



CITY OF NEWARK CITY COUNCIL

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

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

MINUTES

Thursday, March 12, 2015

The City Council planted an Arbor Day tree at City Hall before the City Council meeting.

A. ROLL CALL

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

B. MINUTES

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

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 Commending Newark Police Officers for their life saving actions.

Mayor Nagy presented a commendation to Newark Police Officers Khairy, Arroyo, and Knutson who worked together to free a driver from a burning vehicle. Police Chief Leal also presented Police Department awards to the officers.

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

Mayor Nagy presented the proclamation to Maintenance Supervisor Carey.

C.3 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 to be used for Graffiti Abatement, Meals On Wheels, and the K9 Program.

D. WRITTEN COMMUNICATIONS

E. PUBLIC HEARINGS

E.1 Hearing to consider an amendment to U-83-41, a conditional use permit, for a truck unloading station and the addition of loading asphalt to railcar at 6880 Smith Avenue (Safety-Kleen of California, Inc.). RESOLUTION NO. 10327

Assistant City Manager Grindall stated that Safety Kleen proposed constructing a structure to assist with the loading and unloading of used motor oil, including the ability to pipe product to rail cars. The request did not change operation or capacity of the re-refinery.

In response to Council Member Hannon, Assistant City Manager Grindall stated that staff occasionally receives odor complaints related to this location, but it has improved since Safety Kleen took over from Evergreen.

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

Duc Tran, Senior Project Engineer for Safety Kleen, stated that he read and agreed to the conditions.

In response to City Council questions, Mr. Tran stated that Safety Clean will be upgrading the vapor recovery system in the near future to address the odor issue. He will bring back to the office Councils' concerns regarding Safety Kleen's public outreach and to ease the process for the public to complain about odors. He stated that he could set up a tour of the facility for Council Members who might be interested.

Mayor Nagy closed the public hearing at 7:53 p.m.

Vice Mayor Collazo moved, Council Member Hannon seconded, to by resolution, to approve the amendment to U-83-41, a conditional use permit, for a truck unloading station and the addition of loading asphalt to railcar at 6880 Smith Avenue (Safety-Kleen). The motion passed, 5 AYES.

F. CITY MANAGER REPORTS

Vice Mayor Collazo moved, Council Member Bucci seconded, to approve Consent Calendar Items F.1 through F.2, that the resolution and ordinances be numbered consecutively, and that reading of the titles suffice for adoption of the resolutions. The motion passed, 5 AYES.

CONSENT

F.1 Second reading and adoption of ordinances repealing Ordinance No. 442 approving and adopting the Newark Area 3 and 4 Specific Plan

Development Agreement; and Ordinance No. 443 approving Z-10-17, a Map Amendment to Title 17 of the Newark Municipal Code rezoning parcels to be consistent with the proposed Newark Area 3 and 4 Specific Plan.
ORDINANCE NO. 481
ORDINANCE NO. 482

F.2 Acceptance of contract with J&J Landscape Management for the 2014 Weed Abatement Program.
RESOLUTION NO. 10328

G. CITY ATTORNEY REPORTS

H. ECONOMIC DEVELOPMENT CORPORATION

I. CITY COUNCIL MATTERS

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

City Manager Becker gave the staff report recommending that the City Council reduce the number of Planning Commissioners from seven to five.

The City Council discussed the benefits of the proposed change such as training funds going further for 5 commissioners instead of 7.

Vice Mayor Collazo moved, Council Member Freitas seconded, to introduce an ordinance for a text amendment to Title 2 (Administration and Personnel), Chapter 2.12 (Planning Commission), Sections 2.12.010 (Created) and 2.12.20 (Qualifications) to reduce the number of Planning Commissioners from seven to five. The motion passed, 5 AYES.

Mayor Nagy stated that he would adjourn the meeting in memory of Vincent Dobson of Newark on Trent, England. Mr. Dobson was one of the original members of the Newarks of the World.

Council Member Bucci stated that the Relay For Life kick off event will be held at Birch Grove Park from 11 am to 3 pm on March 22.

Council Member Freitas congratulated the officers honored earlier in the meeting. He noted that Amy Davis in the Recreation and Community Services Department was named Employee of the Year.

Vice Mayor Collazo thanked the Farmers and Farmerettes for their donations to the Newark Betterment Corporation that will benefit the community.

Council Member Hannon wished everyone a Happy St. Patrick's Day.

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

K. ORAL COMMUNICATIONS

Semyon D. Savransky stated that he did not receive notice of the City hearings for the home development on Birch Street. He alleged damage to the existing homes as a result of the demolition. He requested that the project be placed on hold and another public hearing held. He also requested that the City Council make the construction hours in residential neighborhoods from 8 am to 5 pm, instead of 7 am to 6 pm.

City Manager Becker confirmed that notices were mailed to every property within 300 feet of the site for the City meetings, including Mr. Savransky's address. He stated that the Homeowners Association President acknowledged receiving notification. The contractor will review the alleged damage to the homes. Assistant City Manager Grindall will meet with the Homeowners Association. Staff and the Mayor have been discussing the construction hours with the contractor.

Tim Jones thanked the Farmers and Farmerettes for the \$1,200 donation to be used for graffiti abatement. He noted that their donation will pay for a year's worth of paint to cover graffiti.

L. APPROPRIATIONS

City Clerk Harrington read the Register of Audited Demands: Check numbers 104027 to 104145.

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

M. CLOSED SESSION

N. ADJOURNMENT

At 8:24 p.m., Mayor Nagy adjourned the meeting in memory of Vincent Dobson.