



CITY OF NEWARK CITY COUNCIL

City Administration Building, City Council Chambers

37101 Newark Boulevard, Newark, CA 94560 | (510) 578-4266 | E-mail: city.clerk@newark.org



AGENDA

Thursday, April 28, 2022
7:00 P.M.

**HYBRID IN-PERSON/VIRTUAL MEETING
REFER TO THE END OF THE AGENDA TO REVIEW OPTIONS FOR PARTICIPATING
IN THE MEETING REMOTELY OR IN-PERSON.**

**IF YOU ATTEND THE MEETING IN PERSON, A FACE COVERING
IS RECOMMENDED BUT NOT REQUIRED.**

A. ROLL CALL

B. PRESENTATIONS

1. Proclaiming April as Fair Housing Month
2. Proclaiming May as Water Safety Month
3. Proclaiming April 28, 2022, as Arbor Day in Newark
4. Introduction of Employees

C. PUBLIC COMMENT

The public is invited to address the City Council on any item not listed on the agenda. Public Comments are generally limited to 5 minutes per speaker. Please note that State law prohibits the Council from acting on non-agenda items.

D. CONSENT CALENDAR

Consent Calendar items are considered to be routine and may be approved by one motion. There will be no separate discussion on these items unless there is a request by a Council Member, a staff member, or a member of the public to remove an item for separate discussion and action.

1. Approval of Audited Demands
2. Approval of April 14, 2022, special and regular meeting minutes

3. Adopt a Resolution to support locating a trauma center at Washington Hospital Healthcare that will provide advanced life-saving medical care and ambulance transport within an acceptable trauma response time and encourages the Alameda County Board of Supervisors to approve a trauma center at Washington Hospital in Southern Alameda County.
4. Adopt a Resolution Approving the First Amendment to the Contractual Services Agreement with Greensfelder Commercial Real Estate LLC to Increase the Not-to-Exceed Amount by \$40,000 and Authorizing a Budget Amendment to the Biennial Budget 2020-2022 for Fiscal Year 2022 to Provide Funding for Retail Property Research
5. Adopt a Resolution Approving the First Amendment to the Contractual Services Agreement with Economic Impact Catalyst for economic development digital platform and consulting services and Authorize an Increase in the Not-to-Exceed Amount by an Additional \$80,000 for an Additional Three-Year Period and Authorizing an Amendment to the 2020-22 Biennial Budget for FY 2021-22 to Increase the General Fund Professional Services in the Amount of \$25,000

E. PUBLIC HEARINGS

F. OTHER BUSINESS

G. CITY COUNCIL MATTERS

City Council Members report on attendance at intergovernmental agency meetings, conferences, and seminars since the last meeting. City Council Members may also announce upcoming events and coordinate attendance; report on local events attended since the last meeting; and make brief comments on issues of concern.

1. Adopt a Resolution confirming Mayor's appointments to the Community Development Advisory Committee

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.

I. ADJOURNMENT

HYBRID IN-PERSON/VIRTUAL MEETING NOTICE

This meeting is being conducted utilizing teleconferencing and electronic means consistent with Assembly Bill 361 (2001). Members of the public may attend the meeting in person, virtually via Zoom, or watch it via YouTube. If you attend the meeting in person, a face covering is recommended, but not required.

Mayor Nagy, Vice Mayor Hannon, and Council Members Bucci, Collazo, and Freitas may be attending this meeting via teleconference. Teleconference locations are not open to the public. In the event that any members of the City Council elect to attend this meeting via teleconference, all votes conducted during the teleconferencing session will be conducted by roll call vote.

How to view the meeting remotely:

Livestream online at YouTube: <https://www.youtube.com/channel/UC383NGSxaPwZP1IkJbo2T8A>
Copy/paste the YouTube URL into your browser if the link does not automatically open.

How to participate in the meeting remotely, via Zoom Webinar:

From a PC, Mac, iPad, iPhone or Android device: Zoom Meeting <https://us06web.zoom.us/j/87254408834>

From a telephone dial 1- 669-900-9128, Webinar ID Number 872 5440 8834

Provide live, remote public comments, when the Mayor calls for comments. Use the raise your hand feature in Zoom to be called upon by the City Clerk.

For frequently asked Zoom questions, please go to [Agendas and Minutes](#) and select the Frequently Asked Questions link.

No question shall be asked of a council member, city staff, or an audience member except through the Mayor. 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 Mayor for the purpose of maintaining order may be guilty of an infraction and may result in removal from the meeting.

Council Meeting Access/Materials:

The agenda packet is available for review at [Agendas and Minutes](#). The packet is typically posted to the City website the Friday before the meeting, but no later than 72 hours before the meeting.

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 will be posted, if time allows, at [Agendas and Minutes](#). 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 who require special accommodations, please contact the City Clerk at least two days prior to the meeting at [City Clerk](#) or 510-578-4266.



STAFF REPORT

Item B. 1.

DATE 04/28/2022
TO Honorable Mayor and City Council Members
FROM Sheila Harrington, City Clerk
SUBJECT Proclaiming April as Fair Housing Month

Every April, the National Association of REALTORS® commemorates the passage of the Fair Housing Act of 1968 with events and education that shine a light on housing discrimination and segregation. Fair Housing Month signifies a recommitment to expanding equal access to housing. A member of the Bay East Association of REALTORS® will accept a proclamation at the City Council meeting celebrating April as Fair Housing month.

Attachments

Proclamation

PROCLAMATION NO. 1865

FAIR HOUSING MONTH

WHEREAS, the Fair Housing Act, enacted on April 11, 1968, enshrined into federal law the goal of eliminating racial segregation and ending housing discrimination in the United States; and

WHEREAS, the Fair Housing Act prohibits discrimination in housing based on race, color, religion, sex, familial status, national origin, and disability, and commits recipients of federal funding to affirmatively further fair housing in their communities; and

WHEREAS, the City of Newark is committed to the mission and intent of Congress to provide fair and equal housing opportunities for all; and

WHEREAS, our social fabric, the economy, health, and environment are strengthened in diverse, inclusive communities; and

WHEREAS, more than fifty years after the passage of the Fair Housing Act, discrimination persists, and many communities remain segregated; and

WHEREAS, acts of housing discrimination and barriers to equal housing opportunity are repugnant to a common sense of decency and fairness.

NOW, THEREFORE, I Alan L. Nagy, Mayor of the City of Newark, on behalf of the Newark City Council, do hereby proclaim April 2022 as

FAIR HOUSING MONTH

in Newark as an inclusive community committed to fair housing, and to promoting appropriate activities by private and public entities to provide and advocate for equal housing opportunities for all residents and prospective residents of Newark.

IN WITNESS THEREOF, I have hereunto set forth my hand and caused the Official Seal of the City of Newark, State of California, to be affixed this Fourteenth Day of April, Two thousand twenty-two.

ALAN L. NAGY
Mayor



STAFF REPORT

Item B. 2.

DATE 04/28/2022
TO Honorable Mayor and City Council Members
FROM Sheila Harrington, City Clerk
SUBJECT Proclaiming May as Water Safety Month

In recognition of the popularity of swimming and other water related recreational activities, and the resulting need for ongoing public education on safer water practices, the month of May has been designated as National Water Safety Month. Recreation and Community Services staff will be at the meeting to accept the proclamation.

Attachments

Proclamation

PROCLAMATION NO. 1867

NATIONAL WATER SAFETY MONTH

WHEREAS, individual and organized forms of recreation and the creative use of free time are vital to the happy lives of all our citizens; and

WHEREAS, citizens of the City of Newark recognize the vital role that swimming and aquatic-related activities play in good physical and mental health and enhance the quality of life for all people; and

WHEREAS, the citizens of Newark understand the essential role that education regarding the topic of Water Safety plays in preventing drowning and recreational water-related injuries; and

WHEREAS, the City of Newark is extremely proud of the George M. Silliman Community Activity Center and aquatic programs of this community and their contribution to providing critical life skills, a safe and healthy place to recreate, a place to learn and grow, to swim, build self-esteem, confidence, and sense of self-worth which contributes to the quality of life in our community;

NOW, THEREFORE, I, Alan L. Nagy, Mayor of the City of Newark, on behalf of the Newark City Council, do hereby proclaim the month of May as

NATIONAL WATER SAFETY MONTH

in Newark and urge all Newark residents to enjoy, recognize, and help promote the benefits derived from quality water safety programs and recreation resources, which provide something of value to everyone.

IN WITNESS THEREOF, I have hereunto set forth my hand and caused the Official Seal of the City of Newark to be affixed this Twenty-eighth Day of April, Two Thousand Twenty-two.

ALAN L. NAGY
Mayor



STAFF REPORT

Item B. 3.

DATE 04/28/2022
TO Honorable Mayor and City Council Members
FROM Sheila Harrington, City Clerk
SUBJECT Proclaiming April 28, 2022, as Arbor Day in Newark

In recognition of our continued dedication and commitment to the management of tree resources, the City of Newark has been named a Tree City U.S.A. for the thirty-fifth consecutive year by the National Arbor Day Foundation. An effective urban tree management program requires an on-going maintenance program, along with a program of renewal that includes planting new trees. In celebration of Arbor Day, a public tree planting will be held before the City Council meeting, at approximately 6:15 pm, towards the front of Civic Center Park, near the playground, located at 6300 Civic Terrace Avenue.

Assistant Maintenance Superintendent Neal Hornbeck will accept the proclamation at the meeting.

Attachments

Proclamation

PROCLAMATION NO. 1866

ARBOR DAY

WHEREAS, the first Arbor Day was celebrated in 1872 to promote the reforestation of the plains of Nebraska, and by the year 1920 more than 45 states and territories observed Arbor Day; and

WHEREAS, Arbor Day will be observed in the City of Newark on April 28, 2022; and

WHEREAS, trees in our City increase property values, enhance the economic vitality of business areas, enhance the environment by providing habitat for animals, purify the air, and beautify our community; and

WHEREAS, Arbor Day promotes tree appreciation and conservation, tree planting, and tree care; and

WHEREAS, the City of Newark has recognized the value of the thousands of specimen trees within the City limits, and has consistently supported the planting and maintenance of approximately 13,000 trees on public property;

NOW, THEREFORE, I, Alan L. Nagy, Mayor of the City of Newark, do hereby proclaim April 28, 2022, as

ARBOR DAY

in Newark and urge all residents to support efforts to protect our trees and woodlands and to support our City's urban forestry program.

IN WITNESS THEREOF, I have hereunto set my hand and caused the Official Seal of the City of Newark, State of California, to be affixed this Twenty-eighth Day of April, Two Thousand Twenty-two.

ALAN L. NAGY
Mayor



STAFF REPORT

Item B. 4.

