



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, September 28, 2017

A. ROLL CALL

Mayor Nagy called the meeting to order at 7:30 p.m. Present were Council Members Hannon, Freitas, and Vice Mayor Bucci. Council Member Collazo was noted absent, due to a death in her family.

B. MINUTES

B.1 Approval of Minutes of the regular City Council meeting of September 14, 2017 and the special City Council meeting of September 19, 2017.

MOTION APPROVED

Council Member Hannon moved, Vice Mayor Bucci seconded, to approve the Minutes. The motion passed, 4 AYES, 1 ABSENT.

C. PRESENTATIONS AND PROCLAMATIONS

C.1 Presentation on the Newark Library.

Branch Manager Joe Stoner stated that in the last fiscal year, 174,000 people visited the Newark Library and 256,000 items were checked out. He shared examples of the evolving resource needs at the library and the types of spaces in the new library that would accommodate their various programs.

In response to Council questions, Mr. Stoner stated that City funded Sunday afternoons are as busy as Saturday afternoons and that he would highlight different programs in future reports.

D. WRITTEN COMMUNICATIONS

E. PUBLIC HEARINGS

F. CITY MANAGER REPORT

Council Member Hannon requested the removal of item F.1 for separate consideration.

Vice Mayor Bucci moved, Council Member Hannon seconded, to approve Consent Calendar Item F.2, that the resolution be numbered consecutively, and that reading of the titles suffice for adoption of the resolution. The motion passed, 4 AYES, 1 ABSENT.

CONSENT

- F.2 Acceptance of work with Rosas Brothers Construction for 2016 Curb, Gutter and Sidewalk Replacement, Project 1118. RESOLUTION NO. 10709**

NONCONSENT

- F.1 Second reading and adoption of an Ordinance adding Chapter 5.40 (Special Event Permit) to Title 5 (Business Licenses and Regulations) of the Newark Municipal Code to require a permit for special events held in the City of Newark. CONTINUED TO NEXT MEETING**

Council Member Hannon recommended changes to the ordinance that included: adding the posted occupancy load to the “Special Event” definition in Section 5.40.020, adding property owners as a responsible party under Section 5.40.030, including property owner contact information and the proposed location of amplified music under Section 5.40.040, adding evidence of food and alcohol permits at least 72 hours before the event under Section 5.40.060. He also requested that the Police Chief solicit input from other City Departments to ensure appropriate conditions for events.

Joel Lewdol requested that the ordinance address events held in backyards. He stated that he has called the Police Department 5 times in last 2 years over live music being played until 2 a.m. at a house on Indian Wells Drive. The City does not have a noise ordinance and needs one to protect residents.

Sara Gara concurred with the previous speaker. She stated the particular resident who has the live music knows there is not a noise ordinance. She stated that live music should stop at 10 p.m. and Newark needs a noise ordinance.

Margaret Cruise stated that she gets up at 4 a.m. The volume of the music is excessive and occurs on a regular basis starting in the afternoon until the morning hours. The noise vibrates throughout her house and is not acceptable.

In response to Mayor Nagy, City Manager Becker stated that this particular ordinance does not address noise, but staff is preparing a noise ordinance for future consideration.

Council Member Hannon moved, Vice Mayor Bucci seconded, to continue this item to the next meeting to allow staff to incorporate the amendments made at the meeting to the ordinance. The motion passed, 4 AYES, 1 ABSENT (Collazo).

G. CITY ATTORNEY REPORTS**H. ECONOMIC DEVELOPMENT CORPORATION****I. CITY COUNCIL MATTERS**

Mayor Nagy extended his condolences to the family of Council Member Collazo on the death of her brother-in-law Ricardo Guzman.

Council Member Bucci stated that a ribbon cutting was held for the new CERT trailer. He thanked Cargill for their financial support. He commended Boy Scout Ryan Koski in the audience for attending the meeting.

Council Member Freitas extended his sympathy to Council Member Collazo's family. He thanked Mr. Stoner for the library presentation.

Council Member Hannon thanked all of Newark's volunteers. He invited everyone to the annual festival at St. Edward on Sunday.

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

David Libby thanked the Mayor, Council Members and City Staff for the CERT Trailer that will be used for disaster response and education. He thanked Cargill for funding the trailer. He encouraged attendance at CERT or PEP classes for disaster preparedness training.

Sara Gara requested that the City honor the Lincoln Elementary School employees for their heroism when a man trespassed on the field outside of the school. She thanked the school employees and the Newark Police Department for their response.

Ryan Koski stated that the Boy Scouts could assist with the CERT program. Mayor Nagy suggested he speak with David Libby after the meeting.

L. APPROPRIATIONS

Approval of Audited Demands for the City Council meeting of September 28, 2017. MOTION APPROVED

City Clerk Harrington read the Register of Audited Demands: Check numbers 112281 to 112410.

Council Member Freitas moved, Council Member Hannon seconded, to approve the Register of Audited Demands. The motion passed, 4 AYES, 1 ABSENT.

M. CLOSED SESSION

N. ADJOURNMENT

Mayor Nagy adjourned the meeting at 8:26 p.m. in memory of Ricardo Guzman.

SHEILA HARRINGTON
City Clerk