



CITY OF NEWARK

CITY COUNCIL

City Administration Building, City Council Chambers

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Minutes

Thursday, June 9, 2022
7:00 P.M.

A. ROLL CALL

Mayor Nagy called the meeting to order at 7:03 p.m. Council Members Bucci, Collazo, and Vice Mayor Hannon were noted present. Council Member Freitas was noted absent.

B. PRESENTATIONS

1. Proclamation designating June as Elder Abuse Awareness Month

Mayor Nagy presented the proclamation to Cheryl M. Poncini of the Alameda County District Attorney's Office, Faith Battles with the Alameda County Department on Adults & Aging, and Jennifer Pardini with Legal Assistance for Seniors.

C. PUBLIC COMMENT

Ms. Svedja expressed her concern and fear with some homeless people living behind her house and provided photographs of their belongings and some of the damage done to the area.

Karan also expressed concern and urged the City, in light of Elder Abuse Awareness Month, to do something to curb homelessness and protect vulnerable senior citizens.

D. CONSENT CALENDAR

Council Member Bucci moved, Council Member Collazo seconded, to approve Consent Calendar Items D.1 through D.8, that the resolutions and ordinance be numbered consecutively, and that the reading of the titles suffice for adoption. The motion passed, 4 AYES, 1 ABSENT (Freitas).

1. Approval of Audited Demands
2. Approval of May 19 and 26, 2022, meeting minutes

3. Adopt a resolution authorizing the City Manager to execute an agreement with *What's Happening's Tri-City Voice* for legal advertising services in Fiscal Year 2023
Resolution No. 11360
Contract No. 22028
4. Adopt a resolution calling and giving notice of the holding of a General Municipal Election on Tuesday, November 8, 2022, for the election of certain officers of the City of Newark
Resolution No. 11361
5. Adopt a resolution Finding That There is a Proclaimed State of Emergency; Finding That Meeting in Person Would Present Imminent Risks to the Health or Safety of Attendees as a Result of the State of Emergency; and Authorizing Continued Remote Teleconferenced Meetings of the Legislative Bodies of the City of Newark for the 30-Day Period Beginning June 9 Pursuant to AB 361
Resolution No. 11362
6. Waive full reading, conduct second reading by title only, and adoption of an ordinance adding Chapter 2.50, "Military Equipment Use Policy", to the Newark Municipal Code Ordinance No. 536
7. Adopt a resolution approving the Harbor Pointe Subdivision Escrow Agreement
Resolution No. 11363
8. Adopt a resolution accepting work with American Asphalt Repair and Resurfacing Co., Inc. for 2021 Park Pathways Resurfacing for ADA Access, Project 1295
Resolution No. 11364

E. PUBLIC HEARINGS

F. OTHER BUSINESS

1. Presentation by Police Chief Anderson on crime statistics in the City of Newark for 2021

Police Chief Anderson gave the report. Presentation on file with City Clerk.

There were no questions/comments from the audience.

The City Council members expressed their appreciation of the Newark Police Department. They congratulated Police Chief Anderson for the 92% approval rating from the community

and recognized that no other community in Alameda County has as high a rating; they supported the use of new technology and the practice of promoting internally.

Because of the recent mass shootings, the City Council members had questions regarding the safety of Newark's schools. Chief Anderson replied that members of the police department have met with the school district and offered suggestions and put plans and upgrades into place. There is also a School Resource Officer at Newark Memorial High School who can rotate to other schools.

This item was informational only, no action requested.

2. Adopt resolutions authorizing the City Manager to enter into single source subscription agreements with 1) Peregrine Technologies, Inc. in the amount not to exceed \$300,000 for real time data analysis and visualization software and 2) Flock Group, Inc. for Automated License Plate Readers (ALPR) in the amount not to exceed \$164,500, and approving budget appropriations for both agreements.

Police Captain Macias gave the staff report. She stated that the Peregrine Technologies, Inc. software will integrate all the Police Department databases into a single search program making it faster and more efficient for staff.

