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, June 13, 2024
7:00 P.M.

A. ROLL CALL

B. PRESENTATIONS

1. Commending Public Works Director Fajeau on his retirement

2. Proclaiming June 19, 2024, as Juneteenth

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 May 23, 2024, minutes

3. Adopt a resolution authorizing the City Manager to execute an agreement with *What's Happening's Tri-City Voice* for legal advertising services in Fiscal Year 2025

4. Adopt a resolution approving the third amendment to the Contractual Services Agreement with Orion Security to provide Security Guard Services

5. Adopt a resolution authorizing the City Manager to execute Task Order No. 30 to the Joint Powers Agreement with the City of Fremont for Fiscal Year 2025 senior case management services

6. Adopt a resolution authorizing the City Manager to execute Task Order No.31 to the Joint Powers Agreement with the City of Fremont for Paratransit services with Ride On Tri-City!

7. Adopt a resolution authorizing the City to file a request to the Metropolitan Transportation Commission for the allocation of Fiscal Year 2025 Transportation Development Act Article 3 Pedestrian and Bicycle Project funding for the Annual Citywide Accessible Pedestrian Ramps Project; exempt from CEQA review per CEQA Guidelines Section 15301

8. Adopt a resolution approving the Road Repair and Accountability Act of 2017 (Senate Bill 1) Fiscal Year 2025 Project List

9. Adopt a resolution authorizing the City Manager to execute a Cooperative Agreement with the Alameda County Water District for water main design and construction associated with the Old Town Streetscape Improvements, Project 1258

E. PUBLIC HEARINGS

F. OTHER BUSINESS

1. Adopt a Resolution approving the Public Art Master Plan May 2024 Update

2. Adopt resolutions for approval of Annual Engineer's Reports, intention to levy and collect assessments and setting a public hearing for July 11, 2024, for Landscaping and Lighting District Nos. 1, 2, 4, 7, 11, 15, 16, 17, 18 and 19 for Fiscal Year 2025 in accordance with the provisions of the Landscaping and Lighting Act of 1972; and initiate dissolution proceedings for Landscaping and Lighting Distrcit Nos. 6, 10 and 13.

3. Adopt resolutions approving the 2024-2026 Capital Improvement Plan project lists with funding recommendations; and provide feedback on the draft 2024-2026 Capital Improvement Plan budget document

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.

H. CITY MANAGER UPDATES

I. CLOSED SESSION

J. ADJOURNMENT

MEETING INFORMATION

Members of the public may attend the meeting in person, watch online, or watch on Cable Channel 26. The ability to observe online or Cable Channel 26 is predicated on those technologies being available and functioning without technical difficulties. Should those platforms not be available, or become non-functioning, or should the City Council otherwise encounter technical difficulties that make those platforms unavailable, the City Council will proceed with business in person unless otherwise prohibited by law.

How to view the meeting remotely:
Livestream online at YouTube: https://www.youtube.com/@cityofnewark3077/streams
Copy/paste the YouTube URL into your browser if the link does not automatically open.

Cable Channel 26 - if the meeting does not broadcast live, please contact your service provider and request the City of Newark channel lineup.

Zoom will no longer be available for public participation unless required by Assembly Bill 2449. Should a Council Member or the Mayor attend the meeting via Zoom pursuant to Assembly Bill 2249, then the Webinar ID No. 858 5438 6153 will be activated. The Mayor will make an announcement at the beginning of the meeting that the City will be allowing public comment via Zoom. Raise your virtual hand to notify the City Clerk that you would like to speak during the item that you wish to speak on.

How to submit written Public Comment:
Send an email to City Clerk by 3:00 p.m. the day of the meeting. Please identify the agenda item number in the subject line of your email. Emails will be compiled into one file and will be distributed to the City Council before the meeting.

No question shall be asked of a council member, city staff, or an audience member except through the Mayor. No person shall interrupt the 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 at https://www.newark.org/departments/city-manager-s-office/agendas-minutes and will concurrently be made available for public inspection during regular business hours at the David W. Smith City Hall, 37101 Newark Boulevard, Newark CA. 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	06/13/2024
TO	Honorable Mayor and City Council Members
FROM	Sheila Harrington, City Clerk
SUBJECT	Commending Public Works Director Fajeau on his retirement

Public Works Director Soren Fajeau is retiring after 27 years of distinguished service to the City of Newark. A commendation has been prepared in honor of Mr. Fajeau's retirement and will be presented at the City Council meeting. Representatives from Senator Aisha Wahab and Assembly Member Alex Lee's offices will also be in attendance to honor Mr. Fajeau.

Attachments

Commendation

COMMENDING SOREN FAJEAU

WHEREAS, SOREN FAJEAU began his career with the City of Newark on May 19, 1997, as an Engineering Technician I and has served the City in a variety of capacities, including Assistant Engineer-Civil, Associate Civil Engineer, Senior Civil Engineer, and Assistant City Engineer; and

WHEREAS, SOREN FAJEAU was promoted to Public Works Director in 2016, a position he still holds; and

WHEREAS, SOREN FAJEAU has made significant contributions to our community throughout his career, including the formulation of the City's first Pedestrian and Bicycle Master Plan and overseeing as a Project Manager various initiatives and projects including the Citywide Handicap Ramps, Senior Center Handicap access, Lakeshore Park Sea Wall project, Storm Water Program; and the Thornton Avenue widening project; and

WHEREAS, SOREN FAJEAU has been the recipient of many awards throughout his illustrious tenure with the City, including Employee of the Year in 2011 and multiple PRIDE awards; and

WHEREAS, SOREN FAJEAU has been instrumental in the City receiving millions of state, federal, and regional funds to complete capital projects during his tenure; and

WHEREAS, SOREN FAJEAU has represented the City on regional committees such as the Congestion Management Program/Alameda County Transportation Commission, Southern Alameda County Geographic Information System Authority, and the countywide Clean Water Program; and

WHEREAS, SOREN FAJEAU has been a longstanding and respected leader in the City of Newark and has provided invaluable support to the City Council and City staff on a wide variety of issues and activities; and

WHEREAS, SOREN FAJEAU, is retiring after 27 years of distinguished service with the City of Newark.

NOW, THEREFORE, I, Michael K. Hannon, Mayor of the City of Newark, on behalf of the Newark City Council, do hereby commend

SOREN FAJEAU

for his untiring work and dedication to the City of Newark and wish him well in his retirement.

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 Thirteenth Day of June, Two Thousand Twenty-four.

MICHAEL K. HANNON
Mayor

LUIS L. FREITAS
Vice Mayor

MIKE BUCCI
Council Member

SUCY COLLAZO
Council Member

MATTHEW JORGENS
Council Member

STAFF REPORT

Item B. 2.

DATE	06/13/2024
TO	Honorable Mayor and City Council Members
FROM	Sheila Harrington, City Clerk
SUBJECT	Proclaiming June 19, 2024, as Juneteenth

Juneteenth, also known as Freedom Day, is the oldest known celebration commemorating the abolition of slavery in the United States, dating back to June 19, 1865. A proclamation has been prepared in honor of Juneteenth and Danielle Cranon-Jones, Administrative Support Specialist II for the Recreation and Community Services Department will accept it at the City Council meeting. A Juneteenth event will be held at the George M. Silliman Community Activity Center on June 19th from 1 pm to 3 pm. The public is invited to attend.

Attachments

Proclamation

PROCLAMATION NO. 1920

JUNETEENTH FREEDOM DAY

WHEREAS, June 19th is declared as Juneteenth Freedom Day, a nationally recognized day which celebrates the rich culture, legacy, and heritage of Black and African American people; and

WHEREAS, Juneteenth is the oldest known celebration commemorating the abolition of slavery in the United States, dating back to June 19, 1865, when Union soldiers led by Major General Gordon Granger arrived in Galveston, Texas with news that the war had ended, freeing the enslaved, two and a half years after President Abraham Lincoln's Emancipation Proclamation; and

WHEREAS, the U.S. Congress—between 1865 and 1870—would pass key amendments to the U.S. Constitution, that upon ratification by each state, would profoundly change the legal status of those once enslaved. The thirteenth amendment abolished bonded servitude. The fourteenth amendment conferred citizenship upon those once enslaved. Finally, the fifteenth amendment enfranchised people once held in bondage; and

WHEREAS, recognizing Juneteenth as a state holiday acknowledges the importance of this historic day and honors the resilience, strength, and spirit of African Americans; it is a time for community gatherings, celebrations, and educational events that promote understanding, unity, and solidarity among all people; and

WHEREAS, Juneteenth Freedom Day celebrates Black and African American people's freedom and achievement, while encouraging continuous self-development and respect for all cultures, as it takes on a more national, symbolic and even global perspective, to ensure the events of 1865 are not forgotten;

NOW, THEREFORE, I, Michael K. Hannon, Mayor of the City of Newark, on behalf of the Newark City Council, do hereby proclaim June 19, 2024, as

JUNETEENTH FREEDOM DAY

in the City of Newark and call upon all residents to observe this day with reflection, celebration, and commitment to the ongoing pursuit of freedom, justice, and equality for all.

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

MICHAEL K. HANNON
Mayor

STAFF REPORT

Item D. 1.

DATE	06/13/2024
TO	Honorable Mayor and City Council Members
FROM	Krysten Lee, Finance Director
SUBJECT	Approval of Audited Demands

Attachments

Audited Demands 05.09.24_1
Audited Demands 05.09.24_2
Audited Demands 05.16.24
Audited Demands 05.23.24

LIVE Newark CA LIVE

Payment Batch Register

Bank Account: AP - ZBA ACCOUNTS PAYABLE

Batch Date: 05/06/2024

Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount
Bank Account: AP - ZBA ACCOUNTS PAYABLE						
Check	05/06/2024	11139	Miscellaneous Billing Refund	SALVADOR VARGAS & JULIETA BRAVO		200.00
AP ZBA ACCOUNTS PAYABLE Totals:				Transactions: 1		$200.00

Checks:	1	$200.00

LIVE Newark CA LIVE

Payment Batch Register

Bank Account: AP - ZBA ACCOUNTS PAYABLE

Batch Date: 05/09/2024

Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount
Bank Account: AP - ZBA ACCOUNTS PAYABLE						
Check	05/09/2024	11140	Accounts Payable	4IMPRINT, INC.		261.41
	Invoice		Date	Description	Check Sort Code	Amount
	12340897		04/11/2024	CHILDCARE TSHIRTS FOR STAFF AND STUDENTS		261.41
Check	05/09/2024	11141	Accounts Payable	ABODE SERVICES		21,375.00
	Invoice		Date	Description	Check Sort Code	Amount
	CNPG01082024-01		04/01/2024	NEWARK COMMUNITY NON-PROFIT GRANT AWARD FY24 BROWN BAG PROGRAM		21,375.00
Check	05/09/2024	11142	Accounts Payable	ADAMSON POLICE PRODUCTS		2,351.58
	Invoice		Date	Description	Check Sort Code	Amount
	INV412971		04/10/2024	PATCHES		5.50
	INV413204		04/13/2024	PATROL SUPPLIES		2,346.08
Check	05/09/2024	11143	Accounts Payable	DIGIQUATICS		1,112.40
	Invoice		Date	Description	Check Sort Code	Amount
	3438		03/15/2024	ANNUAL PAYMENT FOR RECREATION SOFTWARE PROGRAM 03/01-06/30/24		1,112.40
Check	05/09/2024	11144	Accounts Payable	ALFREDO TRINIDAD		4,205.00
	Invoice		Date	Description	Check Sort Code	Amount
	04272024003-4I		05/08/2024	STAGE, CHAIRS AND ADA RAMP FOR 4/27/24 STATE OF THE CITY ADDRESS		4,205.00
Check	05/09/2024	11145	Accounts Payable	ALL CITY MANAGEMENT SERVICES, INC.		3,864.26
	Invoice		Date	Description	Check Sort Code	Amount
	92806		04/17/2024	SCHOOL CROSSING GUARD SVCS 03/31-04/13/24		3,864.26
Check	05/09/2024	11146	Accounts Payable	STALKER RADAR		41,234.00
	Invoice		Date	Description	Check Sort Code	Amount
	436367		04/09/2024	RADAR SPEED TRAILER		41,234.00
Check	05/09/2024	11147	Accounts Payable	BAVCO		3,588.30
	Invoice		Date	Description	Check Sort Code	Amount
	268213		04/17/2024	BACKFLOW SUPPLIES-FEBCO		3,588.30
Check	05/09/2024	11148	Accounts Payable	BADGE FRAME, INC.		370.19

	Invoice	Date	Description	Check Sort Code	Amount
	41807	04/01/2024	RECOGNITION FRAME - CHIEF ANDERSON RETIREMENT		370.19
Check	05/09/2024	11149 Accounts Payable	CAL SAFETY INC		61.01
	Invoice	Date	Description	Check Sort Code	Amount
	30519	04/19/2024	STREET SIGNS-WILLOW ST POINT OF SALE		61.01
Check	05/09/2024	11150 Accounts Payable	CENTRAL VALLEY TOXICOLOGY, INC.		294.00
	Invoice	Date	Description	Check Sort Code	Amount
	333648	03/05/2024	LAB TESTS 03/05/2024		42.00
	333649	03/05/2024	LAB TESTS 03/05/2024		42.00
	333650	03/05/2024	LAB TESTS 03/05/2024		42.00
	333844	03/14/2024	LAB TESTS 03/14/2024		42.00
	333845	03/14/2024	LAB TESTS 03/14/2024		42.00
	334037	03/26/2024	LAB TESTS 03/26/2024		42.00
	334038	03/26/2024	LAB TESTS 03/26/2024		42.00
Check	05/09/2024	11151 Accounts Payable	CITY OF FREMONT		14,488.00
	Invoice	Date	Description	Check Sort Code	Amount
	333933	04/18/2024	CASE MANAGEMENT FOR JAN24-MAR24		1,250.00
	333734	04/08/2024	SHELTER OPERATING EXP APRIL 2024		13,238.00
Check	05/09/2024	11152 Accounts Payable	CLASSIC GRAPHICS		174.99
	Invoice	Date	Description	Check Sort Code	Amount
	49408	04/18/2024	STREET SIGNS-OLD TOWN STREETSCAPE		174.99
Check	05/09/2024	11153 Accounts Payable	CLEARGOV INC.		4,788.00
	Invoice	Date	Description	Check Sort Code	Amount
	2024-14471	03/17/2024	PERSONNEL BUDGET, CAPITAL BUDGET, TRANSPARENCY 03/17-06/30/24		4,788.00
Check	05/09/2024	11154 Accounts Payable	TECHNICAL SAFETY SERVICES, LLC		365.80
	Invoice	Date	Description	Check Sort Code	Amount
	TSSIN00008804	04/16/2024	PD FUME HOOD TEST		365.80
Check	05/09/2024	11155 Accounts Payable	COOKE AND ASSOCIATES INCORPORATED		1,718.40
	Invoice	Date	Description	Check Sort Code	Amount
	195420	03/12/2024	BACKGROUND INVESTIGATIONS 03/12/2024		1,718.40
Check	05/09/2024	11156 Accounts Payable	COVINO SMITH & SIMON, INC.		1,700.00
	Invoice	Date	Description	Check Sort Code	Amount
	04-2024	04/25/2024	PROFESSIONAL FEDERAL AFFAIRS ASSISTANCE APRIL 2024		1,700.00
Check	05/09/2024	11157 Accounts Payable	DAILY JOURNAL CORPORATION		63.75
	Invoice	Date	Description	Check Sort Code	Amount
	B3805035	04/24/2024	PUBLISH ORDINANCE 548 05/23/24		63.75
Check	05/09/2024	11158 Accounts Payable	DALE HARDWARE		1,873.42
	Invoice	Date	Description	Check Sort Code	Amount
	APR' 24	04/25/2024	DALE SUPPLIES 04/25/2024		1,328.62
	FEB' 24	02/25/2024	DALE SUPPLIES 02/25/2024		544.80

