



# CITY OF NEWARK CITY COUNCIL

City Administration Building, City Council Chambers

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## Minutes

Thursday, June 23, 2022  
7:00 P.M.

### A. ROLL CALL

Mayor Nagy called the meeting to order at 7:04 p.m. Present were Council Members Collazo, Freitas (via Zoom), Bucci, and Vice Mayor Hannon.

### B. PRESENTATIONS

#### 1. Introduction of employees

Mayor Nagy introduced Human Resources Technician Deepa Iyer.

### C. PUBLIC COMMENT

No one requested to speak.

### D. CONSENT CALENDAR

Council Member Collazo moved, Vice Mayor Hannon seconded, to approve Consent Calendar items D.1 to D.12, that the resolutions be numbered consecutively, and that reading of the titled suffice for adoption. The motion passed, 5 AYES.

1. Approval of Audited Demands
2. Approval of June 9, 2022, meeting minutes
3. Adopt a resolution confirming the continued existing of a local emergency due to the COVID-19 Pandemic  
Resolution No. 11367

4. 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 23 Pursuant to AB 361 Resolution No. 11368
5. Adopt a resolution establishing the Fiscal Year 2023 Tax Appropriations Limit Resolution No. 11369
6. Adopt a resolution authorizing the City Attorney to execute a Certification and Mutual Indemnification Agreement with the County of Alameda Resolution No. 11370  
Contract No. 22034
7. Adopt a Resolution Authorizing the City Manager to Execute the Second Amendment to the Contractual Services Agreement with 4Leaf Inc. to Provide Temporary Professional Planning Services Resolution No. 11371  
Contract No. 22034
8. Adopt a Resolution Approving Contractual Services Agreements with MNS Engineers, Inc. and CSG Consultants, Inc. for on-call Public Works Construction Inspection Services Resolution No. 11372  
Contract No. 22035 MNS  
Contract No. 22036 CSG
9. Adopt a resolution accepting public subdivision improvements for Tract 8498 Classic 36304 Newark Boulevard, a 9-lot residential subdivision located at 36304-36310 Newark Boulevard Resolution 11373
10. Adopt a resolution approving and authorizing the City Manager to execute a purchase order with Dell Marketing, L.P. (Dell) in the amount of \$360,668.25

for the renewal of software licenses and subscription services  
Resolution No. 11374

11. Adopt a Resolution Approving the Road Repair and Accountability Act of 2017 (Senate Bill 1) Fiscal Year 2022-2023 Project List  
Resolution No. 11375
12. Year-end Budget Review and Adopt a Resolution Approving an Amendment of the 2020-2022 Biennial Budget and Capital Improvement Plan for Fiscal Year 2022  
Resolution No. 11376

**E. PUBLIC HEARINGS**

1. Hearing to consider adopting a resolution for annual levy of assessment in conjunction with Landscaping and Lighting District Nos. 1, 2, 4, 6, 7, 13, 15, 16, 17, 18 and 19  
Resolution No. 11377

Public Works Director Fajeau gave the staff report recommending approval.

Mayor Nagy opened the public hearing at 7:13 p.m.

No one from the public requested to speak.

Mayor Nagy closed the public hearing at 7:14 p.m.

Council Member Freitas moved, Council Member Collazo seconded, to adopt a resolution confirming diagrams and assessments and levying assessments for fiscal year 2022-2023 Assessment District Nos. 1,2,4,6,7,13,15,16,17,18,19 pursuant to the Landscaping and Lighting Act of 1972.The motion passed, 5 AYES.

2. Hearing to consider adopting a resolution for annual levy of assessment in conjunction with Landscaping and Lighting District Nos. 10 and 11  
Resolution No. 11378

Council Member Collazo announced that she would recuse from participating in this item due to real property interests in Landscaping and Lighting District Nos. 10 and 11.

City Manager Benoun announced that he would recuse from this item due to real property interest in Landscaping and Lighting District No. 11.

Council Member Collazo and City Manager Benoun exited the City Council Chambers.

Public Works Director Fajeau gave the staff report recommending approval.

Mayor Nagy opened the public hearing at 7:15 p.m.

No one from the public requested to speak.

Mayor Nagy closed the public hearing at 7:16 p.m.

Vice Mayor Hannon moved, Council Member Bucci seconded, to adopt a resolution confirming diagrams and assessments and levying assessments for fiscal year 2022-2023 Assessment District Nos. 10 and 11 pursuant to the Landscaping and Lighting Act of 1972. The motion passed, 4 AYES, 1 RECUSED.

Council Member Collazo and City Manager Benoun returned to the City Council Chamber.

