

CITY OF NEWARK CITY COUNCIL

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

**Various Virtual
Teleconference Locations
6:30 p.m.**

AGENDA

Revised New Start Time

Thursday, June 11, 2020

THIS IS A SPECIAL MEETING BY TELECONFERENCE ONLY. THE CITY COUNCIL CHAMBERS WILL NOT BE OPEN. REFER TO THE END OF THE AGENDA TO REVIEW OPTIONS FOR PARTICIPATING IN THE MEETING REMOTELY OR TO SUBMIT PUBLIC COMMENTS VIA EMAIL. PLEASE NOTE THE 6:30 P.M. START TIME FOR THIS SPECIAL MEETING.

A. ROLL CALL

B. MINUTES

- B.1 Approval of Minutes of the City Council meetings of May 28, 2020. (MOTION)**

C. PRESENTATIONS AND PROCLAMATIONS

- C.1 Introduction of employees.**

Background/Discussion – Ms. Krysten Lee was promoted to Finance Director on March 16, 2020. Ms. Lee’s promotion will be recognized at the City Council meeting.

D. WRITTEN COMMUNICATIONS

E. PUBLIC HEARINGS

- E.1 Hearing to consider adoption of the Master Fee Schedule for Fiscal Year 2020-2021 – from Senior Accountant Villanueva. (RESOLUTION)**

Background/Discussion – Staff annually reviews and analyzes rates and charges for providing City services and incorporates these rates into the City’s Master Fee Schedule (MFS). The proposed MFS for Fiscal Year 2020-2021 is based on an analysis of both direct and indirect costs for the delivery of certain City programs and services. The proposed MFS is the result of input from all City departments.

A summary of the proposed changes is attached to this report. If approved, the changes would be effective beginning July 1, 2020.

Staff recommends that the Council amend only those sections of the Master Fee Schedule that staff is suggesting be changed. The sections adopted, deleted, or amended by Council will then be editorially merged with the unchanged portions of the Master Fee Schedule as last amended by the City Council in Resolution No. 10,926 on June 13, 2019.

Attachments - Summary of Proposed Changes, Resolution

Action – Staff recommends that the City Council, by resolution, amend the Master Fee Schedule for Fiscal Year 2020-2021.

F. CITY MANAGER REPORTS

(It is recommended that Items F.1 through F.2 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 Approval of plans and specifications, acceptance of bid and award of contract for the Base Bid and Additive Alternate Bids Numbers 1, 2, and 3 to MCK Services, Inc. for the Thornton Avenue Pavement Rehabilitation, Federal Project No. RSTPL-532-17(16), City Project 1189, and amendment of the 2018-2020 Biennial Budget for Fiscal Year 2019-2020 – from Senior Civil Engineer Tran. (MOTION) (RESOLUTION)**

Background/Discussion – The scope of work for the Thornton Avenue Pavement Rehabilitation Project includes localized patch paving, pavement grinding, placement of new asphalt concrete pavement, re-striping, and addition of Class II buffered bike lanes in each direction on Thornton Avenue between Hickory Street and Spruce Street. The project also includes three Additive Alternate Bids for reimbursable work on behalf of Alameda County Water District (ACWD), Union Sanitary District (USD) and AT&T. The scope of work for ACWD's, USD's, and AT&T respective Alternate Bid Items include alterations and adjustment of existing utilities to finish paving grade after the overlay.

Bids for the project were opened on May 12, 2020 with the following results:

Bidder	Base Bid	Alt. Bid No. 1 (ACWD)	Alt. Bid No. 2 (USD)	Alt. Bid No. 3 (AT&T)	Total Bid
MCK Services, Inc.	\$936,664.00	\$20,850.00	\$21,500.00	\$13,500.00	\$992,514.00
G. Bortolotto & Company, Inc.	\$964,843.00	\$12,800.00	\$14,000.00	\$7,200.00	\$998,843.00
A. Teichert & Son, Inc. dba Teichert Construction	\$969,555.50	\$23,680.00	\$20,155.00	\$9,750.00	\$1,023,140.50
DeSilva Gates Construction LP	\$991,119.90	\$23,100.00	\$24,400.00	\$15,000.00	\$1,053,619.00
Interstate Grading & Paving, Inc.	\$1,036,764.00	\$24,100.00	\$24,400.00	\$15,000.00	\$1,100,264.00
O'grady Paving, Inc.	\$1,041,185.75	\$18,000.00	\$17,500.00	\$12,000.00	\$1,088,685.75
McGuire and Hester	\$1,065,440.50	\$20,850.00	\$21,500.00	\$13,500.00	\$1,121,290.50
Granite Construction Company	\$1,081,170.00	\$32,500.00	\$31,400.00	\$19,200.00	\$1,164,270.50
Engineer's Estimate	\$1,398,960.00	\$21,500.00	\$20,100.00	\$9,000.00	\$1,449,560.00

