



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, October 8, 2015

A. ROLL CALL

Mayor Nagy called the meeting to order at 7:47 p.m. Present were Council Members Hannon, Bucci, and Vice Mayor Collazo.

Council Member Freitas was noted absent.

B. MINUTES

B.1 Approval of Minutes of the regular City Council meeting of Thursday, September 24, 2015. **MOTION APPROVED**

Council Member Bucci moved, Vice Mayor Collazo seconded, to approve the Minutes of the regular City Council meeting. The motion passed, 4 AYES, 1 ABSENT.

C. PRESENTATIONS AND PROCLAMATIONS

C.1 Presentation from the Newark Unified School District in honor of the City's 60th Anniversary.

Newark Unified School District Board Member Francisco Preciado presented a proclamation to the City in honor of the City's 60th Anniversary.

C.2 Proclaiming October 21, 2015 as Unity Day.

Mayor Nagy presented the proclamation to Recreation and Community Services Director Zehnder and Recreation Coordinator Kenison. Unity Day promotes bullying awareness and prevention.

C.3 Proclaiming October as National Domestic Violence Awareness Month.

Mayor Nagy presented the proclamation to members of Shelter Against Violent Environments (SAVE).

C.4 Presentation of City of Newark map hand drawn by Kyrie Sismaet.

Mayor Nagy presented a hand drawn map of the City by Newark resident, Kyrie Sismaet. Mr. Sismaet is attending college out of state and was unable to attend the meeting.

D. WRITTEN COMMUNICATIONS**E. PUBLIC HEARINGS****F. CITY MANAGER REPORTS - NONCONSENT****F.1 Authorization for acceptance of transfer of title for the Alameda County Fire Department Fire Truck 28 to the City of Newark, salvage of the 1996 Pierce Arrow Quint and amend the 2014-2016 Biennial Budget.****RESOLUTION NO. 10422**

City Manager Becker stated that the Alameda County Fire Department (ACFD) was awarded a grant, on behalf of the City, for the purchase of a new fire truck. The new fire truck has been delivered and the City needs to reimburse ACFD for the 10 percent match upon transfer of the title of the new truck.

City Manager Becker thanked Fire Chief Rocha and his staff for the work that resulted in this grant.

Council Member Bucci moved, Vice Mayor Collazo seconded to authorize staff to accept the title of the Alameda County Fire Department Fire Truck 28, salvage the 1996 Pierce Arrow Quint and amend the 2014-2016 Biennial Budget for Fiscal Year 2015-2016. The motion passed, 4 AYES, 1 ABSENT.

F.2 Authorization for the Mayor to sign an Agreement Implementing Conditions of Approval with Newark Enterprise Joint Venture, LLC to address the implementation of a private park condition of Vesting Tentative Map 8098 in the Dumbarton Transit Oriented Development Project.**RESOLUTION NO. 10423**

Assistant City Manager Grindall stated that a phase of the Dumbarton Transit Oriented Development Project was approved by the City Council in May. This phase is a 217 Unit residential development on the Jones/Hamilton Property located on the south side of Enterprise Drive and east of Willow Street. The approval included a condition which addressed acquisition of the Gallade Chemical property; clean up of contaminants; and construction of a park.

The condition included a provision for the construction of a privately owned and maintained park, if certain issues or conditions made ownership of the former Gallade Chemical property by the City problematic.

The developer requested that the option for a private park be implemented to allow the project to proceed. The Agreement to Implement Conditions of Approval includes provisions to provide financial guarantees and assurances that the private park is completed in a timely manner. The park would be owned by the Homeowners' Association (HOA), and built to city standards. The HOA would maintain the park.

In response to City Council questions, Assistant City Manager Grindall stated that if the park land did not receive regulatory clearance, the \$3 million in fees would be used in other parts of the city. There will be remediation monitoring after the project is completed. There will be sufficient HOA fees for the maintenance of the park.

Council Member Hannon requested that the city meet with the HOA on a five year basis to ensure adequate park maintenance funding.