DATE 04/28/2022
TO Honorable Mayor and City Council Members
FROM Sheila Harrington, City Clerk
SUBJECT Introduction of Employees

The following employees will be introduced at the City Council meeting:

Administrative Analyst Gonzalez
Associate Civil Engineer Anwar Mirza
Environmental Services Manager Scanlin.



STAFF REPORT

Item D. 1.

DATE 04/28/2022
TO Honorable Mayor and City Council Members
FROM Krysten Lee, Finance Director
SUBJECT Approval of Audited Demands

Attachments

Audited demands

LIVE Newark CA LIVE
Payment Batch Register
Bank Account: AP - ZBA ACCOUNTS PAYABLE
Batch Date: 04/07/2022

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
Bank Account: AP - ZBA ACCOUNTS PAYABLE					
Check	04/07/2022	5367 Accounts Payable	ABACUS PRODUCTS INC		570.19
	Invoice	Date	Description		Amount
	B67567	03/16/2022	PRINTING SVCS - REQUEST FOR COOPERATION		371.25
	B67505	03/10/2022	PRINTING SVCS - EVIDENCE ENVELOPE		198.94
Check	04/07/2022	5368 Accounts Payable	ALL CITY MANAGEMENT SERVICES, INC.		3,157.31
	Invoice	Date	Description		Amount
	75946	03/09/2022	SCHOOL CROSSING GUARD SVCS 02/20-03/05/22		3,157.31
Check	04/07/2022	5369 Accounts Payable	ALPINE AWARDS INC		403.89
	Invoice	Date	Description		Amount
	5549795	03/15/2022	BASKETBALL COMPETITOR TEE		197.85
	5549836	03/17/2022	VOLLEYBALL LEAGUE CHAMPIONS SHIRTS		206.04
Check	04/07/2022	5370 Accounts Payable	BAY CENTRAL PRINTING		668.41
	Invoice	Date	Description		Amount
	191272	03/16/2022	COPIES OF THE GENERAL PLAN		604.14
	191229	03/08/2022	STAFF BUSINESS CARDS (STEVE WILLKOMM)		64.27
Check	04/07/2022	5371 Accounts Payable	BOUNDTREE MEDICAL, LLC		134.52
	Invoice	Date	Description		Amount
	84436867	03/09/2022	EMERGENCY BLANKETS		134.52
Check	04/07/2022	5372 Accounts Payable	BEACON VETERINARY SPECIALISTS		592.25
	Invoice	Date	Description		Amount
	123100	02/22/2022	VET SVCS 02/19-02/21/22		142.25
	122945	02/17/2022	VET SVCS 02/17/22		150.00
	122943	02/17/2022	VET SVCS 02/17/22		150.00
	122944	02/17/2022	VET SVCS 02/17/22		150.00
Check	04/07/2022	5373 Accounts Payable	CENTRAL VALLEY TOXICOLOGY, INC.		543.00
	Invoice	Date	Description		Amount
	317497	01/10/2022	LAB TESTS 01/10/22		163.00
	318071	02/02/2022	LAB TESTS 02/02/22		90.00
	318072	02/02/2022	LAB TESTS 02/02/22		38.00
	318325	02/14/2022	LAB TESTS 02/14/22		69.00
	318331	02/14/2022	LAB TESTS 02/14/22		38.00

	318333	02/14/2022	LAB TESTS 02/14/22	69.00
	318334	02/14/2022	LAB TESTS 02/14/22	38.00
	318546	02/22/2022	LAB TESTS 02/22/22	38.00
Check	04/07/2022	5374 Accounts Payable	CHILDREN'S HOSPITAL - OAKLAND	788.00
	Invoice	Date	Description	Amount
	1826897	03/17/2022	VICTIM MEDICAL EXAMS	788.00
Check	04/07/2022	5375 Accounts Payable	CINDY K. HULL & ASSOCIATES - FORENSIC CONSULTING	415.00
	Invoice	Date	Description	Amount
	131	03/16/2022	LATENT PRINT ANALYSIS MAR 2022	415.00
Check	04/07/2022	5376 Accounts Payable	CLASSIC GRAPHICS	1,317.93
	Invoice	Date	Description	Amount
	45373	09/21/2021	DECALS	1,317.93
Check	04/07/2022	5377 Accounts Payable	CLEARGOV INC.	7,725.00
	Invoice	Date	Description	Amount
	2022-11692	03/17/2022	TRANSPARENCY SUITE RENEWAL 03/17/22-03/16/23	7,725.00
Check	04/07/2022	5378 Accounts Payable	BRYAN COBB	1,488.15
	Invoice	Date	Description	Amount
	0307-031522EXP	03/24/2022	MILEAGE AND EXPENSE REIMBURSEMENT MARCH 2022	1,488.15
Check	04/07/2022	5379 Accounts Payable	COMCAST CABLE	482.95
	Invoice	Date	Description	Amount
	0322-042122SIL	03/17/2022	MONTHLY CABLE and INTERNET SERVICES	482.95
Check	04/07/2022	5380 Accounts Payable	ROGUE FITNESS	1,830.15
	Invoice	Date	Description	Amount
	10074006	02/01/2022	ROGUE 14' MONSTER LIFE WALL MOUNT	1,830.15
Check	04/07/2022	5381 Accounts Payable	I.D. CHECKING GUIDE	74.16
	Invoice	Date	Description	Amount
	793109	02/03/2022	ID CHECKING GUIDE 2022	74.16
Check	04/07/2022	5382 Accounts Payable	DAILY JOURNAL CORPORATION	397.50
	Invoice	Date	Description	Amount
	B3565045	03/29/2022	LEGAL ADVERTISING - PROJECT 1146	397.50
Check	04/07/2022	5383 Accounts Payable	KATHRYN DENNIS	131.63
	Invoice	Date	Description	Amount
	0308-031022EXP	04/01/2022	MILEAGE REIMBURSEMENT FOR MARCH 2022	131.63
Check	04/07/2022	5384 Accounts Payable	DEPARTMENT OF INDUSTRIAL RELATIONS	1,341.25
	Invoice	Date	Description	Amount
	P 1869192 SA	03/18/2022	POOL SIDER	317.50
	P 1869190 SA	03/18/2022	32" AQUATUBE INSPECTION FEE	317.50
	P 1869194 SA	03/18/2022	LAZY RIVER INSPECTION	706.25
Check	04/07/2022	5385 Accounts Payable	ALHAMBRA	234.50
	Invoice	Date	Description	Amount

	15734365 031322	03/13/2022	WATER SERVICE	234.50
Check	04/07/2022	5386 Accounts Payable	DUKE DE LEON	579.00
	Invoice	Date	Description	Amount
	4159	03/28/2022	PC/CCOUNCIL MEETINGS MARCH 2022	579.00
Check	04/07/2022	5387 Accounts Payable	EAST BAY REFRIGERATION	391.02
	Invoice	Date	Description	Amount
	19238	01/31/2022	REFRIGERATOR MAINTENANCE FY 21/22	391.02
Check	04/07/2022	5388 Accounts Payable	EMPLOYMENT DEVELOPMENT DEPARTMENT	3,232.47
	Invoice	Date	Description	Amount
	L0037466896	03/25/2022	UNEMPLOYMENT INSURANCE 12/31/20-12/31/21	3,232.47
Check	04/07/2022	5389 Accounts Payable	FEDEX	75.00
	Invoice	Date	Description	Amount
	7-688-52834	03/11/2022	FEDEX EXPRESS FEES	75.00
Check	04/07/2022	5390 Accounts Payable	FOLGERGRAPHICS, INC	2,020.00
	Invoice	Date	Description	Amount
	131702	03/16/2022	PRINT CITY NEWSLETTER	2,020.00
Check	04/07/2022	5391 Accounts Payable	GRAINGER	264.45
	Invoice	Date	Description	Amount
	9198655574	02/01/2022	FIRE STATION #1 PARTS	104.77
	9199998189	02/02/2022	LIBRARY-SUPPLIES	159.68
Check	04/07/2022	5392 Accounts Payable	JOSEPH HUNTER	839.57
	Invoice	Date	Description	Amount
	031622HUNTER	04/06/2022	EE COMPUTER LOAN PROGRAM	839.57
Check	04/07/2022	5393 Accounts Payable	HYDE PRINTING	1,827.71
	Invoice	Date	Description	Amount
	85145	03/10/2022	BUSINESS CARD SHELL IMPRINTING	1,827.71
Check	04/07/2022	5394 Accounts Payable	INDUSTRIAL PLUMBING SUPPLY, LLC.	1,276.17
	Invoice	Date	Description	Amount
	97897	12/21/2021	PLUMBING SUPPLIES	1,276.17
Check	04/07/2022	5395 Accounts Payable	ISH AMITJ KAU	3,094.20
	Invoice	Date	Description	Amount
	0109-03062022	03/24/2022	PAYMENT FOR THEATER FACTORY 1/9-3/6/22	3,094.20
Check	04/07/2022	5396 Accounts Payable	THE RROOAR LLC	696.50
	Invoice	Date	Description	Amount
	0205-03262022	03/26/2022	PAYMENT FOR CODING 2/5 - 3/26/22	696.50
Check	04/07/2022	5397 Accounts Payable	KBA DOCUMENT SOLUTIONS, LLC	1,417.74
	Invoice	Date	Description	Amount
	55Y1259852	03/17/2022	COPIER LEASE/SERVICE/SUPPLIES	989.00
	55Y1259133	03/16/2022	COPIER LEASE/SERVICE/SUPPLIES	428.74

