



CITY OF NEWARK CITY COUNCIL

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

Minutes

Thursday, July 27, 2017

A. ROLL CALL

Mayor Nagy called the meeting to order at 7:33 p.m. Present were Council Members Hannon, Collazo, Freitas, and Vice Mayor Bucci.

B. MINUTES

B.1 Approval of Minutes of the regular City Council meeting of Thursday, July 13, 2017. **MOTION APPROVED**

Council Member Hannon moved, Vice Mayor Bucci seconded, to approve the Minutes of the regular City Council meeting. The motion passed, 5 AYES.

C. PRESENTATIONS AND PROCLAMATIONS

C.1 Introduction of Employees.

Mayor Nagy introduced Human Resources Technician Phalatsamy Huyn.

D. WRITTEN COMMUNICATIONS

E. PUBLIC HEARINGS

E.1 Hearing to consider property owners' objections and confirmation of the Superintendent of Streets' report concerning weed abatement assessments. **RESOLUTION NO. 10679**

City Manager Becker stated that the City's contractor cleared 14 parcels and the property owners are now subject to an assessment for the work.

Mayor Nagy opened the public hearing at 7:37 p.m.

No one came forward to speak.

Mayor Nagy closed the public hearing at 7:38 p.m.

Council Member Freitas moved, Council Member Collazo seconded to, by resolution, confirm the Superintendent of Streets' report concerning weed abatement assessments. The motion passed, 5 AYES.

F. CITY MANAGER REPORT

Council Member Collazo moved, Council Member Hannon seconded, to approve Consent Calendar Items F.1 through F.11, that the resolutions be numbered consecutively, and that reading of the titles suffice for adoption of the resolutions. The motion passed, 5 AYES.

CONSENT

- F.1 Initiation of proceedings for annexation of Tract 8157 to Zone 2 - Lighthouse of Landscaping and Lighting District No. 19, approval of the Preliminary Engineer's Report, declaration of intention to order annexation of Tract 8157 to the assessment district and to levy and collect assessments, and setting of public hearing date on September 14, 2017. RESOLUTION NO. 10680**
- F.2 Initiation of proceedings for annexation of the Senior Housing Project to Zone 3 – Senior Housing of Landscaping and Lighting District No. 19, approval of the Preliminary Engineer's Report, declaration of intention to order annexation of the Senior Housing Project to the assessment district and to levy and collect assessments, and setting of public hearing date on September 14, 2017. RESOLUTION NO. 10681**
- F.3 Authorization to issue a no-fee encroachment permit to Newark Days Celebration, Inc. for the Newark Days Parade and Newark Mile Race, provide police services for traffic control and waive fees related to the parade and race, and waive fees for use of the Community Center and MacGregor Playfields, with the exception of the fees required for the Building Attendant and janitorial services. MOTIONS(3) APPROVED**
- F.4 Authorization for the purchase of two (2) 2018 Ford Fusions as replacement vehicles for the Alameda County Fire Department from Elk Grove Ford and outfitting by Signs by Randy. RESOLUTION NO. 10682**

- F.5 Authorization for the City Attorney to sign a Certification and Mutual Indemnification Agreement with the County of Alameda.**
RESOLUTION NO. 10683
CONTRACT NO. 17032
- F.6 Authorization for the purchase of a replacement aquatic play structure at the Silliman Family Aquatic Center, declaration of Whitewater West Industries, Ltd. as the single source manufacturer, and amendment of the 2016-2018 Biennial Budget and Capital Improvement Plan for Fiscal Year 2017-2018.**
RESOLUTION NO. 10684
- F.7 Authorization for the City Manager to sign a Lease Agreement with Viola Blythe Community Service Center of Newark, Inc. for use of the Jerry Raber Newark Ash Street Park Building #1 for the operation of a food and clothing distribution center.**
RESOLUTION NO. 10685
CONTRACT NO. 17033
- F.8 Authorization for the City Manager to sign a Lease Agreement with Child, Family, and Community Services, Inc. for use of the Jerry Raber Newark Ash Street Park Building #2 for the operation of a Head Start Preschool Program.**
RESOLUTION NO. 10686
CONTRACT NO. 17034
- F.9 Authorization for the City Manager to sign an Agreement with Alameda County for Additional Library Services.**
RESOLUTION NO. 10687
CONTRACT NO. 17035
- F.10 Authorization for the Mayor to Sign the Second Amendment to Lease Agreement with County of Alameda for reimbursement of janitorial services.**
RESOLUTION NO. 10688
CONTRACT NO. 15033
- F.11 Amendment of the 2016-2018 Biennial Budget and Capital Improvement Plan for Fiscal Year 2017-2018 to add six additional Capital Improvement Projects.**
RESOLUTION NO. 10689

