENTERLINE OF HICKORY STREET BETWEEN TWO FOUND IRON PIPES IS TAKEN AS NORTH 21°48'56" WEST AND ROTATED 0°00'27" COUNTERCLOCKWISE FROM THE BASIS OF BEARINGS AS SHOWN ON PARCEL MAP 9837 (315 PM 84). THE BEARINGS SHOWN HEREON ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM ZONE 3 (NAD 83). DISTANCES SHOWN HEREON ARE GROUND DISTANCES. MULTIPLY THE DISTANCES SHOWN BY 0.9999378 TO OBTAIN GRID DISTANCES. SEE NOTE 1 ON SHEET 3 FOR ADDITIONAL INFORMATION.

## LEGEND

- SUBDIVISION BOUNDARY LINE
- RIGHT OF WAY LINE
- LOT LINE
- - - EASEMENT LINE
- CENTERLINE
- MONUMENT LINE
- (R) RADIAL
- (T) TOTAL
- (M-M) MONUMENT TO MONUMENT
- (M-CL) MONUMENT TO CENTERLINE
- (M-PL) MONUMENT TO PROPERTY LINE
- (LL) LOT LINE
- ⊙ FOUND STANDARD STREET MONUMENT
- ⊙ SET STANDARD STREET MONUMENT, LS B164
- SET 5/8" REBAR AND CAP, LS B164
- EAE EMERGENCY ACCESS EASEMENT
- EVAE EMERGENCY VEHICLE ACCESS EASEMENT
- PSDE PRIVATE STORM DRAIN EASEMENT
- SSE SANITARY SEWER EASEMENT
- SWE SIDEWALK EASEMENT
- PUE PUBLIC UTILITY EASEMENT
- PWLE PRIVATE WATER LINE EASEMENT
- TE TRAIL EASEMENT
- WLE WATER LINE EASEMENT
- (C#) INDICATES CONDOMINIUM LOT AND NUMBER OF UNITS

# TRACT 8085

# TRACT 8085

CITY OF NEWARK, ALAMEDA COUNTY, CALIFORNIA  
 FOR CONDOMINIUM AND SINGLE FAMILY RESIDENCE PURPOSES  
 BEING A SUBDIVISION OF A PORTION OF HICKORY AVENUE, AND  
 THOSE CERTAIN PARCELS OF LAND DESCRIBED IN DEEDS RECORDED  
 SEPTEMBER 18, 2013, INSTRUMENT NOS. 2013-310645 AND 2013-310647,  
 OFFICIAL RECORDS OF ALAMEDA COUNTY

**Carlson, Barbee & Gibson, Inc.**

CIVIL ENGINEERS • SURVEYORS • PLANNERS  
 SAN RAMON, CALIFORNIA

SCALE: 1" = 30' APRIL 2016



## BASIS OF BEARINGS:

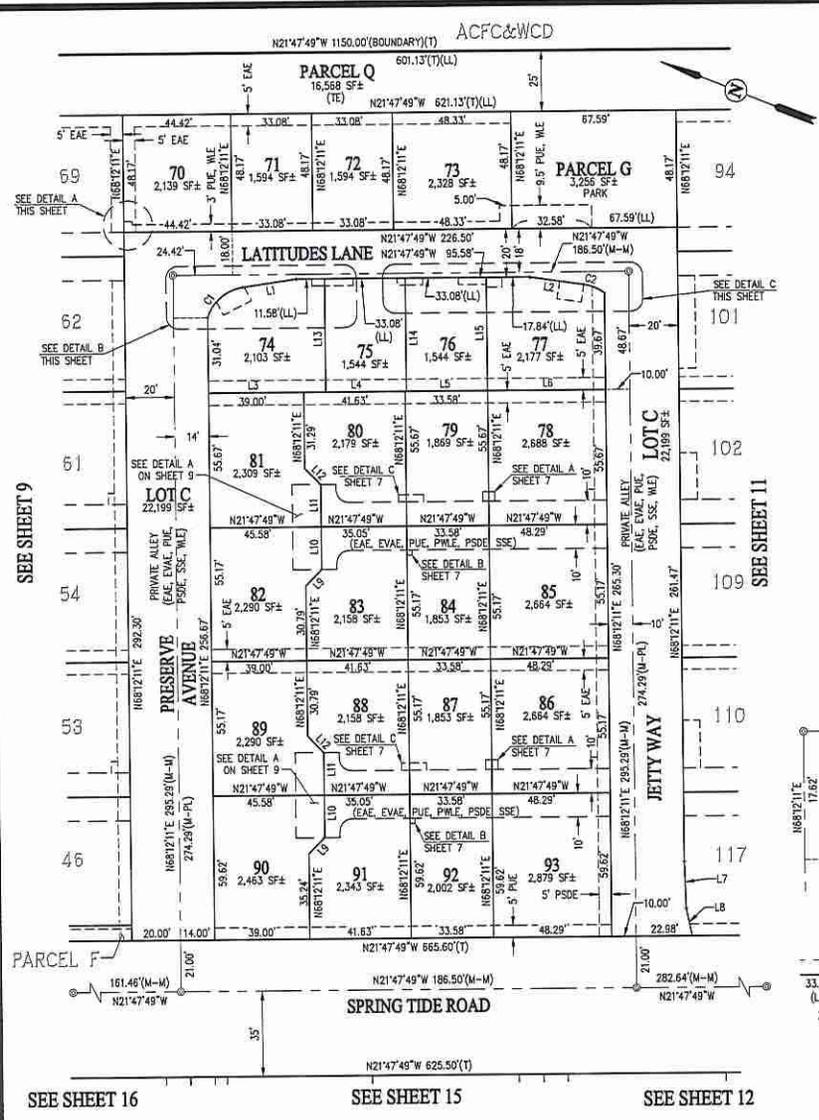
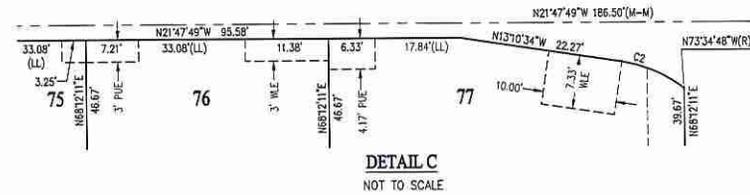
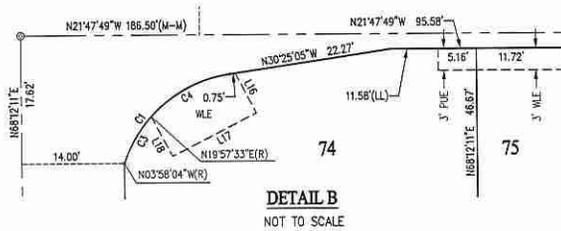
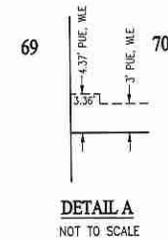
SEE SHEET 3

## LEGEND

- SUBDIVISION BOUNDARY LINE
- RIGHT OF WAY LINE
- LOT LINE
- - - EASEMENT LINE
- - - CENTERLINE
- - - MONUMENT LINE
- (R) RADIAL
- (T) TOTAL
- (M-M) MONUMENT TO MONUMENT
- (M-CL) MONUMENT TO CENTERLINE
- (M-PL) MONUMENT TO PROPERTY LINE
- (LL) LOT LINE
- ⊙ FOUND STANDARD STREET MONUMENT
- ⊙ SET STANDARD STREET MONUMENT, LS 8164
- ⊙ SET 5/8" REBAR AND CAP, LS 8164
- EAE EMERGENCY ACCESS EASEMENT
- EVAE EMERGENCY VEHICLE ACCESS EASEMENT
- PSDE PRIVATE STORM DRAIN EASEMENT
- SSE SANITARY SEWER EASEMENT
- SWE SIDEWALK EASEMENT
- PUE PUBLIC UTILITY EASEMENT
- PWLE PRIVATE WATER LINE EASEMENT
- TE TRAIL EASEMENT
- WLE WATER LINE EASEMENT
- (C-#) INDICATES CONDOMINIUM LOT AND NUMBER OF UNITS

LINE TABLE		
NO	BEARING	LENGTH (LL)
L1	N30°25'05"W	22.27'
L2	N13°10'34"W	22.27'
L3	N21°47'49"W	48.04'
L4	N21°47'49"W	33.08'
L5	N21°47'49"W	33.08'
L6	N21°47'49"W	48.29'
L7	N66°24'23"E	19.23'
L8	N56°39'13"E	11.84'
L9	N67°32'17"W	9.43'
L10	N68°12'11"E	17.63'
L11	N68°12'11"E	17.62'
L12	N23°56'33"E	9.43'
L13	N68°12'11"E	46.67'
L14	N68°12'11"E	46.67'
L15	N68°12'11"E	46.67'
L16	N40°45'49"E	6.20'
L17	N48°14'11"W	12.91'
L18	N40°45'49"E	6.23'

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH (LL)
C1	18.00'	63°32'58"	19.96'
C2	18.00'	29°55'46"	9.30'
C3	18.00'	23°55'37"	7.51'
C4	18.00'	39°37'22"	12.45'



ACFC&WCD

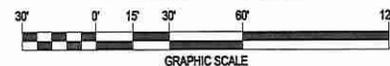
# TRACT 8085

CITY OF NEWARK, ALAMEDA COUNTY, CALIFORNIA  
 FOR CONDOMINIUM AND SINGLE FAMILY RESIDENCE PURPOSES  
 BEING A SUBDIVISION OF A PORTION OF HICKORY AVENUE, AND  
 THESE CERTAIN PARCELS OF LAND DESCRIBED IN DEEDS RECORDED  
 SEPTEMBER 18, 2013, INSTRUMENT NOS. 2013-310645 AND 2013-310647,  
 OFFICIAL RECORDS OF ALAMEDA COUNTY

**Carlson, Barbee & Gibson, Inc.**

CIVIL ENGINEERS • SURVEYORS • PLANNERS  
 SAN RAMON, CALIFORNIA

SCALE: 1" = 30' APRIL 2016



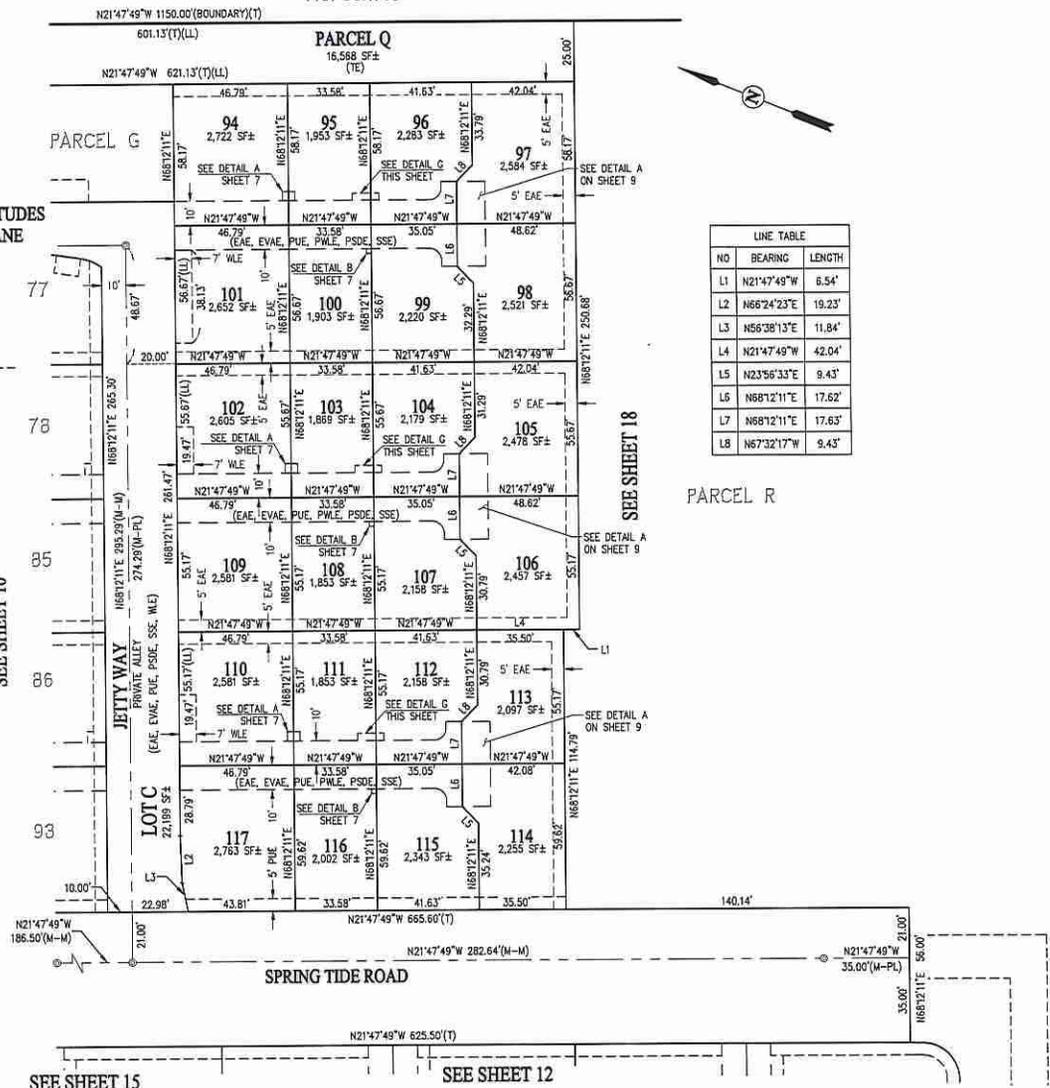
## BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CENTERLINE OF HICKORY STREET BETWEEN TWO FOUND IRON PIPES IS TAKEN AS NORTH 21°48'56" WEST AND ROTATED 0°00'27" COUNTERCLOCKWISE FROM THE BASIS OF BEARINGS AS SHOWN ON PARCEL MAP 9837 (315 PM 84). THE BEARINGS SHOWN HEREON ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM ZONE 3 (NAD 83). DISTANCES SHOWN HEREON ARE GROUND DISTANCES. MULTIPLY THE DISTANCES SHOWN BY 0.9999378 TO OBTAIN GRID DISTANCES. SEE NOTE 1 ON SHEET 3 FOR ADDITIONAL INFORMATION.

## LEGEND

- SUBDIVISION BOUNDARY LINE
- RIGHT OF WAY LINE
- LOT LINE
- EASEMENT LINE
- CENTERLINE
- MONUMENT LINE
- (R) RADIAL
- (T) TOTAL
- (M-M) MONUMENT TO MONUMENT
- (M-CL) MONUMENT TO CENTERLINE
- (M-PL) MONUMENT TO PROPERTY LINE
- (LL) LOT LINE
- ⊙ FOUND STANDARD STREET MONUMENT
- ⊙ SET STANDARD STREET MONUMENT, LS B164
- ⊙ SET 5/8" REBAR AND CAP, LS B164
- EAE EMERGENCY ACCESS EASEMENT
- EVAE EMERGENCY VEHICLE ACCESS EASEMENT
- PSDE PRIVATE STORM DRAIN EASEMENT
- SSE SANITARY SEWER EASEMENT
- SWE SIDEWALK EASEMENT
- PUE PUBLIC UTILITY EASEMENT
- PWLE PRIVATE WATER LINE EASEMENT
- TE TRAIL EASEMENT
- WLE WATER LINE EASEMENT
- (Cf) INDICATES CONDOMINIUM LOT AND NUMBER OF UNITS

LINE TABLE		
NO	BEARING	LENGTH
L1	N21°47'49"W	6.54'
L2	N66°24'23"E	19.23'
L3	N66°30'13"E	11.84'
L4	N21°47'49"W	42.04'
L5	N23°56'33"E	9.43'
L6	N68°12'11"E	17.62'
L7	N68°12'11"E	17.65'
L8	N67°32'17"W	9.45'



DETAIL G  
 NOT TO SCALE

SEE SHEET 10

SEE SHEET 18

SEE SHEET 15

SEE SHEET 12

# TRACT 8085

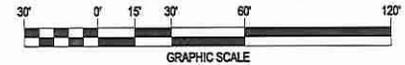
# TRACT 8085

CITY OF NEWARK, ALAMEDA COUNTY, CALIFORNIA  
 FOR CONDOMINIUM AND SINGLE FAMILY RESIDENCE PURPOSES  
 BEING A SUBDIVISION OF A PORTION OF HICKORY AVENUE, AND  
 THOSE CERTAIN PARCELS OF LAND DESCRIBED IN DEEDS RECORDED  
 SEPTEMBER 18, 2013, INSTRUMENT NOS. 2013-310645 AND 2013-310647,  
 OFFICIAL RECORDS OF ALAMEDA COUNTY

**Carlson, Barbee & Gibson, Inc.**

CIVIL ENGINEERS • SURVEYORS • PLANNERS  
 SAN RAMON, CALIFORNIA

SCALE: 1" = 30' APRIL 2016



NO	BEARING	LENGTH
L1	N68°12'11"E	17.58'
L2	N88°12'11"E	35.67'
L3	N68°12'11"E	32.50'
L4	N88°12'11"E	32.92'
L5	N68°12'11"E	32.91'
L6	N88°12'11"E	34.59'
L7	N68°12'11"E	18.83'
L8	N88°12'11"E	2.58'

NO	RADIUS	DELTA	LENGTH
C1	222.00'	1°23'43"	5.41'
C2	15.00'	91°49'06"	24.04'
C3	1030.00'	0°09'48"	2.94'
C4	1030.00'	1°55'30"	34.51'
C5	1030.00'	1°07'31"	20.23'
C6	1030.00'	3°12'49"	57.78'
C7	15.00'	90°00'00"	23.56'
C8	15.00'	90°00'00"	23.56'

## BASIS OF BEARINGS:

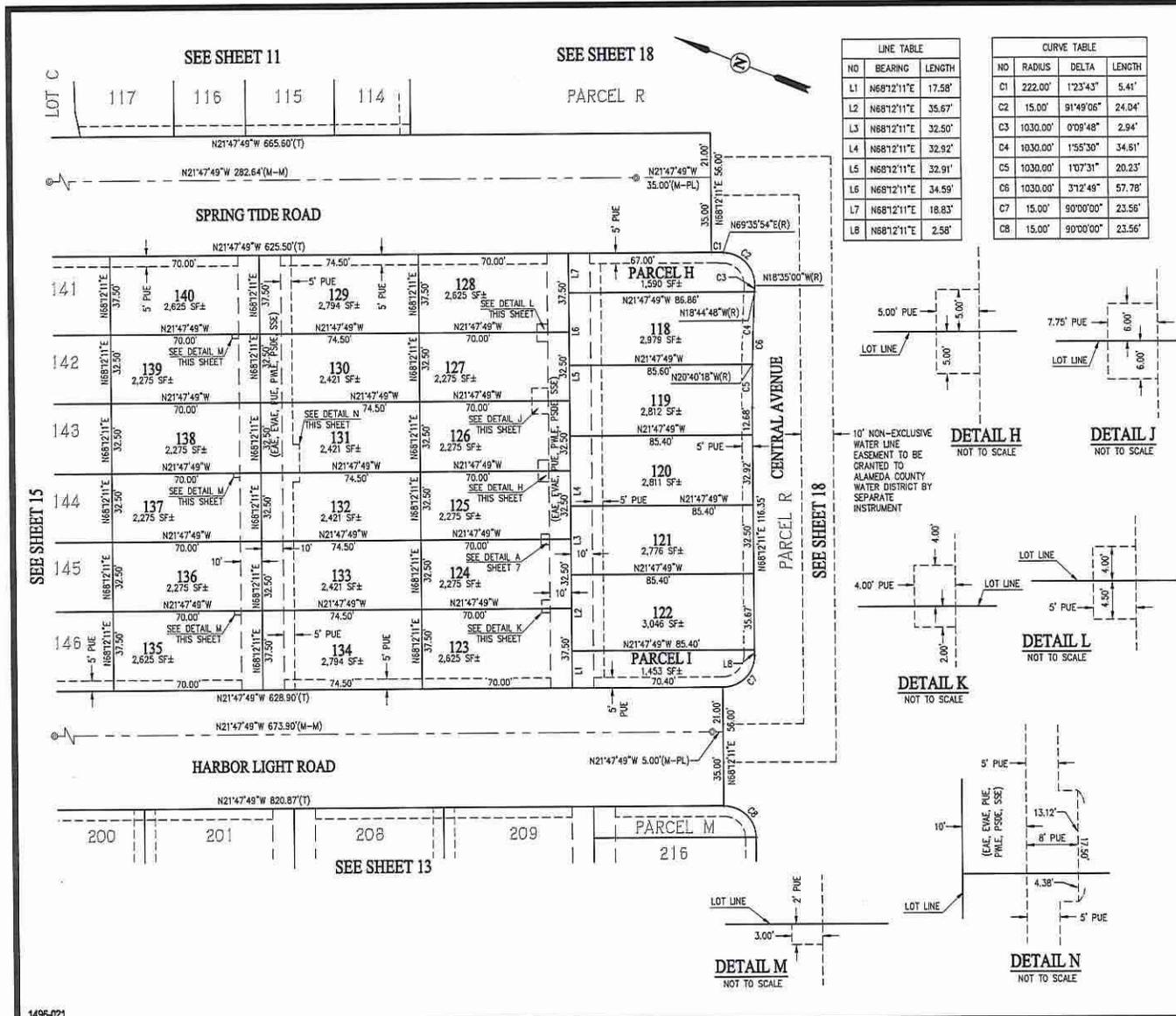
THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CENTERLINE OF HICKORY STREET BETWEEN TWO FOUND IRON PIPES IS TAKEN AS NORTH 21°48'56" WEST AND ROTATED 00°00'27" COUNTERCLOCKWISE FROM THE BASIS OF BEARINGS AS SHOWN ON PARCEL MAP 9837 (315 PM 84). THE BEARINGS SHOWN HEREON ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM ZONE 3 (NAD 83). DISTANCES SHOWN HEREON ARE GROUND DISTANCES. MULTIPLY THE DISTANCES SHOWN BY 0.9999378 TO OBTAIN GRID DISTANCES. SEE NOTE 1 ON SHEET 3 FOR ADDITIONAL INFORMATION.

## LEGEND

- SUBDIVISION BOUNDARY LINE
- RIGHT OF WAY LINE
- LOT LINE
- - - EASEMENT LINE
- CENTERLINE
- MONUMENT LINE
- (R) RADIAL
- (T) TOTAL
- (M-M) MONUMENT TO MONUMENT
- (M-CL) MONUMENT TO CENTERLINE
- (M-PL) MONUMENT TO PROPERTY LINE
- (LL) LOT LINE
- ⊙ FOUND STANDARD STREET MONUMENT
- ⊙ SET STANDARD STREET MONUMENT, LS 8164
- SET 5/8" REBAR AND CAP, LS 8164
- EAE EMERGENCY ACCESS EASEMENT
- EVAE EMERGENCY VEHICLE ACCESS EASEMENT
- PSDE PRIVATE STORM DRAIN EASEMENT
- SSE SANITARY SEWER EASEMENT
- SWE SIDEWALK EASEMENT
- PUE PUBLIC UTILITY EASEMENT
- PWLE PRIVATE WATER LINE EASEMENT
- TE TRAIL EASEMENT
- WLE WATER LINE EASEMENT
- (C#) INDICATES CONDOMINIUM LOT AND NUMBER OF UNITS

# TRACT 8085

SHEET 12 OF 18



1496-021

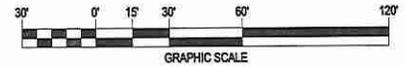
# TRACT 8085

CITY OF NEWARK, ALAMEDA COUNTY, CALIFORNIA  
 FOR CONDOMINIUM AND SINGLE FAMILY RESIDENCE PURPOSES  
 BEING A SUBDIVISION OF A PORTION OF HICKORY AVENUE, AND  
 THOSE CERTAIN PARCELS OF LAND DESCRIBED IN DEEDS RECORDED,  
 SEPTEMBER 18, 2013, INSTRUMENT NOS. 2013-310645 AND 2013-310647,  
 OFFICIAL RECORDS OF ALAMEDA COUNTY

**Carlson, Barbee & Gibson, Inc.**

CIVIL ENGINEERS • SURVEYORS • PLANNERS  
 SAN RAMON, CALIFORNIA

SCALE: 1" = 30' APRIL 2016

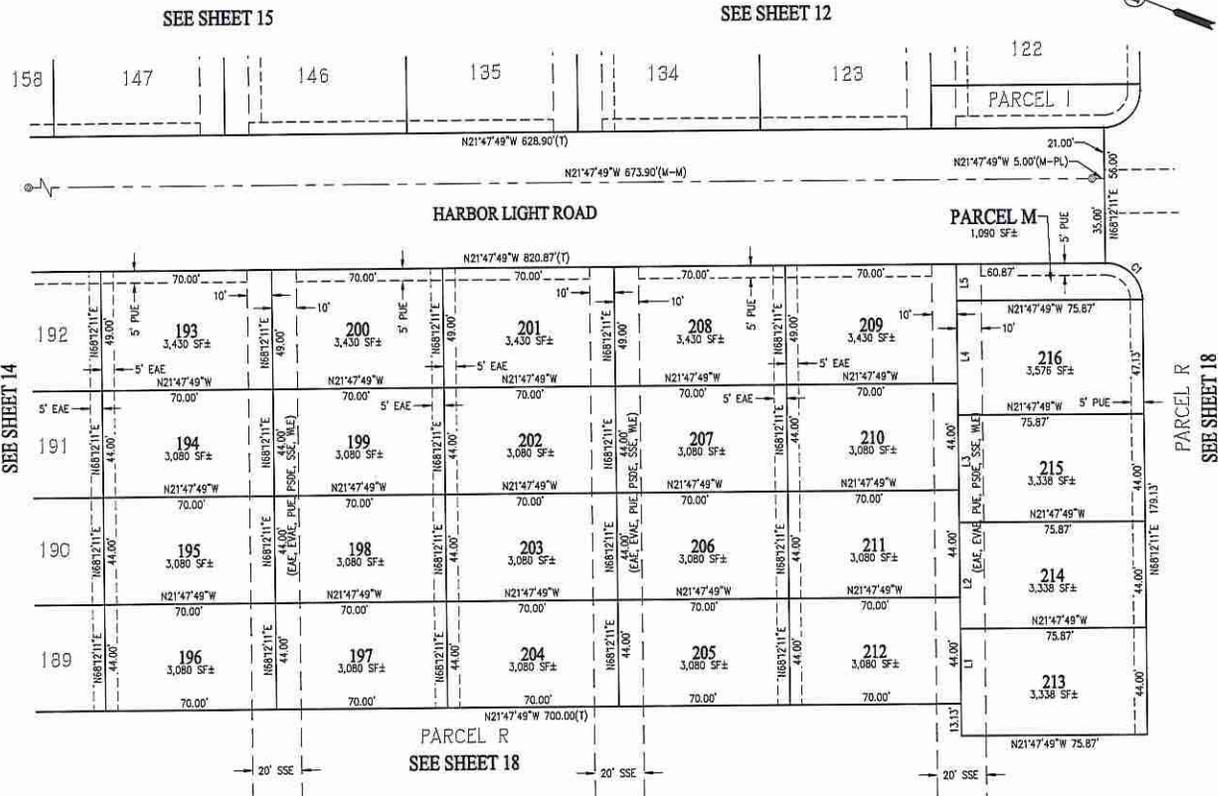


## BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CENTERLINE OF HICKORY STREET BETWEEN TWO FOUND IRON PIPES IS TAKEN AS NORTH 21°48'56" WEST AND ROTATED 00°00'27" COUNTERCLOCKWISE FROM THE BASIS OF BEARINGS AS SHOWN ON PARCEL MAP 9837 (315 PM 84). THE BEARINGS SHOWN HEREON ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM ZONE 3 (NAD 83). DISTANCES SHOWN HEREON ARE GROUND DISTANCES. MULTIPLY THE DISTANCES SHOWN BY 0.9999378 TO OBTAIN GRID DISTANCES. SEE NOTE 1 ON SHEET 3 FOR ADDITIONAL INFORMATION.

## LEGEND

- SUBDIVISION BOUNDARY LINE
- RIGHT OF WAY LINE
- LOT LINE
- EASEMENT LINE
- CENTERLINE
- MONUMENT LINE
- (R) RADIAL
- (T) TOTAL
- (M-M) MONUMENT TO MONUMENT
- (M-CL) MONUMENT TO CENTERLINE
- (M-PL) MONUMENT TO PROPERTY LINE
- (LL) LOT LINE
- ⊙ FOUND STANDARD STREET MONUMENT
- ⊙ SET STANDARD STREET MONUMENT, LS 8164
- ⊙ SET 5/8" REBAR AND CAP, LS 8164
- EAE EMERGENCY ACCESS EASEMENT
- EVAE EMERGENCY VEHICLE ACCESS EASEMENT
- PSDE PRIVATE STORM DRAIN EASEMENT
- SSE SANITARY SEWER EASEMENT
- SWE SIDEWALK EASEMENT
- PUE PUBLIC UTILITY EASEMENT
- PWLE PRIVATE WATER LINE EASEMENT
- TE TRAIL EASEMENT
- WLE WATER LINE EASEMENT
- (C#) INDICATES CONDOMINIUM LOT AND NUMBER OF UNITS



LINE TABLE		
NO.	BEARING	LENGTH
L1	N68°12'11"E	44.00
L2	N68°12'11"E	44.00
L3	N68°12'11"E	44.00
L4	N68°12'11"E	47.13
L5	N68°12'11"E	15.00

CURVE TABLE			
NO.	RADIUS	DELTA	LENGTH
C1	15.00'	90°00'00"	23.56'

# TRACT 8085

CITY OF NEWARK, ALAMEDA COUNTY, CALIFORNIA  
 FOR CONDOMINIUM AND SINGLE FAMILY RESIDENCE PURPOSES  
 BEING A SUBDIVISION OF A PORTION OF HICKORY AVENUE, AND  
 THOSE CERTAIN PARCELS OF LAND DESCRIBED IN DEEDS RECORDED  
 SEPTEMBER 18, 2013, INSTRUMENT NOS. 2013-310645 AND 2013-310647,  
 OFFICIAL RECORDS OF ALAMEDA COUNTY

**Carlson, Barbee & Gibson, Inc.**

CIVIL ENGINEERS • SURVEYORS • PLANNERS  
 SAN RAMON, CALIFORNIA

SCALE: 1" = 30' APRIL 2016

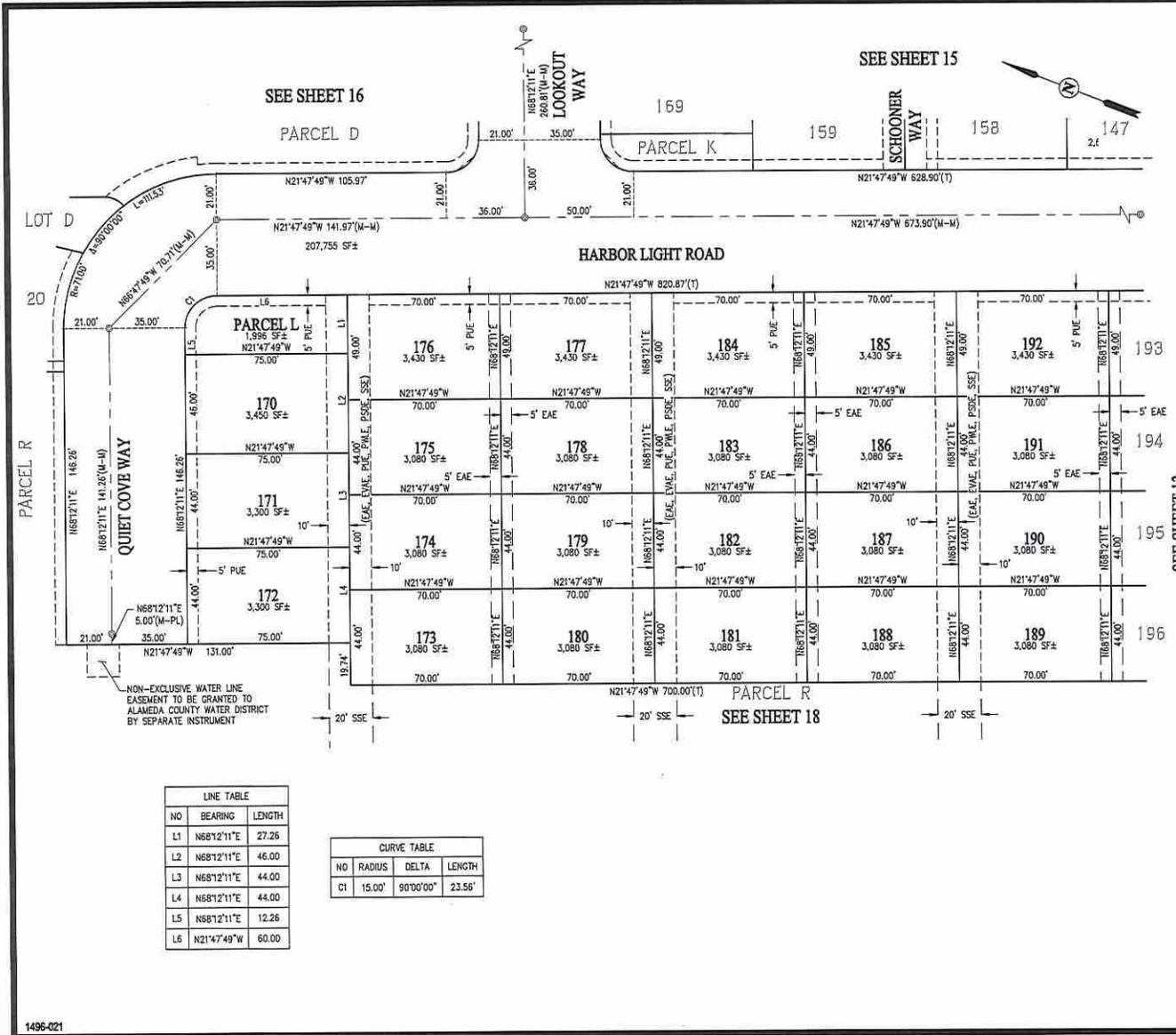


## BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CENTERLINE OF HICKORY STREET BETWEEN TWO FOUND IRON PIPES IS TAKEN AS NORTH 21°48'56" WEST AND ROTATED 0°00'27" COUNTERCLOCKWISE FROM THE BASIS OF BEARINGS AS SHOWN ON PARCEL MAP 9537 (315 PM 84). THE BEARINGS SHOWN HEREON ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM ZONE 3 (NAD 83). DISTANCES SHOWN HEREON ARE GROUND DISTANCES. MULTIPLY THE DISTANCES SHOWN BY 0.9999378 TO OBTAIN GRID DISTANCES. SEE NOTE 1 ON SHEET 3 FOR ADDITIONAL INFORMATION.

## LEGEND

- SUBDIVISION BOUNDARY LINE
- RIGHT OF WAY LINE
- LOT LINE
- EASEMENT LINE
- CENTERLINE
- MONUMENT LINE
- (R) RADIAL
- (T) TOTAL
- (M-M) MONUMENT TO MONUMENT
- (M-CL) MONUMENT TO CENTERLINE
- (M-PL) MONUMENT TO PROPERTY LINE
- (LL) LOT LINE
- ⊙ FOUND STANDARD STREET MONUMENT
- ⊙ SET STANDARD STREET MONUMENT, LS 8164
- ⊙ SET 5/8" REBAR AND CAP, LS 8164
- EAE EMERGENCY ACCESS EASEMENT
- EVAE EMERGENCY VEHICLE ACCESS EASEMENT
- PSDE PRIVATE STORM DRAIN EASEMENT
- SSE SANITARY SEWER EASEMENT
- SWE SIDEWALK EASEMENT
- PUE PUBLIC UTILITY EASEMENT
- PWLE PRIVATE WATER LINE EASEMENT
- TE TRAIL EASEMENT
- WLE WATER LINE EASEMENT
- (C#) INDICATES CONDOMINIUM LOT AND NUMBER OF UNITS



NO	BEARING	LENGTH
L1	N68°12'11"E	27.26
L2	N68°12'11"E	46.00
L3	N68°12'11"E	44.00
L4	N68°12'11"E	44.00
L5	N68°12'11"E	12.26
L6	N21°47'49"W	60.00

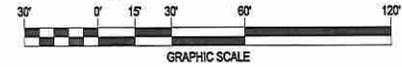
NO	RADIUS	DELTA	LENGTH
C1	15.00'	90°00'00"	23.56'

# TRACT 8085

CITY OF NEWARK, ALAMEDA COUNTY, CALIFORNIA  
 FOR CONDOMINIUM AND SINGLE FAMILY RESIDENCE PURPOSES  
 BEING A SUBDIVISION OF A PORTION OF HICKORY AVENUE, AND  
 THOSE CERTAIN PARCELS OF LAND DESCRIBED IN DEEDS RECORDED  
 SEPTEMBER 18, 2013, INSTRUMENT NOS. 2013-310645 AND 2013-310647,  
 OFFICIAL RECORDS OF ALAMEDA COUNTY

**Carlson, Barbee & Gibson, Inc.**  
 CIVIL ENGINEERS • SURVEYORS • PLANNERS  
 SAN RAMON, CALIFORNIA

SCALE: 1" = 30' APRIL 2016



## BASIS OF BEARINGS:

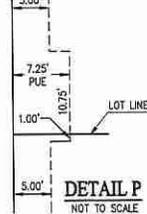
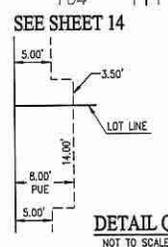
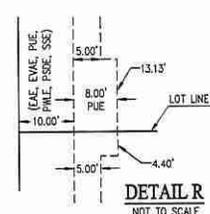
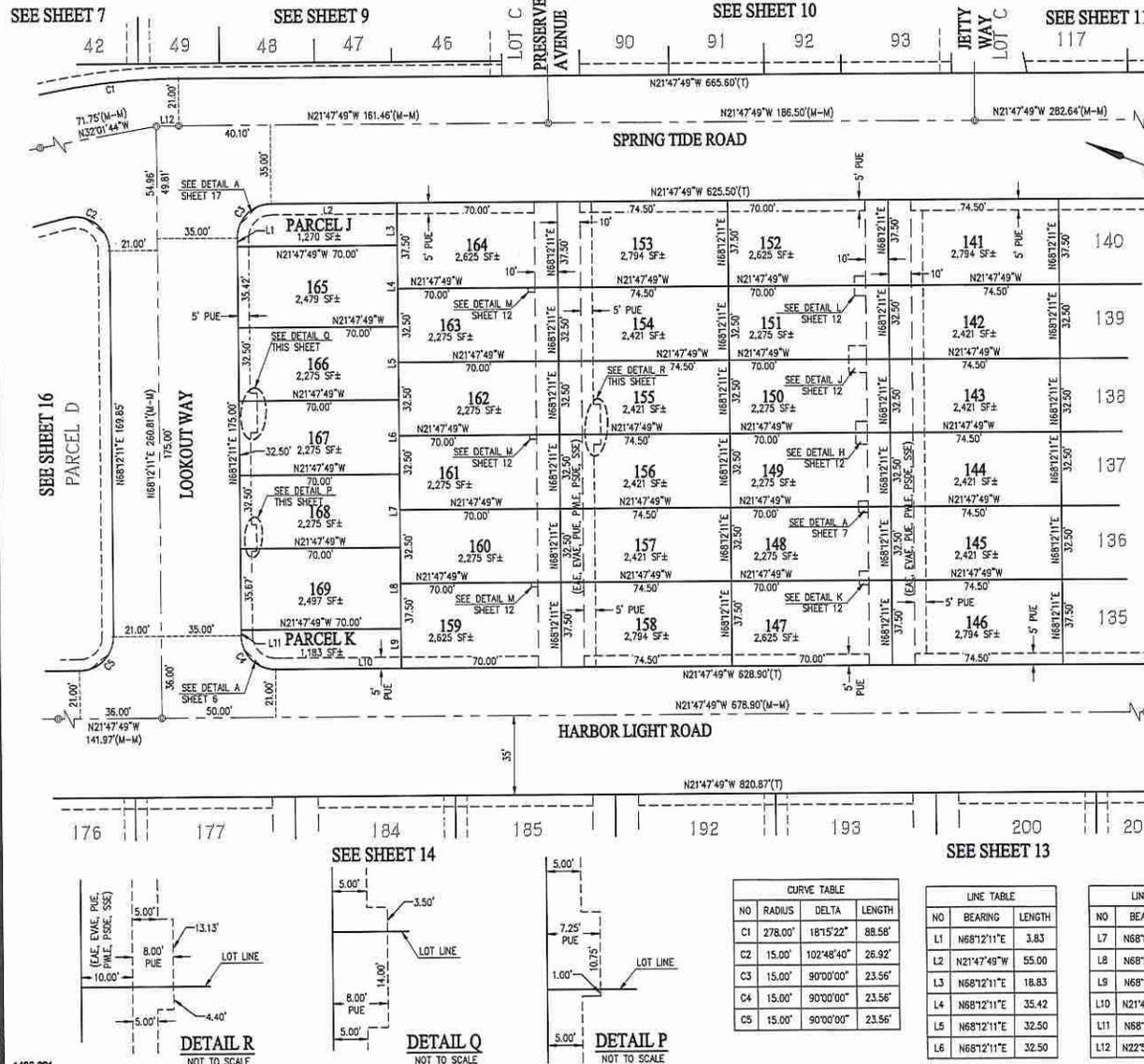
THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CENTERLINE OF HICKORY STREET BETWEEN TWO FOUND IRON PIPES IS TAKEN AS NORTH 21°45'58" WEST AND ROTATED 0°00'27" COUNTERCLOCKWISE FROM THE BASIS OF BEARINGS AS SHOWN ON PARCEL MAP 9837 (315 PM 84). THE BEARINGS SHOWN HEREON ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM ZONE 3 (NAD 83). DISTANCES SHOWN HEREON ARE GROUND DISTANCES. MULTIPLY THE DISTANCES SHOWN BY 0.9999378 TO OBTAIN GRID DISTANCES. SEE NOTE 1 ON SHEET 3 FOR ADDITIONAL INFORMATION.

## LEGEND

- SUBDIVISION BOUNDARY LINE
- RIGHT OF WAY LINE
- LOT LINE
- - - EASEMENT LINE
- CENTERLINE
- MONUMENT LINE
- (R) RADIAL
- (T) TOTAL
- (M-M) MONUMENT TO MONUMENT
- (M-CL) MONUMENT TO CENTERLINE
- (M-PL) MONUMENT TO PROPERTY LINE
- (LL) LOT LINE
- ⊙ FOUND STANDARD STREET MONUMENT
- ⊙ SET STANDARD STREET MONUMENT, LS 8164
- SET 5/8" REBAR AND CAP, LS 8164
- EAE EMERGENCY ACCESS EASEMENT
- EVAE EMERGENCY VEHICLE ACCESS EASEMENT
- PSDE PRIVATE STORM DRAIN EASEMENT
- SSE SANITARY SEWER EASEMENT
- SWE SIDEWALK EASEMENT
- PUE PUBLIC UTILITY EASEMENT
- PWLE PRIVATE WATER LINE EASEMENT
- TE TRAIL EASEMENT
- WLE WATER LINE EASEMENT
- (M-M) INDICATES CONDOMINIUM LOT AND NUMBER OF UNITS

# TRACT 8085

SHEET 15 OF 18



CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	278.00'	181°5'22"	88.58'
C2	15.00'	102°48'40"	26.92'
C3	15.00'	90°00'00"	23.56'
C4	15.00'	90°00'00"	23.56'
C5	15.00'	90°00'00"	23.56'

LINE TABLE		
NO	BEARING	LENGTH
L1	N68°12'11"E	3.83
L2	N21°47'49"W	55.00
L3	N68°12'11"E	18.83
L4	N68°12'11"E	35.42
L5	N68°12'11"E	32.50
L6	N68°12'11"E	32.50

LINE TABLE		
NO	BEARING	LENGTH
L7	N68°12'11"E	32.50
L8	N68°12'11"E	35.67
L9	N68°12'11"E	17.58
L10	N21°47'49"W	55.00
L11	N68°12'11"E	2.58
L12	N22°54'03"W	9.90 (M-M)

# TRACT 8085

CITY OF NEWARK, ALAMEDA COUNTY, CALIFORNIA  
 FOR CONDOMINIUM AND SINGLE FAMILY RESIDENCE PURPOSES  
 BEING A SUBDIVISION OF A PORTION OF HICKORY AVENUE, AND  
 THOSE CERTAIN PARCELS OF LAND DESCRIBED IN DEEDS RECORDED  
 SEPTEMBER 18, 2013, INSTRUMENT NOS. 2013-310645 AND 2013-310647,  
 OFFICIAL RECORDS OF ALAMEDA COUNTY

**Carlson, Barbee & Gibson, Inc.**  
 CIVIL ENGINEERS • SURVEYORS • PLANNERS  
 SAN RAMON, CALIFORNIA

SCALE: 1" = 30' APRIL 2016



## BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CENTERLINE OF HICKORY STREET BETWEEN TWO FOUND IRON PIPES IS TAKEN AS NORTH 21°45'56" WEST AND ROTATED 00°00'27" COUNTERCLOCKWISE FROM THE BASIS OF BEARINGS AS SHOWN ON PARCEL MAP 9837 (315 PM 84). THE BEARINGS SHOWN HEREON ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM ZONE 3 (NAD 83). DISTANCES SHOWN HEREON ARE GROUND DISTANCES. MULTIPLY THE DISTANCES SHOWN BY 0.9999378 TO OBTAIN GRID DISTANCES. SEE NOTE 1 ON SHEET 3 FOR ADDITIONAL INFORMATION.

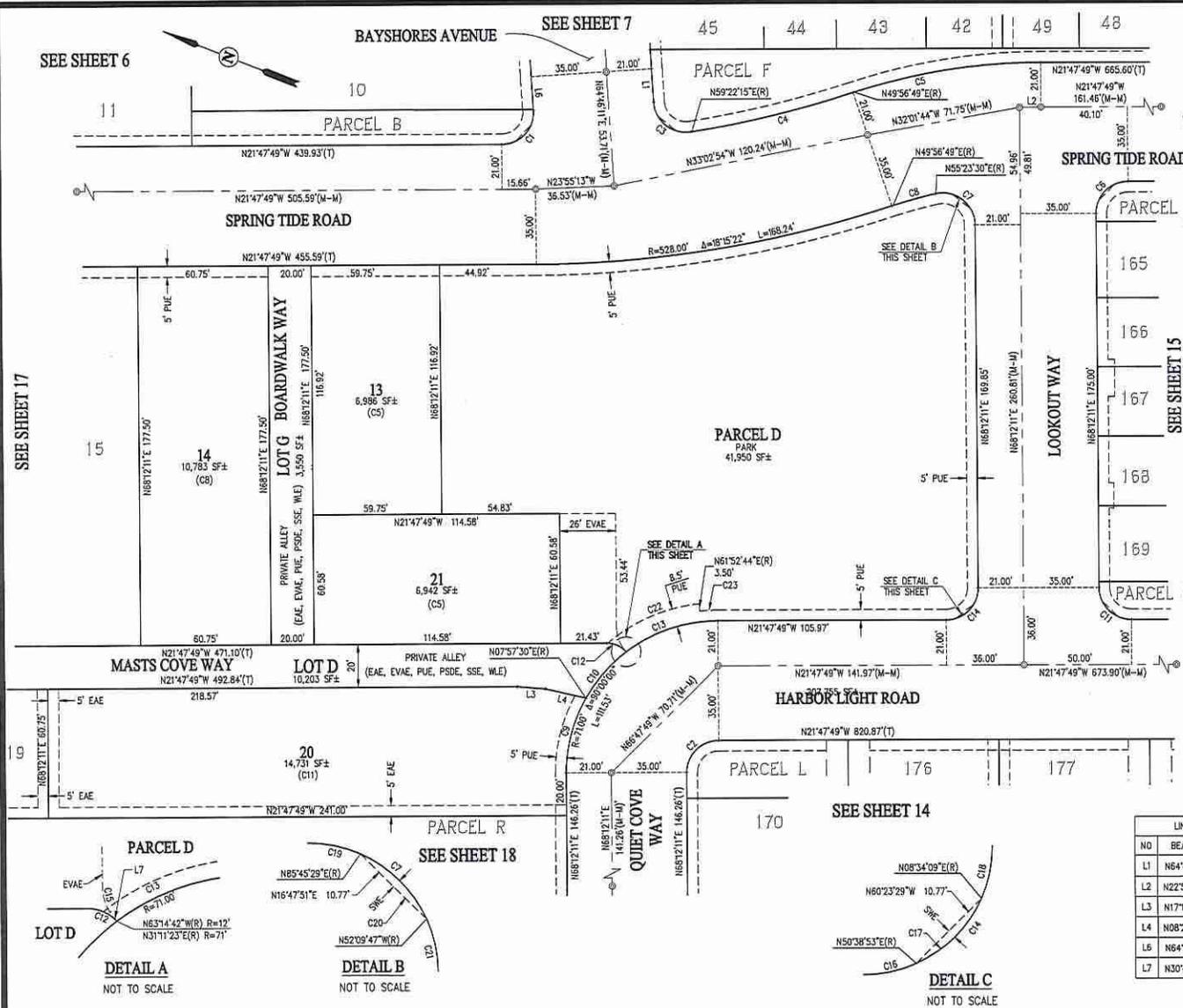
## LEGEND:

SEE SHEET 4

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	15.00'	93°25'59"	24.46'
C2	15.00'	90°00'00"	23.56'
C3	15.00'	95°23'56"	24.98'
C4	472.00'	9°25'26"	77.63'
C5	278.00'	18°15'22"	88.58'
C6	15.00'	90°00'00"	23.56'
C7	15.00'	102°48'40"	26.92'
C8	222.00'	5°26'41"	21.10'
C9	71.00'	28°45'19"	36.87'
C10	71.00'	231°35'3"	28.79'
C11	15.00'	90°00'00"	23.56'
C12	12.00'	48°33'07"	10.17'
C13	71.00'	37°00'48"	45.87'
C14	15.00'	90°00'00"	23.56'
C15	16.00'	37°24'29"	10.45'
C16	15.00'	173°35'18"	4.60'
C17	15.00'	42°04'44"	11.02'
C18	15.00'	30°21'58"	7.94'
C19	15.00'	30°21'58"	7.95'
C20	15.00'	42°04'44"	11.02'
C21	15.00'	30°21'58"	7.95'
C22	79.50'	33°51'13"	46.97'
C23	76.00'	6°19'27"	8.39'

LINE TABLE		
NO	BEARING	LENGTH
L1	N64°46'11"E	15.74'
L2	N22°54'03"W	9.90'
L3	N17°14'33"W	12.94'
L4	N08°26'33"W	19.42'
L5	N64°46'11"E	16.01'
L7	N30°47'42"E	1.86'

(M-M)



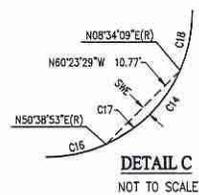
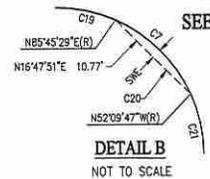
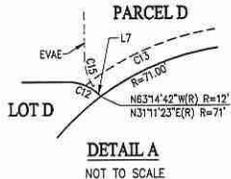
SEE SHEET 6

SEE SHEET 7

SEE SHEET 15

SEE SHEET 14

SEE SHEET 18

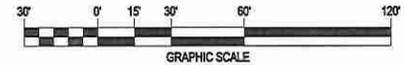


# TRACT 8085

CITY OF NEWARK, ALAMEDA COUNTY, CALIFORNIA  
FOR CONDOMINIUM AND SINGLE FAMILY RESIDENCE PURPOSES  
BEING A SUBDIVISION OF A PORTION OF HICKORY AVENUE, AND  
THOSE CERTAIN PARCELS OF LAND DESCRIBED IN DEEDS RECORDED  
SEPTEMBER 18, 2013, INSTRUMENT NOS. 2013-310645 AND 2013-310647,  
OFFICIAL RECORDS OF ALAMEDA COUNTY

**Carlson, Barbee & Gibson, Inc.**  
CIVIL ENGINEERS • SURVEYORS • PLANNERS  
SAN RAMON, CALIFORNIA

SCALE: 1" = 30' APRIL 2016



## BASIS OF BEARINGS:

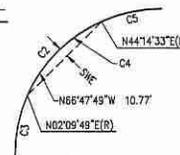
THE BASIS OF BEARINGS FOR THIS SURVEY IS THE CENTERLINE OF HICKORY STREET BETWEEN TWO FOUND IRON PIPES IS TAKEN AS NORTH 21°48'56" WEST AND ROTATED 00°00'27" COUNTERCLOCKWISE FROM THE BASIS OF BEARINGS AS SHOWN ON PARCEL MAP 9837 (315 PM 84). THE BEARINGS SHOWN HEREON ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM ZONE 3 (NAD 83). DISTANCES SHOWN HEREON ARE GROUND DISTANCES. MULTIPLY THE DISTANCES SHOWN BY 0.9999378 TO OBTAIN GRID DISTANCES. SEE NOTE 1 ON SHEET 3 FOR ADDITIONAL INFORMATION.