Check	04/07/2022	5398 Accounts Payable	LIEBERT CASSIDY WHITMORE	507.00
	Invoice	Date	Description	Amount
	214097	02/28/2022	LEGAL SERVICES-CLIENT/MATTER NO.:NE008-00008	507.00
Check	04/07/2022	5399 Accounts Payable	MARK GOTHARD	288.30
	Invoice	Date	Description	Amount
	0206022	02/06/2022	MARTIAL ARTS SEMINAR 2/6/22	288.30
Check	04/07/2022	5400 Accounts Payable	MEYERS NAVE, A PROFESSIONAL CORPORATION	42,026.44
	Invoice	Date	Description	Amount
	189164	02/25/2022	LEGAL SERVICES	18,035.80
	189165	02/25/2022	LEGAL SERVICES	85.77
	189167	02/25/2022	LEGAL SERVICES	3,742.00
	191230	03/17/2022	LEGAL SERVICES	18,119.60
	191233	03/17/2022	LEGAL SERVICES	1,976.00
	191480	03/31/2022	LEGAL SERVICES	67.27
Check	04/07/2022	5401 Accounts Payable	OCCUPATIONAL HEALTH CENTERS OF CALIFORNIA	304.00
	Invoice	Date	Description	Amount
	74779135	03/18/2022	PRE-EMPLOYMENT/ DOT PHYSICALS 03/18/22	304.00
Check	04/07/2022	5402 Accounts Payable	BULK OFFICE SUPPLY	2,924.60
	Invoice	Date	Description	Amount
	467950	02/08/2022	BANKER BOXES	2,924.60
Check	04/07/2022	5403 Accounts Payable	PACIFIC GAS & ELECTRIC	2,579.84
	Invoice	Date	Description	Amount
	7460-031822	03/18/2022	ELECTRICITY CHARGES FOR STREET/TRAFFIC LIGHTS (1/25/22-2/23/22)	2,579.84
Check	04/07/2022	5404 Accounts Payable	PHOENIX GROUP INFORMATION SYSTEMS	268.75
	Invoice	Date	Description	Amount
	022022101	03/16/2022	PARKING CITATION PROGRAM FEB 2022	268.75
Check	04/07/2022	5405 Accounts Payable	PLAN JPA	6,775.65
	Invoice	Date	Description	Amount
	PLAN-2021-856	02/22/2022	GENERAL LIABILITY CLAIMS-JANUARY 2022	6,775.65
Check	04/07/2022	5406 Accounts Payable	CAL COAST TELECOM	500.00
	Invoice	Date	Description	Amount
	S2109861	03/08/2022	100 HID ACCESS KEY CARDS	500.00
Check	04/07/2022	5407 Accounts Payable	ROSAS BROTHERS CONSTRUCTION	37,981.95
	Invoice	Date	Description	Amount
	1693	11/30/2021	PROGRESS PAYMENT #3, PROJECT 1257 (8/1/21-8/31/21)	37,981.95
Check	04/07/2022	5408 Accounts Payable	RUTAN & TUCKER, LLP	315.00
	Invoice	Date	Description	Amount
	923149	03/22/2022	LEGAL SERVICES	315.00
Check	04/07/2022	5409 Accounts Payable	WILLE ELECTRIC SUPPLY CO., INC	361.93

	Invoice	Date	Description	Amount
	S2077822.001	03/17/2022	LIGHT REPLACEMENT	361.93
Check	04/07/2022	5410 Accounts Payable	LEHR	46,860.14
	Invoice	Date	Description	Amount
	SI71413	03/04/2022	OUTFITTING 2021-10	21,497.45
	SI71185	02/25/2022	OUTFITTING 2021-12	25,362.69
Check	04/07/2022	5411 Accounts Payable	THE ED JONES CO INC	197.67
	Invoice	Date	Description	Amount
	50513	03/01/2022	BADGES & INSIGNIA - STERLING TOP RIBBON FOR 514 BADGE; WARREN	85.53
	50186	01/18/2022	BADGES & INSIGNIA - GOLD FILL TOP RIBBON FOR 514 BADGE; MACIAS	112.14
Check	04/07/2022	5412 Accounts Payable	HINDERLITER DE LLAMAS & ASSOCIATES	300.00
	Invoice	Date	Description	Amount
	SIN015420	03/15/2022	CONTRACT SERVICES - TRANSACTION TAX Q3 2021	300.00
Check	04/07/2022	5413 Accounts Payable	TYLER TECHNOLOGIES, INC.	1,467.00
	Invoice	Date	Description	Amount
	045-371149	02/28/2022	TIMEKEEPING AND ADVANCE SCHEDULING IMPLEMENTATION 02/09-02/28/22	1,467.00
Check	04/07/2022	5414 Accounts Payable	BOSCO OIL INC DBA VALLEY OIL	27,659.85
	Invoice	Date	Description	Amount
	103839	03/01/2022	FUEL FOR FLEET	27,659.85
Check	04/07/2022	5415 Accounts Payable	VAN DERMYDEN MAKUS LAW CORPORATION	9,654.68
	Invoice	Date	Description	Amount
	18870	11/29/2021	INVESTIGATION SERVICES FEES	9,654.68
Check	04/07/2022	5416 Accounts Payable	VERIZON WIRELESS	5,398.21
	Invoice	Date	Description	Amount
	9902105777	03/18/2022	CELL/TABLET/WIFI SERVICE - 2/19-3/18/22	3,746.21
	9901380390	03/09/2022	CELL SVC FOR MDC'S 02/10-03/09/22	1,652.00
Check	04/07/2022	5417 Accounts Payable	MARK LEWIS WAGNER	600.00
	Invoice	Date	Description	Amount
	040922	04/01/2022	4/9/22 FAMILY DAY COMMUNITY CHALK ART SERVICE	600.00
Check	04/07/2022	5418 Accounts Payable	WASHINGTON HOSPITAL	125.00
	Invoice	Date	Description	Amount
	0222-NPD	03/02/2022	LAB TESTS FEB 2022	125.00
AP ZBA ACCOUNTS PAYABLE Totals:			Transactions: 52	\$225,105.63
Checks:		52	\$225,105.63	

LIVE Newark CA LIVE

Void Payment - Reissue Check Register

Bank Account: AP - ZBA ACCOUNTS PAYABLE

Batch Date: 04/14/2022

Original Type	Original Date	Original Number Source	Payee Name	EFT Bank/Account	Reissue Type	Reissue Number	Transaction Amount
Bank Account: AP - ZBA ACCOUNTS PAYABLE							
Check	12/09/2021	4510 Accounts Payable	ACCOPSA		Check	5419	950.00
Check	01/13/2022	4782 Accounts Payable	MACQUARIE EQUIPMENT CAPITAL INC.		Check	5420	822.22
Check	01/27/2022	4884 Accounts Payable	SHAH , NISHA		Check	5421	154.00
AP ZBA ACCOUNTS PAYABLE Totals:			Transactions: 3				\$1,926.22
Checks:		3	\$1,926.22				

LIVE Newark CA LIVE
Payment Batch Register
 Bank Account: AP - ZBA ACCOUNTS PAYABLE
 Batch Date: 04/14/2022

Type	Date	Number Source	Payee Name	EFT Bank/Account	Transaction Amount
Bank Account: AP - ZBA ACCOUNTS PAYABLE					
Check	04/14/2022	5422 Accounts Payable	ABACUS PRODUCTS INC		429.89
	Invoice		Date	Description	Amount
	B67611		03/22/2022	PRINTING SVCS - RELEASE STORED IMPOUNDED VEHICLES	429.89
Check	04/14/2022	5423 Accounts Payable	ALAMEDA COUNTY SHERIFF'S OFFICE		500.00
	Invoice		Date	Description	Amount
	290131-0322-7249		03/28/2022	RANGE FEES FY 21/22	500.00
Check	04/14/2022	5424 Accounts Payable	ALAMEDA COUNTY WATER DISTRICT		2,120.79
	Invoice		Date	Description	Amount
	0201-033122		04/01/2022	ACWD HYDRANTS 02/01/22-03/31/22	2,120.79
Check	04/14/2022	5425 Accounts Payable	ALL CITY MANAGEMENT SERVICES, INC.		3,994.12
	Invoice		Date	Description	Amount
	76279		03/23/2022	SCHOOL CROSSING GUARD SVCS 03/06-03/19/22	3,994.12
Check	04/14/2022	5426 Accounts Payable	ALPINE AWARDS INC		42.64
	Invoice		Date	Description	Amount
	5550022		03/31/2022	DEPARTMENT AWARDS FY 21/22	42.64
Check	04/14/2022	5427 Accounts Payable	JASON AVERY		192.94
	Invoice		Date	Description	Amount
	041122EXP		04/11/2022	2ND BOOT REIMBURSEMENT 04/11/2022	192.94
Check	04/14/2022	5428 Accounts Payable	BATTERY SYSTEMS		373.96
	Invoice		Date	Description	Amount
	7483112		03/22/2022	BATTERIES	373.96
Check	04/14/2022	5429 Accounts Payable	BAY AREA BARRICADE SERVICE INC		877.14
	Invoice		Date	Description	Amount
	0028838		02/10/2022	NO DUMPING SIGN	877.14
Check	04/14/2022	5430 Accounts Payable	BAY ISLAND OFFICIALS ASSOCIATION		1,312.00
	Invoice		Date	Description	Amount
	MARCH312022		03/31/2022	SPORT OFFICIATING	1,312.00
Check	04/14/2022	5431 Accounts Payable	PETER BEIREIS		173.22
	Invoice		Date	Description	Amount

	0211-033122EXP	04/06/2022	MILEAGE REIMBURSEMENT FOR 2/11 - 3/22/22	173.22
Check	04/14/2022	5432 Accounts Payable	CEL CONSULTING, INC.	9,184.89
	Invoice	Date	Description	Amount
	194224	01/31/2022	MATERIALS TESTING & INSPECTION, PROJECT 1250	4,847.64
	195527	03/17/2022	MATERIALS TESTING & INSPECTION, PROJECT 1250	4,337.25
Check	04/14/2022	5433 Accounts Payable	CHRISP COMPANY	14,250.00
	Invoice	Date	Description	Amount
	19445	12/31/2021	2020 CW THERMOPLASTIC STRIPING, PROJECT 1242 (12/15/21-12/31/21)	14,250.00
Check	04/14/2022	5434 Accounts Payable	CITY OF HAYWARD	582.00
	Invoice	Date	Description	Amount
	349241	03/25/2022	RIFLE COURSE; 02/24-02/25/22; OFCRS ADAMI, SANCHEZ, PIQUETTE	582.00
Check	04/14/2022	5435 Accounts Payable	COMCAST	26.70
	Invoice	Date	Description	Amount
	0328-042722YARD	03/23/2022	CABLE SERVICE 03/28/2022-04/27/2022 YARD	26.70
Check	04/14/2022	5436 Accounts Payable	COUNTY OF ALAMEDA	2,902.00
	Invoice	Date	Description	Amount
	2021/2022	03/16/2022	CITY CONTRIBUTIONS FOR HMIS MATCH FY 21/22	2,902.00
Check	04/14/2022	5437 Accounts Payable	ALAMEDA COUNTY ASSESSOR'S OFFICE	72.00
	Invoice	Date	Description	Amount
	1628	03/25/2022	ASSESSOR MAP UPDATES	72.00
Check	04/14/2022	5438 Accounts Payable	DAILY JOURNAL CORPORATION	190.00
	Invoice	Date	Description	Amount
	B3570795	04/05/2022	LEGAL ADVERTISING	190.00
Check	04/14/2022	5439 Accounts Payable	DALE HARDWARE	778.12
	Invoice	Date	Description	Amount
	MAR' 22	03/25/2022	DALE PARTS AND SUPPLIES 03/25/2022	778.12
Check	04/14/2022	5440 Accounts Payable	DELTA DENTAL INSURANCE COMPANY	100.86
	Invoice	Date	Description	Amount
	BE004882847	04/01/2022	ACCT 05-7201200064 - APRIL PREMIUMS	100.86
Check	04/14/2022	5441 Accounts Payable	EAST BAY LAWN MOWER	470.90
	Invoice	Date	Description	Amount
	37073	03/25/2022	PARKS SUPPLIES	226.64
	37041	03/25/2022	PARK SUPPLIES	244.26
Check	04/14/2022	5442 Accounts Payable	EWING IRRIGATION PRODUCTS INC.	4,756.01
	Invoice	Date	Description	Amount
	16268811	03/15/2022	IRRIGATION SUPPLIES	140.11
	16268757	03/15/2022	IRRIGATION SUPPLIES	4,462.86
	16288270	03/17/2022	IRRIGATION SUPPLIES	153.04
Check	04/14/2022	5443 Accounts Payable	FASTENAL COMPANY	718.77
	Invoice	Date	Description	Amount