NONCONSENT

- F.12 Second reading and adoption of an ordinance amending Title 17 (Zoning) of the Newark Municipal Code to revise Chapter 17.20 (Commercial Districts) and Chapter 17.24 (Industrial Districts) by amending Sections 17.20.030, 17.020.040, 17.24.030 and 17.24.040 to require distribution and warehouse uses to go through the Conditional Use Permit process.**

ORDINANCE NO. 500

City Manager Becker gave the staff report recommending that “Distribution and Warehousing Uses” be treated as a conditional use instead of as a permitted use in the General Commercial, Intermediate Commercial, High Technology Park, Industrial Technology Park, Industrial Park, Limited Industrial, and General Industrial Zoning Districts. A nonconforming use would be considered abandoned after 10 years.

Vice Mayor Bucci moved, Council Member Hannon seconded to adopt an ordinance amending Title 17 (Zoning) of the Newark Municipal Code to revise Chapter 17.20 (Commercial Districts) and Chapter 17.24 (Industrial Districts) by amending Section 17.20.030, 17.020.040, 17.24.030 and 17.24.040. The motion passed, 5 AYES.

- F.13 Approving the Union City/Newark Multi-Jurisdiction Hazard Mitigation Plan: Volume 1 and Newark’s portion of Volume 2. RESOLUTION NO. 10690**

Assistant City Manager Grindall gave the staff report recommending approval.

Greg Lemos asked if the Mitigation Plan studied the salt flat levies.

Assistant City Manager Grindall stated that if the Cargill levies had issues, they would impact Cargill’s operations but would not flood the community.

Council Member Hannon moved, Vice Mayor Bucci seconded to by resolution, adopt the Union City/Newark Multi-Jurisdiction Hazard Mitigation Plan: Volume 1 and the Newark specific portion of Volume 2. The motion passed, 5 AYES.

G. CITY ATTORNEY REPORTS

H. ECONOMIC DEVELOPMENT CORPORATION

I. CITY COUNCIL MATTERS

Mayor Nagy stated that the next City Council meeting would be held in September. He announced that Chris Flexen was pitching tonight in his Major League debut for the New York Mets and Paul Bostaph would be performing with Slayer on the Tonight Show with Jimmy Fallon. Both men attended Newark Memorial High School.

Council Member Collazo stated that the Mariachi Festival was a success and thanked Edda Rivera and David Zehnder for their assistance.

Council Member Bucci stated that Relay for Life raised \$147,500. He invited the Boy Scout in the audience on a tour of the Police Department.

Council Member Hannon congratulated Council Member Collazo and Vice Mayor Bucci on their successful events for the community.

Council Member Freitas wished everyone a safe summer.

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

K. ORAL COMMUNICATIONS

Pat Danielson stated the theme of Newark Days is a Jungle Adventure. She thanked the City Council for approving the encroachment permit.

Greg Lemos stated the trees between Smith and Moores Avenues drop a lot of pine needles. He stated that the Alameda County Water District was going to add a service charge to the tax bill and raise their meeting stipend from \$175 per meeting to \$300.

L. APPROPRIATIONS

Approval of Audited Demands for the City Council meeting of July 27, 2017. MOTION APPROVED

City Clerk Harrington read the Register of Audited Demands; Check numbers 111633 to 111759.

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

M. CLOSED SESSION

N. ADJOURNMENT

Mayor Nagy adjourned the meeting at 8:10 p.m.

SHEILA HARRINGTON
City Clerk