As stated in the Project Specifications, determination of the low monetary bidder was based on the Total Base Bid only without considering any alternate bid totals. The lowest monetary bidder, MCK Services, Inc., submitted a responsive bid, is experienced in this type of project, successfully completed a similar project for the City of Newark in 2011, and is a responsible bidder.

After review of the bids received from MCK Services, Inc. for Additive Alternate Bid Items No. 1, No. 2, and No. 3, ACWD, USD, and AT&T recommend adding their respective Additive Alternate Bid Item to the construction contract. The City will be reimbursed for all work performed by the contractor on behalf of ACWD, USD, and AT&T. Staff recommends that the City Council accept the bid and award the contract to the lowest responsible bidder, MCK Services, Inc. for the Base Bid and Additive Alternate Bids No. 1, No. 2, and No. 3 in the amount of \$992,514.

Staff recommends including an additional \$52,486 in construction contingency, equivalent to approximately five percent of the contract amount, to account for material testing and other unanticipated construction costs. The added contingency would bring the recommended allocation for the project to \$1,045,000.

This project is partially funded by Federal Cycle 2 One Bay Area Grant (OBAG 2) Local Streets and Roads (LSR) funds in the amount of \$592,000. The 2018-2020 Biennial Budget includes Highway User Tax funds for this project in Fiscal Year 2019-2020 in the amount of \$308,000. A budget amendment is required to appropriate the \$592,000 in Federal reimbursement funds. A second budget amendment in the amount of \$145,000 is necessary to appropriate additional gas tax funds to provide a total project funding amount of \$1,045,000.

Attachment – Resolution

Action – Staff recommends that the City Council, by motion, approve the plans and specifications and by resolution, accept the bid and award the contract for the Base Bid and Additive Alternate Bids No. 1, No. 2, and No. 3 to MCK Services Inc. for the Thornton Avenue Pavement Rehabilitation, Federal Project No. RSTPL-532-17(16), City Project 1189, and amend the 2018-2020 Biennial Budget and Capital Improvement Plan for Fiscal Year 2019-2020.

F.2 Authorization for the City Manager to execute a three-year cooperation agreement for fiscal years 2021-2023 with Alameda County for participation in the Alameda County Urban County for the Community Development Block Grant (CDBG) Program – from Community Development Director Turner. (RESOLUTION)

Background/Discussion – In 2017, the City Council agreed to participate with the cities of Albany, Dublin, Emeryville, Piedmont, and unincorporated areas of Alameda County, in the Alameda County Urban County (Urban County) program for fiscal years 2018-2020 in order to qualify for annual funding under the United States Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) Program. Each jurisdiction within the Urban County program has a population of less than 50,000 persons, but together have a collective population greater than 200,000 persons. The Urban County program provides smaller jurisdictions with the opportunity to participate in CDBG programs. The Urban County program is administered by Alameda County. The current three-year agreement expires at the end of Fiscal Year 2020.

In order for Newark to continue as a member of the Urban County, Newark and Alameda County need to execute a new three-year cooperative agreement for fiscal years 2021- 2023. This agreement generally provides that the City and County will work together to undertake community renewal and housing assistance activities, that the City will receive a share of Urban County CDBG funds each year, that both the City and the County will follow the rules established by HUD, and that the County will administer the program for the City. A copy of three-year agreement between Newark and Alameda County is attached. There are no significant changes in terms between the current and proposed agreements. As part of the agreement, Newark may not withdraw from the Urban County during the three year period.

If the result from Census 2020 indicate that Newark’s population exceeds 50,000 persons, the City would not participate in the Urban County after FY2023 and instead apply to become a CDBG entitlement city with the ability to manage its own CDBG policies, programs, and projects.

Attachment – Resolution, Agreement between City of Newark and Alameda County for participation in the FY2020-2023 Urban County program.

Action -Staff recommends that the City Council, by resolution, authorize the City Manager to execute a three-year cooperation agreement with Alameda County for

participation in the Alameda County Urban County Community Development Grant (CDBG) Program.

