



# 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, March 13, 2014

### A. ROLL CALL

Mayor Nagy called the meeting to order at 7:30 p.m. Present were Council Members Collazo, Freitas, Marshall, and Vice Mayor Apodaca.

### B. MINUTES

#### B.1 Approval of Minutes of the regular City Council meeting of Thursday, February 27, 2014.

Council Member Freitas 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 Proclaiming March 13, 2014, as Arbor Day in Newark.

Mayor Nagy presented the proclamation to Maintenance Supervisor Sue Carey.

#### C.2 Presentation by the Farmers and Farmerettes Square Dance Club.

Don Baker and members of the Farmers and Farmerettes Square Dance Club presented contributions to the Newark Betterment Corporation for Meals on Wheels, the K-9 program, and Graffiti Abatement.

### D. WRITTEN COMMUNICATIONS

### E. PUBLIC HEARINGS

### F. CITY MANAGER REPORTS – No Consent Calendar items.

**NONCONSENT**

**F.1 Authorization for the Mayor to sign an agreement with Godbe Research to provide consultant services for public opinion sampling and evaluation of possible public support for an extension of the existing City of Newark Utility User Tax.**  
**RESOLUTION NO. 10177**  
**CONTRACT NO. 14005**

City Manager Becker stated that the Utility User Tax makes up 9 percent of the operating budget. Significant operating budget deficits were projected following the expiration of the Utility User Tax in 2015.

City Manager Becker recommended hiring Godbe Research for a public opinion poll to evaluate possible public support for an extension of the Utility User Tax to address the projected operating budget deficits.

John Bradley stated that he read the contract and it appeared to allow for additional expenses. He asked if there would be further City Council review and public comment for additional costs.

City Manager Becker stated that the contract was for a not to exceed amount of \$22,575 and there would not be additional costs.

Margaret Lewis stated that in the past auditors have been critical of the City. She referenced the February 13 City Council meeting noting that Property, Sales and Transient Occupancy Taxes have grown and reduced the need for the UUT. She suggested going to neighborhoods talk to people instead of hiring the consultant.

John Henneberry requested that the City Council not hire the consultant nor extend the Utility Users Tax.

Wynn Greich stated that the UUT was meant to be a temporary tax and should end. She spoke against hiring the consultant. She referenced the employee pay cuts in the City of Hayward and suggested the same action in Newark.

City Manager Becker stated that since the UUT passed, there have been zero findings in the audits. He noted that city staff has gone without salary increases for six years.

Council Member Marshall moved, Council Member Collazo seconded to, by resolution, authorize the Mayor to sign an agreement with Godbe Research for consultant services for public opinion sampling and evaluation of possible public support for the extension of the existing City of Newark Utility User Tax. The motion passed, 5 AYES.

**G. CITY ATTORNEY REPORTS**

**H. ECONOMIC DEVELOPMENT CORPORATION****I. CITY COUNCIL MATTERS****I.1 Reappointment of Carol McCarty to the Tri-City Elder Coalition Volunteer Community Board. RESOLUTION NO. 10178**

Mayor Nagy recommended the reappointment of Carol McCarty to the Tri-City Elder Coalition Volunteer Community Board for a two year term.

Council Member Freitas moved, Vice Mayor Apodaca seconded to by resolution, reappoint Carol McCarty to the Tri-City Elder Coalition Volunteer Community Board. The motion passed, 5 AYES.

**I.2 Reappointments to the Senior Citizen Standing Advisory Committee and declaration of vacancies. RESOLUTION NO. 10179 MOTION APPROVED**

Mayor Nagy stated that the terms of Senior Citizen Standing Advisory Committee Members Mel Nunes, Carol Hewitt, Faye Hall, Carol McCarty, Elwood Ballard, and Rick Arellano will expire on April 14, 2014. He recommended reappointing Committee Members Hall, McCarty, Ballard, and Arellano. Committee Members Nunes and Hewitt are not seeking reappointment and he recommended directing the City Clerk to post a vacancy notice.

Vice Mayor Apodaca moved, Council Member Marshall seconded to, by resolution, approve the reappointment of Faye Hall, Carol McCarty, Elwood Ballard, and Rick Arellano to the Senior Citizen Standing Advisory Committee, for a term to expire on April 14, 2016 and by motion declare vacancies on the Senior Citizen Standing Advisory Committee and direct the City Clerk to post a vacancy notice. The motion passed, 5 AYES.

**J. CITY COUNCIL ACTING AS THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY****K. ORAL COMMUNICATIONS****K.1** Frankie Addiego requested pictures or stories for the book that he is writing on Newark.

- K.2** Wynn Grich invited the public to attend the March against Fluoride in San Francisco on March 22. She noted that the Alameda County Water District was considering a water shortage ordinance. She provided a document from the City of East Palo Alto on conduct at City Council meetings. She stated that people who act like Mr. Henneberry get thrown out of those meetings.
- K.3** Margaret Lewis stated that the audit findings she referenced earlier in the meeting was on a State website. She shared her memory of the budget reduction impacts on the parks before the Utility User Tax and the public response.
- K.4** John Henneberry called Mayor Nagy an idiot and stated that there was nothing honorable about him. Mr. Henneberry shared his thoughts on the library, city salaries, the city manager's work schedule, the Newark Betterment Corporation, City Council Member Marshall, and Officer Neithercutt.
- K.5** Tim Jones stated that outbursts and insults from the audience were counterproductive. He stated people should be removed from the chambers when they were disruptive to the meeting. He spoke in support of the Newark Betterment Corporation.

**L. APPROPRIATIONS**

City Clerk Harrington read the Register of Audited Demands: Check numbers 100793 to 100899.

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 8:25 p.m. Mayor Nagy adjourned the City Council meeting.

SHEILA HARRINGTON  
City Clerk