## LEGEND

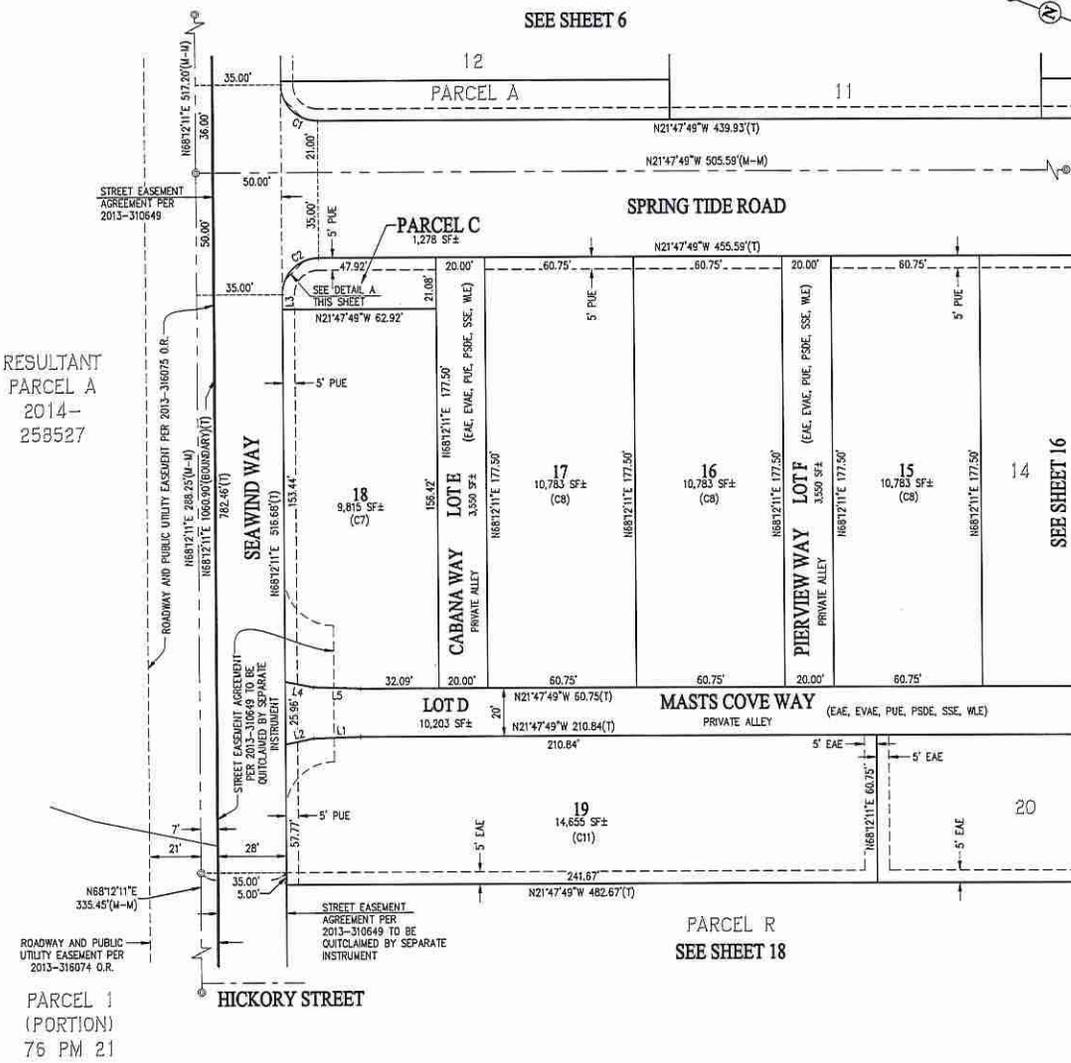
- SUBDIVISION BOUNDARY LINE
- RIGHT OF WAY LINE
- LOT LINE
- - - EASEMENT LINE
- CENTERLINE
- MONUMENT LINE
- (R) RADIAL
- (T) TOTAL
- (M-M) MONUMENT TO MONUMENT
- (M-CL) MONUMENT TO CENTERLINE
- (M-PL) MONUMENT TO PROPERTY LINE
- (LL) LOT LINE
- ⊙ FOUND STANDARD STREET MONUMENT
- ⊙ SET STANDARD STREET MONUMENT, LS 8164
- SET 5/8" REBAR AND CAP, LS 8164
- EAE EMERGENCY ACCESS EASEMENT
- EVAE EMERGENCY VEHICLE ACCESS EASEMENT
- PSDE PRIVATE STORM DRAIN EASEMENT
- SSE SANITARY SEWER EASEMENT
- SWE SIDEWALK EASEMENT
- PUE PUBLIC UTILITY EASEMENT
- PWLE PRIVATE WATER LINE EASEMENT
- TE TRAIL EASEMENT
- WLE WATER LINE EASEMENT
- (C#) INDICATES CONDOMINIUM LOT AND NUMBER OF UNITS

LINE TABLE		
NO	BEARING	LENGTH
L1	N23°35'37"W	19.23'
L2	N33°21'47"W	11.84'
L3	N68°12'11"E	6.08'
L4	N101°3'52"W	11.84'
L5	N20°00'02"W	19.23'

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	15.00'	90°00'00"	23.56'
C2	15.00'	90°00'00"	23.56'
C3	15.00'	23°57'38"	6.27'
C4	15.00'	42°04'44"	11.02'
C5	15.00'	23°57'38"	6.27'



**DETAIL A**  
NOT TO SCALE



SEE SHEET 6

SEE SHEET 16

PARCEL R  
SEE SHEET 18

RESULTANT  
PARCEL A  
2014-  
258527

PARCEL 1  
(PORTION)  
76 PM 21

**TRACT 8085**

NO	BEARING	LENGTH
L1	N68°12'11"E	56.00' (R)
L2	N68°12'11"E	56.00' (R)
L3	N21°47'49"W	140.14'
L4	N68°12'11"E	114.79'
L5	N21°47'49"W	6.54'
L6	N68°12'10"E	273.43'
L7	N21°48'56"W	30.68'
L8	N68°12'11"E	126.26'
L9	N21°47'49"W	131.00'
L10	N68°12'11"E	19.74'
L11	N68°12'11"E	13.13'
L12	N21°47'49"W	75.87'
L13	N68°12'11"E	116.35'
L14	N68°12'11"E	141.26' (M-M)
L15	N66°47'49"W	70.71' (M-M)
L16	N21°47'49"W	673.90' (M-M)
L17	N21°47'49"W	282.64' (M-M)
L18	N68°12'11"E	288.25' (M-M)
L19	N21°48'56"W	125.00' (M-M)
L20	N68°21'39"E	70.92'
L21	N69°33'19"W	21.51'
L22	N68°12'11"E	79.86'

NO	BEARING	LENGTH
L23	N42°18'00"E	23.95'
L24	N68°12'10"E	104.91'
L25	N21°47'49"W	47.33'
L26	N75°33'09"E	28.28'
L27	N37°11'28"W	31.73'
L28	N70°00'53"W	21.64'
L29	N68°12'11"E	24.18'
L30	N21°39'01"W	113.54'
L31	N21°47'49"W	91.18'
L32	N68°16'36"E	97.96'
L33	N21°47'49"W	35.00' (M-PL)
L34	N21°47'49"W	5.00' (M-PL)
L35	N21°48'56"W	337.27' (12)(BOUNDARY)

NO	RADIUS	DELTA	LENGTH
C1	15.00'	90°00'00"	23.56'
C2	15.00'	90°00'00"	23.56'
C3	1030.00'	3'12"49"	57.78'
C4	15.00'	91°49'06"	24.04'
C5	222.00'	1°23'43"	5.41'
C6	950.00'	7°20'58"	121.86'
C7	15.00'	87°42'11"	22.96'
C8	20.00'	54°52'46"	19.16'

NO	RADIUS	DELTA	LENGTH
C9	15.00'	41°46'56"	10.94'
C10	74.00'	35°22'54"	45.70'
C11	96.00'	5°53'47"	9.88'
C12	26.00'	8°48'31"	4.00'
C13	85.00'	46°56'09"	69.63'
C14	800.00'	6°27'56"	90.28'
C15	10.00'	89°59'59"	15.71'
C16	20.00'	30°01'16"	10.48'

**EASEMENTS:**

- (E1) INTENTIONALLY DELETED.
- (E2) EASEMENT FOR ROADWAY AND PUBLIC UTILITIES IN FAVOR OF CITY OF NEWARK PER 2013-316074.
- (E3) EASEMENT FOR ROADWAY AND PUBLIC UTILITIES IN FAVOR OF CITY OF NEWARK PER 2013-316075.
- (E4) EASEMENT FOR ROADWAY AND PUBLIC UTILITIES IN FAVOR OF CITY OF NEWARK PER 2013-316076.
- (E5) 25' EASEMENT FOR TELEPHONE AND ELECTRICAL TRANSMISSION LINE IN FAVOR OF PG&E PER 1988 D 233, AND 2860 OR 1.
- (E6) 27.50' TELEPHONE AND ELECTRICAL TRANSMISSION LINE IN FAVOR OF PG&E PER 8932 OR 471.
- (E7) PIPELINE EASEMENT IN FAVOR OF EAST BAY DISCHARGERS AUTHORITY PER REEL 5227, IMAGE 153, AND IN FAVOR OF UNION SANITARY DISTRICT PER 82-117469.
- (E8) STORM DRAIN EASEMENT IN FAVOR OF ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT PER 1629 OR 695.
- (E9) STORM DRAIN EASEMENT IN FAVOR OF ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT PER REEL 2208, IMAGE 642.
- (E10) STREET EASEMENT AGREEMENT PER 2013-310649, TO BE OUTCLAIMED BY SEPARATE INSTRUMENT.
- (E11) PUBLIC UTILITY EASEMENT RESERVED BY CITY OF NEWARK PER 2015-198434, 2015-206658.
- (E12) PUBLIC UTILITY EASEMENT RESERVED BY CITY OF NEWARK PER 2015-198434, 2015-206658.

**TRACT 8085**

CITY OF NEWARK, ALAMEDA COUNTY, CALIFORNIA  
 FOR CONDOMINIUM AND SINGLE FAMILY RESIDENCE PURPOSES  
 BEING A SUBDIVISION OF A PORTION OF HICKORY AVENUE, AND  
 THOSE CERTAIN PARCELS OF LAND DESCRIBED IN DEEDS RECORDED  
 SEPTEMBER 18, 2013, INSTRUMENT NOS. 2013-310645 AND 2013-310647,  
 OFFICIAL RECORDS OF ALAMEDA COUNTY

**Carlson, Barbee & Gibson, Inc.**  
 CIVIL ENGINEERS • SURVEYORS • PLANNERS  
 SAN RAMON, CALIFORNIA

SCALE: 1" = 120' APRIL 2016



**GRAPHIC SCALE  
 BASIS OF BEARINGS:**

SEE SHEET 3

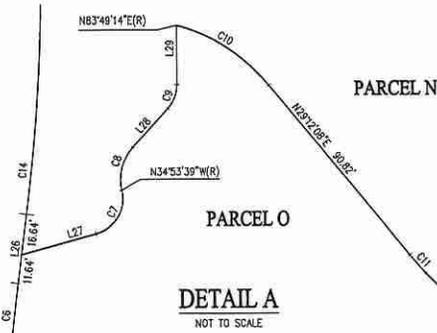
**LEGEND**

- SUBDIVISION BOUNDARY LINE
- RIGHT OF WAY LINE
- LOT LINE
- EASEMENT LINE
- CENTERLINE
- MONUMENT LINE
- (R) RADIAL
- (T) TOTAL
- (M-M) MONUMENT TO MONUMENT
- (M-CL) MONUMENT TO CENTERLINE
- (M-PL) MONUMENT TO PROPERTY LINE
- (LL) LOT LINE
- ⊙ FOUND STANDARD STREET MONUMENT
- ⊙ SET STANDARD STREET MONUMENT, LS B164
- ⊙ SET 5/8" REBAR AND CAP, LS B164
- EAE EMERGENCY ACCESS EASEMENT
- EVAE EMERGENCY VEHICLE ACCESS EASEMENT
- PSDE PRIVATE STORM DRAIN EASEMENT
- SSE SANITARY SEWER EASEMENT
- SWE SIDEWALK EASEMENT
- PUE PUBLIC UTILITY EASEMENT
- PWLE PRIVATE WATER LINE EASEMENT
- TE TRAIL EASEMENT
- WLE WATER LINE EASEMENT
- (C#) INDICATES CONDOMINIUM LOT AND NUMBER OF UNITS
- (E#) INDICATES EXISTING EASEMENT

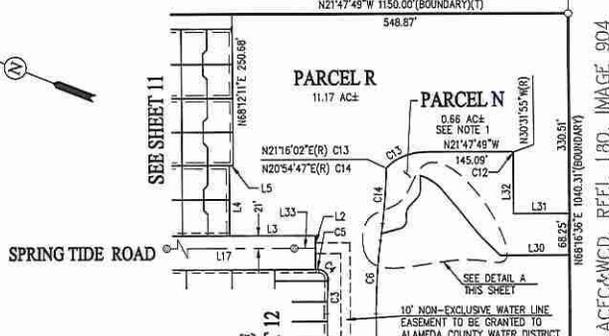
**REFERENCES:**

- (#) INDICATES REFERENCE NUMBER
- (1) PARCEL MAP 995 (76 PM 65)
- (2) MAP OF THE TOWN OF NEWARK (17 M 10)
- (3) PARCEL MAP 940 (76 PM 21)
- (4) PARCEL MAP 7505 (252 PM 81)
- (5) PARCEL MAP 1130 (105 PM 92)
- (6) PARCEL MAP 1471 (84 PM 23)
- (7) RECORD OF SURVEY NO. 640 (11 RS 81)
- (8) PARCEL MAP 1689 (87 PM 68)
- (9) PARCEL MAP 9837 (315 PM 84)
- (10) DEED (2013-310645)
- (11) DEED (2013-310647)
- (12) DEED (2015-206658)

**TRACT 8085**



ACFC&WCD, REEL 1629, IMAGE 695



RESULTANT  
 PARCEL A  
 2014-  
 258527

SEE SHEETS 16 & 17

HARBOR LIGHT ROAD  
 SEE SHEETS 13 & 14

PARCEL 1  
 (PORTION)  
 76 PM 21

PARCEL R  
 11.17 AC±

**NOTE:**

- 1. PARCELS N, O, AND P ARE SUBJECT TO AN EASEMENT FOR STORM DRAINAGE, INUNDATION, AND OPEN SPACE (SDIOSE) AS DEDICATED HEREIN.

**F.3 Adoption of the Five-year Forecast 2016-2021 – from Administrative Services Director Woodstock. (RESOLUTION)**

**Background/Discussion** – On April 14, 2016, the draft Five-Year Forecast 2016-2021 was presented to the City Council, and staff provided Council with an overview of the Forecast.

**Attachment**

**Action** – It is recommended that the City Council, by resolution, adopt the Five-Year Forecast 2016-2021.

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
NEWARK ADOPTING THE FIVE-YEAR FORECAST 2016-  
2021

WHEREAS, the orderly development of the City of Newark and the provision of City services demand planning beyond the adoption of the Biennial Budget; and

WHEREAS, the City Council desires to give direction to the City Manager in the preparation of the 2016-2018 Biennial Budget; and

WHEREAS, the 2016-2021 Five-Year Forecast established the Budget and Strategic Plans for Fiscal Years 2016-2017 and 2017-2018; and

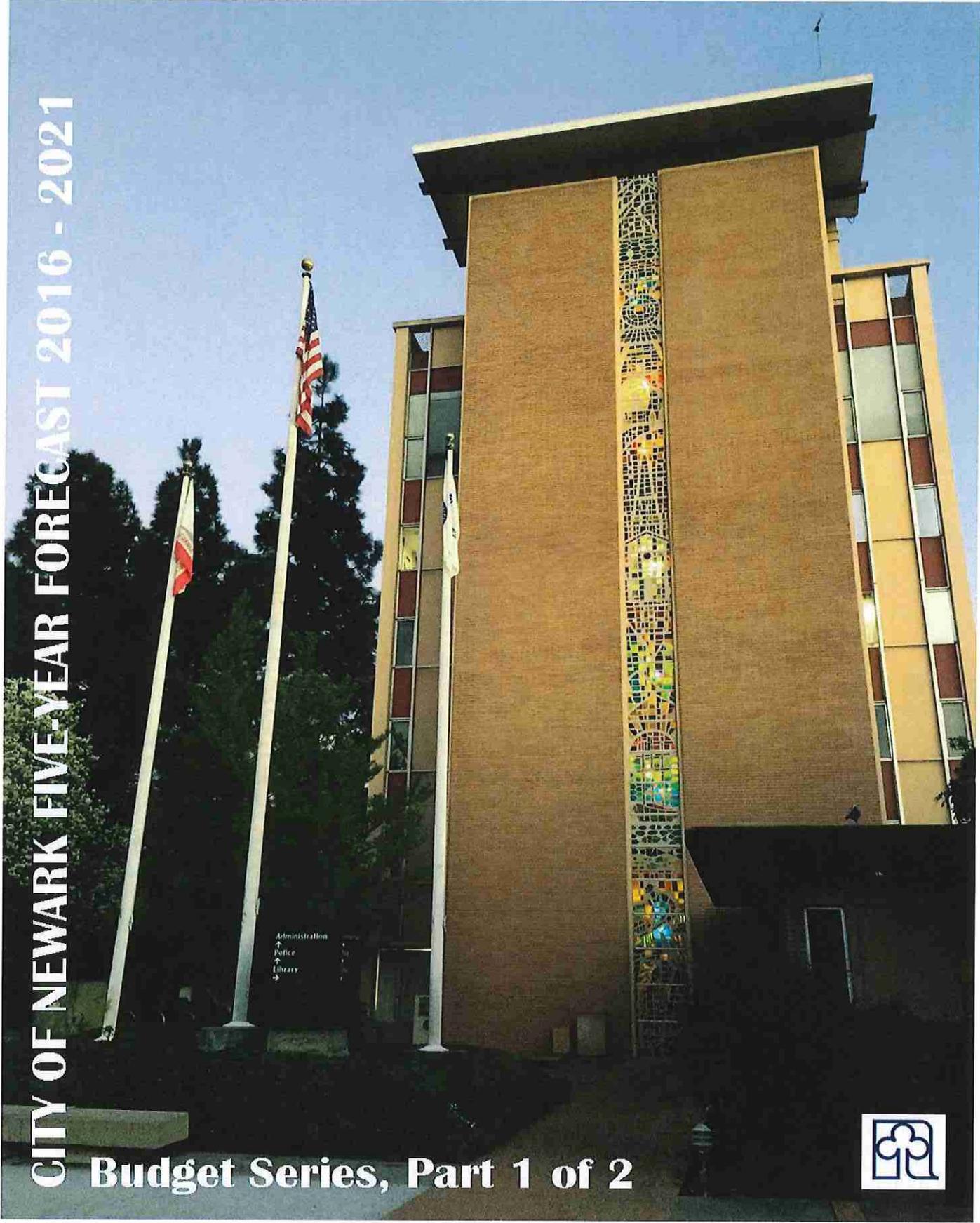
WHEREAS, the City Council approved the plans as presented, including revenue and expenditure projections for Fiscal Years 2016-2017 and 2017-2018, as the basis for preparing the 2016-2018 Biennial Budget and Capital Improvement Plan.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Newark adopt the 2016-2021 Five-Year Forecast.

**CITY OF NEWARK FIVE-YEAR FORECAST 2016 - 2021**

**Budget Series, Part 1 of 2**

Administration  
↑  
Police  
←  
Library  
→



# CITY OF NEWARK

## Mayor & City Council



Alan L. Nagy  
Mayor



Luis L. Freitas  
Vice Mayor



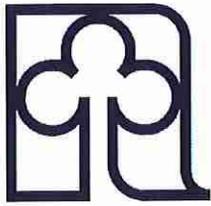
Maria "Suky" Collazo  
Council Member



Mike Bucci  
Council Member

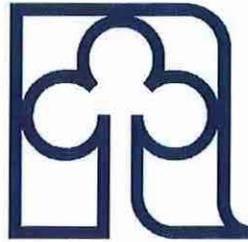


Michael K. Hannon  
Council Member



# Five-Year Forecast

2016-2021



## CITY STAFF

**CITY MANAGER**

**John Becker**

**ASSISTANT CITY MANAGER**

**Terrence Grindall**

**CITY ATTORNEY**

**David Benoun**

## EXECUTIVE TEAM

**ADMINISTRATIVE SERVICES DIRECTOR**

**Susie Woodstock**

**FIRE CHIEF \***

**David Rocha**

**HUMAN RESOURCES DIRECTOR**

**Sandy Abe**

**POLICE CHIEF**

**James Leal**

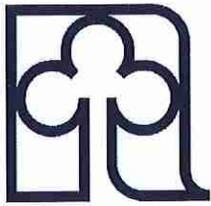
**PUBLIC WORKS DIRECTOR**

**Soren Fajeau**

**RECREATION & COMMUNITY SERVICES  
DIRECTOR**

**David Zehnder**

\* ALAMEDA CO. FIRE DEPT. CONTRACT





# TABLE OF CONTENTS

TABLE OF CONTENTS .....	i
Vision Statement .....	iii
Mission Statement.....	iii
Culture Statement .....	iv
Values Statement.....	v
Organization Chart.....	vi
TRANSMITTAL OF FIVE-YEAR FORECAST 2016-2021.....	vii
Organization of Biennial Budget Series Documents.....	ix
Five-Year Forecast.....	ix
Biennial Budget and Capital Improvement Plan (CIP) .....	ix
Five-Year Forecast, Biennial Budget, and Capital Improvement Plan Process Calendar.....	x
INTRODUCTION .....	1
The Five-Year Forecast as a Planning Tool.....	1
Biennial Budget Overview.....	1
Recap of the Key Findings of the 2014-2016Biennial Budget.....	2
- 2014-2016 Development Forecast .....	2
- 2014-2016 Economic and Financial Forecast.....	2
- Organizational Changes .....	3
DEVELOPMENT FORECAST.....	5
Trends and Projections.....	5
Significant Area-Wide Economic Development Trends.....	5
Local Trends .....	8
- Demographic Trends.....	8
- Development Trends.....	9
Projections .....	9
Summary .....	9
ECONOMIC AND FINANCIAL FORECAST .....	11
National .....	11
National Forecast 2016-2018 .....	11
State.....	11
Bay Area .....	13
Revenue and Expenditure Projections .....	14
Property Tax .....	14
Sales Tax .....	14
Utility User Tax .....	15
Business License Revenue.....	15
Transient Occupancy Tax .....	15
Use of Money and Property.....	16



---

Construction Permit Revenues .....	16
Vehicle License Fee .....	16
Charges for Current Services.....	17
Expenditure History and Forecast.....	17
General Fund Revenue & Expenditure Forecasts .....	19
Enterprise Fund Budget.....	21
General Fund .....	21
Development Enterprise Fund.....	21
Recreation Enterprise Fund .....	21
Capital Assets – Maintenance Enterprise Fund.....	22
Capital Assets – Construction Enterprise Fund.....	22
Other Revenue Cost Centers .....	22
Biennial Budget – Fiscal Year 2015-2016.....	24
Other Budget and Financial Issues.....	26
PERS.....	26
Capital Improvement Plan .....	26
Capital Projects.....	26
Level of Reserves.....	27
Unallocated Fund Balance .....	28
Appropriations Limit .....	28
BIENNIAL BUDGET .....	29
Two-Year Budget .....	29
Budget Policies .....	29
Budget Assumptions .....	30
Budget Plan.....	30
Strategic Plan Update .....	30
Critical Issues and Strategies.....	33
Strategic Plan Status Report .....	36
Public Safety Services .....	36
Education .....	40
Quality of Life.....	41
Community Development.....	45
City Government Operations.....	47
GLOSSARY .....	51
Revenue Source Definitions.....	51
Charges for Current Services.....	51
Fines and Forfeitures .....	53
Licenses and Permits .....	53
Property Taxes.....	53
Revenue from Other Agencies .....	53
Revenue from Use of Money and Property.....	54
Sales and Other Taxes .....	54
Term Definitions .....	55



---

*The City of Newark's Vision, Mission, Culture, and Values Statements were created in a strategic planning process that involved the City Council, the Executive Team, and the employees. These statements are designed to align us to a clear purpose and inspire us to do our best for all citizens. All of the City's policies and resources are dedicated to realizing our Vision and Mission.*

## *Vision*



**We see** a place where it is safe to live, to play, and to raise children.

**We see** a place where diverse and energetic people strive to live in harmony.

**We see** a place that cherishes small town values and also enjoys being progressive.

**We see** a place where educational programs are available and first-rate.

**We see** a place where cultural and recreational opportunities are plentiful and spiritually enriching.

**We see** a place with residents filled with civic pride, social concerns, and community involvement.

**We see** a place with tree-lined streets and open green parks.

**We see** a place where the economy is strong and vital and provides jobs.

**We see** a place where government is stable, accessible, and responsive.

**We see** a place that is well-planned, well-managed, and well-maintained.

## *Mission*



**It is our mission** to provide the quality of services that meets the highest expectations of all those whom we serve in Newark.



---

## Culture



Newark is a community-driven, customer-focused organization which values fiscal independence, fosters a competitive spirit, and works together as a team to achieve community goals. These comprise our organizational culture.

### *Community Driven and Customer-Focused*

- We are more than a service organization. We strive to provide excellent services by involving the community.
- Our citizens are the owners of our corporation. They are our customers and our stakeholders. They are the reason we exist.
- We strive to assure that our efforts are guided by long-term goals rather than by short-term objectives.

### *Fiscal Independence*

- We assure that we have the necessary resources to meet community needs.
- We develop resources through aggressive economic development that attracts and retains businesses; this is the lifeline of our community.
- We invest and allocate resources wisely to maximize our ability to provide community services.

### *Competitive Spirit*

- We are committed to achieving the vision, mission, and goals of our City.
- We set our own standards and expectations that we assertively and creatively are determined to achieve.
- We see our goals as personal and professional challenges towards which we focus our energies.

### *Team Approach*

- We enhance the potential for achievement of City goals by working together as a team, drawing upon the talents and abilities of all members of the organization, the City Council, Commissioners, staff members and volunteers.
- We develop strength and commitment within the organization by building trust, mutual respect, and appreciation for all members of the City family.
- We develop partnerships in the community with the Newark Unified School District, the Chamber of Commerce, homeowners groups, neighborhoods, nonprofit organizations, and citizens to build alliances and common understanding.

*We are Newark and  
We are proud of who we are.*



---

## Values

We, the employees of the City of Newark, take PRIDE in our work and this community. The trust the community places in us is of the utmost importance. In the daily course of our work and in the planning of this community we value:

**P**

**Personal Service.** Each of us will take personal responsibility for being responsive to the needs of the community and our organization. Personal Service means being fully accountable for our actions.

**R**

**Responsibility.** We will manage our resources in the most efficient way possible, seeking the greatest value for the community.

**I**

**Integrity.** We will be open, honest, courteous, ethical, and professional in all interactions.

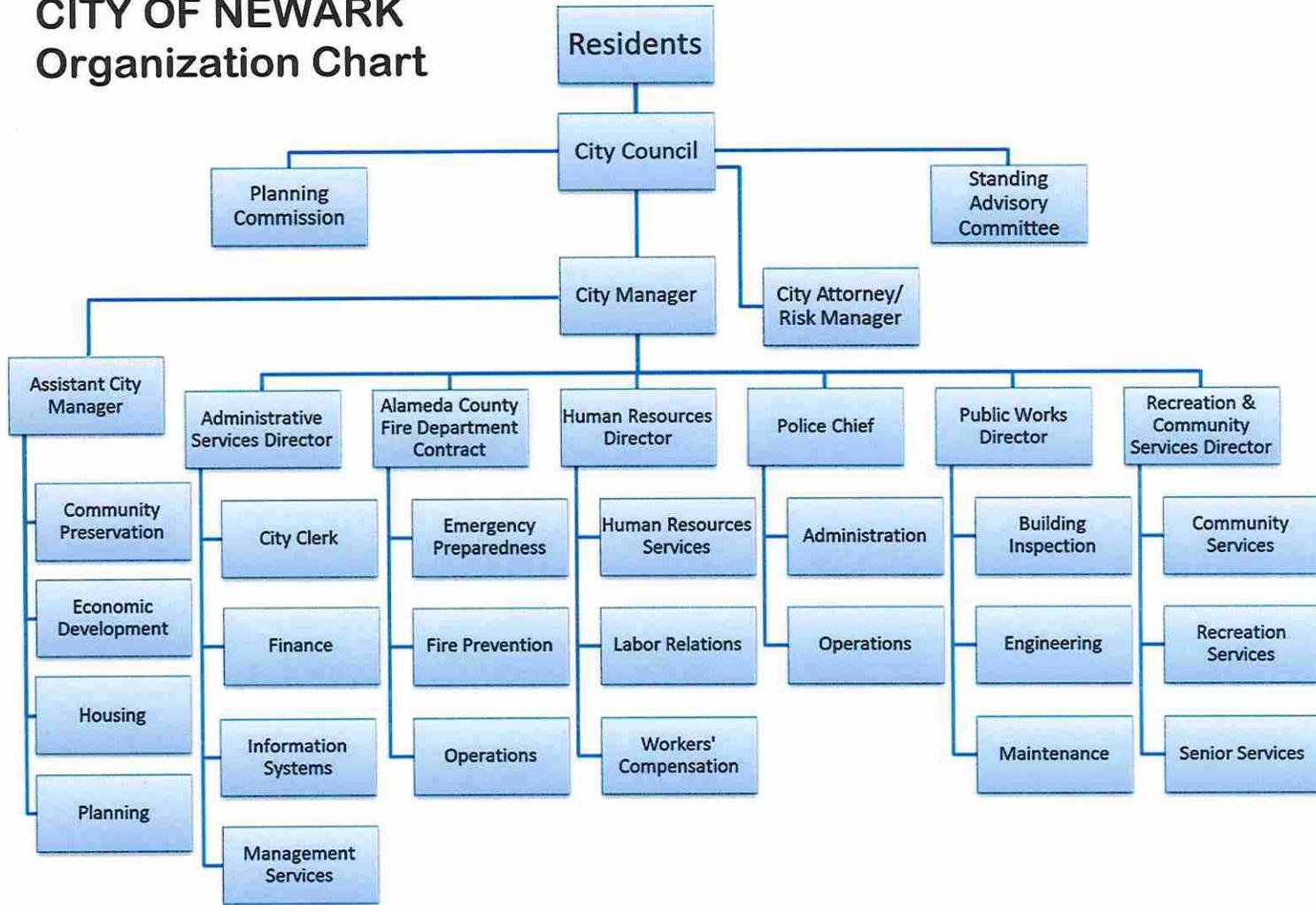
**D**

**Diversity.** The diversity of this community and our organization is a strength. We will recognize and respect this strength. We will use this strength to build dynamic teams to benefit and enrich the community and our organization.

**E**

**Empowerment.** We will support each other in creating an environment that fosters ingenuity, self-confidence, motivation, and success.

# CITY OF NEWARK Organization Chart





---

# TRANSMITTAL OF FIVE-YEAR FORECAST 2016-2021

## OVERVIEW

**T**he economic forecast for the City of Newark is finally including solid growth, but now has concerns of when the next recession might arrive. The current consensus of economists is that the economy is recovering, but uncertainty still looms and a mild recession is likely by 2018. Enduring the great recession and its aftermath has been the greatest challenge to the City in its history. A major lesson learned from that experience was the importance of sufficient reserves for future downturns.

This Five-Year Forecast incorporates the more conservative projections of economic recovery currently available. The uncertain nature of the economy makes it prudent to continue to use conservative projections.

Sales tax continues to increase with the auto dealerships leading this growth. Their performance has also increased the City's share of the County pool. Auto sales are expected to level off over the next year as the purchases delayed during the recession have now been made. Lower fuel prices have increased truck sales, but have also decreased tax revenue from fuel sales.

Property tax has increased in each of the last two years. The increase included Prop 8 adjustments which increased assessed values that were reduced during the housing crisis. Building permits have been issued for new residential housing which will also increase the City's assessed value. Property sales are increasing in value, but there is insufficient inventory on the market, even including the new homes that are being built. The forecast is based on building permits issued to date.

The UUT, which was extended in 2014, will sunset December 31, 2020. The UUT is approximately 8% of the total General Fund revenue. The UUT was reduced in January 2016 to a rate of 3.25%.

Overall, the economy and City revenues are expected to continue to gradually improve in 2016.

The Capital Improvement Program (CIP) being proposed for the next two fiscal years has projects that were presented and discussed at the CIP work session in February. Operating budget surpluses have allowed transfers into the Capital Fund totaling \$4.5 million over the last two years, but compared to the City's needs, it is a very modest contribution. There is also limited staff available to design projects and oversee construction. This presents challenges in completing priority projects.

The City's Strategic Plan and the associated Critical Issues and Strategies and related Action Plans are updated in this Five-Year Forecast. These elements reflect the manner in which we will continue to meet the needs of the community along with the realities of our fiscal situation.

This forecast will serve as the basis for the development of the 2016-2018 Biennial Budget, which will include the following assumptions:

- The economy will continue to grow, but a mild recession may occur by 2018. Establishing reserves is important.



- 
- The Memorandums of Understanding and the Compensation Agreements expire in June 2017. Labor costs included in this budget only include those approved in these agreements and do not take into account any possible future costs associated with future agreements.
  - Capital project expenditures will continue to focus on preserving City assets, meeting regulatory requirements, and safety issues. In addition, consideration will be given to projects that improve service levels to the community, take advantage of outside funding matches, and implement community priorities.

It is important to remember that this Five-Year Forecast is the result of a collaborative effort between the City Council, Executive Team, and City staff. I acknowledge their efforts in producing this document, which serves as a valuable tool in the budget process. On behalf of the staff, I would like to recognize the City Council for their valuable input in the budget planning process. Your insight, direction, and continued support of the City staff is very much appreciated.

I respectfully submit this Five-Year Forecast as our primary financial planning tool for the upcoming Biennial Budget process.

Sincerely,

John Becker  
City Manager



---

# ORGANIZATION OF BIENNIAL BUDGET SERIES DOCUMENTS

## OVERVIEW

### FIVE-YEAR FORECAST

The Five-Year Forecast is presented to the City Council in April. (See Five-Year Forecast, Biennial Budget and Capital Improvement Plan (CIP) Process, and Calendar on the following page). The Five-Year Forecast analyzes and lays out all of the City's critical development and economic data, as well as the five-year revenue and expenditure forecast. It also includes the strategic and budget plan, which provides direction from the City Council for preparation of the Biennial Budget.

The Development Forecast tracks development trends (both local and area-wide), assesses the implications of these trends, and provides a short- and long-term development forecast.

The Economic and Financial Forecast provides a picture of the overall financial health of the City. It begins with a recap of the current economy at the national, state, and local levels. It concludes with a recap of the Enterprise Fund Budget, the five-year revenue and expenditure projections, and a section that addresses other key budget and financial issues.

The strategic and budget plan section is the articulation of the policy response to the issues raised in the first two sections. This year marks the ninth time that the City will prepare a two-year budget. An explanation of the budget policies, assumptions, and process is included in this section. It also includes a summary report on the progress made on the Strategic Plan Action Items.

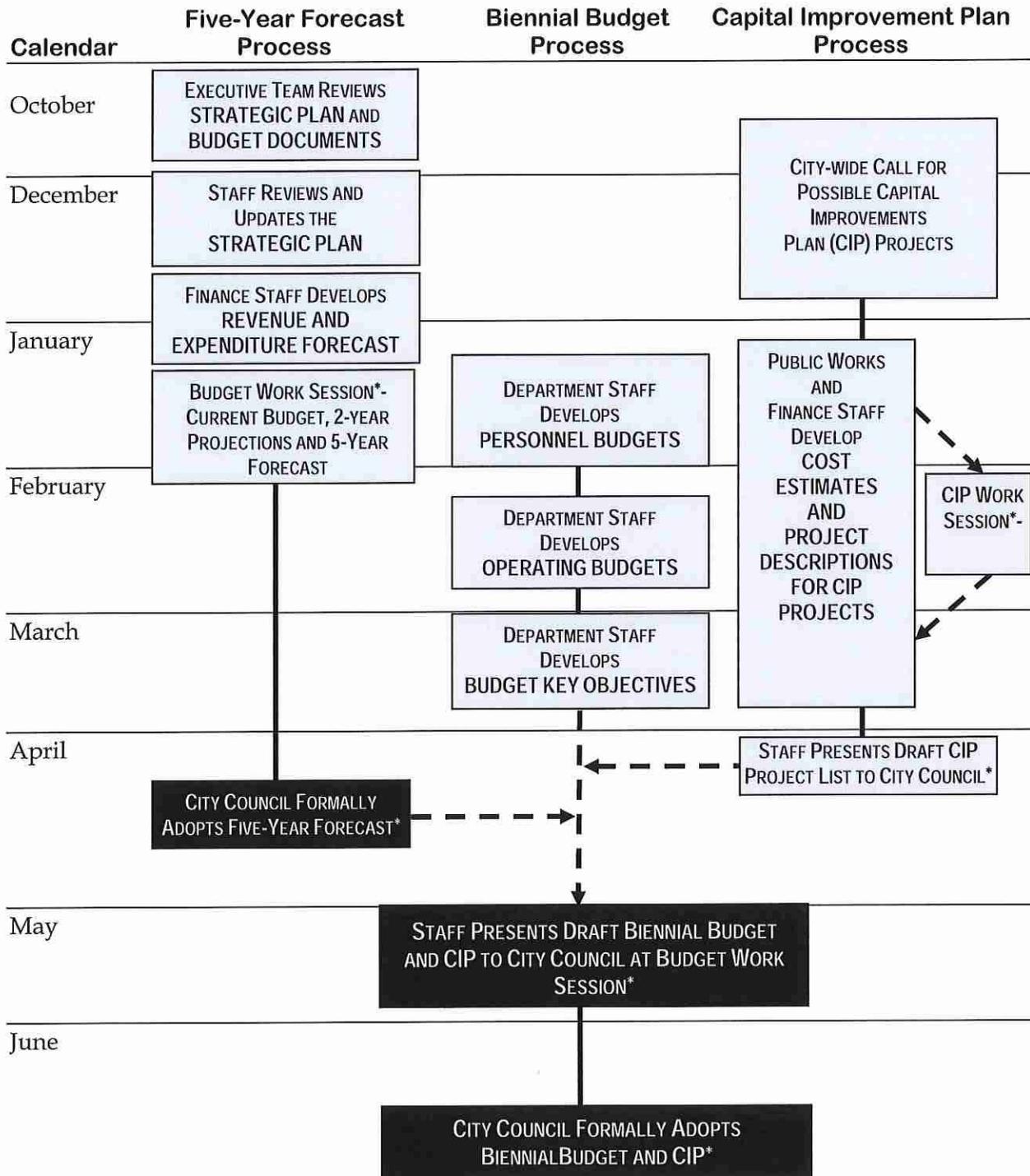
Once adopted, the Five-Year Forecast is the staff's policy map for implementing the Biennial Budget and CIP. Although the Five-Year Forecast is presented in a separate document, it is really the first chapter of the City's Biennial Budget.

### BIENNIAL BUDGET AND CAPITAL IMPROVEMENT PLAN (CIP)

The Biennial Budget and CIP are presented to the City Council in May. Following the Five-Year Forecast, it contains all the detailed financial information and appropriations necessary to fund the services and acquire or maintain the infrastructure required by the City Council's direction. The Biennial Budget and CIP include the Action Plan objectives to be accomplished during the fiscal year. These objectives support the Strategic Plan's Critical Issues and Strategies.



# FIVE-YEAR FORECAST, BIENNIAL BUDGET, and CAPITAL IMPROVEMENT PLAN PROCESS CALENDAR



**\*PUBLIC MEETING**



---

# INTRODUCTION

## THE FIVE-YEAR FORECAST AS A PLANNING TOOL

**T**he Five-Year Forecast is used by the City Council and City Staff as an important planning tool for making short- and long-term budgetary decisions. The Forecast provides information in three distinct areas, each having potentially significant budgetary impact. First, development activities are highlighted, including significant economic development trends and planned city-wide development projects. Next, economic and financial information is outlined, including national, state, and local economic forecasts, as well as specific revenue and expenditure projections for the City of Newark. These financial forecasts are five-year projections based on specific assumptions about future conditions such as inflation, job growth, population, and other factors that impact the local economy. These assumptions and financial projections are updated and revised at least biennially, but more often if economic conditions dictate. Finally, the City's strategic and budget plans are outlined. These include specific information regarding the City's approach to budgeting and the status of the Strategic Action Plans.

### BIENNIAL BUDGET OVERVIEW

The City is enjoying the benefits of a strong regional economy. Our revenues exceeded budget estimates and expenditures have been below budget as a result of unfilled vacancies and the City's overall conservative approach to budget management. The economy continues to expand at a steady pace with unemployment at pre-recession levels. Many economists believe the economy will experience a mild recession in the next few years. As the City recovered from the recession, establishing prudent reserves

for economic downturns has been a priority.

In November 2014, voters approved an extension of the Utility User Tax (UUT). The rate was reduced to 3.25% as of January 1, 2016. The UUT is applied to natural gas, electricity, cable service, and telecommunications. UUT revenue began in early 2011 and was prudently budgeted to restore some services and rebuild our fiscal uncertainty reserves. The UUT has a sunset date of December 2020.

Due to the UUT revenue, surpluses have been realized for the last three years and these have been used to rebuild the fiscal uncertainty fund. The extensive use of reserves to balance the budget during the recession resulted in the depletion of all remaining fiscal uncertainty reserves at the end of fiscal year 2009-2010.

Although there has been turmoil in the Federal government budget, local revenues were not affected over the last two years by State or Federal actions. The State has been taking steps to reduce its large liabilities and to establish sufficient reserves. There are no concerns for State or Federal take-aways in the 2016-2018 budget.

The Strategic Plan for the City is located at the end of this forecast. This plan provides direction for the programs, projects, and improvements that will be considered in the next two-year budget cycle.

The Vision, Mission, Values, and Culture Statements of the City of Newark organization continue to provide the guidance in determining budget priorities.



The City's Vision describes the ideal Newark. The organization's resources are directed at achieving this Vision. The Mission Statement describes the organization's purpose and reason for existence. The Culture Statement describes attributes, behaviors, and skills that the ideal City organization will have in conducting day-to-day business with its customers. Lastly, the Values Statement, also known as the PRIDE Statement, emphasizes the core values of City of Newark employees.

## RECAP OF THE KEY FINDINGS OF THE 2014-2016 BIENNIAL BUDGET

On April 24, 2014, the City Council adopted Resolution No. 10197, which approved the Five-Year Forecast for 2014-2019. The Five-Year Forecast provided direction to the City Manager in the preparation of the 2014-2016 Biennial Budget and Capital Improvement Plan. The Five-Year Forecast included a Development Forecast, an Economic and Financial Forecast, and the Strategic and Budget Plans for the City. The following is a recap of information that was contained in the 2014-2019 Five-Year Forecast:

### 2014-2016 Development Forecast

The following businesses made Newark their home:

- **Smart Storage Systems, Inc.**, a digital storage company with leading-edge flash technology.
- **Logitech** opened in the Pacific Research Center.
- **Membrane Technology & Research, Inc.**, a world leader in the development and production of membrane-based separation systems for the petrochemical, natural gas, and refining industries.
- **Sensible Motion, LLC**, specializing in Electromechanical system design.
- **Unigen Corp**, specializes in the design and manufacture of custom enterprise-grade Flash storage, DRAM and ARMOUR product Applications, using its innovative hardware and software expertise.
- **Depomed**, a specialty pharmaceutical company focused on developing and commercializing products to treat pain and other central nervous system conditions.
- **85-C Bakery**, a Taiwan-based cafe and bakery specializing in coffee, cakes, and breads.

### 2014-2016 Economic and Financial Forecast

- The adopted 2014-2016 Biennial Budget included operating revenues of \$40.9 million for 2014-2015 and \$41.1 million for 2015-2016. The UUT was projected to sunset in December 2015. The actual operating revenue for 2014-2015 was \$46.1 million and is projected to be \$47.0 million for 2015-2016.
- The adopted budget also projected expenditures of \$40.9 million for 2014-2015 and \$41.1 million for 2015-2016. Actual expenditures for the first year were \$42.5 million and projected to be \$45.5 million for year two.
- The 2014-2016 Biennial Budget was prepared when no new residential permits had been issued. Residential development was just beginning to occur.
- Total property tax revenue grew steadily in both years. The projected 2014-2015 property tax was \$10.3 million and actual revenue was \$10.9 million. For 2015-2016,



---

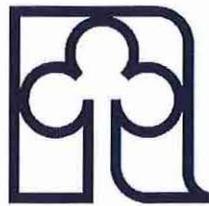
the budget projection was \$10.9 million and the estimated actual is \$11.7 million. The County has lowered assessed values during the recession and adjusted the values back in accordance with Prop 8 in 2015.

- Investment earnings stayed low due to low interest rates and lower reserve balances than in the past. The investment earnings have stabilized at below \$100,000 for both years in this cycle.
- Transient Occupancy Tax revenues have seen strong growth during the 2014-2016 Biennial Budget. Actual revenues were higher than expected for both fiscal years. This is one of the few revenue sources that is higher than pre-recession levels and continues to grow at double digit rates.

### **Organizational Changes**

The Police Department reorganized their command staff, and added a dispatcher and over hire positions.

The Public Works Director retired and Soren Fajeau was appointed to that position. An engineer and building inspector were added to assist with the high demand in development and construction.





# DEVELOPMENT FORECAST

## TRENDS AND PROJECTIONS

**A**n analysis of significant development trends and indicators is crucial in developing an appropriate budget plan. In addition, what we learn will help the City set a stronger, more strategic direction for economic development.

This section of the Five-Year Forecast contains an overview of area-wide development trends followed by an analysis of the key local indicators and a projection for new development in Newark.

### **SIGNIFICANT AREA-WIDE ECONOMIC DEVELOPMENT TRENDS - EXCERPTS FROM THE "2016 INDEX OF SILICON VALLEY"**

The Joint Venture Silicon Valley "2016 *Index of Silicon Valley*" states that "the Silicon Valley economy is getting strong, with accelerating employment growth, continued expansion of businesses and services, and rising incomes. However, serious housing and transportation issues challenge the region's economic competitiveness and impact the quality of life for our region's residents. Given wage disparities and severe housing challenges, these impacts are affecting some segments of our population more than others."

Employment levels have far surpassed expectations and job growth is accelerating. Income and wages in Silicon Valley remain significantly higher than in the state or nation as a whole. The region's businesses and services continued to expand in tandem with employment growth. This expansion is reflected in the large number of development approvals over the past two fiscal years, the increasing amount of new office

space construction, the revival of new warehouse development after fourteen years without any, declining building vacancy rates, and increasing asking rents.

Despite these highlights, there are factors that indicate the Valley is struggling to support this growth:

- Despite increases in public transit ridership, traffic congestion has become increasingly worse as the number of commuters increases. Average commute times to work have risen to 27 minutes (up to 14% over the last decade). Annual delays (which reached 67 hours per person in 2014) and excess fuel consumption (28 gallons/person/year in 2014) due to congestion are further indicators of this growing issue.
- Although rising incomes and an increasing share of high-income households may appear to be positive signs for the region's residents, they may also indicate a turnover in Silicon Valley residents. As housing costs increase, Silicon Valley residents may choose to move elsewhere, with new residents moving in to fill the region's growing employment demands. Between July 2014 and July 2015, the region experienced a net influx of more than 14,000 foreign immigrants and nearly 600 domestic immigrants.
- As employment growth accelerates and the region's population continues to grow rapidly, housing remains a critical issue. Low hous-



ing inventory and increasing demand are driving up median sales prices – which reached \$830,000 in 2015 (6% higher than the previous year) – making it more difficult for first time homebuyers to get into the market. Along with increasing home prices, rental rates have gone up 8% year-over-year. Income gains were not nearly enough to accommodate home price and rental rate increases between 2013 and 2014, and new housing development has fallen far short of meeting the needs of a growing population. As such, household size and the share of multigenerational households have been increasing as residents try to minimize their housing costs.