NONCONSENT

F.3 Review of proposed 2020-2022 Biennial Budget and Capital Improvement Plan – from City Manager Benoun, Public Works Director Fajeau and Finance Director Lee. (INFORMATIONAL)

Background/Discussion – On February 13, the City Council held a study session to review the operating section of the biennial budget for 2020-2022 and provide a timeline for completion of the budget process. On April 23, staff reported on the impact of COVID-19 to the fiscal year 2019-20 budget and provided an updated timeline for completion of the 2020-2022 Biennial Budget and Capital Improvement Plan (CIP). On May 14, staff presented project funding recommendations for the 2020-2022 CIP to City Council. Due to the evolving impacts of the COVID-19 pandemic, a second study session to review the draft 2020-2022 biennial budget and CIP was held on May 28.

The proposed 2020-2022 Biennial Budget and Capital Improvement Plan incorporates City Council direction provided throughout the process described above, and takes into account the current Shelter-in-Place orders in response to COVID-19 and anticipated fiscal impacts resulting therefrom. As discussed in detail at the May 28 study session, the proposed budget includes personnel and non-personnel reductions, and uses \$6.9 million of reserves to balance the proposed 2020-2022 biennial budget. The report contains a few placeholders for sections of the document that are being finalized, and will be included in the budget presented for adoption on June 25.

Reductions that have a service impact to the public will be communicated through the City’s website, email distribution lists, social media, Newark News, and other publications and outlets as needed. Many service impacts are to be determined, as the timeframe for lifting of the Shelter-in-Place orders is unknown. However, it is anticipated plan review times, park landscaping, pot-hole repairs, roadside cleanups and engineering services will all be affected, in addition to the current suspension of child care services and most recreation programs. Additionally, there will be disruptions to internal operations and deferment of infrastructure repair and equipment maintenance, which will likely be less visible to the public.

Staff will recommend at the June 25th City Council meeting approval of Side Letter agreements that include elimination of the general salary increase currently scheduled for July 1, 2020 for all employees, except members of the Newark Police Association (“NPA”). Staff is currently in negotiations with NPA.

The 2020-2022 biennial budget also excludes merit increases for City Officials and Management, Supervisory and Professional employees. Staff is seeking direction on any potential increase in compensation for the Mayor and City Councilmembers.

Newark Municipal Code (“NMC”) Chapter 2.09.010 regulates Mayor and City Councilmember compensation pursuant to Government Code Sections 36516, 36516.1, and 36516.5. Since January 1, 2019, the Mayor receives a monthly salary of \$2,727 and each Councilmember’s monthly salary is \$1,247. NMC states compensation shall be reviewed during each two year biennial budget cycle, and consider (1) the Consumer Price Index - All Urban Consumers, San Francisco-Oakland-San Jose; and (2) any increases in compensation awarded to City staff since the previous adjustment to councilmembers' compensation.

The Consumer Price Index - All Urban Consumers, San Francisco-Oakland-San Jose/Hayward increased 1.1% in the 12 month period ending in April 2020. Since January 1, 2019, City staff received a general salary increase of 1.5%. Any increase to the City Councilmembers’ compensation shall be limited to five percent per calendar year pursuant to Government Code Section 36516.

During the Council meeting, staff will provide a section-by-section overview of the proposed budget and solicit input from the Council on any proposed modifications. Any direction from Council would be incorporated into the final budget, which is scheduled for adoption by the Council on June 25.

Attachment – Proposed 2020-2022 Biennial Budget and Capital Improvement Plan

Action - It is recommended that the City Council provide direction to staff on any desired changes to the 2020-2022 Biennial Budget and Capital Improvement Plan.

F.4 Census 2020 Update- Outreach Summary, Preliminary Participation Results, and Next Steps- from Community Development Director Turner. (INFORMATIONAL)

Background/Discussion – Each decade the federal government, as a required by the Constitution, conducts a census of the population of the United States of America. In addition to population counts, the census tracks demographic, housing, education and economic data. The last census occurred in 2010. At that time, Newark’s population was determined to be 41,981. Although an official population count does not occur every year, the Census, through the American Communities Survey (ACS) and other data products, estimates population growth between decennial time periods. Since 2010, Newark’s estimated population has increased each year. In 2018 Newark’s population was estimated by the ACS to be 46,276.¹ Other Census data (the Annual Estimate of the Resident Population) estimated Newark’s population at 48,198.²

¹ American Communities Survey (ACS) 2018 Demographic and Housing Estimates, Five-Year Estimates Data Profiles; U.S. Census, downloaded May 1, 2020

² Annual Estimates of the Resident Population: April 1, 2010 to July 1, 2018- 2018 Population Estimates; U.S. Census, downloaded May 1, 2020

Newark is poised to reach the 50,000 population mark. In 2015, the ACS population estimate was 44,207 and the Annual Estimate of the Resident Population was 45,241. Over the past five years, approximately 1,490 homes have been constructed in Newark. Using an estimated ratio of 3.3 people per home, staff estimates that the City's population has increased by approximately 5,000 people. In 2020, the resulting population could reach or exceed 50,000, but only by a slim margin.