Check	05/09/2024	11159	Accounts Payable	DEPARTMENT OF TRANSPORTATION		1,179.99
	Invoice		Date	Description	Check Sort Code	Amount
	SL240793		04/15/2024	SHARED COSTS FOR TRAFFIC SIGNALS (JAN 2024-MAR 2024)		1,179.99
Check	05/09/2024	11160	Accounts Payable	DUKE DE LEON		345.00
	Invoice		Date	Description	Check Sort Code	Amount
	4183		05/01/2024	BROADCAST AND STREAM CC AND LIAISON COMMITTEE MTGS APRIL 2024		345.00
Check	05/09/2024	11161	Accounts Payable	EAST BAY LAWN MOWER		9,353.22
	Invoice		Date	Description	Check Sort Code	Amount
	41782		03/28/2024	EQUIPMENT REPAIR 03/28/24		231.79
	39114		03/28/2024	SMALL EQUIPMENT REPAIR 03/28/24		577.20
	41830		05/06/2024	PARK SUPPLIES-CHAINSAWS		4,398.90
	41831		05/02/2024	PARK SUPPLIES-POLE SAW		4,145.33
Check	05/09/2024	11162	Accounts Payable	ENVIRONMENTAL LOGISTICS		1,155.00
	Invoice		Date	Description	Check Sort Code	Amount
	123758		04/30/2024	HAZARDOUS WASTE REMOVAL 04/16/23		1,155.00
Check	05/09/2024	11163	Accounts Payable	EQUIFAX INFORMATION SVCS LLC		51.58
	Invoice		Date	Description	Check Sort Code	Amount
	2059999894		04/13/2024	CREDIT BUREAU REPORT FEES - 4/13/24		51.58
Check	05/09/2024	11164	Accounts Payable	FEDEX		90.82
	Invoice		Date	Description	Check Sort Code	Amount
	8-467-64934		04/12/2024	PACKAGE DELIVERY 4/4/24		38.91
	8-481-53733		04/26/2024	PACKAGE DELIVERY 4/17/24		51.91
Check	05/09/2024	11165	Accounts Payable	FRANK BONETTI PLUMBING INC		2,957.31
	Invoice		Date	Description	Check Sort Code	Amount
	48716		04/17/2024	RUSCHIN FIRE REPLACE 50 GAL WATER HEATER 3/21/24		2,957.31
Check	05/09/2024	11166	Accounts Payable	KARL FREDSTROM		299.94
	Invoice		Date	Description	Check Sort Code	Amount
	0415-041924EXP		04/22/2024	COURT TRIAL REIMBURSEMENT 04/15-04/19/24		125.00
	042724EXP		05/06/2024	EXPENSE REIMBURSEMENT - STATE OF CITY ADDRESS 04/27/24		174.94
Check	05/09/2024	11167	Accounts Payable	GOOD CITY COMPANY		12,870.00
	Invoice		Date	Description	Check Sort Code	Amount
	3540		03/31/2024	GENERAL PLANNING SERVICES - SVCS 03/01 - 03/31/24		12,870.00
Check	05/09/2024	11168	Accounts Payable	GRAINGER		930.28
	Invoice		Date	Description	Check Sort Code	Amount
	9074604951		04/03/2024	PARKS FLAMMABLE SAFETY CABINET		576.31
	9076484303		04/04/2024	SILLIMAN WEATHERPROOF COVER		37.22
	9076518605		04/05/2024	SILLIMAN QUICK CONNECT		316.75
Check	05/09/2024	11169	Accounts Payable	MICHELLE GRIESE		377.64
	Invoice		Date	Description	Check Sort Code	Amount
	0401-040524EXP		04/15/2024	COMMAND COLLEGE, SESSION 3 03/31-04/05/24		377.64

Check	05/09/2024	11170	Accounts Payable	GVP VENTURES INC.		11,945.89
	Invoice		Date	Description	Check Sort Code	Amount
	10603		04/15/2024	RECRUITMENT SERVICES FEE - PUBLIC WORKS DIRECTOR 04/15/24		11,945.89
Check	05/09/2024	11171	Accounts Payable	PATRICIA HADDOCK		253.13
	Invoice		Date	Description	Check Sort Code	Amount
	05012024		04/30/2024	EDIT OF APRIL BULLETIN & MEETINGS 4/1/24-4/30/24		253.13
Check	05/09/2024	11172	Accounts Payable	SHEILA HARRINGTON		1,500.32
	Invoice		Date	Description	Check Sort Code	Amount
	0402-041824EXP		04/30/2024	EXPENSE REIMBURSEMENT - CITY CLERK CONFERENCE AND TRIAL		1,500.32
Check	05/09/2024	11173	Accounts Payable	HDL SOFTWARE, LLC		2,080.00
	Invoice		Date	Description	Check Sort Code	Amount
	SIN037686		04/15/2024	UUT SUPPORT & INDUSTRY MONITORING - APR 2024		2,080.00
Check	05/09/2024	11174	Accounts Payable	HIROSHI ICHIMURA		4,351.20
	Invoice		Date	Description	Check Sort Code	Amount
	0302-042724		04/27/2024	KENDO CLASSES 3/2-4/27/24		4,351.20
Check	05/09/2024	11175	Accounts Payable	INDUSTRIAL PLUMBING SUPPLY, LLC.		673.20
	Invoice		Date	Description	Check Sort Code	Amount
	114684		04/15/2024	SILLIMAN PLUMBING SUPPLIES		392.75
	114678		04/15/2024	CIVIC CENTER SELECTRONIC		280.45
Check	05/09/2024	11176	Accounts Payable	SPECTRUM CANINE		900.00
	Invoice		Date	Description	Check Sort Code	Amount
	0006130		05/04/2024	K9 TRAINING APRIL 2024		900.00
Check	05/09/2024	11177	Accounts Payable	LIEBERT CASSIDY WHITMORE		475.00
	Invoice		Date	Description	Check Sort Code	Amount
	7981-780-1-91a6		05/08/2024	TRAINING- NUTS & BOLTS OF NEGOTIATIONS 05/16-05/23/24		475.00
Check	05/09/2024	11178	Accounts Payable	LOOMIS		444.65
	Invoice		Date	Description	Check Sort Code	Amount
	13487077		04/30/2024	ARMORED CAR SERVICE - 04/24		444.65
Check	05/09/2024	11179	Accounts Payable	LPC SERVICES, INC.		356.00
	Invoice		Date	Description	Check Sort Code	Amount
	74105		04/16/2024	PEST SERVICES - LIBRARY #116524 4/16/24		175.00
	74104		04/16/2024	PEST SERVICES - PD #104419 4/16/24		181.00
Check	05/09/2024	11180	Accounts Payable	LYNN PEAVEY COMPANY		646.30
	Invoice		Date	Description	Check Sort Code	Amount
	409051		04/18/2024	HAND GUN/RIFLE STORAGE		243.30
	409083		04/19/2024	EVIDENCE SUPPLIES TUBE SK		134.60
	407989		03/08/2024	CERT SUPPLIES		268.40
Check	05/09/2024	11181	Accounts Payable	MERCY RETIREMENT & CARE CENTER		25,000.00
	Invoice		Date	Description	Check Sort Code	Amount
	CNPG01082024-02		04/01/2024	NEWARK COMMUNITY NON-PROFIT GRANT AWARD FY24 BROWN BAG PROGRAM		25,000.00

Check	05/09/2024	11182	Accounts Payable	MEYERS NAVE	7,016.00

Invoice	Date	Description	Check Sort Code	Amount
215466	03/14/2024	LEGAL SVCS - TIMBER STREET PROJECT - SVCS THRU 2/29/24		6,763.50
216608	04/30/2024	LEGAL SVCS FOR SANCTUARY WEST - SVCS THRU 3/31/24		252.50

Check	05/09/2024	11183	Accounts Payable	MIKE YORKS INVESTIGATIONS	3,000.00

Invoice	Date	Description	Check Sort Code	Amount
2024-04	04/14/2024	BACKGROUND INVESTIGATIONS 03/08-04/14/24		3,000.00

Check	05/09/2024	11184	Accounts Payable	MII TRAINING INNOVATIONS, LLC	950.00

Invoice	Date	Description	Check Sort Code	Amount
13	04/29/2024	INTERMEDIATE TRAFFIC COLLISION - KAPU & FRENTESCU 05/13-05/16/24		950.00

Check	05/09/2024	11185	Accounts Payable	MNS ENGINEERS INC	24,312.01

Invoice	Date	Description	Check Sort Code	Amount
86018	04/13/2024	ON-CALL PUBLIC WORKS CONSTRUCTION INSPECTION SERVICES 03/24		18,965.38
86087	04/16/2024	CONSTRUCTION MANAGEMENT SERVICES 03/24		5,346.63

Check	05/09/2024	11186	Accounts Payable	NUTRIEN AG SOLUTIONS, INC.	1,395.45

Invoice	Date	Description	Check Sort Code	Amount
53692124	04/10/2024	PESTICIDES-RANGER PRO 30GA		1,395.45

Check	05/09/2024	11187	Accounts Payable	PHOENIX GROUP INFORMATION SYSTEMS	575.20

Invoice	Date	Description	Check Sort Code	Amount
032024101	04/16/2024	PARKING CITATION PROGRAM MARCH 2024		575.20

Check	05/09/2024	11188	Accounts Payable	REDFLEX TRAFFIC SYSTEMS, INC.	17,400.00

Invoice	Date	Description	Check Sort Code	Amount
INV0076008	04/30/2024	REDLIGHT CAMERA MONITORING APRIL 2024		17,400.00

Check	05/09/2024	11189	Accounts Payable	ROADRUNNER GLASS DOOR, INC	1,862.77

Invoice	Date	Description	Check Sort Code	Amount
12858	12/14/2023	ASH GLASS REPAIR/REPLACE 12/14/23		836.40
13242	02/26/2024	FS 29 GLASS REPAIR/REPLACE 2/26/24		1,026.37

Check	05/09/2024	11190	Accounts Payable	SIEMENS INDUSTRY, INC.	10,460.68

Invoice	Date	Description	Check Sort Code	Amount
5330179801	12/28/2021	SILLIMAN FIRE SAFETY 9/21/21-3/20/22		5,230.34
5330179875	12/28/2021	SILLIMAN FIRE SAFETY 3/21/21-09/20/21		5,230.34

Check	05/09/2024	11191	Accounts Payable	SIERRA INSTALLATIONS INC	6,134.00

Invoice	Date	Description	Check Sort Code	Amount
23144	08/07/2023	INSTALLATION, REMOVAL, STORAGE OF "NEWARK DAYS" BANNERS 08/07/23		5,940.00
23316	02/06/2024	SERVICE CALL TO REPLACE DAMAGED BANNERS 02/06/24		194.00

Check	05/09/2024	11192	Accounts Payable	SITEONE LANDSCAPE SUPPLY, LLC	302.64

Invoice	Date	Description	Check Sort Code	Amount
139858516-001	04/06/2024	BULK COMPOST		302.64

Check	05/09/2024	11193	Accounts Payable	SMITH & SONS ELECTRIC, INC.	5,833.00

	Invoice		Date	Description	Check Sort Code	Amount
	24010		02/26/2024	ACL NEW FLOOR BOX 2/26/24		5,833.00
Check	05/09/2024	11194	Accounts Payable	STANDARD INSURANCE COMPANY		942.00
	Invoice		Date	Description	Check Sort Code	Amount
	BILLING-APR 2024		04/30/2024	EMPLOYEE LIFE INSURANCE AND AD&D COVERAGE PREMIUMS-4/1-4/30/24		942.00
Check	05/09/2024	11195	Accounts Payable	STAPLES		740.59
	Invoice		Date	Description	Check Sort Code	Amount
	7000344885		04/15/2024	OFFICE SUPPLIES 4/3-4/12/24		740.59
Check	05/09/2024	11196	Accounts Payable	T-MOBILE USA, INC		50.00
	Invoice		Date	Description	Check Sort Code	Amount
	9566241561		04/24/2024	TIMING ADVANCE 08/22/23-03/19/24		50.00
Check	05/09/2024	11197	Accounts Payable	TEMPERATURE TECHNOLOGY INC.		2,622.96
	Invoice		Date	Description	Check Sort Code	Amount
	I3155		04/17/2024	SILLIMAN HVAC REPAIR AND MAINTENANCE 3/22-4/11/24		1,408.68
	I2858		11/29/2023	SENIOR CENTER HVAC SERVICE 11/28/23		1,214.28
Check	05/09/2024	11198	Accounts Payable	THE TACTICAL ADVANTAGE POLICE SUPPLY		2,097.77
	Invoice		Date	Description	Check Sort Code	Amount
	7851		03/16/2024	BULLETPROOF VESTS T.LAU; APPROVAL 2024-03		987.42
	7799		02/22/2024	BULLETPROOF VESTS A.MEDINA; APPROVAL #2024-03		1,110.35
Check	05/09/2024	11199	Accounts Payable	UNITED STATES POSTMASTER		320.00
	Invoice		Date	Description	Check Sort Code	Amount
	2024 BULK FEE		04/20/2024	BULK MAILING PERMIT 2024		320.00
Check	05/09/2024	11200	Accounts Payable	UTILITY TELECOM GROUP, LLC		21,257.12
	Invoice		Date	Description	Check Sort Code	Amount
	APR '24		04/16/2024	TELEPHONE & NETWORK PROVIDER - APR '24		21,257.12
Check	05/09/2024	11201	Accounts Payable	MATTHEW WARREN		176.06
	Invoice		Date	Description	Check Sort Code	Amount
	050324EXP		05/03/2024	TACTICAL OPERATIONS LEGAL UPDATE EXPENSE REIMBURSEMENT 05/03/24		176.06
Check	05/09/2024	11202	Accounts Payable	WEST COAST ARBORISTS INC		50,930.00
	Invoice		Date	Description	Check Sort Code	Amount
	213801		04/15/2024	PARK TREE MAINTENANCE 04/01/24-04/15/24		11,830.00
	213882		04/12/2024	EDGEWATER MEDIAN PRUNING 04/09/24-04/12/24		39,100.00
Check	05/09/2024	11203	Accounts Payable	ORION SECURITY		2,590.18
	Invoice		Date	Description	Check Sort Code	Amount
	126230		04/27/2024	UNARMED, UNIFORMED SECURITY GUARD 4/22/24 - 4/25/24		1,146.18
	126456		05/04/2024	UNARMED, UNIFORMED SECURITY GUARD 4/29/24 - 5/3/24		1,444.00
Check	05/09/2024	11204	Accounts Payable	REDWOOD PUBLIC LAW, LLP		1,815.50
	Invoice		Date	Description	Check Sort Code	Amount