Although there were some setbacks, Newark's recovery is proceeding forward at a modest pace. The high occupancy at existing R&D, Industrial, and office space, as well as key new developments, are good signs that the local economy is strong. The new additions include:

- The mall renaissance, which includes a new IMAX theater and restaurants and applications for three new hotels.
- Construction of Mission Linen Supply and two new mini-storage facilities.

In addition, interest in residential development began in 2013 as is evident by the more than 2,000 homes now being processed as part of the growth in the Dumbarton Transit Oriented Development area, Sanctuary (formerly known as Area 3), and infill sites throughout the City.

The following economic indicators help to illustrate how the area is doing; whether we

are going up or down, going forward or backward, getting better or worse, or staying the same:

*-Silicon Valley job growth has accelerated and continues across all major areas of economic activity.*

#### **Why is this indicator important?**

Employment gains and losses are a core means of tracking economic health and remain central to nation, state, and regional conversations. Over the course of the past few decades, Silicon Valley has experienced shifts in the composition of industries that underlie the local economy. While employment by industry and by wage/skill level provides a broader picture of the region's economy as a whole, observing the unemployment rates of the population residing in the Valley reveals the status of the immediate Silicon Valley workforce. The way in which the region's industry patterns change shows how well our economy is maintaining its position in the global economy.

Employment numbers in Silicon Valley are well above pre-recession levels, while the state and nation are only slightly above pre-recession levels. Since the low in 2010, the total number of jobs in Silicon Valley has grown by 19.6%.

*-Total venture capital investments continued to rise.*

#### **Why is this indicator important?**

Innovation, a driving force behind Silicon Valley's economy, is a vital source of regional competitive advantage. It transforms novel ideas into products, processes, and services that create and expand business opportunities. Luckily, Venture Capital investments in Silicon Valley and San Francisco, which shot up in 2014, further increased in 2015. Total 2015 Venture Capital investments for the region exceeded 2014



totals by \$4.7 billion, reaching \$24.5 billion (\$11.13 billion in Silicon Valley and \$13.34 billion in San Francisco). This number represents the greatest amount of Venture Capital funding in any one year since 2000.

*-New construction of office space soar, and Silicon Valley revives new warehouse space construction; vacancy rates decline and commercial rents increase as demand outweighs supply.*

#### **Why is this indicator important?**

Changes in the supply of commercial space, vacancy rates and asking rents provide leading indicators of regional economic activity. In addition to office space, commercial space includes R&D, industrial, and warehouse space. A negative change in the supply of commercial space suggests strengthening economic activity and tightening in the commercial real estate market. The change in supply of commercial space is expressed as the combination of new construction and the net absorption rate, which reflects the amount of space becoming available. The vacancy rate measures the amount of space that is not occupied. Increases in vacancy, as well as declines in rents, reflect slowing demand relative to supply.

Cushman and Wakefield, in their "R&D Snapshot Q4 2015", notes that "The southern submarkets of Fremont and Newark, which are adjacent to [the San Mateo and Santa Clara markets], and whose combined inventory base totals over two-thirds of the entire East Bay Oakland market, will continue to see the greatest activity in 2016."

*-Low housing inventory is driving up prices, making it more difficult for first-time homebuyers to afford a median-priced home. Income gains were not enough to accommodate home price and rental rate increases.*

#### **Why is this indicator important?**

The housing market impacts a region's economy and quality of life. An inadequate supply of new housing negatively affects prospects for job growth. A lack of affordable housing results in longer commutes, diminished productivity, curtailment of family time, and increased traffic congestion. It also restricts the ability of crucial service providers - such as teachers, registered nurses, and police officers - to live near the communities in which they work. Additionally, high housing costs can limit families' ability to pay for basic needs, such as health care, food, and clothing. As a region's attractiveness increases, home sales, average home prices and rental rates tend to increase.

Silicon Valley home prices continued a three-year upward trend, reaching a median sale price of \$830,000 in 2015 - more than double the median sale price in California as a whole (\$411,000). This represents a nearly 6% increase over the prior year. As home prices have continued to rise, the number of homes sold in the Silicon Valley has decreased (down 11% between 2014 and 2015, and down 23% down since the most recent peak in 2012)). Correspondingly, the inventory of homes listed for sale has declined significantly since the peak in 2011.

Median household income gains would need to have been approximately three times greater to accommodate home price increase between 2013 and 2014 without being burdensome. During that time period, Silicon Valley median home prices increased by \$68,000, amounting to a mortgage payment increase of approximately \$319 per month.

*-The region's traffic congestion problem continues to worsen despite a smaller share of Silicon Valley commuters that are driving alone and an increase in public transit ridership.*



### **Why is this indicator important?**

Adequate highway capacity and increasing alternatives to driving alone are important for the mobility of people and goods as the economy expands. Public transportation investments, along with improving automobile fuel efficiency and shifting from fossil fuels to electric vehicles, are important for meeting air quality and carbon emission reduction goals.

Between 2004 and 2014, the share of Silicon Valley residents who drive alone to work has declined from 78% to 74%. However, despite the decline in the share of commuters driving alone, per capita ridership on public transit increased. Naturally, as the total number of commuters increased, average commute times to work increased by three minutes. Traffic congestion has become a worsening problem in Silicon Valley, as indicated by annual delays and excess fuel consumption.

*-Voter turnout among young adults is extremely low, more voters are declining to state a political party affiliation, and an increased share is voting absentee.*

### **Why is this indicator important?**

An engaged citizenry shares in the responsibility to advance the common good, is committed to place, and holds a level of trust in community institutions. Voter participation is an indicator of civic engagement and reflects community members' commitment to a democratic system, confidence in political institutions, and optimism about the ability of individuals to affect decision-making.

For over a decade, the share of eligible voters in Silicon Valley registered with the Republican Party has continued to decline (from 31% in March 2000 to 21% in November 2014), while the share that decline to state a party preference has increased (from 17% in 2000 to 29% in November 2014). The

share of residents registered with the Democratic Party has stayed relatively constant, between 46% and 48%. Silicon Valley has seen a greater turnout than California for every election since 2003, with the greatest share of eligible voters participating in Presidential elections. In the most recent Presidential election (November 2012), 59% of Silicon Valley voters cast ballots, compared to only 55% of California residents.

## **LOCAL TRENDS**

### **Demographic Trends**

Changes in Newark's demographic profile are consistent with many of the regional trends discussed above. An understanding of these trends will assist in the formation of economic development policy and it will aid in development of programs and services to meet customer needs.

Based on the most recent figures from the State Department of Finance, Newark's total population is 44,204. Newark remains a family-oriented community. The City has a disproportionately high percentage of single- to multi-family housing and a high average household size. Eighty-one percent of the housing stock is single-family, compared to between 12 - 79 percent for the other cities in the County. Only Piedmont (96%) claims a higher percentage. In addition, Newark's average household size is 3.39, second only to Union City (3.50) among the cities in the County.



---

## Development Trends

Significant trends in development during the past two years include these businesses that made Newark their new home:

- Mission Linen
- Central Storage
- Public Storage
- AMC
- Kateeva
- Amazon

The following tenants moved into the Pacific Research Center:

- Shotspotter
- Advanced Cell Diagnostics
- Stanford
- Oraya
- Kaneka
- Carbylan

## PROJECTIONS

- Vacant industrial space will continue to be leased up, with corresponding increases in employment, but lack of available land will restrict significant new industrial or office development within the five-year forecast period and will force a shift to redevelopment and intensification of existing space.
- The hospitality industry will continue to thrive due to Newark's strategic location and vibrant hotel cluster.
- Residential development will be very strong, largely focused on the Dumbarton Transit Oriented Development (Area 2) and the Southwest Newark Residential and Recreational Project (Area 3 and 4). Approximately 300-400 housing

units are projected to be added to Newark each year from 2016 to 2020.

- Even in light of the renaissance at the NewPark Mall, Newark's retail growth will be muted due to shifts to online purchases and competition from neighboring cities.
- In the longer term, retail will increase as the Greater NewPark Mall Area is revitalized and new housing and job growth add income to households in Newark's market area.

## SUMMARY

2015 ended up being one of the strongest years in recent history for the industrial market along the Interstate 880 corridor. Sales and leases pushed the market to record levels in all product categories. The most sought after product type for investors remains Class "A" Warehouse/Distribution space, of which Newark has a modest inventory. Lee & Associates, a commercial real estate service, noted in their recent *Industrial Market Report* that the Fremont/Newark market "...will go down as a record year in terms of property sales and lease values, but all signs point to 2016 exceeding this high-water mark."

As pricing in San Francisco soars, the East Bay has finally begun to see its fair share of interest. Investors have redirected their focus towards various markets within the area. Leasing activity has increased, rents increased, and developers have begun exploring new construction opportunities. The East Bay remains a local option for many priced out of San Francisco's residential market. With these trends anticipated to persist into the foreseeable future, the East Bay upward momentum should continue.



---

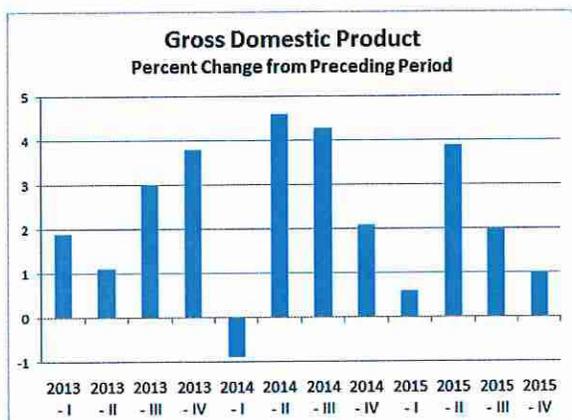
*The preparation of the Five Year Forecast is an opportunity to publicly recognize and commend the efforts of our business community in keeping Newark economically stable. The City of Newark is fortunate to have such a diverse business community that excels in its efforts to give back to the community. Newark's businesses remain and will always be critical to the City's economic health. The revenue and jobs created allow the City to offer the quality public services our citizens, businesses, and visitors deserve. It is appropriate at this time to express our gratitude to these businesses for their dedication to the City of Newark and for their continued commitment to improving Newark's quality of life.*



# ECONOMIC AND FINANCIAL FORECAST

## NATIONAL

Six years after the official end of the Great Recession, the economy seems to have returned to normal growth. The U.S. Bureau of Economic Analysis reports the economy grew at rates between 0.5% and about 4.5% over the last several quarters. Although this increase is a welcome change over the decline, Beacon Economics stated two years ago that a full recovery would have needed multiple years of 5-6% growth. Instead of a full recovery, the economy has adjusted to a new normal.



Beacon Economics reports that the fundamentals of the U.S. economy have improved over the last few years. They feel the housing market is based on solid ground and is not a bubble. Consumer spending has bounced back, but personal savings is still at insufficient levels. The labor market has improved, which is allowing for the increased consumer spending that is driving the economy. Lending is beginning to loosen up and the new home construction market is growing and struggling to keep up with demand.

## NATIONAL FORECAST 2016-2018

Despite the growth in the economy, there are still many uncertainties about the nation's economy. Several economic forecasts are positive but express great concern over the economy in China. The Federal Reserve started to raise the benchmark interest rate by a 0.25 percentage point for the first time in seven years in December 2015. The Federal Reserve is expected to continue to increase this rate very gradually over the next several years. There is concern that the Federal Reserve is lacking a tool to offset potential economic downturns by leaving this rate at zero, or now at 0.25, for so long, but there are also concerns about what raising the rate will do to the still uncertain economy. Some worry that this monetary policy may dull future growth.

Despite some uncertainty, Beacon Economics projects the U.S. real GDP will grow by 3% in 2016-17.

Beacon Economics forecasts that the U.S. unemployment rate will remain near 5% for the next few years.

## STATE

The Governor's Budget Economic Outlook provides the following perspective for the national economy:

- Despite a higher pace of retirements from an aging population, the labor force is growing at close to 1 percent. California continues to add jobs at a steady pace.



- The fourth consecutive year of the drought resulted in the first decrease in farm employment in 2015. Although the forecast projects modest improvements in agriculture beginning in 2016, the effects of the drought on the farm sector may continue for a few years.

- Personal income has been growing faster than expected. Growth of about 5 percent is expected in 2016 and 2017. A tighter labor market induces rising wages from workers.

- Consumer inflation, as measured by the Consumer Price Index (CPI), has been relatively low throughout the recovery and is expected to remain around 2.5 percent for the next two years.

- The current expansion has lasted since mid-2009, but on average expansions continue for only around five years. Even a fairly mild recession for the U.S. would be difficult for California.

California's economy was hit harder than most other states during the recession. The state lost over two million jobs, unemployment rates were at a record high level, and incomes were hit hard. Unemployment rates in California peaked in 2010 at 12.51% and began a constant decline in 2011. The rate is now down to pre-recession levels. Beacon Economics projects that the California unemployment rate will drop below 5.5% by December 2017.



The Governor's budget emphasizes the importance of planning for the next recession by paying down debts and liabilities and increasing the reserves. The Legislative Analyst's Office projects the Special Fund for Economic Uncertainties (SFEU) and the Budget Stabilization Account will go from a combined balance of \$2.8 billion in 2014-15 to \$11.5 billion in 2016-17.



## BAY AREA

The Bay Area is sensitive to all economic factors affecting national and state economies. Although the region enjoys a highly diversified economy and skilled labor force, that alone does not guarantee economic stability. The information technology boom and bust was evidence of this fact. Unemployment in the Bay Area increased at a tremendous rate during the recession with a peak rate of 10.5% at the end of 2009. Those same industries have accommodated the unemployment rates dropping quicker than other places in the country.

industry analysts are predicting that the trend will level off as pent up demand subsides.

In December 2015, the average unemployment rate for six of the Bay Area counties was 4.0%. This is much lower than the national or state levels. The Legislative Analyst's Office reports that the San Francisco Bay Area is among the nation's leading regions for job growth. The San Jose metropolitan area's job growth is ranked first among all large metro areas in the nation. The computer/electronics industry that took one of the larger initial blows in the downturn is also on the leading edge in the upturn. This industry has a strong influence on the Bay Area.

<b>Unemployment Rates</b>					
By County					
	Dec-11	Dec-12	Dec-13	Dec-14	Dec-15
Alameda County	9.1%	7.8%	6.2%	5.0%	4.3%
San Francisco	7.2%	5.9%	4.6%	3.7%	3.3%
Napa	9.7%	8.3%	6.7%	5.6%	5.1%
Santa Clara	8.4%	7.0%	5.5%	4.3%	3.7%
Contra Costa	9.3%	8.0%	6.5%	5.3%	4.5%
San Mateo	6.8%	5.6%	4.5%	3.5%	3.1%
Average	8.4%	7.1%	5.7%	4.6%	4.0%

Source: California Employment Development Department

Automotive sales and consumer spending in general continue to increase statewide and in the Bay Area. HdL company projects this growth to slow in 2016-2017. The auto



## REVENUE AND EXPENDITURE PROJECTIONS

The following information details the assumptions used in developing revenue and expenditure estimates for the City over the next five years. These estimates are used by City staff in planning current and future year operating and capital project budgets. The table titled "General Fund Revenue & Expenditure Forecasts" was developed by combining trend analysis with information regarding known development growth in Newark.

Policy decisions made at both the State and Federal levels can significantly impact local revenues and expenditures and are also taken into consideration when developing these projections. Below are explanations of significant revenue sources for the City.

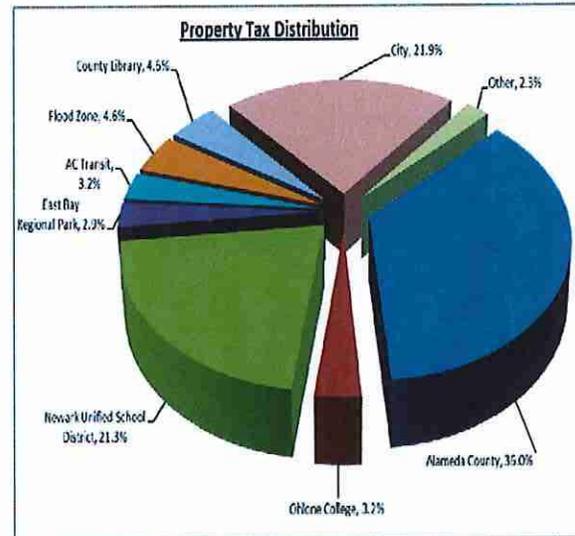
### PROPERTY TAX

Property tax, which used to be our primary revenue source at 31% of total operating revenue, now represents 25% of the total operating revenue. Property tax dropped over 11% during the recession.



The real estate market has stabilized, property values have continued to grow, and building permits have been issued for new residential homes. The projections for 2016-2017 include only permits issued to date. During the recession most properties were

reassessed down to a lower value to align with the market values of the properties. In 2015, the Assessor's Office, in accordance with Prop 8 regulations, increased the assessed values of those properties back up to where they would have been had the market not dipped.



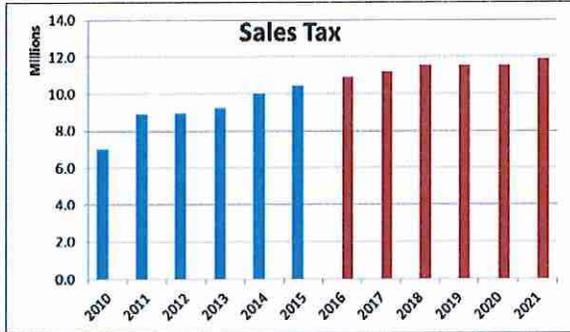
The Property Tax Distribution chart shown above indicates that the City receives 21.9% of the total property taxes paid by Newark property owners. Educational Revenue Augmentation Fund (ERAF) tax shifts that reduce the City's share of property tax are not included in this percentage. This chart was created from the data published by the County Auditor-Controller.

### SALES TAX

Sales tax is the second largest revenue source for the City at approximately 24% of total operating revenue, just below property tax. The City had experienced a dramatic reduction in sales tax revenues that started in fiscal year 2008-2009. The significant loss in sales tax was primarily due to the economic recession that weakened consumer spending. The increase in consumer spending has been greater than projected.

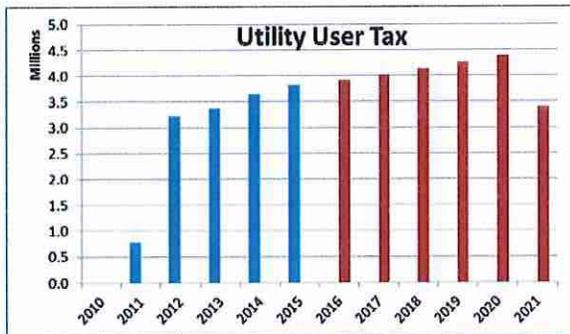


Many economist feel spending will flatten out and there is a likelihood that we will experience a recession in 2018. The sales tax projections consider this possible recession.



### UTILITY USER TAX

In November 2010, the voters of Newark passed Measure U, a 3.5% Utility User Tax (UUT). In November 2014, the voters extended the UUT and reduced the rate to 3.25%. This UUT is applied to electricity, natural gas, telecommunications, and cable service and was implemented to restore some of the severely cut services.



The UUT revenue has increased at a steady rate relative to the increases in the utilities it is applied to. This steady increase is projected to continue until the sunset date of December 2020. This revenue source represents about 8% of the City's General Fund operating revenues.

### BUSINESS LICENSE REVENUE

Business license revenue is affected by the number of businesses in the City and the gross receipts these businesses generate.

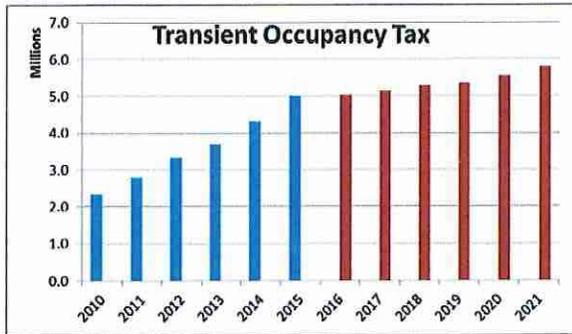


The opening of some auto dealerships and retail stores within the City and the stabilization of gross receipts reported by businesses contributed to the slight increase in revenues.

Business license revenue is projected to remain constant for the next five years.

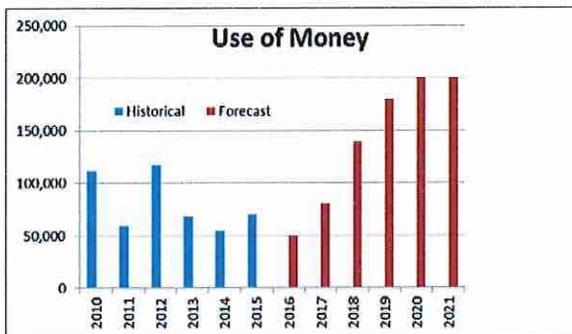
### TRANSIENT OCCUPANCY TAX

The economic downturn caused a significant decline in the City's Transient Occupancy Tax (TOT) as businesses and consumers cut down on travel expenses. However, the TOT has experienced continued strong growth and has outpaced all projections. This strong growth is not expected to continue and is projected to level off in 2015-2016. In the following three years, transient occupancy tax is projected to grow at rates between 2-4%. The projections consider a possible recession in 2018.



### USE OF MONEY AND PROPERTY

This revenue source consists primarily of interest income revenue generated from the City's cash and investments.



Investment earnings decreased significantly since the recession due to lower cash balances and declining interest rates. The estimate remains low. The Federal Reserve lowered interest rates on a number of occasions to help offset the negative impact of tightening of credit and the housing market crisis. These lower rates have persisted although the Federal Reserve did begin to increase the rates at the end of 2015. This projection shows that rates will begin to increase. This projection also considers staff pursuing investment options other than Local Agency Investment Fund within the five-year forecast.

### CONSTRUCTION PERMIT REVENUES

Construction permit revenues are directly associated with the number and value of developmental activities in the City.



Construction permits saw a spike in 2015. The economists now project that the demand for new houses will persist in the next several years. The estimate for 2016-2017 and 2017-2018 continue from the level set in 2015 and are projected to continue to grow at a steady pace.

### VEHICLE LICENSE FEE

In November 2004, Proposition 1A eliminated the backfill of vehicle license fees from the State's General Fund and was replaced dollar-for-dollar with property taxes.

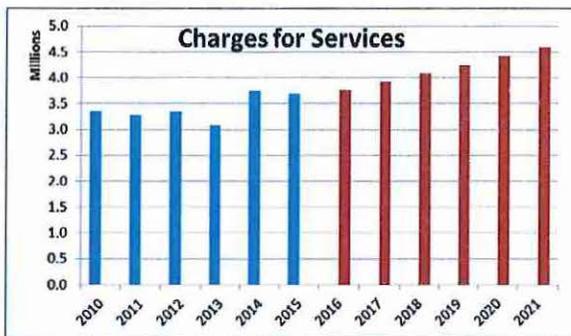


This revenue source is expected to grow. The Vehicle License Fee used to include the State apportionment of the motor vehicle license fees, but was eliminated by the State in 2012.



## CHARGES FOR CURRENT SERVICES

This revenue category represents fees for services rendered by various City departments, which include Police, Fire, Recreation, Community Development, and Public Works. Overall these revenues increased in 2014-2015 and 2015-2016 as development and construction started to improve. There was a dip in 2012-2013 due to an eight-month closure of the Silliman Aquatic Center for repairs. The development and construction revenue is expected to continue for the next five years.



## EXPENDITURE HISTORY AND FORECAST

City operating budget expenditures historically fell into two main categories: (1) Personnel Expenditures; and (2) Other Operating Expenditures. This year the categories have been modified into four categories: (1) Personnel Expenditures, with the exception of CalPERS costs; (2) CalPERS costs; (3) the Alameda County Fire Contract; and (4) Other Operating Expenditures.

Personnel expenditures are comprised of all costs associated with employee salary and benefits, except the cost of CalPERS. These include regular full-time, regular part-time, and part-time, seasonal, and temporary positions. These expenditures increase as a result of negotiated salary adjustments and other salary increases and health benefits. CalPERS costs have grown from \$3.6 mil-

lion in 2013 to about \$5.3 in 2016. This is rapidly increasing due to changes in CalPERS' actuarial methods and assumptions.

Personnel costs previously accounted for approximately 75% of the City's total Operating Budget. With the establishment of the contract with Alameda County Fire Department for Fire Services in 2010, personnel costs now account for approximately 45% of the total Operating Budget and the CalPERS costs are an additional 13%. The Alameda County Fire contract accounts for 20% of the City's Operating Budget.



Other operating expenditures include supplies, other contractual services, utilities, debt service payments, and equipment purchases. These expenditures increase as a result of inflation, increased service demands, and the addition of new programs or service levels. This accounts for the remaining 22% of the Operating Budget.

The expenditure forecast includes the following assumptions:

- Increases in the PERS contribution rate for Public Safety (Police) and Miscellaneous groups.



- 
- Staffing adjustments made in 2016 to accommodate growing demands for services in all departments.
  - Increases in the cost of contracting for Fire Services to Alameda County.
  - Add support to increase Library hours.
  - Budgeting positions at top salary instead of using projected step increases.

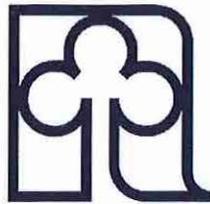
These expenditure and revenue estimates reflect certain assumptions that are subject to change even before the adoption of the 2016-2018 Biennial Budget. Approval of supplemental budget requests and funding changes as a result of City Council direction will impact the overall expenditure estimates. Staff also updates these estimates and assumptions on an ongoing basis as a result of changes in the economy and funding priorities.

## General Fund Revenue & Expenditure Forecast

	Amended 2015-16	YoY %	Forecast 2016-17	YoY %	Forecast 2017-18	YoY %	Forecast 2018-19	YoY %	Forecast 2019-20	YoY %	Forecast 2020-21
<b>Taxes</b>											
Property Tax	11,700,000	5.0%	12,285,000	5.0%	12,900,000	5.0%	13,545,000	5.0%	14,223,000	5.0%	14,935,000
Sales & Use Tax	10,900,000	2.8%	11,200,000	3.0%	11,536,000	0.0%	11,536,000	0.0%	11,536,000	3.0%	11,883,000
TOT	5,036,000	2.0%	5,137,000	3.0%	5,292,000	1.0%	5,345,000	4.0%	5,559,000	4.0%	5,782,000
Franchise Fee	3,017,000	1.0%	3,048,000	1.0%	3,079,000	1.0%	3,110,000	1.0%	3,142,000	1.0%	3,174,000
UUT	3,903,700	3.0%	4,020,800	3.0%	4,142,000	3.0%	4,267,000	3.0%	4,396,000	-22.7%	3,396,000
Other	382,000	4.2%	398,000	4.0%	414,000	4.1%	431,000	4.2%	449,000	1.1%	454,000
<b>Licenses</b>	3,317,000	19.9%	3,976,000	-1.3%	3,923,000	3.9%	4,077,000	3.9%	4,238,000	4.0%	4,406,000
Business	1,090,000	1.0%	1,101,000	1.1%	1,113,000	1.1%	1,125,000	1.1%	1,137,000	1.1%	1,149,000
Construction	2,205,000	21.0%	2,668,000	5.0%	2,802,000	5.0%	2,943,000	5.0%	3,091,000	5.0%	3,246,000
Other	22,000	-68.2%	7,000	14.3%	8,000	12.5%	9,000	11.1%	10,000	10.0%	11,000
<b>Fines and Forfeitures</b>	360,000	1.0%	363,600	1.2%	368,000	1.1%	372,000	1.1%	376,000	1.1%	380,000
<b>Use of Money</b>	50,000	60.0%	80,000	75.0%	140,000	28.6%	180,000	11.1%	200,000	0.0%	200,001
<b>Revenue from Other Agencies</b>	3,342,540	10.7%	3,700,000	2.0%	3,774,000	2.0%	3,850,000	2.0%	3,927,000	2.0%	4,006,000
<b>Charges for Services</b>	3,772,600	1.8%	3,840,000	4.0%	3,994,000	4.0%	4,154,000	4.0%	4,321,000	4.0%	4,494,000
<b>Other Revenue</b>	1,253,000	-70%	381,000	5.2%	401,000	5.2%	422,000	5.2%	444,000	5.2%	467,000
<b>Total Revenues</b>	<b>47,040,000</b>	3.0%	<b>48,430,000</b>	3.2%	<b>49,970,000</b>	2.6%	<b>51,290,000</b>	3.0%	<b>52,820,000</b>	1.4%	<b>53,580,000</b>
Salaries*	26,925,200	5.8%	28,485,500	1.7%	28,973,200	3.0%	29,843,000	3.0%	30,739,000	2.0%	31,354,000
Non-salaries	18,752,400	5.4%	19,760,100	3.7%	20,489,300	1.5%	20,797,000	1.0%	21,005,000	1.0%	21,216,000
<b>Total Expenditures</b>	<b>45,677,600</b>	5.6%	<b>48,250,000</b>	2.5%	<b>49,470,000</b>	2.4%	<b>50,640,000</b>	2.2%	<b>51,750,000</b>	1.6%	<b>52,570,000</b>
Use Fund Balance	1,300,000		2,066,000								
Gas Tax	500,000		400,000		300,000		200,000		100,000		
Transfers to Reserves per policy	-506,000		-643,100		-355,000		-786,000		-327,500		-255,000
Transfer to Capital Reserves	-2,000,000		-2,000,000								
<b>Total Transfers In/Out of GF</b>	<b>-706,000</b>		<b>-177,100</b>		<b>-55,000</b>		<b>-586,000</b>		<b>-228,000</b>		<b>-255,000</b>
<b>Surplus</b>	<b>657,000</b>		<b>0</b>		<b>450,000</b>		<b>70,000</b>		<b>850,000</b>		<b>760,000</b>

\*Salaries are only forecast with approved MOU adjustments. The current MOU's expire in June 2017. No adjustments are budgeted past that date.







---

# ENTERPRISE FUND BUDGET

The concept of an Enterprise Fund is to account for those activities for which a fee is charged to external users of the goods or services. The cost of providing services for an activity should be recovered through fees or charges. In practice, enterprise funds are used to account for activities whose costs are only partially funded by fees and charges. In this case, a well-defined contribution from the General Fund to the Enterprise Fund is required. In other cases, some of the activities in the fund are deemed by the City Council to be of general public benefit, and, therefore, receives a carefully considered contribution.

Services in Enterprise Funds can be fully cost recovering, which means that all costs of providing services include both direct and overhead costs. The overhead factor is created from a cost allocation plan. In plan review, for example, the cost allocation plan is reasonable in that it accounts for the cost the planner places on the General Fund. The planner position requires, among other services, personnel administration services (recruitment, benefit administration, etc.), finance services (payroll, computer systems, etc.), and management services (performance review, work planning, etc.). The true cost of providing the plan check includes these costs. These costs are allocated to the planner based on nine criteria developed by the Finance Department and approved by the Executive Team, City Manager, and City Council.

The goal for each Enterprise Fund is to have its own level of reserves. Existing reserve balances above the calculated level for the General Fund would be divided and allocated to the appropriate Enterprise Fund. For example, the Capital Asset-

Construction Fund would provide reserve funds within its area for capital projects.

Below is a description of Newark's General Fund and Enterprise Funds:

## **General Fund**

The General Fund consists of activities that benefit the general public. It includes City Council, City Administration, Police, Fire, Library, and Economic Development. These activities are supported by General Fund revenues.

## **Development Enterprise Fund**

The Development Enterprise Fund consists of Planning, Waste Management, Engineering, Building Regulation and Inspection, and Park Design. These are services provided for developmental activities in the community and are supported primarily by development fees. When first adopted, the General Fund contribution to the Development Enterprise Fund was 31%. The budget for the 2015-2016 contribution by the General Fund was 55% due to the continued minimal number of construction permits at the time, as shown on page 24. This subsidy will be considerably reduced in the 2016-2017 budget.

## **Recreation Enterprise Fund**

The Recreation Enterprise Fund provides for the City's recreation programs and activities. These services are paid for by users' fees that are partially cost covering. Some General Fund contribution is required due to market constraints in pricing services. This fund was given a 40% General Fund contribution when it was created. It currently receives a 48% contribution. The specific activities in this fund include General Rec-



recreation Services, Youth/Adult Sports, Fitness and Wellness, George M. Silliman Community Activity Center Phase II - Family Aquatic Center, General Community and Human Services, Youth and Teens, and Seniors Activity.

The Recreation Enterprise Fund also includes the licensed child care program. This program is included in the 48% contribution from the General Fund.

### **Capital Assets-Maintenance Enterprise Fund**

The Capital Assets-Maintenance Enterprise Fund provides for the maintenance of the City's infrastructure assets. The preservation of the City's infrastructure is a high priority which requires an 83% contribution from the General Fund. Services provided in this fund include Street Repairs, Weed Abatement, Park and Landscape Maintenance, Street Lighting, and Environmental Services.

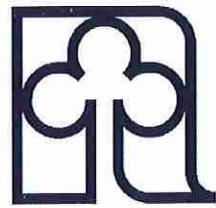
### **Capital Assets-Construction Enterprise Fund**

The Capital Assets-Construction Enterprise Fund is predominantly capital, rather than an operating fund. It contains both capital projects and capital funds. The Capital Improvement Plan (CIP) is included within this fund. Activities include Street Construction/Gas Tax, Street Tree Program, Park Construction, Art In Public Places, Housing and Community Development (HCD) grant projects, and Capital Improvements. This fund is supported by various revenues, including State Gas Tax, Measure B funds, and Federal, State, and other agencies' grants. General Fund contributions to this fund fluctuate from year to year depending on capital construction needs and the General Fund's ability to generate surplus to support them. This is

the fund to which the annual General Fund capital contribution is directed.

### **Other Revenue Cost Centers**

Within the Enterprise Fund structure, there are Cost Centers. These are budget entities which track detailed costs and revenues regarding a specific activity or a narrowly focused group of activities. This differs from an Enterprise Fund which has a broader mission and a wide variety of both services and revenues. Usually the revenues associated with a Cost Center derive from a single fee. The City has established three Cost Centers, all residing in the Capital Assets-Maintenance Enterprise Fund. These are the Environmental Services, Weed Abatement, and Street Lighting.





Biennial Budget FY 2015-16

**OPERATING**

General Fund		Development Enterprise Fund		Recreation Enterprise Fund	
Activities	Cost		Cost		Cost
General Government	752,600	Planning	354,600	General Recreation Services	1,002,500
Management/Support	3,410,800	Community Preservation	209,400	Youth/Adult Sports, Fitness, & Wellness	564,200
Police Services	15,917,300	Waste Management	30,000	Activity & Family Aquatics Center	2,067,400
Fire Services	10,347,300	Building Inspection	826,900	Licensed Child Care	387,700
Economic Development	417,200	Engineering	1,064,200	Seniors Activity and Services	405,400
Library Support	62,300			Paratransit Services	187,000
<b>Total</b>	<b>30,907,500</b>	<b>Total</b>	<b>2,485,100</b>	<b>Total</b>	<b>4,614,200</b>

Funding Sources	Revenue		Revenue		Revenue
Property Tax	10,432,000	Construction Permits	890,000	Intergovernmental Revenues	160,000
Sales Tax	10,063,000	Street and Curb Permits	42,000	Charges for Services:	
Transient Occupancy Tax	4,177,000	Other Permits and Licenses	15,000	Senior Transportation	15,000
Utility Users Tax	2,625,000	Use of Money and Property	5,000	General Recreation Services	260,000
Franchise Fee	3,017,000	Charges for Services:		Activity Users Fee	585,000
Other Taxes	132,000	Zoning Fee	20,000	Silliman Facility Rentals	105,000
Business License	988,000	Plan Checking Fee	109,000	General Aquatic Programs	571,000
Other Permits and Licenses	39,000	Miscellaneous	221,000	Concession Operations	113,000
Fines and Forfeitures	510,000	Microfilm./Records Auto Fees	54,000	General Community and Human Services	77,000
Use of Money and Property	95,000	Intergovernmental Revenues	0	Community Center Facility Rentals	57,000
Vehicle In Lieu	2,958,000	Other Revenue	75,000	Child Care Activity	319,000
Homeowners Relief	80,000	General Fund Contribution 55%	1,054,100	Preschool Activity	147,000
Intergovernmental Revenues	130,000	<b>Total</b>	<b>2,485,100</b>	Teen & Youth Activity	20,000
Charges for Services:				Other Revenues	0
Public Safety	495,000			General Fund Contribution 48%	2,185,200
Miscellaneous	11,000			<b>Total</b>	<b>4,614,200</b>
Other Revenue	223,000				
<b>Subtotal</b>	<b>35,975,000</b>				

Gas Tax Transfer 500,000

Enterprise Fund Contributions

Development 4%	-1,054,100
Recreation 6%	-2,185,200
Capital Assets-	
Maintenance 8%	-2,531,200
<b>Total</b>	<b>30,704,500</b>

<b>Surplus/(Deficit)</b>	<b>(203,000)</b>	<b>0</b>	<b>0</b>
--------------------------	------------------	----------	----------



**OPERATING, Continued**

**CAPITAL**

**Capital Assets-Maintenance**

**Capital Assets-Construction**

	Cost		Cost
Weed Abatement	30,300	Street Construction	1,528,600
Street Lighting & Traffic Signals	384,100	Housing Community Development	130,000
Street Repairs	496,500	Park Construction	0
Environmental Services	682,600	Capital Improvements	1,460,000
Park & Landscape Maintenance	1,456,700	Subtotal	3,118,600
<b>Total</b>	<b>3,050,200</b>	Fund Transfer to General Fund	500,000
		<b>Total</b>	<b>3,618,600</b>

	Revenue		Revenue
<b>Charges for Services:</b>		Investment Earnings	20,000
Weed Abatement	7,000	State Gasoline Tax	1,801,000
Environmental Services	457,000	Other Agencies	163,000
<b>Other Revenues</b>	55,000	Park Impact Fees	650,000
General Fund Contribution 83%	2,531,200	Development Impact Fees	770,000
<b>Total</b>	<b>3,050,200</b>	Community Dev. Maint. Fees	165,000
		Subtotal	3,569,000
		<b>Fund Appropriation:</b>	
		Street Construction	49,600
		<b>Total</b>	<b>3,618,600</b>



---

## OTHER BUDGET AND FINANCIAL ISSUES

### PERS

The most significant increase to the budget during the past few years has been the retirement costs through the Public Employees' Retirement System (PERS).

The PERS Board has adopted several changes to their assumptions and accounting methodology that have increased the City's rates by over 48% in the last three years and are estimated to increase over 18% in the next five years. The Board is adopting these changes to boost the probability that the fund will reach fully funded status in 30 years.

The State enacted the Public Employee Pension Reform Act in 2013. This Act establishes a new tier for new employees that are new to the PERS system. In the long-term this will reduce pension costs, but provides little short term relief to the City.

PERS rates for 2016-2017 are 50.0% for public safety members and 25.7% for miscellaneous members.

### CAPITAL IMPROVEMENT PLAN

The Capital Improvement Plan (CIP) was developed to provide the City Council with a method for selecting and prioritizing potential capital projects, special studies, and new equipment purchases over \$5,000, and determining their financial feasibility.

Capital improvements are major physical improvements throughout the community or expenditures that involve significant resources of more than \$5,000 above and beyond the City's operating budget. They tend to be special one-time projects designed to address or study a significant community need or problem and can include feasibility studies, equipment, and/or

systems (e.g., radios, telephones, etc.) that are not normally part of the City's operating budget. CIP projects exclude most ongoing maintenance projects, replacement of equipment, and operating programs.

The objectives of the CIP are to: (a) assist City staff in projecting future requirements for personnel and equipment in the development of departmental programs and the City's Biennial Budget; (b) relate the planning of CIP projects more effectively to general City goals and the operating budget; and (c) improve planning and coordination of projects that require significant funding commitments.

Projects that should be included in the CIP are as follows:

1. All projects which involve expenditures of \$5,000 or more for the improvement of public buildings and the construction or improvement of public streets and parks, with the exception of most maintenance or repair.
2. All other projects, equipment, or studies over \$5,000, which would not normally be included as part of the City's operating budget.
3. All purchases of property, including street easements and rights-of-way.

The following items should *not* be included in the CIP:

1. All equipment replaced through the City's equipment replacement fund (Activity 9710), which is managed by the Finance Department.



2. Most park maintenance, building or street repairs to City facilities, which are handled through the Maintenance Division.

3. All capital outlay items costing less than \$5,000, which are included in a department's operating budget.

The CIP is processed concurrently with the Five-Year Forecast and is published with the Biennial Budget as a single document. The CIP considers capital expenditures, establishes priorities for those expenditures, determines the funds available, analyzes short- and long-term budget impacts, and prioritizes projects for implementation. It provides a framework for determining the amount of future funds and possible additional sources of funds that are available for projects.

## CAPITAL PROJECTS

The City's major fiscal challenge in the past several years has been to correct the structural deficit in the operating budget. Surplus funds have been used to replenish the Fiscal Uncertainty Fund and have minimally replenished the capital projects fund. Staff will continue to look into new revenue sources for future capital projects and provide City Council with recommendations on what type of new revenues would be most fiscally prudent.

## LEVEL OF RESERVES

Many of the City's primary revenue sources – sales tax, property tax, and transient occupancy tax are impacted by changes in the economy. When the economy slows down or goes into recession, these revenues drop. Reserve levels are established to provide a cushion for these times and to absorb sudden losses of revenue as a result of other reasons such as legislative acts. This was the case when the State shifted property tax

revenues away from cities in the early 1990s as part of the Educational Reimbursement Augmentation Fund (ERAF) shift.

In determining the proper level of reserves, staff estimates the potential impact of a recession on its primary revenues as noted above. Staff also looks at the prevailing practices of other cities and reviews guidelines established by the California State Municipal Finance Officers Association (CSMFO) and Government Finance Officers Association (GFOA). The City still maintains a number of designated reserves including:

(1) A general fund reserve designated for operations, referred to as the "Emergency Reserves." This reserve is set aside to meet sudden unexpected expenses such as a legal liability or costs associated with an unexpected disaster. The balance of this reserve is set at 15% of operating expenditures. The balance at the end of fiscal year 2015 was \$6.2 million.

(2) A general fund reserve designated for fiscal uncertainty. This reserve is set aside to reduce the organizational impact of a short-term revenue loss. Between 2006 and 2010, in addition to the severe cuts to service and staffing levels, the City used \$7 million in reserves while balancing the budget. The reserve has been designated to be 10% of the operating expenditures. The balance in the Fiscal Uncertainty Fund at the end of 2015 was \$4.1 million.

(3) A capital projects reserve set aside to fund the Capital Improvement Plan. The capital reserves were traditionally funded by surplus funds from the General Fund, which has not been available for several years. These reserves are depleting and restricting the City's ability to maintain assets. As the unallocated fund balance has allowed, transfers have been made into the



capital reserves. In 2015, \$2.3 million was transferred and another \$2.3 million will be transferred in 2016. The fund balance policy adopted by Council requires that a minimum of \$250,000 be transferred into the capital reserves as surplus allows. The Capital Reserves are estimated to be at \$7.6 million at the end of Fiscal Year 2015-16.

The City also has a number of restricted funds which can only be used for a limited number of specific purposes and non-discretionary funds which can be used for General Fund purposes. For example, Gas Tax can only be used to maintain streets and rights-of-ways.

#### **UNALLOCATED FUND BALANCE**

Funds that have not been appropriated, identified as reserves, or legally identified for a specific purpose remain in the General Fund as unallocated fund balance. The projected amount remaining in unallocated fund balance at the end of Fiscal Year 2015-16 is \$6.9 million.

#### **APPROPRIATIONS LIMIT**

The State election on June 5, 1990 resulted in the passage of Proposition 111, amending Article XIII B of the California Constitution, the governing legislation for calculating the appropriations limit. Under the amended legislation, the appropriations limit may increase annually by a factor comprised of the change in population (city or county), combined with either the change in California per capita personal income or the change in the local assessment roll due to local non-residential construction. Fiscal year 1986-87 is the base year from which these factors are applied. The intent of the amended legislation was to provide a more equitable method of calculating the appropriations limit. This resulted in a significant increase in the City's appropriations limit.

The City's current fiscal year 2015-2016 Annual Budget includes appropriations subject to the limit of \$45,477,600. This is well below the City's appropriation limit of \$311,521,566. Staff has no concerns regarding our ability to stay within the limit.



---

# BIENNIAL BUDGET

## TWO-YEAR BUDGET

In 1999, City Council directed City staff to transition from an annual to a biennial budget cycle beginning with fiscal years 2000-2001 and 2001-2002. This change affected the preparation of the Budget, Capital Improvement Plan, and the Five-Year Forecast documents.

There are a number of advantages in a multi-year budgeting approach. First, the City has made a strong commitment to closely tie specific short- and long-term goals directly to the budget. The City views the budget planning process as the primary tool used in identifying the most important things to accomplish and then ensuring that the budget allocates the resources necessary to achieve them. Accordingly, the budget process includes early City Council involvement in setting major policy goals and priorities as articulated in this document. Many of the City's Strategies and Action Items do not fit into one-year increments. A multi-year approach is more conducive to setting meaningful objectives with realistic timeframes for completing them.

A multi-year approach also strengthens fiscal year control by providing for more orderly spending patterns for departments in managing their operating budgets. This helps to eliminate the last minute expenditure decisions that are made at the end of a typical fiscal year budget cycle. Multi-year budgets allow departments to plan for the funding of worthwhile activities or projects and ensure that the funding is available for multi-year objectives and operating activities.

The preparation of the Five-Year Forecast, Budget, and Capital Improvement Plan is an extensive, time-consuming process that involves virtually everyone in the organization, including the City Council. This requires a significant commitment of staff time and resources; however, significant savings are realized in the second year as a result of not having to prepare department budget plans and create new documents. The budget will be reviewed after the first year and any necessary adjustments will be made at that time. This will require much less staff time.

Finally, a multi-year budgeting process emphasizes the City's fundamental commitment to fiscal health and independence as outlined in the City's Culture Statement. It also encourages a more thorough and forward thinking planning process. Planning must be done not just for one year, but also for the foreseeable future and involves developing and implementing solutions to meet longer term needs.

### BUDGET POLICIES

The 2016-2017 and 2017-2018 budget will be the ninth biennial budget for the City. This budget will be based on some key principles that support the City's strategy of fiscal independence and sustainability.

- The budget will be balanced and fiscally conservative.
- The City will continue providing services at least at current levels and with adequate funding.



- General Fund and Capital Fund balances will be maintained at levels that will support the City during future economic and other financial uncertainties.
- Expenditures and revenues will be estimated at conservative, but realistic levels.
- The budget will support the Critical Issues and Strategies and related Action Items that are identified in the Strategic Plan.

### **BUDGET ASSUMPTIONS**

The Biennial Budget for fiscal years 2016-2017 and 2017-2018 will be developed with the assumption that the economy will continue to show a steady increase through 2016 and that there is a strong possibility of mild recession in 2018. The budget will also assume a minimum growth in operating expenditures. Budgets will be approved by the City Council for both years in June 2016. All operating budget appropriations not spent in 2015-2016 will lapse on June 30<sup>th</sup>, unless they are encumbered to meet specific obligations such as contracts and agreements, services, and other procurements incurred during the fiscal year. These will be re-appropriated in the 2016-2017 fiscal year budget.

### **BUDGET PLAN**

On January 28, 2016, the City Council held a budget work session on the projected budget for 2016-2017 and 2017-2018. At that time, budget forecasts based on economic predictions from late 2015 were used to identify budget sustainability strategies. The budget plan anticipated a \$700,000 surplus at the end of 2015-2016 and with a need to supplement revenues from the unallocated fund balance in the amount of

\$225,000 in 2016-2017. The Biennial Budget will include issues discussed at that meeting.

The draft Five-Year Forecast has been prepared as this basis for the next Biennial Budget. This forecast includes a number of assumptions that should be noted here:

- Overall, the economy will grow through 2016.
- The General Fund operating reserve, "Emergency Reserves," should be maintained at its current level of 15% of the operating expenditures.
- The Fiscal Uncertainty reserve should be maintained at its current level of 10% of the operating expenditures.
- A modest Capital Improvement Program should continue to be implemented due to the limited capital reserves.

### **STRATEGIC PLAN UPDATE**

In an effort to keep abreast of changing times and take advantage of new technology, the City saw the need to develop a formal process that would allow us to move into the New Millennium, yet maintain our sense of community. A Strategic Plan was developed and first introduced in 1994. The City operated under the initial Strategic Plan for five years. Going forward, that Plan was reviewed and evaluated annually, and included key issues and action items intended to guide the City into the future.

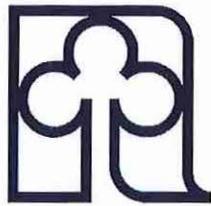
While the Strategic Plan was successful in meeting many of its goals, technology and conditions were changing rapidly, which required the City to take another look at the process. In 1999 and 2004, the City reviewed the Strategic Plan and determined the need to make significant



modifications which would allow the Plan to become more fluid and change as conditions dictate. Chief among the modifications was the identification of Critical Issues facing the City. Those Critical Issues, which replaced the initial Plan's key issues, are important areas of concern addressing Public Safety Services, Education, Quality of Life, Community Development, and City Government Operations. In order to operate soundly and provide the highest level of service to the citizens of Newark, the City must address these Critical Issues and anticipate potential problems associated with them. Therefore, the Strategic Plan included Strategies, or processes, to address each of the Critical Issues. The Strategies are broad statements of intent. Of perhaps more significance are the Action Plans associated with each of the Strategies. The Action Plans spell out specific means of addressing each Strategy, with specific programs, policies, or procedures which will help the City meet the needs of its citizens, adjust to changing times, and yet be ever mindful of the desire to maintain our sense of individuality, uniqueness, and community.

As noted above, it has been two years since the Critical Issues and Strategies and related Action Plans last received a comprehensive reevaluation and overhaul. This forecast includes updates to the Strategic Plan.

The Action Plans includes the current status (Completed, In Progress, Ongoing, or Pending) of each item. Plans that are labeled as "Completed" were finalized during the last Five-Year Forecast period. Those that are "In Progress" have been started, but not finalized and "Ongoing" Plans continue to be worked on. "Pending" Plans are those that were underway, but have been deferred due to unforeseen circumstances or lack of funding.