	CAS1129867	03/17/2022	STREETS SAFETY SUPPLIES	718.77
Check	04/14/2022	5444 Accounts Payable	FEDEX	29.95
	Invoice	Date	Description	Amount
	7-703-14786	03/25/2022	FEDEX EXPRESS SERVICES	29.95
Check	04/14/2022	5445 Accounts Payable	FIDELITY SECURITY LIFE INSURANCE/EYEMED	2,135.39
	Invoice	Date	Description	Amount
	165200027	03/21/2022	GROUP ID 9701236 - APR 2022 PREMIUMS	98.65
	165209844	03/21/2022	GROUP ID 9701236 - APR 2022 PREMIUMS	2,036.74
Check	04/14/2022	5446 Accounts Payable	GACHINA LANDSCAPE MANAGEMENT, INC.	16,532.00
	Invoice	Date	Description	Amount
	E 197467	03/01/2022	MAINTENANCE CONTRACT MARCH 2022	16,532.00
Check	04/14/2022	5447 Accounts Payable	BRANDON GORDON	350.00
	Invoice	Date	Description	Amount
	040822EXP	04/08/2022	BOOT REIMBURSEMENT 04/08/22	350.00
Check	04/14/2022	5448 Accounts Payable	GRAINGER	57.60
	Invoice	Date	Description	Amount
	9239730683	03/09/2022	SILLIMAN POOL PARTS AND MAINT	57.60
Check	04/14/2022	5449 Accounts Payable	HILLYARD / SAN FRANCISCO	2,958.62
	Invoice	Date	Description	Amount
	604673028	03/16/2022	JANITORIAL SUPPLIES	2,958.62
Check	04/14/2022	5450 Accounts Payable	HOME DEPOT CREDIT SERVICES	1,338.33
	Invoice	Date	Description	Amount
	MAR' 22	03/13/2022	HD CC 03/13/2022	1,338.33
Check	04/14/2022	5451 Accounts Payable	NICHOLAS ICASIANO	350.00
	Invoice	Date	Description	Amount
	041022EXP	04/10/2022	BOOT REIMBURSEMENT 04/10/22	350.00
Check	04/14/2022	5452 Accounts Payable	NAPA AUTO PARTS	1,335.90
	Invoice	Date	Description	Amount
	MAR' 22	03/31/2022	NAPA - FLEET PARTS AND SUPPLIES	1,335.90
Check	04/14/2022	5453 Accounts Payable	KNORR SYSTEMS INC	2,418.78
	Invoice	Date	Description	Amount
	SI237568	03/23/2022	PULSAR BRIQUETTES	2,418.78
Check	04/14/2022	5454 Accounts Payable	BRIAN LEWIS	83.01
	Invoice	Date	Description	Amount
	032422EXP	03/24/2022	BOOT REIMBURSEMENT 03/24/2022	83.01
Check	04/14/2022	5455 Accounts Payable	LINCOLN AQUATICS	828.48
	Invoice	Date	Description	Amount
	29010247	03/10/2022	PHOTOMETER KIT, REAGENTS, CALCIUM HARDNESS	828.48
Check	04/14/2022	5456 Accounts Payable	MEYERS NAVE, A PROFESSIONAL	2,491.40

CORPORATION

	Invoice	Date	Description	Amount
	191235	03/17/2022	LEGAL SVCS - FMC WILLOW (SVCS THRU 2/28/22)	2,491.40
Check	04/14/2022	5457 Accounts Payable	AVENU	10,000.00
	Invoice	Date	Description	Amount
	INV06-013859	03/24/2022	UUT AUDIT & ANALYSIS - FIXED FEE JAN-MAR'22	10,000.00
Check	04/14/2022	5458 Accounts Payable	NAVIA BENEFIT SOLUTIONS CLIENT PAY	105.70
	Invoice	Date	Description	Amount
	10448696	03/30/2022	FY 21/22 COBRA ADMINISTRATION FEES 03/01/22-03/31/22	105.70
Check	04/14/2022	5459 Accounts Payable	NEWARK UNIFIED SCHOOL DISTRICT	3,915.06
	Invoice	Date	Description	Amount
	INV22-00069	03/16/2022	MACGREGOR PARK WATER 01/05/22-03/02/22	3,915.06
Check	04/14/2022	5460 Accounts Payable	OCCUPATIONAL HEALTH CENTERS OF CALIFORNIA	122.00
	Invoice	Date	Description	Amount
	74921560	04/01/2022	PRE-EMPLOYMENT/ DOT PHYSICALS -04/01/2022	122.00
Check	04/14/2022	5461 Accounts Payable	PACIFIC GAS & ELECTRIC	24,100.21
	Invoice	Date	Description	Amount
	7786-032222	03/22/2022	ELECTRICITY CHARGES FOR STREET/TRAFFIC LIGHTS (2/15/22-3/15/22)	21,813.60
	2305-040122	04/01/2022	ELECTRICITY CHARGES FOR STREET/TRAFFIC LIGHTS (2/25/22-3/27/22)	103.25
	9045-040522	04/05/2022	ELECTRICITY CHARGES FOR STREET/TRAFFIC LIGHTS (2/25/22-3/25/22)	162.18
	1859-040522	04/05/2022	ELECTRICITY CHARGES FOR STREET/TRAFFIC LIGHTS (3/1/22-3/29/22)	1,863.11
	0552-040422	04/04/2022	ELECTRICITY CHARGES FOR STREET/TRAFFIC LIGHTS (2/26/22-3/28/22)	67.50
	3926-040522	04/05/2022	ELECTRICITY CHARGES FOR STREET/TRAFFIC LIGHTS (3/1/22-3/29/22)	90.57
Check	04/14/2022	5462 Accounts Payable	PHOENIX GROUP INFORMATION SYSTEMS	309.05
	Invoice	Date	Description	Amount
	112021101	12/16/2021	PARKING CITATION PROGRAM NOV 2021	309.05
Check	04/14/2022	5463 Accounts Payable	PLAN JPA	9,981.53
	Invoice	Date	Description	Amount
	PLAN-2021-875	03/24/2022	GENERAL LIABILITY CLAIMS -FEBRUARY 2022	9,981.53
Check	04/14/2022	5464 Accounts Payable	ROBERT HALF	21,471.00
	Invoice	Date	Description	Amount
	59576683	03/14/2022	TEMPORARY STAFFING KHADAR ALIKHAN - 03/04	1,925.00
	59618543	03/17/2022	TEMPORARY STAFFING KHADAR ALIKHAN - 03/11	4,840.00
	59642691	03/22/2022	TEMPORARY STAFFING KHADAR ALIKHAN - 03/18	3,960.00
	59642708	03/22/2022	TEMPORARY STAFFING GARY CAIN - 03/18	756.00
	59708583	03/31/2022	TEMPORARY STAFFING KHADAR ALIKHAN - 03/25	4,950.00
	59686775	03/29/2022	TEMPORARY STAFFING GARY CAIN - 03/25	2,520.00
	59734704	04/05/2022	TEMPORARY STAFFING GARY CAIN - 04/01	2,520.00
Check	04/14/2022	5465 Accounts Payable	RAYMUNDO RUIZ	265.79
	Invoice	Date	Description	Amount
	040922EXP	04/09/2022	BOOT REIMBURSEMENT 04/09/2022	265.79

Check	04/14/2022	5466 Accounts Payable	DOUBLETREE BY HILTON NEWARK-FREMONT	5,700.45
	Invoice	Date	Description	Amount
	469921A	03/31/2022	2022 EMPLOYEE SERVICE AWARDS LUNCHEON, VENUE RENTAL AND CATERING	5,700.45
Check	04/14/2022	5467 Accounts Payable	SFPUC	6,048.01
	Invoice	Date	Description	Amount
	50443	03/24/2022	RENT WATER AC# 2866 04/22	2,665.18
	50415	03/24/2022	RENT WATER AC# 3642 04/22	886.83
	50634	03/24/2022	RENT WATER AC# 4347 04/22	2,496.00
Check	04/14/2022	5468 Accounts Payable	SIMON & COMPANY INC	1,720.00
	Invoice	Date	Description	Amount
	03-2022	03/29/2022	PROFESSIONAL FEDERAL AFFAIRS ASSISTANCE 03/22	1,720.00
Check	04/14/2022	5469 Accounts Payable	SLOAN SAKAI YEUNG & WONG LLP	2,475.00
	Invoice	Date	Description	Amount
	48322	01/31/2022	LABOR ADVISE FEES MATTER #2517/009	1,687.50
	48574	02/28/2022	LABOR ADVISE FEES MATTER #2517/009	787.50
Check	04/14/2022	5470 Accounts Payable	CENTERVILLE LOCKSMITH	10.80
	Invoice	Date	Description	Amount
	326933	03/31/2022	KEY REPLACEMENT	10.80
Check	04/14/2022	5471 Accounts Payable	STANTEC CONSULTING SERVICES INC	8,019.04
	Invoice	Date	Description	Amount
	1908169	04/06/2022	EIR CONSULTING FOR MOWRY VILLAGE PROJECT PERIOD ENDING 03/25/22	8,019.04
Check	04/14/2022	5472 Accounts Payable	STAPLES	721.67
	Invoice	Date	Description	Amount
	8065570551	04/13/2022	OFFICE SUPPLIES	721.67
Check	04/14/2022	5473 Accounts Payable	STATE OF CALIFORNIA	1,259.61
	Invoice	Date	Description	Amount
	2022-00000226	04/06/2022	GARNISH - WAGE GARNISHMENT (CASE#624448511)	1,259.61
Check	04/14/2022	5474 Accounts Payable	LEHR	21,465.89
	Invoice	Date	Description	Amount
	S172051	03/23/2022	OUTFITTING 2021-11	21,465.89
Check	04/14/2022	5475 Accounts Payable	T-MOBILE	138.96
	Invoice	Date	Description	Amount
	966241989-032122	03/21/2022	IPHONE SVC 02/21-03/20/22	138.96
Check	04/14/2022	5476 Accounts Payable	THE ED JONES CO INC	92.53
	Invoice	Date	Description	Amount
	49777	11/22/2021	BADGES & INSIGNIA - STERLING RIBBON FOR 514 BADGE; WARREN	92.53
Check	04/14/2022	5477 Accounts Payable	TURF STAR, INC.	426.00
	Invoice	Date	Description	Amount
	359843-00	03/22/2022	MOWER PARTS	426.00