Estimates indicate that the 2010 Census undercounted nearly 100,000 Californians. An accurate and complete count poses challenges due to several factors. The housing affordability crisis has forced more Californians to move into hard-to-count unconventional housing and overcrowded dwellings or into homelessness. An undercount can result in real impacts. Estimates provided by the Census indicate that for every undercounted person, a jurisdiction could lose \$10,000 over 10 years.

The results of the 2020 Census will have an impact on funding the City receives from Federal grant programs. Once Newark passes the 50,000 population threshold, the City may be eligible for the Community Development Block Grant (CDBG) Entitlement Program allowing Newark to access additional funding for social service programs, affordable housing, transportation, and healthcare, as well as more control over the development of the City's own grant funded projects, programs, and policies. Currently, Newark participates in a consortium of smaller jurisdictions whose CDBG funds are administered through Alameda County. Although the consortium provides organizational and administrative efficiencies for the relatively low yearly federal grant awards, Newark would benefit from a potentially larger grant that the City would manage and distribute on its own.

In addition, an accurate count determines political representation on a federal, state, and local level.

Census 2020 Organization

For the 2020 Census, Federal, State, and local governments have organized their efforts to promote an accurate and complete population count.

At the Federal level, the U.S. Census Bureau has established offices throughout the country, including regional offices in Oakland, San Francisco, and San Jose, as well as smaller, local offices to assist with census efforts, particularly with regard to education and training of census enumerators who will conduct in-person interviews of residents who have not self-participated in the census.

The State of California has established the State Census Office, also known as the California Complete Count Office to help spread the word about the Census, statewide. The state's Census Office is targeting the hardest-to-count Californians through grassroots outreach and multicultural, in-language media efforts.

Within Alameda County, Census 2020 is supported through the Alameda County Complete Count Committee (the Committee). The Committee is a regional, cross-

sector stakeholder group working collaboratively to maximize participation in Census 2020, to innovatively promote Census jobs, to promote the Census Ambassador program, and to effectively communicate local initiatives with the public. Committee members utilize local knowledge, coordinate connections, and convey messages to agency's networks or service populations among Hard-to-Count communities. The Committee provides partners with information from the Census Bureau and State Census Office, as well as opportunities to share updates, learn best practices, acquire tools, and develop appropriate messaging.

In Newark, promoting Census 2020 has involved a diverse group of stakeholders. In April 2019, the City Council adopted Resolution 10,915, recognizing the importance of a complete count of residents in the 2020 Census. The City Council also signified its commitment to robust outreach and communication strategies, focusing on reaching the hardest-to-count individuals, with the help of community partners. Since then, City staff throughout the organization, along with representatives from the Newark Library, Newark Unified School District, and other community partners, have encouraged participation through education and outreach, as described below. Census 2020 is the first time that responses could be submitted via the Internet, which provided unique opportunities for outreach and participation.

Census Outreach and Participation Efforts

Newark's census outreach and participation efforts began in earnest in late 2019 and early 2020, approximately three months before the first Census Bureau mailings were delivered to residents. With support from the Alameda County Complete Count Committee, City staff began to formulate outreach plans and activities intended to promote participation. In-person educational and promotional events were identified as opportunities to directly engage, one-on-one, with community members. City and Committee staff held a kick-off meeting at the end of January with community organizers and leaders to educate and promote the census within their individual networks.

A particular outreach focus was to promote the census within harder-to-count Newark neighborhoods. The City was able to utilize 2010 Census participation data to understand which areas of the City were hardest to count. The City is organized into census tracts (as shown in Attachment A), and in 2010, certain tracts participated at higher rates than other tracts. Overall, Newark's 2010 self-response rate was 73.5%. The highest participating tract was Tract 4441 with a self-response rate of 80.5%. The lowest were Tracts 4443 and 4445 with self-response rates at about 66.5%. With this data, staff developed outreach plans focused in these hard-to count areas. Outreach plan included a series of questionnaire assistance events at the Newark library staffed with helpers to assist people to complete and submit their census forms.