---

## CRITICAL ISSUES AND STRATEGIES

### I. PUBLIC SAFETY SERVICES

*Provide a level of public safety services that will protect our citizens, property, and community assets.*

- A. Continue to serve and protect based on a community-oriented policing philosophy.
- B. Continually evaluate the technological needs of public safety services and make upgrades where appropriate.
- C. Respond to evolving demands caused by changes in regulatory requirements or in the community.
- D. Continue the training and updates of internal and external emergency preparedness programs.
- E. Participate in collaborative efforts with other agencies.
- F. Identify and request the timely repair, upkeep, and replacement of safety equipment and buildings.
- G. Minimize risk potential for members of the public and staff.
- H. Explore opportunities to regionalize resources with other agencies.
- I. Identify and evaluate resources to assist with the procurement of grant funding for public safety services.
- J. Implement a service model reflective of our existing budget and staffing, while utilizing new and existing technologies to increase efficiencies.
- K. Develop policing and outreach programs that encourage community involvement.
- L. Continue to train and educate staff in order to provide the highest level of service to our community and for future growth of the department.

### II. EDUCATION

*Support, encourage, and offer opportunities and programs that facilitate quality community education.*

- A. Continue to work with the Newark Unified School District and private schools and support other collaborative efforts that strive toward the development of a “world class” school system.
- B. Offer meaningful educational, intergenerational, and cultural programs through the Recreation and Community Services Department.
- C. Encourage continued business community involvement in supporting education.
- D. Work with Ohlone College on future improvement of the Newark Campus and continue to explore other opportunities for partnerships with the Community College District.



### **III. QUALITY OF LIFE**

*Provide programs, services, facilities, parks, and open spaces that make Newark a desirable and healthy place to live.*

- A. Promote, enforce, and preserve city beautification measures as resources allow.
- B. Continue to offer quality Senior Services for the senior community.
- C. Provide facilities that allow all community members an opportunity to engage in cultural, recreational, and educational programs and services.
- D. Monitor transportation conditions, including traffic congestion, bicycle and pedestrian mobility, and transit level of service.
- E. Collaborate with local agencies and organizations to enhance delivery of Recreation and Community Services programs and services.
- F. Continue to offer a variety of Recreation and Community Services activities that help enhance the quality of life within the community.
- G. Encourage, support, and recognize community volunteerism.
- H. Provide clean, safe, inviting, and well-maintained facilities, parks, and open spaces for community use in a resource-constrained environment.
- I. Implement programs and services that promote healthy lifestyles and encourage healthy eating and physical fitness.
- J. Promote climate protection, water efficiency, and energy conservation.

### **IV. COMMUNITY DEVELOPMENT**

*Make development decisions that maintain a vibrant, balanced, quality community.*

- A. Improve housing diversity, add community amenities, and enhance long-term revenue through new development consistent with Specific Plans and the General Plan.
- B. Ensure that the community has a coherent and long-term vision for the future through its General Plan, Specific Plans, and Master Plans.
- C. Market our community through partnerships with regional agencies, neighboring communities, and directly with property owners, brokers, and businesses.
- D. Support the local business community.
- E. Promote investment and quality of life in existing neighborhoods.
- F. Strengthen community identity and City revenue by promoting a varied and vibrant retail mix within attractive retail areas.
- G. Promote the development of transportation options such as Dumbarton Transit alternatives and bicycle and pedestrian improvements.



---

## **V. CITY GOVERNMENT OPERATIONS**

*Operate a City government that enables the organization to meet service demands of the community.*

- A. Provide and maintain public facilities as resources allow.
- B. Continue to take actions that promote and enhance long-term fiscal stability and independence.
- C. Continually evaluate the technological needs of the organization and make upgrades where appropriate.
- D. Identify short and long-term space needs, and ensure facility needs for City departments are provided.
- E. Work with other agencies to meet the needs of the community.
- F. Participate in regional and sub-regional collaborative efforts.
- G. Provide a safe and effective work environment that engages each employee to perform at an optimum level of service.



## STRATEGIC PLAN STATUS REPORT

### I. PUBLIC SAFETY SERVICES

#### *Critical Issue*

Provide a level of public safety services that will protect our citizens, property, and community assets.

#### *STRATEGY I-A*

Continue to serve and protect based on a community-oriented policing philosophy.

#### *ACTION PLAN*

1. Police will continue, on an as needed basis, the mobilization of directed patrol, which will provide specialized enforcement, as staffing and pending calls for service allow. **Status: Ongoing.**
2. Police will continue utilizing a community policing strategy based on legitimate citizen input with a problem-solving delivery system. **Status: Ongoing.**
3. Police will continue to work toward achieving the goals set forth in the department's Strategic Plan document. **Status: Ongoing.**
4. Police will continue to procure and implement less lethal devices and technologies. **Status: Ongoing.**
5. Police will establish a patrol field office at the Community Center that would allow officers to remain accessible and visible to the community. **Status: In Progress.**
6. Police will continue to utilize annuitants to augment police services. **Status: Ongoing.**
7. Police and Fire will meet regularly with requesting neighborhood associations and community groups to continue an assessment of community needs and department effectiveness. **Status: Ongoing.**

8. Police and Fire will continue to attend community functions such as National Night Out, Family Day at the Park, and Ash Street Summer Program in an effort to maintain a close relationship with citizens. **Status: Ongoing.**

9. Police and Fire will implement an Incident Action Plan to mitigate the impact of fireworks during the Fourth of July. **Status: Ongoing.**

10. Fire will continue to utilize the Mobile Fire Safety House for public education events throughout the community. **Status: Ongoing.**

#### *STRATEGY I-B*

Continually evaluate technological needs of public safety services and make upgrades where appropriate.

#### *ACTION PLAN*

1. Police will distribute smartphones to all sworn staff to enhance lines of communication with citizens and allow officers to remain on the street to provide critical services. **Status: Completed.**
2. Police will work in conjunction with Information Systems to expand and continually update the Police Department website. **Status: Ongoing.**
3. Police will work in conjunction with Information Systems and Public Works in the implementation of GIS mapping capabilities for field units. **Status: Completed.**
4. Police will continue to survey potential locations for the installation of additional red light cameras within the City. **Status: Ongoing.**
5. Police will purchase and implement body worn camera technology and utilize video technology to reduce risk and liability. **Status: Completed.**



### **STRATEGY I-C**

Respond to evolving demands caused by changes in regulatory requirements or in the community.

#### **ACTION PLAN**

1. Police will develop programs for public education and awareness of traffic laws, including school safety, adult and child safety programs. **Status: Ongoing.**
2. Police will continue to utilize Nixle, Citizen RIMS, and Facebook to distribute information for public awareness. **Status: Ongoing.**
3. Police will monitor and make recommendations to mitigate any negative impacts that new development could have on police services. **Status: Ongoing.**
4. Fire will continue to provide training in the use of the automatic external defibrillators to City Personnel, and will continue to collaborate with Risk Management to keep the Public Defibrillator Program current. **Status: Ongoing.**
5. Fire will enhance training of personnel in terrorism awareness and response, and actively participate in framing a regional response to terrorism. **Status: Ongoing.**
6. Senior Services staff will continue to work with Police to offer educational workshops on crime/fraud relative to seniors. **Status: Ongoing.**
7. Public Works will provide programs and practices to ensure compliance with the Clean Water Act and Regional Water Quality Control Board permit. **Status: Ongoing.**

### **STRATEGY I-D**

Continue the training and updates of internal and external emergency preparedness programs.

#### **ACTION PLAN**

1. Fire will continue to facilitate a yearly Citywide training exercise and coordinate ongoing training for City staff to achieve the City's disaster preparedness goals. **Status: Ongoing.**
2. Fire will continue to train and support Community Emergency Response Team (CERT) volunteers as part of the City's overall disaster plan. **Status: Ongoing.**
3. Fire and Police will continue to work in conjunction with the Newark Unified School District and private schools on Citywide emergency preparedness to achieve mutual disaster preparedness goals. **Status: Ongoing.**
4. Fire will collaborate with Police to conduct training on critical incidents, including regularly scheduled meetings between Police and Fire. **Status: Ongoing.**
5. Police and Public Works will develop information on the layout/plans of all banks, schools, public libraries, and government offices for use during critical incidents. **Status: Ongoing.**
6. Police will continue to distribute information internally regarding terrorist activity and Homeland Security issues. **Status: Ongoing.**
7. Fire will work with Recreation and Community Services to update Emergency Action Plans for its facilities, as well as train staff in shelter management. **Status: Ongoing.**
8. Fire will work jointly with other City departments to formulate and implement a plan to update the storage of food, water, and other critical supplies for use by emergency responders and City personnel during the first 72 hours following a disaster. **Status: Pending.**
9. Fire will work with Human Resources to update the Emergency Volunteer Operations Plan. **Status: Pending.**
10. Fire will continue its involvement with the Tri-Cities Emergency Services Association



(TESA) and assist in the coordination between all essential Tri-City public services for emergency preparedness. This will include weekly Emergency Preparedness radio checks, monthly meetings, and an annual TESA Emergency Preparedness Fair for all citizens of the Tri-City area. **Status: Ongoing.**

11. Police will partner with NewPark Mall to provide active shooter training. **Status: Completed.**

#### **STRATEGY I-E**

Participate in collaborative efforts with other agencies.

#### **ACTION PLAN**

1. Fire will continue use of the District Attorney's office for hazardous materials enforcement proceedings and will investigate expanding the role of the City Attorney for handling other hazardous materials proceedings. **Status: Ongoing.**

2. Police will continue to maintain a collaborative partnership with Newark, Fremont, and Union City School Districts and other police departments for juvenile issues related to enforcement and truancy. **Status: Ongoing.**

3. Police will continue to maintain a relationship with NewPark Mall management in a collaborative effort to deter, prevent, respond to, and solve crime in and around our regional shopping center. **Status: Ongoing.**

4. Police will evaluate regional sites for training, such as SWAT, pursuit driving, hands on baton, weaponless defense, mutual aid, riot control, firearms, and drivers' training. **Status: Ongoing.**

5. Fire will continue its fire prevention education program for both the Newark Unified School District and business community. **Status: Ongoing.**

6. Police will participate in regional commanders' staff meetings. **Status: Ongoing.**

7. Recreation and Community Services will collaborate with surrounding agencies, local businesses, and service organizations to serve community needs. **Status: Ongoing.**

8. Police will continue to work with Fremont and Union City to relocate the Major Crimes Task Force to the Fremont Police facility. **Status: Completed.**

9. Police will share data amongst local agencies in a collaborative effort to improve responsiveness and communication with citizens. **Status: Ongoing.**

#### **STRATEGY I-F**

Identify and request the timely repair, upkeep, and replacement of safety equipment and buildings.

#### **ACTION PLAN**

1. Public Works will continue with prioritizing the routine maintenance programs for Police and Fire vehicles. **Status: Ongoing.**

2. Public Works will continue a routine building maintenance program that provides continuous functioning of all the Police and Fire critical tasks. **Status: Ongoing.**

#### **STRATEGY I-G**

Minimize risk potential for members of the public and staff.

#### **ACTION PLAN**

1. Public Works will continue with a program to prune public park and street trees to prevent structural failure and maintain the health of those trees as budget allows. **Status: Ongoing.**

2. Public Works will continue their program of vacuuming inlets prior to the rainy season to reduce the risk of flooding in the streets. **Status: Ongoing.**



3. Public Works will continue a sidewalk, curb and gutter program of replacing damaged concrete where it poses a potential tripping hazard within current budget confines. **Status: Ongoing.**

4. Public Works will continue an annual Thermoplastic striping program to provide safe and visible traveling surfaces for local drivers. **Status: Ongoing.**

5. Public Works will continue with traffic control training for staff so the traveling public will encounter construction areas that are easy and consistent to maneuver. **Status: Ongoing.**

6. Public Works will continue with the program, required by the Manual on Uniform Traffic Control Devices, to install larger street name signs on arterials. **Status: Ongoing.**

#### **STRATEGY I-H**

Explore opportunities to regionalize resources with other agencies.

#### **ACTION PLAN**

1. Police will explore the feasibility of combining the Newark Police Hostage Negotiation Team with Union City Police. **Status: Ongoing.**

2. Police will explore opportunities to regionalize resources. **Status: Ongoing.**

3. Fire will continue to explore opportunities to share resources with outside agencies. **Status: Ongoing.**

#### **STRATEGY I-I**

Identify and evaluate resources to assist with the procurement of grant funding for public safety services.

#### **ACTION PLAN**

1. Police will continue to utilize internal staff to research and compete for available grant funding. **Status: Ongoing.**

#### **STRATEGY I-J**

Implement a service model reflective of our existing budget and staffing, while utilizing new and existing technologies to increase efficiencies.

#### **ACTION PLAN**

1. Police will continue to implement a team policing strategy to improve service delivery and minimize potential risk for officers. **Status: Ongoing.**

2. Police will employ innovative and creative methods towards the prioritization of calls for service, including service level reductions, increased use of telephone reporting, and non-response in certain circumstances. **Status: Ongoing.**

3. Police will continue to focus on maintaining customer service levels, while ensuring officers have the opportunity for non-directed patrol time to focus on criminal investigations and proactive crime prevention and apprehension. **Status: Ongoing.**

4. Police will broaden the scope of the Volunteers in Policing program to include assistance in cold-case reporting, community projects, vacation home checks, special events, and disaster response. **Status: Ongoing.**

#### **STRATEGY I-K**

Develop policing and outreach programs that encourage community involvement.

1. Police will continue to provide community outreach programs such as the Citizen Police Academy, station tours, public demonstrations, and Coffee with the Cops as staffing levels allow. **Status: Ongoing.**

2. Police will continue to coordinate and expand the Neighborhood Watch and Community Engagement Programs. **Status: Ongoing.**



3. Police will expand the Ready & Active Volunteers Engaged in Newark (RAVEN) program by increasing recruitment efforts and assigning responsibilities based on volunteer skills and qualifications. **Status: Ongoing.**

4. Police will continue to nurture a positive relationship with local non-profit service organizations. **Status: Ongoing.**

5. Police will utilize social media outlets (ie. Nixle and Facebook) for the timely distribution of public safety related information to the community. **Status: Ongoing.**

6. Police will focus resources on specific problem areas identified through the Neighborhood Watch Program. **Status: Ongoing.**

#### **STRATEGY I-L**

Continue to train and educate staff in order to provide the highest level of service to our community and for future growth of the department.

#### **ACTION PLAN**

1. Police will continue to provide career development opportunities to staff through mentorship as well as the implementation of a Master Officer and Training Matrix. **Status: Ongoing.**

2. Police will implement a Master Patrol Officer program that recognizes tenured officers who possess a combination of high level skills and the ability to effectively mentor others. **Status: Completed.**

3. Police will continue to remain in compliance with Peace Officer Standards and Training (POST) mandated training. **Status: Ongoing.**

4. Police will continue their partnership with California Southern University and encourage staff to seek educational and higher level degree opportunities. **Status: Ongoing.**

## **II. EDUCATION**

### **Critical Issue**

Support, encourage, and offer opportunities and programs that facilitate quality community education.

#### **STRATEGY II-A**

Continue to work with the Newark Unified School District and private schools and support other collaborative efforts that strive toward the development of a “world class” school system.

#### **ACTION PLAN**

1. City staff will facilitate communication between the City and the Newark Unified School District to discuss education and youth-related issues. **Status: Ongoing.**

2. The Police Chief and staff will meet regularly with the School Superintendent to discuss safety issues at the school. **Status: Ongoing.**

#### **STRATEGY II-B**

Offer meaningful, educational, intergenerational, and cultural programs through the Recreation and Community Services Department.

#### **ACTION PLAN**

1. City staff will provide education-based programs for youth, teens, adults, and seniors at the George M. Silliman Community Activity and Family Aquatic Center. **Status: Ongoing.**

2. Recreation and Community Services will provide limited field trips for program participants that offer an educational, cultural, and/or intergenerational experience. **Status: Ongoing.**

3. Recreation and Community Services will obtain sponsorships and donations to help offset a portion of program and operational expenses. **Status: Ongoing.**



4. Recreation and Community Services will offer recreation programs and activities that are culturally enriching for elementary, junior high, and high school students. *Status: Ongoing.*

5. Recreation and Community Services will offer limited opportunities for teen volunteers and provide junior lifeguard programs to develop youth for future employment opportunities. *Status: Ongoing.*

6. Recreation and Community Services will meet the changing needs of our diverse community by offering cost-covering recreational programs and special events. *Status: Ongoing.*

7. Recreation and Community Services will continue to offer opportunities during the critical after-school hours to school age children through cost-covering enrichment classes, and other fee-based activities. *Status: Ongoing.*

#### **STRATEGY II-C**

Encourage continued business community involvement in supporting education.

#### **ACTION PLAN**

1. Community Development will ensure that education is a potential beneficiary of all community involvement plans submitted by businesses. *Status: Ongoing.*

2. Community Development will ensure that new residential developers work closely with the Newark Unified School District when Zoning Ordinance or General Plan changes are proposed. *Status: Ongoing.*

3. Community Development will continue to work with the Board of the Chamber of Commerce on its commitment to education in the community. *Status: Ongoing.*

#### **STRATEGY II-D**

Work with Ohlone College on future improvement of the Newark Campus and continue to

explore other opportunities for partnerships with the Community College District.

#### **ACTION PLAN**

1. Community Development will work with Ohlone College officials to ensure that additional development on the Cherry Street site is in conformance with the General Plan. *Status: In Progress.*

2. Community Development will work with Ohlone College officials to identify areas for collaboration that will enhance educational opportunities for the community. *Status: Ongoing.*

### **III. QUALITY OF LIFE**

#### **Critical Issue**

Provide programs, services, facilities, parks, and open spaces that make Newark a desirable and healthy place to live.

#### **STRATEGY III-A**

Promote, enforce, and preserve City beautification measures as resources allow.

#### **ACTION PLAN**

1. Police will provide support and advice to neighborhood associations whenever possible. *Status: Ongoing.*

2. Community Development will conduct proactive nuisance abatement through code compliance. *Status: Ongoing.*

3. Community Development will study a citywide rental housing inspection program, including landlord/tenant education and awareness. *Status: Ongoing.*

4. Police will coordinate and support the volunteer graffiti abatement program. *Status: Ongoing.*



5. Community Development will implement the Art in Public Places Master Plan. **Status: In Progress.**

6. Public Works will continue maintenance programs and undertake critical projects to maintain and repair City facilities to maximize use by the public and minimize the long-term cost of the assets. **Status: Ongoing.**

7. Public Works will continue maintenance programs and undertake critical projects to maintain and enhance the City landscaping assets. **Status: Ongoing.**

8. Public Works will design, bid and manage projects to improve the Mowry Avenue (Phase 3), Cedar Boulevard (Phase 4), Newark Boulevard (Phase 5), and Cherry Street (Phase 6) streetscapes as part of the City's Arterial Streetscape Beautification Program. **Status: Pending.**

#### **STRATEGY III-B**

Continue to offer quality Senior Services for the senior community.

#### **ACTION PLAN**

1. Recreation and Community Services will continue to manage paratransit and related services offered through Measure B and Measure BB funded Newark Paratransit. **Status: Ongoing.**

2. Recreation and Community Services will continue to offer case management services for seniors through an annual contract for services with the City of Fremont. **Status: Ongoing.**

#### **STRATEGY III-C**

Provide facilities that allow all community members an opportunity to engage in cultural, recreational, and educational programs and services.

#### **ACTION PLAN**

1. Public Works and Recreation and

Community Services will develop a project to upgrade softball lighting at Birch Grove Park. **Status: Pending.**

2. Upon completion of the Citywide Parks Master Plan, Public Works will implement identified priority projects which could include a skate park, dog park, and the completion of the George M. Silliman Recreation Complex. **Status: Pending.**

3. City Manager and Public Works will identify and evaluate options for providing performing arts facilities. **Status: Pending.**

#### **STRATEGY III-D**

Monitor traffic conditions, including traffic congestion, bicycle and pedestrian mobility, and transit level of service.

#### **ACTION PLAN**

1. Police's role in reducing traffic congestion is twofold: (a) education of the public regarding driving habits that contribute to traffic congestion, and (b) enforcement of traffic laws to prevent traffic-related accidents. **Status: Ongoing.**

2. Police will plan for and address specific traffic-problem areas, such as school zones and crosswalks, through education and enforcement. **Status: Ongoing.**

3. Police's Traffic Unit will meet with Engineering, Planning, and Zoning to share information on traffic-related issues. **Status: Ongoing.**

4. Police and Public Works will pursue grants to assist with the department's ability to meet traffic-related needs. **Status: Ongoing.**

5. Police will continue to meet with local school officials to address congestion issues around school sites and provide educational programs for students and parents. **Status: Ongoing.**



6. Public Works and Police will continue to monitor areas of congestion citywide and take appropriate actions to mitigate congestion. **Status: Ongoing.**

7. Public Works will design and manage construction of improvements in the Four Corners corridor. **Status: Pending.**

8. Public Works will continue the development and implementation of traffic calming measures, where appropriate, in the community. **Status: Ongoing.**

9. Public Works will continue to implement the City's Complete Streets Policy. **Status: Ongoing.**

10. Community Development will work with AC Transit and regional agencies to provide the best possible transit system serving the community. **Status: Ongoing.**

11. Police will continue to participate in regional traffic efforts such as the Avoid the 21 DUI campaign, Tri-City Accident Investigation Team (TAIT), and Commercial Officers of Southern Alameda County (COSAC). **Status: Ongoing.**

#### **STRATEGY III-E**

Collaborate with local agencies and organizations to enhance delivery of Recreation and Community Services programs and services.

#### **ACTION PLAN**

1. Senior Services staff will continue to work with various agencies to offer programs and services throughout the City of Newark, including Washington Hospital WOW Program, Spectrum Community Service, and Life Elder Care. **Status: Ongoing.**

2. Senior Services staff will continue to offer an annual Health Faire with health screenings and immunizations. **Status: Ongoing.**

#### **STRATEGY III-F**

Continue to offer a variety of Recreation and Community Services activities that help enhance the quality of life within the community.

#### **ACTION PLAN**

1. Recreation and Community Services will work to secure funding to provide and promote scholarship opportunities to eligible Newark youth and seniors. **Status: Ongoing.**

2. Recreation and Community Services will continue to offer drop-in activities, programs, and services through the George M. Silliman Activity and Family Aquatic Center Teen Area. **Status: Ongoing.**

3. Recreation and Community Services will continue to cost-effectively market programs to maximize the use and revenue potential for the on-going operation and maintenance of the George M. Silliman Activity and Family Aquatic Center. **Status: Ongoing.**

4. Recreation and Community Services will explore grant and sponsorship funding opportunities to support programs and activities. **Status: Ongoing.**

#### **STRATEGY III-G**

Encourage, support, and recognize community volunteerism.

#### **ACTION PLAN**

1. City Administration will maintain a current database of City volunteers, create and retain a current list of community volunteer opportunities within the City, and act as a liaison to connect volunteers to local service organizations. **Status: Ongoing.**

2. City Administration will use various forms of media to conduct an advertising campaign to recruit new volunteers. **Status: Ongoing.**



3. City Administration will facilitate a citywide annual volunteer recognition event. **Status: Ongoing.**

4. All City departments, with the assistance of City Administration, will evaluate their volunteer needs and accept qualified volunteers whenever possible. **Status: Ongoing.**

#### **STRATEGY III-H**

Provide clean, safe, inviting, and well-maintained facilities, parks, and open spaces for community use in a resource-constrained environment.

#### **ACTION PLAN**

1. Public Works will maintain the Urban Forest Management Program and integrate it with GIS. **Status: Ongoing.**

2. Public Works will re-survey the street system, update the Pavement Management Program, and develop alternative budget scenarios for the entire street system. **Status: Ongoing.**

3. Public Works will investigate the possibility of developing a memorial tree program. **Status: Pending.**

#### **STRATEGY III-I**

Implement programs and services that promote healthy lifestyles and encourage healthy eating and physical fitness.

#### **ACTION PLAN**

1. Recreation and Community Services will continue to provide fitness facilities and exercise programs for the community. **Status: Ongoing.**

2. Recreation and Community Services will explore opportunities to collaborate with local health providers to educate residents and promote activities that lead to a lifelong commitment to healthful living. **Status: Ongoing.**

3. Recreation and Community Services will continue to offer activities and programs that encourage healthful lifestyle choices. **Status: Ongoing.**

#### **STRATEGY III-J**

Promote climate protection, water efficiency, and energy conservation.

#### **ACTION PLAN**

1. Public Works will provide biennial updates on the City's progress towards achieving Green House Gas emission reduction goals set in the adopted Climate Action Plan. **Status: Ongoing.**

2. Public Works will maintain and report Green House Gas inventories on a regular basis. **Status: Ongoing.**

3. Public Works will continue to change light fixtures and ballasts to energy efficient models. **Status: Ongoing.**

4. Public Works will continue to replace outdated equipment with energy efficient models. **Status: Ongoing.**

5. Public Works will continue to implement integrated pest management practices that reduce the amount of chemicals in use. **Status: Ongoing.**

6. Public Works will continue to research grant opportunities for implementation of climate protection measures. **Status: Ongoing.**

7. Public Works will research opportunities to convert fleet vehicles to alternative fuel vehicles. **Status: Pending.**

8. Public Works will pursue installation of Bay Friendly landscaping to reduce water usage and power tool usage. **Status: Pending.**

9. Public Works will comply with mandatory water restrictions in the maintenance and operation of City facilities. **Status: Ongoing.**



10. Public Works will continue modifying City irrigation systems to improve efficiency. **Status: Ongoing.**

#### **IV. COMMUNITY DEVELOPMENT**

##### ***Critical Issue***

Make development decisions that maintain a vibrant, balanced, quality community.

##### ***STRATEGY IV-A***

Improve housing diversity, add community amenities, and enhance long-term revenue through new development consistent with Specific Plans and the General Plan.

##### ***ACTION PLAN***

1. Community Development will implement the Housing Element in compliance with State law and Plan Bay Area. **Status: Ongoing.**

2. Community Development will work with developers to facilitate development of a golf course or other recreational amenity and high-end housing consistent with the Areas 3 and 4 Specific Plan. **Status: Ongoing.**

3. Community Development study the replacement of the Inclusionary Housing Ordinance with an Affordable Housing Impact Fee. **Status: Completed.**

4. Community Development will identify multi-family housing units that are in need of rehabilitation and identify strategies and funding sources to address needed maintenance and repairs. **Status: In Progress.**

5. Community Development will identify sites that would be appropriate for senior housing and will work with non-profit housing developers to design and build affordable housing for seniors. **Status: In Progress.**

6. Community Development will complete an assessment of local shelter space needs and, depending on the results, identify funding sources

for site acquisition and construction of emergency housing or expansion of the existing Second Chance shelter. **Status: In Progress.**

7. Community Development will analyze and address constraints to the maintenance, improvement, or development of housing for persons with disabilities. **Status: Ongoing.**

8. Community Development will promote the redevelopment of sites designated for residential use that are currently developed for commercial/ industrial purposes. **Status: Ongoing.**

9. Community Development will assure that conditions of development are established that encourage civic involvement. **Status: Ongoing.**

10. Community Development will work with property owners to implement the Dumbarton Transit Oriented Development Specific Plan. **Status: In Progress.**

11. Community Development and Public Works will develop and implement a landscaping and lighting plan for Old Town. **Status: In Progress.**

##### ***STRATEGY IV-B***

Ensure that the community has a coherent and long-term vision for the future through its General Plan, Specific Plans, and Master Plans.

##### ***ACTION PLAN***

1. Community Development will facilitate the completion of a Citywide Parks Master Plan. **Status: In Progress.**

2. City staff will provide the community with improved access to a variety of governmental information via the City's web page, social media, the newsletter, and the City's local cable station. **Status: Ongoing.**

3. Community Development will update the Zoning ordinance. **Status: Ongoing.**



### **STRATEGY IV-C**

Market our community through partnerships with regional agencies, neighboring communities, and directly with property owners, brokers, and businesses.

#### **ACTION PLAN**

1. Community Development will conduct outreach to potential tenants. **Status: Ongoing.**
2. Recreation and Community Services will promote facilities and programs that enhance overall marketability of the City. **Status: Ongoing.**
3. Community Development will encourage development by marketing opportunity sites to developers in partnership with property owners. **Status: Ongoing.**

### **STRATEGY IV-D**

Support the local business community.

#### **ACTION PLAN**

1. Community Development staff will serve as a liaison to the Chamber of Commerce Board of Directors. **Status: Ongoing.**
2. Community Development will include the Chamber of Commerce staff in economic development-related committee activities (e.g., marketing and Old Town). **Status: Ongoing.**
3. Community Development will work with the Chamber of Commerce to promote business retention efforts. **Status: Ongoing.**

### **STRATEGY IV-E**

Promote investment and quality of life in existing neighborhoods.

#### **ACTION PLAN**

1. Community Development will ensure that blighted underutilized areas will be included in

the citywide code compliance program. **Status: Ongoing.**

### **STRATEGY IV-F**

Strengthen community identity and City revenue by promoting a varied and vibrant retail mix within attractive retail areas.

#### **ACTION PLAN**

1. Community Development will implement the Economic Development Element. **Status: Ongoing.**
2. Community Development will aggressively pursue revenue generating businesses. **Status: Ongoing.**
3. Community Development will continue to promote the City's restaurant and hotel marketing strategy. **Status: Ongoing.**
4. Community Development will provide updated information on the web for business prospects looking for new locations. **Status: Ongoing.**
5. Community Development will promote the City to target industries. **Status: Ongoing.**
6. Community Development will meet periodically with brokers and realtors to discuss target industries and promote the community. **Status: Ongoing.**

### **STRATEGY IV-G**

Promote the development of transportation options such as Dumbarton transit alternatives and bicycle and pedestrian improvements.

#### **ACTION PLAN**

1. Public Works will provide leadership and staff support to the development and implementation of the Dumbarton Rail Project. **Status: Pending.**
2. Public Works and Community Development will work closely with the Alameda County



Transportation Agency (ACTA) and the Metropolitan Transportation Commission to ensure that Dumbarton Rail remains a priority for funding. *Status: Ongoing.*

3. Public Works will develop and implement a Bicycle & Pedestrian Plan. *Status: In Progress.*

4. Community Development will coordinate development of Dumbarton Transit alternatives with a new transit station. *Status: Ongoing.*

## V. CITY GOVERNMENT OPERATIONS

### *Critical Issue*

Operate a City government that enables the organization to meet service demands of the community.

### *STRATEGY V-A*

Provide and maintain public facilities as resources allow.

### *ACTION PLAN*

1. Public Works will revisit the policy for the provision of sidewalks in commercial/industrial areas. *Status: Pending.*

### *STRATEGY V-B*

Continue to take actions that promote and enhance long-term fiscal stability and independence.

### *ACTION PLAN*

1. Finance will prepare an update to the City's purchasing procedures for City Council approval. *Status: In Progress.*

2. Finance will perform internal audits of all City financial related systems and processes in order to ensure compliance with federal, state, and local laws and to ensure the safety and security of City assets. *Status: Ongoing.*

3. Finance will track revenues closely and make recommendations to the City Manager and City Council, including ways the City can save money, to ensure fiscal stability during the current downturn in the economy. *Status: Ongoing.*

4. Finance will seek other sources of funds and financing for major capital projects. *Status: Ongoing.*

5. Finance will build capacity in the City's budget to reestablish reserves and fund capital projects. *Status: In Progress.*

### *STRATEGY V-C*

Continually evaluate the technological needs of the organization and make upgrades where appropriate.

### *ACTION PLAN*

1. Information Systems will work with departments to use the City's website and other social media to provide information regarding City services, economic development, and other information resources. *Status: Ongoing.*

2. Public Works and Information Systems will continue the development of a citywide Geographic Information System (GIS) program and will add data layers for the City storm drain system, street lights, Landscape and Lighting Districts, capital projects, and record drawings of public improvements. Training will be provided to appropriate staff by a partner in the GIS consortium. *Status: In Progress.*

3. Public Works will implement a development permit tracking system to integrate planning, engineering, and building inspection permits. *Status: Completed.*

4. Public Works will update and expand the Engineering Division informational brochures and policy documents. *Status: Ongoing.*

5. Public Works and Information Systems will modify the City's website to increase the availability of information, data, and forms related to



Engineering's scope of services. **Status: Ongoing.**

#### **STRATEGY V-D**

Identify short and long-term space needs, and ensure facility needs for City departments are provided.

#### **ACTION PLAN**

1. Community Development will facilitate the completion of the Civic Center Feasibility Study. **Status: In Progress.**
2. Public Works will pursue a project to modify the warehouse at the corporation yard to provide adequate storage for City needs. **Status: Pending.**
3. Public Works will continue with critical flooring replacements, painting and roofing to all City buildings in order to maintain City assets. **Status: Ongoing.**
4. Public Works will continue to research and pursue options for reducing inflating utility costs without reducing services to City functions. **Status: Ongoing.**
5. Public Works will continue to perform preventative maintenance to minimize interruptions caused by equipment failures. **Status: Ongoing.**
6. Public Works will pursue options to provide reliable HVAC systems at all City facilities. **Status: Ongoing.**

#### **STRATEGY V-E**

Work with other agencies to meet the needs of the community.

#### **ACTION PLAN**

1. City staff will implement the City's telecommunications policy. **Status: Ongoing.**
2. Administrative Services will promote commercial/industrial recycling through the conduct

of waste audits and through an aggressive construction/demolition debris program. **Status: Ongoing.**

3. Administrative Services will work with Stop-waste and Republic Services on additional strategies for reducing the City's waste disposal figure, including adding commercial organics collection services. **Status: Ongoing.**

#### **STRATEGY V-F**

Participate in regional and sub-regional collaborative efforts.

#### **ACTION PLAN**

1. Public Works will continue collaborative work with Fremont, Union City, Alameda County Water District, and Union Sanitary District on the Southern Alameda County GIS Consortium and develop new common layers/data. **Status: Ongoing.**
2. Community Development will participate in the Technical Advisory Committee (TAC) and the Finance Advisory Committee (FAC) which provides support to the AC Transit Policy Advisory Committee (PAC). **Status: Ongoing.**
3. Public Works will continue to participate in the Alameda County Climate Protection Project. **Status: Ongoing.**

#### **STRATEGY V-G**

Provide a safe and effective work environment that engages each employee to perform at an optimal level of service.

#### **ACTION PLAN**

1. The City Manager will conduct a minimum of two management meetings per year to discuss issues related to City operations and future plans. **Status: Ongoing.**
2. The City Manager and Executive Team will annually review the organization structure and



make adjustments in the workforce as needed to meet service level demands. **Status: Ongoing.**

3. The Executive Team will meet annually to evaluate operations and review City finances and strategic action plans, to ensure efficient operation of the City in meeting increasing service demands. **Status: Ongoing.**

4. The Executive Team and Human Resources will foster a positive work environment that recognizes and rewards employee achievement and excellence with such programs as PRIDE, Annual Service Awards, and Employee of the Year. **Status: Ongoing.**

5. Human Resources, in coordination with departments, will provide a citywide training program to ensure compliance with state and federal requirements. **Status: Ongoing.**

6. Human Resources will serve as a resource to managers and supervisors, whereby employment and labor related policies, processes, and procedures are administered with fairness and equity, balancing the need for compliance within a framework of flexibility. **Status: Ongoing.**

7. Human Resources will communicate timely and relevant information to all employees, departments and labor groups to provide effective, credible, and consistent information and assistance. **Status: Ongoing.**

8. Human Resources will participate in the Risk Management Program and Committee to proactively implement best practices in risk management and workers compensation and to utilize data to measure program effectiveness. **Status: Ongoing.**

9. Human Resources will review and update the Illness & Injury Prevention Plan as needed. **Status: Ongoing.**

10. Human Resources will meet and promote OSHA standards for safe work practices. **Status: Ongoing.**

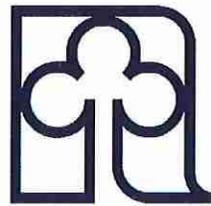
11. Human Resources will devise, develop, and implement effective recruitment and selection processes, classification and compensation analysis and planning, employee benefits, and services and compensation for injured workers. **Status: Ongoing.**

12. The Executive Team and Human Resources will provide career ladders and opportunities for growth and promote and support succession planning in departments. **Status: Ongoing.**

13. Human Resources will establish and maintain tools and resources for departments to provide timely, accurate, and relevant performance evaluations to promote career development and recognize and encourage employee achievement. **Status: Ongoing.**

14. Human Resources will communicate transparently with employees to promote an understanding of City work dynamics, trends, policies, processes and procedures with concern and care for the employee as an individual, and as a member of the Citywide team. **Status: Ongoing.**

15. Human Resources will develop and implement a citywide employee wellness program that facilitates activities to promote healthier lifestyles including exercise, healthy diet, and nutrition. **Status: Ongoing.**





# GLOSSARY

## REVENUE SOURCE DEFINITIONS

Over 50 different ongoing revenue sources finance the services provided by the City. These revenue sources are broken into seven categories. Below are brief explanations of each category and revenue source. Following the revenue source explanations are definitions of terms used in this Five-Year Forecast.

## CHARGES FOR CURRENT SERVICES

These charges are commonly known as user fees. These are different from taxes in that the fees are paid directly by the party benefiting from the service. For example, residents pay a fee to participate in the softball program.

**Art in Public Places Fee.** Charged to residential and commercial/industrial developments and construction projects that add over 10,000 square feet of space or that are located along major arterials as indicated in the General Plan map. The fees collected are used for the creation of artworks in public places and private development in a manner to offset the impacts of urban development.

**Development Impact Fee.** Charges assessed to new residential, commercial, and industrial developers to be used for specific public safety, transportation, community development, and housing projects.

**Environmental Protection Fee.** (also known as Urban Run-Off Clean Water Fee). Charged to all parcels in the City and collected through the County tax rolls. This fee covers the City's costs to minimize

storm water runoff pollution into San Francisco Bay. This is a mandated State and Federal program.

**Maintenance Fee.** Charged for street barricading, sign removal from public right-of-way, and for Neighborhood Watch Program signs.

**Microfilming Fee.** Charges associated with the issuance of building permits. Fees are based on the conversion costs and quantity of plans and documents to be microfilmed.

**Park Impact Fee.** Charged for new dwelling units. The park impact fee was updated in 2013 with a Parks Impact Fee Study which established the reasonable relationship between the parks fee and the purpose of the fee.

**Plan Checking Fee.** Charged for staff review of plans and field inspections for subdivision construction.

**Public Safety Fee.** Charges for hazardous materials permits, hazardous materials responses, fire permits, etc. (Fire) and for responding to excessive false alarms, expenses related to cases involving driving under the influence, towing administration, etc. (Police).

**Recreation - Child Care Activity Fee.** Charged to Licensed Child Care Program participants in order to recover part of the cost of providing specific services offered at the Community Center.

**Recreation - Community Center Building Rental Fee.** Charges for the use of the Community Center, including wedding receptions, family parties, and community fundraisers.



**Recreation - General Community & Human Services.** Revenue generated from fee charges generated from a variety of community and human services programs and activity fees in order to recover the cost of providing specific services.

**Recreation - General Recreation Services.** Revenue generated from fee charges from sports and physical fitness programs and activity fees in order to recover the costs of providing specific services. The City also receives fees from Activities Guide advertising.

**Recreation - General Senior Center Activity.** Revenue generated to partially offset programming costs for Newark's senior community, including a variety of classes in the arts, home safety, fitness, wellness, computer training, language, excursions, and many other activities.

**Recreation - General Teen & Youth Activity.** Revenue generated from a variety of youth and teen program fees to recover the costs of providing specific services.

**Recreation - Preschool Activity.** Revenue generated from Preschool Program fees in order to recover the cost of providing specific services at the Silliman Activity Center.

**Recreation - Silliman Activity Users Fee.** Revenue generated from a variety of admission fees for the use of the Silliman Activity Center.

**Recreation - Silliman Facility Rentals.** Revenue generated from rental fee charges for the use of the Silliman Activity Center's gymnasium and community meeting room.

**Recreation - Silliman Family Aquatic Center Concessions.** This revenue is generated by food and beverage sales for the convenience of customers while utilizing the amenities, programs, and

services available at the Silliman Activity Center.

**Recreation - Silliman Family Aquatic Center Programs.** This revenue is generated from fee charges for aquatic related programs such as swim lessons, aquatic exercise classes, birthday party packages, family special events, lifeguard certification courses, and camps. Revenue is collected to offset operational and maintenance costs associated with the Aquatic Center.

**Sale of Maps & Publications.** Revenue derived from charges for the cost of photocopying public documents.

**Stormwater Quality Control Plan Review and Inspection Fee.** Charges based on project size for staff review and field inspections of developers' plans and measures designed to minimize pollution of storm water due to construction activities.

**Street Tree Fee.** Charge to developers for maintaining City-planted trees for a period of three years. Revenues collected for damages to City trees caused by vehicular accident are included here.

**Weed Abatement Fee.** Charges for staff time and contract services for the annual weed abatement program.

**Zoning Fee.** Charges for discretionary land use reviews completed by an administrative process or through Planning Commission and City Council review.



## FINES AND FORFEITURES

Revenues resulting from regulatory or legal action that are punitive in nature and designed to discourage certain behaviors.

**Court Fines.** The City's apportionment of court fines collected and remitted by the County.

**Vehicle Code Fines.** The City's apportionment of fines and forfeitures collected by the County. These fines and forfeitures result from violations of the State Vehicle Code.

## LICENSES AND PERMITS

The City grants licenses and permits to allow businesses or residents to engage in certain activities. This revenue helps to offset the costs of enforcing the City's regulations.

**Animal Licenses.** Ownership or possession of a dog requires the purchase of a dog license.

**Business Licenses and Registration.** License and registration are required for all businesses operating in the City. A majority of businesses consist of commercial enterprises and professionals whose business license fees are based on gross receipts.

**Construction (Building) Permits.** Fee for the procurement of building permits that are required for construction projects. The fee are based on the specific nature of the project.

**Encroachment (Street) Permits.** Fee for staff review of the plans and field inspections for work in the public right-of-way performed under an encroachment permit.

**Other Licenses and Permits.** Fees charged for licenses and permits not identified else-

where. Examples include fees for alarm or dance permits.

## PROPERTY TAXES

California State Constitution Article XIII A provides that the combined maximum property tax rate on any given property may not exceed 1% of its assessed value, unless an additional amount has been approved by voters. The County of Alameda assesses properties, bills, and collects these property taxes. The City's share, including all penalties and interest, is remitted by the County.

The two major categories of property tax include:

- **Secured.** A property tax that is levied on real property. Real property is immobile and includes land, natural resources, and fixed improvements to the land.
- **Unsecured.** A property tax that is levied on personal property. Personal property is mobile and includes such tangible property as equipment and inventory.

## REVENUE FROM OTHER AGENCIES

The Federal government, State of California, and Alameda County all provide revenue to the City for specific programs.

**Federal and State Grants.** Funding or contribution by Federal and State governments to support a particular program or function.

**Gasoline Tax.** Gas tax revenues provided by Sections 2105, 2106, 2107, and 2107.5 of the State of California's Streets and Highways Code. These revenues are expended for construction and maintenance of City streets.



**Homeowners Relief.** Replacement revenue of homeowners' property taxes by reason of exemption granted, as remitted by the State of California through Alameda County.

**Vehicle In-Lieu.** Prior to the 2004 Budget Act, this revenue was backfilled from the State's general fund. In November 2004, Proposition 1A was passed that eliminated the Vehicle License Fee backfill and replaced it dollar-for-dollar with property taxes. This revenue source will increase by the same percentage as the property tax assessed valuation.

## REVENUE FROM USE OF MONEY AND PROPERTY

The City's money and property can grow in value when not being used for other purposes.

**Investment Earnings.** A revenue source resulting in the investment of temporary idle funds in interest-bearing accounts. The City has been investing these funds in the State of California's Local Agency Investment Fund, which is a professionally managed fund overseen by the State Treasurer's Office.

## SALES AND OTHER TAXES

These taxes are economically sensitive and revenue generated from them is used to support basic City-delivered services.

**Franchise Tax.** A tax that is usually levied on utility companies for their use of City streets (right-of-way) or for their exclusive franchise to provide services to residents.

Newark imposes a 1% tax on the gross receipts from Pacific Gas and Electric Company; a 20% tax on the gross receipts from Republic Services (from both residential and nonresidential customers); a 5% tax on the gross receipts of the cable television franchise; and an annual franchise fee of approximately \$6,000 on the gas pipeline that runs through Newark.

**Property Transfer Tax.** This tax is levied at a rate of \$1.10 per \$1,000 of equity value transferred at the time of sale. Alameda County collects the tax and the City receives one-half. Revenues are dependent on how frequently the property is transferred and on the accrued value at the time of the transfer.

**Sales and Use Tax.** A 9.5% sales tax levied against the gross sales price of most tangible property other than property sold for resale. Newark receives 1%, with the remaining 8.5% allocated to other agencies that include the State of California, County of Alameda, Bay Area Rapid Transit, and Alameda County Transit.

**Transient Occupancy Tax.** A 10% tax is levied on charges for occupancy of hotel and motel rooms. This tax compensates the City for indirect costs created by visitors, such as increased pollution and congestion. This tax is borne almost exclusively by nonresidents.

**Utility User Tax.** A 3.25% tax was levied on electricity, natural gas, cable television, and phone services effective January 1, 2016. This is a General Fund revenue.



## TERM DEFINITIONS

**B**elow are brief definitions of terms used in this year's Five-Year Forecast. A more detailed explanation of revenue sources can be found in the previous section.

### ACTION PLANS

Originally developed by City staff to address the Key Issues identified in "Five-Year Forecast 1994-1999" within the context of the City's Vision and Mission statements. Action Plans are now developed to address Critical Issues and Strategies and updated with each Five-Year Forecast.

### ASSOCIATION OF BAY AREA GOVERNMENTS (ABAG)

A regional planning agency consisting of the nine Bay Area counties and cities within those counties.

### BIENNIAL BUDGET

A financial plan applicable to two consecutive fiscal years.

### BUDGET PLAN

A list of actions approved by the City Council that provides direction for preparing the Biennial Budget. The Budget Plan is articulated in the Strategic and Budget Plans section.

### CAPITAL IMPROVEMENT PLAN (CIP)

A document that lists potential capital projects by ranking, funding availability, and estimated cost.

### CAPITAL PROJECTS FUND

A capital improvement, as identified in the Capital Improvement Plan, which requires a

significant financial commitment above the City's Operating Budget, and can exceed more than one fiscal year.

### CHAMBER OF COMMERCE

Largest business association in the City that provides service and opportunities to all types and sizes of companies, including networking and promotion.

### CITY COUNCIL

The City's policy and decision-making board comprised of a Mayor and four Council Members. The Mayor is elected to two-year terms and Council Members to four-year terms.

### CONDITIONAL USE PERMIT (CUP)

Pursuant to the Zoning Ordinance, a conditional use permit (CUP) may authorize uses not routinely allowed on a particular site.

### CRITICAL ISSUES AND STRATEGIES

Critical Issues are fundamental challenges facing Newark. Strategies are the plans, programs, processes, or projects used to address them.

### CULTURE STATEMENT

Description of attributes, behaviors, emphases, and skills that the ideal City of Newark will have in managing its daily business and in conducting its relationships with all of its customers.

### DUMBARTON COMMUTER RAIL SYSTEM

The Dumbarton Rail Corridor Project will extend commuter rail service across the South Bay between the Peninsula and the



East Bay. The service will link Caltrain, the Altamont Express, Amtrak's Capitol Corridor, and BART, as well as East Bay bus systems at a multi-modal transit center in Union City.

#### **DUMBARTON TRANSIT ORIENTED DEVELOPMENT**

An approximately 200 acre area centered around Willow Street and Enterprise Drive. It is an area proposed for a transit and pedestrian friendly residential development of up to 2,500 homes with supportive retail and commercial sites. The previously referred to as Area 2.

#### **ENTERPRISE FUND**

Enterprise fund is used to account for operations that are financed and operated in a manner similar to private business. The cost of providing goods or services to the general public on a continuing basis is financed or recovered primarily through user fees or charges.

#### **EXECUTIVE TEAM**

Comprised of the City Manager, City Attorney, Assistant City Manager, Administrative Services Director, Fire Chief (Alameda County Fire Department contract), Human Resources Director, Police Chief, Public Works Director, and Recreation and Community Services Director.

#### **FISCAL YEAR**

A 12-month period which applies to the Biennial Budget; for Newark, this is July 1 through June 30.

#### **FIVE-YEAR FORECAST**

A document which discusses various economic and developmental concerns that the City may have to address over a five-

year period in order to provide adequate service levels and capital projects.

#### **FLEXIBLE HIRING FREEZE**

Vacant positions are frozen and are only filled on a case by case basis after a determination is made of absolute need and necessity.

#### **FUND**

A fund is a tool that accountants use to segregate resources related to specific activities.

#### **GENERAL FUND**

A fund that accounts for all financial resources necessary to carry out basic governmental activities of the City that are not accounted for in another fund. The General Fund supports essential City services such as police and fire protection, community promotion, general government, and management services. Revenues to support the General Fund are derived from sources such as property tax, sales tax, franchise fees, and service fees.

#### **GENERAL PLAN**

The Newark General Plan is a general, yet comprehensive, integrated, and internally consistent statement of the goals, policies, and programs that will guide future growth and change within the City over a twenty year period. The General Plan was updated in 2013.

#### **GEOGRAPHICAL INFORMATION SYSTEM (GIS)**

A system capable of integrating, storing, editing, analyzing, sharing, and displaying geographically referenced information.



---

## **GREEN ECONOMY**

A rapidly growing billion-dollar sector that includes renewable energy sources, organic produce and products, green buildings, alternative fuel vehicles, etc.

## **GROSS DOMESTIC PRODUCT (GDP)**

The total market value of all final goods and services produced within a given country in a given period of time (usually a calendar year).

## **HOUSING ELEMENT**

One of seven state-mandated "elements" (topics) of the City's General Plan. It identifies housing needs for current and future residents of all income levels. It contains the City's strategy for addressing housing needs, particularly for affordable housing.

## **INFLATION**

A rise in the general level of prices over time. This may also refer to a rise in the prices of a specific set of goods or services. In either case, it is measured as the percentage rate of change of a price index. A widely known index for which inflation rates are reported is the Consumer Price Index (CPI), which measures consumer prices.

## **JPA**

The California Government Code allows two or more local public entities to form a Joint Powers Authority (JPA) to mutually address a common issue.

## **MASTER FEE SCHEDULE**

Adopted annually by the City Council, this schedule provides for City fees designed to cover or offset the costs of

providing selected services to individuals, groups, or business entities.

## **MISSION STATEMENT**

The Executive Team's description of the City organization's purpose and reason for existence.

## **NONFARM PAYROLL EMPLOYMENT**

Represents the number of jobs added or lost in the economy over the last month, not including jobs related to the farming industry. The farming industry is not included because of its seasonal hiring, which would distort the number around harvest times (as farms add workers, then release them after the harvest is complete).