Check	04/14/2022	5478 Accounts Payable	UNIVERSAL BUILDING SERVICES & SUPPLY	84,584.12
	Invoice	Date	Description	Amount
	2021-1201	12/27/2021	JANITORIAL - ADDITIONAL SERVICES DEC 2020	41,966.12
	2022-0201	02/28/2022	JANITORIAL SERVICES FEB 2022	42,618.00
Check	04/14/2022	5479 Accounts Payable	U.S. BANK CORPORATE PAYMENT SYSTEMS	20,489.87
	Invoice	Date	Description	Amount
	032222STMT	03/22/2022	CC PAYMENT 03/22/22	20,489.87
Check	04/14/2022	5480 Accounts Payable	VERIZON WIRELESS	6,385.28
	Invoice	Date	Description	Amount
	9902105778	03/18/2022	IPHONE SVC 02/19-03/18/22	6,385.28
Check	04/14/2022	5481 Accounts Payable	VERIZON BUSINESS SERVICES	579.69
	Invoice	Date	Description	Amount
	72145758	03/20/2022	CELL SVC FOR MDC'S FEB 2022	579.69
Check	04/14/2022	5482 Accounts Payable	BEN FRANKLIN PLUMBING	1,000.00
	Invoice	Date	Description	Amount
	2021-2996	04/05/2022	ENCP2021-0010 RFND	1,000.00
Check	04/14/2022	5483 Accounts Payable	SPECTRUM SMALL BUSINESS SERVICES, LLC	2,818.75
	Invoice	Date	Description	Amount
	02282022-ARPA	02/28/2022	CONSULTING & REFERRALS TO BUSINESS SUPPORT AGENCIES-ARPA RELATED	68.75
	02282022-GENERAL	02/28/2022	CONSULTING AND REFERRALS TO BUSINESS SUPPORT AGENCIES-3RD AMEND	1,100.00
	03152022-GENERAL	03/15/2022	CONSULTING AND REFERRALS TO BUSINESS SUPPORT AGENCIES-3RD AMEND	618.75
	03312022-GENERAL	03/31/2022	CONSULTING AND REFERRALS TO BUSINESS SUPPORT AGENCIES-3RD AMEND	1,031.25
AP ZBA ACCOUNTS PAYABLE Totals:			Transactions: 62	\$309,164.42
Checks:	62	\$309,164.42		



STAFF REPORT

Item D. 2.

DATE 04/28/2022
TO Honorable Mayor and City Council Members
FROM Sheila Harrington, City Clerk
SUBJECT Approval of April 14, 2022, special and regular meeting minutes

Attachments

Special Meeting Minutes
Regular Meeting Minutes



CITY OF NEWARK

CITY COUNCIL

City Administration Building, City Council Chambers

37101 Newark Boulevard, Newark, CA 94560 | (510) 578-4266 | E-mail: city.clerk@newark.org

MINUTES

Special Meeting

Thursday, April 14, 2022

A. ROLL CALL

Mayor Nagy called the meeting to order at 6:30 p.m. Present were Council Members Bucci, Collazo, Freitas, and Vice Mayor Hannon.

B. CITY MANAGER REPORTS

1. Appointment of Kristopher J. Kokotaylo as City Attorney effective April 14, 2022 and authorization for Mayor Nagy to execute an amendment to the agreement for legal services with Meyers, Nave, Riback, Silver & Wilson
Resolution No. 11330

City Manager Benoun gave the staff report recommending the appointment of Kristopher J. Kokotaylo as City Attorney.

The City Council thanked Mr. Kokotaylo and complimented his service.

Council Member Bucci moved, Council Member Collazo seconded to adopt a resolution appointing Kristopher J. Kokotaylo as City Attorney effective April 14, 2022, and authorizing Mayor Nagy to execute an amendment to the agreement for legal services Meyers, Nave, Riback, Silver and Wilson. The motion passed, 5 AYES.

2. Oath of Office for City Attorney Kristopher J. Kokotaylo

Mayor Nagy introduced City Attorney Kristopher J. Kokotaylo and administered the Oath of Office.

City Attorney Kokotaylo thanked the City Council, City Manager, and City Staff

Mayor Nagy presented the Employee of the Year certificate to City Clerk Harrington.

C. ADJOURNMENT

Mayor Nagy adjourned the meeting at 6:48 p.m.



CITY OF NEWARK CITY COUNCIL

City Administration Building, City Council Chambers

37101 Newark Boulevard, Newark, CA 94560 | (510) 578-4266 | E-mail: city.clerk@newark.org



MINUTES

Thursday, April 14, 2022

A. ROLL CALL

Mayor Nagy called the meeting to order at 7:25 p.m. Present were Council Members Collazo, Bucci, Freitas, and Vice Mayor Hannon.

B. PRESENTATIONS

1. Proclaiming April 24th to April 30th as National Crime Victims' Rights Week

Mayor Nagy presented the proclamation to Jenifer Mello, South County Victim Advocate Supervisor for the Alameda County District Attorney's office.

2. Introduction of employees

Mayor Nagy introduced Police Officers Adami and Sanchez.

C. PUBLIC COMMENT

No one requested to speak.

D. CONSENT CALENDAR

Council Member Bucci moved, Vice Mayor Hannon seconded, to approve Consent Calendar items D.1 through D.6, that the resolutions be numbered consecutively, and that reading of the titles suffice for adoption. The motion passed, 5 AYES.

1. Approval of Audited Demands

2. Approval of March 24, 2022, special and regular meeting minutes

3. 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 April 14 pursuant to AB 361
Resolution No. 11331
4. Adopt a resolution establishing the number of residents in the City of Newark for the purpose of determining the voluntary expenditure ceiling for the November 8, 2022, Municipal Election
Resolution No. 11332
5. Adopt a resolution initiating the 2022 Weed Abatement Program and setting May 26, 2022 for a public hearing
Resolution No. 11333
6. Adopt a resolution authorizing the City Manager to execute a Contractual Services Agreement with Baird + Driskell Community Planning and authorizing amendment of the 2020- 2022 Biennial Budget for Fiscal Year 2022 to provide funding for General Plan Updates related to the services associated with the 2023-2031 Housing Element
Resolution No. 11334
Contract No. 22011

E. PUBLIC HEARINGS

F. OTHER BUSINESS

1. Resolution to Initiate Proceedings for the Levy and Collection of Assessments for Landscaping and Lighting District Nos. 1, 2, 4, 6, 7, 10, 11, 13, 15, 16, 17, 18, and 19 for fiscal year 2022-2023
Resolution No. 11335

Council Member Collazo announced that she would recuse due to property ownership in Landscaping and Lighting District Nos. 10 and 11.

City Manager Benoun announced that he would recuse due to property ownership 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.

No one requested to speak.

Council Member Freitas moved, Vice Mayor Hannon seconded, to adopt a resolution to initiate proceedings for the levy and collection of assessments for Landscaping and Lighting District Nos. 1, 2, 4, 6, 7, 10, 11, 13, 15, 16, 17, 18, and 19. The motion passed, 4 AYES, 1 RECUSED (Collazo).

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

G. CITY COUNCIL MATTERS

Mayor Nagy commended the Parks and Recreation Department for another successful Family Day at the Park. He wished everyone a Happy Easter

Council Member Bucci thanked the Optimist and Rotary Club volunteers for their Family Day at the Park help. He congratulated newly hired Police Officers Adami and Sanchez. He congratulated Records Supervisor Beck and City Clerk Harrington on being named Employees of the Year.

Council Member Freitas wished everyone a Happy Easter.

Vice Mayor Hannon agreed that Family Day at the Park was a great event. He announced that the Tri City Volunteers would hold a food distribution event at the Newark Community Center on the first and third Friday of each month. He wished everyone a Happy Easter.

Council Member Collazo announced that library cards could be used to make reservations at state parks. Happy Easter, Shop Newark.

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.

No one request to speak.

At 7:47 p.m. the City Council recessed to closed session.

At 7:55 p.m. the City Council convened in closed session.

At 8:25 p.m. the City Council reconvened in open session with all Council Members present.

I. ADJOURNMENT

Mayor Nagy adjourned the meeting at 8:25 p.m.



STAFF REPORT

Item D. 3.

DATE 04/28/2022
TO Honorable Mayor and City Council Members
FROM Roya Gonzalez, Administrative Analyst
SUBJECT Adopt a Resolution to support locating a trauma center at Washington Hospital Healthcare that will provide advanced life-saving medical care and ambulance transport within an acceptable trauma response time and encourages the Alameda County Board of Supervisors to approve a trauma center at Washington Hospital in Southern Alameda County.

RECOMMENDATION

Staff recommends that the City Council approve a resolution to support locating a trauma center at Washington Hospital that will provide advanced life-saving medical care and ambulance transport within an acceptable trauma response time and encourages the Alameda County Board of Supervisors to approve a trauma center at Washington Hospital in Southern Alameda County.

EXECUTIVE SUMMARY

The Alameda County Trauma System Plan was established by Alameda County Board of Supervisors and approved by the State of California to assure optimum preparation and care for individuals injured in Alameda County. The network was established in 1987 and has remained the same despite the County's population growth. The Alameda County Public Health Department has recognized this change and contracted with a third party to study the needs of the County.

The residents in Southern Alameda County experience the longest ambulance transport time in all of Alameda County.

Washington Hospital Health Care System (WHHS), founded in 1948 and in operation since 1958, is a District owned hospital governed by a locally elected Board of Directors. The District includes Fremont, Union City, Newark, Sunol and South Hayward. WHHS has applied to Alameda County to be a designated trauma center.

Staff recommends that the City Council approve a resolution to support locating a trauma center at Washington Hospital that will provide advanced life-saving medical care and ambulance transport within an acceptable trauma response time and encourages the Alameda County Board of Supervisors to approve a trauma center at Washington Hospital in Southern Alameda County.

BACKGROUND

The current Alameda County trauma network has not changed since it was established in 1987. It currently has three trauma centers: Highland Hospital in Oakland, UCSF Benioff Children's Hospital in Oakland, and Eden Medical Center in Castro Valley. The network has remained unchanged since adoption despite the dramatic population growth in the region. The population in Southern Alameda County alone has grown from roughly 230,000 residents when the trauma network was established to nearly 350,000 residents and is expected to grow by another 15 percent to 403,000 by 2040.

Traffic has increased over the years, which has led to increased transport times to existing trauma centers. Indeed, ambulance transport can often take 45 minutes to over an hour, far beyond what is acceptable for trauma response. In addition, roughly 180 patients annually are transported to Santa Clara County and other neighboring counties for trauma related care.