Unfortunately, the state of emergency declaration and shelter-in-place order issued in mid-March forced City and Committee staff to rethink approaches to promote the census, just as the first set of census forms were being delivered to residents.

- City newsletter, “Newark News”- three articles promoting the census and opportunities for community involvement were published beginning in the Summer of 2019 through Spring 2020. Census information was also provided in the special City newsletter that focused on the pandemic. This information was provided in both English and Spanish. All newsletters were mailed to Newark residences.
- Newark Census Website and Email Address- the city established a page on the City’s website (www.newark.org/departments/census-2020) and email address (census@newark.org) to provide local census information, educational videos, and links to other resources. The website allows translations for many languages.
- Facebook Posts- City of Newark and Community Development Pages- Since the end of February, the City has posted four items to the City’s Facebook pages, reminding the community to participate and become involved in the census.
- Electronic Billboards- the City has posted census information on the two electronic billboards (one at the Pacific Research Center adjacent to Highway 84; the second near Newark’s auto mall along Highway 880) via its existing agreement with Clear Channel Communications (the billboard owners).
- Posters in Public Facilities- Printed posters promoting the census have been placed at many City facilities.
- Direct mail- City staff produced and mailed flyers and letters, via US Mail, to targeted communities to encourage participation:
 - Approximately 90 letters to property owners of multi-family residential buildings
 - Approximately 1000 letters in both English and Spanish to residents in Newark’s hard-to-count census tracts.
- Electronic Mail- City staff used email contact information generated from Community Services’ recreation programs to distribute census information and reminders to approximately 800 individuals.
- Webinar with Promotoras- On April 23, the Newark Promotores hosted a Census Forum for Spanish speaking families in Newark. Approximately 20 people attended the forum which was hosted by Karla Armas, Project Coordinator Census/Alameda Vision & Compromiso. The purpose of this forum was to inform and answer questions, overall the intent was to make participants feel comfortable about the census and to encourage participation.
- Food Distribution Events- The emergency declaration and shelter-in-place orders in response to the COVID-19 pandemic has resulted in a surge of unemployment and food insecurity. In response, the City is sponsoring food distribution events for community members in need of resources. Census information has been placed in approximately 600 food boxes and bags through May 2020. Census information was also provided in approximately 550 food bags distributed at the My Manna Link event at the Newark Pavilion on April 15.

Census Results to Date

For the first time, the census is accepting responses via the Internet and by telephone, as well as by US Mail for those residents who received a traditional paper survey. In addition, the federal Census Bureau has produced online tools to assess, in nearly real-time, participation at the census tract-level. As a result, the City has up-to-date

information regarding participation throughout the City. Table 1 provides the participation percentages by Newark census tracts as of May 29, 2020, including a Census 2010 comparison.

Table 1: Census 2020 Self- Response Participation by Census Tract, June 4, 2020

Tract	Census 2020 (%)	Census 2010 (Final %)
4441	80.1	80.05
4442	78.2	76.1
4443.01	77.5	76.5
4443.02	69.7	66.5
4444	68	69.9
4445	68.6	66.6
4446.01	80.3	78.2
4446.02	74.5	70.5
Total	74.8	73.5

In three months since the first census materials were mailed to residents, Newark is making good progress. Seven out of eight tracts have exceeded the 2010 participation percentage and the remaining tract is within a few percentage points of the final 2010 self-response count. The harder-to-count tracts are likely to exceed the 2010 participation rate.

This data is helpful because it tells us where additional efforts should be made to further encourage participation.

Upcoming Census Outreach Activities

City staff and City partners will continue to promote the census throughout the community. Some of the upcoming activities include:

- Telephone Outreach- City staff from Community Services have formed a “phone bank” to place calls to individuals residing in Newark using data generated from Community Services’ recreation programs. Staff will ask whether the resident has participated in the census, and if the answer is “no”, will provide simple instructions about how to do so. Staff expects to contact approximately 1,800 individuals via this outreach.
- Census Questionnaire Assistance- The City has partnered with the Tiburcio Vasquez Health Center to provide trained volunteers for one-on-one census questionnaire assistance for seven days in June at Arteaga’s Food Center on Thornton Avenue. Every resident who had not previously completed the census survey will be eligible to receive a \$5 credit at Arteaga’s Food Center upon completion of the survey. A similar effort was held at Magnolia Plaza at the end of May. Funding is provided by the Alameda County Complete Count Committee. Additional assistance days at other locations may be possible.
- Additional Mailings, Electronic Mail, and Door Hangers- City staff may pursue additional targeted outreach via US Mail, electronic mail, door hangers, and other methods during July and August.