Council Member Hannon moved, Council Member Bucci seconded to authorize the Mayor to sign an Agreement Implementing Conditions of Approval with Newark Enterprise Joint Venture, LLC to address the implementation of a private park in the Dumbarton Transit Oriented Development Project area. The motion passed 4 AYES, 1 ABSENT.

G. CITY ATTORNEY REPORTS

G.1 Claim of Aasif Shabbir.

MOTION APPROVED

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

Council Member Hannon moved, Vice Mayor Collazo seconded, to deny the claim and directed staff to notify the claimant of such denial. The motion passed, 4 AYES, 1 ABSENT.

H. ECONOMIC DEVELOPMENT CORPORATION

I. CITY COUNCIL MATTERS

Vice Mayor Collazo invited the public to a health fair on Saturday at the Newark Community Center.

Council Member Hannon stated that he hoped in the future there would not be a need to issue proclamations for bullying or violence awareness.

Council Member Bucci stated that it was nice to see young faces in the City Council Chambers.

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

K. ORAL COMMUNICATIONS

Angela Akridge, Friends of Newark Skate Park, stated that she cares about kids and their activities. She stated that the children in the audience were here to request a skate park in Newark.

Abel stated that Newark needs a skate park so they have a place to hang out.

Dominick stated that the skate park in Union City is far away. A skate park in Newark would give the kids a place to hang out.

Christopher Martinez stated that he would like a skate park because his parents do not have the time to take him to skate parks out of the city. The park would keep kids out of trouble.

Gabriel stated that he wants a skate park because they need a hangout spot. He wants to encourage and welcome new skaters into the community.

Ryan stated that he was diagnosed with a chronic condition two years ago and that skating helps him.

Fernando stated that he skates everyday around Newark, but he was bored with these locations. He tried to build his own skate park but it did not work out.

David Fink stated that there was nothing for kids to do in Newark. They need a place to skate and cited the Fremont skate park as an example. He suggested using the money discussed for a park, in item F.2., for a skate park.

Jennifer stated that her son is a 13 year old skateboarder. They use Fremont's skate park, and would like a skate park here.

Michael McCreary stated that he has been skating his whole life. There are parks nearby, but it would be beneficial to have one here to encourage exercise.

Liam stated that he has enjoyed skate boarding since he was a little kid.

Scott Turner stated that the community needs a skate park. Law enforcement and parents would know where the kids are. This would be a good bridge for the community.

Efren Ibarra stated that he started skateboarding after a 25 year break. The kids have to go to Fremont to skate. It would be a good gathering of people if there was a skate park in Newark.

Ormando Luis stated that he used to skate. Having a skate park would be beneficial for everyone. Parents do not have to worry about children skating in the street or other locations without permission.

Steven Lawrence stated that an obstacle for a skate park is funding. There is state funding and private grants when the beneficiaries are kids and people of need. They need site planning and environmental research to qualify for funding. He encouraged the City Council to commit funds so further funds could be acquired.

Antonio stated that they need a skate park because he gets kicked out of locations for skate boarding.

The entire City Council thanked the young people for their participation at the meeting. They each indicated that a skate park would be something to consider in the future.

L. APPROPRIATIONS

Approval of Audited Demands for the City Council meeting of October 8, 2015.

Council Member Bucci announced that he would recuse himself from voting because one of the payouts on the list of audited demands involved him. Council Member Bucci left the City Council Chambers.

City Clerk Harrington read the Register of Audited Demands: Check numbers 105846 to 105906.

Vice Mayor Collazo moved, Council Member Hannon seconded, to approve the Register of Audited Demands. The motion passed, 3 AYES, 1 ABSENT (Freitas), 1 RECUSED (Bucci).

Council Member Bucci returned to the City Council Chambers.

M. CLOSED SESSION

N. ADJOURNMENT

At 8:58 p.m., Mayor Nagy adjourned the City Council meeting.