Washington Hospital Healthcare System (WHHS) has applied to Alameda County to be a designated Trauma Center able to initiate definitive care for all injured patients, with 24-hour immediate coverage by general surgeons, and coverage by orthopedic surgery, neurosurgery, emergency surgery and critical care.

DISCUSSION/ANALYSIS

In 2018-2019, WHHS hired a third-party to assess whether there was a need for a trauma center. The firm projected sufficient volume and a growing need in Southern Alameda County.

In 2021, Alameda County Public Health retained Bishop & Associates to conduct a feasibility and demand study of the trauma network in Alameda County. The study engaged the existing trauma centers, Stanford Healthcare-Valley Care and Washington Hospital Healthcare System. It is anticipated that their final report will be submitted to the East Bay Hospital Council and Alameda County Health Committee in April/May 2022, who will in turn make a recommendation to the Alameda County Board of Supervisors to consider making changes to the Alameda County trauma network.

WHHS has applied to Alameda County to be designated as a trauma center. WHHS is equipped with the 224,00-square foot Morris Hyman Critical Care Pavilion that opened in 2018. The facility contains a state-of-the-art emergency department with 39 bedrooms and two trauma rooms. The facility also houses a 48-critical care unit and 69 medical-surgical rooms.

WHHS has been affiliated with the University of California, San Francisco since 2013. This strategic partnership gives WHHS access to UCSF Health's specialty services and trained surgeons and provides local access to advanced life-saving care.

During its 64-year history, WHHS has maintained a reputation for providing patients the highest-quality clinical care. Expansions and development have always reflected the needs and priorities of the community. WHHS has an award-winning neurosurgical program that has been operational for decades. In addition, the stroke program has won several awards. The clinical services needed to support trauma care are already in

place at WHHS.

Not only does WHHS have the infrastructure and services necessary to be a designated trauma center, but it has also has a history of being fiscally responsible and stable and keeping the health care needs at the forefront of all actions. Designating the Washington Hospital as a trauma center will provide trauma patients in Southern Alameda County access to quicker life-saving medical care within an acceptable trauma response time.

For the aforementioned reasons, staff recommends adopting the attached resolution.

FISCAL IMPACT

There is no fiscal impact to the City associated with this item. It is staff's understanding that the operational cost of the trauma center at WHHS would be predominantly funded by WHHS. The financial model provided to Bishop & Associates assumed WHHS would receive \$400,000 annually from the County, but no commitment has been made.

REVIEW AND APPROVAL

Prepared by – Roya Gonzalez, Administrative Analyst

Reviewed by – Kristopher J. Kokotaylo, City Attorney

Approved by – David J. Benoun, City Manager

Attachments

WHHS Resolution

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWARK IN SUPPORT OF LOCATING A TRAUMA CENTER AT WASHINGTON HOSPITAL HEALTHCARE THAT WILL PROVIDE ADVANCED LIFE-SAVING MEDICAL CARE AND AMBULANCE SUPPORT WITHIN AN ACCEPTABLE TRAUMA RESPONSE TIME AND ENCOURAGES THE ALAMEDA COUNTY BOARD OF SUPERVISORS TO APPROVE A TRAUMA CENTER AT WASHINGTON HOSPITAL IN SOUTHERN ALAMEDA COUNTY

WHEREAS, the Alameda County Trauma System Plan was established by the Alameda County Board of Supervisors in 1987 and has remained the same since adoption; and

WHEREAS, the Trauma Network includes three designated trauma centers: Highland Hospital in Oakland, UCSF Benioff Children's Hospital in Oakland and Eden Medical Center in Castro Valley; and

WHEREAS, ambulance transport to Eden Medical Center for trauma services from Southern Alameda County can often take 45 minutes to over an hour, far beyond what is acceptable for trauma response; and

WHEREAS, the population in Southern Alameda County alone has grown from roughly 230,000 residents when the trauma network was established to nearly 350,000 residents and is expected to grow by another 15 percent to 403,000 by 2040; and

WHEREAS, the Alameda County Department of Public Health retained Bishop & Associates to assess the demand for and feasibility of additional trauma centers in Alameda County; and

WHEREAS, Bishop & Associates is anticipated to release the final report in April/May 2022 and make a recommendation to consider action on changing the Alameda County trauma network; and

WHEREAS, Washington Hospital Healthcare (WHHS) has applied to Alameda County to be a designated trauma center; and

WHEREAS, WHHS is equipped with the 224,000 square foot Morris Hyman Critical Care Pavilion that contains a state-of-the art emergency department; and

WHEREAS, WHHS already has the clinical services in place needed to support trauma care; and

WHEREAS, designating Washington Hospital as a trauma center will provide trauma patients in Southern Alameda County access to quicker life-saving medical care within an acceptable trauma response time.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Newark supports locating a trauma center at Washington Hospital Healthcare that will provide advanced life-saving medical care and ambulance support within an acceptable trauma response time and encourages the Alameda County Board of Supervisors to approve a trauma center at Washington Hospital in Southern Alameda County



STAFF REPORT

Item D. 4.

DATE 04/28/2022
TO Honorable Mayor and City Council Members
FROM Anne Stedler, Economic Development Manager
SUBJECT Adopt a Resolution Approving the First Amendment to the Contractual Services Agreement with Greensfelder Commercial Real Estate LLC to Increase the Not-to-Exceed Amount by \$40,000 and Authorizing a Budget Amendment to the Biennial Budget 2020-2022 for Fiscal Year 2022 to Provide Funding for Retail Property Research

RECOMMENDATION

Staff recommends that the City Council adopt a Resolution approving the First Amendment to the Contractual Services Agreement with Greensfelder Commercial Real Estate LLC to increase the not-to-exceed amount by \$40,000 and authorizing a budget amendment to the Biennial Budget 2020-2022 for fiscal year 2022 to provide funding for property retail research.

EXECUTIVE SUMMARY

Adopting the recommended resolution amends a Contractual Services Agreement (CSA) with Greensfelder Commercial Real Estate LLC (the "Consultant") to provide retail consulting services, and authorizes a budget adjustment of \$40,000 to the 2020-2022 Biennial budget for FY 2021-22.

The amended CSA includes the Consultant's scope of work to provide retail expertise to facilitate tenanting of large, vacant retail spaces at the intersection of Newark Boulevard and Jarvis Avenue. It also provides research and expertise to identify possible improvements to retail centers city-wide.

BACKGROUND

Vacancies at two large retail buildings at the intersection of Newark Boulevard and Jarvis Avenue has been a long-standing concern of the City. This concern is understandable because vacancies are detrimental in several ways. Vacancies neither serve the community with goods and services nor attract customers that benefit neighboring retailers. Vacancies do not generate retail sales tax or compensate property owners, and they are comparatively costly and difficult to maintain.

These realities underscore how important and mutually beneficial it is for both property owners and cities to maintain successful, thriving retail centers. Centers are also important amenities that contribute to a sense of community and well-being. Furthermore, well-tenanted, physically updated retail properties support other thriving

retail tenants.

The causes related to long-standing vacancies can be complex. Public records research of land use restrictions that relate to shopping center management generally can provide insight into the complexities. Public records for most retail center properties are available from title companies for a fee. These are typically written and recorded when retail centers are developed. They specify what a property owner can do within a center, including types of changes and improvements to the property and types of tenants allowed, and how many property owners at a center can deny proposals for these kinds of changes. Therefore, contractual constraints listed in public records can make it challenging for property owners to market and lease vacant buildings and even to make the site attractive to tenants in changing market conditions. It is appropriate due diligence to understand these limitations, and will equip staff to work effectively with property owners as they seek to maintain and tenant their properties.

As part of a CSA with the Consultant approved by the city manager in Spring 2021, the Consultant conducted public records research for four Newark and Jarvis shopping centers. This work was completed in February 2022. The research reveals what limits and opportunities exist for change at these centers. This enables staff to estimate the public and private sector work involved for securing new tenants or proposed changes to the shopping center. This knowledge is useful, especially in the current market where retail is undergoing significant contraction and change, potentially further complicated by the pandemic.

DISCUSSION/ANALYSIS

Staff recommends continuing the public records research of selected commercial properties to understand opportunities to strengthen retail centers city-wide. The purpose of this work is to identify realistic economic development efforts as well as planning requirements to encourage tenanting at retail centers. While large (about 30,000 square feet or more) vacancies exist only in two locations at this time, plans for tenanting those vacancies are ideally considered on a city-wide basis because the retail market is sensitive to changes in an entire trade area. A change in one center could encourage a desirable change at another center.

The proposed research listed in the first two items below includes research on both private property contracts and city regulations and is expected to be completed by May 30, 2022, making the comprehensive effort comparatively quick. Findings from this research will prepare staff to contact retail property owners and confirm their future interests and plans.

The proposed work includes:

1. Complete research of the recorded private sector contracts available through title company records. Identify any opportunities or constraints that are important to the future of the centers.
2. Where an opportunity is identified in Item 1, above, determine the city requirements, estimated time and cost of approvals, as needed.

3. If warranted, contact property owners and learn their level of interest and sense of urgency, especially since some centers have multiple property owners who are required to approve proposed tenants or changes.
4. Finally, and separately, be prepared to identify any additional market research needed to augment the market study prepared by Hurst Harrigan Associates in 2020 based on pre-pandemic conditions.

The work described in Items 1. through 3. will allow the city to identify properties where change is most feasible and focus staff resources in cooperation with work by the respective owner(s). Therefore, staff recommends the above public records research at staff's direction for other retail centers throughout Newark, including properties outside the NewPark Mall Road (the 'ring' road) because they are subject to retail development pressure due to the redevelopment at NewPark Mall and the direction of the NewPark Specific Plan, properties where large centers (with anchor stores over approximately 30,000 square feet) that are either owned by multiple parties, and/or have restrictions in tenant leases (restrictions are often public records), and /or are being considered for possible physical or tenant changes by the property owner(s).

FISCAL IMPACT

The CSA proposed for amendment was originally dated March 25, 2021, with a not-to-exceed amount of \$35,000 for retail consulting services. The proposed First Amendment would increase the not-to-exceed amount by \$40,000 for a total compensation of \$75,000. The current 21-22 Economic Development Division Budget lacks the funds for the amendment and a Budget Amendment to the 2020-2022 Biennial Budget for the current year, 2021-22 is requested. This action would result in expenditure of general fund money as follows:

Increase General Fund Professional Services (110.50.051.510.6220) by \$40,000
Decrease Fund Balance (110.3000) by \$40,000

The purpose of the retail analysis is to secure productive tenants in major vacancies and improve retail city wide, with the expectation of potential retail sales tax. The amount of tax gained will not be known until later in the process of encouraging tenancy.