	10050	03/31/2024	LEGAL SVCS/SANCTUARY WEST/ACQ. OF PROPERTY - SVCS THRU 3/31/24			1,377.50
	10060	03/31/2024	LEGAL SVCS/SANCTUARY WEST/LABOR - SVCS THRU 3/31/24			151.50
	10061	03/31/2024	LEGAL SVCS/SAHA PROJECT/MATTER ID 489.1014 - SVCS THRU 3/31/24			286.50
EFT	05/09/2024	1002 Accounts Payable	ART BUILDS COMMUNITY LLC	322271627 / 521573215		12,425.00
	Invoice	Date	Description		Check Sort Code	Amount
	#4-OLD-TOWN	04/25/2024	OLD TOWN STREETSCAPE PUBLIC ART PROJECT MGMT 04/25/24			6,050.00
	#3-OLD-TOWN	04/06/2024	OLD TOWN STREETSCAPE PUBLIC ART PROJECT MGMT 03/14-04/04/24			6,375.00
EFT	05/09/2024	1003 Accounts Payable	SPECTRUM SMALL BUSINESS SERVICES, LLC	325084426 / 5348560846		5,955.39
	Invoice	Date	Description		Check Sort Code	Amount
	05032024-GENERAL	05/03/2024	SM BUS SUPPORT - EMERG PREP PLANNING 5/24			2,186.25
	05062024-GENERAL	05/06/2024	SM BUS SUPPORT - M. BULL TRAVEL 4/30-5/2/24			1,046.64
	05032024-ARPA	05/03/2024	SMALL BUSINESS SUPP - M. BULL'S MEETINGS OLD TOWN - 5/24			2,722.50
EFT	05/09/2024	1004 Accounts Payable	GHA TECHNOLOGIES INC (ACH)	122100024 / 836623900		1,067.86
	Invoice	Date	Description		Check Sort Code	Amount
	11375334	03/26/2024	SAMSUNG 50" MONITOR			1,067.86
EFT	05/09/2024	1005 Accounts Payable	SEDGWICK CLAIMS MANAGEMENT SERVICES, INC.	121000248 / 4942808510		21,617.35
	Invoice	Date	Description		Check Sort Code	Amount
	SF-8510-01482324	05/01/2024	WORKERS COMPENSATION CLAIMS -04/01/24-04/30/24			21,617.35
EFT	05/09/2024	1006 Accounts Payable	SUMMIT UNIFORMS, LLC	121000358 / 325183513607		735.00
	Invoice	Date	Description		Check Sort Code	Amount
	11839	04/17/2024	UNIFORM AND ACCESSORIES			481.25
	11843	04/17/2024	UNIFORM AND ACCESSORIES			253.75

AP ZBA ACCOUNTS PAYABLE Totals:		Transactions: 70	$386,710.51
Checks:	65	$344,909.91	
EFTs:	5	$41,800.60	

LIVE Newark CA LIVE

Payment Batch Register

Bank Account: AP - ZBA ACCOUNTS PAYABLE

Batch Date: 05/16/2024

Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount
Bank Account: AP - ZBA ACCOUNTS PAYABLE						
Check	05/16/2024	11205	Accounts Payable	AFLAC		1,104.30
	Invoice		Date	Description	Check Sort Code	Amount
	653579		04/30/2024	AFLAC - APRIL 2024 PREMIUMS		1,104.30
Check	05/16/2024	11206	Accounts Payable	ALAMEDA COUNTY FIRE DEPARTMENT		1,093,290.00
	Invoice		Date	Description	Check Sort Code	Amount
	2023-24-256		04/22/2024	CONTRACT FIRE SERVICES - 04/24		1,093,290.00
Check	05/16/2024	11207	Accounts Payable	ALLIED AUTO STORES INC		1,924.90
	Invoice		Date	Description	Check Sort Code	Amount
	APR' 24		04/30/2024	ALLIED-FLEET SUPPLIES 04/02-04/22/24		1,924.90
Check	05/16/2024	11208	Accounts Payable	ALPINE AWARDS INC		255.27
	Invoice		Date	Description	Check Sort Code	Amount
	6106954		04/19/2024	STAFF NAME TAGS		255.27
Check	05/16/2024	11209	Accounts Payable	AMERICAN LANGUAGE SERVICES		1,851.40
	Invoice		Date	Description	Check Sort Code	Amount
	80765		04/25/2024	TRNSL & INTERP SVCS - CITYWIDE - JOB# 042524-GG31 4/22-4/25/24		1,268.90
	80419		04/16/2024	TRNSL & INTERP SVCS - ARPA - JOB #041624-01-EG 4/16/24		350.00
	80433		04/15/2024	TRNSL & INTERP SVCS - ARPA - JOB #042224-AM28 4/8-4/15/24		232.50
Check	05/16/2024	11210	Accounts Payable	ARI INVESTIGATIONS INC.		14,787.18
	Invoice		Date	Description	Check Sort Code	Amount
	23-138		03/09/2024	PROFESSIONAL SERVICES RENDERED 09/06/23 - 02/08/24		10,695.12
	23-170		04/04/2024	PROFESSIONAL SERVICES RENDERED 12/04/23 - 02/08/24		4,092.06
Check	05/16/2024	11211	Accounts Payable	BAY CENTRAL PRINTING		257.64
	Invoice		Date	Description	Check Sort Code	Amount
	198707		04/25/2024	BUSINESS CARD IMPRINTING - A.MEDINA		85.88
	198721		04/25/2024	BUSINESS CARD IMPRINTING - CHIEF ARGUELLO		85.88
	198700		04/23/2024	BUSINESS CARD IMPRINTING - JACKMAN		85.88
Check	05/16/2024	11212	Accounts Payable	BAY ISLAND OFFICIALS ASSOCIATION		143.00
	Invoice		Date	Description	Check Sort Code	Amount
	APRIL302024		04/30/2024	OFFICIATING FOR BASKETBALL AND VOLLEYBALL GAMES FOR APRIL '24		143.00
Check	05/16/2024	11213	Accounts Payable	JEREMY BECK		400.00

	Invoice	Date	Description	Check Sort Code	Amount
	013124EXP	05/14/2024	2024 ANNUAL CAPE SEMINAR REGISTRATION 03/25-03/29/24		400.00
Check	05/16/2024	11214 Accounts Payable	BLUEBEAM, INC.		2,274.00
	Invoice	Date	Description	Check Sort Code	Amount
	1859554	02/27/2024	BLUEBEAM ANNUAL SUBSCRIPTION 03/28/24 - 03/27/25		2,274.00
Check	05/16/2024	11215 Accounts Payable	CAL-WEST LIGHTING & SIGNAL MAINTENANCE		11,768.09
	Invoice	Date	Description	Check Sort Code	Amount
	240323	03/31/2024	FY23-24 STREET LIGHT MAINTENANCE 03/24		8,947.13
	240324	03/31/2024	FY23-24 STREET LIGHT MAINTENANCE 03/24		2,820.96
Check	05/16/2024	11216 Accounts Payable	EURO SCHOOL OF TENNIS		782.00
	Invoice	Date	Description	Check Sort Code	Amount
	01/06-03/02/24	05/06/2024	EURO SCHOOL OF TENNIS CLASSES FOR 01/06-03/02/24		782.00
Check	05/16/2024	11217 Accounts Payable	CALIFORNIA BUILDING STANDARDS COMMISSION		2,785.50
	Invoice	Date	Description	Check Sort Code	Amount
	0101-033124	05/07/2024	BUILDING STANDARDS FEES - JAN TO MAR 2024		2,785.50
Check	05/16/2024	11218 Accounts Payable	STATE DISBURSEMENT UNIT		1.38
	Invoice	Date	Description	Check Sort Code	Amount
	PPE 4.27.24	04/30/2024	GARNISH - CASE 200000002128365 - 4/14/24-4/27/24		1.38
Check	05/16/2024	11219 Accounts Payable	CALIFORNIA DEPARTMENT OF CONSERVATION		9,889.32
	Invoice	Date	Description	Check Sort Code	Amount
	0101-033124	04/30/2024	STRONG MOTION FEES - JAN TO MAR 2024		9,889.32
Check	05/16/2024	11220 Accounts Payable	CENTRALSQUARE TECHNOLOGIES, LLC		34,159.33
	Invoice	Date	Description	Check Sort Code	Amount
	405545	03/07/2024	PERMIT TRACKING SYSTEM SOFTWARE SYSTEM UPGRADES, PRJ 1296 03/24		34,159.33
Check	05/16/2024	11221 Accounts Payable	CHARGEPOINT, INC		3,105.00
	Invoice	Date	Description	Check Sort Code	Amount
	IN237371	12/26/2023	COMMERCIAL CLOUD PLAN 01/10/2024 - 01/10/2025		3,105.00
Check	05/16/2024	11222 Accounts Payable	COMCAST		874.21
	Invoice	Date	Description	Check Sort Code	Amount
	8821-052824	04/24/2024	TELEVISION & PUBLIC WIFI ACCESS 04/29-05/28/24		874.21
Check	05/16/2024	11223 Accounts Payable	CPS HR CONSULTING		3,600.00
	Invoice	Date	Description	Check Sort Code	Amount
	0012900	04/22/2024	TELL YOUR STORY WITH DATA TRAINING - 04/18/24		1,800.00
	0012901	04/22/2024	TELL YOUR STORY WITH DATA TRAINING - 04/18/24 (2)		1,800.00
Check	05/16/2024	11224 Accounts Payable	ALAMEDA COUNTY INFORMATION TECHNOLOGY DEPARTMENT		250.00
	Invoice	Date	Description	Check Sort Code	Amount
	163086	04/01/2024	SUBS-MOBILE-REPAIR 04/01-04/30/24		250.00

Check	05/16/2024	11225	Accounts Payable	DAILY JOURNAL CORPORATION	66.25

Invoice	Date	Description	Check Sort Code	Amount
B3798190	04/02/2024	FLOOD HAZARD ORDINANCE PUBLICATION 04/02/24		66.25

Check	05/16/2024	11226	Accounts Payable	DELTA DENTAL OF CALIFORNIA	16,809.26

Invoice	Date	Description	Check Sort Code	Amount
BE006049150	04/30/2024	DELTA PPO - MAY 2024 PREMIUMS		16,809.26

Check	05/16/2024	11227	Accounts Payable	DELTA DENTAL INSURANCE COMPANY	241.51

Invoice	Date	Description	Check Sort Code	Amount
BE006047245	04/30/2024	DELTA CARE - MAY 2024 PREMIUMS		241.51

Check	05/16/2024	11228	Accounts Payable	EAST BAY LAWN MOWER	153.46

Invoice	Date	Description	Check Sort Code	Amount
39149	05/06/2024	SMALL EQUIPMENT REPAIR 05/06/24		153.46

Check	05/16/2024	11229	Accounts Payable	EMPLOYMENT DEVELOPMENT DEPT	5,443.00

Invoice	Date	Description	Check Sort Code	Amount
L0786087248	04/30/2024	UNEMPLOYMENT INSURANCE 01/01/24-03/31/24		5,443.00

Check	05/16/2024	11230	Accounts Payable	FEDEX	19.00

Invoice	Date	Description	Check Sort Code	Amount
8-495-66035	05/10/2024	PACKAGE DELIVERY 5/2/24		19.00

Check	05/16/2024	11231	Accounts Payable	FIDELITY SECURITY LIFE INSURANCE/EYEMED	2,280.07

Invoice	Date	Description	Check Sort Code	Amount
166270896	04/30/2024	EYEMED - MAY 2024 PREMIUMS		2,280.07

Check	05/16/2024	11232	Accounts Payable	FRONTIER BUILDING PRODUCTS PACIFIC, INC	2,424.00

Invoice	Date	Description	Check Sort Code	Amount
4-23-986456	04/23/2024	THORNTON FIRE MOTOR ISSUE 4/10-4/23/24		808.00
4-23-988707	04/23/2024	PD DOOR ISSUES 4/23/24		404.00
4-23-988703	04/23/2024	CHERRY FIRE DOORS 4/23/24		404.00
4-23-988706	04/23/2024	RUSCHIN FIRE DOOR ISSUE 4/23/24		404.00
4-23-988704	04/23/2024	THORNTON FIRE DOOR ISSUE 4/23/24		404.00

Check	05/16/2024	11233	Accounts Payable	G BORTOLOTTO & CO INC	334,060.43

Invoice	Date	Description	Check Sort Code	Amount
5136	04/22/2024	FY22-23 AC OVERLAY PGRM, PRJ 1300 02/01-03/31/24		334,060.43

Check	05/16/2024	11234	Accounts Payable	GRAINGER	697.58

Invoice	Date	Description	Check Sort Code	Amount
9080441588	04/09/2024	FLEET GAS CONNECTOR		30.20
9080441570	04/09/2024	FLEET GAS INFRD FLAT PANEL HEATER		667.38

Check	05/16/2024	11235	Accounts Payable	HDL COREN & CONE	4,081.25

Invoice	Date	Description	Check Sort Code	Amount
SIN038171	04/25/2024	PROPERTY TAX CONSULTING - APR - JUN 2024		4,081.25

Check	05/16/2024	11236	Accounts Payable	HDL SOFTWARE, LLC	1,324.61

	Invoice	Date	Description	Check Sort Code	Amount
	SIN037809	03/31/2024	UUT RETURNS PROCESSED - MAR 2024		1,324.61
Check	05/16/2024	11237 Accounts Payable	HILLYARD		4,615.78
	Invoice	Date	Description	Check Sort Code	Amount
	605457952	04/22/2024	JANITORIAL SUPPLIES		4,615.78
Check	05/16/2024	11238 Accounts Payable	BULBULNAZ JALALIDIN (NAZ)		275.00
	Invoice	Date	Description	Check Sort Code	Amount
	042924EXP	05/07/2024	MEALS FOR OLD TOWN BUS ASSOC MEETING 04/29/24		275.00
Check	05/16/2024	11239 Accounts Payable	KBA DOCUMENT SOLUTIONS, LLC		4,237.19
	Invoice	Date	Description	Check Sort Code	Amount
	55Y1439978	03/07/2024	COPIER LEASE YEAR 2 OF 5 - TONER SILLIMAN 03/24		155.66
	55Y1442972	03/21/2024	COPIER LEASE YEAR 2 OF 5 - TONER SILLIMAN 03/24		1,570.00
	55Y1443133	03/22/2024	COPIER LEASE YEAR 2 OF 5 - OVERAGES 02/21/24-03/20/24		2,511.53
Check	05/16/2024	11240 Accounts Payable	KBA DOCUMENT SOLUTIONS		4,840.33
	Invoice	Date	Description	Check Sort Code	Amount
	180698	04/23/2024	LEASE PAYMENT 1900869004 - 04/15/24 - 05/14/24		207.57
	180697	04/23/2024	LEASE PAYMENT 1900869002 - 04/15/24 - 05/14/24		4,632.76
Check	05/16/2024	11241 Accounts Payable	KIM TURNER		447.00
	Invoice	Date	Description	Check Sort Code	Amount
	INVOICE-4831	05/14/2024	LEADERSHIP ACCOUNTABILITY-REYMUNDO, HALL, BORJA 5/23/24		447.00
Check	05/16/2024	11242 Accounts Payable	NAPA AUTO PARTS		22,703.69
	Invoice	Date	Description	Check Sort Code	Amount
	978397	04/11/2024	NAPA-TOOLBOX AND WORKSTATIONS		22,703.69
Check	05/16/2024	11243 Accounts Payable	L.N. CURTIS & SONS		49,170.06
	Invoice	Date	Description	Check Sort Code	Amount
	INV816604	04/24/2024	UNIFORM AND ACCESSORIES-WARREN		263.81
	INV816474	04/24/2024	UNIFORM AND ACCESSORIES-WILLIAMS		13.23
	INV797919	02/29/2024	SPECIALTY PARTS		36,396.77
	INV798953	03/05/2024	SPECIALTY PARTS-CUTTER		12,496.25
Check	05/16/2024	11244 Accounts Payable	LPC SERVICES, INC.		275.00
	Invoice	Date	Description	Check Sort Code	Amount
	73966	04/04/2024	PEST SERVICES - FIRE STATION #1 102707 4/4/24		275.00
Check	05/16/2024	11245 Accounts Payable	MAKAI SOLUTIONS		550.00
	Invoice	Date	Description	Check Sort Code	Amount
	2745	04/26/2024	LIFT INSPECTION 4/26/24		550.00
Check	05/16/2024	11246 Accounts Payable	MEYERS NAVE		352.50
	Invoice	Date	Description	Check Sort Code	Amount
	216609	04/30/2024	LEGAL SERVICES THROUGH MARCH 31, 2024		352.50
Check	05/16/2024	11247 Accounts Payable	MIKE YORKS INVESTIGATIONS		750.00
	Invoice	Date	Description	Check Sort Code	Amount