## **NONRESIDENTIAL LINKAGE FEE**

Fee required from new commercial and industrial development to offset the impacts of this new development on affordable housing. See Section 17.18.080 of the Newark Municipal Code.

## **OHLONE COLLEGE NEWARK CENTER**

The Ohlone College Newark Center for Technology and Health Sciences (OCNC) is home to academic groups that include Business & Technology, Exercise Science & Wellness, Health Sciences, Learning Resource Center, Science & Environmental Science, and General Education.

## **OPERATING BUDGET**

Current planned expenditures and the proposed source of funds to finance them. The Operating Budget is a financial plan that provides for service delivery activities and support functions.



---

## **OSHA**

Occupational Safety and Health Administration (OSHA) is the main federal agency charged with the enforcement of safety and health legislation.

## **PUBLIC EMPLOYEES' RETIREMENT SYSTEM (PERS)**

PERS is an agency that manages pension and health benefits for current and retired public employees and their families.

## **PERSONAL INCOME**

An individual's total earnings based on wages, investment enterprises, and other ventures.

## **PRIDE STATEMENT**

A statement of the values identified by City employees in bringing the highest quality services to the community.

## **PROPERTY TAX**

A tax set upon the assessed value of real property.

## **RESERVE**

Funds that have not been appropriated, but have been set aside for a specific purpose.

## **RISK MANAGEMENT COMMITTEE**

The Risk Management Committee (RMC) is comprised of City employees from every department. The RMC provides leadership and coordination for meeting the City's safety and risk management goals for both general liability and workers' compensation claims.

## **SALES TAX**

A tax, currently 9.5%, based upon gross sales receipts of taxable items.

## **SOUTHWEST NEWARK RESIDENTIAL AND RECREATIONAL PROJECT**

This area is approximately 640 acres located in the far southwest portion of Newark. It is proposed to be developed as a high-end residential development, a school site, parks/open space, and an 18-hole golf course of other recreational amenity. It is to contain up to 1,260 detached homes. The area is sometimes referred to as Areas 3 and 4.

## **STRATEGIC PLAN**

A plan to identify community needs and to determine the best method of responding to those needs through service delivery and measurement.

## **SUBPRIME MORTGAGE**

Mortgage loans that do not meet Fannie Mae or Freddie Mac guidelines. A subprime mortgage is offered at a higher rate than prime mortgage loans due to perceived increased risk. Subprime mortgage loans are riskier loans in that they are made to borrowers unable to qualify under traditional, more stringent criteria due to a limited or blemished credit history. Subprime mortgage loans have a much higher rate of default and are priced based on the risk assumed by the lender.

## **TRANSIENT OCCUPANCY TAX (TOT)**

A tax imposed on hotel/motel occupants; the City's current tax rate is 10%.



---

## **UNALLOCATED FUND BALANCE**

Funds that have not been appropriated, identified as reserves, or legally identified for a specific purpose.

## **UTILITY USERS TAX (UUT)**

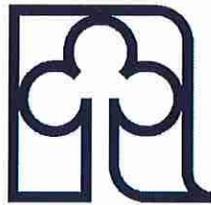
A 3.25% tax was levied on electricity, natural gas, cable television, and phone services effective January 1, 2016 and was approved by voters as Measure Y in 2014.

## **VALUES STATEMENT**

See PRIDE Statement.

## **VISION STATEMENT**

The City Council's description of the ideal Newark. The organization's policies, resources, and efforts are directed toward achieving this Vision.



**F.4 Acceptance of work with Rosas Brothers Construction for 2015 Curb, Gutter and Sidewalk Replacement, Project 1095 – from Public Works Director Fajeau.  
(RESOLUTION)**

**Background/Discussion** – On April 11, 2013, the City Council authorized award of a contract to Rosas Brothers Construction for the 2013 Curb, Gutter, and Sidewalk Replacement, Project 1042 with options to renew annually for up to three additional years. On July 9, 2015, the Public Works Director, as authorized under the original project specifications, exercised renewal of the contract with Rosas Brothers Construction for the 2015 Curb, Gutter and Sidewalk Replacement, Project 1095. The scope of work included replacement of damaged curb and gutter, damaged sidewalk, and other concrete repairs on a Citywide basis. All work on this project is now complete.

**Attachment**

**Action** - It is recommended that the City Council, by resolution, accept the work with Rosas Brothers Construction for 2015 Curb, Gutter, and Sidewalk Replacement, Project 1095.

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
NEWARK ACCEPTING THE WORK WITH ROSAS  
BROTHERS CONSTRUCTION FOR 2015 CURB, GUTTER,  
AND SIDEWALK REPLACEMENT, PROJECT 1095

WHEREAS, the City of Newark has entered into a contract with Rosas Brothers Construction, pursuant to Resolution No. 10,079, for 2013 Curb, Gutter, and Sidewalk Replacement, Project 1042, in the City of Newark, in accordance with the plans and specifications for the contract; and

WHEREAS, pursuant to the specifications approved by the City Council for Project , the Public Works Director is authorized to renew the contract annually for up to three additional years and renewal was exercised on July 9, 2015, for the 2015 Curb, Gutter, and Sidewalk Replacement, Project 1095; and

WHEREAS, said work has been completed in conformance with the plans and specifications of the contract hereinabove referred to and the conditions thereof;

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

- F.5 Approval to reclassify the Accounting Technician - Confidential position to Accounting Technician II – Confidential by amending the Employee Classification Plan, to add the classification of Accounting Technician II – Confidential and revise the classification of Accounting Technician – Confidential to Accounting Technician I – Confidential; amending the Compensation and Benefit Plan for the Confidential Employee Group to add the classification of Accounting Technician II - Confidential; and amending the 2014-2016 Biennial Budget to add the position and the funding for the position of Accounting Technician II - Confidential and to delete the position and funding for Accounting Technician - Confidential – from Human Resources Director Abe. (RESOLUTIONS – 3)**

**Background/Discussion** – The Administrative Services Department has proposed the reclassification of the payroll position in Finance from Accounting Technician – Confidential to Accounting Technician II – Confidential. The reclassification reflects the scope and complexity of the deadline driven services provided to all employees citywide.

Finance has one position responsible for processing citywide payroll. The duties and responsibilities of this single position classification have evolved from a specialized payroll position to a position which performs a variety of difficult technical support duties related to accounting, budget, and payroll. The position reconciles all payroll deductions; prepares journal entries and maintains the general ledger and subsidiary ledgers; assists with the development of the City's Five Year Forecast and annual budget; and works with the Administrative Services Director and other department staff to develop and refine management accounting systems.

Based on the position's additional duties and responsibilities, the proposed salary range for Accounting Technician II – Confidential is \$6,411 to 7,641 per month, ten percent above the salary range for Accounting Technician – Confidential.

#### **Attachments**

**Action** - It is recommended that the City Council approve by resolutions: (1) amending Resolution No. 2505, Employee Classification Plan, to create one new class specification entitled Accounting Technician II - Confidential, and to revise one class specification entitled Accounting Technician I - Confidential (2) amending Resolution No. 10400, the Compensation and Benefit Plan for the City of Newark Confidential Employee Group to add one new classification, entitled Accounting Technician II - Confidential and revise the tile of one classification to Accounting Technician 1 – Confidential and (3) amending Resolution 10235, the 2014-2016 Biennial Budget to add one Accounting Technician II – Confidential and delete one Accounting Technician I – Confidential.

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWARK AMENDING RESOLUTION NO. 2505, THE EMPLOYEE CLASSIFICATION PLAN, TO CREATE ONE NEW CLASS SPECIFICATION, ENTITLED ACCOUNTING TECHNICIAN II – CONFIDENTIAL AND TO REVISE ONE CLASS SPECIFICATION ENTITLED ACCOUNTING TECHNICIAN I -- CONFIDENTIAL

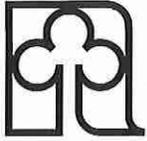
BE IT RESOLVED by the City Council of the City of Newark that Resolution No. 2505, adopting an Employee Classification Plan, is amended as set forth in the following, effective April 28, 2016:

**ADD**

<b>New Classification Code</b>	<b>New Classification Title</b>
71.0	Accounting Technician II – Confidential

**REVISE**

<b>Revised Classification Code</b>	<b>Revised Classification Title</b>
37.2	Accounting Technician I – Confidential



Class Code: 71.0  
WP Code: Acctg Tech Conf II  
Established: 04/28/2016  
Revised: \_\_\_\_\_  
EEO Code: Technician

## CLASS SPECIFICATION

City of Newark, California

### ACCOUNTING TECHNICIAN II – CONFIDENTIAL

DEFINITION - Under general supervision, performs difficult financial, treasury, and accounting work; assists in the preparation of the City's annual budget and annual state compensation report; prepares statistical and financial reports related to budget, payroll, and staffing costs; and performs related work as required.

CLASS CHARACTERISTICS - This is a specialized classification involving a variety of technical support duties related to accounting, budget, and payroll. This class performs assignments requiring independent judgment and the application of technical and sub-professional accounting skills. This class differs from Accounting Technician I – Confidential in that it performs assignments requiring a higher level of accounting knowledge and involving work on special projects related to the budget and reporting.

EXAMPLES OF ESSENTIAL DUTIES - Duties may include, but are not limited to, the following:

Establish, maintain and update information and data in manual and computerized employee record files;

Review, proof, verify and balance confidential payroll data submitted by departments, ensuring compliance with policies and laws;

Reconcile all payroll deductions and submit for payment;

Prepare journal entries and maintain the general ledger and subsidiary ledgers;

Prepare, update and reconcile various worksheets;

Ensure proper authorization and documentation for disbursements and other transactions;

Assist in the performance of the year-end review of accounts;

Assist auditors by locating records and explaining City policies and procedures;

Review drafts of audit reports;

Compare actual expenditures with appropriations and research and resolve any problems or issues;

Confer with other department's staff on accounting and payroll processing matters;

Assist with development of the City's five year forecast and annual budget;

## **Accounting Technician II – Confidential**

Prepare various graphics and files in the budget preparation process;  
Research and assemble information from a variety of sources for the completion of forms or the preparation of reports;

Maintain spreadsheets on City projects and ensure compliance with grants and other legal requirements as related to staff costs;

Work with Finance Director and other department staff to develop and refine management accounting systems;

Make complex arithmetic, financial or statistical calculations;

Provide information to representatives of financial institutions, the public or City staff;

Uses a computer system to enter and generate reports and operate standard office equipment;

Perform a variety of administrative support work such as organizing and maintaining various files, typing correspondence, reports, forms, and specialized documents, editing, proofreading and checking materials for accuracy, completeness, and compliance with City policies and regulations;

### MINIMUM QUALIFICATIONS

#### Knowledge of:

Financial recordkeeping, bookkeeping and basic governmental accounting principles and practices.

Basic auditing principles and practices.

Office management practices and procedures, including filing and the operation of standard office equipment.

Business arithmetic, including percentages and decimals.

Correct business English usage and the standard format for typed materials.

Basic policies and practices related to municipal budgeting.

Relevant laws, rules, and regulations

Fair Labor Standards Act and other relevant laws, rules and regulations.

#### Ability to:

Prepare, maintain, and reconcile various complex financial, accounting, payroll, statistical, auditing, and numerical records.

## **Accounting Technician II – Confidential**

Read, interpret and apply rules, policies and procedures.

Organize, research, and maintain office files.

Make arithmetic calculations with speed and accuracy and create spreadsheets.

Use initiative and sound independent judgment within established guidelines.

Operate standard office equipment, including a personal computer.

Establish and maintain effective working relationships with those contacted in the course of the work.

Deal effectively and courteously with co-workers, other departments and the public.

Review and interpret financial reports.

### Experience and Training

Any combination of experience and training that would provide the required knowledge and abilities is qualifying. A typical way to obtain the required knowledge and abilities would be:

#### Experience:

Five years of bookkeeping, payroll, accounting, treasury, or financial support experience at a level equivalent to Accounting Assistant I/II or three years of similar experience at a level equivalent to Accounting Technician – Confidential I.

#### Training:

Graduation from high school or equivalent.

Specialized business or college level course work in accounting or bookkeeping and experience in a governmental or municipal setting are desirable.

A college degree in business or accounting may be substituted for some of the required work experience.

### License or Certificate

Possession of, or ability to obtain, a valid California Class C Driver's License and a satisfactory driving record.

**Probationary Period:** 6 months

**FLSA:** Nonexempt



Technical

Class Code: 037.2  
WP Code: AcctgTech Conf I  
Established: \_\_\_\_\_  
Revised: 6/27/91; 4/28/16  
EEO Code: \_\_\_\_\_

## CLASS SPECIFICATION

City of Newark, California

### ACCOUNTING TECHNICIAN ~~I~~ - CONFIDENTIAL

DEFINITION - Nature of Work:—Under general supervision, provides a variety of difficult financial, treasury and accounting office and technical support involving confidential matters; may perform office administrative duties, including some typing and record keeping; performs related work as assigned.

CLASS CHARACTERISTICS - Class Characteristics:—This journey level specialist class performs complex or difficult accounting support or payroll work requiring independent judgment or the application of technical skills. This class is comparable to the generic classification of Accounting Technician except that this class performs work involving confidential information relating to payroll and labor relations data.

#### EXAMPLES OF ESSENTIAL DUTIES - Duties may include, but are not limited to, the following:

##### Illustrative Examples of Work:

Performs responsible accounting, treasury or financial technical support work in such areas as general ledger, payroll, investments, cash management, and bond maintenance;

eEstablishes, maintains and updates information and data in manual and computerized employee record files;

rReviews, proofreads, verifies and balances confidential payroll data submitted by departments, ensuring compliance with policies and laws;

rReconciles all payroll deductions and submits for payment;

gGenerates various computer tapes/records, reconciles with corresponding reports, prepares required accompanying documentation and submits to the appropriate agency;

aAssists with cost analysis of negotiation proposals, personnel programs, and employee benefit packages;

pPrepares, verifies/verify and distributes various periodic reports;

rReview and analyzes the general ledger, resolving any discrepancies;

uUpdates and reconciles various worksheets and prepares year-end journal entries;

pPrepares and reviews drafts of audits and assists auditors by preparing and providing required materials and information;

~~m~~Monitors special assessments by examining and balancing monthly statements, calculating the distribution of interest income, reviewing billings and calculating remittances, and updating computer programs to reflect tax rolls;

~~e~~Compare actual expenditures with appropriations and ~~r~~esearches and ~~r~~esolves any problems or issues;

~~e~~Edit budget narrative and figures;

~~R~~Review and ~~i~~interact current, amended and new budget and revenue figures for inclusion in the annual budget;

~~p~~Prepare various graphics, ~~t~~apes and ~~f~~iles in the budget preparation process;

~~r~~Research and ~~a~~assemble information from a variety of sources for the completion of forms or the preparation of reports;

~~m~~Make complex arithmetic, financial or statistical calculations; ~~p~~rovide information to representatives of financial institutions, the public or the City staff that requires the use of judgment and the interpretation of policies, rules or procedures;

~~u~~Use a ~~personal or on-line~~ computer system to enter data and generate reports and operate standard office equipment;

~~p~~Perform a variety of administrative support work such as organizing and maintaining various files, typing correspondence, reports, forms, and specialized documents, and proofreading and checking materials for accuracy, completeness and compliance with City policies and regulations;

~~operates standard office equipment~~; ~~o~~Organize work, ~~s~~et priorities and ~~f~~ollow-up to ensure coordination and completion of assigned work.

MINIMUM QUALIFICATIONS  
QUALIFICATIONS

Knowledge, Abilities and Skills

Knowledge of:

Financial recordkeeping, bookkeeping and basic governmental accounting principles and practices.

———Basic auditing principles and practices.

Office management practices and procedures, including filing and the operation of standard office equipment.

Accounting Technician I – Confidential

Business arithmetic, including percentages and decimals.

Correct business English usage and the standard format for typed materials.

Business data processing principles and the use of word processing equipment.

Fair Labor Standards Act and other relevant laws, rules and regulations.

Ability or Skill to:

Organize, prioritize and coordinate work activities.

Prepare, maintain and reconcile various complex financial, accounting, payroll, statistical, auditing and numerical records.

Read, interpret and apply rules, policies and procedures.

Organize, research, and maintain office files.

Make arithmetic calculations with speed and accuracy.

Use initiative and sound independent judgment within established guidelines.

Operate standard office equipment, including a personal computer.

\_\_\_\_\_ Establish and maintain effective working relationships with those contacted in the course of the work.

Experience and Training

Any combination of experience and training that would provide the required knowledge and abilities is qualifying. A typical way to obtain the required knowledge and abilities would be:

Experience:

Four years of bookkeeping, payroll, accounting, treasury or financial support experience at a level equivalent to Accounting Assistant I/II or two years of similar experience at a level equivalent to Senior Accounting Assistant.

\_\_\_\_\_ Education and Experience: Any combination of education, training, or experience equivalent to

gGraduation from high school or equivalent.  
and four years of bookkeeping, payroll, accounting, treasury or financial support experience at a level equivalent to Accounting Assistant I/II or two years of similar

Accounting Technician I – Confidential

~~experience at a level equivalent to Senior Accounting Assistant.~~ Specialized business or college level coursework in accounting or bookkeeping and experience in a governmental or municipal setting are desirable.

License or Certificate

Special Requirement: Possession of, or ability to obtain, a valid California driver's license and a satisfactory driving record.

**~~Probationary Period: 6 Months~~**

**FLSA: Nonexempt**

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWARK AMENDING RESOLUTION NO. 10400, THE COMPENSATION AND BENEFIT PLAN FOR THE CITY OF NEWARK CONFIDENTIAL EMPLOYEE GROUP TO ADD ONE NEW CLASSIFICATION, ENTITLED ACCOUNTING TECHNICIAN II – CONFIDENTIAL AND REVISE THE TITLE OF ONE CLASSIFICATION TO ACCOUNTING TECHNICIAN I - CONFIDENTIAL

BE IT RESOLVED by the City Council of the City of Newark that Resolution No. 10400, The Compensation and Benefit Plan for City of Newark Confidential Employee Group, be amended to add one new classification as follows, effective April 28, 2016:

**ADD**

<b>Add Classification Title</b>	<b>Salary</b>	<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>	<b>Step 4</b>	<b>Step 5</b>
Accounting Technician II – Confidential	Monthly: Hourly:	\$6,411 \$36.99	\$6,698 \$38.64	\$6,998 \$40.37	\$7,305 \$42.14	\$7,641 \$44.08

**REVISE**

<b>OLD TITLE</b>	<b>REVISED TITLE</b>
Accounting Technician – Confidential	Accounting Technician I - Confidential

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWARK AMENDING RESOLUTION NO. 10235 THE 2014-2016 BIENNIAL BUDGET TO ADD ONE ACCOUNTING TECHNICIAN II – CONFIDENTIAL POSITION AND DELETE ONE ACCOUNTING TECHNICIAN - CONFIDENTIAL POSITION

BE IT RESOLVED by the City Council of the City of Newark that the 2014-2016 Biennial Budget was adopted by Resolution No. 10235 and is hereby amended to add one position of Accounting Technician II - Confidential effective April 28, 2016 and to delete one position Accounting Technician - Confidential effective April 28, 2016 as follows:

<b>Delete Classification Title</b>	<b>Delete Allocation (Activity Code/%)</b>	<b>Add New Classification Title</b>	<b>Add New Allocation (Activity Code/%)</b>
(1.0) Accounting Technician - Confidential	1025 - 100%	(1.0) Accounting Technician II - Confidential	1025 - 100%

BE IT FURTHER RESOLVED that the 2014-2016 Biennial Budget for the Fiscal Year 2015-2016 is hereby amended as follows:

FROM:

010-0000-2991      Unallocated Fund Balance      \$2000

TO:

010-1025-4100      Finance Staff      \$2000

**F.6 Authorization for the City Manager to sign a combined Master Programs Funding Agreement between the Alameda County Transportation Commission and the City of Newark – from Public Works Director Fajeau. (RESOLUTION)**

**Background/Discussion** – On November 4, 2014, Alameda County voters approved Measure BB, the 2014 Transportation Expenditure Plan (TEP), authorizing the Alameda County Transportation Commission (Alameda CTC) to administer the proceeds from the extension of the existing Measure B half-cent sales tax that is scheduled to terminate on March 31, 2022, and the augmentation of the sales tax by an additional one-half percent. The City Council approved a Master Programs Funding Agreement (MPFA) with the Alameda CTC on May 14, 2015 for the initial disbursement of Measure BB direct local distribution funds through June 30, 2016. This MPFA was intended as a short-term agreement to allow for the immediate distribution of funds and to provide additional time to develop related policies and performance measures for a more permanent agreement.

The Alameda CTC is also responsible for the distribution of revenues generated through the reauthorization of Measure B approved by voters in 2000 and the Vehicle Registration Fee (VRF) Program approved by voters as Measure F in 2010. The City Council approved a MPFA with the Alameda CTC on February 23, 2012 to govern the distribution of direct local distribution funds from the Measure B and the VRF Programs through June 30, 2022.

In an effort to provide consistent implementation of Measure B, Measure BB, and VRF direct local distribution funds, the Alameda CTC has proposed a combined single master agreement with each local jurisdiction for all three of these fund sources. A combined MPFA would provide consistent policies and requirements that are applicable to all funds and would help streamline program implementation for each local agency recipient and the Alameda CTC. The proposed 10-year MPFA would replace both existing agreements with an effective date of July 1, 2016 and a sunset date of June 30, 2026. The combined MPFA is based primarily on the existing 2012 Measure B/VRF agreement. The agreement for each jurisdiction contains policies on expenditures, timely use of fund requirements, implementation guidelines, and performance measures to guide the expeditious use and investment of the direct local distribution funds.

Measure B and Measure BB each contain a Bicycle and Pedestrian Program, a Local Streets and Roads Program, a Mass Transit Program (the City does not receive direct mass transit funds), and a Paratransit Program. The VRF contains only and Local Streets and Roads Program. The projected funding amounts for the City of Newark for each direct local distribution program in 2016-2017 are as follows:

**City of Newark Projected Direct Local Distribution Funding, 2016-2017**

<b>Fund Program</b>	<b>Local Streets and Roads</b>	<b>Bicycle and Pedestrian</b>	<b>Paratransit</b>	<b>Newark Total</b>
Measure B	\$ 477,075	\$ 133,288	\$ 185,154	\$ 795,517
Measure BB	\$ 432,510	\$109,865	\$ 114,301	\$ 656,676
VRF	\$ 194,063	n/a	n/a	\$ 194,063

The projected total funding for 2016-2017 for the City of Newark from all three fund programs in the amount of \$1,646,256 is approximately 2% more than the final projections for 2015-2016.

The proposed combined MPFA delineates the requirements of the Measure B, Measure BB, and VRF funds that are directly allocated to the City of Newark. Discretionary funds identified in each of the expenditure plans for these fund sources are not subject to the MPFA. Consistent with past practice, use of discretionary funds would require approval of a separate agreement.

**Attachment**

**Action** - It is recommended that the City Council, by resolution, authorize the City Manager to sign a combined Master Programs Funding Agreement between the Alameda County Transportation Commission and the City of Newark.

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
NEWARK AUTHORIZING THE CITY MANAGER TO SIGN A  
COMBINED MASTER PROGRAMS FUNDING AGREEMENT  
BETWEEN THE ALAMEDA COUNTY TRANSPORTATION  
COMMISSION AND THE CITY OF NEWARK

WHEREAS, Alameda County voters approved a reauthorization of the 20-year Measure B half-cent transportation sales tax in 2000; and

WHEREAS, Alameda County voters approved Measure F, authorizing a \$10 Vehicle Registration Fee (VRF) in 2010; and

WHEREAS, Alameda County voters approved the 2014 Transportation Expenditure Plan (“Measure BB”), a half-cent transportation sales tax on November 4, 2014 that extends the existing 2000 Measure B transportation sales tax, and augments it by one-half percent to fund projects and programs in Alameda County; and

WHEREAS, the Alameda County Transportation Commission (“Alameda CTC”) is responsible for dispersing the direct local distribution funds from Measure B, Measure BB, and VRF revenues to local jurisdictions to support bicycle and pedestrian infrastructure safety, local street maintenance and safety (local streets and roads), transit and paratransit programs; and

WHEREAS, the Alameda CTC has developed a combined 10-year Measure B, Measure BB, and VRF Master Programs Funding Agreement (MPFA) that specifies the requirements for the dispersion and use of direct local distribution funds, including associated Alameda CTC responsibilities and City of Newark responsibilities; and

WHEREAS, the 10-year combined MPFA supersedes the prior master agreements for Measure B, Measure BB, and VRF direct local distribution funds and has an effective date of July 1, 2016 and a sunset date of June 30, 2016; and

WHEREAS, implementation guidelines for each program are referenced in the MPFA to guide fund eligibility and expenditures.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Newark that the City Manager be and is hereby authorized to sign a combined Master Programs Funding Agreement between the Alameda County Transportation Commission and the City of Newark, said agreement on file in the Office of the City Clerk.

**MASTER PROGRAMS FUNDING AGREEMENT**  
**between the**  
**ALAMEDA COUNTY TRANSPORTATION COMMISSION**  
**and the**  
**CITY OF NEWARK**

This Master Programs Funding Agreement (“AGREEMENT”), effective as of the 1<sup>st</sup> of July 2016, is entered into by and between the Alameda County Transportation Commission (“ALAMEDA CTC”) and the City of Newark (“RECIPIENT”).

**RECITALS**

A. On November 7, 2000, the voters of Alameda County, pursuant to the provisions of the Local Transportation Authority and Improvement Act, California Public Utilities Code Section 180000 et seq. (the “Act”), approved the reauthorization of Measure B, thereby authorizing Alameda County Transportation Improvement Authority (“ACTIA”) to administer the proceeds from a continued one-half cent transaction and use tax (“Measure B”).

B. The duration of the Measure B sales tax will be 20 years from the initial year of collection, which began April 1, 2002, with said tax to terminate/expire on March 31, 2022. The tax proceeds will be used to pay for the programs and projects outlined in Alameda County’s 20-Year Transportation Expenditure Plan (the “Measure B Expenditure Plan”), as it may be amended.

C. The Measure B Expenditure Plan authorizes the issuance of bonds to expedite delivery of transportation projects and programs. Costs associated with bonding will be borne only by the capital projects included in the Measure B Expenditure Plan and by any programs included in the Measure B Expenditure Plan that utilize the bond proceeds.

D. On November 2, 2010, the voters of Alameda County approved Measure F, the Vehicle Registration Fee (“VRF”) Program, pursuant to Section 65089.20 of the Government Code, thereby authorizing the Alameda County Congestion Management Agency (“ACCMA”) to administer the proceeds from a \$10 per year vehicle registration fee on each annual motor-vehicle registration or renewal of registration in Alameda County, starting in May 2011, six months following approval of Measure F. Vehicles subject to the VRF include all motorized vehicles, including passenger cars, light-duty trucks, medium-duty trucks, heavy-duty trucks, buses of all sizes, motorcycles, and motorized camper homes, unless vehicles are expressly exempted from the payment of the VRF.

E. Funds raised by the VRF will be used exclusively for local transportation purposes in Alameda County that have a relationship or benefit to the owners of motor vehicles paying the VRF, including projects and programs identified in the expenditure plan approved by the voters as part of Measure F (the “VRF Expenditure Plan”).

F. On June 24, 2010, ACTIA and ACCMA took the final actions to create ALAMEDA CTC, which has assumed the responsibilities of ACTIA and ACCMA, including duties related to Measure B and the VRF.

G. On November 4, 2014, the voters of Alameda County, pursuant to the Act, approved Measure BB, thereby authorizing ALAMEDA CTC to administer the proceeds from the extension of the existing Measure B one-half of one percent transaction that is scheduled to terminate on March 31, 2022, and the augmentation of the tax by one-half of one percent.

H. The duration of the Measure BB sales tax will be 30 years from the initial year of collection, which begins April 1, 2015, with said tax to terminate/expire on March 31, 2045. The tax proceeds will be used to pay for the investments outlined in Alameda County's 30-Year Transportation Expenditure Plan ("Measure BB Expenditure Plan"), as it may be amended.

I. This AGREEMENT delineates the requirements of the Measure B/Measure BB/VRF Direct Local Distribution ("DLD") funds that are directly allocated to local jurisdictions and transit operators, as authorized by the Measure B Expenditure Plan, the VRF Expenditure Plan, and the Measure BB Expenditure Plan. Discretionary funds identified in these expenditure plans are not the subject of this AGREEMENT, and RECIPIENT will be required to enter into a separate agreement for those funds.

J. This AGREEMENT was originally approved by the governing body of the ALAMEDA CTC on February 25, 2016.

NOW, THEREFORE, it is mutually agreed by and between the parties as follows:

#### ARTICLE I: FUNDING ALLOCATIONS

1. This AGREEMENT authorizes the ALAMEDA CTC to allocate the DLD funds derived from Measure B, Measure BB, and VRF receipts as described in their respective voter-approved expenditure plans and as summarized in Table A: DLD Investment Summary and described below for different fund types.

<b>DLD Program</b>	<b>Fund Program</b>
Bicycle and Pedestrian Program	Measure B and Measure BB
Local Streets and Roads Program	Measure B, Measure BB, and VRF
Mass Transit Program	Measure B and Measure BB
Paratransit Program	Measure B and Measure BB

2. All DLD distributions pursuant to this AGREEMENT shall be effective as of July 1, 2016.

#### **A. BICYCLE AND PEDESTRIAN PROGRAM**

1. ALAMEDA CTC will distribute Measure B and Measure BB DLD funds pursuant to a formula weighted 100 percent by the jurisdiction's population within the subarea. RECIPIENT's allocations are subject to change based on variations in annual population figures.

2. The Bicycle and Pedestrian Program Implementation Guidelines provide program eligibility and fund usage guidelines, definitions, additional requirements, and guideline adoption details. Said guidelines are hereby incorporated into this AGREEMENT by reference.

**B. LOCAL STREETS AND ROADS (LOCAL TRANSPORTATION) PROGRAM**

1. ALAMEDA CTC will distribute Measure B and Measure BB DLD funds pursuant to a formula weighted 50 percent by the jurisdiction's population within the subarea and 50 percent by the number of road miles within the subarea. RECIPIENT's allocations are subject to change based on variations in annual population and road mile figures.

2. ALAMEDA CTC will distribute VRF DLD funds pursuant to a formula weighted 50 percent by the jurisdiction's population within the subarea and 50 percent of the number of registered vehicles in the subarea. RECIPIENT's allocations are subject to change based on variations in annual population and number of registered vehicle figures, as they are made available.

3. The Local Streets and Roads Program Implementation Guidelines provide, program eligibility and fund usage guidelines, definitions, additional requirements, and guideline adoption details. Said guidelines are hereby incorporated into this AGREEMENT by reference.

4. RECIPIENT shall expend a minimum of 15 percent of all Measure BB funds received on project elements directly benefiting bicyclists and pedestrians.

**C. MASS TRANSIT PROGRAM**

1. ALAMEDA CTC will distribute Measure B and Measure BB DLD funds pursuant to set percentages detailed in the Measure B Expenditure Plan and the Measure BB Expenditure Plan. RECIPIENT's percentage fund distribution, if applicable, is detailed in the Measure B and Measure BB Mass Transit Direct Local Distribution Summary, attached hereto as Exhibit A and incorporated into this AGREEMENT by reference. RECIPIENT's allocations are subject to change based on transit service changes.

2. The Mass Transit Program Implementation Guidelines provide program eligibility and fund usage guidelines, definitions, additional requirements, and guideline adoption details. Said guidelines are hereby incorporated into this AGREEMENT by reference.

**D. PARATRANSIT PROGRAM**

1. ALAMEDA CTC will distribute Measure B and Measure BB DLD funds by subarea pursuant to percentages in the Measure B Expenditure Plan, and the Measure BB Expenditure Plan. RECIPIENT's percentage fund distribution by subarea, if applicable, is shown on Exhibit B attached hereto and is incorporated into this AGREEMENT by reference.

a. Measure BB distributions to cities and local transit operators are based on a percentage of the population over age 70 in each of the four planning areas for city-based and mandated paratransit services of local bus transit providers.

b. ALAMEDA CTC will distribute Measure BB to the East Bay Paratransit Consortium pursuant to set percentages in the Measure BB Expenditure Plan to assist the Alameda-Contra Costa Transit District and the San Francisco Bay Area Rapid Transit in meeting its responsibilities under the American with Disabilities Act (ADA).

c. Measure B and BB DLD funds may be further distributed to individual cities within each planning area based on a formula refined by PAPCO, and approved by the ALAMEDA CTC Commission (the "Commission"). RECIPIENT's allocations are subject to change based on updated annual population figures.

2. The Paratransit Program Implementation Guidelines provide program eligibility and fund usage guidelines, definitions, additional requirements, and guideline adoption details. Said guidelines are hereby incorporated into this AGREEMENT by reference.

## ARTICLE II: PAYMENTS AND EXPENDITURES

### A. ALAMEDA CTC'S DUTIES AND OBLIGATIONS

1. Within five working days of actual receipt of the monthly Measure B and Measure BB sales tax revenues and VRF revenues from the State Board of Equalization ("BOE"), the bond trustee or the California Department of Motor Vehicles, Alameda CTC shall remit to the RECIPIENT its designated amount of available DLD funds disbursed on a monthly basis by the formulas described above.

2. ALAMEDA CTC shall annually update the Measure B, Measure BB, and VRF fund revenue projections and the resulting fund allocation formulas to reflect the most current population using the California Department of Finance's annual population estimates (Report E-1 published in May); maintained road mileage from the California Department of Transportation; and the number of registered vehicles in each Alameda County subarea, using registered vehicle data provided by the California Department of Motor Vehicles, as it is made available. ALAMEDA CTC shall use the updated Measure B, Measure BB, and VRF program allocation formulas in the allocations beginning July 1 of each new fiscal year, which is from July 1 to June 30.

3. ALAMEDA CTC shall report monthly to the public the amount of Measure B, Measure BB, and VRF revenues distributed to RECIPIENT by each fund type monthly and for the fiscal year.

4. ALAMEDA CTC shall provide for an independent annual audit of its financial statements including revenues and expenditures and also of its calculation of the allocation formula for distributing Measure B, Measure BB, and VRF revenues to various recipients and render an annual report to the ALAMEDA CTC Commission within 180 days following the close of the fiscal year.

5. ALAMEDA CTC shall provide timely notice to RECIPIENT prior to conducting an audit of expenditures made by RECIPIENT to determine whether such expenditures are in compliance with this AGREEMENT, the Measure B Expenditure Plan, the Measure BB Expenditure Plan, or the VRF Expenditure Plan.

#### B. RECIPIENT'S DUTIES AND OBLIGATIONS

1. RECIPIENT shall expend all Measure B, Measure BB, and VRF funds received in compliance with the applicable guidelines and Plan(s), including the Implementation Guidelines and performance measures, as they may be adopted or amended by ALAMEDA CTC from time to time.

2. RECIPIENT shall set up and maintain an appropriate system of accounts to report on Measure B, Measure BB, and VRF funds received. RECIPIENT must account for Measure B, Measure BB, and VRF funds, including any interest received or accrued, separately for each fund type, and from any other funds received from the ALAMEDA CTC. The accounting system shall provide adequate internal controls and audit trails to facilitate an annual compliance audit for each fund type and the respective usage and application of said funds. ALAMEDA CTC and its representatives, agents and nominees shall have the absolute right at any reasonable time to inspect and copy any accounting records related to such funds, except to the extent specifically prohibited by applicable law.

3. RECIPIENT shall expend Measure B, Measure BB, and VRF funds in compliance with the Timely Use of Funds Policies for Direct Local Distributions, as approved by the Commission, and as they may be adopted or amended by ALAMEDA CTC from time to time.

4. RECIPIENT hereby agrees to and accepts the formulas used in the allocation of Measure B, Measure BB, and VRF revenues as reflected in the ballot measures, the Measure B Expenditure Plan, the Measure BB Expenditure Plan, and the VRF Expenditure Plan, and agrees to accept and utilize the California Department of Finance Estimates of Population figures (Report E-1, updated each May) for California cities and counties for the annual update of the sales tax allocation formulas to begin in each new fiscal year and registered vehicle data provided by the California Department of Motor Vehicles when available.

#### C. OTHER EXPENDITURE RESTRICTIONS

1. **Transportation Purposes Only:** RECIPIENT shall use all Measure B, Measure BB, and VRF funds solely for transportation purposes as defined by the authorizing ballot measures. Any jurisdiction that violates this provision must fully reimburse all misspent funds, including all interest which would have been earned thereon.

2. **Non-Substitution of Funds:** RECIPIENT shall use Measure B and Measure BB funds, pursuant to the Act, and VRF funds to supplement and not replace existing property taxes used for transportation purposes.

3. **Fund Exchange:** Any fund exchanges made using Measure B, Measure BB, or VRF funds must be made for transportation purposes. ALAMEDA CTC will consider exchange proposals on a case-by-case basis.

4. **Staff Cost Limitations:** Direct costs associated with the delivery of programs and projects associated with Measure B, Measure BB, and VRF programs, including direct staff costs and consultant costs, are eligible uses of Measure B, Measure BB, and VRF funds. ALAMEDA CTC does not allow indirect costs, unless the RECIPIENT submits an independently audited/approved Indirect Cost Allocation Plan.

### ARTICLE III: REPORTING REQUIREMENTS

#### A. REQUIREMENTS AND WITHHOLDING

RECIPIENT shall comply with each of the reporting requirements set forth below. If RECIPIENT fails to comply with one or more of these requirements, ALAMEDA CTC may withhold payment of further Measure B, Measure BB, and/or VRF funds to RECIPIENT until full compliance is achieved.

1. RECIPIENT shall, by December 31st of each year, submit to ALAMEDA CTC, at the RECIPIENT's expense, separate independently audited financial statements for the prior fiscal year ended June 30 of Measure B, Measure BB, and VRF funds received and used.

2. RECIPIENT shall, by December 31st of each year, submit to ALAMEDA CTC, at the RECIPIENT's expense, annual program compliance reports (covering the prior fiscal year) regarding programs and projects on which RECIPIENT expended Measure B, Measure BB, and VRF funds.

3. RECIPIENT shall document expenditure activities and report on the performance of Measure B, Measure BB, and VRF funded activities through the annual program compliance reporting process, or through other ALAMEDA CTC performance and reporting processes as they may be requested, including but not limited to the annual performance report, annual program plan, planning monitoring reports. Program Performance Measures are attached hereto as Exhibit C.

4. RECIPIENT shall install or mount signage adjacent to Measure B, Measure BB, and VRF funded construction projects and on vehicles funded with Measure B, Measure BB, and VRF funds (e.g., RECIPIENT and ALAMEDA CTC logos; "Your Transportation Tax Dollars Help Fund the Operation of This Vehicle?") where practical, so Alameda County taxpayers are informed as to how RECIPIENT is using Measure B, Measure BB, and/or VRF funds.

5. RECIPIENT shall provide current and accurate information on RECIPIENT's website, to inform the public about how RECIPIENT is using Measure B, Measure BB, and/or VRF funds.

6. RECIPIENT shall, at least annually, publish an article highlighting a project or program funded by Measure B, Measure BB, and/or VRF funds.

7. RECIPIENT shall actively participate in a Public Awareness Program, in partnership with ALAMEDA CTC and/or its community advisory committees, as a means of ensuring that the public has access

to the ability to know which projects and programs are funded through Measure B, Measure BB, and/or VRF funds.

8. RECIPIENT shall make its administrative officer or designated staff available upon request to render a report or answer any and all inquiries in regard to RECIPIENT's receipt, usage, and/or compliance audit findings regarding Measure B, Measure BB, and/or VRF funds before the Commission and/or the Independent Watchdog Committee or community advisory committees, as applicable.

9. RECIPIENT agrees that ALAMEDA CTC may review and/or evaluate all project(s) or program(s) funded pursuant to this AGREEMENT. This may include visits by representatives, agents or nominees of ALAMEDA CTC to observe RECIPIENT's project or program operations, to review project or program data and financial records, and to discuss the project with RECIPIENT's staff or governing board.

#### **ARTICLE IV: OTHER PROVISIONS**

##### **A. GEOGRAPHIC BREAKDOWN**

In all cases the geographic breakdown by subarea is as follows:

1. North Area refers to the Cities of Alameda, Albany, Berkeley, Emeryville, Oakland, and Piedmont.
2. Central Area includes the Cities of Hayward and San Leandro, and the unincorporated area of Castro Valley, as well as other unincorporated lands governed by Alameda County in the Central Area.
3. South Area includes the Cities of Fremont, Newark, and Union City.
4. East Area includes the Cities of Livermore, Dublin, and Pleasanton, and all unincorporated lands governed by Alameda County in the East Area.

##### **B. INDEMNITY BY RECIPIENT**

Neither ALAMEDA CTC, nor its governing body, elected officials, any officer, consultant, agent, or employee thereof shall be responsible for any damage or liability occurring by reason of anything done or omitted to be done by RECIPIENT in connection with the Measure B, Measure BB, or VRF funds distributed to RECIPIENT pursuant to this AGREEMENT. It is also understood and agreed, pursuant to Government Code Section 895.4, RECIPIENT shall fully defend, indemnify and hold harmless ALAMEDA CTC, its governing body, and all its officers, agents, and employees, from any liability imposed on ALAMEDA CTC for injury (as defined in Government Code Section 810.8) occurring by reason of anything done or omitted to be done by RECIPIENT in connection with the Measure B, Measure BB, or VRF funds distributed to RECIPIENT pursuant to this AGREEMENT.

##### **C. INDEMNITY BY ALAMEDA CTC**

Neither RECIPIENT, nor its governing body, elected officials, any officer, consultant, agent, or employee thereof shall be responsible for any damage or liability occurring by reason of anything done or

omitted to be done by ALAMEDA CTC under or in connection with any work, authority or jurisdiction delegated to ALAMEDA CTC under this AGREEMENT. It is also understood and agreed, pursuant to Government Code Section 895.4, Alameda CTC shall fully defend, indemnify, and hold harmless RECIPIENT, and its governing body, elected officials, all its officers, agents, and employees from any liability imposed on RECIPIENT for injury (as defined in Government Code Section 810.8) occurring by reason of anything done or omitted to be done by ALAMEDA CTC under or in connection with any work, authority or jurisdiction delegated to ALAMEDA CTC under this AGREEMENT.

**D. JURISDICTION AND VENUE**

The laws of the State of California will govern the validity of this AGREEMENT, its interpretation and performance, and any other claims to which it relates. All legal actions arising out of this AGREEMENT shall be brought in a court of competent jurisdiction in Alameda County, California and the parties hereto hereby waive inconvenience of forum as an objection or defense to such venue.

**E. ATTORNEYS' FEES**

Should it become necessary to enforce the terms of this AGREEMENT, the prevailing party shall be entitled to recover reasonable expenses and attorneys' fees from the other party.

**F. TERM**

The term of this AGREEMENT shall be from July 1, 2016 to June 30, 2026, unless amended in writing or a new Master Programs Funding Agreement is executed between ALAMEDA CTC and RECIPIENT.

**G. SEVERABILITY**

If any provision of this AGREEMENT is found by a court of competent jurisdiction or, if applicable, an arbitrator, to be unenforceable, such provision shall not affect the other provisions of the AGREEMENT, but such unenforceable provisions shall be deemed modified to the extent necessary to render it enforceable, preserving to the fullest extent permissible the intent of the parties set forth in this AGREEMENT.

**H. MODIFICATION**

This AGREEMENT, and its Exhibits, as well as the referenced Implementation Guidelines, constitutes the entire AGREEMENT, supersedes all prior written or oral understandings regarding Measure B, Measure BB, and VRF program funds (but not project funding agreements), including but not limited to ALAMEDA CTC Measure B/BB/VRF Master Programs Funding Agreements, which former agreements are terminated as of the effective date hereof. This AGREEMENT may only be changed by a written amendment executed by both parties. Notwithstanding the foregoing, the Implementation Guidelines, Performance Measures, and Timely Use of Funds Policies related to Measure B, Measure BB, and VRF funds may be changed from time to time by the ALAMEDA CTC.

*[Signatures on next page]*

IN WITNESS WHEREOF, the parties have executed this AGREEMENT by their duly authorized officers as of the date first written below.

CITY OF NEWARK (RECIPIENT)

ALAMEDA COUNTY TRANSPORTATION COMMISSION (ALAMEDA CTC)

By: \_\_\_\_\_  
John Becker Date  
City Manager

By: \_\_\_\_\_  
Arthur L. Dao Date  
Executive Director

Approved as to Form:

Recommended:

By: \_\_\_\_\_  
David J. Benoun Date  
City Attorney

By: \_\_\_\_\_  
Deputy Director of Programming Date  
and Projects

Reviewed as to Budget/Financial Controls:

By: \_\_\_\_\_  
Patricia Reavey Date  
Director of Finance and Administration

Approved as to Legal Form:

By:  \_\_\_\_\_  
Wendel, Rosen, Black & Dean LLP Date  
Legal Counsel to ALAMEDA CTC

## EXHIBIT A

**MEASURE B AND MEASURE BB  
MASS TRANSIT DIRECT LOCAL DISTRIBUTION SUMMARY**

Alameda CTC distributes Measure B and Measure BB Mass Transit Direct Local Distribution funds based on the distribution percentages for net Measure B and Measure BB Revenues specified in the Measure B Expenditure Plan and Measure BB Expenditure Plan, as shown below.

Agency	Area	Percentage of Net Revenues
AC Transit	North County	9.48%
AC Transit	Central County	4.74%
AC Transit	South County	1.61%
AC Transit Welfare to Work	North County	1.24%
AC Transit Welfare to Work	Central County	0.22%
LAVTA	East County	0.69%
Union City Transit	South County	0.34%
ACE	East/South County	2.12%
SF WETA	Alameda County	0.78%

Agency	Area	Percentage of Net Revenues
AC Transit	Alameda County	18.80 %
ACE	East/South County	1.00 %
BART	Alameda County	0.50 %
LAVTA	East County	0.50 %
Union City Transit	South County	0.25 %
SF WETA	Alameda County	0.50 %

**Countywide Local and Feeder Bus Service:** Provides funding for countywide local and feeder bus service in every region of the county to link neighborhoods and commuters to BART, rail, and express bus connections throughout the county. Welfare to Work programs dedicate 1.46 percent of overall Measure B net sales tax revenues to enhancing transportation opportunities for persons making the transition from welfare to work.

**Other Mass Transit Programs:** Provides funding to San Francisco Water Emergency Transportation Authority (WETA) Transbay Ferry Service to expand transbay ferry service from Alameda. Provides funding to Altamont Commuter Express (ACE) for capital and operating costs for operations in South and East Alameda County.

**Transit Operations:** Provides funding to transit operators for maintenance of transit service, restoration of service cuts, expansion of transit service, and passenger safety and security. The transit operators will determine the priorities for these funds through public processes and will submit an annual audit to Alameda CTC.

AC Transit agrees to allocate 1.46 percent of overall net Measure B sales tax receipts to enhancing transportation opportunities for persons making the transition from welfare to work. These "welfare to work" funds can be used by AC Transit for service restoration and expansion or implementation of improved bus

service to facilitate travel to and from work. AC Transit will prioritize the restoration and development of new service to meet the employment-related transit needs of low-income residents in northern and central Alameda County.

Additionally, these funds may be used, at the determination of AC Transit, to provide subsidies of regular bus fares for individuals living in northern and central Alameda County who are transferring from welfare to work as well as those who are economically disadvantaged. In the event that sufficient funds are otherwise available to AC Transit to meet these needs then "welfare to work" funds can be used for other general passenger service purposes in northern and central Alameda County.

AC Transit will work together with and actively seek input from bus riders, business leaders, mayors and other elected officials in San Leandro, Hayward, and the unincorporated areas in Central Alameda County to ensure that the additional transit funds in Central County are used for bus improvements such as night, weekend, and more frequent service, connections to residential growth areas, and access to major employment centers, including enhancement of east-west corridors.

AC Transit will continue to provide transit service similar to the Department of Labor-funded shuttle to and from job sites in East and West Oakland, as needed. AC Transit, Alameda County, the City of Oakland, the Port of Oakland and other entities will look for additional money from outside sources to fund the service. If needed, Measure B funds may be used.

**EXHIBIT B**

**MEASURE B AND MEASURE BB  
PARATRANSIT DIRECT LOCAL DISTRIBUTION SUMMARY**

Alameda CTC distributes Measure B and Measure BB paratransit funds to County subareas/planning areas and to AC Transit and BART based on the distribution percentages in the Measure B Expenditure Plan and the Measure BB Expenditure Plan, as shown below. Distributions to jurisdictions for non-mandated services within each subarea are based on allocation formulas refined by Paratransit Advisory and Planning Committee (PAPCO) and approved by the Commission.

<b>Area/Agency</b>	<b>Measure B Percentage<sup>1</sup></b>
<b>North County</b> (non-mandated) <i>Cities of Alameda, Albany, Berkeley, Emeryville, and Oakland</i>	<b>1.24%</b>
<b>Central County</b> (non-mandated) <i>Cities of Hayward and San Leandro</i>	<b>0.88%</b>
<b>East County</b> (non-mandated) <i>LAVTA and City of Pleasanton</i>	<b>0.21%</b>
<b>South County</b> (non-mandated) <i>Cities of Fremont, Newark, and Union City</i>	<b>1.06%</b>
<b>North County<sup>2</sup></b> (ADA-mandated) <i>AC Transit and BART</i>	<b>4.53%</b>
<b>Central County<sup>2</sup></b> (ADA-mandated) <i>AC Transit and BART</i>	<b>1.10%</b>
<ol style="list-style-type: none"> <li>1. Percentage of Measure B funds required to be distributed to each area in the County. Funding for special transportation for seniors and people with disabilities is provided for services mandated by the ADA to fixed-route public transit operators who are required to provide that service. Funds for the South County are allocated between mandated and non-mandated programs on an annual basis by the cities in that part of the County.</li> <li>2. Americans with Disabilities Act (ADA) mandated services are allocated to AC Transit and BART according to the percentages included in the Expenditure Plan.</li> </ol>	

<b>Area/Agency</b>	<b>Percentage<sup>1</sup></b>
<b>City-based and Locally Mandated</b>	<b>3.0%</b>
<b>North County</b> <i>Cities of Alameda, Albany, Berkeley, Emeryville, and Oakland</i>	
<b>Central County<sup>2</sup></b> <i>Cities of Hayward and San Leandro, and unincorporated area of Castro Valley, as well as other unincorporated lands governed by Alameda County in the Central Area.</i>	
<b>South County</b> <i>Cities of Fremont, Newark, Union City, as well as Union City Transit.</i>	
<b>East County<sup>3</sup></b> <i>Cities of Livermore, Dublin, and Pleasanton, and unincorporated lands governed by Alameda County in the East Area, and LAVTA.</i>	
<b>AC Transit - East Bay Paratransit<sup>4</sup></b>	<b>4.5%</b>
<b>BART- East Bay Paratransit<sup>4</sup></b>	<b>1.5%</b>
<ol style="list-style-type: none"> <li>1. Funds are distributed based on the percentage of the population over age 70 in each of the four planning areas for city-based and mandated paratransit services. Funds can be further allocated to individual cities within each planning area based on a formula refined by PAPCO.</li> <li>2. Funding will be assigned to Hayward to serve the unincorporated areas.</li> <li>3. Funding for Livermore and Dublin will be assigned to LAVTA for their ADA-mandated paratransit program.</li> <li>4. Measure BB funds are dispersed to AC Transit and BART to operate the East Bay Paratransit Consortium.</li> </ol>	

## EXHIBIT C

## PERFORMANCE MEASURE SUMMARY

Direct Local Distribution recipients are to document the performance and benefits of the projects and programs funded with Measure B, Measure BB, and/or Vehicle Registration Fee funds. The following performance measures are a selection of performance standards that must be documented at minimum by the recipients, as applicable. Additional performance measures may be requested by the Alameda CTC.