REVIEW AND APPROVAL

Prepared by – Anne Stedler, Economic Development Manager
Reviewed by – Steven Turner, Community Development Director
Reviewed by – Kristopher J. Kokotaylo, City Attorney
Approved by – David J. Benoun, City Manager

Attachments

Greensfelder Resolution
Amendment

RESOLUTION NO

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWARK
APPROVING THE FIRST AMENDMENT TO THE CONSULTING
SERVICES AGREEMENT WITH GREENSFELDER COMMERCIAL
REAL ESTATE LLC AND AUTHORIZING A BUDGET
AMENDMENT TO THE 2020-2022 BIENNIAL BUDGET 2020 FOR
FISCAL YEAR 2022

WHEREAS, consultant expertise is sometimes needed to carry out goals, policies and actions stated in the approved Economic Development Element (the “Element”) of the General Plan; and

WHEREAS, the Element supports wise use of commercial properties, and addressing impediments to achieve dynamic retail properties that serve the public, provide sales tax revenue; and

WHEREAS, existing multi-year retail vacancies undermine retail vitality and tax proceeds; and

WHEREAS, more vacancies could occur due to current retail market conditions and the effects of the COVID-19 pandemic; and

WHEREAS, both retail tenancing to fill such vacancies and related changes at retail properties such as renovations are subject to recorded public records available from title companies; and

WHEREAS, understanding the relevant provisions of recorded documents would enable the City to better plan, support and encourage wise use and re-tenancing by private sector property owners; and

WHEREAS, Greensfelder Commercial Real Estate LLC has extensive experience analyzing such documents for both public and private clients; and

WHEREAS, Greensfelder Commercial Real Estate LLC and the City of Newark (together referred to as the “Parties”) executed a Contractual Services Agreement (the “Agreement”) to perform financial advising services to small businesses; and

WHEREAS, Section 27 of the Agreement allows the Parties to amend the Agreement provided that the amendment is in writing signed by the Parties; and

WHEREAS, the Parties desire to amend the Agreement effective March 10, 2022; and

WHEREAS, the Parties desire to amend the services specified in Exhibit A, the Scope of Service.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Newark does hereby:

- (1) Approve the First Amendment to the Consulting Services Agreement with Greensfelder Commercial Real Estate LLC to increase the existing not-to-exceed amount of \$35,000 by \$40,000 for a total not-to-exceed amount of \$75,000, and authorizes the City Manager to execute the First Amendment, attached hereto, as approved to form by the City Attorney.

(2) Approve an amendment to the 2020-2022 Biennial Budget and Capital Improvement Plan for fiscal year 2022 as follows:

- Increase General Fund Professional Services (110.50.051.510.6220) by \$40,000
- Decrease Fund Balance (110.3000) by \$40,000

FIRST AMENDMENT TO THE
CONTRACTUAL SERVICES AGREEMENT
BETWEEN THE CITY OF NEWARK AND
GREENSFELDER COMMERCIAL REAL ESTATE, LLC

This First Amendment to Contractual Services Agreement between the City of Newark, a municipal corporation, ("City") and GREENSFELDER COMMERCIAL REAL ESTATE LLC, a Limited Liability Company ("Consultant), (together sometimes referred to as "Parties") dated April 29, 2021, is entered into as of April 29, 2022.

RECITALS

WHEREAS, the Parties executed a Contractual Services Agreement (the "Agreement") to perform financial advising services to small businesses generally including: surveying, assessing, advising and referring small businesses during the COVID-19 pandemic for the purpose of increasing business survival rates and maintaining employment levels to the extent possible, including expanding the network of resources available to such small businesses, and creating strategic partnerships to additional resources not otherwise known and available to them; and

WHEREAS, Section 27 of the Agreement allows the Parties to amend the Agreement provided that the amendment is in writing signed by the Parties; and

WHEREAS, the Parties desire to amend the Agreement effective March 10, 2022; and

WHEREAS, the Parties desire to amend the services specified in Exhibit A, the Scope of Service; and

WHEREAS, the Agreement, provides a not to exceed compensation of Thirty-five Thousand Dollars (\$35,000.00); and

WHEREAS, the not to exceed amount proposed in this amendment is an additional Forty Thousand Dollars (\$40,000.00) for a total not to exceed amount of Seventy-Five Thousand Dollars (\$75,000); and

WHEREAS, City staff is authorized to execute this Amendment in a form approved by the City Attorney.

NOW, THEREFORE, the Parties hereby agree as follows:

1. Section 3.A. "Not to Exceed" Compensation, of the Agreement, is amended to increase the combined total of compensation and cost payable under the Agreement by Forty-Thousand Dollars (\$40,000.00) from Thirty-Five Thousand Dollars (\$35,000.00) to a total of Seventy-Five Thousand Dollars (\$75,000.00).

2. Exhibit A, the Scope of Services, is amended to add the Scope of Services for the First Amendment and is attached to this First Amendment.

3. With the exception of the foregoing, all other terms and conditions in the Agreement, as amended, remain in force and effect.

City of Newark

Greensfelder Commercial
Real Estate a California
Limited Liability Company

By _____
David J. Benoun
City Manager

By _____
David Greensfelder
Consultant

Dated: _____

Dated: _____

Attest:

Sheila Harrington
City Clerk

Dated: _____

Approved as to Form:

Kristopher J. Kokotaylo
Interim City Attorney

Exhibit A

Scope of Services for First Amendment

Title Report Research – Phase I

1. Review title reports and supporting documentation for properties surrounding NewPark Mall, and shopping centers specified by staff in one or more notices to proceed.
2. Prepare and present a summary of findings important to future uses and improvements to the property as done for the CVS Center in February 2022 for Community Development staff.
3. Maintain ongoing coordination with the Economic Development Manager.
4. Budget is up to 45 hours at existing rate of \$335/hour (as stated in Exhibit B) and is expected to require approximately 45 hours.
5. Complete research by end of May 22, or at a time acknowledged in writing by the parties.

Entitlement, Owner Contact and Priorities – Phase II

1. Work with staff to develop priorities and specific objectives for any/all of the retail properties reviewed in Phase I
2. Research and summarize planning and zoning and related regulatory or procedural issues relating to these objectives, with attention to nature of application, time and cost.
3. Initial stakeholder outreach – meet with City staff for regulatory perspective, and owners/tenants to understand their perceptions of the market and interest to pursue improvements, tenanting or other options.
4. Develop strategy(ies) on a property-specific basis as they are defined by research and stakeholder outreach.
5. Identify and define other priorities and strategies that might be identified over the course of executing 1-4, above.

Phase II is exploratory to define and establish options on a per property basis. There is no implementation envisioned in this Amendment.

Staff shall issue Notices to Proceed as defined in Exhibit A, Scope of Services, approved with the Consulting Services Agreement dated April 29, 2021.



STAFF REPORT

Item D. 5.

DATE 04/28/2022
TO Honorable Mayor and City Council Members
FROM Anne Stedler, Economic Development Manager
SUBJECT Adopt a Resolution Approving the First Amendment to the Contractual Services Agreement with Economic Impact Catalyst for economic development digital platform and consulting services and Authorize an Increase in the Not-to-Exceed Amount by an Additional \$80,000 for an Additional Three-Year Period and Authorizing an Amendment to the 2020-22 Biennial Budget for FY 2021-22 to Increase the General Fund Professional Services in the Amount of \$25,000

RECOMMENDATION

Staff recommends that the City Council adopt the resolution approving the First Amendment to the Contractual Services Agreement (CSA) with Economic Impact Catalyst (EIC) (the "Consultant") to authorize an increase in the not-to-exceed amount by an additional \$80,000 for up to an additional three-year period and authorizing an amendment increasing the general fund professional services in the 2020-22 Biennial Budget for FY 2021-22 in the amount of \$25,000.00.

EXECUTIVE SUMMARY

The City of Newark has a Consultant Services Agreement (CSA) with Economic Impact Catalyst (EIC), a consulting firm that provides a digital platform and related consulting services tailored for economic development organizations. The platform and service are provided on an annual subscription basis at a cost of \$25,000 per year.

Since January 2021, the city has tested the value of EIC's platform and consulting services. The results show significant efficiencies and benefits. For example, services to businesses are stronger due to the evolving Newark business database on the EIC platform, and the platform features staff uses to plan, target, deliver, and assess services.

Staff recommends amending the CSA to a multi-year agreement renewable each January from January 2022 and continuing through January 2023 and 2024. To fund the current year appropriation of \$25,000, staff recommends approving a budget amendment as specified in the accompanying resolution. A budget appropriation for the next two years would be addressed in the 2022-2024 Biennial Budget at a cost of \$27,500 per year, a ten percent increase per year.

BACKGROUND

The EIC subscription provides a digital platform and consulting services to significantly increase the efficiency and effectiveness of economic development organizations, whether in government, higher education or non-profit agencies. Benefits to both Economic Development (ED) Division staff and Spectrum Small Business Services (SSBS), the city's small and mid-size business consultants, are described in the following paragraphs.

The digital platform consolidates all relevant business data on each Newark business in one database. The platform automatically arrays the data to show (1) conditions for businesses overall, a macro analysis, and (2) conditions for an individual business and owner, a micro analysis.

The macro analysis for all businesses or a large group of businesses, is best illustrated by the Exceptional COVID-19 Grant Program (ECGP). Staff knew in early 2021 that the most threatened small businesses were those that had been closed six months or more by public health orders. SSBS consultant Michael Cohen used the business data consolidated on the EIC platform to:

- Accurately estimate the number of businesses in need
- Recommend a grant amount that would make a meaningful difference for businesses closed six months or more (a maximum of \$20,000)
- Plan the eligibility criteria to benefit businesses most in need

In contrast to the macro example (planning the ECGP), the micro analysis for an individual business owner is a comprehensive record critical for SSBS advising and building a 'trusted-connector' relationship to help a business analyze problems and opportunities. The micro analysis helps staff tailor services to individual needs where appropriate.

In addition to data management discussed in the preceding paragraphs, the EIC platform and services integrate features that help staff deliver services or projects. For example, the EIC digital platform:

1. Provides a survey feature integrated with the database. The survey functioned as the ECGP grant application, automatically scoring applications and presenting application responses at both macro and micro levels.
2. Documents the grant award methodology and payments for ARPA regulatory compliance.
3. Includes e-mail and event reservation functions that automate and tailor communication to businesses (such as invitations, RSVP's and attendance at webinars or training) and maintains that data at both macro and micro levels.
4. Individual business owner records are accessible confidentially by the owners themselves, enabling each owner to track his or her own evolving business conditions, and see that all the information they provide is captured in their confidential profile.