**3. Adopt a resolution approving the 2022-2024 Biennial Budget and Capital Improvement Plan  
Resolution No. 11379**

City Manager Benoun gave the staff report recommending approval.

Mayor Nagy opened the public hearing at 7:17 p.m.

No one from the public requested to speak.

Mayor Nagy closed the public hearing at 7:18 p.m.

Vice Mayor Hannon moved, Council Member Collazo seconded, to adopt a resolution approving and adopting a Budget and a Capital Improvement Plan for the City of Newark for fiscal years 2023 and 2024 and providing for the post-auditing of paid demands certified or approved as conforming to such approved budget. The motion passed, 5 AYES.

## F. OTHER BUSINESS

1. Adopt Resolutions approving: 1) the Memorandum of Understanding with the Newark Association of Miscellaneous Employees; 2) the Memorandum of Understanding with the Newark Police Management Association; 3) the Compensation and Benefit Plan for the Confidential Employee Group; 4) the Compensation and Benefit Plan for the Management, Supervisory, and Professional Employee Group; and 5) an Amendment to the Employment Agreement with City Manager David Benoun to Serve as City Manager Resolution Nos. 11380 – 11384

City Attorney Kokotaylo gave the staff report recommending approval.

No one from the public requested to speak.

Vice Mayor Hannon moved, Council Member Collazo seconded, to adopt resolutions:

- 1) Approving and adopting a Memorandum of Understanding between the City of Newark and the Newark Association of Miscellaneous Employees, authorizing the city manager to execute the Memorandum of Understanding and approving an amendment to the city's salary schedule in conformance with California Code of Regulations, Title 2, Section 570.5, and
- 2) Approving and adopting a Memorandum of Understanding between the City of Newark and the Newark Police Management Association, authorizing the city manager to execute the Memorandum of Understanding and approving an amendment to the city's salary schedule in conformance with California Code of Regulations, Title 2, Section 570.5, and
- 3) Approving and adopting a compensation and benefit plan for the confidential employee group, authorizing the city manager to execute the compensation and benefit plan and approving an amendment to the city's salary schedule in conformance with California Code of Regulations, Title 2, Section 570.5, and
- 4) Approving and adopting a compensation and benefit plan for the Management, Supervisory, and Professional Employee Group authorizing the city manager to execute the compensation and benefit plan and approving an amendment to the city's salary schedule in conformance with California Code of Regulations, Title 2, Section 570.5

- 5) Approving and adopting a Compensation and Benefit Plan for the Confidential Employee Group, authorizing the city manager to execute the Compensation and Benefit Plan and approving an amendment to the city's salary schedule in conformance with California Code of Regulations, Title 2, Section 570.5.

The motion passed, 5 AYES.

2. Introduction of an Ordinance amending Chapter 2.09 of the Newark Municipal Code ("City Councilmembers-Salaries") to increase the salaries of City Councilmembers and Mayor by three percent (3%)

Assistant City Manager Hovorka presented the proposed ordinance based on the City Council's direction at the May 26, 2022 meeting.

No one from the public requested to speak.

Vice Mayor Hannon suggested raising the salaries by 10 percent instead of the previously discussed 3 percent. He stated that the total cost of the proposed 3 percent increase for the Mayor and all Council Members was \$2,748 per fiscal year. A 10 percent increase would have a total cost of \$6,468. He stated that an increase was needed to attract people to run for office. He suggested tabling the item and returning with the 10 percent ordinance.

Vice Mayor Hannon moved, Council Member Collazo seconded to adopt a motion directing staff to return at the next council meeting with an ordinance reflecting a 10 percent salary increase. The motion passed, 4 AYES, 1 NO (Bucci).

## **G. CITY COUNCIL MATTERS**

Mayor Nagy reminded the public about the new Social Host Ordinance regarding illegal fireworks and that only Safe and Sane Fireworks are allowed.

Council Member Bucci congratulated the Newark Little League All Stars for winning the first game of their tournament. He noted that City Manager Benoun is the team manager.

Council Member Freitas congratulated Mayor Nagy on his State of the City speech. He wished everyone a safe and sane Fourth of July holiday. He commended Assistant City Manager Hovorka on her leadership.

Council Member Collazo congratulated the Newark Little League All Stars. She stated that the city should only charge fees for the field use for tournaments. She attended Jean Ficklin's Juneteenth story time at the library. She announced the concert series at Shirley Sisk Grove. Shop Newark.

Vice Mayor Hannon congratulated the Newark Little League All Stars. He commended public safety for their service on the Fourth of July holiday.

**H. CLOSED SESSION**

**I. ADJOURNMENT**

Mayor Nagy adjourned the meeting at 7:48 p.m.

Sheila Harrington, City Clerk