	2024-07		04/24/2024	BACKGROUND INVESTIGATIONS 04/11-04/24/24		750.00
Check	05/16/2024	11248	Accounts Payable	MNS ENGINEERS INC		956.34
	Invoice		Date	Description	Check Sort Code	Amount
	86019		04/13/2024	ON-CALL PUBLIC WORKS CONSTRUCTION INSPECTION SERVICES 03/24		956.34
Check	05/16/2024	11249	Accounts Payable	NHA ADVISORS, LLC		4,475.00
	Invoice		Date	Description	Check Sort Code	Amount
	01145		11/17/2023	FINANCIAL CONSULTING - PENSION EDUCATION 10/01-10/31/23		1,437.50
	01170		12/06/2023	FINANCIAL CONSULTING - PENSION EDUCATION 11/01-11/30/23		337.50
	01242		03/15/2024	2023 CONTINUING DISCLOSURE COMPLIANCE & CDIAC ADTR		2,700.00
Check	05/16/2024	11250	Accounts Payable	NICHOLS CONSULTING ENGINEERS, CHTD		7,964.33
	Invoice		Date	Description	Check Sort Code	Amount
	123085502		04/22/2024	TASK ORDER NO. 4 - CONCRETE AND PEDESTRIAN SAFETY HSIP - 04/24		7,964.33
Check	05/16/2024	11251	Accounts Payable	OAKLAND AUDIO-VISUAL SERVICE INC		10,659.00
	Invoice		Date	Description	Check Sort Code	Amount
	0026158		04/27/2024	OAVS AUDIO-VISUAL TECHNICAL SHOW FOR SOTC 04/27/24		10,659.00
Check	05/16/2024	11252	Accounts Payable	OCCUPATIONAL HEALTH CENTERS OF CALIFORNIA		137.00
	Invoice		Date	Description	Check Sort Code	Amount
	83053626		05/07/2024	PRE-EMPLOYMENT/ DOT PHYSICALS - 05/07/24		137.00
Check	05/16/2024	11253	Accounts Payable	HELEN QUE-GARCIA		1,032.61
	Invoice		Date	Description	Check Sort Code	Amount
	050324EXP		05/13/2024	EXPENSE REIMBURSEMENT- EMPLOYEE BACKPACKS		1,032.61
Check	05/16/2024	11254	Accounts Payable	REVOLUTION DANCEWEAR, LLC		3,049.26
	Invoice		Date	Description	Check Sort Code	Amount
	REV-126385		01/31/2024	DANCE COSTUMES		2,650.88
	REV-150296		02/27/2024	DANCE COSTUMES		398.38
Check	05/16/2024	11255	Accounts Payable	RUGGERI-JENSEN-AZAR		1,662.00
	Invoice		Date	Description	Check Sort Code	Amount
	92991		04/24/2024	ON-CALL CIVIL ENGINEERING DEVELOPMENT PLAN REVIEW SERVICES 03/24		1,662.00
Check	05/16/2024	11256	Accounts Payable	SEDGWICK		5,700.00
	Invoice		Date	Description	Check Sort Code	Amount
	BRS-0020603		04/24/2024	REMOTE RISK CONTROL-MARCH 2024		5,700.00
Check	05/16/2024	11257	Accounts Payable	DOMESTIC TRUCK DRIVING SCHOOL		4,500.00
	Invoice		Date	Description	Check Sort Code	Amount
	514		04/22/2024	TRUCK DRIVING SCHOOL-MIGUEL CASILLAS AND JOSUE DUENAS		4,500.00
Check	05/16/2024	11258	Accounts Payable	SIEMENS INDUSTRY, INC.		8,010.06
	Invoice		Date	Description	Check Sort Code	Amount
	5331224640		12/28/2023	PD UDACT ISSUE 11/27/23		1,708.00
	5331018163		08/04/2023	SILLIMAN SMOKE DETECTOR ISSUE 7/13/23		6,302.06
Check	05/16/2024	11259	Accounts Payable	THE ECOHERO SHOW LLC		3,900.00

	Invoice	Date	Description	Check Sort Code	Amount
	2648	04/30/2024	RECYCLING AND WASTE REDUCTION OUTREACH TO SCHOOLS 04/24		3,900.00
Check	05/16/2024	11260 Accounts Payable	TRUE NORTH COMPLIANCE SERVICES, INC.		13,200.00
	Invoice	Date	Description	Check Sort Code	Amount
	24-04-01-032	05/01/2024	BI FIELD INSPECTION AND RELATED PROFESSIONAL SERVICES 04/24		13,200.00
Check	05/16/2024	11261 Accounts Payable	ULINE		466.44
	Invoice	Date	Description	Check Sort Code	Amount
	176392108	04/02/2024	SPRAY BOTTLES FOR SILLIMAN		466.44
Check	05/16/2024	11262 Accounts Payable	UNIVERSAL BUILDING SERVICES & SUPPLY CO.		35,777.00
	Invoice	Date	Description	Check Sort Code	Amount
	2024-0401	04/30/2024	JANITORIAL SERVICES - CITYWIDE APRIL 2024		35,777.00
Check	05/16/2024	11263 Accounts Payable	VERIZON WIRELESS		40,862.59
	Invoice	Date	Description	Check Sort Code	Amount
	9961941899	04/18/2024	WIRELESS SERVICE 03/19-04/18/24		40,862.59
Check	05/16/2024	11264 Accounts Payable	VISTA UNIVERSAL INC		1,814.56
	Invoice	Date	Description	Check Sort Code	Amount
	T517997	05/02/2024	SILLIMAN LIGHT REPLACEMENT 4/29/24		1,814.56
Check	05/16/2024	11265 Accounts Payable	WATERPROOFING ASSOCIATES, INC.		3,369.00
	Invoice	Date	Description	Check Sort Code	Amount
	49983	04/17/2024	SERVICE CENTER LEAK INVESTIGATION AND REPAIRS 3/6/24		1,699.00
	49984	04/17/2024	SVC LEAK INVESTIGATION AND REPAIR 3/26/24		1,670.00
Check	05/16/2024	11266 Accounts Payable	WEST COAST ARBORISTS INC		33,684.90
	Invoice	Date	Description	Check Sort Code	Amount
	213974	03/12/2024	LAKESHORE PARK TREE SERVICE 03/12/24-03/12/24		2,153.40
	213996	03/12/2024	RESIDENTIAL TREE PLANTING 03/05/24-03/12/24		30,940.80
	213997	03/25/2024	BYINGTON PARK PRUNING 03/25/24-03/25/24		590.70
Check	05/16/2024	11267 Accounts Payable	WESTERN STAR NURSERIES LLC		2,774.84
	Invoice	Date	Description	Check Sort Code	Amount
	187340	04/22/2024	TREES		2,774.84
Check	05/16/2024	11268 Accounts Payable	ARREDONDO , FREDERICK		0.89
	Invoice	Date	Description	Check Sort Code	Amount
	051424UUT	05/14/2024	UTILITY USERS TAX REFUND 05/09-06/08/24		0.89
Check	05/16/2024	11269 Accounts Payable	PEREZ , JORGE		1,000.00
	Invoice	Date	Description	Check Sort Code	Amount
	2023-4602	05/08/2024	ENCP2023-0065 RFND		1,000.00
Check	05/16/2024	11270 Accounts Payable	RODRIGUEZ , PONCIANO		1,000.00
	Invoice	Date	Description	Check Sort Code	Amount
	2023-4649	05/08/2024	ENCP2023-0071 RFND		1,000.00
Check	05/16/2024	11271 Accounts Payable	TESLA ENERGY OPERATIONS		124.80

	Invoice	Date	Description	Check Sort Code	Amount
	R25122	05/07/2024	PERMIT INSPECTION FEE REFUND (80%) ELEC2023-0629		124.80
EFT	05/16/2024	1022 Accounts Payable	CLIENTFIRST TECHNOLOGY CONSULTING	122037760 / 001064667052	21,725.00
	Invoice	Date	Description	Check Sort Code	Amount
	16524	03/31/2024	TECHNOLOGY MASTER PLAN 03/01-03/31/24		2,270.00
	16527	03/31/2024	TELECOM IMPLEMENTATION 03/01-03/31/24		3,280.00
	16444	03/31/2024	VIDEO PROJECT 03/01-03/31/24		2,357.50
	16398	03/31/2024	IT STRATEGIC ASSISTANCE 03/01-03/31/24		790.00
	16338	02/29/2024	IT STRATEGIC ASSISTANCE 01/01-02/29/24		410.00
	16337	02/29/2024	VIDEO PROJECT 02/01-02/29/24		5,862.50
	16328	02/29/2024	TECHNOLOGY MASTER PLAN 02/01-02/29/24		6,755.00
EFT	05/16/2024	1023 Accounts Payable	GHA TECHNOLOGIES INC (ACH)	122100024 / 836623900	7,791.48
	Invoice	Date	Description	Check Sort Code	Amount
	11382663	04/22/2024	HYCU SUBSCRIPTION RENEWAL 04/26/24 - 04/25/25		7,791.48
EFT	05/16/2024	1024 Accounts Payable	QUADIENT FINANCE USA, INC.	011900254 / 385015844484	2,072.81
	Invoice	Date	Description	Check Sort Code	Amount
	4857 - APR '24	04/15/2024	POSTAGE - APR '24		2,072.81
EFT	05/16/2024	1025 Accounts Payable	REDWOOD PUBLIC LAW, LLP	121000358 / 325192270245	163.50
	Invoice	Date	Description	Check Sort Code	Amount
	10051	05/14/2024	LEGAL SERVICES - CENTRAL AVENUE OVERPASS - SVCS THRU 03/24		163.50

AP ZBA ACCOUNTS PAYABLE Totals: Transactions: 71 $1,857,192.90

Checks:	67	$1,825,440.11
EFTs:	4	$31,752.79

LIVE Newark CA LIVE

Payment Batch Register

Bank Account: AP - ZBA ACCOUNTS PAYABLE

Batch Date: 05/23/2024

Type	Date	Number	Source	Payee Name	EFT Bank/Account	Transaction Amount
Bank Account: AP - ZBA ACCOUNTS PAYABLE						
Check	05/23/2024	11272	Accounts Payable	ALAMEDA COUNTY FIRE DEPARTMENT		1,093,290.00
	Invoice		Date	Description	Check Sort Code	Amount
	2023-24-287		05/03/2024	CONTRACT FIRE SERVICES - 05/24		1,093,290.00
Check	05/23/2024	11273	Accounts Payable	TREASURER OF ALAMEDA COUNTY		2,002.00
	Invoice		Date	Description	Check Sort Code	Amount
	APR 24		05/07/2024	CRIME LAB FEES APR 2024		2,002.00
Check	05/23/2024	11274	Accounts Payable	ALL CITY MANAGEMENT SERVICES, INC.		7,915.46
	Invoice		Date	Description	Check Sort Code	Amount
	93140		05/01/2024	SCHOOL CROSSING GUARD SVCS 04/14-04/27/24		7,915.46
Check	05/23/2024	11275	Accounts Payable	GUSTAVO ARROYO		901.58
	Invoice		Date	Description	Check Sort Code	Amount
	0507-050924EXP		05/15/2024	TRAINING MANAGER COURSE 05/07-05/09/24		901.58
Check	05/23/2024	11276	Accounts Payable	AT&T		407.56
	Invoice		Date	Description	Check Sort Code	Amount
	2300-02012024		02/01/2024	CAPTION LISTING - 02/01-02/29/2024		101.89
	2300-03012024		03/01/2024	CAPTION LISTING - 03/01-03/31/2024		101.89
	2300-04012024		04/01/2024	CAPTION LISTING - 04/01-04/30/2024		101.89
	2300-05012024		05/01/2024	CAPTION LISITING - 05/01-05/31/2024		101.89
Check	05/23/2024	11277	Accounts Payable	BAY AREA AIR QUALITY MGMT DIST.		491.00
	Invoice		Date	Description	Check Sort Code	Amount
	T168409		04/02/2024	ANNUAL PERMIT RENEWAL 06/01/24-06/01/25		491.00
Check	05/23/2024	11278	Accounts Payable	BLAISDELL'S BUSINESS PRODUCTS		296.78
	Invoice		Date	Description	Check Sort Code	Amount
	APR'24		05/01/2024	OFFICE SUPPLIES 04/17/24		296.78
Check	05/23/2024	11279	Accounts Payable	CAL-WEST LIGHTING & SIGNAL MAINTENANCE		49,641.95
	Invoice		Date	Description	Check Sort Code	Amount
	240443		04/30/2024	FY23-24 STREET LIGHT MAINTENANCE 04/24		6,663.45
	240444		04/30/2024	FY23-24 STREET LIGHT MAINTENANCE 04/24		6,293.45
	240445		04/30/2024	FY23-24 STREET LIGHT MAINTENANCE 04/24		5,712.80
	240446		04/30/2024	FY23-24 STREET LIGHT MAINTENANCE 04/24		6,163.45