Performance reporting will be done through Alameda CTC's reporting processes including the annual program compliance reports, annual performance report, and various planning activities, as they are requested and applicable. Performance will be evaluated periodically through the aforementioned evaluation reports to determine the effectiveness of investments and to inform future investment decisions.

**BICYCLE AND PEDESTRIAN PROGRAM  
PERFORMANCE MEASURES**

Performance Measure	Performance Metric and Standard	Evaluation Horizon & Method	Corrective Action	Potential Improvements to Correct Deficiency
<b>Current Master Plans</b> Maintain a current Bicycle/Pedestrian Master Plan (BPMP) that features required core elements	Plan(s) no more than 5 years old, based on adoption date.	Annually via Compliance Report	Any agency without a current plan is required to explain and provide anticipated schedule and funding to achieve plan update.	- Schedule for update
<b>Infrastructure Investment</b> - Number of linear feet or lane miles of bicycle facilities built or maintained (bike lanes, bike routes, multi-use pathways) - Number of pedestrian projects completed (linear feet of sidewalks, number of crossing improvements, quantify traffic calming items, lighting, landscaping/streetscape, number of curb/ADA ramps, linear feet of trail/pathway built or maintained)	- Bikeway projects completed by roadway segment and facility type  - Pedestrian projects completed by category (or categories) of improvement; increased quantity of specific improvements i.e. crossing improvements, striping, signage, curb ramps, pathways.	Annually via Compliance Report	N/A; Report on investments	N/A
<b>Capital Project and Program Investment</b> Amount expended on capital projects and programs by phase (design, row, con and capital support)	Investment into capital projects and programs is greater than funding program administration (outreach, staffing, administrative support)	Annually via Compliance Report	Any agency expending less on capital investments compared to other activities must explain how capital investments will be addressed in subsequent years	N/A

## EXHIBIT C (cont.)

LOCAL TRANSPORTATION PROGRAM (Local Streets and Roads)  
PERFORMANCE MEASURES

Performance Measure	Performance Metric and Standard	Evaluation Horizon & Method	Corrective Action	Potential Improvements to Correct Deficiency
Pavement State of Repair	Maintain a city-wide average Pavement Condition Index of 60 (Fair Condition) or above  Track PCI reported based on regional data: <a href="http://www.mtc.ca.gov/news/street_fight/">http://www.mtc.ca.gov/news/street_fight/</a>	Annually via Performance Report	Any agency falling under 60 PCI must provide an explanation and/or identify corrective action will need to increase PCI to target levels	Develop corrective actions
<b>Complete Streets Implementation</b> - Expenditure of LSR funds on bicycle and pedestrian projects elements (for Measure BB funds only)  - Number of exceptions to adopted local complete streets policies issued	- Maintain a 15% annual minimum LSR investment to support bicycling and walking  - Number of projects where accommodation for all users and modes of transportation not included	Annually via Compliance Report	Fund expenditures: Any agency not achieving the target percentage must explain or identify future plan.  Policy exceptions: N/A	N/A
<b>Capital Project and Program Investment</b> Amount expended on capital projects and programs by phase (design, row, con and capital support) and by key corridors	Investment into capital projects and programs is greater than funding program administration (outreach, staffing, administrative support)	Annually via Compliance Report	Any agency expending less on capital investments compared to other activities must explain how capital investments will increase in the subsequent years	Develop corrective actions
<b>Corridor-level Vehicle Speed and Reliability</b> Historic trend of vehicle speed and reliability (V/C) during AM/PM peak hours on key corridors with Capital or Operational Investments	Speed and reliability trends should maintain or improve if corridor had Capital or Operational investments since the last Alameda CTC's Level of Service (LOS) Reporting period.	Bi-annually via Alameda CTC's (LOS) Report	Any agency that shows worsening speed or reliability trend after improvements must provide an explanation and identify corrective steps.	Develop corrective actions

## EXHIBIT C (cont.)

MASS TRANSIT PROGRAM  
PERFORMANCE MEASURES

Performance Measure	Performance Metric and Standard	Evaluation Horizon and Method	Corrective Action	Potential Improvements to Correct Deficiency
<b>Ridership/Service Utilization</b> - Annual Ridership - Passenger trips per revenue vehicle hour/mile	Change in annual ridership and passenger trips per revenue vehicle hour/mile and qualitative explanation for possible reasons	Annually via Performance Report	N/A	N/A
<b>On-time Performance: System wide Average and Key Trunk Lines</b> On time performance of transit system	- Average on-time performance based upon the mode of transit with a target of 75% to 90% or based on the transit agency's adopted performance goals and standards - Agencies are expected to maintain or increase on-time performance annually	Annually via Performance Report	Any agency not meeting this target must prepare a deficiency plan with short- and long-term actions to correct, and explain what would be required to provide this level of service. The deficiency plan should include the involvement of agencies that have jurisdiction over areas that may be impacting transit performance, where applicable.	Through the deficiency plan, identify any corrective actions, responsibilities, and funding opportunities to improve system performance.
<b>Travel Time</b> Speed and reliability (peak vs non-peak) of key trunk lines (bus operators only)	Average speeds at least 50 percent of prevailing auto speed or maintain or increase speed annually	Bi-annually via Alameda CTC's LOS Monitoring Report	Any agency not meeting this target must prepare a deficiency plan with short- and long-term actions to correct, and explain what would be required to provide this level of service. The deficiency plan should include the involvement of agencies that have jurisdiction over areas that may be impacting transit performance, where applicable.	Through the deficiency plan, identify any corrective actions, responsibilities, and funding opportunities to improve system performance.
<b>Cost Effectiveness</b> - Operating Cost per Passenger - Operating Cost per Revenue Vehicle Hour/Mile	Maintain operating cost per passenger or per revenue vehicle hour/mile; percentage increase less than or equal to inflation as measured by CPI	Annually via Performance Report	Any agency with significant increase in costs must provide an explanation	N/A
<b>Transit Fleet State of Good Repair</b> - Distance between breakdowns/service interruptions - Missed trips - Miles between road-calls	- Maintain or increase average distance between break downs or road calls - Maintain or reduce the number of missed trips	Annually via Performance Report	Any agency not meeting expected performance must provide an explanation	N/A
<b>Service Provision</b> - Frequency and service span on major corridors or trunk lines - Revenue hours - Revenue miles	- 15 minute or better frequencies on major corridors or trunk lines: 10 minute or better frequencies during weekday peak periods - Service span of 7 days/week, 20 hours per day - Maintain or increase revenue hours/miles	Annually via performance report	Any agency not meeting expected performance must provide an explanation and a description of how service provision will be met in the future	N/A

## EXHIBIT C (cont.)

PARATRANSIT PROGRAM  
PERFORMANCE MEASURES

Performance Measure	Performance Metric and Standard	Evaluation Horizon and Method	Corrective Action	Potential Improvements to Correct Deficiency
<b>Service Operations and Provisions</b> Number of people served or trips provided	Track number of individuals served by program. - Service types such as ADA mandated paratransit, door-to-door service, taxi programs, accessible van service, shuttle service, group trips, travel training, meal delivery	Annually via Compliance Report and Program Plan Review	N/A; Report on ridership or service data.	N/A
<b>Cost Effectiveness</b> Cost per Trip or Cost per Passenger  Total Measure B/BB program cost per one-way passenger trip divided by total trips or total passengers during period.	Maintain cost per trip or per passengers - Service types such as ADA mandated paratransit, door-to-door service, taxi programs, accessible van service, shuttle service, group trips	Annually via Compliance Report and Program Plan Review	Any agency with significant increase in costs must provide an explanation	Develop corrective actions

*Note: The Paratransit Program Implementation Guidelines contains additional listing of performance measures by program type.*

**Alameda County Transportation Commission  
Implementation Guidelines  
For the Bicycle and Pedestrian Safety Program funded through  
Measure B, Measure BB, and Vehicle Registration Fees**

**Section 1. Purpose**

- A. To delineate the eligible uses of Bicycle and Pedestrian Safety Funds authorized under Alameda County Transportation Commission Master Program Funding Agreements, these implementation guidelines have been developed to specify the requirements that local jurisdictions must follow in their use of Measure B, Measure BB, and VRF Direct Local Distribution and discretionary funds. These guidelines are incorporated by reference in the Master Program Funding Agreements. All other terms and conditions for programs are contained in the agreements themselves. The intent of the implementation guidelines is to:
1. Provide guidance on Bicycle and Pedestrian Safety funds eligible uses and expenditures.
  2. Define the terms in the Master Program Funding Agreements.
  3. Guide Bicycle and Pedestrian Program implementation.

**Section 2. Authority**

- A. These Implementation Guidelines have been adopted by the Alameda County Transportation Commission (Alameda CTC) and set forth eligible uses and expenditures for the Bicycle and Pedestrian Safety funds. The Alameda CTC may update these guidelines on an as-needed basis and will do so with involvement of its technical and community advisory committees (as applicable). Exceptions to these guidelines must be requested in writing and be approved by the Alameda CTC.

**Section 3. Background**

- A. Alameda CTC developed Implementation guidelines for the Bicycle and Pedestrian Safety Funds to clarify eligible fund uses and expenditures in association Master Programs Funding Agreements for the November 2000 voter-approved Measure B Direct Local Distribution funds (formally known as “pass-through funds”). In 2012, the Master Programs Funding Agreements were updated to include the voter approved Measure F - Vehicle Registration Fee (VRF) program. In November 2014, voters approved the 2014 Transportation Expenditure Plan, Measure BB, and new Master Programs Funding Agreements were subsequently developed to incorporate Measure BB funds.

**Section 4. Definition of Terms**

- A. **Alameda CTC:** The Alameda County Transportation Commission is a Joint Powers Authority created by the merger of the Alameda County Congestion Management Agency, which performed long-range planning and funding for countywide transportation projects and programs, and the Alameda County Transportation Improvement Authority, which administered the voter approved half-cent transportation sales taxes in Alameda County (the 1986 and 2000 approved Measure B sales tax programs)
- B. **Capital project:** A bicycle and pedestrian capital investment that typically requires the following phases: planning/feasibility, scoping, environmental clearance, design, right-of-way, construction, and completion.
- C. **Complete Street:** A transportation facility that is planned, designed, operated, and maintained to provide safe mobility for all users, including bicyclists, pedestrians, transit vehicles, truckers, and motorists, appropriate to the function and context of the facility. Complete street concepts apply to rural, suburban, and urban areas. (Caltrans definition)
- D. **Complete Streets Act of 2008:** The California Complete Streets Act (Assembly Bill 1358) was signed into law in September 2008. It requires that local jurisdictions modify their general plans as follows:

## Alameda CTC Bicycle and Pedestrian Safety Program Implementation Guidelines

“(A) Commencing January 1, 2011, upon any substantial revision of the circulation element, the legislative body shall modify the circulation element to plan for a balanced, multimodal transportation network that meets the needs of all users of the streets, roads, and highways for safe and convenient travel in a manner that is suitable to the rural, suburban, or urban context of the general plan.

(B) For the purposes of this paragraph, “users of streets, roads, and highways” means bicyclists, children, persons with disabilities, motorists, movers of commercial goods, pedestrians, users of public transportation, and seniors.”

- E. **Construction:** Construction of a new capital project, including development of preliminary engineering and construction documents, including plans, specifications, and estimates.
- F. **Cost Allocation Plans (CAPs):** CAPs and Indirect cost rate proposals (IDCs) are plans that provide a systematic manner to identify, accumulate, and distribute allowable direct and indirect costs to Bicycle and Pedestrian Safety programs funded through the Alameda CTC Master Programs Funding Agreements.
- G. **Direct cost:** A cost completely attributed to the provision of a service, operations, a program, a capital cost, or a product. These costs include documented hourly project staff labor charges (salaries, wages and benefits) which are directly and solely related to the implementation of the Alameda CTC-funded Bicycle and Pedestrian Safety Funds, consultants, and materials. These funds may be used for travel or training if they are directly related to the implementation of the Bicycle and Pedestrian Safety Funds.
- H. **Direct Local Distribution Funds:** Funds are allocated based upon a funding formula (such as population, registered vehicles, roadmiles, or a combination thereof) defined in a voter approved measure and provided to eligible jurisdictions on a regularly schedule basis (such as a regular monthly payment).
- I. **Environmental Documents:** Preparation of environmental documents, such as those related to the California Environmental Quality Act (CEQA) or the National Environmental Policy Act (NEPA), or permits required by state or federal permitting agencies.
- J. **Grants:** Funding for plans, programs or projects based upon a competitive call for projects, an evaluation process based on adopted evaluation criteria and allocated based upon a reimbursement basis.
- K. **Indirect cost:** Also known as “overhead,” any cost of doing business other than direct costs. These costs include utilities, rent, administrative staff, officer's salaries, accounting department costs and personnel department costs, which are requisite for general operation of the organization, but are not directly allocable to a particular service or product.
- L. **Local Bicycle Master Plan/Local Pedestrian Master Plans:** Locally adopted plans that, at a minimum, examine existing conditions for walking and/or bicycling, and provide recommendations on improving the walking and/or bicycling environment, and prioritize these improvements. These plans may be stand-alone bicycle and pedestrian plans or may be a joint plan that addresses both walking and bicycling.
- M. **Maintenance:** Repairs, renovation, or upgrade of existing facility or infrastructure.
- N. **Measure B:** Alameda County’s half-cent transportation sales tax, originally approved in 1986, then reauthorized by voters in November 2000. Collection of the sales tax began on April 1, 2002. Administered by the Alameda CTC, Measure B funds four types of programs in 20 local jurisdictions: bicycle and pedestrian, local streets and roads, mass transit, and paratransit.
- O. **Measure BB:** Alameda County voters approved Measure BB, the 2014 Transportation Expenditure Plan, in November 2014. It authorizes the collection of a half-cent transportation sales tax and augments the existing 2000 Measure B sales tax program. Collection of the sales tax began on April 1, 2015. Administered by the Alameda CTC, Measure BB funds four types of programs in 20 local jurisdictions: bicycle and pedestrian, local streets and roads, mass transit, and paratransit.

- P. **Operations:** Provision of services that operate transportation facilities and programs. Operations costs do not include the costs to operate community outreach or other programs not directly related to a specific transportation service, program, or product.
- Q. **Direct Local Distribution Funds:** Funds are allocated based upon a funding formula (such as population, registered vehicles, roadmiles, or a combination thereof) defined in a voter approved measure and provided to eligible jurisdictions on a regularly schedule basis (such as a regular monthly payment).
- R. **Planning:** Identification of project and program current conditions and needs and development of strategies and plans to address the identified needs.
- S. **Project Completion/Closeout:** Inspection/project acceptance, final invoicing, final reporting, and processes for closing out project.
- T. **Scoping and Project Feasibility:** Early capital project phases that identify project needs, costs and implementation feasibility.
- U. **Vehicle Registration Fee (VRF):** Measure F, Alameda County's VRF Program, approved by the voters in November 2010 with 63 percent of the vote. It will generate approximately \$12 million per year through a \$10 per year vehicle registration fee. Administered by the Alameda CTC, the VRF funds four main types of programs (with the funding distribution noted in parenthesis): local streets and roads (60 percent); transit (25 percent); local transportation technology (10 percent); and bicycle and pedestrian projects (5 percent).

#### Section 5. Bicycle and Pedestrian Safety Fund Allocations

- A. These implementation Guidelines provide guidance on two types of Bicycle and Pedestrian Safety allocation processes for Measure B and Measure BB funds: 1) Direct Local Distribution funds and grants.
  - 1. Bicycle and Pedestrian Direct Local Distribution (DLD) Funds
    - a. *General:* The Bicycle and Pedestrian DLD Funds are distributed to cities in the county and to Alameda County to be spent on planning and construction of bicycle and pedestrian projects, and the development and implementation of bicycle and pedestrian programs. These funds are intended to expand and enhance bicycle and pedestrian facilities in Alameda County, focusing on high priority projects like gap closures and intermodal connections.

For Measure B, the DLD funds constitute seventy-five percent of the total Measure B bicycle/pedestrian funds. For Measure BB, three percent of total net Measure BB revenues are identified for the Measure BB bicycle/pedestrian DLD program. Each city and Alameda County will receive their proportional share of the DLD based on population over the life of the Measure (which share shall be adjusted annually as described in the Master Programs Funding Agreement). These funds are allocated on a monthly basis directly to each city and the County.
    - b. *Eligible Uses:* The Measure B and Measure BB Bicycle/Pedestrian DLD funds may be used for capital projects, programs, or plans that directly address bicycle and pedestrian access, convenience, safety, and usage. Eligible uses for these funds include, but are not necessarily limited to:
      - 1) Capital Projects, including:
        - a. New pedestrian facilities (e.g. sidewalks, curb ramps, countdown signals, accessible signals)
        - b. Improvements to existing pedestrian facilities

Alameda CTC Bicycle and Pedestrian Safety Program Implementation Guidelines

- c. New bikeways (such as bicycle routes, boulevards, lanes, multi-use pathways)
  - d. Improvements or upgrades to existing bikeways
  - e. Maintenance of bicycle and pedestrian facilities
  - f. Crossing improvements (at intersections, interchanges, railroads, freeways, etc.) for pedestrians and bicyclists
  - g. Bicycle parking facilities, including construction, maintenance and operations
  - h. ADA on-street improvements
  - i. Signage for pedestrians and/or bicyclists
  - j. Pedestrian and bicycle access improvements to, from and at transit facilities
  - k. Traffic calming projects
  - l. All phases of capital projects, including feasibility studies, planning, and environmental
- 2) Development of Local Bicycle and/or Pedestrian Master Plans, and updates of Plans
  - 3) Compliance with complete streets policies, to comply with the California Complete Streets Act of 2008, as specified in Section 6.
  - 4) Design and implementation of education, enforcement, outreach, and promotion programs
  - 5) Direct staff and consultant costs to develop, plan, implement, operate, and maintain the bicycle and pedestrian projects and programs.
  - 6) Maintenance of the portion of the street most often used for bicycling (such as bicycle lanes)
  - 7) Bicycle/pedestrian capital projects on non-city property, such as on school district property.
  - 8) Direct staff and consultant costs that support eligible activities, including the end-of-year compliance report
  - 9) Crossing guards
  - 10) Direct staff training costs directly related to implementation of projects, plans, or programs implemented with the Bicycle and Pedestrian Safety Funds
- c. *Ineligible Uses:* The following is a list of ineligible uses of Measure B Bicycle/Pedestrian pass-through funds:
- 1) Non-transportation projects such as fees charged to capital construction projects for services or amenities not related to transportation
  - 2) Repaving of the entire roadway (see "Eligible Uses" above for exceptions)

- 3) Capital projects, programs, or plans that do not directly address bicycle and pedestrian access, convenience, safety, and usage
  - 4) Projects or programs that exclusively serve city/county staff
  - 5) Indirect costs, unless the RECIPIENT submits an independently audited/approved Indirect Cost Allocation Plan
- d. *List of Projects/Programs:* All projects and programs that use Measure B and Measure BB Bicycle and Pedestrian Safety DLD funds must receive governing board approval prior to the jurisdiction expending the DLD funding on the project/program. This approval allows the opportunity for the public to provide input on planning for bicycle and pedestrian safety. These projects and programs may be included in any of the following, as long as they have been adopted by the jurisdiction's governing board:
- 1) List of projects on which to specifically spend Measure B/BB funds
  - 2) Local Bicycle and/or Pedestrian Master Plan with priority projects
  - 3) Capital Improvement Program
  - 4) A resolution, such as to submit a grant application
2. Bicycle and Pedestrian Grant Funds

- a. The Alameda CTC will administer a bicycle and pedestrian discretionary grant program using a portion of each of the Measure B, Measure BB, and the VRF Bicycle and Pedestrian Safety funds. The Alameda CTC will adopt *Grant Program Guidelines* before each grant cycle that will establish the guiding policies for that grant cycle, and will publicize each grant funding cycle.
- b. Local jurisdictions, transit operators and Community Based Organizations (CBO) in Alameda County may be eligible for these competitive funds as determined by the Alameda CTC discretionary processes and the *Grant Program Guidelines*.

## Section 6. Complete Streets Policy Requirement

- A. To receive Measure B, Measure BB, and VRF funds, local jurisdictions must do both of the following with respect to Complete Street policies:
1. Have an adopted complete streets policy
  2. Comply with the California Complete Streets Act of 2008. The California Complete Streets Act (AB1358) requires that local general plans do the following:
    - a. Commencing January 1, 2011, upon any substantial revision of the circulation element, the legislative body shall modify the circulation element to plan for a balanced, multimodal transportation network that meets the needs of all users of the streets, roads, and highways for safe and convenient travel in a manner that is suitable to the rural, suburban, or urban context of the general plan.
    - b. For the purposes of this paragraph, "users of streets, roads, and highways" means bicyclists, children, persons with disabilities, motorists, movers of commercial goods, pedestrians, users of public transportation, and seniors.

The Governor's Office of Planning and Research has developed detailed guidance for meeting this law: *Update to the General Plan Guidelines: Complete Streets and the Circulation Element* ([http://www.opr.ca.gov/planning/docs/Update GP Guidelines Complete Streets.pdf](http://www.opr.ca.gov/planning/docs/Update_GP_Guidelines_Complete_Streets.pdf)).

### **Section 7. Local Bicycle/Pedestrian Master Plan Requirement**

- A. To receive Measure B, Measure BB, and VRF funds, local jurisdictions must do all of the following with respect to local bicycle and pedestrian master plans. The Alameda CTC will provide technical assistance and funding to local jurisdictions to meet these requirements through the competitive Bicycle and Pedestrian Safety Grant Program. Jurisdictions may also use DLD funds for the development of local bicycle and pedestrian master plans.
1. Have an adopted Local Pedestrian Master Plan AND Local Bicycle Master Plan, OR have an adopted combined Local Pedestrian and Bicycle Plan; or demonstrate that the plan is being developed and will be adopted.
  2. Each plan must be updated, at a minimum, every five years.
  3. Each plan must include core elements to ensure that the plan is effective, and that plans throughout the county are comparable, to the extent that is reasonable, to facilitate countywide planning. The Alameda CTC will develop and maintain guidelines outlining these core elements.

### **Section 8. Advancement of Direct Local Distribution Funds**

- A. The Alameda CTC may consider advancing future year Direct Local Distribution funds, with the goal of seeing improvements made in the near term. If a jurisdiction is interested in this option, a written request to the Alameda CTC's Director of Finance and Administration and a copy to the Deputy Director of Projects and Programs, indicating the amount of funds requested and the projects on which the funds will be spent, is required. Requests will be considered on an individual basis.

### **Section 9. Adoption of Implementation Guidelines**

- A. Implementation Guidelines are adopted by the Alameda CTC on an as-needed basis. Changes to Implementation Guidelines will be brought through the Alameda CTC's Technical Advisory Committee for review and comment, as well as any other Alameda CTC committees as necessary, before changes are adopted by the Alameda CTC's Commission.

**Alameda County Transportation Commission  
Implementation Guidelines for  
the Local Streets and Roads Program Funded through  
Measure B, Measure BB, and Vehicle Registration Fees**

**Section 1. Purpose**

- A. To delineate the eligible uses of Local Streets and Roads funds authorized under Alameda County Transportation Commission Master Program Funding Agreements, these implementation guidelines have been developed to specify the requirements that local jurisdictions must follow in their use of Measure B, Measure BB, and Vehicle Registration Fees (VRF) Direct Local Distribution funds. These guidelines are incorporated by reference in the Master Programs Funding Agreements. All other terms and conditions for programs are contained in the agreements themselves. The intent of the implementation guidelines is to:
1. Provide guidance on Local Streets and Roads funds eligible uses and expenditures.
  2. Define the terms in the Master Programs Funding Agreements.
  3. Guide Local Streets and Roads Program implementation.

**Section 2. Authority**

- A. These Implementation Guidelines have been adopted by the Alameda County Transportation Commission and set forth eligible uses and expenditures for the Local Streets and Roads funds. The Alameda CTC may update these guidelines on an as-needed basis and will do so with involvement of its technical and community advisory committees (as applicable). Exceptions to these guidelines must be requested in writing and be approved by the Alameda CTC Commission.

**Section 3. Background**

- A. Alameda CTC developed Implementation Guidelines for the Local Streets and Roads funds to clarify eligible fund uses and expenditures in association with Master Program Funding Agreements for the November 2000 voter-approved Measure B Direct Local Distribution funds (formally known as “pass-through funds”). The Expenditure Plan allocates 22.34 percent of Measure B funds for Local Streets and Roads programs and projects. In 2012, the Master Programs Funding Agreements were updated to include the voter approved Measure F - Vehicle Registration Fee (VRF) program. The VRF includes 60 percent of net revenues for a Local Streets and Roads Program. In November 2014, voters approved the 2014 Transportation Expenditure Plan, Measure BB, which allocates 20.00 percent of funds for a Local Streets and Roads program. New Master Programs Funding Agreements were subsequently developed to incorporate Measure BB funds.

**Section 4. Definition of Terms**

- A. **Alameda CTC:** The Alameda County Transportation Commission is a Joint Powers Authority created by the merger of the Alameda County Congestion Management Agency, which performed long-range planning and funding for countywide transportation projects and programs, and the Alameda County Transportation Improvement Authority, which administered the voter-approved, half-cent transportation sales taxes in Alameda County (the Measure B sales tax programs approved in 1986 and 2000).
- B. **Bike parking:** Bike racks and lockers, bike shelters, attended bike parking facilities, and bike parking infrastructure.

## Alameda CTC Local Streets and Roads Program Implementation Guidelines

- C. **Bikeways and multiuse paths:** Bike lanes, bike boulevards, sidepaths, bike routes, multiuse pathways, at-grade bike crossings, and maintenance of bikeway facilities.
- D. **Bridges and tunnels:** Crossings above or below grade for bicycles, pedestrians, and/or autos and transit.
- E. **Capital project:** A capital investment that typically requires the following phases: planning/feasibility, scoping, environmental clearance, design, right-of-way, construction, and completion.
- F. **Complete Street:** A transportation facility that is planned, designed, operated, and maintained to provide safe mobility for all users, including bicyclists, pedestrians, transit vehicles, truckers, and motorists, appropriate to the function and context of the facility. Complete street concepts apply to rural, suburban, and urban areas. (Caltrans definition)
- G. **Complete Streets Act of 2008:** The California Complete Streets Act (Assembly Bill 1358) was signed into law in September 2008. It requires that local jurisdictions modify their general plans as follows:
  - “(A) Commencing January 1, 2011, upon any substantial revision of the circulation element, the legislative body shall modify the circulation element to plan for a balanced, multimodal transportation network that meets the needs of all users of the streets, roads, and highways for safe and convenient travel in a manner that is suitable to the rural, suburban, or urban context of the general plan.
  - (B) For the purposes of this paragraph, “users of streets, roads, and highways” means bicyclists, children, persons with disabilities, motorists, movers of commercial goods, pedestrians, users of public transportation, and seniors.”
- H. **Construction:** Construction of a new capital project, including development of preliminary engineering and construction documents, including plans, specifications, and estimates (PS&E).
- I. **Cost Allocation Plans (CAPs):** CAPs and indirect cost (IDC) rate proposals are plans that provide a systematic manner to identify, accumulate, and distribute allowable direct and indirect costs to Local Streets and Roads programs funded through the Alameda CTC Master Programs Funding Agreements.
- J. **Direct cost:** A cost completely attributed to the provision of a service, operations, a program, a capital cost, or a product. These costs include documented hourly project staff labor charges (salaries, wages, and benefits) that are directly and solely related to the implementation of the Alameda CTC-funded Local Streets and Roads projects, consultants, and materials. These funds may be used for travel or training if they are directly related to the implementation of the Local Streets and Roads funds.
- K. **Direct Local Distribution Funds:** Funds are allocated based upon a funding formula (such as population, registered vehicles, roadmiles, or a combination thereof) defined in a voter approved measure and provided to eligible jurisdictions on a regularly schedule basis (such as a regular monthly payment).
- L. **Education and promotion:** Marketing, education, information, outreach, and promotional campaigns and programs.
- M. **Environmental documents:** Preparation of environmental documents, such as those related to the California Environmental Quality Act (CEQA) or the National Environmental Policy Act (NEPA), or permits required by state or federal permitting agencies.
- N. **Equipment and new vehicles:** Purchase or lease of vehicles and equipment for service improvements, such as information dissemination, fare collection, etc.
- O. **Grants:** Funding for plans, programs, or projects based on a competitive call for projects; evaluated based on adopted evaluation criteria; and allocated based on a reimbursement basis.

Alameda CTC Local Streets and Roads Program Implementation Guidelines

- P. **Indirect cost:** Also known as “overhead,” any cost of doing business other than direct costs. These costs include utilities, rent, administrative staff, officers’ salaries, accounting department costs, and personnel department costs, which are requisite for general operation of the organization but are not directly allocable to a particular service or product.
- Q. **Maintenance:** Repairs, renovation, or upgrade of existing facility or infrastructure.
- R. **Measure B:** Alameda County’s half-cent transportation sales tax, originally approved in 1986, and reauthorized by voters in November 2000. Collection of the sales tax began on April 1, 2002. Administered by the Alameda CTC, Measure B funds four types of programs in 20 local jurisdictions: bicycle and pedestrian, local streets and roads, mass transit, and paratransit.
- S. **Operations:** Provision of services that operate transportation facilities and programs. Operations costs do not include the costs to operate community outreach or other programs not directly related to a specific transportation service, program, or product.
- T. **Pedestrian crossing improvements:** At-grade pedestrian crossing improvements such as crosswalks, roadway/geometric changes, or reconfiguration specifically benefiting pedestrians.
- U. **Planning:** Identification of project and program current conditions and needs and development of strategies and plans to address the identified needs.
- V. **Planning area:** Four geographical sub-areas of the county (Planning Areas 1, 2, 3, and 4). The sub-areas of the county are defined by the Alameda CTC as follows:
1. Planning Area 1 – North Area: Cities of Alameda, Albany, Berkeley, Emeryville, Oakland and Piedmont
  2. Planning Area 2 – Central Area: Cities of Hayward and San Leandro, and the unincorporated areas of Castro Valley and San Lorenzo, as well as other unincorporated lands in that area
  3. Planning Area 3 – South Area: Cities of Fremont, Newark, and Union City
  4. Planning Area 4 – East Area: Cities of Dublin, Livermore, and Pleasanton, and all unincorporated lands in that area
- W. **Project completion/closeout:** Inspection/project acceptance, final invoicing, final reporting, and the processes for closing out a project.
- X. **Scoping and project feasibility:** Early capital project phases that identify project needs, costs, and implementation feasibility.
- Y. **Sidewalks and ramps:** New sidewalks, sidewalk maintenance, curb ramps, and stairs/ramps for pedestrian and Americans with Disabilities Act access.
- Z. **Signage:** Warning, regulatory, wayfinding, or informational signage.
- AA. **Signals:** New traffic signals or crossing signals, signal upgrades, countdown signals, audible signals, or signal timing improvements.
- BB. **Street resurfacing and maintenance:** Repaving and resurfacing of on-street surfaces, including striping.
- CC. **Traffic calming:** Infrastructure primarily aimed at slowing down motor vehicle traffic.
- DD. **Vehicle Registration Fee (VRF):** Measure F, Alameda County’s VRF Program, approved by the voters in November 2010 with 63 percent of the vote. It will generate approximately \$12 million per year through a \$10 per year vehicle registration fee. Administered by the Alameda CTC, the VRF funds

four main types of programs and the distribution percentage is as follows: local streets and roads (60 percent); transit (25 percent); local transportation technology (10 percent); and bicycle and pedestrian projects (5 percent).

## Section 5. Local Streets and Roads Fund Allocations

- A. These Implementation Guidelines provide guidance on the Local Streets and Roads Fund allocation process for Measure B, Measure BB, and VRF Direct Local Distribution funds.
1. Measure B and Measure BB Local Streets and Roads Direct Local Distribution (DLD) Funds
    - a. *General:* Alameda CTC distributes Measure B and Measure BB Local Streets and Roads DLD funds to cities in the county and to Alameda County to be spent on transportation capital improvements for surface streets and arterial roads, and maintenance and upkeep of local streets and roads, including repaving streets, filling potholes, and upgrading local transportation infrastructure. These funds are intended to maintain and improve local streets and roads in Alameda County, and may be used for any local transportation need based on local priorities, including streets and roads projects, local transit projects, bicycle and pedestrian projects, projects (sponsored by others) that require local agency support, and other transportation uses as approved through a public process by the jurisdiction.

The DLD funds constitute 100 percent of the total Measure B and Measure BB Local Streets and Roads funds. Each city and Alameda County will receive their proportional share (which share shall be adjusted annually as described in the Master Programs Funding Agreement) of the local transportation DLD funds within their sub-area based on a formula weighted 50 percent by the population of the jurisdiction within the sub-area and 50 percent on the number of road miles within the sub-area. These funds are allocated on a monthly basis directly to each city and the County. DLD funds must be placed in separate accounts for the Measure B, Measure BB, and VRF programs.
    - b. *Eligible Uses:* The Measure B and Measure BB Local Streets and Roads DLD funds may be used for capital projects, programs, maintenance, or operations that directly improve local streets and roads and local transportation. Eligible uses for these funds include, but are not necessarily limited to:
      - 1) Capital projects, including:
        - a) All phases of capital projects, including feasibility studies, planning, and environmental
        - b) Upgrades to or installation of new local streets and roads infrastructure including installation of streets, roads, and highways
        - c) Street resurfacing and maintenance including repaving and resurfacing of on-street surfaces including striping
        - d) Improvements or upgrades to bridges and tunnels
        - e) Installation of or upgrades to sidewalks and curb ramps
        - f) Americans with Disabilities Act (ADA) on-street improvements, including sidewalk upgrades and curb ramp installations
        - g) Purchase or lease of equipment or new vehicles for local streets and roads improvements

## Alameda CTC Local Streets and Roads Program Implementation Guidelines

- h) Crossing improvements including traffic signals, signage, and traffic lights (at intersections, interchanges, railroads, freeways, etc.) for drivers, pedestrians, and bicyclists
  - i) Improvements to or installation of new pedestrian facilities (e.g., sidewalks, curb ramps, countdown signals, accessible signals, at-grade bike crossings)
  - j) Improvements or upgrades to or installation of new bikeways (such as bicycle routes, boulevards, lanes, multi-use pathways)
  - k) Maintenance of or installation of bicycle and pedestrian facilities, including construction, maintenance, and operations of bike parking facilities.
  - l) Pedestrian and bicycle access improvements to, from and at transit facilities
  - m) Traffic calming projects
- 2) Transit system operations, operations of traffic signal system controls and interconnections, and corridor monitoring and management
  - 3) Mass transit project operations including bus, ferry, shuttle, rail, and Welfare to Work services
  - 4) Paratransit services
  - 5) Direct staff and consultant costs that support eligible activities, including the end-of-year compliance report
  - 6) Direct staff training costs directly related to implementation of projects or programs implemented with the Local Streets and Roads Funds
- c. *Ineligible Uses:* The following is a list of ineligible uses of Measure B Local Streets and Roads DLD funds:
- 1) Non-transportation projects such as fees charged to capital construction projects for services or amenities not related to transportation
  - 2) Capital projects, programs, maintenances, or operations that do not directly improve local streets and roads and local transportation
  - 3) Projects or programs that exclusively serve city/county staff
  - 4) Indirect costs, unless the RECIPIENT submits an independently audited/approved Indirect Cost Allocation Plan
- d. *List of Projects/Programs:* All projects and programs that use Measure B and Measure BB Local Streets and Roads DLD funds must receive governing board approval prior to the jurisdiction expending the DLD funding on the project/program. This approval allows the opportunity for the public to provide input on planning for local streets and roads projects. These projects and programs must be included in any of the following, as long as they have been adopted by the jurisdiction's governing board:
- 1) List of projects on which to specifically spend Measure B funds

- 2) Local Streets and Roads Master Plan with priority projects
- 3) Capital Improvement Program
- 4) A resolution, such as to submit a grant application

2. VRF Local Streets and Roads DLD Funds

- a. *General:* Alameda CTC distributes VRF Local Streets and Roads DLD Funds to cities in the county and to Alameda County to be spent on transportation capital improvements for surface streets and arterial roads, and maintenance and upkeep of local streets and roads. These funds are intended to maintain and improve local streets and roads as well as a broad range of facilities in Alameda County (from local to arterial facilities).

The DLD funds constitute 100 percent of the total VRF Local Streets and Roads funds and are distributed among the four planning areas of the county. VRF local streets and roads DLD funds within the geographic planning area are based on a formula weighted 50 percent by the population of the jurisdiction within the planning area and 50 percent of the number of registered vehicles in the planning area. VRF local streets and roads funds will be distributed by population within a planning area. Allocations may change in the future based on changes in population and number of registered vehicle figures. Recipients are not required to enter into a separate agreement with Alameda CTC prior to receipt of such funds. Agencies will maintain all interest accrued from the VRF Local Road Program DLD funds within the program. These funds are allocated on a monthly basis directly to each city and the County. DLD funds must be placed in separate accounts for the Measure B, Measure BB, and VRF programs.

- b. *Eligible Uses:* The VRF Local Streets and Roads DLD funds may be used for improving, maintaining, and rehabilitating local roads and traffic signals. It will also incorporate the Complete Streets practice that makes local roads safe for all modes, including bicyclists and pedestrians, and accommodates transit. Eligible uses for these funds include, but are not necessarily limited to:

- 1) Street repaving and rehabilitation, including curbs, gutters and drains
- 2) Traffic signal maintenance and upgrades, including bicyclist and pedestrian treatments
- 3) Signage and striping on roadways, including traffic and bicycle lanes and crosswalks
- 4) Sidewalk repair and installation
- 5) Bus stop improvements, including bus pads, turnouts and striping
- 6) Improvements to roadways at rail crossings, including grade separations and safety protection devices
- 7) Improvements to roadways with truck or transit routing

- c. *Ineligible Uses:* The following is a list of ineligible uses of VRF Local Streets and Roads DLD funds:

- 1) Non-transportation projects such as fees charged to capital construction projects for services or amenities that are not related to transportation

- 2) Projects or programs that are not directly related to streets and roads improvements
- 3) Projects or programs that exclusively serve city/county staff
- 4) Indirect costs, unless the RECIPIENT submits an independently audited/approved Indirect Cost Allocation Plan.

## Section 6. Complete Streets Policy Requirement

- A. To receive Measure B and VRF funds, local jurisdictions must do both of the following with respect to Complete Streets policies:
1. Have an adopted Complete Streets policy.
  2. Comply with the California Complete Streets Act of 2008. The California Complete Streets Act (AB1358) requires that local general plans do the following:
    - a. Commencing January 1, 2011, upon any substantial revision of the circulation element, the legislative body shall modify the circulation element to plan for a balanced, multimodal transportation network that meets the needs of all users of the streets, roads, and highways for safe and convenient travel in a manner that is suitable to the rural, suburban, or urban context of the general plan.
    - b. For the purposes of this paragraph, “users of streets, roads, and highways” means bicyclists, children, persons with disabilities, motorists, movers of commercial goods, pedestrians, users of public transportation, and seniors.

The Governor’s Office of Planning and Research has developed detailed guidance for meeting this law: *Update to the General Plan Guidelines: Complete Streets and the Circulation Element* ([http://www.opr.ca.gov/planning/docs/Update\\_GP\\_Guidelines\\_Complete\\_Streets.pdf](http://www.opr.ca.gov/planning/docs/Update_GP_Guidelines_Complete_Streets.pdf)).

## Section 7. Pavement Condition Index Reporting

- A. To receive Measure B, Measure BB, and VRF funds, local jurisdictions must do both of the following with respect to the reporting of an agency’s pavement condition (PCI) index:
1. Annually report on the citywide pavement condition index (PCI), which rates the “health” of local streets from 1 to 100, in the Annual Program Compliance Report Form. Where applicable, this information will be consistent with material provided for MTC reporting requirements.
  2. If the PCI falls below a total average index of 60 (fair condition), specify in the Annual Program Compliance Report what funding amounts, policies, or other needs are required to enable increasing the recipient’s PCI to 60 or above.

## Section 8. Advancement of Direct Local Distribution Funds

- A. The Alameda CTC may consider advancing future year DLD funds, with the goal of seeing improvements made in the near term. If a jurisdiction is interested in this option, a written request to the Alameda CTC Director of Finance and Administration and a copy to the Deputy Director of Projects and Programs, indicating the amount of funds requested and the projects on which the funds will be spent, is required. Requests will be considered on an individual basis.

## Section 9. Adoption of Implementation Guidelines

- A. Implementation Guidelines are adopted by the Alameda CTC on an as-needed basis. Changes to Implementation Guidelines will be brought through the Alameda CTC's Technical Advisory Committee for review and comment, as well as any other Alameda CTC committees as necessary, before changes are adopted by the Alameda CTC Commission.

**Alameda County Transportation Commission  
Implementation Guidelines for  
the Mass Transit Program Funded through  
Measure B, Measure BB, and Vehicle Registration Fees**

**Section 1. Purpose**

- A. To delineate eligible uses of Mass Transit funds authorized under Alameda County Transportation Commission Master Program Funding Agreements, these implementation guidelines have been developed to specify the requirements that local jurisdictions must follow in their use of Measure B, Measure BB, Vehicle Registration Fees (VRF) Direct Local Distributions and discretionary funds. These guidelines are incorporated by reference in the Master Programs Funding Agreements. All other terms and conditions for programs are contained in the agreements themselves. The intent of the implementation guidelines is to:
1. Provide guidance on Mass Transit funds eligible uses and expenditures.
  2. Define the terms in the Master Programs Funding Agreements.
  3. Guide Mass Transit Program implementation.

**Section 2. Authority**

- A. These Implementation Guidelines have been adopted by the Alameda County Transportation Commission and set forth eligible uses and expenditures for the Mass Transit funds. The Alameda CTC may update these guidelines on an as-needed basis and will do so with involvement of its technical and community advisory committees (as applicable). Exceptions to these guidelines must be requested in writing and be approved by the Alameda CTC Commission.

**Section 3. Background**

Alameda CTC developed Implementation Guidelines for the Mass Transit funds to clarify eligible fund uses and expenditures in association with Master Programs Funding Agreements for the November 2000 voter-approved Measure B Direct Local Distribution funds (formally known as “pass-through funds”). In 2012, the Master Programs Funding Agreements were updated to include the voter approved Measure F - Vehicle Registration Fee (VRF) program. In November 2014, voters approved the 2014 Transportation Expenditure Plan, Measure BB, and new Master Programs Funding Agreements were subsequently developed to incorporate Measure BB funds.

**Section 4. Definition of Terms**

- A. **Alameda CTC:** The Alameda County Transportation Commission is a Joint Powers Authority created by the merger of the Alameda County Congestion Management Agency, which performed long-range planning and funding for countywide transportation projects and programs, and the Alameda County Transportation Improvement Authority, which administered the voter-approved, half-cent transportation sales taxes in Alameda County (the Measure B sales tax programs approved in 1986 and 2000).
- B. **Capital project:** A capital investment that typically requires the following phases: planning/feasibility, scoping, environmental clearance, design, right-of-way, construction, and completion.
- C. **Construction:** Construction of a new capital project, including development of preliminary engineering and construction documents, including plans, specifications, and estimates (PS&E).

Alameda CTC Mass Transit Program Implementation Guidelines

- D. **Cost Allocation Plans (CAPs):** CAPs and indirect cost (IDC) rate proposals are plans that provide a systematic manner to identify, accumulate, and distribute allowable direct and indirect costs to Mass Transit programs funded through the Alameda CTC Master Programs Funding Agreements.
- E. **Direct cost:** A cost completely attributed to the provision of a service, operations, a program, a capital cost, or a product. These costs include documented hourly project staff labor charges (salaries, wages, and benefits) that are directly and solely related to the implementation of Alameda CTC-funded Mass Transit projects, consultants, and materials. These funds may be used for travel or training if they are directly related to the implementation of the Mass Transit funds.
- F. **Direct Local Distribution funds:** Funds allocated based on a funding formula (such as population, registered vehicles, roadmiles, or a combination thereof) defined in a voter-approved measure and provided to eligible jurisdictions on a regularly scheduled basis (such as a regular monthly payment).
- G. **Education and promotion:** Marketing, education, information, outreach, and promotional campaigns and programs.
- H. **Environmental documents:** Preparation of environmental documents, such as those related to the California Environmental Quality Act (CEQA) or the National Environmental Policy Act (NEPA), or permits required by state or federal permitting agencies.
- I. **Equipment and new vehicles:** Purchase or lease of vehicles. Equipment for service improvements, such as information dissemination, fare collection, etc.
- J. **Express bus service:** Either of these types of rapid bus service:
  - 1. Service within zones with a defined pick-up area, nonstop express bus service, and a defined drop-off zone.
  - 2. Service that provides a simple route layout, has frequent service and fewer stops than regular fixed route service, and may include level boarding, bus priority at traffic signals, signature identification of the rapid buses such as color-coded buses and stops, and enhanced stations.
- K. **Grants:** Funding for plans, programs, or projects based on a competitive call for projects; evaluated based on adopted evaluation criteria; and allocated based on a reimbursement basis.
- L. **Indirect cost:** Also known as “overhead,” any cost of doing business other than direct costs. These costs include utilities, rent, administrative staff, officers’ salaries, accounting department costs, and personnel department costs, which are requisite for general operation of the organization but are not directly allocable to a particular service or product.
- M. **Maintenance:** Repairs, renovation, or upgrade of existing facility or infrastructure.
- N. **Measure B:** Alameda County’s half-cent transportation sales tax, originally approved in 1986, and reauthorized by voters in November 2000. Collection of the sales tax began on April 1, 2002. Administered by the Alameda CTC, Measure B funds four types of programs in 20 local jurisdictions: bicycle and pedestrian, local streets and roads, mass transit, and paratransit.
- O. **Measure BB:** Alameda County voters approved Measure BB, the 2014 Transportation Expenditure Plan, in November 2014. It authorizes the collection of a half-cent transportation sales tax and augments the existing 2000 Measure B sales tax program. Collection of the sales tax began on April 1, 2015. Administered by the Alameda CTC, Measure BB funds four types of programs in 20 local jurisdictions: bicycle and pedestrian, local streets and roads, mass transit, and paratransit.
- P. **Operations:** Provision of services that operate transportation facilities and programs. Operations costs do not include the costs to operate community outreach or other programs not directly related to a specific transportation service, program, or product.

- Q. **Planning:** Identification of project and program current conditions and needs and development of strategies and plans to address the identified needs.
- R. **Planning area:** Four geographical sub-areas of the county (Planning Areas 1, 2, 3, and 4). The sub-areas of the county are defined by the Alameda CTC as follows:
1. Planning Area 1 – North Area: Cities of Alameda, Albany, Berkeley, Emeryville, Oakland and Piedmont
  2. Planning Area 2 – Central Area: Cities of Hayward and San Leandro, and the unincorporated areas of Castro Valley and San Lorenzo, as well as other unincorporated lands in that area
  3. Planning Area 3 – South Area: Cities of Fremont, Newark, and Union City
  4. Planning Area 4 – East Area: Cities of Dublin, Livermore, and Pleasanton, and all unincorporated lands in that area
- S. **Project completion/closeout:** Inspection/project acceptance, final invoicing, final reporting, and the processes for closing out a project.
- T. **Safety improvements:** Safety or security improvements for operators, passengers, service users, facilities, and infrastructure or property.
- U. **Scoping and project feasibility:** Early capital project phases that identify project needs, costs, and implementation feasibility.
- V. **Vehicle Registration Fee (VRF):** Measure F, Alameda County's VRF Program, approved by the voters in November 2010 with 63 percent of the vote. It will generate approximately \$11 million per year through a \$10 per year vehicle registration fee. Administered by the Alameda CTC, the VRF funds four main types of programs and the distribution percentage is as follows: local streets and roads (60 percent); transit (25 percent); local transportation technology (10 percent); and bicycle and pedestrian projects (5 percent).
- W. **Welfare to Work:** Transit services to enhance transportation opportunities for persons making the transition from welfare to work.