SHEILA HARRINGTON
City Clerk

Michael McCarty

RECEIVED
OCT 8 2015
City Council Meeting
CITY CLERK

- Different sets of "COMR" for Police & Fire
- MARI 30 YEARS, 30 YEARS
- FDD Equip. Buu

- ELECTRIC UPGRADE FIBER OVER 30
- UTILS: EQUIP CAN BE (EXPERIMENTAL) - REPAIRMENT & GENERAL MAINTENANCE - & SMALLER
- MAKE SPACES & OTHER ACTIVITIES
- DORSET FROM LIBRARY FUNCTIONS

➤ PURCHASE?

- LEAS COMPARE TO SI VALUE BOATS

A ➤ - Under building not practical due to water table

➤ - Jail next to Playground?

B ➤ clogging (stairs) (BVI) - ROAD ACCESS - MORE ACCIDENTS, BP CAR/PED.

➤ DOWNSIZE CITY HALL ~~LIBRARY~~ DUE TO MOVING ROOMS IN SILVER CENTER - ONLOAD LIBRARY TOO

C: SAME AS B w/ CORNER SITE

> ~~COLLEGE~~ SPORTS PARKING
CONFLICT:

- NO LIMIT ON AUDIENCE
- WHAT ABOUT WHEN ORLANDO
DOES SPORTS - (MOVING
TO NEWARK CAMPUK
DURING RENOVATION)

H7 TOWNHOMES CITY TRU +

EXPAND TO CORNER

- WHY NOT BUILD ON

CORNER ON NEWARK/THORNTON
CORNER?

RECEIVED
OCT 8 2015
@ City Council mtg
CITY CLERK

OCT. 8. 2015

Issues

① Moving the police department adjacent to Sellman would mean relying on the Newark Blvd. bridge to reach the other side of the city. Placing 200 or more housing units at the intersection at Thornton & Newark could potentially delay police in a newly severely congested intersection.

The promise of additional bridges over the rail lines is illusory until they are built. Any consideration of relocation to the Sellman Center area should be deferred until other bridges are available.

② Relocating any offices to Sellman Center or the Civic Center would destroy precious recreational facilities. How will the city replace these?

③ Newark could not afford to maintain the roof on the current City Hall; closes the City Hall every other Friday due to budgetary constraints, and depends on the extremely regressive utility tax. It is reported that sale of the current site will defray construction costs. The sale will not bring more than \$1 million, and the cost of building new is estimated

10.8.2015

at \$60 million to \$80 million based on estimated cost per square foot. Where will this money come from to cover the other \$50 million to \$60 million?

④ The technology issues depicted at the information meeting can be resolved by competent technical management - for prompt & achievable success in a rack could resolve the allegedly inadequate server room at the police department.

⑤ Large population increases are predicted for Newark, yet there are no plans to create reasonable public recreation space for all ages.

⑥ In order to persuade a developer to build on the Motel 6 site, Newark had to waive millions in low income housing fees; in order to persuade Rouse to upgrade the mall, the city gave Rouse the city's share of the sales tax on businesses in the new facilities for 10 years. What subsidies and giveaways are proposed for the new City Hall and facilities? How will the city pay for low income housing?

⑦ There is at least one modern office building for sale in Newark for considerably less than the cost of building a new PD and City Hall. Since remaining in the current centrally located site is not a priority,

10.8.2015

has the city considered this site? It has excellent
peruse access for emergency services.

⑧ We want an independent third-party
study to see if the current library can be
upgraded. Replacing the fibreglass skylight with
glass and ADA bathrooms are easily feasible.
Upgraded IT is also attainable.

⑨ John H. Howe Architect - book that acclaims the
Civic Center as a notable architectural achievement.

⑩ The unattractive "glass and taste" library proposal
and the aesthetically challenged "new neighborhoods" imply
that Newark City leaders intend to drown residents
in a sea of mediocrity.

⑪ Can we repurpose the former OSH?

Nadzi Adely