	240447	04/30/2024	FY23-24 STREET LIGHT MAINTENANCE 04/24		6,163.45
	240448	04/30/2024	FY23-24 STREET LIGHT MAINTENANCE 04/24		6,163.45
	240449	04/30/2024	FY23-24 STREET LIGHT MAINTENANCE 04/24		6,240.95
	240450	04/30/2024	FY23-24 STREET LIGHT MAINTENANCE 04/24		6,240.95
Check	05/23/2024	11280 Accounts Payable	STATE DISBURSEMENT UNIT		1.38
	Invoice	Date	Description	Check Sort Code	Amount
	PPE 5.11.24	05/16/2024	GARNISH - CASE 200000002128365 - 4/28/24-5/11/24		1.38
Check	05/23/2024	11281 Accounts Payable	APRO LLC		135.00
	Invoice	Date	Description	Check Sort Code	Amount
	040124-043024	04/01/2024	CAR WASH 04/01-04/30/24		90.00
	030124-033124	03/01/2024	CAR WASH 03/01-03/31/24		45.00
Check	05/23/2024	11282 Accounts Payable	CITY OF FREMONT		13,238.00
	Invoice	Date	Description	Check Sort Code	Amount
	334055	05/01/2024	SHELTER OPERATING EXP MAY 2024		13,238.00
Check	05/23/2024	11283 Accounts Payable	CIVICA LAW GROUP, APC		25.60
	Invoice	Date	Description	Check Sort Code	Amount
	12911	05/02/2024	PROFESSIONAL SERVICES RENDERED THROUGH APRIL 30, 2024		25.60
Check	05/23/2024	11284 Accounts Payable	CLEARGOV INC.		2,429.23
	Invoice	Date	Description	Check Sort Code	Amount
	2024-14586	04/09/2024	OPERATIONAL BUDGETS SUITE 04/30-06/30/24		2,429.23
Check	05/23/2024	11285 Accounts Payable	COST RECOVERY SYSTEMS INC		8,000.00
	Invoice	Date	Description	Check Sort Code	Amount
	2024-26	02/19/2024	STATE MANDATE CLAIM PREP SRVCS FY23-24		8,000.00
Check	05/23/2024	11286 Accounts Payable	COUNTY OF ALAMEDA		1,630.00
	Invoice	Date	Description	Check Sort Code	Amount
	APRIL '24	05/03/2024	CITATION PROCESSING FEES - APRIL '24		1,630.00
Check	05/23/2024	11287 Accounts Payable	ALAMEDA COUNTY ASSESSOR'S OFFICE		12.00
	Invoice	Date	Description	Check Sort Code	Amount
	1665	05/02/2024	ASSESSOR MAP UPDATES - 5/2024		12.00
Check	05/23/2024	11288 Accounts Payable	CSU, EAST BAY FOUNDATION, INC.		2,781.24
	Invoice	Date	Description	Check Sort Code	Amount
	80013625	05/03/2024	DATA COLLECTION RESEARCH SUPPORT 10/01/23-03/31/24		2,781.24
Check	05/23/2024	11289 Accounts Payable	DAILY JOURNAL CORPORATION		47.50
	Invoice	Date	Description	Check Sort Code	Amount
	B3809908	05/07/2024	PH NOTICE - 2024 WEED ABATEMENT PROGRAM HEARING 05/07/24		47.50
Check	05/23/2024	11290 Accounts Payable	EAST BAY LAWN MOWER		62.11
	Invoice	Date	Description	Check Sort Code	Amount
	39106	03/22/2024	FLEET OIL		62.11
Check	05/23/2024	11291 Accounts Payable	EAST BAY REGIONAL COMMUNICATIONS		164,700.00
	Invoice	Date	Description	Check Sort Code	Amount

	20230219	07/01/2023	800MHZ ACCESS FEES FY 23/24			84,780.00
	20230127	07/01/2022	800MHZ ACCESS FEES FY 22/23			79,920.00
Check	05/23/2024	11292 Accounts Payable	EPLUS TECHNOLOGY, INC.			54,766.76
	Invoice	Date	Description		Check Sort Code	Amount
	V2828123	03/22/2024	VARONIS RENEWAL - SLP CONTRACT 24-70-0059Z - 03/30/24-03/29/25			54,766.76
Check	05/23/2024	11293 Accounts Payable	FREMONT FORD/AUTOBODY OF FREMONT			500.00
	Invoice	Date	Description		Check Sort Code	Amount
	434799	05/08/2024	CATALYTIC CONVERTER SERVICE 05/08/24			100.00
	434792	05/08/2024	CATALYTIC CONVERTER SERVICE 05/08/24			100.00
	435101	05/15/2024	CATALYTIC CONVERTER SERVICE 05/15/24			100.00
	435103	05/15/2024	CATALYTIC CONVERTER SERVICE 05/15/24			100.00
	435099	05/15/2024	CATALYTIC CONVERTER SERVICE 05/15/24			100.00
Check	05/23/2024	11294 Accounts Payable	FRONTIER BUILDING PRODUCTS PACIFIC, INC			1,114.00
	Invoice	Date	Description		Check Sort Code	Amount
	4-30-991223	04/30/2024	FIRE STATION 27 REPLACEMENT REELS 4/30/24			1,114.00
Check	05/23/2024	11295 Accounts Payable	GACHINA LANDSCAPE MANAGEMENT, INC.			25,087.56
	Invoice	Date	Description		Check Sort Code	Amount
	E 217970A	05/01/2024	MAINTENANCE CONTRACT MAY 2024			21,049.81
	E 217970B	05/01/2024	MAINTENANCE CONTRACT-CH, PD, LIB MAY 2024			4,037.75
Check	05/23/2024	11296 Accounts Payable	GRAINGER			212.22
	Invoice	Date	Description		Check Sort Code	Amount
	9086445054	04/15/2024	SILLIMAN FUSE			130.71
	9087981792	04/16/2024	SR CTR HALF DOME MIRROR			46.32
	9089600598	04/17/2024	OIL FILTER			35.19
Check	05/23/2024	11297 Accounts Payable	KBA DOCUMENT SOLUTIONS, LLC			2,296.83
	Invoice	Date	Description		Check Sort Code	Amount
	55Y1450260	04/22/2024	COPIER LEASE YEAR 2 OF 5 - OVERAGES 03/21-04/20/24			2,296.83
Check	05/23/2024	11298 Accounts Payable	NAPA AUTO PARTS			2,162.28
	Invoice	Date	Description		Check Sort Code	Amount
	APR' 24	04/30/2024	NAPA-FLEET SUPPLIES APRIL 2024			2,162.28
Check	05/23/2024	11299 Accounts Payable	KNORR SYSTEMS INTERNATIONAL			789.00
	Invoice	Date	Description		Check Sort Code	Amount
	234509	04/30/2024	SILLIMAN POOL SERVICE 4/26/24			789.00
Check	05/23/2024	11300 Accounts Payable	KARL KREUTZER			4,000.00
	Invoice	Date	Description		Check Sort Code	Amount
	EDUREIMB-FALL23	05/16/2024	EDUCATIONAL REIMBURSEMENT- FY23-24 - FALL 2023			4,000.00
Check	05/23/2024	11301 Accounts Payable	LEXISNEXIS RISK SOLUTIONS FL INC			50.00
	Invoice	Date	Description		Check Sort Code	Amount
	1845802-20240430	04/30/2024	INVESTIGATIVE INFO RESEARCH - 4/30/24			50.00

Check	05/23/2024	11302	Accounts Payable	LIEBERT CASSIDY WHITMORE		870.00
	Invoice		Date	Description	Check Sort Code	Amount
	265016		03/31/2024	PROFESSIONAL SERVICES RENDERED THROUGH MARCH 31, 2024		870.00
Check	05/23/2024	11303	Accounts Payable	LPC SERVICES, INC.		267.00
	Invoice		Date	Description	Check Sort Code	Amount
	74070		04/29/2024	PEST SERVICES - CITY HALL #102699 4/29/24		267.00
Check	05/23/2024	11304	Accounts Payable	MARK GOTHARD		800.00
	Invoice		Date	Description	Check Sort Code	Amount
	404202404182024		05/09/2024	SENIOR CHAIR FITNESS 4/4-4/18/24		800.00
Check	05/23/2024	11305	Accounts Payable	MEYERS NAVE		696.00
	Invoice		Date	Description	Check Sort Code	Amount
	217767		05/10/2024	LEGAL SERVICES THROUGH APRIL 30, 2024		696.00
Check	05/23/2024	11306	Accounts Payable	MIKE YORKS INVESTIGATIONS		3,075.00
	Invoice		Date	Description	Check Sort Code	Amount
	2024-06		05/06/2024	BACKGROUND INVESTIGATIONS 03/28-05/06/24		3,075.00
Check	05/23/2024	11307	Accounts Payable	NHA ADVISORS, LLC		3,325.00
	Invoice		Date	Description	Check Sort Code	Amount
	01202		01/17/2024	FINANCIAL CONSULTING - GENERAL 11/01/23-12/31/23		3,325.00
Check	05/23/2024	11308	Accounts Payable	OCCUPATIONAL HEALTH CENTERS OF CALIFORNIA		621.00
	Invoice		Date	Description	Check Sort Code	Amount
	83127715		05/14/2024	PRE-EMPLOYMENT/ DOT PHYSICALS - 05/14/24		621.00
Check	05/23/2024	11309	Accounts Payable	PACIFIC GAS & ELECTRIC		115,668.90
	Invoice		Date	Description	Check Sort Code	Amount
	7578-050924		05/09/2024	CITYWIDE ELECTRICAL 5/9/24		72,618.09
	7786-042224		04/22/2024	ANNUAL ELECTRICITY FOR STREET/TRAFFIC LIGHTS 03/16-04/16/24		39,677.92
	0870-050724		05/07/2024	ANNUAL ELECTRICITY FOR STREET/TRAFFIC LIGHTS 03/30-04/30/24		109.19
	0552-050224		05/02/2024	ANNUAL ELECTRICITY FOR STREET/TRAFFIC LIGHTS 03/28-04/26/24		123.82
	2305-050224		05/02/2024	ANNUAL ELECTRICITY FOR STREET/TRAFFIC LIGHTS 03/27-04/25/24		125.63
	9045-050324		05/03/2024	ANNUAL ELECTRICITY FOR STREET/TRAFFIC LIGHTS 03/27-04/25/24		292.02
	1859-050624		05/06/2024	ANNUAL ELECTRICITY FOR STREET/TRAFFIC LIGHTS 03/29-04/29/24		2,587.89
	3926-050624		05/06/2024	ANNUAL ELECTRICITY FOR STREET/TRAFFIC LIGHTS 03/29-04/29/24		134.34
Check	05/23/2024	11310	Accounts Payable	QUADIENT LEASING USA, INC.		2,700.53
	Invoice		Date	Description	Check Sort Code	Amount
	Q1310846		04/26/2024	POSTAL/FOLDING MACHINE LEASE 02/29/24-03/28/24		2,700.53
Check	05/23/2024	11311	Accounts Payable	RSG, INC.		2,093.75
	Invoice		Date	Description	Check Sort Code	Amount
	I011772		05/10/2024	RSG3518 - NEWARK INTERIM CHAMBER CEO - 4/1/24-4/30/24		2,093.75
Check	05/23/2024	11312	Accounts Payable	RUTAN & TUCKER, LLP		3,780.00
	Invoice		Date	Description	Check Sort Code	Amount
	985234		02/22/2024	AREA 4 CEQA - SVCS THRU 1/31/24		3,360.00

	992473	05/10/2024	AREA 4 CEQA - SVCS THRU 4/30/24			420.00
Check	05/23/2024	11313 Accounts Payable	SIGNATURE CARPET ONE			17,290.00
	Invoice	Date	Description		Check Sort Code	Amount
	I-14455	05/15/2024	SILLIMAN CARPET REPLACEMENT 05/15/24			17,290.00
Check	05/23/2024	11314 Accounts Payable	STAPLES			969.39
	Invoice	Date	Description		Check Sort Code	Amount
	7000518954	04/30/2024	OFFICE SUPPLIES 4/16-4/29/24			969.39
Check	05/23/2024	11315 Accounts Payable	TEMPERATURE TECHNOLOGY INC.			7,494.17
	Invoice	Date	Description		Check Sort Code	Amount
	I3175	04/29/2024	FIRE STATION 1 HVAC SERVICE 4/25-4/26/24			5,566.67
	I3184	04/29/2024	FIRE STATION 1 HVAC SERVICE 4/4 & 4/23/24			1,927.50
Check	05/23/2024	11316 Accounts Payable	THE ED JONES CO INC			221.00
	Invoice	Date	Description		Check Sort Code	Amount
	55974	03/21/2024	TOP NAME RIBBON-CHIEF ARGUELLO			221.00
Check	05/23/2024	11317 Accounts Payable	THE TACTICAL ADVANTAGE POLICE SUPPLY			1,110.35
	Invoice	Date	Description		Check Sort Code	Amount
	7843	03/14/2024	BULLETPROOF VESTS LT. SIMON; APPROVAL #2024-03			1,110.35
Check	05/23/2024	11318 Accounts Payable	TRI-TECH FORENSICS, INC			52.10
	Invoice	Date	Description		Check Sort Code	Amount
	00972120	01/23/2024	POLY BAGS			52.10
Check	05/23/2024	11319 Accounts Payable	TURBO DATA SYSTEMS, INC			702.00
	Invoice	Date	Description		Check Sort Code	Amount
	42813	04/30/2024	E-CITATION HARDWARE AND TRAFFIC PROCESSING SERVICES APR '24			702.00
Check	05/23/2024	11320 Accounts Payable	STEVEN TURNER			1,536.33
	Invoice	Date	Description		Check Sort Code	Amount
	0412-041624EXP	05/14/2024	EXPENSE REIMBURSEMENT APA CONFERENCE MINNEAPOLIS 4/12-4/16/24			1,536.33
Check	05/23/2024	11321 Accounts Payable	UNIVERSAL BUILDING SERVICES & SUPPLY CO.			5,846.00
	Invoice	Date	Description		Check Sort Code	Amount
	524451	04/30/2024	JANITORIAL SERVICES - LIBRARY APRIL 2024			5,846.00
Check	05/23/2024	11322 Accounts Payable	UTILITY TELECOM GROUP, LLC			21,445.24
	Invoice	Date	Description		Check Sort Code	Amount
	MAY '24	05/16/2024	TELEPHONE & NETWORK PROVIDER - MAY '24			21,445.24
Check	05/23/2024	11323 Accounts Payable	WASHINGTON HOSPITAL			100.00
	Invoice	Date	Description		Check Sort Code	Amount
	0424-NPD-LB	05/01/2024	LAB TESTS APRIL 2024			100.00
Check	05/23/2024	11324 Accounts Payable	WEX BANK			1,335.95
	Invoice	Date	Description		Check Sort Code	Amount
	96932020	05/06/2024	CHEVRON CC 05/06/24			1,335.95

Check	05/23/2024	11325	Accounts Payable	ORION SECURITY		1,155.20
	Invoice		Date	Description	Check Sort Code	Amount
	126532		05/11/2024	UNARMED, UNIFORMED SECURITY GUARD 5/6/24 - 5/9/24		1,155.20
Check	05/23/2024	11326	Accounts Payable	AGUILAR , TATIANA		1,000.00
	Invoice		Date	Description	Check Sort Code	Amount
	2024-00003305		05/20/2024	SPECIAL EVENT PERMIT SECURITY DEPOSIT REFUND		1,000.00
Check	05/23/2024	11327	Accounts Payable	CARVAJAL , ROSIE		1,000.00
	Invoice		Date	Description	Check Sort Code	Amount
	2024-00003302		05/20/2024	SPECIAL EVENT PERMIT SECURITY DEPOSIT REFUND		1,000.00
Check	05/23/2024	11328	Accounts Payable	LEAGUE OF VOLUNTEERS		1,000.00
	Invoice		Date	Description	Check Sort Code	Amount
	2024-00003190		05/20/2024	SPECIAL EVENT PERMIT SECURITY DEPOSIT REFUND		1,000.00
Check	05/23/2024	11329	Accounts Payable	SAVALI , JOE		1,000.00
	Invoice		Date	Description	Check Sort Code	Amount
	2024-00003186		05/20/2024	SPECIAL EVENT PERMIT SECURITY DEPOSIT REFUND		1,000.00
EFT	05/23/2024	1037	Accounts Payable	CLIENTFIRST TECHNOLOGY CONSULTING	122037760 / 001064667052	761.25
	Invoice		Date	Description	Check Sort Code	Amount
	16598		04/30/2024	IT STRATEGIC ASSISTANCE 04/01-04/30/24		248.75
	16599		04/30/2024	VIDEO PROJECT 04/01-04/30/24		512.50
EFT	05/23/2024	1038	Accounts Payable	METROPOLITAN PLANNING GROUP	121042882 / 2016189470	21,836.25
	Invoice		Date	Description	Check Sort Code	Amount
	2004329		02/16/2024	CEQA REVIEW FOR THE PROLOGIS PROJECT - SVCS THRU 01/31/24		12,272.50
	2004387		03/13/2024	CEQA REVIEW FOR THE PROLOGIS PROJECT - SVCS THRU 02/29/24		6,097.50
	2004415		04/04/2024	CEQA REVIEW FOR THE PROLOGIS PROJECT - SVCS THRU 03/31/24		3,466.25
EFT	05/23/2024	1039	Accounts Payable	PET BENEFIT SOLUTION	021000021 / 238821802	53.75
	Invoice		Date	Description	Check Sort Code	Amount
	163395		05/16/2024	TOTAL PET PLAN - MAY 2024 PREMIUMS		53.75

AP ZBA ACCOUNTS PAYABLE Totals:		Transactions: 61	$1,658,793.20
Checks:	58	$1,636,141.95	
EFTs:	3	$22,651.25	

STAFF REPORT

Item D. 2.