#### Section 5. Mass Transit Fund Allocations

- A. These Implementation Guidelines provide guidance on the Mass Transit Fund allocation process for Measure B and Measure BB Direct Local Distribution funds and Measure B Express Bus Services Grant Program and VRF Transit for Congestion Relief Program funds.
1. Measure B Mass Transit Direct Local Distribution (DLD) Funds
    - a. *General:* Alameda CTC distributes Measure B and Measure BB Mass Transit DLD Funds to transit operators in Alameda County to be spent on maintenance of transit services, restoration of service cuts, expansion of transit services, and passenger safety and security. Transit operators in Alameda County receive their proportional share of mass transit DLD funds based on percentages of net revenues generated by the Measure B and Measure BB sales and use taxes (which share shall be adjusted annually as described in the Master Programs Funding Agreement). These funds are allocated on a monthly basis directly to each transit operator.
    - b. *Eligible Uses:* The Measure B and Measure BB Mass Transit DLD funds may be used for capital projects, programs, maintenance, or operations that directly improve mass transit services. Eligible uses for these funds include, but are not necessarily limited to:

## Alameda CTC Mass Transit Program Implementation Guidelines

- 1) Capital projects, including:
    - a) All phases of capital projects, including feasibility studies, planning, and environmental
    - b) Upgrades to or expansions to bus, ferry, rail, and shuttle infrastructure
    - c) Purchase or lease of equipment or new vehicles for transit services
  - 2) Mass transit system operations and services, including commuter rail; express, local, and feeder bus; and ferry
  - 3) Paratransit services
  - 4) Welfare to Work services
  - 5) Direct staff and consultant costs to develop, plan, implement, operate and maintain transit projects and programs
  - 6) Direct staff and consultant costs that support eligible activities, including the end-of-year compliance report
  - 7) Direct staff training costs directly related to implementation of projects or programs implemented with the Mass Transit Funds
- c. *Ineligible Uses:* The following is a list of ineligible uses of Measure B and Measure BB Mass Transit DLD funds:
- 1) Non-transportation projects such as fees charged to capital construction projects for services or amenities not related to transportation
  - 2) Capital projects, programs, maintenances, or operations that does not directly improve mass transit services
  - 3) Projects or programs that exclusively serve city/county staff
  - 4) Indirect costs, unless the RECIPIENT submits an independently audited/approved Indirect Cost Allocation Plan.
2. Measure B Express Bus Services Grant Program Funds
- a. The Measure B Expenditure Plan dedicates 0.7 percent of net revenues for the Countywide Express Bus Service fund for express bus service projects. The Alameda CTC will administer a Measure B Countywide Express Bus Services discretionary grant program. The Alameda CTC will adopt *Grant Program Guidelines* before each grant cycle that will establish the guiding policies for that grant cycle, and will widely publicize each grant funding cycle.
  - b. Two agencies are eligible to receive express bus services grant funds:
    - 1) Alameda-Contra Costa Transit District (AC Transit)
    - 2) Livermore Amador Valley Transit Authority (LAVTA)Fund recipients must enter into a separate agreement with Alameda CTC.
3. VRF Transit for Congestion Relief Program Funds

## Alameda CTC Mass Transit Program Implementation Guidelines

- a. The VRF Expenditure Plan dedicates 25 percent of net revenues for transit projects that provide congestion relief. Alameda CTC awards VRF Transit for Congestion Relief Grant Program funds on a discretionary basis. These funds are intended to make it easier for drivers to use public transportation, make the existing transit system more efficient and effective, and improve access to schools and jobs. The goal of this program is to decrease automobile usage and thereby reduce both localized and area-wide congestion and air pollution. Fund recipients must enter into a separate agreement with Alameda CTC.
- b. *Eligible Uses:* VRF Transit for Congestion Relief Grant Program Guidelines provide program eligibility and fund usage guidelines and requirements, definitions of terms, evaluation criteria, award details, and monitoring requirements.

### **Section 6. Advancement of Direct Local Distribution Funds**

- A. The Alameda CTC may consider advancing future year DLD funds, with the goal of seeing improvements made in the near term. If a jurisdiction is interested in this option, a written request to the Alameda CTC Director of Finance and Administration and a copy to the Deputy Director of Projects and Programs, indicating the amount of funds requested and the projects on which the funds will be spent, is required. Requests will be considered on an individual basis.

### **Section 7. Adoption of Implementation Guidelines**

- A. Implementation Guidelines are adopted by the Alameda CTC on an as-needed basis. Changes to Implementation Guidelines will be brought through the Alameda CTC's Technical Advisory Committee for review and comment, as well as any other Alameda CTC committees as necessary, before changes are adopted by the Alameda CTC Commission.

**Alameda County Transportation Commission  
Implementation Guidelines for the  
Paratransit Program Funded through  
Measure B and Measure BB**

**Section 1. Purpose**

- A. To delineate eligible uses of Paratransit funds authorized under Alameda County Transportation Commission Master Programs Funding Agreements, these implementation guidelines have been developed to specify the requirements that local jurisdictions must follow in their use of Measure B and Measure BB Direct Local Distributions funds and discretionary funds. These guidelines are incorporated by reference in the Master Programs Funding Agreements. All other terms and conditions for programs are contained in the agreements themselves. The intent of the implementation guidelines is to:
1. Provide guidance on Paratransit funds eligible uses and expenditures.
  2. Define the terms in the Master Programs Funding Agreements.
  3. Guide Paratransit Program implementation.

**Section 2. Authority**

- A. These Implementation Guidelines have been adopted by the Alameda County Transportation Commission and set forth eligible uses and expenditures for the Paratransit funds. The Alameda CTC may update these guidelines on an as-needed basis and will do so with involvement of its technical and community advisory committees (as applicable). Exceptions to these guidelines must be requested in writing and be approved by the Alameda CTC Commission.

**Section 3. Background**

- A. Alameda CTC developed Implementation Guidelines for the Paratransit funds to clarify eligible fund uses and expenditures in association Master Programs Funding Agreements for the November 2000 voter-approved Measure B Direct Local Distribution (formally known as “pass-through funds”). In November 2014, voters approved the 2014 Transportation Expenditure Plan, Measure BB, and new Master Programs Funding Agreements were subsequently developed to incorporate Measure BB funds. The expenditure plans allocates 10.45 percent of Measure B funds and 10 percent of Measure BB funds for special transportation for seniors and people with disabilities (paratransit) programs and projects.

**Section 4. Definition of Terms**

- A. **Alameda CTC:** The Alameda County Transportation Commission is a Joint Powers Authority created by the merger of the Alameda County Congestion Management Agency, which performed long-range planning and funding for countywide transportation projects and programs, and the Alameda County Transportation Improvement Authority, which administered the voter-approved, half-cent transportation sales taxes in Alameda County (the Measure B sales tax programs approved in 1986 and 2000).
- B. **Americans with Disabilities Act (ADA):** According to the U.S. Equal Employment Opportunity Commission, originally passed in 1990 and revised in 2008, a law that prohibits private employers, state and local governments, employment agencies and labor unions from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions, and privileges of employment. The ADA also requires reasonable accommodations for individuals with disabilities and has resulted in the removal of many barriers to transportation and in better access for seniors and people with disabilities.

## Alameda CTC Paratransit Program Implementation Guidelines

- C. **Capital project:** A capital investment that typically requires the following phases: planning/feasibility, scoping, environmental clearance, design, right-of-way, construction, and completion. For paratransit programs, may be an investment in vehicles or equipment directly related to providing paratransit services.
- D. **Construction:** Construction of a new capital project, including development of preliminary engineering and construction documents, including plans, specifications, and estimates (PS&E).
- E. **Cost Allocation Plans (CAPs):** CAPs and indirect cost (IDC) rate proposals are plans that provide a systematic manner to identify, accumulate, and distribute allowable direct and indirect costs to Paratransit programs funded through the Alameda CTC Master Programs Funding Agreements.
- F. **Customer service and outreach:** Customer service functions as well as costs associated with marketing, education, outreach, and promotional campaigns and programs.
- G. **Direct cost:** A cost completely attributed to the provision of a service, operations, a program, a capital cost, or a product. These costs include documented hourly project staff labor charges (salaries, wages, and benefits) that are directly and solely related to the implementation of the Alameda CTC-funded Paratransit projects, consultants, and materials. These funds may be used for travel or training if they are directly related to the implementation of the Paratransit funds.
- H. **Direct Local Distribution funds:** Funds allocated based on a funding formula (such as population, registered vehicles, roadmiles, or a combination thereof) defined in a voter-approved measure and provided to eligible jurisdictions on a regularly scheduled basis (such as a regular monthly payment).
- I. **Education and promotion:** Marketing, education, information, outreach, and promotional campaigns and programs.
- J. **Environmental documents:** Preparation of environmental documents, such as those related to the California Environmental Quality Act (CEQA) or the National Environmental Policy Act (NEPA), or permits required by state or federal permitting agencies.
- K. **Grants:** Funding for plans, programs, or projects based on a competitive call for projects; evaluated based on adopted evaluation criteria; and allocated based on a reimbursement basis.
- L. **Group trips:** One-way passenger trips considered group trips. Includes vehicle operation and contracts. See individual demand-response trips.
- M. **Indirect cost:** Also known as “overhead,” any cost of doing business other than direct costs. These costs include utilities, rent, administrative staff, officers’ salaries, accounting department costs, and personnel department costs, which are requisite for general operation of the organization but are not directly allocable to a particular service or product.
- N. **Individual demand-response trips:** Taxi service, door-to-door trips, and van trips that passengers request on demand. Includes actual operation cost and contracts for vehicle operation, scheduling, dispatching, vehicle maintenance, supervision, and fare collection (including ticket or scrip printing and sales) for the purpose of carrying passengers.
- O. **Maintenance:** Repairs, renovation, or upgrade of existing facility, infrastructure, or vehicles.
- P. **Management:** Direct staffing costs and benefits to manage programs, projects, and services.
- Q. **Meal delivery:** Service that includes costs associated with vehicle operation, scheduling, dispatching, vehicle maintenance, and supervision for the purpose of delivering meals, whether provided in-house, through contracts, via taxicab, or by grantees. See Meals on Wheels.
- R. **Meals on Wheels:** Service that is part of a Senior Nutrition Program and provides delivery of meals to seniors and people with disabilities. See meal delivery.

## Alameda CTC Paratransit Program Implementation Guidelines

- S. **Measure B:** Alameda County's half-cent transportation sales tax, originally approved in 1986, and reauthorized by voters in November 2000. Collection of the sales tax began on April 1, 2002. Administered by the Alameda CTC, Measure B funds four types of programs in 20 local jurisdictions: bicycle and pedestrian, local streets and roads, mass transit, and paratransit.
- T. **Measure BB:** Alameda County voters approved Measure BB, the 2014 Transportation Expenditure Plan, in November 2014. It authorizes the collection of a half-cent transportation sales tax and augments the existing 2000 Measure B sales tax program. Collection of the sales tax began on April 1, 2015. Administered by the Alameda CTC, Measure BB funds four types of programs in 20 local jurisdictions: bicycle and pedestrian, local streets and roads, mass transit, and paratransit.
- U. **Operations:** Provision of services that operate transportation facilities and programs. Operations costs do not include the costs to operate community outreach or other programs not directly related to a specific transportation service, program, or product.
- V. **Paratransit Advisory and Planning Committee:** Originally named by the Measure B Expenditure Plan as the Alameda County Paratransit Coordinating Council, the Alameda CTC committee that meets to address funding, planning, and coordination issues regarding paratransit services in Alameda County. Members must be an Alameda County resident and an eligible user of any transportation service available to seniors and people with disabilities in Alameda County. PAPCO is supported by a Technical Advisory Committee comprised of Measure B and Measure BB-funded paratransit providers in Alameda County.
- W. **Paratransit service:** Transportation services for seniors and people with disabilities including ADA-mandated or non-mandated shuttle or fixed-route services, including door-to-door services, group trips, and individual demand-response trip services; taxi programs; Meals on Wheels or meal delivery; volunteer driver programs; and purchase of EBP tickets.
- X. **Planning:** Identification of project and program current conditions and needs and development of strategies and plans to address the identified needs.
- Y. **Project completion/closeout:** Inspection/project acceptance, final invoicing, final reporting, and the processes for closing out a project.
- Z. **Scoping and project feasibility:** Early capital project phases that identify project needs, costs, and implementation feasibility.
- AA. **Shuttle or fixed-route trips:** Shuttle service or fixed-route bus service, for example. Includes vehicle operation and contracts. See individual demand-response trips.

### Section 5. Paratransit Fund Allocations

- A. These Implementation Guidelines provide guidance on the Paratransit Fund allocation process for Measure B and Measure BB Direct Local Distribution funds and Paratransit Gap Grant Program funds.
  - 1. Measure B and Measure BB Paratransit Direct Local Distribution Funds
    - a. *General:* Alameda CTC distributes Measure B and Measure BB Paratransit Direct Local Distribution (DLD) Funds to fixed-route public transit operators that are required to provide transportation services mandated by the ADA; and to cities in Alameda County and the County to provide non-mandated services, aimed at improving mobility for seniors and persons with disabilities.
      - 1) A portion of the funds as defined in the Master Programs Funding Agreement are local DLD funds distributed to Alameda County cities to provide non-mandated transportation services for seniors and people with

## Alameda CTC Paratransit Program Implementation Guidelines

disabilities allocated to each city operating paratransit service through a census-based funding formula that is developed by PAPCO and approved by the Alameda CTC Commission.

- 2) A portion of the funds as defined in the Master Programs Funding Agreement are DLD funds distributed to Alameda County's primary mandated ADA service provider, East Bay Paratransit Consortium.
- b. *Eligible Uses:* The Measure B and Measure BB Paratransit DLD funds may be used for capital projects, programs, maintenance, or operations that directly improve paratransit services. Eligible uses for these funds include services as defined in Attachment A, as well as, but not limited to:
- 1) Direct staff and consultant costs to develop, plan, implement, manage, operate and maintain paratransit projects and programs
  - 2) Direct staff and consultant costs to provide customer service and outreach for paratransit projects and programs
  - 3) Direct staff and consultant costs that support eligible activities, including the end-of-year compliance report
  - 4) Direct staff training costs directly related to implementation of projects or programs implemented with the Paratransit Funds
- c. *Ineligible Uses:* The following is a list of ineligible uses of Measure B and Measure BB Paratransit DLD funds:
- 1) Non-transportation projects or services such as fees charged to capital construction projects for services or amenities not related to transportation
  - 2) Capital projects, programs, maintenance, or operations that do not directly improve paratransit services
  - 3) Projects or programs that exclusively serve city/county staff
  - 4) Indirect costs, unless the RECIPIENT submits an independently audited/approved Indirect Cost Allocation Plan.
2. Measure B and Measure BB Paratransit Discretionary Grant Program Funds
- a. The Measure B Expenditure Plan dedicates 1.43 percent of the funds for gaps in services to be recommended by PAPCO to reduce differences that might occur based on the geographic residence of any individual needing services. The Alameda CTC will administer a Measure B Paratransit discretionary grant program.
  - b. The Measure BB Expenditure Plan dedicates 1.0 percent of the funds for paratransit coordination and services to meet the needs of seniors and people with disabilities. The Alameda CTC will administer a Measure B Paratransit discretionary grant program.
  - c. The Alameda CTC adopt Grant Program Guidelines through its programming and allocation processes to guide the grant allocations.
  - d. Gap funds provide Alameda County with the opportunity to be innovative and explore alternative service delivery mechanisms in the face of a senior and disability population expected to grow substantially over the next 30 years. The population of people likely to need paratransit service is expected to outpace the growth in sales tax revenues that fund

## Alameda CTC Paratransit Program Implementation Guidelines

paratransit programs in Alameda County, including city-based programs and ADA-mandated services.

- e. Gap funds provide an opportunity to minimize the differences in service experienced by consumers based on their geographic location.

### **Section 6. Advancement of Direct Local Distribution Funds**

- A. The Alameda CTC may consider advancing future year DLD funds, with the goal of seeing improvements made in the near term. If a jurisdiction is interested in this option, a written request to the Alameda CTC Director of Finance and Administration and a copy to the Deputy Director of Projects and Programs, indicating the amount of funds requested and the projects on which the funds will be spent, is required. Requests will be considered on an individual basis.

### **Section 7. Adoption of Implementation Guidelines**

- A. Implementation Guidelines are adopted by the Alameda CTC on an as-needed basis. Changes to Implementation Guidelines will be brought through the Alameda CTC's Technical Advisory Committee for review and comment, as well as any other Alameda CTC committees as necessary, before changes are adopted by the Alameda CTC Commission.

## **Implementation Guidelines and Performance Measures – Special Transportation for Seniors and People with Disabilities Program**

### **Implementation Guidelines**

These guidelines lay out the service types that are eligible to be funded with Alameda County Measure B (2000), Measure BB (2014) and Vehicle Registration Fee (VRF, 2010) revenues under the Special Transportation for Seniors and People with Disabilities Program (Paratransit). All programs funded partially or in their entirety through these sources, including ADA-mandated paratransit services, city-based non-mandated programs and discretionary grant funded projects, must abide by the following requirements for each type of paratransit service.

Fund recipients are able to select which of these service types are most appropriate for their community to meet the needs of seniors and people with disabilities. Overall, all programs should be designed to enhance quality of life for seniors and people with disabilities by offering accessible, affordable and convenient transportation options to reach major medical facilities, grocery stores and other important travel destinations to meet life needs. Ultimately, whether a destination is important should be determined by the consumer.

The chart below summarizes the eligible service types and their basic customer experience parameters; this is followed by more detailed descriptions of each.

<b>Service</b>	<b>Timing</b>	<b>Accessibility</b>	<b>Origins/ Destinations</b>	<b>Eligible Population</b>
<b>ADA Paratransit</b>	Pre-scheduled	Accessible	Origin-to-Destination	People with disabilities unable to ride fixed route transit
<b>Door-to-Door Service</b>	Pre-scheduled	Accessible	Origin-to-Destination	People with disabilities unable to ride fixed route transit and seniors
<b>Taxi Subsidy</b>	Same Day	Varies	Origin-to-Destination	Seniors and people with disabilities

<b>Service</b>	<b>Timing</b>	<b>Accessibility</b>	<b>Origins/ Destinations</b>	<b>Eligible Population</b>
<b>Specialized Accessible Van</b>	Pre-scheduled & Same Day	Accessible	Origin-to-Destination	People with disabilities using mobility devices that require lift- or ramp-equipped vehicles
<b>Accessible Shuttles</b>	Fixed Schedule	Accessible	Fixed or Flexed Route	Seniors and people with disabilities
<b>Group Trips</b>	Pre-scheduled	Varies	Round Trip Origin-to-Destination	Seniors and people with disabilities
<b>Volunteer Drivers</b>	Pre-scheduled	Generally Not Accessible	Origin-to-Destination	Vulnerable populations with special needs, e.g. requiring door-through-door service or escort
<b>Mobility Management and/or Travel Training</b>	N/A	N/A	N/A	Seniors and people with disabilities
<b>Scholarship/ Subsidized Fare Programs</b>	N/A	N/A	N/A	Seniors and people with disabilities
<b>Meal Delivery Programs</b>	N/A	N/A	N/A	Meal delivery programs currently funded by Measure B may continue, but new programs may not be established.
<b>Capital Expenditures</b>	N/A	Accessible	N/A	Seniors and people with disabilities

Service	Timing	Accessibility	Origins/ Destinations	Eligible Population
Hospital Discharge Transportation Service (HDTTS)/Wheelchair Scooter Breakdown Transportation Service (WSBTS)	Same Day	Accessible	Origin-to-Destination	People with disabilities using mobility devices that require lift- or ramp-equipped vehicles

**Note on ADA Mandated Paratransit:** Programs mandated by the American’s with Disabilities Act are implemented and administered according to federal guidelines that may supersede these guidelines; however all ADA-mandated programs funded through Measure B and BB or the VRF are subject to the terms of the Master Programs Funding Agreement.

**Interim Service for Consumers Awaiting ADA Certification:** At the request of a health care provider, or ADA provider, city-based programs must provide interim service through the programs listed below to consumers awaiting ADA certification. Service must be provided within three business days of receipt of application.

**Note on Capital Expenditures:** Any capital expenditures within the eligible service categories must be consistent with the objectives of the Alameda CTC Special Transportation for Seniors and Peoples with Disabilities (Paratransit) Program described above and are subject to review by Alameda CTC staff prior to implementation.

<b>City-based Door-to-Door Service Guidelines</b>	
Service Description	<p>City-based door-to-door services provide pre-scheduled, accessible, door-to-door trips. Some programs allow same day reservations on a space-available basis. They provide a similar level of service to mandated ADA services. These services are designed to fill gaps that are not met by ADA-mandated providers and/or relieve ADA-mandated providers of some trips.</p> <p>This service type does not include taxi subsidies which are discussed below.</p>
Eligible Population	<p>Eligible Populations include:</p> <ol style="list-style-type: none"> <li>1. People 18 and above with disabilities who are unable to use fixed route services. Cities may, at their discretion, also provide services to consumers with disabilities under the age of 18, and</li> <li>2. Seniors 80 years or older without proof of a disability. Cities may provide services to consumers who are younger than age 80, but not younger than 70 years old.</li> </ol> <p><i>Cities may continue to offer "grandfathered" eligibility to program registrants below 70 years old who have used the program regularly in FY 11/12, as long as it does not impinge on the City's ability to meet the minimum requirements of the Implementation Guidelines.</i></p> <p><i>Program sponsors may use either ADA eligibility, as established by ADA-mandated providers (incl. East Bay Paratransit, LAVTA, Union City Transit) or the Alameda County City-Based Paratransit Services Medical Statement Form, as proof of disability. Program sponsors may, at their discretion, also offer temporary eligibility due to disability.</i></p>
Time & Days of Service	<p>At a minimum, service must be available any five days per week between the hours of 8 am and 5 pm (excluding holidays).</p> <p>At a minimum, programs must accept reservations between the hours of 9 am and 5 pm Monday – Friday (excluding holidays).</p>
Fare (Cost to Customer)	<p>Fares for pre-scheduled service should not exceed local ADA paratransit fares, but can be lower, and can be equated to distance. Higher fares can be charged for "premium" same-day service.</p>

<b>City-based Door-to-Door Service Guidelines</b>	
Other	<p>Door-to-Door programs must demonstrate that they are providing trips at an equal or lower cost than the ADA-mandated provider on a cost per trip basis. Cost per trip is defined as total cost (all sources) during a reporting period divided by the number of one-way trips, including attendant and companion trips, provided during period.</p> <p>Programs may impose per person trip limits to due to budgetary constraints, but any proposed trip limitations that are based on trip purpose must be submitted to Alameda CTC staff for review prior to implementation.</p>

<b>Taxi Subsidy Program Guidelines</b>	
Service Description	<p>Taxis provide curb-to-curb service that can be scheduled on a same-day basis. They charge riders on a distance/time basis using a meter. Taxi subsidy programs allow eligible consumers to use taxis at a reduced fare by reimbursing consumers a percentage of the fare or by providing some fare medium, e.g. scrip or vouchers, which can be used to cover a portion of the fare. These programs are intended for situations when consumers cannot make their trip on a pre-scheduled basis.</p> <p>The availability of accessible taxi cabs varies by geographical area and taxi provider, but programs should expand availability of accessible taxi cabs where possible in order to fulfill requests for same-day accessible trips.</p>
Eligible Population	<p>Eligible Populations include:</p> <ol style="list-style-type: none"> <li>1. People 18 and above with disabilities who are unable to use fixed route services. Cities may, at their discretion, also provide services to consumers with disabilities under the age of 18, and</li> <li>2. Seniors 80 years or older without proof of a disability. Cities may provide services to consumers who are younger than age 80, but not younger than 70 years old.</li> </ol> <p><i>Cities may continue to offer "grandfathered" eligibility to program registrants below 70 years old who were enrolled in the program in FY 11/12 and have continued to use it regularly, as long as it does not impinge on the City's ability to meet the minimum requirements of the Implementation Guidelines.</i></p> <p><i>Program sponsors may use either ADA eligibility, as established by ADA-mandated providers (incl. East Bay Paratransit, LAVTA, Union City</i></p>

<b>Taxi Subsidy Program Guidelines</b>	
	<p><i>Transit) or the Alameda County City-Based Paratransit Services Medical Statement Form, as proof of disability. Program sponsors may, at their discretion, also offer temporary eligibility due to disability.</i></p> <p><i>ADA-mandated providers that are not also city-based providers (East Bay Paratransit and LAVTA) are not required to provide service to seniors 80 years or older without ADA eligibility.</i></p>
Time & Days of Service	24 hours per day/7 days per week
Fare (Cost to Customer)	<p>Programs must subsidize at least 50% of the taxi fare.</p> <p>Programs can impose a cap on total subsidy per person. This can be accomplished through a maximum subsidy per trip, a limit on the number of vouchers/scrip (or other fare medium) per person, and/or a total monetary subsidy per person per year.</p>
Other	Programs may also use funding to provide incentives to drivers and/or transportation providers to ensure reliable service. Incentives are often utilized to promote accessible service. Planned expenditures on incentives are subject to review by Alameda CTC staff prior to implementation.

<b>City-based Specialized Accessible Van Service Guidelines</b>	
Service Description	<p>Specialized Accessible van service provides accessible, door-to-door trips on a pre-scheduled or same-day basis. This service category is not intended to be as comprehensive as primary services (i.e. ADA-mandated, City-based Door-to-Door, or Taxi programs), but should be a complementary supplement in communities where critical needs for accessible trips are not being adequately met by the existing primary services. Examples of unmet needs might be a taxi program without accessible vehicles, medical trips for riders with dementia unable to safely take an ADA-mandated trip, or trips outside of the ADA-mandated service area. When possible, a priority for this service should be fulfilling requests for same-day accessible trips.</p> <p>This service may make use of fare mediums such as scrip and vouchers to allow consumers to pay for rides.</p>
Eligible Population	At discretion of program sponsor with local consumer input.

Time & Days of Service	At discretion of program sponsor with local consumer input.
Fare (Cost to Customer)	At discretion of program sponsor with local consumer input.
Other	Specialized Accessible van programs must demonstrate that they are providing trips at an equal or lower cost to the provider than the ADA-mandated provider on a cost per trip basis, except if providing same-day accessible trips. Cost per trip is defined as total cost (all sources) during a reporting period divided by the number of one-way trips, including attendant and companion trips, provided during period.

<b>Accessible Shuttle Service Guidelines</b>	
Service Description	<p>Shuttles are accessible vehicles that operate on a fixed, deviated, or flex-fixed route and schedule. They serve common trip origins and destinations visited by eligible consumers, e.g. senior centers, medical facilities, grocery stores, BART and other transit stations, community centers, commercial districts, and post offices.</p> <p>Shuttles should be designed to supplement existing fixed route transit services. Routes should not necessarily be designed for fast travel, but to get as close as possible to destinations of interest, such as going into parking lots or up to the front entrance of a senior living facility. Shuttles are often designed to serve active seniors who do not drive but are not ADA paratransit registrants.</p>
Eligible Population	Shuttles should be designed to appeal to older people, but can be made open to the general public.
Time and Days of Service	At discretion of program sponsor with local consumer input.
Fare (Cost to Customer)	At discretion of program sponsor, but cannot exceed local ADA paratransit fares. Fares may be scaled based on distance.

<b>Accessible Shuttle Service Guidelines</b>	
Cost of Service	By end of the second fiscal year of service, the City's cost per one-way person trip cannot exceed \$20, including transportation and direct administrative costs. Cost per trip is defined as total cost (all sources) during a reporting period divided by the number of one-way trips, including attendant and companion trips, provided during period.
Other	Shuttles are required to coordinate with the local fixed route transit provider. Shuttle routes and schedules should be designed with input from the senior and disabled communities and to ensure effective design, and any new shuttle plan must be submitted to Alameda CTC staff for review prior to implementation. Deviations and flag stops are permitted at discretion of program sponsor.

<b>Group Trips Service Guidelines</b>	
Service Description	Group trips are round-trip rides for pre-scheduled outings, including shopping trips, sporting events, and community health fairs. These trips are specifically designed to serve the needs of seniors and people with disabilities and typically originate from a senior center or housing facility and are generally provided in accessible vans and other vehicle types or combinations thereof.
Eligible Population	At discretion of program sponsor.
Time and Days of Service	Group trips must begin and end on the same day.
Fare (Cost to Customer)	At discretion of program sponsor.
Other	Programs can impose mileage limitations to control program costs.

<b>Volunteer Driver Service Guidelines</b>	
Service Description	<p>Volunteer driver services are pre-scheduled, door-through-door services that are typically not accessible. These programs rely on volunteers to drive eligible consumers for critical trip needs, such as medical trips. Programs may use staff to complete intake or fill gaps. This service meets a key mobility gap by serving more vulnerable populations and should complement existing primary services (i.e. ADA-mandated, City-based Door-to-Door, or Taxi).</p> <p>Volunteer driver programs may also have an escort component where volunteers accompany consumers on any service eligible for paratransit funding, when they are unable to travel in a private vehicle.</p>
Eligible Population	At discretion of program sponsor.
Time and Days of Service	At discretion of program sponsor.
Fare (Cost to Customer)	At discretion of program sponsor.
Other	Program sponsors can use funds for administrative purposes and/or to pay for volunteer mileage reimbursement purposes (not to exceed Federal General Services Administration (Privately Owned Vehicle) Mileage Reimbursement Rates) or an equivalent financial incentive for volunteers.

<b>Mobility Management and/or Travel Training Service Guidelines</b>	
Service Description	<p>Mobility management services cover a wide range of activities, such as travel training, escorted companion services, coordinated services, trip planning, and brokerage. Mobility management activities often include education and outreach which play an important role in ensuring that people use the "right" service for each trip, e.g. using EBP from Fremont to Berkeley for an event, using a taxi voucher for a same-day semi-emergency doctor visit, and requesting help from a group trips service for grocery shopping.</p>
Eligible Population	At discretion of program sponsor.

<b>Mobility Management and/or Travel Training Service Guidelines</b>	
Time and Days of Service	At discretion of program sponsor.
Fare (Cost to Customer)	N/A
Other	For new mobility management and/or travel training programs, to ensure effective program design, a plan with a well-defined set of activities must be submitted to Alameda CTC staff for review prior to implementation.

<b>Scholarship/Subsidized Fare Program Guidelines</b>	
Service Description	Scholarship or Subsidized Fare Programs can subsidize any service eligible for paratransit funding and/or fixed-route transit for customers who are low-income and can demonstrate financial need.
Eligible Population	Subsidies can be offered to low-income consumers with demonstrated financial need who are currently eligible for an Alameda County ADA-mandated or city-based paratransit program. Low income requirements are at discretion of program sponsors, but the requirement for household income should not exceed 50% AMI (area median income).
Time and Days of Service	N/A
Fare (Cost to Customer)	N/A
Other	Low-income requirements and the means to determine and verify eligibility must be submitted to Alameda CTC staff for review prior to implementation. If program sponsors include subsidized East Bay Paratransit (EBP) tickets in this program, no more than 3% of a program sponsor's Alameda CTC distributed funding may be used for the ticket subsidy. Other services or purposes proposed for scholarship and/or fare subsidy must be submitted to Alameda CTC staff for review prior to implementation.

<b>Meal Delivery Funding Guidelines</b>	
Service Description	Meal Delivery Funding programs provide funding to programs that deliver meals to the homes of individuals who are generally too frail to travel outside to congregate meal sites. Although this provides access to life sustaining needs for seniors and people with disabilities, it is not a direct transportation expense.
Eligible Population	For currently operating programs, at discretion of program sponsor.
Time and Days of Service	For currently operating programs, at discretion of program sponsor.
Fare (Cost to Customer)	For currently operating programs, at discretion of program sponsor.
Other	Currently operating funding programs may continue, but new meal delivery funding programs may not be established.

<b>Capital Expenditures Guidelines</b>	
Description	Capital expenditures are eligible if directly related to the implementation of a program or project within an eligible service category, including but not limited to, purchase of scheduling software, accessible vehicles and equipment and accessibility improvements at shuttle stops.
Eligible Population	N/A
Time and Days of Service	N/A
Fare (Cost to Customer)	N/A
Other	Capital expenditures are to support the eligible service types included in the Implementation Guidelines and must be consistent with objectives of the Alameda CTC Special Transportation for Seniors and Peoples with Disabilities (Paratransit) Program. Planned expenditures are subject to review by Alameda CTC staff prior to implementation.

**Hospital Discharge Transportation Service (HDTs)/  
Wheelchair Scooter Breakdown Transportation Service (WSBTS)**

Service Description	These are specialized Countywide services providing accessible, door-to-door trips on a same-day basis in case of hospital discharge or mobility device breakdown. These services are overseen by the Alameda CTC.
Eligible Population	At discretion of Alameda CTC. Targeted towards seniors and people with disabilities without other transportation options who need trips on a same-day basis in case of hospital discharge or mobility device breakdown.
Time & Days of Service	At discretion of Alameda CTC.
Fare (Cost to Customer)	No cost to consumer.

## **Implementation Guidelines and Performance Measures – Special Transportation for Seniors and People with Disabilities Program**

### **Performance Measures**

The Alameda CTC collects performance data from all programs funded with Alameda County Measure B (2000), Measure BB (2014) and Vehicle Registration Fee (VRF, 2010) revenues. All programs funded partially or in their entirety through these sources must at a minimum report annually through the Annual Compliance Report for Direct Local Distribution (DLD) funding on the performance measures identified within the Implementation Guidelines for each DLD program.

The performance measures for the Measure B and Measure BB Direct Local Distribution (DLD) funding distributed through the Special Transportation for Seniors and People with Disabilities (Paratransit) Program, which funds ADA-mandated paratransit services, city-based non-mandated paratransit programs and discretionary grant-funded projects, are identified below. Additional performance-related data may be required through separate discretionary grant guidelines or to report to the Alameda CTC’s Commission or one of its community advisory committees.

<b>ADA-mandated Paratransit</b>
<ul style="list-style-type: none"> <li>• Number of one-way trips provided</li> <li>• Total Measure B/BB cost per one-way trip <i>(Total Measure B/BB program cost during period divided by the number of one-way trips provided during period.)</i></li> </ul>

<b>City-based Door-to-Door Service</b>
<ul style="list-style-type: none"> <li>• Number of one-way trips provided</li> <li>• Total Measure B/BB cost per one-way trip <i>(Total Measure B/BB program cost during period divided by the number of one-way trips provided during period.)</i></li> </ul>

### **Taxi Subsidy Program**

- Number of one-way trips provided
- Total Measure B/BB cost per one-way trip (*Total Measure B/BB program cost during period divided by the number of one-way trips provided during period.*)

### **City-based Specialized Accessible Van Service**

- Number of one-way trips provided
- Total Measure B/BB cost per one-way trip (*Total Measure B/BB program cost during period divided by the number of one-way trips provided during period.*)

### **Accessible Shuttle Service**

- Total ridership (*One-way passenger boardings*)
- Total Measure B/BB cost per one-way passenger trip (*Total Measure B/BB program cost during period divided by the total ridership during period.*)

### **Group Trips Service**

- Number of one-way passenger trips provided
- Total Measure B/BB cost per passenger trip (*Total Measure B/BB program cost during period divided by the number of passenger trips provided during period.*)

### **Volunteer Driver Service**

- Number of one-way trips provided
- Total Measure B/BB cost per one-way trip (*Total Measure B/BB program cost during period divided by the number of one-way trips provided during period.*)

### **Mobility Management Service**

- Number of contacts provided with mobility management support
- Total Measure B/BB cost per individual provided with mobility management support (*Total Measure B/BB program cost during period divided by the number of individuals provided with support during period.*)

<b>Travel Training Service</b>
--------------------------------

- |  |
|--|
| <ul style="list-style-type: none"><li>• Number of individuals trained</li><li>• Total Measure B/BB cost per individual trained (<i>Total Measure B/BB program cost during period divided by the number of individuals trained during period</i>)</li></ul> |
|--|

<b>Scholarship/Subsidized Fare Program</b>
--

- |  |
|--|
| <ul style="list-style-type: none"><li>• Number of unduplicated individuals who received scholarship/subsidized fares</li><li>• Number of one-way fares/tickets subsidized</li><li>• Total Measure B/BB cost per subsidy (<i>Total Measure B/BB program cost during period divided by the number of subsidized fares/tickets during period</i>)</li></ul> |
|--|

<b>Meal Delivery Funding</b>
------------------------------

- |  |
|--|
| <ul style="list-style-type: none"><li>• Number of meal delivery trips</li><li>• Total Measure B/BB cost per meal delivery trip (<i>Total Measure B/BB program cost during period divided by the number of meal delivery trips during period</i>)</li></ul> |
|--|

**F.7 Authorization for the Mayor to sign a Contractual Services Agreement with RHAA Landscape Architecture and Planning Inc. to complete a Citywide Parks Master Plan – from Assistant City Manager Grindall. (RESOLUTION)**

**Background/Discussion:** At the February 11, 2016, City Council Study Session, staff was directed to develop a Citywide Parks Master Plan. The City has Master Plans for individual parks, but there has never been a comprehensive Citywide plan for park facilities. The Master Plan will: 1) identify the recreation needs of all segments of the Newark community; 2) explore opportunities for creating destination recreation that would create revenue and community definition; 3) assess the “gaps” not presently met by existing park facilities; 4) identify priority projects in consultation with the community; and 5) include an action plan for funding and constructing the priority projects.

The City of Newark operates and maintains 131 acres of City parks and several recreational facilities. Of this total, 121 acres are owned by the City and 10 acres are leased from the Newark Unified School District. There are 13 parks in the City, including eight neighborhood parks, three community parks, the Shirley Sisk Grove and the Mac Gregor Play Fields. The City also owns and operates the George M. Silliman Activity and Family Aquatic Center, the Clark W. Redeker Newark Senior Center, and the Newark Community Center.

There are 2-acre and 6.5-acre parks proposed in the Dumbarton Transit Oriented Development, a 3-acre joint use park planned in the Sanctuary Development (Area 3) and a 2-acre park envisioned in Sanctuary West (Area 4). There are also 110 acres designated for a golf course or other recreational use at the southern end of Mowry Avenue. In addition to City owned parks, there are privately owned mini parks in some neighborhoods.

Through the General Plan, Capital Improvement Plan, and other community input, potential new recreational facilities and park expansions have been identified, which include:

- A skate park
- A dog park or parks
- Cedar Extension Linear Park
- All weather playfields
- Potential golf course
- Rose/flower garden
- Bay friendly landscaping demonstration gardens
- Community garden

These improvements far exceed our short and medium term financial capacity. Thus, a careful assessment and prioritization of these projects is urgently needed.

In February 24, 2016, the City issued a Request for Qualification (RFQ) to develop a list of potential consultants who could conduct the Citywide Park Master Plan. Six submissions were

received. After review by Staff, two firms were asked to provide detailed cost proposals and scopes of work. After reviewing the submissions, Staff determined that Royston Hanamoto Alley and Abbey doing business as RHAA Landscape Architecture and Planning Inc. was most qualified and had the clearest vision of what the Citywide Parks Master Plan should encompass. The attached contract includes a detailed work plan in an amount not-to-exceed \$207,775.

Four Community Meetings will be held throughout the Master Plan development. Prior to formal adoption there would be a hearing before both the Planning Commission and the City Council. The City's website and social media will be used to inform and engage the community regarding this planning process. The planning process is expected to require 8 months to complete.

This project was not included in the 2014-2016 Biennial Budget, therefore a budget amendment is necessary. This project would help to implement the General Plan thus the cost should be funded from the Community Development Maintenance Fee. This impact fee was established in 2010 to fund Community Development activities that promote the orderly development of Newark. No General Fund resources would be used for the Citywide Park Master Plan contract.

#### **Attachment**

**Action** - It is recommended that the City Council, by resolution, authorize the Mayor to sign a Contractual Services Agreement with RHAA Landscape Architecture and Planning to complete a Citywide Parks Master Plan and amending the 2014-2016 Biennial Budget.

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWARK AUTHORIZING THE MAYOR TO SIGN A CONTRACTUAL SERVICES AGREEMENT WITH RHAA LANDSCAPE ARCHITECTURE AND PLANNING, INC. TO COMPLETE A CITYWIDE PARKS MASTER PLAN AND AMENDING THE 2014-2016 BIENNIAL BUDGET

WHEREAS, the City Council has directed city staff to complete a Citywide Parks Master Plan; and

WHEREAS, city staff has determined that Royston Hanamoto Alley and Abbey doing business as RHAA Landscape Architecture and Planning Inc is the most qualified consultant to prepare the Citywide Parks Master Plan; and

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Newark that Mayor Nagy is hereby authorized to sign the contractual services agreement with RHAA Landscape Architecture and Planning, Inc to complete a Citywide Parks Master Plan.

BE IT FURTHER RESOLVED that the 2014-2016 Biennial Budget (Resolution No. 10235) for the Fiscal Year 2015-2016 is hereby amended as follows:

Transfer from:

025-0000-2991	Community Development Maintenance Fee Fund Balance	\$207,775
---------------	--	-----------

Transfer to:

025-2010-5271	Professional Services	\$ 207,775
---------------	-----------------------	------------

**CONTRACTUAL SERVICES AGREEMENT  
CONSULTANTS**

This Service Agreement (hereinafter "Agreement") is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2016 by and between the **CITY OF NEWARK**, a municipal corporation ("City"), and Royston Hanamoto Alley & Abey dba RHAA, a California Corporation ("Consultant"), collectively the "Parties".

**W I T N E S S E T H:**

**WHEREAS**, City requested proposals to perform the services generally including: Citywide Parks Master Plan.

**WHEREAS**, in response to City's request, Consultant submitted a proposal and, after negotiations, Consultant agreed to perform the Services more particularly described in Exhibit "A" ("Services"), in return for the compensation described in this Agreement and Exhibit "B".

**WHEREAS**, in reliance upon Consultant's documentation of its qualifications, as set forth in Exhibit "C", City finds that Consultant has demonstrated the requisite qualifications, experience, training, and expertise to perform the requested Services.

**NOW, THEREFORE**, the Parties hereto agree as follows:

**1. CONSULTANT'S SERVICES.** Consultant shall perform Services described, and in the time, place, and manner specified in Exhibit "A" in accordance with the terms and conditions of this Agreement. In the event of a conflict in or inconsistency between the terms of this Agreement and Exhibit "A", the Agreement shall control.

**2. TIME FOR PERFORMANCE.** Time is of the essence in the performance of Services under this Agreement and Consultant shall generally adhere to the schedule set forth in Exhibit "A"; provided, that City shall grant reasonable extensions of time for the performance of such Services occasioned by governmental reviews of Consultant's work product or other unavoidable delays occasioned by circumstances, provided, further, that such unavoidable delays shall not include strikes, lockouts, work stoppages, or other labor disturbances conducted by, or on behalf of, Consultant's officers or employees. Any Services for which times for performance are not specified in this Agreement shall be commenced and completed by Consultant in a reasonably prompt and timely manner based upon the circumstances and direction communicated to Consultant.

Consultant acknowledges the importance to City of City's performance schedule and agrees to put forth its best professional efforts to perform its Services under this Agreement in a manner consistent with that schedule. City understands, however, that Consultant's performance must be governed by sound professional practices.

**3. COMPENSATION.**

**A. “Not to Exceed” Compensation.** City shall compensate Consultant for all Services performed by Consultant hereunder in an amount based upon Consultant’s hourly or other rates set forth in Exhibit “B”. The payments specified in Exhibit “B” shall be the only payments to be made to Consultant for Services rendered pursuant to this Agreement.

Notwithstanding the foregoing, the combined total of compensation and costs payable hereunder shall not exceed the sum of two hundred and seven and No/100 Dollars (\$207,755.00) unless the performance of services and/or reimbursement of costs and expenses in excess of said amounts have been approved in advance of performing such services or incurring such costs and expenses by City, evidenced in writing authorizing such additional amount.

**B. Method of Billing.** To request payment, Consultant shall submit monthly invoices to City identifying Services performed and the charges therefore (including an identification of personnel who performed Services, hours worked, hourly rates, and reimbursable expenses), based upon Consultant’s billing rates (set forth on Exhibit “B” hereto).

Consultant shall submit all billings for said Services to City in the manner specified in Exhibit “B”; or, if no manner is specified in Exhibit “B”, then according to the usual and customary procedures and practices which Consultant uses for billing clients similar to City.

Invoices shall be sent to:

City of Newark  
Attn: Finance Department  
37101 Newark Blvd.  
Newark, CA 94560

Upon completion of Services, City shall sign off and acknowledge that all terms and conditions have been satisfactorily met; upon which, unless waived by City in writing, Consultant shall prepare an itemized statement, briefly describing by task and/or labor category the items billed.

**C. Payment.** Upon receipt of an invoice, City shall make payments to Consultant on a monthly basis, or at such other times as may be specified in Exhibit “B”, for Services, which are performed in accordance with this Agreement to the satisfaction of City.

**D. Consultant’s Failure to Perform.** In the event that Consultant performs Services that do not comply with the requirements of this Agreement, Consultant shall, upon receipt of written notice from City, re-perform the services (without additional compensation to Consultant). If Consultant’s failure to perform in accordance with this Agreement causes damages to City, Consultant shall reimburse City for the damages incurred (which may be charged as an offset to Consultant’s payment).

**4. ADDITIONAL SERVICES.** In the event City desires the performance of additional services not otherwise included within Services, such services shall be authorized by written task order approved in advance of the performance thereof. Such task order shall include a description of the services to be performed thereunder, the maximum compensation and reimbursement of costs and expenses payable therefore, the time of performance thereof, and

such other matters as the Parties deem appropriate for the accomplishment of such services. Except to the extent modified by a task order, all other terms and conditions of this Agreement shall be deemed incorporated in each such task order.

5. **INDEPENDENT CONSULTANT.** At all times during the term of this Agreement, Consultant shall be, and is an independent consultant and shall not be an employee or agent of City. Consultant shall not be entitled to any benefit, right, or compensation other than that provided in this Agreement. City shall have the right to control Consultant only insofar as the results of Consultant's Services; however, City shall not have the right to control the means by which Consultant accomplishes Services rendered pursuant to this Agreement.

Except as City may specify in writing, Consultant shall have no authority, express or implied, to act on behalf of City in any capacity whatsoever as an agent. Consultant shall have no authority, express or implied, pursuant to this Agreement to bind City to any obligation whatsoever.

6. **PERSONNEL.** Consultant understands that, in entering into this Agreement, City has relied upon Consultant's ability to perform in accordance with its representations regarding the qualifications of Consultant, including the qualifications of its Authorized Representative, its designated personnel, and its Subconsultants, if any, identified in Exhibit "C". Therefore, Consultant shall not replace its Authorized Representative, or any of the designated personnel or Subconsultants identified in Exhibit "C", without the prior written consent of City. All Services shall be performed by, or under, the direct supervision of Consultant's Authorized Representative.

Consultant agrees to include with all Subconsultants in their subcontract the same requirements and provisions of this Agreement including the indemnity and Insurance requirements to the extent they apply to the scope of the Subconsultant's work. Subconsultants hired by Consultant agree to be bound to Consultant and City in the same manner and to the same extent as Consultant is bound to City under this Agreement. Subconsultant further agrees to include these same provisions with any Sub-subconsultant. A copy of this Agreement's Indemnity and Insurance provisions will be furnished to the Subconsultant upon request. The Consultant shall require all Sub-subconsultants to provide a valid certificate of insurance and the required endorsements included in this Agreement prior to commencement of any Services and will provide proof of compliance to the City.

In the event that City, in its sole discretion, at any time during the term of this Agreement, desires the removal of any of Consultant's designated personnel or Subconsultants, Consultant shall, immediately upon receiving notice from City of such desire of City, cause the removal of such person or persons.

7. **FACILITIES AND EQUIPMENT.** Consultant shall, at its sole cost and expense, furnish all facilities and equipment which may be required for furnishing Services.

8. **INFORMATION AND DOCUMENTATION.**

A. **Information from City.** City has made an effort to provide Consultant with all information necessary for Consultant's performance of Services. If Consultant believes

additional information is required, Consultant shall promptly notify City and City will provide to Consultant all relevant non-privileged information in City's possession.

**B. Consultant's Accounting Records.** Consultant shall maintain all accounting records related to this Agreement in accordance with generally accepted accounting principles and state law requirements, and in no event for less than four (4) years. Consultant's accounting records shall include, at a minimum, all documents which support Consultant's costs and expenses related to this Agreement, including personnel, subconsultants' invoices and payments, and reimbursable expenses. Consultant's accounting records shall be made available to City within a reasonable time after City's request, during normal business hours.

**C. Ownership of Work Product.** All original documents prepared by Consultant (including its employees and subconsultants) for this Agreement ("Work Product"), whether complete or in progress, are the property of City and shall be given to City at the completion of Consultant's Services, or upon demand of City. Consultant shall have a right to make and keep copies of the Work Product except for any confidential information. Consultant shall not reveal the Work Product or the confidential information contained in the Work Product, or make it available, to any third party without the prior written consent of City.

**9. CONFLICTS OF INTEREST PROHIBITED.** Consultant (including its employees, agents, and subconsultants) shall not maintain or acquire any direct or indirect interest that conflicts with the performance of this Agreement. Consultant shall comply with all requirements of the Political Reform Act (California Government Code Section 81000, *et seq.*) and other laws relating to conflicts of interest, including: (a) Consultant shall not make or participate in a decision made by City if it is reasonably foreseeable that the decision may have a material effect on Consultant's economic interest, and (b) if required by law, Consultant shall file financial disclosure forms with the City Clerk. If Consultant maintains or acquires a conflicting interest, any contract with City (including this Agreement) involving Consultant's conflicting interest may be terminated by City.

**10. NONDISCRIMINATION.** Consultant shall comply with all applicable federal, state, and local laws regarding nondiscriminatory employment practices, whether or not said laws are expressly stated in this Agreement. Consultant shall not discriminate against any employee or applicant because of race, color, religious creed, national origin, physical disability, mental disability, medical condition, marital status, sexual orientation, sex, age, or any other basis, as defined in California Civil Code Section 51.

**11. COMPLIANCE WITH LAW AND STANDARD OF CARE.** Consultant shall comply with all applicable legal requirements including all federal, state, and local laws (including ordinances and resolutions), whether or not said laws are expressly stated in this Agreement. Consultant shall perform Services using a standard of care equal to, or greater than, the degree of skill and diligence ordinarily used by reputable professionals, with a level of experience and training similar to Consultant, performing under circumstances similar to those required by this Agreement.

**12. INSURANCE.** Consultant shall procure and maintain for the duration of this Agreement insurance against claims for injuries to persons or damages to property which may

arise from or in connection with the performance of the work hereunder by the Consultant, his agents, representatives, subconsultants, or employees.

**A. Verification of Coverage.**

Consultant shall furnish City with original certificates of insurance and amendatory endorsements or copies of the applicable policy language effecting coverage required by this clause. The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. All certificates and endorsements are to be received and approved by City before work commences.

Proof of Insurance shall be mailed to the following address or any subsequent address as may be directed in writing by the City Risk Manager:

CITY OF NEWARK  
Attn: Risk Manager  
37101 Newark Boulevard  
Newark, CA 94560

City reserves the right to require and obtain complete, certified copies of all required insurance policies and endorsements at any time. Failure to exercise this right at any time shall not constitute a waiver of right to exercise later. Consultant shall immediately furnish City with certificates of renewal for each policy that is renewed during the term of this Agreement.

**B. Minimum Scope of Insurance.**

Coverage shall be at least as broad as:

1. Insurance Services Office Form Number CG 00 01 covering Commercial General Liability on an occurrence basis, including products and completed operations, property damage, bodily injury, and personal and advertising injury; and
2. Insurance Services Office Form Number CA 00 01 covering Code 1, (any auto), or Code 8 (hired) and Code 9 (non-owned) if consultant has no owned autos; and
3. Workers' Compensation insurance as required by the State of California, with Statutory Limits, and Employer's Liability Insurance; and
4. Errors and Omissions Liability insurance appropriate to the Consultant's profession. Architects' and Engineers' coverage is to be endorsed to include contractual liability.