Next Steps

City staff will continue to promote the census throughout the summer and into the fall. In August, the Census Bureau is expected to begin door-to-door outreach with census enumerators who will attempt to contact residents who did not self-respond. This outreach would end in October, representing the conclusion of the public counting process. The Census Bureau would then analysis the raw information and prepare datasets for distribution. Final census data would be available in Q2-Q3 2021.

Attachments - Census Tract Maps, presentation

Action – Informational item, no action requested.

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.

(MOTION)

M. CLOSED SESSION

- M.1** Closed session for conference with Labor Negotiators pursuant to California Government Code Section 54957.6. Agency designated representative: City Manager Benoun and Assistant City Manager Hovorka, Employee Group: the Newark Police Association.

N. ADJOURNMENT

IMPORTANT NOTICE REGARDING CITY COUNCIL MEETING

Due to the COVID-19 pandemic, the City of Newark is making several changes related to City Council meetings to protect the public's health and prevent the disease from spreading locally. As a result of the COVID-19 public health emergency, including the Alameda County Health Officer and Governor's directives for everyone to shelter in place, **the City Council Chambers will be closed to the public.** Members of the public should attempt to observe and address the Council using the below technological processes.

This meeting is being conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order N-29-20 dated March 17, 2020, regarding the COVID-19 pandemic. In accordance with Executive Order N-29-20, the public may only view the meeting on television and/or online.

Mayor Nagy, Vice Mayor Freitas, and Council Members Collazo, Hannon, and Bucci will be attending this meeting via teleconference. Teleconference locations are not open to the public. All votes conducted during the teleconferencing session will be conducted by roll call vote.

How to view the meeting remotely:

Live television broadcast - Comcast Channel 26

Livestream online at- <https://www.newark.org/departments/city-manager-s-office/agendas-minutes/live-streaming-meetings>

How to participate in the meeting remotely:

Provide live remote public comments, when called upon by the City Clerk:

From a PC, Mac, iPad, iPhone or Android device: <https://zoom.us/j/98079863871>

Webinar ID: 980 7986 3871 (to supplement a device without audio, or to just call in, please also join by phone: US: +1 669 900 6833, same Webinar ID 980 7986 3871.)

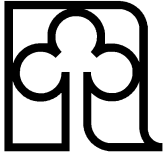
Submission of Public Comments:

Public comments received by 4:00 p.m. on the Council meeting date will be provided to the City Council and considered before Council action. Comments may be submitted by email to City.clerk@newark.org. Comments may also be submitted via e-mail to city.clerk@newark.org at any time prior to closure of the public comment portion of the item(s) under consideration.

Reading of Public Comments: The City Clerk will read aloud email comments received during the meeting that include the subject line "FOR THE RECORD" as well as the item number for comment, provided that the reading shall not exceed five (5) minutes, or such other time as the Council may provide, consistent with the time limit for speakers at a Council meeting and consistent with all applicable laws.

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, 5th 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

Virtual Meeting, Newark, CA 94560-3796 • 510-578-4266 • E-mail: city.clerk@Newark.org

**Various Virtual
Teleconference Locations
6:30 p.m. **start time revised****

AGENDA

Thursday, June 11, 2020

CITY COUNCIL:

Alan L. Nagy, Mayor
Luis L. Freitas, Vice Mayor
Sucy Collazo
Michael K. Hannon
Mike Bucci

CITY STAFF:

David J. Benoun
City Manager
Lenka Hovorka
Assistant City Manager
Gina Anderson
Police Chief
Soren Fajeau
Public Works Director
David Zehnder
Recreation and Community
Services Director
Kristopher J. Kokotaylo
Interim City Attorney
Krysten Lee
Finance Director
Steven M. Turner
Community Development Dir.
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 | K. ORAL COMMUNICATIONS |
| D. WRITTEN COMMUNICATIONS | L. APPROPRIATIONS |
| E. PUBLIC HEARINGS | M. CLOSED SESSION |
| F. CITY MANAGER REPORTS | N. ADJOURNMENT |
| G. CITY ATTORNEY REPORTS | |
| 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. 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.