DATE	06/13/2024
TO	Honorable Mayor and City Council Members
FROM	Sheila Harrington, City Clerk
SUBJECT	Approval of May 23, 2024, minutes

Attachments

Minutes

Draft

Thursday, May 23, 2024
7:00 P.M.

A. ROLL CALL

Mayor Hannon called the meeting to order at 7:00 p.m. Vice Mayor Freitas, Council Members Collazo, and Jorgens were present. Council Member Bucci was noted absent.

Mayor Hannon announced that item F.2 Capital Improvement Plan would be rescheduled for the June 13, 2024, City Council meeting.

No one in the audience requested to speak on the Capital Improvement Plan.

B. PRESENTATIONS

Mayor Hannon presented a commendation to Joy Lee, student Board Member for the Newark Unified School District Board of Education.

Mayor Hannon presented a commendation to the Newark Rocketry Team for competing in the American Rocketry Challenge and the NASA Student Launch Initiative.

C. PUBLIC COMMENT

Mr. Milind Shyani thanked Public Works Director Fajeau and Senior Landscape Inspector Cianciarlo for their response to his request for additional trees on Newark Boulevard. He asked how residents could help with tree plantings and if there were other modes of communication, besides City Council meetings, to contact the City.

D. CONSENT CALENDAR

City Manager Benoun requested the removal of item D.5. Cooperative Agreement with the Alameda County Water District.

Council Member Jorgens moved, Council Member Collazo seconded, to approve Consent Calendar items D.1 to D4 and D.6, that the resolutions be numbered consecutively, and that reading of the titles suffice for adoption. The motion passed, 4 AYES, 1 ABSENT.

1. Approval of Audited Demands

2. Approval of May 9, 2024, minutes

3. Adopt a resolution approving a Consultant Services Agreement with Community Planning Collaborative for Housing Program Management Consulting Services
   Resolution No. 11639
   Contract No. 24041

4. Adopt a resolution approving the First Amendment to the Software as a Service Agreement with Axero Holdings, LLC and amending the 2022-2024 Biennial Budget and Capital Improvement Plan for FY2024
   Resolution No. 11640
   Contract No. 22066

5. Removed from Consent Calendar - Adopt a resolution authorizing the City Manager to execute a Cooperative Agreement with the Alameda County Water District for water main design and construction associated with the Old Town Streetscape Improvements, Project 1258

6. Adopt a resolution to (1) amend the Employee Classification Plan to delete and add multiple class specifications; (2) amend the Compensation and Benefit Plan for the Management, Supervisory, and Professional Employees Group to add multiple class specifications, and to add salary steps/ranges for each new classification; and (3) amend the City's Salary Schedule in conformance with California Code of Regulations, Title 2, Section 570.5
   Resolution No. 11641

NON CONSENT

D.5 Adopt a resolution authorizing the City Manager to execute a Cooperative Agreement with the Alameda County Water District for water main design and construction associated with the Old Town Streetscape Improvements, Project 1258

City Manager Benoun stated that two Council Members need to recuse from this item and a quorum was not available to proceed. He stated that staff would reschedule the matter.

E. PUBLIC HEARINGS

1. Hearing to consider property owners' objections to the 2024 Weed Abatement Program and instruction to the Superintendent of Streets to abate the public nuisances
Motion approved

City Manager Benoun gave the staff report noting that no property owner objections had been received for the 2024 Weed Abatement Program.

Mayor Hannon opened the public hearing at 7:34 p.m.

No one requested to speak.

Mayor Hannon closed the public hearing at 7:35 p.m.

Vice Mayor Freitas moved, Council Member Collazo seconded to act upon any objections by property owners to the 2024 Weed Abatement Program and to instruct the Superintendent of Streets to abate the public nuisances. The motion passed, 4 AYES, 1 ABSENT.

F. OTHER BUSINESS

1. Presentation by Godbe Research on the results of the community survey conducted to identify community priorities and to update the Hotel Tax

Bryan Godbe, Godbe Research gave the presentation indicating that there was community support for a potential ballot measure to increase the Transient Occupancy Tax. Presentation on file with City Clerk's office.

City Manager Benoun stated that staff would return at a future meeting with a proposed ordinance and ballot question for the City Council to consider placing a ballot measure on the November Election to seek voter approval to increase the Transient Occupancy Tax.

Mayor Hannon called a recess at 7:55 p.m.

Mayor Hannon called the meeting back to order at 8:05 p.m.

2. Presentation of the draft 2024-2026 Biennial Budget

Finance Director Lee provided a budget overview, economic and financial update, the proposed budgets for Fiscal Year 2025 and Fiscal Year 2026. Presentation on file with City Clerk's office.

Mayor Hannon requested that the Five-Year Forecast include information that measured staff's projections from previous years.

City Manager Benoun reviewed budget additions and supplements by department.

Mayor Hannon requested that when the budget is reviewed next year, staff indicate funds that were offset by other funding sources, such as developer paid services, to allow the City Council to determine if the money was well spent.

City Manager Benoun reviewed Mayor and Council Member Salaries, and indicated that they could consider up to a 10% increase, per government code, that would start in January 2025, after the next election.

The City Council discussed a 6% versus a 10% increase. They concurred to budget for a 6% increase and to have staff review comparison cities salary ranges to see if a 10% increase should be considered.

Mayor Hannon requested that on page 62 of the draft budget he would like to know the current vacancy rate for commercial office space. He would also like homeownership statistics broken down based on race.

City Manager Benoun stated that 2024-2026 Budget and Capital Improvement Plan would be scheduled for a public hearing at the June 27, 2024, meeting.

G. CITY COUNCIL MATTERS

Council Member Jorgens thanked staff for the Biennial Budget process guidance. He attended the Newark Memorial Band and Choir concert. He congratulated Newark Memorial High School graduates and his mom on her retirement from the Newark Unified School District.

Council Member Collazo asked about traffic signage at: Lake Boulevard and Chapman Drive stop requires a right turn; Dairy Avenue at Newark Boulevard, suggested a no U Turn sign near Salvation Army; the Old Town Shopping Center exit onto Dairy Avenue suggested one lane signs for each direction. She congratulated her grandson who is graduating from Newark Memorial High School. She thanked everyone who served the country for Memorial Day. Shop Newark.

Vice Mayor Freitas stated that he attended the groundbreaking for Timber Senior Housing and noted that the CEO of Eden Housing complimented the Newark Building Department for approving the project within 90 days. A project in San Francisco took 1,155 days to receive approval.

Mayor Hannon stated that he was grateful for the Veterans and their families and honored Memorial Day.

Mayor Hannon announced that he would adjourn the meeting in memory of Union Sanitary District Director Thomas R. Handley.

H. CITY MANAGER UPDATES

I. CLOSED SESSION

J. ADJOURNMENT

Mayor Hannon adjourned the meeting at 9: 22 p.m. in memory of Union Sanitary District Director Thomas R. Handley.

STAFF REPORT
Item D. 3.

DATE	06/13/2024
TO	Honorable Mayor and City Council Members
FROM	Sheila Harrington, City Clerk
SUBJECT	Adopt a resolution authorizing the City Manager to execute an agreement with *What's Happening's Tri-City Voice* for legal advertising services in Fiscal Year 2025

SUMMARY AND RECOMMENDATION

Staff recommends that the City Council adopt a resolution awarding an agreement to and authorizing the City Manager to execute an agreement with *What's Happening's Tri-City Voice* for legal advertising services in Fiscal Year 2025.

BACKGROUND

The California Public Contract Code requires the City to invite bids for legal advertising services and award the contract on a fiscal year basis. A Request for Proposals was issued for legal advertising services in March. One proposal was received from the W*hat's Happening's Tri-City Voice*, offering the same publication rate as Fiscal Year 2024.

DISCUSSION/ANALYSIS

The California Government Code requires that the City of Newark print legal notices in an adjudicated newspaper of general circulation. An adjudicated newspaper of general circulation does not exist in the City and the City is legally required to use an adjudicated newspaper that is published nearest to the City. The Public Contract Code requires the City to invite bids for legal advertising and award the contract on a fiscal year basis. The *Bay Area News Group/East Bay Times* and the *What's Happening's Tri-City Voice* are the only newspapers that currently meet the legal requirements for publishing legal notices.

In March, the City issued a Request for Proposals (RFP) for legal advertising services. Courtesy copies were sent to the *Bay Area News Group/East Bay Times* and the *What's Happening's Tri-City Voice*. The RFP issuance was also advertised on the City website, posted on the City Bulletin Board, and published in the *What's Happening's Tri-City Voice.*

The *What's Happening's Tri-City Voice* was the only newspaper to submit a proposal

by the published deadline. The quote for advertising of $1.12 per column line is the same as the last two years' quotes.

FISCAL IMPACT

The draft 2024-2026 Biennial Budget and Capital Improvement Plan includes sufficient funds for legal advertising in the City Clerk's departmental operating budget.

REVIEW AND APPROVAL

Prepared by - Sheila Harrington, City Clerk
Reviewed by - Krysten Lee, Finance Director
Reviewed by - Kristopher J. Kokotaylo, City Attorney
Reviewed and Approved by - Lenka Hovorka, Assistant City Manager

---

Attachments

Resolution

Agreement

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWARK AWARDING AN AGREEMENT TO, AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH, *WHAT'S HAPPENING'S TRI-CITY VOICE* FOR LEGAL ADVERTISING SERVICES FOR FISCAL YEAR 2024-2025

WHEREAS, the California Government Code requires that the City of Newark print legal notices in an adjudicated newspaper of general circulation or an adjudicated newspaper that is published nearest to the City; and

WHEREAS, the City issued a Request for Proposals (RFP) for legal advertising services, sent courtesy copies to the *Bay Area News Group/East Bay Times* and the *What's Happening's Tri-City Voice,* and advertised the RFP on the City website, City Bulletin Board and in the *What's Happening's Tri-City Voice*; and

Whereas*,* the City received one response to the RFP, by the published deadline, from the *What's Happening's Tri-City Voice*; and

WHEREAS, the City has a strong desire to provide easy and transparent access to matters affecting the community and staff recommends awarding the legal advertising agreement to the *What's Happening's Tri-City Voice* for fiscal year 2024-2025.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Newark hereby awards the agreement for legal advertising services for Fiscal Year 2024-2025 to *What's Happening's Tri-City Voice* and authorizes the City Manager to execute the agreement, on file with the City Clerk, and incorporated herein by reference.

BE IT FURTHER RESOLVED that this resolution supersedes previous resolutions awarding legal advertising services**.**

CONTRACTUAL SERVICES AGREEMENT

CONSULTANTS

This Service Agreement (hereinafter "Agreement") is made and entered into this day of June, 2024 by and between the **CITY OF NEWARK**, a municipal corporation ("City"), and, What's Happening Inc, dba: Tri-City Voice ("Consultant"), collectively the "Parties".

W I T N E S S E T H:

WHEREAS, City requested proposals to perform the services generally including. Legal Advertising Services for Fiscal Year 2024-2025.

WHEREAS, in response to City's request, Consultant submitted a proposal and, after negotiations, Consultant agreed to perform the Services more particularly described in Exhibit "A" ("Services"), in return for the compensation described in this Agreement and Exhibit "B".

WHEREAS, in reliance upon Consultant's documentation of its qualifications, as set forth in Exhibit "C", City finds that Consultant has demonstrated the requisite qualifications, experience, training, and expertise to perform the requested Services.

NOW, THEREFORE, the Parties hereto agree as follows:

1. CONSULTANT'S SERVICES. Consultant shall perform Services described, and in the time, place, and manner specified in Exhibit "A" in accordance with the terms and conditions of this Agreement. In the event of a conflict in or inconsistency between the terms of this Agreement and Exhibit "A", the Agreement shall control.

2. TIME FOR PERFORMANCE. Time is of the essence in the performance of Services under this Agreement and Consultant shall generally adhere to the schedule set forth in Exhibit "A"; provided, that City shall grant reasonable extensions of time for the performance of such Services occasioned by governmental reviews of Consultant's work product or other unavoidable delays occasioned by circumstances, provided, further, that such unavoidable delays shall not include strikes, lockouts, work stoppages, or other labor disturbances conducted by, or on behalf of, Consultant's officers or employees. Any Services for which times for performance are not specified in this Agreement shall be commenced and completed by Consultant in a reasonably prompt and timely manner based upon the circumstances and direction communicated to Consultant.

Consultant acknowledges the importance to City of City's performance schedule and agrees to put forth its best professional efforts to perform its Services under this Agreement in a manner consistent with that schedule. City understands, however, that Consultant's performance must be governed by sound professional practices.

3. COMPENSATION.

A. "Not to Exceed" Compensation. City shall compensate Consultant for all Services performed by Consultant hereunder in an amount based upon Consultant's hourly or other

rates set forth in Exhibit "B". The payments specified in Exhibit "B" shall be the only payments to be made to Consultant for Services rendered pursuant to this Agreement.

B. Method of Billing. To request payment, Consultant shall submit monthly invoices to City identifying Services performed and the charges therefore (including an identification of personnel who performed Services, hours worked, hourly rates, and reimbursable expenses), based upon Consultant's billing rates (set forth on Exhibit "B" hereto).

Consultant shall submit all billings for said Services to City in the manner specified in Exhibit "B"; or, if no manner is specified in Exhibit "B", then according to the usual and customary procedures and practices which Consultant uses for billing clients similar to City.

Invoices shall be sent to:

City of Newark
Attn: Finance Department
37101 Newark Blvd.
Newark, CA 94560

Upon completion of Services, City shall sign off and acknowledge that all terms and conditions have been satisfactorily met; upon which, unless waived by City in writing, Consultant shall prepare an itemized statement, briefly describing by task and/or labor category the items billed.

C. Payment. Upon receipt of an invoice, City shall make payments to Consultant on a monthly basis, or at such other times as may be specified in Exhibit "B", for Services, which are performed in accordance with this Agreement to the satisfaction of City.