In addition, EIC staff performs data entry, including segments of business license records, Newark CARES and Alameda County CARES grant data, and all business surveys of those grant applicants. EIC's data entry is a major savings in cost and time. Secondly, EIC provides ongoing and responsive software improvements to maximize

Newark service capacity. Finally, since Newark is one client among EIC's large client group nationwide, Newark benefits by the platform upgrades and features EIC develops for other clients. In fact, the exchange of best practices and case studies among the EIC client group is proving to be a useful network for Newark staff and SSBS.

The facts above explain staff's recommendation to amend the existing CSA as a multi-year agreement.

DISCUSSION/ANALYSIS

Staff recommends renewing the CSA with EIC for a multi-year period extending to January 2025. The following City Council actions are recommended and enumerated in the accompanying resolution:

1. Approve amendment of the EIC CSA to a multi-year CSA
2. Approve expenditure of general fund monies for a \$25,000 (and increasing to \$27,500 starting 2023) annual subscription cost which exceeds the \$50,000 purchasing policy threshold for council approval when considered on a multi-year basis. This approval would fund subscriptions that begin each January of the following years: 2022, 2023, and 2024.
3. Authorize an amendment to the 2020-2022 Biennial Budget for FY 2022 increasing funding from the General Fund in the amount of \$25,000.

Future year budget appropriations will be addressed in the 2022-2024 Biennial Budget currently underway and is not requested in this staff report. Those appropriations will be in the amount of \$27,500 annually.

A multi-year CSA is an appropriate form of contract when it is in the city's interest to continue work with a specific subscription service. The alternative, seeking bids from a range of vendors before annual renewal is important for many goods and services, but is not advisable in the case of EIC's highly tailored service to an ongoing economic development program. The multi-year agreement gives the City the option, but not an obligation to renew each year, through a written notice to renew from the Community Development Director.

The multi-year agreement enables a longer-range service plan in collaboration with EIC. This is important because threatened businesses are still in a stabilization mode following the pandemic, and because staff is just now launching focused efforts for Old Town and for mid-size business owners. New software enhancements by EIC have a 2 - 4 month lead time, due to complexity, and such enhancements benefit from a multi-year horizon.

For all reasons stated above, staff recommends amending the CSA with EIC to maintain the digital platform and consulting services as a key support to Newark's economic development program.

FISCAL IMPACT

The proposed First Amendment and multi-year CSA will provide an option for the city, at its election, to renew EIC subscription services in the amount of \$25,000 per year due retroactively to January 2022, and in the amount of \$27,500 in January 2023, and January 2024, all supported by the General Fund.

The proposed budget amendment is for FY 2021-22, the last year of the 2020-2022 Biennial Budget. The \$27,500 appropriation each year for the coming years will be addressed in the 2022-24 Biennial Budget process now underway.

REVIEW AND APPROVAL

Prepared by – Anne Stedler, Economic Development Manager

Reviewed by – Steven Turner, Community Development Director

Reviewed by – Kristopher J. Kokotaylo, City Attorney

Approved by – David J. Benoun, City Manager

Attachments

Amendment

EIC Resolution

FIRST AMENDMENT TO THE
CONTRACTUAL SERVICES AGREEMENT
BETWEEN THE CITY OF NEWARK AND
STARTUP SPACE, LLC, DBA ECONOMIC IMPACT CATALYST

This First Amendment to Contractual Services Agreement between the City of Newark, a municipal corporation, (“City”) Startup Space, a Limited Liability Company (“Consultant”), (together sometimes referred to as “Parties”) dated April 1, 2022, is entered into effective January 03, 2022.

RECITALS

WHEREAS, the Parties executed a Contractual Services Agreement (the "Agreement") to provide a comprehensive information to the business community; and,

WHEREAS, Section 27 of the Agreement allows the Parties to amend the Agreement provided that the amendment is in writing signed by the Parties; and

WHEREAS, the Parties desire to amend the Agreement effective January 3, 2022; and

WHEREAS, the Parties desire to continue the services specified in Exhibit A, the Scope of Service; and

WHEREAS, the Parties desire to add services to Exhibit A, the Scope of Service, to specify a digital platform provided by Consultant, including data inputting by Consultant and ongoing software and program enhancements by Consultant, which provides a record of Newark businesses and the services provided to such businesses, and

WHEREAS, the Agreement, provides a not to exceed compensation of Twenty-Five Thousand Dollars (\$25,000.00); and

WHEREAS, the term of the Agreement ends January 2025, and annual subscription payments are due and payable each year upon authorization for said payment in writing by the Director of Community Development, and

WHEREAS, the Not-to-Exceed amount is increased by Eighty Thousand Dollars (\$80,000) from Twenty-Five Thousand Dollars (\$25,000) to total “Not to Exceed” amount of One Hundred Five Thousand Dollars (\$105,000); and

WHEREAS, the annual subscription payment is due and payable January 3 each year as follows: \$25,000 in 2022 (retroactively), \$27,500 per year in 2023 and 2024; and

WHEREAS, City staff is authorized to execute this Amendment in a form approved by the City Attorney.

NOW, THEREFORE, the Parties hereby agree as follows:

1. Section 3.A. "Not to Exceed" Compensation, of the Agreement, is amended to increase the compensation by Eighty Thousand Dollars (\$80,000) from Twenty-Five Thousand Dollars (\$25,000.00) for a total "Not to Exceed" compensation of One Hundred Five Thousand Dollars (\$105,000).
2. The opening paragraph of the Agreement is amended to add the name DBA Economic Impact Catalyst.
3. Section 18, Term/Termination, Paragraph A, of the agreement is amended to terminate this agreement effective January 3, 2025 unless extended by an Amendment signed by the Parties.
4. Exhibit A is amended to include: a digital platform provided by Consultant, including data inputting by Consultant of Newark records and ongoing software and program enhancements by Consultant. These services cumulatively provide an ongoing record of Newark businesses and the services provided to such businesses through the City's business assistance.
5. Exhibit B is amended to provide that the annual subscription payment of \$25,000 is due and payable on January 3 for the year 2022 (retroactive), and \$27,500 is due and payable January 3 of 2023 and January 3 of 2024 for services rendered from the date payment is due for the following twelve-month period, upon written authorization by the Community Development Director in the form of a Notice to Proceed, which Notice is issued at the City's discretion.
6. With the exception of the foregoing, all other terms and conditions in the Agreement, as amended, remain in force and effect.

City of Newark

Startup Space, a Limited
Liability Corporation

By _____
David J. Benoun
City Manager

By _____
David Ponraj
Consultant

Dated: _____

Dated: _____

Attest:

Sheila Harrington
City Clerk

Dated: _____

Approved as to Form:

Kristopher J. Kokotaylo
Interim City Attorney

RESOLUTION NO

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWARK
APPROVING THE FIRST AMENDMENT TO THE CONSULTING
SERVICES AGREEMENT WITH ECONOMIC IMPACT CATALYST
LLC AND AUTHORIZING A BUDGET AMENDMENT TO THE 2020-
2022 BIENNIAL BUDGET FOR FISCAL YEAR 2022

WHEREAS, consultant expertise is sometimes needed to support the goals, policies and actions stated in the approved Economic Development Element (the “Element”) of the General Plan; and

WHEREAS, the Element directs staff to support and encourage businesses and a strong local economy that contributes to the city’s tax revenue and provides jobs; and

WHEREAS, Economic Impact Catalyst (EIC) provides a digital platform and consulting services that aid the efficiency and manage the data related to economic development services for the Newark business community; and

WHEREAS, EIC and the City of Newark (together referred to as “Parties”) executed a Contractual Services Agreement (the “Agreement”) to provide services as described in the Agreement. These services have been tested for a 14-month period and proven beneficial; and

WHEREAS, the Parties want to amend the Agreement as provided in Section 27 of the Agreement; and

WHEREAS, the Parties want to provide for a term of agreement lasting to January 2025, with annual subscription payments of due and payable January 3 each year for 2022, 2023 and 2024, where each payment is approved in writing by the Community Development Director at his discretion; and

WHEREAS, the “not to exceed” amount shall be increased by Eighty Thousand Dollars (\$80,000) from Twenty-Five Thousand Dollars (\$25,000) for an amended not-to-exceed amount of One Hundred Five Thousand Dollars (\$105,000); and

WHEREAS, the Parties desire to add clarifications to the Agreement Exhibit A, the Scope of Services.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Newark does hereby:

1. Approve and authorize the City Manager to execute the First Amendment to the Consulting Services Agreement for Economic Impact Catalyst LLC, attached hereto and incorporated herein by reference, in a form approved by the City Attorney, and authorizes the City Manager to take all actions consistent with the intent of this resolution.

2. Authorize an Amendment to the 2020-2022 Biennial Budget for fiscal year 2022 as follows:
 - Increase General Fund Professional Services (110.50.051.510.6220) by \$25,000
 - Decrease Fund Balance (110.3000) by \$25,000



STAFF REPORT

Item G. 1.

DATE 04/28/2022
TO Honorable Mayor and City Council Members
FROM Alan L. Nagy, Mayor
SUBJECT Adopt a Resolution confirming Mayor's appointments to the Community Development Advisory Committee

The Community Development Advisory Committee (CDAC) is an appointed committee that provides recommendations to the City Council for the use of Community Development Block Grant funds and to the Community Development Director on priorities for the use of Housing funds. Lori Bogisich, who was appointed to the Committee in 2019, resigned from the committee when she was appointed to the Planning Commission. A notice was posted advertising the vacancy. Raju Mathew and Namit Saksena each requested appointment to the CDAC.

The Community Development Advisory Committee membership consists of two Council Members, two Planning Commissioners, and the balance from the community. Since there is no limit on the number of community members appointed, it is recommended that both Raju Mathew and Namit Saksena be appointed to the CDAC.

RECOMMENDATION

It is recommended that the City Council, by resolution, approve the appointments of Raju Mathew and Namit Saksena to the Community Development Advisory Committee.

Attachments

Resolution

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
NEWARK APPROVING THE APPOINTMENTS OF
RAJU MATHEW AND NAMIT SAKSENA TO THE
COMMUNITY DEVELOPMENT ADVISORY COMMITTEE

WHEREAS, a vacancy occurred on the Community Development Advisory Committee in November; and

WHEREAS, Raju Mathew and Namit Saxena each applied to fill the vacancy; and

WHEREAS, the Community Development Advisory Committee does not limit the number of appointments from the community; and

WHEREAS, the Mayor of the City of Newark has appointed Raju Mathew and Namit Saxena to the Community Development Advisory Committee;

NOW, THEREFORE, BE IT RESOLVED that said appointments are hereby approved by the City Council of the City of Newark.



STAFF REPORT

Item H. 1.

DATE 04/28/2022
TO Honorable Mayor and City Council Members
FROM Jennifer Solito, Human Resources Director
SUBJECT 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.



STAFF REPORT

Item H. 2.

DATE 04/28/2022
TO Honorable Mayor and City Council Members
FROM David Benoun, City Manager
SUBJECT 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.