**C. Minimum Limits of Insurance.**

It shall be a requirement under this Agreement that any available insurance proceeds broader than or in excess of the specified minimum Insurance coverage requirements and/or limits shall be available to the Additional Insured. Furthermore, the requirements for coverage and limits shall be (1) the minimum coverage and limits specified in this Agreement; or (2) the broader coverage and maximum limits of coverage of and Insurance policy or proceeds available to the named Insured; whichever is greater.

Consultant shall maintain limits no less than:

1. General Liability: **\$2,000,000** per occurrence for bodily injury, personal injury, and property damage. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.  
(including products and completed operations, property damage, bodily injury, and personal and advertising injury)
2. Automobile Liability: **\$1,000,000** per accident for bodily injury and property damage.
3. Employer's Liability: **\$1,000,000** per accident for bodily injury or disease.
4. Errors and Omissions Liability: **\$1,000,000** per occurrence or claim; \$2,000,000 aggregate.

**D. Deductibles and Self-Insured Retentions.**

Any deductibles or self-insured retentions must be declared to and approved by the City Risk Manager. At the option of City, either: (1) the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects to City, its officers, officials, directors, employees, contractors, agents, and volunteers, or (2) Consultant shall provide a financial guarantee satisfactory to City guaranteeing payment of losses and related investigations, claim administration, and defense expenses in an amount specified by the City Risk Manager or designee.

**E. Claims Made Policies.**

For all "claims made" coverage, in the event that Consultant changes insurance carriers Consultant shall purchase "tail" coverage or otherwise provide for continuous coverage covering the Term of this Agreement and not less than five (5) years thereafter. Proof of such "tail" or other continuous coverage shall be required at any time that the Consultant changes to a new carrier.

**F. Wasting Policies.**

No policy required by this paragraph 12 shall include a “wasting” policy limit (ie. limit that is eroded by the cost of defense).

**G. Remedies.**

In addition to any other remedies City may have if Consultant fails to provide or maintain any insurance policies or policy endorsements to the extent and within the time herein required, City may, at its sole option exercise any of the following remedies, which are alternatives to other remedies City may have and are not the exclusive remedy for Consultant’s breach:

1. Obtain such insurance and deduct and retain the amount of the premiums for such insurance from any sums due under the Agreement;
2. Order Consultant to stop work under this Agreement or withhold any payment that becomes due to Consultant hereunder, or both stop work and withhold any payment, until Consultant demonstrates compliance with the requirements hereof; and/or
3. Terminate this Agreement.

**H. Acceptability of Insurers.**

Insurance is to be placed with insurers with a current A.M. Best’s rating of no less than A:VII, unless otherwise acceptable to the City Risk Manager. All insurance companies providing coverage to Consultant shall be insurance organizations authorized by the Insurance Commissioner of the State of California to transact the business of insurance in the State of California.

**I. Other Insurance Provisions.**

The general liability and automobile liability policies are to contain, or be endorsed to contain, the following provisions:

1. Additional Insureds. City, its officers, officials, directors, employees and volunteers (“Additional Insureds”) are to be covered as insureds with respect to liability arising out of work or operations performed by or on behalf of Consultant; including materials, parts or equipment furnished in connection with such work or operations.
2. Primary Coverage. For any claims related to Services, Consultant’s insurance coverage shall be primary insurance as respects City, its officers, officials, directors, employees, and volunteers. Any insurance or self-insurance maintained by City, its officers, officials, directors, employees, or volunteers shall be excess of Consultant’s insurance and shall not be contribute with it. Consultant’s policy will not seek contribution from the City’s insurance or self insurance.
3. Notice of Cancellation. Each insurance policy required above shall provide that coverage shall not be canceled during the term of this Agreement without notice to City.

4. Civil Code § 2782. Coverage shall not extend to any indemnity coverage for the active negligence of the additional insured in any case where an agreement to indemnify the additional insured would be invalid under Subdivision (b) of Section 2782 of the California Civil Code.

5. Deductibles and Self-Insured Retentions (SIR). All deductibles and self-insured retentions must be disclosed to the City Risk Manager for approval and shall not reduce the limits of liability. Policies containing any SIR provision shall provide or be endorsed to provide that the SIR may be satisfied by either the named Insured or the City.

6. Subconsultants. Consultant shall include all subconsultants as insureds under its policies or shall require and verify separate certificates and endorsements have been obtained for each subconsultant. All coverages for subconsultants shall be subject to all of the requirements stated herein.

7. Waiver of Subrogation. With respect to Workers' Compensation and Employer's Liability Coverage, the insurer shall agree to waive all rights of subrogation against City, its officers, officials, directors, employees, and volunteers for losses arising from work performed by Consultant for City.

8. Coverage is Material Element. Maintenance of proper insurance coverage in conformity with the provision of this paragraph 12 is a material element of this Agreement and failure to maintain or renew coverage or to provide evidence of coverage or renewal may be treated by City as a material breach of this Agreement.

9. Variation. The City Risk Manager may approve a variation in these insurance requirements upon a determination that the coverage, scope, limits, and form of such insurance are either not commercially available or that City's interests are otherwise fully protected. Any variation granted shall be done in writing and shall be made a part of this Agreement as Appendix "A".

**13. REPORTING DAMAGES.** If any damage (including but not limited to death, personal injury or property damage) occurs in connection with the performance of this Agreement, Consultant shall immediately notify the City Risk Manager's office by telephone at 510-578-4428, and Consultant shall promptly submit to the City's Risk Manager and the City's Administrator (see paragraph 18, hereinbelow) a written report (in a form acceptable to City) with the following information: (a) name(s) and address(es) of the injured or deceased person(s), (b) name(s) and address(es) of witnesses, (c) name(s) and address(es) of Consultant's insurance company(ies), and (d) a detailed description of the damage(s) and whether any City property was involved.

**14. INDEMNIFICATION/SAVE HARMLESS.** To the fullest extent permitted by law, the Consultant shall: (1) immediately defend, and (2) indemnify City, its, officers, officials, directors, employees, and volunteers from and against all liabilities regardless of nature or type arising out of or resulting from Consultant's performance of Services, or any negligent or wrongful act or omission of Consultant or Consultant's officers, employees, agents, or subconsultants. Liabilities subject to the duties to defend and indemnify include, without limitation all claims, losses, damages, penalties, fines, and judgments; associated investigation

and administrative expenses; defense costs, including but not limited to reasonable attorneys' fees; court costs; and costs of alternative dispute resolution. Consultant's obligation to indemnify applies unless it is adjudicated that its liability was caused by the sole active negligence or sole willful misconduct of an indemnified party. If it is finally adjudicated that liability is caused by the comparative active negligence or willful misconduct of an indemnified party, Consultant's indemnification obligation shall be reduced in proportion to the established comparative liability of the indemnified party.

The duty to defend is a separate and distinct obligation from Consultant's duty to indemnify. Consultant shall be obligated to defend, in all legal, equitable, administrative, or special proceedings, with counsel approved by City immediately upon tender to Consultant of the claim in any form or at any stage of an action or proceeding, whether or not liability is established. An allegation or determination of comparative active negligence or willful misconduct by an indemnified party does not relieve the Consultant from its separate and distinct obligation to defend City. The obligation to defend extends through final judgment, including exhaustion of any appeals. The defense obligation includes an obligation to provide independent defense counsel if Consultant asserts that liability is caused in whole or in part by the negligence or willful misconduct of the indemnified party. If it is finally adjudicated that liability was caused by the sole active negligence or sole willful misconduct of an indemnified party, Consultant may submit a claim to City for reimbursement of reasonable attorneys' fees and defense costs.

The review, acceptance or approval of Consultant's work or work product by any indemnified party shall not affect, relieve or reduce Consultant's indemnification or defense obligations. This paragraph survives completion of Services or the termination of this contract. The provisions of this paragraph are not limited by and do not affect the provisions of this contract relating to insurance.

Consultant/Subconsultant's responsibility for such defense and indemnity obligations shall survive the termination or completion of this Agreement for the full period of time allowed by law. The defense and indemnification obligations of this Agreement are undertaken in addition to, and shall not in any way be limited by, the insurance obligations contained in this Agreement.

**15. LICENSES, PERMITS, ETC.** Consultant represents and warrants to City that it has all licenses, permits, qualifications, and approvals of whatsoever nature that are legally required for Consultant to practice its profession. Consultant represents and warrants to City that Consultant shall, at its sole cost and expense, keep in effect at all times during the term of this Agreement any licenses, permits, and approvals which are legally required for Consultant to practice its profession. In addition to the foregoing, Consultant shall obtain and maintain during the term hereof a valid City of Newark Business License.

**16. TERM/TERMINATION.**

A. The term of this Agreement shall commence upon the date first hereinabove written and shall expire upon completion of performance of Services hereunder by Consultant.

B. Notwithstanding the provisions of paragraph 16 Section A above, either party may terminate this Agreement without cause by giving written notice thereof not less than ten (10) days prior to the effective date of termination, which date shall be included in said notice. In the event of such termination, City shall compensate Consultant for Services rendered and reimburse Consultant for costs and expenses incurred, to the date of termination, calculated in accordance with the provisions of paragraph 3. In ascertaining the Services actually rendered to the date of termination, consideration shall be given both to completed work and work in process of completion. Nothing herein contained shall be deemed a limitation upon the right of City to terminate this Agreement for cause, or otherwise to exercise such rights or pursue such remedies as may accrue to City hereunder.

17. **CONTRACT ADMINISTRATION.** This Agreement shall be administered by **TERRENCE GRINDALL** of the City of Newark (“Administrator”). All correspondence shall be directed to or through the Administrator or his/her designee.

18. **NOTICES.** Written notices required or convenient hereunder shall be delivered personally or by depositing the same with the United States Postal Service, first class (or equivalent) postage prepaid and addressed, in the case of Consultant, to:

Royston Hanamoto Alley & Abey dba RHAA

**CITY OF NEWARK**

\_\_\_\_\_  
**Consultant**

TERRENCE GRINDALL  
**Administrator**

Address: RHAA  
Attn: Barbara Lundburg  
22 Miller Avenue  
Mill Valley, CA 94941

City of Newark  
Attn: Community Development  
37101 Newark Boulevard  
Newark, CA 94560

19. **PARAGRAPH HEADINGS.** Paragraph headings used herein are for convenience only and shall not be deemed to be a part of such paragraphs and shall not be construed to change the meaning thereof.

20. **EXHIBITS.** All exhibits referred to herein are attached hereto and are by this reference incorporated herein.

21. **SEVERABILITY.** If any term of this Agreement (including any phrase, provision, covenant, or condition) is held by a court of competent jurisdiction to be invalid or unenforceable, the Agreement shall be construed as not containing that term, and the remainder of this Agreement shall remain in full force and effect; provided, however, this paragraph shall not be applied to the extent that it would result in a frustration of the Parties’ intent under this Agreement.

22. **GOVERNING LAW, JURISDICTION, AND VENUE.** The interpretation, validity, and enforcement of this Agreement shall be governed by and interpreted in accordance with the laws of the State of California. Any suit, claim, or legal proceeding of any kind related to this Agreement shall be filed and heard in a court of competent jurisdiction in the County of Alameda.

23. **ATTORNEY'S FEES.** In the event any legal action is commenced to enforce this Agreement, the prevailing party is entitled to reasonable attorney's fees, costs, and expenses incurred.

24. **ASSIGNABILITY.** Neither Consultant nor City shall subconsult, assign, sell, mortgage, hypothecate, or otherwise transfer their respective interests or obligations in this Agreement without the express prior written consent of the non-transferring party.

25. **MODIFICATIONS.** This Agreement may not be modified orally or in any manner other than by an agreement in writing signed by both Parties.

26. **WAIVERS.** Waiver of breach or default under this Agreement shall not constitute a continuing waiver of a subsequent breach of the same or any other provision of this Agreement.

27. **ENTIRE AGREEMENT.** This Agreement, including all documents incorporated herein by reference, comprises the entire integrated understanding between the Parties concerning the Services. This Agreement supersedes all prior negotiations, agreements, and understandings regarding this matter, whether written or oral. The documents incorporated by reference into this Agreement are complementary; what is called for in one is binding as if called for in all.

28. **SIGNATURES.** The individuals executing this Agreement represent and warrant that they have the right, power, legal capacity, and authority to enter into and to execute this Agreement on behalf of the respective legal entities of Consultant and City. This Agreement shall inure to the benefit of and be binding upon the Parties hereto and their respective successors and assigns.

29. **COVENANT AGAINST CONTINGENT FEES.** Consultant hereby warrants that Consultant has not employed or retained any company or person, other than a *bona fide* employee working for Consultant, to solicit or secure this Agreement, and Consultant has not paid or agreed to pay any company or person, other than a *bona fide* employee, any fee, commission, percentage, brokerage fee, gift, or any other consideration contingent upon or resulting from the award or formation of this Agreement. For breach or violation of this warranty, City shall have the right to annul this Agreement without liability or, at City's discretion, to deduct from the Agreement price or consideration, or otherwise recover, the full amount of such fee, commission, percentage, brokerage fee, gift or contingent fee.

**IN WITNESS WHEREOF,** the Parties hereto have executed this Agreement the day and year first hereinabove written.

CITY OF NEWARK,  
a municipal corporation

Royston Hanamoto Alley & Abey  
dba RHAA, a California Corporation

By \_\_\_\_\_  
City of Newark

By \_\_\_\_\_  
Consultant

Date \_\_\_\_\_

Date \_\_\_\_\_

Barbara Lundburg, Principal

Attest:

\_\_\_\_\_  
City Clerk

Date \_\_\_\_\_

Approved as to form:

\_\_\_\_\_  
City Attorney

Date \_\_\_\_\_

**EXHIBIT A**  
***SCOPE OF SERVICES***

## City of Newark Citywide Park Master Plan Scope of Services

### Task 1: Needs Assessment

#### Project Initiation

At the kickoff meeting, the Consultant Team will discuss and refine the proposed scope and schedule for the project.

- Confirm project goals and objectives
- Establish communications plan
- Meet key City Staff and schedule park and facilities tour
- Discuss public outreach; set schedule
- Refine specific tasks; confirm the sequence of work
- Establish milestone dates including meetings, presentations, and submittals

#### Data Collection and Synthesis

The Consultant Team will review all existing information that will provide important project background and understanding. We will review all planning documents including:

- General Plan
- Existing parks and facilities plans, descriptions, and uses
- Joint use agreements
- Program participation data
- All additional relevant reports and/or information
- Capital Improvements Program

The Consultant Team will examine trends in relation to the demographic composition and characteristics of the City of Newark community. We will identify and examine key demographic and societal trends that likely shape and impact park and recreation services. This analysis of population will provide insights into likely programs, activities, and underserved groups for future planning considerations. The demographic profile is generated from multiple sources of demographic data, including: City of Newark Census data; US Census data; National Parks and Recreation Association survey data; Nielson Site Reports; and the Association of Bay Area Government (ABAG).

Trends impacting the service area and the unique characteristics of Newark's population that are most likely to impact recreational services now and over the next decade will be identified. Using information as available in such sources as the National Sporting Goods Association survey, National Park and Recreation Association listed trends, State of California attitudes survey, a discussion of recreation trends will be prepared. The consultant team will identify the trends and the unique characteristics of Newark most likely to impact recreational services now and over the next decade.

Working with City Staff, we will facilitate the first workshop to encourage involvement and input in the needs assessment process and develop community “buy-in” to the findings. This first workshop will gather information regarding community desired recreation facilities and park amenities and to gain an understanding of the community’s priorities. A PowerPoint presentation and graphics will be prepared to inspire and engage the community’s input. The workshop will be an open public forum designed to promote quality interaction through large and small group discussions, prioritization exercises, and comment sheets. The comment sheets will be provided at the workshops for use by persons who are not comfortable with public speaking, to capture additional comments as they arise. The Consultant Team will record the comments received and incorporate them into the Needs Assessment.

**Task 1 Deliverables:**

*Needs Assessment Summary*

*Newark Documents Review - Policies, Standards, CIP program*

*Demographic and Trends Analysis*

*Summary of Community Meeting #1*

**Task 2: Inventory and Assessment**

The Consultant Team will compile a comprehensive inventory and assessments of all parks, recreation facilities and programs. Each park will be documented for size, location, recreation provided, and conditions. Opportunities and constraints will be noted, as well as, an analysis of ADA compliance. Sports Fields will be inventoried for all City, commercial, nonprofit and private facilities that provide outdoor sports and park recreational services to Newark residents. We will analyze the effectiveness of current programming to meet community demand and achieve resident satisfaction for fields and amenities. This assessment will include: review of sport offerings; annual participation; user fee, rental rates, and other revenue streams; and operating model and staffing levels. We will establish gaps in service and needs analyzing the capacity of current sports fields and outdoor programs to meet the current and future demand. The findings will be presented to the Community in a workshop. The Consultant Team will record the comments received and incorporate them into the summary of the workshop.

**Task 2 Deliverables:**

*Park Inventory and Assessment Summary*

*Sports Fields Provision Analysis*

*Gap Analysis*

*Summary of Community Meeting #2*

**Task 3: Potential Expansion Analysis**

In addition to the “gaps analysis”, we review and identify potential locations to improve and expand the City’s recreation facilities. Potential projects will be defined by size, location, cost, and feasibility. The team will perform financial analyses to identify the probable operating costs, including annual and long-term maintenance and the revenue potential. The study also includes identifying the revenue potential for the various options and strategies as well as potential funding sources. Potential approaches and possible partnership opportunities will be analyzed to determine if there are synergies regarding development potential. We will explore and assess opportunities for destination recreation facilities. The Team will recommend potential approaches the fill the gaps between desired and available recreation. The expansion analysis outcome will be presented to the Community at the third workshop. We will record the comments received and incorporate them into the summary of the workshop.

Task 3 Deliverables:

*Expansion Analysis Summary*

*Expansion Recommendations*

*Financial Analysis*

*Revenue Potentials*

*Summary of Community Meeting #3*

#### **Task 4: Priority Setting**

The Consultant Team will prepare a methodology and framework to guide the prioritization of projects and their capital funding. We will also provide recommendations or action items for development or improvements based on community input, needs assessment, and capacity to meet community needs. A matrix with criteria will be developed for prioritizing projects – short, medium and long term development and/or improvements. We will work with City Staff to prepare the preliminary prioritization recommendations. The Preliminary Prioritization will be presented to the City Council in a public work session.

Task 4 Deliverables:

*Summary of Priorities Development*

*List of Action Items*

*Matrices for Prioritization*

*Recommendations for Short, Medium and Long Term Improvements*

*Summary of City Council Work Session*

#### **Task 5: Project Refinement**

Once the priorities are established and approved, the Team will further refine the highest priority projects to include detailed capital costs, operating expenses, on-going maintenance, revenue estimates, and potential cost recovery and cost/benefit analysis.

Task 5 Deliverables:

*Refinement of Selected Highest Priority Projects – capital costs; maintenance costs; revenue estimates; cost benefit analysis*

#### **Task 6: Individual Park Master Plans**

The team will develop a Master Plan for each park in the city reflecting the refined proposed projects. We will look at each park analyzing physical space and proposed programs. After review and input from City Staff, the Team will update the plans and present them to the Community for their input at the fourth Community meeting. We will record the comments received and incorporate them into the summary of the workshop.

Task 6 Deliverables:

*Individual Park Master Plans*

*Conceptual Cost Estimate*

*Summary of Community Meeting #4*

## **Task 7: Final Report and Action Plan**

The Citywide Parks Master Plan will summarize all the findings and data from the previous tasks and synthesize that information into a comprehensive report. Recommendations will be made for the current and future needs related to parks, sports fields, and conditions of existing facilities and cost of improvements to serve short, medium and long range needs of the community. The report will address costs for major capital improvements, operating costs, and possible phasing based on priorities. At a minimum the report will include:

### I. Executive Summary

### II. Analysis Section

1. Analysis, prioritization and assessment of facilities.
2. Development of matrices for short, medium and long term improvements
3. Demographic analysis
4. City Staff input

### III. Develop Short, Medium and Long Term Projects and Programs

1. Identify short, medium and long term capital projects.
2. Prioritization criteria to include:
  - *Areas of outdated or underutilized park and/or fields facilities that should be redeveloped*
  - *New specialized sports facilities that should be considered*
  - *Playgrounds or facilities that do not conform to ADA standards*
  - *Timeline and Budget to accomplish the goals of the Master Plan*
  - *Park Master Plans*

### IV. Action Plan - Management and Implementation

1. Goals, strategies, priorities and action items
2. Identify areas of possible revenue generation
3. Identify items that will require additional staff time for operation and maintenance
4. Establish a time frame for accomplishing each task

### V. Appendices

A Draft Master Plan Report and Action Plan will be developed with input from City Staff. The Final Report will be presented to the Planning Commission and City Council for approval.

Task 7 Deliverables:

*Draft Master Plan Report and Action Plan*

*Final Master Plan Report and Action Plan*

**EXHIBIT B**

***PAYMENT***

EXHIBIT B

Newark Citywide Parks Master Plan  
April 19, 2016



FEE SUMMARY

Task 1	Needs Assessment	\$21,805
Task 2	Inventory and Assessment	\$19,720
Task 3	Potential Expansion Analysis	\$39,280
Task 4	Priority Setting	\$17,690
Task 5	Project Refinement	\$26,595
Task 6	Individual Park Master Plans	\$33,345
Task 7	Final Report and Action Plan	\$48,120
<b>Total Proposed Fee Labor</b>		<b>\$206,555</b>
Estimated reimbursable expenses		\$1,200
<b>Toatal Labor + Reimbursables</b>		<b>\$207,755</b>

	RHA A			ADE	Sports Management			Cromb
	Principal	Project Manager	Staff	Svensson	Principal	Senior Associate	Staff	Principal
<b>Task 1 Needs Assessment</b>	\$200	\$145	\$105	\$175	\$190	\$145	\$100	\$155
1A Project initiation - Kickoff meeting								
a. Refine scope and schedule	1	4			2	4		
1B Data Collection and Synthesis	2	8						
a. Review all planning documents and relevant information <i>General Plan</i> <i>existing parks and facilities plans, descriptions, and uses</i> <i>joint use agreements</i> <i>program participation data</i> <i>other relevant reports</i>					3	8		
b. Review all current park conditions, maintenance practices and policies				4				
c. Evaluate the City's current Capital Improvements Program				4	2	2		
d. Examine community demographics and trends in recreational usage					2	5	5	
1C Prepare for Community Meeting #1	1	4	12		4	4		
a. Review Community Meeting program with City Staff and revise as needed								
<b>Hours</b>	<b>4</b>	<b>16</b>	<b>12</b>	<b>8</b>	<b>13</b>	<b>23</b>	<b>5</b>	<b>0</b>
1D Kick off meeting with City Staff	4	4		4	4	4	1	
1E Community Meeting #1 - input from Community on desired recreation facilities and programs	6	6	6		6		4	
1F Review meetings with City Staff - 1	4	4				4		
<b>Meetings</b>	<b>14</b>	<b>14</b>	<b>6</b>	<b>4</b>	<b>10</b>	<b>8</b>	<b>5</b>	<b>0</b>
<b>Total Hours</b>	<b>18</b>	<b>30</b>	<b>18</b>	<b>12</b>	<b>23</b>	<b>31</b>	<b>10</b>	<b>0</b>
<b>Fees</b>	<b>\$3,600</b>	<b>\$4,350</b>	<b>\$1,890</b>	<b>\$2,100</b>	<b>\$4,370</b>	<b>\$4,495</b>	<b>\$1,000</b>	<b>\$0</b>
<b>Total Task 1</b>	<b>\$21,805</b>							

	RHAA			ADE	Sports Management			Cromb
	Principal	Project Manager	Staff	Svensson	Principal	Senior Associate	Staff	Principal
<b>Task 2 Inventory and Assessment</b>	\$200	\$145	\$105	\$175	\$190	\$145	\$100	\$155
2A Inventory and assess all parks including shared facilities	8	8	8					
a. Assess destination recreation facilities					4	12		
2B Inventory and analyze current programs and services based on nationally accepted standards					2	2		
2C Gap analysis	4	4						
a. Analyze capacity of existing parks and facilities to meet the demand					4	8		
b. Determine gaps in services and capacity to meet demand					4	10		
2D Prepare for Community Meeting #2	1	4	12		4	4		
a. Review Community Meeting program with City Staff and revise as needed							2	
<b>Hours</b>	<b>13</b>	<b>16</b>	<b>20</b>	<b>0</b>	<b>18</b>	<b>36</b>	<b>2</b>	<b>0</b>
<b>Task 2 Meetings</b>								
2E Staff Meetings to review findings - 1		4				4		
2F Community Meeting #2 -present findings based on gap analysis to the Community	6	6	6					
<b>Meetings</b>	<b>6</b>	<b>10</b>	<b>6</b>	<b>0</b>	<b>0</b>	<b>4</b>	<b>0</b>	<b>0</b>
<b>Total Hours</b>	<b>19</b>	<b>26</b>	<b>26</b>	<b>0</b>	<b>18</b>	<b>40</b>	<b>2</b>	<b>0</b>
<b>Fees</b>	<b>\$3,800</b>	<b>\$3,770</b>	<b>\$2,730</b>	<b>\$0</b>	<b>\$3,420</b>	<b>\$5,800</b>	<b>\$200</b>	<b>\$0</b>
<b>Total Task 2</b>	<b>\$19,720</b>							
<b>Task 3 Potential Expansion Analysis</b>								
3A Review and identify potential locations to improve and expand the City's recreation facilities	4	4	8					
a. Projects to be defined by size, location, cost and feasibility					6	14	2	
3B Financial Analysis								
a. Identify probable operating costs including annual and long term maintenance				40	8	32	2	
b. Identify potential revenue sources for various options and strategies				20				
c. Identify potential funding sources					6	8		
3C Develop recommendations for potential approaches to fill the gaps	4	8			4	6		
3D Prepare for Community Meeting #3	1	4	12		3	4	2	
a. Review Community Meeting program with City Staff and revise as needed								
<b>Hours</b>	<b>9</b>	<b>16</b>	<b>20</b>	<b>60</b>	<b>27</b>	<b>64</b>	<b>6</b>	<b>0</b>
<b>Task 3 Meetings</b>								
3E Staff Meetings to review findings - 1	4	4		4	4	4		
3F Community Meeting #3-present analysis out come to the Community	6	6	6		6	2		
<b>Meetings</b>	<b>10</b>	<b>10</b>	<b>6</b>	<b>4</b>	<b>10</b>	<b>6</b>	<b>0</b>	<b>0</b>
<b>Total Hours</b>	<b>19</b>	<b>26</b>	<b>26</b>	<b>64</b>	<b>37</b>	<b>70</b>	<b>6</b>	<b>0</b>
<b>Fees</b>	<b>\$3,800</b>	<b>\$3,770</b>	<b>\$2,730</b>	<b>\$11,200</b>	<b>\$7,030</b>	<b>\$10,150</b>	<b>\$600</b>	<b>\$0</b>
<b>Total Task 3</b>	<b>\$39,280</b>							

		RHAA			ADE	Sports Management			Cromb
		Principal	Project Manager	Staff	Svensson	Principal	Senior Associate	Staff	Principal
		\$200	\$145	\$105	\$175	\$190	\$145	\$100	\$155
<b>Task 4 Priority Setting</b>									
4A	Develop a methodology and framework for prioritization of projects and their capital funding	4	8		4	8	20	2	
	a. Short, medium and long term								
4B	Develop action items for development or improvements	4	8			6	10		
	a. Recommend prioritization of action items								
4C	Prepare for City Council Public work session	1	4	4		2	4	2	
	a. Review with City Staff and revise as needed								
	<b>Hours</b>	<b>9</b>	<b>20</b>	<b>4</b>	<b>4</b>	<b>16</b>	<b>34</b>	<b>4</b>	<b>0</b>
<b>Task 4 Meetings</b>									
4D	Staff Meetings to review findings - 1		4				4		
4E	City Council Work session to review preliminary prioritization	6				6			
	<b>Meetings</b>	<b>6</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>6</b>	<b>4</b>	<b>0</b>	<b>0</b>
	<b>Total Hours</b>	<b>15</b>	<b>24</b>	<b>4</b>	<b>4</b>	<b>22</b>	<b>38</b>	<b>4</b>	<b>0</b>
	<b>Fees</b>	<b>\$3,000</b>	<b>\$3,480</b>	<b>\$420</b>	<b>\$700</b>	<b>\$4,180</b>	<b>\$5,510</b>	<b>\$400</b>	<b>\$0</b>
	<b>Total Task 4</b>	<b>\$17,690</b>							
<b>Task 5 Project Refinement</b>									
5A	Refine highest priority projects	4	8	4					
	a. Detailed capital costs, operating expenses, maintenance, revenue estimates		20		16	8	32	6	
	b. Potential cost recovery and cost /benefit analysis				16	8	12		
5B	Revise based on staff input	1	8			3	5	2	
	<b>Hours</b>	<b>5</b>	<b>36</b>	<b>4</b>	<b>32</b>	<b>19</b>	<b>49</b>	<b>8</b>	<b>0</b>
<b>Task 5 Meetings</b>									
5C	Staff Meetings to review findings - 1	4			4	4	4		
	<b>Meetings</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>4</b>	<b>4</b>	<b>4</b>	<b>0</b>	<b>0</b>
	<b>Total Hours</b>	<b>9</b>	<b>36</b>	<b>4</b>	<b>36</b>	<b>23</b>	<b>53</b>	<b>8</b>	<b>0</b>
	<b>Fees</b>	<b>\$1,800</b>	<b>\$5,220</b>	<b>\$420</b>	<b>\$6,300</b>	<b>\$4,370</b>	<b>\$7,685</b>	<b>\$800</b>	<b>\$0</b>
	<b>Total Task 5</b>	<b>\$26,595</b>							
<b>Task 6 Individual Park Master Plans</b>									
6A	Develop Master Plan for each park reflecting the refined proposed projects	8	40	60					
	a. Review with City Staff								
	b. Prepare conceptual cost estimate for each		25						40
6B	Revise based on staff input	2	4	16					
6C	Prepare for Community Meeting #4	1	4	8					
	a. Review Community Meeting program with City Staff and revise as needed								
6D	Update Master Plans based on Community input	1	4	12					
	<b>Hours</b>	<b>12</b>	<b>77</b>	<b>96</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>40</b>
<b>Task 6 Meetings</b>									
6D	Staff Meetings to review findings - 1	4							
6E	Community Meeting #4 - present Master Plans to the Community	6	6	6					
	<b>Meetings</b>	<b>10</b>	<b>6</b>	<b>6</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
	<b>Total Hours</b>	<b>22</b>	<b>83</b>	<b>102</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>40</b>
	<b>Fees</b>	<b>\$4,400</b>	<b>\$12,035</b>	<b>\$10,710</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$6,200</b>
	<b>Total Task 6</b>	<b>\$33,345</b>							



LANDSCAPE ARCHITECTURE + PLANNING

## EXHIBIT C

### **RHAA Landscape Architects – Prime Consultant**

Barbara Lundburg – Principal in Charge

Cordellia Hill – Resource Principal

Lauren Ivey – Project Manager

### **The Sports Management Group – Sub Consultant**

Lauren Livingston – Principal

Julie Spier – Senior Associate

### **Applied Development Economics – Sub Consultant**

Doug Svensson – President

### **Cromb Associates – Sub Consultant**

David Cromb – Principal

# Newark Citywide Parks Master Plan

## SCHEDULE

MONTH 1	MONTH 2	MONTH 3	MONTH 4	MONTH 5	MONTH 6	MONTH 7	MONTH 8
<b>TASK 1: NEEDS ASSESSMENT</b>							
<ul style="list-style-type: none"> <li>Identify the Community needs for active recreation and market opportunities for destination recreation</li> <li>Assess existing and expected demographics and trends in recreational usage</li> </ul>							
<b>TASK 2: INVENTORY AND ASSESSMENT</b>							
<ul style="list-style-type: none"> <li>Analyze the existing recreational facilities and programs</li> <li>Identify gaps between needs and demands</li> </ul>							
		<b>TASK 3: POTENTIAL EXPANSION ANALYSIS</b>					
		<ul style="list-style-type: none"> <li>Analyze gap between desired and available recreation</li> <li>Determine feasibility and cost of available sites</li> <li>Identify potential projects</li> <li>Identify possible funding sources such as grants, impact fee revenue, donations, and user fees</li> </ul>					
			<b>TASK 4: PRIORITY SETTING</b>				
			<ul style="list-style-type: none"> <li>Define the preliminary prioritization of projects</li> </ul>				
				<b>TASK 5: PROJECT REFINEMENT</b>			
				<ul style="list-style-type: none"> <li>Refine the highest priority projects to facilitate understanding and streamline implementation</li> <li>Create detailed capital cost estimates, ongoing maintenance costs, revenue estimates, and other cost / benefits analysis</li> </ul>			
				<b>TASK 6: INDIVIDUAL PARK MASTER PLAN</b>			
				<ul style="list-style-type: none"> <li>Develop a Master Plan for each park in Newark that reflects the refined proposed projects</li> </ul>			
					<b>TASK 7: FINAL REPORT AND ACTION PLAN</b>		
						<ul style="list-style-type: none"> <li>Prepare draft citywide parks Master Plan</li> <li>Prepare final citywide parks Master Plan</li> </ul>	
<ul style="list-style-type: none"> <li>City Staff</li> <li>Community Workshops</li> <li>Council / Commissions presentation</li> </ul>							

**F.8 Update on the Civic Center Replacement/Relocation Feasibility Study, and direction to proceed with public opinion polling regarding potential funding measures – from Assistant City Manager Grindall. (MOTION)**

**Background/Discussion** – The existing Civic Center and Library are antiquated, functionally obsolete, and suffer from an extensive maintenance backlog. The facilities are not suitable for meeting the City’s public safety, administrative, and cultural needs. Furthermore, they are not likely to be usable structures after a moderate earthquake.

On May 28, 2015, the City Council approved a contract with Group 4 Architecture to study the potential replacement of the Library, Police Department, and City Administration Building. This effort has a goal of providing safe, sustainable, accessible, and cost-effective facilities and providing the citizens of Newark with the library, public safety, administrative, cultural and educational services they need.

The feasibility study has addressed several tasks: it identified a program of uses; developed a space needs assessment; identified and analyzed alternative sites; and developed conceptual site plans, building diagrams, and massing strategies. Alternative sites and various site configurations were developed. There was a community meeting and two City Council work sessions as a part of this effort.

City staff also had preliminary discussions with the Newark Unified School District about a partnership that would accommodate the District’s administrative offices and allow for shared City Council and Board of Education chambers.

There were numerous sites considered for the Civic Center as well as various site configurations. At the February 4, 2016 City Council meeting, the City Council selected Civic Center Site Option 1B. Option 1B maintains the civic center on the existing site with the library, and administration building directly adjacent to Newark Boulevard and a police facility adjacent to the existing library. The existing administration tower and Police annex would be demolished. The existing library building would not be impacted and could be either sold to offset project cost or utilized for other future uses. The City Council recommended site plan modifications, and directed the development of a construction cost estimate and an assessment of funding sources.

Group 4 Architecture will present a project overview, revised site plan, cost estimates and methodology, phasing plan and an assessment of potential funding sources at the City Council meeting.

If the City Council wishes to proceed with planning for this project, staff recommends commissioning a public opinion poll to assess community support for this project.

**Action** – It is recommended that the City Council, by motion, direct staff to commission a public opinion poll to assess the community support for the project and potential funding measures.



City of Newark

MEMO

**DATE:** April 18, 2016  
**TO:** City Council  
**FROM:** Sheila Harrington, City Clerk *S.H.*  
**SUBJECT:** Approval of Audited Demands for the City Council Meeting of April 28, 2016.

**REGISTER OF AUDITED DEMANDS**

Bank of America General Checking Account

<u>Check Date</u>		<u>Check Numbers</u>	
April 04, 2016	Page 1	107545	Inclusive
April 07, 2016	Page 1	107546 to 107594	Inclusive
April 15, 2016	Page 1-2	107595 to 107656	Inclusive



City of Newark

MEMO

**DATE:** April 18, 2016  
**TO:** Sheila Harrington, City Clerk  
**FROM:** Susie Woodstock, Administrative Services Director *SW*  
**SUBJECT:** Approval of Audited Demands for the City Council Meeting of April 28, 2016.

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

Final Disbursement List. Check Date 04/04/16, Due Date 04/04/16, Discount Date 04/04/16. Computer Checks.

Bank 1001 US BANK

MICR Check#	Vendor Number	Payee	Check Date	Check Amount	Description
107545	4898	DUNCAN HALL	04/04/16	623.00	ADVANCED DISPATCHER UPDATE
		Total		623.00	

1

Final Disbursement List. Check Date 04/07/16, Due Date 04/18/16, Discount Date 04/18/16. Computer Checks.  
Bank 1001 US BANK

MICR Check#	Vendor Number	Payee	Check Date	Check Amount	Description
107546	10658	4LEAF INC	04/07/16	12,960.00	FEBRUARY 2016 BLDG INSPECTION SERVICES -
107547	332	ADAMSON POLICE PRODUCTS PROFESSIONAL POL	04/07/16	2,003.85	FLARES
107548	10449	AFLAC ATTN: REMITTANCE PROCESSING SERVIC	04/07/16	1,607.70	PAYROLL - SHORT TERM DISABILITY PREM
107549	11368	B & B VEHICLE PROCESSING	04/07/16	1,994.00	TOWING
107550	10990	BADAWI & ASSOCIATES	04/07/16	8,095.20	AUDITING SERVICES
107551	5059	THOMSON REUTERS/BARCLAY'S	04/07/16	148.00	RADIOLOGY PACKAGE
107552	724	DEBORAH CABNESS	04/07/16	168.35	EXPENSE REIMBURSEMENT
107553	9150	CAL-WEST LIGHTING & SIGNAL MAINTENANCE I	04/07/16	8,012.59	FY15-16 TRAFFIC SIGNAL AND STREETLIGHT M
107554	214	CENTRAL VETERINARY HOSPITAL	04/07/16	255.18	VET SVCS
107555	11011	CHANDLER GARAGE DOOR	04/07/16	265.00	PARTS
107556	10060	COMCAST	04/07/16	75.94	CABLE SVCS
107557	5382	COST RECOVERY SYSTEMS INC	04/07/16	8,750.00	STATE MANDATE CLAIM PREP SVCS
107558	1004	CPRS	04/07/16	1,820.00	CPRS AGENCY MEMBERSHIP
107559	10650	CITY OF FREMONT POLICE S.A.C.N.E.T.	04/07/16	3,480.00	REFUND OF MONEY
107560	10649	KUNAL PATEL	04/07/16	1,000.00	TREE REMOVAL PERFORMANCE BOND RETURN REF
107561	10793	CONNIE RIMBEY	04/07/16	106.00	TRIP REFUND
107562	41	DALE HARDWARE	04/07/16	211.36	FY15-16 MISC SUPPLIES
107563	63	THE GOODYEAR TIRE & RUBBER CO	04/07/16	1,237.02	TIRE PURCHASES
107564	7631	DELTA DENTAL	04/07/16	7,168.43	PAYROLL - DENTAL PREMIUM
107565	7641	DELTA DENTAL INSURANCE COMPANY ATTN: ACC	04/07/16	458.75	PAYROLL - DENTAL PREMIUM
107566	11015	EAST BAY LAWN MOWER	04/07/16	290.36	4 HELMET SYSTEMS (PARTS)
107567	10725	DAVID LEE	04/07/16	1,259.00	EE COMPUTER LOAN PROGRAM
107568	7663	FIDELITY SECURITY LIFE INSURANCE/EYEMED	04/07/16	644.66	VISION PREMIUM
107569	522	FEDEX	04/07/16	238.04	SHIPPING SERVICES
107570	5106	CITY OF FREMONT FINANCIAL SERVICES OFFIC	04/07/16	5,142.60	SHELTER OPERATING EXPS
107571	10899	GETTLER-RYAN, INC.	04/07/16	413.50	ALARM REPAIR
107572	3638	MARK GOTHARD	04/07/16	2,578.55	RECREATION CONTRACT
107573	10334	TIM JONES	04/07/16	150.00	EXPENSE REIMBURSEMENT
107574	7618	METLIFE SBC	04/07/16	1,803.14	PAYROLL - LONG TERM DISABILITY PREM
107575	6	KAREN MORAIDA	04/07/16	38.22	EXPENSE REIMBURSEMENT
107576	9588	NAPA VALLEY COLLEGE CRIMINAL JUSTICE TRA	04/07/16	182.00	PATROL POST TRAINING
107577	10829	KOUROSH NIKOUI NIKOUI & ASSOC-FORENSIC I	04/07/16	715.00	LATENT PRINTS
107578	3655	ROBERT NORVELL	04/07/16	397.02	EXPENSE REIMBURSEMENT
107579	349	PACIFIC GAS & ELECTRIC	04/07/16	12.80	FY15-16 GAS/ELECTRIC CHARGES
107580	78	PERFORMANCE PEST MANAGEMENT LPC SERVICES	04/07/16	529.00	PEST CONTROL
107581	4176	MICHAEL QUEBEC	04/07/16	949.50	RECREATION CONTRACT
107582	11369	REBECCA HIBBS	04/07/16	44.03	EXPENSE REIMBURSEMENT
107583	10834	ROBOTEX INC	04/07/16	393.25	ROBOT REPAIR
107584	112	WILLE ELECTRICAL SUPPLY CO INC	04/07/16	206.14	PARTS
107585	7744	T-MOBILE USA, INC	04/07/16	200.00	CALL DETAIL RECORDS
107586	7744	T-MOBILE ATTN: DEREK TURNER	04/07/16	81.60	BUILDING PERMIT WITHDRAWN
107587	679	TARGET SPECIALTY PRODUCTS	04/07/16	137.56	PARTS FOR LANDSCAPE SECTION
107588	5463	MARY TEIXEIRA	04/07/16	10.26	EXPENSE REIMBURSEMENT
107589	335	TELECOMMUNICATIONS ENGINEERING & ASSOC T	04/07/16	155.00	FIREWALL SERVICES
107590	10948	TRAINING FOR SAFETY, INC.	04/07/16	296.00	REC/COMM POST TRAINING
107591	8751	PROVIDENT LIFE & ACCIDENT INSURANCE COMP	04/07/16	312.04	PAYROLL PREMIUMS E0246926
107592	5623	VERIZON WIRELESS	04/07/16	3,129.05	GPS TRACKER/IPHONE SVC
107593	11160	VIEVU	04/07/16	207.13	UB BODY CAMERA REPAIR
107594	5732	WATERPROOFING ASSOCIATES	04/07/16	1,116.00	LEAK REPAIRS
Total				81,448.82	

Final Disbursement List. Check Date 04/15/16, Due Date 04/29/16, Discount Date 04/29/16. Computer Checks.

Bank 100 US BANK

MICR* Check#	Vendor Number	Payee	Check Date	Check Amount	Description
107595	9867	3-D GOURMET CATERING	04/15/16	522.32	ARBOR DAY CATERING
107596	7922	AARP ATTN ANNETTE PAREDES	04/15/16	110.00	AARP MATURE DRIVING COURSE
107597	332	ADAMSON POLICE PRODUCTS PROFESSIONAL POL	04/15/16	128.00	MISCELLANEOUS PURCHASES
107598	1129	ALAMEDA COUNTY CLERK RECORDER'S OFFICE	04/15/16	50.00	NOTICE OF EXPEMPTION FOR PROJECT 1125
107599	287	ALAMEDA COUNTY SHERIFF'S OFFICE GREGORY	04/15/16	16,721.00	CAL-ID 15/16
107600	14	ALPINE AWARDS	04/15/16	130.54	TSHIRTS
107601	11362	ANNETTE PAREDES	04/15/16	48.02	EXPENSE REIMBURSEMENT
107602	134	BATTERY SYSTEMS INC ATTN: ACCOUNTS RECEI	04/15/16	327.03	FY15-16 BATTERIES
107603	4534	BAY AREA BARRICADE SERVICE INC	04/15/16	542.03	STREET NAME SIGNS
107604	7275	PETER BEIREIS	04/15/16	258.71	EXPENSE REIMBURSEMENT
107605	9888	BUREAU VERITAS NORTH AMERICA INC.	04/15/16	14,229.47	BLDG PLAN REVIEW
107606	9150	CAL-WEST LIGHTING & SIGNAL MAINTENANCE I	04/15/16	9,650.19	FY15-16 TRAFFIC SIGNAL AND STREETLIGHT M
107607	10970	COCA COLA REFRESHMENTS UNION CITY SALES	04/15/16	409.56	CAFE PURCHASES
107608	10060	COMCAST	04/15/16	13.94	FY15-16 CABLE AT SERVICE CENTER
107609	1109	CAPITAL ONE COMMERCIAL	04/15/16	1,713.45	SUPPLIES
107610	242	CROP PRODUCTION SERVICES	04/15/16	854.10	RANGER PRO
107611	11032	CUBE SOLUTIONS	04/15/16	377.14	OFFICE EQUIPMENT
107612	10650	CITY OF FREMONT POLICE S.A.C.N.E.T.	04/15/16	1,423.00	REFUND OF MONEY
107613	10649	GSGC C/O SANDE SILVA	04/15/16	29,695.00	RETURN OF BIDDERS BOND
107614	10649	TRI-COUNTY BUILDING MAINTENANCE C/O MARI	04/15/16	25,440.36	RETURN OF BIDDERS BOND
107615	10793	NATIVE AMERICAN HEALTH CENTER	04/15/16	50.00	DEPOSIT REFUND
107616	10793	JUAN JOSE IBARRA	04/15/16	300.00	DEPOSIT REFUND
107617	10793	DOREEN R LACHAN	04/15/16	300.00	DEPOSIT REFUND
107618	10793	LEO PLACIO	04/15/16	100.00	DEPOSIT REFUND
107619	10793	TINO COPADO	04/15/16	300.00	DEPOSIT REFUND
107620	10677	DAILY JOURNAL CORPORATION CALIFORNIA NEW	04/15/16	40.00	PH NOTICE
107621	7183	DEMARAY'S GYMNASTICS ACADEMY	04/15/16	455.00	RECREATION CONTRACT
107622	11030	E POLY STAR INC	04/15/16	711.04	FY15-16 TRASH LINERS/ CONTAINERS
107623	11370	ELMORE SPENCER III	04/15/16	2,503.01	PUBLIC SAFETY DISPATCHER COURSE
107624	10725	ANDREW MUSANTRY	04/15/16	798.23	EE COMPUTER LOAN PROGRAM
107625	153	FOLGERGRAPHICS, INC	04/15/16	9,867.86	PUBLISH CITY NEWSLETTER
107626	5106	CITY OF FREMONT FINANCIAL SERVICES OFFIC	04/15/16	588.56	FY15-16 SHARED TRAFFIC SIGNAL COSTS
107627	11157	JASON GERMANO	04/15/16	200.00	RESERVE UNIF ALLOWANCE
107628	1591	PHILIP H HOLLAND	04/15/16	200.00	RESERVE UNIF ALLOWANCE
107629	10663	HOSE & FITTING ETC	04/15/16	447.11	FY15-16 HYDRAULIC HOSES, PARTS AND REPAI
107630	7593	BRUCE HOWCROFT	04/15/16	200.00	RESERVE UNIF ALLOWANCE
107631	11123	I PIZZA	04/15/16	447.50	PIZZAS FOR CAFE & PARTIES
107632	6690	KELLY-MOORE PAINT COMPANY, INC.	04/15/16	119.74	FY15-16 PAINT SUPPLIES
107633	10486	SHAKATI KHALSA	04/15/16	144.00	RECREATION CONTRACT
107634	7964	KNORR SYSTEMS INC	04/15/16	3,305.57	POOL CHEMICALS
107635	190	LC ACTION POLICE SUPPLY LTD	04/15/16	6,011.55	AMMUNITION
107636	11246	LOOMIS ARMORED	04/15/16	941.38	ARMORED CAR SERVICE
107637	11359	LUCIR SCHLICKMANN	04/15/16	68.01	EXPENSE REIMBURSEMENT
107638	11205	MARINA ZEPEDA TRI COUNTY BLDG MAINT	04/15/16	20,177.80	FY15-16 JANITORIAL SERVICES
107639	11360	MIKE DAVIS LANDSCAPE SERVICES	04/15/16	11,097.77	PARK & LANDSCAPE MAINTENANCE SERVICES PR
107640	11357	MISSION UNIFORM SERVICE	04/15/16	1,954.54	UNIFORMS/MATS/TOWELS
107641	5248	MOORE MEDICAL CORP	04/15/16	824.54	GLOVES
107642	10865	NEW IMAGE LANDSCAPE	04/15/16	1,580.00	2015-16 WEED ABATEMENT
107643	10891	ADONAI PERAZIM INC. dba PRINTS CHARLES R	04/15/16	140.38	SPECS FOR PROJECT 1125
107644	11234	RAY MORGAN COMPANY	04/15/16	2,916.18	COPIER LEASE AGREEMENT FY15/16
107645	7996	SANTA ROSA JUNIOR COLLEGE PUBLIC SAFETY	04/15/16	128.00	REC/COMM POST TRAINING

Final Disbursement List. Check Date 04/15/16, Due Date 04/29/16, Discount Date 04/29/16. Computer Checks.  
 Bank 1001 US BANK

MICR Check#	Vendor Number	Payee	Check Date	Check Amount	Description
107646	11296	SIGNATURE CARPET ONE	04/15/16	3,998.00	NEW CARPET IN HUMAN RESOURCES
107647	4418	SMITH & SONS ELECTRICAL CONTRACTORS INC	04/15/16	2,738.33	LABOR AND MATERIALS
107648	40	STAPLES ADVANTAGE DEPT LA	04/15/16	1,525.76	OFFICE SUPPLIES
107649	2778	STATE OF CALIFORNIA FRANCHISE TAX BOARD	04/15/16	150.00	PAYROLL DEDUCTION - GARNISHMENT
107650	2778	STATE OF CALIFORNIA FRANCHISE TAX BOARD	04/15/16	150.00	PAYROLL DEDUCTION - GARNISHMENT
107651	2778	STATE OF CALIFORNIA FRANCHISE TAX BOARD	04/15/16	440.00	PAYROLL DEDUCTION - GARNISHMENT
107652	679	TARGET SPECIALTY PRODUCTS	04/15/16	22.34	REPAIRS TO SPRAY TANK
107653	5246	TURF STAR INC	04/15/16	88.03	MISC VEHICLE PARTS
107654	10968	UTILITY TELEPHONE	04/15/16	16,164.22	ANNUAL TELECOM FY2015-16
107655	10998	GARY M SHELDON VBS SERVICES	04/15/16	250.00	BLOOD WITHDRAWAL SVC
107656	5623	VERIZON WIRELESS	04/15/16	93.62	GPS TRACKER/IPHONE SVC
Total				195,181.93	