D. Consultant's Failure to Perform. In the event that Consultant performs Services that do not comply with the requirements of this Agreement, Consultant shall, upon receipt of written notice from City, re-perform the services (without additional compensation to Consultant). If Consultant's failure to perform in accordance with this Agreement causes damages to City, Consultant shall reimburse City for the damages incurred (which may be charged as an offset to Consultant's payment).

4. ADDITIONAL SERVICES. In the event City desires the performance of additional services not otherwise included within Services, such services shall be authorized by written task order approved in advance of the performance thereof. Such task order shall include a description of the services to be performed thereunder, the maximum compensation and reimbursement of costs and expenses payable therefore, the time of performance thereof, and such other matters as the Parties deem appropriate for the accomplishment of such services. Except to the extent modified by a task order, all other terms and conditions of this Agreement shall be deemed incorporated in each such task order.

5. INDEPENDENT CONSULTANT. At all times during the term of this Agreement, Consultant shall be, and is an independent consultant and shall not be an employee or agent of City. Consultant shall not be entitled to any benefit, right, or compensation other than that provided in this Agreement. City shall have the right to control Consultant only insofar as the

results of Consultant's Services; however, City shall not have the right to control the means by which Consultant accomplishes Services rendered pursuant to this Agreement.

Except as City may specify in writing, Consultant shall have no authority, express or implied, to act on behalf of City in any capacity whatsoever as an agent. Consultant shall have no authority, express or implied, pursuant to this Agreement to bind City to any obligation whatsoever.

6. PERSONNEL. Consultant understands that, in entering into this Agreement, City has relied upon Consultant's ability to perform in accordance with its representations regarding the qualifications of Consultant, including the qualifications of its Authorized Representative, its designated personnel, and its Subconsultants, if any, identified in Exhibit "C". Therefore, Consultant shall not replace its Authorized Representative, or any of the designated personnel or Subconsultants identified in Exhibit "C", without the prior written consent of City. All Services shall be performed by, or under, the direct supervision of Consultant's Authorized Representative.

Consultant agrees to include with all Subconsultants in their subcontract the same requirements and provisions of this Agreement including the indemnity and Insurance requirements to the extent they apply to the scope of the Subconsultant's work. Subconsultants hired by Consultant agree to be bound to Consultant and City in the same manner and to the same extent as Consultant is bound to City under this Agreement. Subconsultant further agrees to include these same provisions with any Sub-subconsultant. A copy of this Agreement's Indemnity and Insurance provisions will be furnished to the Subconsultant upon request. The Consultant shall require all Sub-subconsultants to provide a valid certificate of insurance and the required endorsements included in this Agreement prior to commencement of any Services and will provide proof of compliance to the City.

In the event that City, in its sole discretion, at any time during the term of this Agreement, desires the removal of any of Consultant's designated personnel or Subconsultants, Consultant shall, immediately upon receiving notice from City of such desire of City, cause the removal of such person or persons.

7. FACILITIES AND EQUIPMENT. Consultant shall, at its sole cost and expense, furnish all facilities and equipment which may be required for furnishing Services.

8. INFORMATION AND DOCUMENTATION.

A. Information from City. City has made an effort to provide Consultant with all information necessary for Consultant's performance of Services. If Consultant believes additional information is required, Consultant shall promptly notify City and City will provide to Consultant all relevant non-privileged information in City's possession.

B. Consultant's Accounting Records. Consultant shall maintain all accounting records related to this Agreement in accordance with generally accepted accounting principles and state law requirements, and in no event for less than four (4) years. Consultant's accounting records shall include, at a minimum, all documents which support Consultant's costs and expenses related to this Agreement, including personnel, subconsultants' invoices and

payments, and reimbursable expenses. Consultant's accounting records shall be made available to City within a reasonable time after City's request, during normal business hours.

C. Ownership of Work Product. All original documents prepared by Consultant (including its employees and subconsultants) for this Agreement ("Work Product"), whether complete or in progress, are the property of City and shall be given to City at the completion of Consultant's Services, or upon demand of City. Consultant shall have a right to make and keep copies of the Work Product except for any confidential information. Consultant shall not reveal the Work Product or the confidential information contained in the Work Product, or make it available, to any third party without the prior written consent of City.

9. CONFLICTS OF INTEREST PROHIBITED. Consultant (including its employees, agents, and subconsultants) shall not maintain or acquire any direct or indirect interest that conflicts with the performance of this Agreement. Consultant shall comply with all requirements of the Political Reform Act (California Government Code Section 81000, *et seq.*) and other laws relating to conflicts of interest, including: (a) Consultant shall not make or participate in a decision made by City if it is reasonably foreseeable that the decision may have a material effect on Consultant's economic interest, and (b) if required by law, Consultant shall file financial disclosure forms with the City Clerk. If Consultant maintains or acquires a conflicting interest, any contract with City (including this Agreement) involving Consultant's conflicting interest may be terminated by City.

10. NONDISCRIMINATION. Consultant shall comply with all applicable federal, state, and local laws regarding nondiscriminatory employment practices, whether or not said laws are expressly stated in this Agreement. Consultant shall not discriminate against any employee or applicant because of race, color, religious creed, national origin, physical disability, mental disability, medical condition, marital status, sexual orientation, sex, age, or any other basis, as defined in California Civil Code Section 51.

11. COMPLIANCE WITH LAW AND STANDARD OF CARE. Consultant shall comply with all applicable legal requirements including all federal, state, and local laws (including ordinances and resolutions), whether or not said laws are expressly stated in this Agreement. Consultant shall perform Services using a standard of care equal to, or greater than, the degree of skill and diligence ordinarily used by reputable professionals, with a level of experience and training similar to Consultant, performing under circumstances similar to those required by this Agreement.

12. RESERVED.

13. RESERVED.

14. INSURANCE. Consultant shall procure and maintain for the duration of this Agreement insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Consultant, his agents, representatives, subconsultants, or employees.

A. Verification of Coverage.

Consultant shall furnish City with original certificates of insurance and amendatory endorsements or copies of the applicable policy language effecting coverage required by this clause. The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. All certificates and endorsements are to be received and approved by City before work commences.

Proof of Insurance shall be mailed to the following address or any subsequent address as may be directed in writing by the City Risk Manager:

CITY OF NEWARK
Attn: Risk Manager
37101 Newark Boulevard
Newark, CA 94560

City reserves the right to require and obtain complete, certified copies of all required insurance policies and endorsements at any time. Failure to exercise this right at any time shall not constitute a waiver of right to exercise later. Consultant shall immediately furnish City with certificates of renewal for each policy that is renewed during the term of this Agreement.

B. Minimum Scope of Insurance.

Coverage shall be at least as broad as:

1. Insurance Services Office Form Number CG 00 01covering Commercial General Liability on an occurrence basis, including products and completed operations, property damage, bodily injury, and personal and advertising injury; and

2. Insurance Services Office Form Number CA 00 01 covering Code 1, (any auto), or Code 8 (hired) and Code 9 (non-owned) if consultant has no owned autos; and

3. Workers' Compensation insurance as required by the State of California, with Statutory Limits, and Employer's Liability Insurance; and

4. Errors and Omissions Liability insurance appropriate to the Consultant's profession. Architects' and Engineers' coverage is to be endorsed to include contractual liability.

C. Minimum Limits of Insurance.

It shall be a requirement under this Agreement that any available insurance proceeds broader than or in excess of the specified minimum Insurance coverage requirements and/or limits shall be available to the Additional Insured. Furthermore, the requirements for coverage and limits shall be (1) the minimum coverage and limits specified in this Agreement; or (2) the

broader coverage and maximum limits of coverage of and Insurance policy or proceeds available to the named Insured; whichever is greater.

Consultant shall maintain limits no less than:

1. General Liability: (including products and completed operations, property damage, bodily injury, and personal and advertising injury)	**$2,000,000** per occurrence for bodily injury, personal injury, and property damage. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
2. Automobile Liability:	**$1,000,000** per accident for bodily injury and property damage.
3. Employer's Liability:	**$1,000,000** per accident for bodily injury or disease.
4. Errors and Omissions Liability:	**$1,000,000** per occurrence or claim; $2,000,000 aggregate.

D. Deductibles and Self-Insured Retentions.

Any deductibles or self-insured retentions must be declared to and approved by the City Risk Manager. At the option of City, either: (1) the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects to City, its officers, officials, directors, employees, contractors, agents, and volunteers, or (2) Consultant shall provide a financial guarantee satisfactory to City guaranteeing payment of losses and related investigations, claim administration, and defense expenses in an amount specified by the City Risk Manager or designee.

E. Claims Made Policies.

For all "claims made" coverage, in the event that Consultant changes insurance carriers Consultant shall purchase "tail" coverage or otherwise provide for continuous coverage covering the Term of this Agreement and not less than five (5) years thereafter. Proof of such "tail" or other continuous coverage shall be required at any time that the Consultant changes to a new carrier.

F. Wasting Policies.

No policy required by this paragraph 14 shall include a "wasting" policy limit (ie. limit that is eroded by the cost of defense).

G. Remedies.

In addition to any other remedies City may have if Consultant fails to provide or maintain any insurance policies or policy endorsements to the extent and within the time herein required, City may, at its sole option exercise any of the following remedies, which are alternatives to other remedies City may have and are not the exclusive remedy for Consultant's breach:

1. Obtain such insurance and deduct and retain the amount of the premiums for such insurance from any sums due under the Agreement;

2. Order Consultant to stop work under this Agreement or withhold any payment that becomes due to Consultant hereunder, or both stop work and withhold any payment, until Consultant demonstrates compliance with the requirements hereof; and/or

3. Terminate this Agreement.

H. Acceptability of Insurers.

Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A:VII, unless otherwise acceptable to the City Risk Manager. All insurance companies providing coverage to Consultant shall be insurance organizations authorized by the Insurance Commissioner of the State of California to transact the business of insurance in the State of California.

I. Other Insurance Provisions.

The general liability and automobile liability policies are to contain, or be endorsed to contain, the following provisions:

1. Additional Insureds. City, its officers, officials, directors, employees and volunteers ("Additional Insureds") are to be covered as insureds with respect to liability arising out of work or operations performed by or on behalf of Consultant; including materials, parts or equipment furnished in connection with such work or operations.

2. Primary Coverage. For any claims related to Services, Consultant's insurance coverage shall be primary insurance as respects City, its officers, officials, directors, employees, and volunteers. Any insurance or self-insurance maintained by City, its officers, officials, directors, employees, or volunteers shall be excess of Consultant's insurance and shall not be contribute with it. Consultant's policy will not seek contribution from the City's insurance or self-insurance.

3. Notice of Cancellation. Each insurance policy required above shall provide that coverage shall not be canceled during the term of this Agreement without notice to City.

4. Civil Code § 2782. Coverage shall not extend to any indemnity coverage for the active negligence of the additional insured in any case where an agreement to indemnify the additional insured would be invalid under Subdivision (b) of Section 2782 of the California Civil Code.

5. Deductibles and Self-Insured Retentions (SIR). All deductibles and self-insured retentions must be disclosed to the City Risk Manager for approval and shall not reduce the limits of liability. Policies containing any SIR provision shall provide or be endorsed to provide that the SIR may be satisfied by either the named Insured or the City.

6. Subconsultants. Consultant shall include all subconsultants as insureds under its policies or shall require and verify separate certificates and endorsements have been obtained for each subconsultant. All coverages for subconsultants shall be subject to all of the requirements stated herein.

7. Waiver of Subrogation. With respect to Workers' Compensation and Employer's Liability Coverage, the insurer shall agree to waive all rights of subrogation against City, its officers, officials, directors, employees, and volunteers for losses arising from work performed by Consultant for City.

8. Coverage is Material Element. Maintenance of proper insurance coverage in conformity with the provision of this paragraph 14 is a material element of this Agreement and failure to maintain or renew coverage or to provide evidence of coverage or renewal may be treated by City as a material breach of this Agreement.

9. Variation. The City Risk Manager may approve a variation in these insurance requirements upon a determination that the coverage, scope, limits, and form of such insurance are either not commercially available or that City's interests are otherwise fully protected. Any variation granted shall be done in writing and shall be made a part of this Agreement as Appendix "A".

15. REPORTING DAMAGES. If any damage (including but not limited to death, personal injury or property damage) occurs in connection with the performance of this Agreement, Consultant shall immediately notify the City Risk Manager's office by telephone at 510-578-4428, and Consultant shall promptly submit to the City's Risk Manager and the City's Administrator (see paragraph 19, herein below) a written report (in a form acceptable to City) with the following information: (a) name(s) and address(es) of the injured or deceased person(s), (b) name(s) and address(es) of witnesses, (c) name(s) and address(es) of Consultant's insurance company(ies), and (d) a detailed description of the damage(s) and whether any City property was involved.

16. INDEMNIFICATION/SAVE HARMLESS. To the fullest extent permitted by law, the Consultant shall: (1) immediately defend, and (2) indemnify City, its, officers, officials, directors, employees, and volunteers from and against all liabilities regardless of nature or type arising out of or resulting from Consultant's performance of Services, or any negligent or wrongful act or omission of Consultant or Consultant's officers, employees, agents, or subconsultants. Liabilities subject to the duties to defend and indemnify include, without limitation all claims, losses, damages, penalties, fines, and judgments; associated investigation and administrative expenses; defense costs, including but not limited to reasonable attorneys' fees; court costs; and costs of alternative dispute resolution. Consultant's obligation to indemnify applies unless it is adjudicated that its liability was caused by the sole active negligence or sole willful misconduct of an indemnified party. If it is finally adjudicated that liability is caused by the comparative active negligence or willful misconduct of an indemnified party, Consultant's indemnification obligation shall be reduced in proportion to the established comparative liability of the indemnified party.

In the event that Consultant or any employee, agent, or subconsultant of Consultant providing services under this Agreement is determined by a court of competent jurisdiction or the California Public Employees Retirement System (PERS) to be eligible for enrollment in PERS as an employee of City, Consultant shall indemnify, defend, and hold harmless City for the payment of any employee and/or employer contributions for PERS benefits on behalf of Consultant or its employees, agents, or subcontractors, as well as for the payment of any penalties and interest on such contributions, which would otherwise be the responsibility of City.

The duty to defend is a separate and distinct obligation from Consultant's duty to indemnify. Consultant shall be obligated to defend, in all legal, equitable, administrative, or special proceedings, with counsel approved by City immediately upon tender to Consultant of the claim in any form or at any stage of an action or proceeding, whether or not liability is established. An allegation or determination of comparative active negligence or willful misconduct by an indemnified party does not relieve the Consultant from its separate and distinct obligation to defend City. The obligation to defend extends through final judgment, including exhaustion of any appeals. The defense obligation includes an obligation to provide independent defense counsel if Consultant asserts that liability is caused in whole or in part by the negligence or willful misconduct of the indemnified party. If it is finally adjudicated that liability was caused by the sole active negligence or sole willful misconduct of an indemnified party, Consultant may submit a claim to City for reimbursement of reasonable attorneys' fees and defense costs.

The review, acceptance or approval of Consultant's work or work product by any indemnified party shall not affect, relieve or reduce Consultant's indemnification or defense obligations. This paragraph survives completion of Services or the termination of this contract. The provisions of this paragraph are not limited by and do not affect the provisions of this contract relating to insurance.