Vice Mayor Hannon requested that the next edition of the Newark News include information on Police Department data that is available on the City's website.

No one from the public requested to speak on Peregrine Technologies.

Police Captain Macias resumed her report focusing on the Automated License Plate Readers. Twenty proposed automated license plate readers from Flock Group, Inc. will be installed at all City entrances/exits and will provide data on vehicles only, not drivers, nor facial recognition. Automated license plate readers have been successfully used to get alerts on stolen vehicles, package thefts and residential burglaries.

There were no questions/comments from the public.

Council Members supported the use of cameras as a tool for helping to solve crime and providing residents with a sense of security.

Council Member Bucci expressed his concern about government surveillance and Senate Bill 34 Privacy and Usage policy (Policy). He stated that he is not convinced of the benefits of cameras and suggested that the policy should have been included with the staff report. He requested that policies be included in staff reports moving forward.

In response to Captain Macias stating that the Policy needs to be updated, Council Member Bucci stated that he would like to see the updated policy before moving forward.

Council Member Bucci moved to approve the Peregrine Technologies software and approve the ALPR contingent on seeing the updated policy and receiving public comment.

City Council discussion ensued on the Privacy and Usage policy.

Council Member Bucci withdrew his motion.

Vice Mayor Hannon moved to accept staff's recommendation to enter into contracts with both companies and directed the Police Department to continue the retention schedule that is currently in place up to 365 days understanding that if state law changes, the Police Department would be compliant with that and that the City Council would be notified of those changes.

City Attorney Kokotaylo stated that only the contracts were on the agenda for action. He suggested directing staff to provide an update relating to the policy at a future meeting.

Vice Mayor Hannon amended his motion to accept staff's recommendation to enter into agreements with agreements with 1) Peregrine Technologies, Inc. in the amount not to exceed \$300,000 for real time data analysis and visualization software and 2) Flock Group, Inc. for Automated License Plate Readers (ALPR) in the amount not to exceed \$164,500, and directed the City Manager to bring the policy to the City Council if it changed, it did not need to return to the City Council if it remained the same. Council Member Collazo seconded the motion. The motion passed, 3 AYES, 1 ABSTAIN (Bucci), 1 ABSENT (Freitas).

Resolution No. 11365

Resolution No. 11366

G. CITY COUNCIL MATTERS

Council Member Collazo stated that the Mexico Tortilla Factory celebrated 50 years in business and thanked everyone who has supported the family business.

Council Member Collazo stated that she attended the Newark Memorial High School graduation and wondered what would happen in the event of an active shooter. Shop Newark!

Vice Mayor Hannon recognized public servants who look after vulnerable seniors and reiterated that we need to protect our fellow community members.

H. CLOSED SESSION

1. Closed session for conference with Labor Negotiators pursuant to California Government Code Section 54957.6. Agency designated representatives: City Manager Benoun, Assistant City Manager Hovorka, and Human Resources Director Solito; Employee Groups: the Newark Association of Miscellaneous Employees; the Newark Police Management Association; the Newark Police Association; the Confidential Employee Group; and City Officials and the Management, Supervisory, and Professional Employee Group
2. Closed session for conference with Labor Negotiator pursuant to California Government Code Section 54957.6. Agency Designated Representative: Mayor Nagy, Unrepresented employee: City Manager Benoun

At 9:25 pm the City Council recessed to closed session.

At 9:31 pm the City Council convened in closed session. Mayor Nagy, Vice Mayor Hannon and Council Member Collazo were present. Council Members Freitas and Bucci were absent.

At 10:33 p.m. the City Council convened in open session. Mayor Nagy, Vice Mayor Hannon and Council Member Collazo were present. Council Member Freitas and Bucci were absent.

I. ADJOURNMENT

Mayor Nagy adjourned the meeting at 10:33 p.m.

Kathleen L. Slafter
Deputy City Clerk