Consultant/Subconsultant's responsibility for such defense and indemnity obligations shall survive the termination or completion of this Agreement for the full period of time allowed by law. The defense and indemnification obligations of this Agreement are undertaken in addition to, and shall not in any way be limited by, the insurance obligations contained in this Agreement.

17. LICENSES, PERMITS, ETC. Consultant represents and warrants to City that it has all licenses, permits, qualifications, and approvals of whatsoever nature that are legally required for Consultant to practice its profession. Consultant represents and warrants to City that Consultant shall, at its sole cost and expense, keep in effect at all times during the term of this Agreement any licenses, permits, and approvals which are legally required for Consultant to practice its profession. In addition to the foregoing, Consultant shall obtain and maintain during the term hereof a valid City of Newark Business License.

18. TERM/TERMINATION.

A. The term of this Agreement shall commence upon the date first hereinabove written and shall expire upon completion of performance of Services hereunder by Consultant.

B. Notwithstanding the provisions of paragraph 18 Section A above, City may terminate this Agreement at any time and without cause upon written notification to Consultant.

Consultant may cancel this Agreement upon thirty (30) days' written notice to City and shall include in such notice the reasons for cancellation. In the event of such termination, City shall compensate Consultant for Services rendered and reimburse Consultant for costs and expenses incurred, to the date of termination, calculated in accordance with the provisions of paragraph 3. In ascertaining the Services actually rendered to the date of termination, consideration shall be given both to completed work and work in process of completion. Nothing herein contained shall be deemed a limitation upon the right of City to terminate this Agreement for cause, or otherwise to exercise such rights or pursue such remedies as may accrue to City hereunder.

19. CONTRACT ADMINISTRATION. This Agreement shall be administered by of the City of Newark ("Administrator"). All correspondence shall be directed to or through the Administrator or his/her designee.

20. NOTICES. Written notices required or convenient hereunder shall be delivered personally or by depositing the same with the United States Postal Service, first class (or equivalent) postage prepaid and addressed, in the case of Consultant, to:

Tri-City Voice	**CITY OF NEWARK**
WILLIAM MARSHAK **Consultant**	SHEILA HARRINGTON **Administrator**
Address: What's Happening, Inc. dba Tri-City Voice 39737 Paseo Padre Parkway, Suite B Fremont, CA 94538	City of Newark Attn: City Clerk 37101 Newark Boulevard Newark, CA 94560

21. PARAGRAPH HEADINGS. Paragraph headings used herein are for convenience only and shall not be deemed to be a part of such paragraphs and shall not be construed to change the meaning thereof.

22. EXHIBITS. All exhibits referred to herein are attached hereto and are by this reference incorporated herein.

23. SEVERABILITY. If any term of this Agreement (including any phrase, provision, covenant, or condition) is held by a court of competent jurisdiction to be invalid or unenforceable, the Agreement shall be construed as not containing that term, and the remainder of this Agreement shall remain in full force and effect; provided, however, this paragraph shall not be applied to the extent that it would result in a frustration of the Parties' intent under this Agreement.

24. GOVERNING LAW, JURISDICTION, AND VENUE. The interpretation, validity, and enforcement of this Agreement shall be governed by and interpreted in accordance with the laws of the State of California. Any suit, claim, or legal proceeding of any kind related to this Agreement shall be filed and heard in a court of competent jurisdiction in the County of Alameda.

25. ATTORNEY'S FEES. In the event any legal action is commenced to enforce this Agreement, the prevailing party is entitled to reasonable attorney's fees, costs, and expenses incurred.

26. ASSIGNABILITY. Neither Consultant nor City shall subconsult, assign, sell, mortgage, hypothecate, or otherwise transfer their respective interests or obligations in this Agreement without the express prior written consent of the non-transferring party.

27. MODIFICATIONS. This Agreement may not be modified orally or in any manner other than by an agreement in writing signed by both Parties.

28. WAIVERS. Waiver of breach or default under this Agreement shall not constitute a continuing waiver of a subsequent breach of the same or any other provision of this Agreement.

29. ENTIRE AGREEMENT. This Agreement, including all documents incorporated herein by reference, comprises the entire integrated understanding between the Parties concerning the Services. This Agreement supersedes all prior negotiations, agreements, and understandings regarding this matter, whether written or oral. The documents incorporated by reference into this Agreement are complementary; what is called for in one is binding as if called for in all.

30. SIGNATURES. The individuals executing this Agreement represent and warrant that they have the right, power, legal capacity, and authority to enter into and to execute this Agreement on behalf of the respective legal entities of Consultant and City. This Agreement shall inure to the benefit of and be binding upon the Parties hereto and their respective successors and assigns.

31. COVENANT AGAINST CONTINGENT FEES. Consultant hereby warrants that Consultant has not employed or retained any company or person, other than a *bona fide* employee working for Consultant, to solicit or secure this Agreement, and Consultant has not paid or agreed to pay any company or person, other than a *bona fide* employee, any fee, commission, percentage, brokerage fee, gift, or any other consideration contingent upon or resulting from the award or formation of this Agreement. For breach or violation of this warranty, City shall have the right to annul this Agreement without liability or, at City's discretion, to deduct from the Agreement price or consideration, or otherwise recover, the full amount of such fee, commission, percentage, brokerage fee, gift or contingent fee.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement the day and year first hereinabove written.

CITY OF NEWARK,
a municipal corporation

By _____
City Manager

Date _____

By _____
William Marshak, Consultant

Date _____

Attest:

_____
City Clerk

Date _____

Approved as to form:

_____
City Attorney

Date _____

EXHIBIT A

SCOPE OF SERVICES

Services provided by What's Happening's Tri-City Voice (TCV) and, by extension, it's subcontractor, The Dily Journal Corporation, include:

1. Assistance and training of city personnel to become comfortable and utilize the ADTECH electronic submission and filing system.

2. Typeset all submissions for legal advertising in a timely and accurate manner.

3. Proofread all submissions.

4. Print and distribute approved city public notices weekly in TCV.

5. Allow timely retrieval and filing of submissions through ADTECH or local TCV office personnel.

6. Provide accurate billing and accounting of legal notice submissions.

All listed major components of service shall be completed in a timely manner to complement workflow requirements of City of Newark personnel.

EXHIBIT B

PAYMENT

Billing by What's Happening's Tri-City Voice (TCV) and, by extension, its subcontractor, The Daily Journal, include:

1. Accurate and itemized billing through The Daily Journal Corporation.

2. Instant access to billing information of all submissions through ADTECH system.

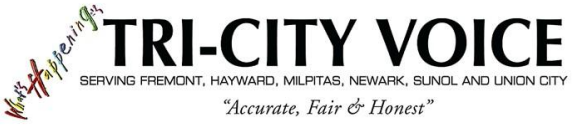
3. Services related to acceptance, assemblage, typesetting publishing and distribution of public notices, included in contract rate of $1.12 per line per column (Column Size 1.875 inches) This is a "not to exceed" cost for performance of these services.

B. Billing services shall be completed in a timely manner to complement work flow requirements of City of Newark personnel.

EXHIBIT C

QUALIFICATIONS





April 2, 2024

Dear Sheila:

I am pleased to respond to the City of Newark's Request for Proposal for Legal Advertising, Fiscal Year 2024-2025.

On April 22, 2015, a petition for adjudication of What's Happening's Tri-City Voice newspaper (TCV) was granted by Judge Evelio Grillo in Department 14, Superior Court of the State of California for the County of Alameda as a "newspaper of general circulation" for the City of Fremont, County of Alameda and State of California.

In order to accommodate and support the accurate and timely placement of public notices, The Daily Journal Corporation and its publication, The Inter-City Express has been retained to assist TCV. Through this arrangement, TCV customers also may use an electronic system that allows instant access for placing, billing and archiving public notices. Staff at the TCV office in Fremont is also available to assist with placement of legal notices.

Unlike many regional newspapers owned and operated by distant management, our newspaper continues to focus on local news and increase readership. In contrast, many metropolitan newspapers are controlled by large corporations with little interest in local news and are suffering severe declines in subscriptions and readership as a result. TCV is locally owned and published with a basic philosophy of support for our community. Claims by competition newspaper chains of audits by Alliance for Audited Media (previously Audit Bureau of Circulation) use a variety of methods to embellish subscription counts; audits are intermingled with other "branded" newspapers outside the area as well as digital subscriptions.

We publish our newspaper, including public notices, in its entirety on our website. Use of our public notice service has increased dramatically with no major problems. Municipalities, public offices and others have found the Adtech system efficient method for placing and retrieving legal notices. We have found our relationship with The Daily Journal Corporation to be beneficial for all parties. There is actually a secondary system of proof reading since this is done by The Daily Journal and TCV before notices are published.

As your local newspaper and an integral, supportive part of the Newark community, TCV would be pleased and honored to represent the City of Newark.

Best Regards,
William Marshak Publisher

STAFF REPORT
Item D. 4.

DATE	06/13/2024
TO	Honorable Mayor and City Council Members
FROM	Cathreene Ingham-Watters, Human Resources Director
SUBJECT	Adopt a resolution approving the third amendment to the Contractual Services Agreement with Orion Security to provide Security Guard Services

SUMMARY AND RECOMMENDATION

Staff is continuing the work to implement long-term security solutions at City Hall with an anticipated completion date of October 2024. In the interim, continued funding for temporary security guard services is required. Staff recommends that the City Council authorize the City Manager to amend the existing Contractual Services Agreement with Orion Security to increase the not-to-exceed amount by $24,000 for a total not-to-exceed amount of $156,999.

BACKGROUND

In early 2022, staff engaged consultants to conduct security assessments of each City facility to assess the need for enhanced security, such as interior and exterior cameras, panic buttons, additional key cards, and other controlled entrance measures. To provide interim security at City Hall, the City entered into an agreement with Orion Security on July 13, 2022, for an amount not-to-exceed $49,999. Because the long-term security measures were more complex than initially expected, the first amendment to the Contractual Service Agreement approved on January 12, 2023, to increase the not-to-exceed amount by $28,000 for a total not-to-exceed amount of $77,999, to fund security guard services through the end of June 2023.

The City Council approved the second amendment to the Contractual Service Agreement on July 14, 2023, increasing the not-to-exceed amount by $55,000 for a total not-to-exceed amount of $132,999, which would fund security guard services through the end of June 2024. On April 25, 2024, the City awarded a bid to EyeP Solutions, Inc. to install security cameras and building access management systems to address the enhanced security measures identified in the security assessments. The security measures are planned to be completed by October 2024. Based on the satisfactory performance of Orion Security providing security guard services, staff recommends continuing services through the duration of the security measures installations.

DISCUSSION/ANALYSIS

The initial engagement of Orion Security in 2022 was prompted by the need for interim security measures while more comprehensive security enhancements were being planned and implemented.

The City recently entered into a contract with EyeP Solutions, Inc. to implement the long-term security measures of security cameras and building access management systems installation. The need for security guard services remains until all of EyeP Solutions' contract terms have been fulfilled. Approving the third amendment to the Contractual Services Agreement with Orion Security aligns with the City's commitment to ensuring the safety and well-being of its employees and City Hall visitors. By extending the contract through October 2024, the City can maintain continuity in security services while the installation of security measures is completed.

FISCAL IMPACT

The fiscal impact of $24,000 was included in the draft 2024-2026 Biennial Budget presented to City Council on May 23, 2024, and will be included in the Biennial Budget presented to City Council for final consideration and approval in June.

REVIEW AND APPROVAL

Prepared by - Cathreene Ingham-Watters, Human Resources Director
Reviewed by - Krysten Lee, Finance Director
Reviewed by - Kristopher J. Kokotaylo, City Attorney
Reviewed and Approved by - Lenka Hovorka, Assistant City Manager

---

Attachments

1033_Resolution

Contractual Services Agreement- Orion

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWARK AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 3 TO THE CONTRACTUAL SERVICES AGREEMENT WITH ORION SECURITY TO PROVIDE SECURITY GUARD SERVICES

WHEREAS, ON July 13, 2022, the City of Newark entered into a Contractual Services Agreement C22041 (the "Agreement") with Orion Security (the "Consultant") to provide specialized professional services (temporary security services); and

WHEREAS, on January 12, 2023, City Council authorized the first amendment of the Agreement, increasing the total not-to-exceed amount of $28,000 for a total not-to-exceed amount of $77,999; and

WHEREAS, On July 14, 2023, City Council authorized the second amendment of the Agreement, increasing the total not-to-exceed amount of $55,000 for a total not-to-exceed amount of $132,999; and

WHEREAS, Section 27, Modifications, of the Agreement allow 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, Section 3. A to increase the "Not to Exceed" Compensation amount.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Newark hereby authorizes the City Manager to execute Amendment No. 3 to the Contractual Services Agreement with Orion Security to increase the not-to-exceed amount by $24,000 for a total not-to-exceed amount of $156,999, in a form approved by the City Attorney.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to take all other actions consistent with this Resolution, including any necessary revisions to the scope of work for the Agreement, in a form approved by the City Attorney, that is within the total not-to-exceed amount of $156,999.

THIRD AMENDMENT TO THE CONTRACTUAL SERVICES AGREEMENT BETWEEN THE CITY OF NEWARK AND ORION SECURITY

This Third Amendment to Contractual Services Agreement C22041 between the City of Newark, a municipal corporation, ("City") and Orion Security, a Type "C" Corporation ("Consultant") (sometimes referred to as "Parties") dated July 13, 2022 (the "Agreement"), is entered into as of July 1, 2024 for the provision of specialized professional services (Security Guard Services).

RECITALS

WHEREAS, the Parties executed the Agreement for the provision of specialized professional services (Security Guard Services); and

WHEREAS, Section 27, Modifications, 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, Section 3.A to increase the "Not to Exceed" Compensation amount; 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 not to exceed compensation by $24,000, for a total not to exceed amount of $156,999 (from a previous not to exceed amount of $132,999).

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

City of Newark

Consultant

_____

_____

David Benoun
City Manager

Authorized Representative
Orion Security

Dated: _____

Dated: _____

Attest:

_____
Sheila Harrington
City Clerk

Approved as to Form:

_____
Kristopher J. Kokotaylo
City Attorney

DocuSign Envelope ID: E9168522-24E2-45E8-A0D0-826FC153D4DF

C22041
R11517

SECOND AMENDMENT TO THE CONTRACTUAL SERVICES AGREEMENT BETWEEN THE CITY OF NEWARK AND ORION SECURITY

This Second Amendment to Contractual Services Agreement C22041 between the City of Newark, a municipal corporation, ("City") and Orion Security, a Type "C" Corporation ("Consultant") (sometimes referred to as "Parties") dated July 13, 2022 (the "Agreement"), is entered into as of July 14, 2023 for the provision of specialized professional services (security guard services).

RECITALS

WHEREAS, the Parties executed the Agreement for the provision of specialized professional services (security guard services); and

WHEREAS, Section 27, Modifications, 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, Section 3.A to increase the "Not to Exceed" Compensation amount; 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 not to exceed compensation by $55,000, for a total not to exceed amount of $132,999 (from a previous not to exceed amount of $77,999.).

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

City of Newark

DocuSigned by:

0797678B2C2304C4...

David J. Benoun
City Manager

Dated: 7/13/2023

Consultant

DocuSigned by:

Joseph Baba

52BFBB690EA54A8...

Authorized Representative
Stantec Consulting Services, Inc.
Joseph Baba

Dated: 6/28/2023

Attest:

DocuSigned by:

Sheila Harrington

AD90959DBABE45E...

Sheila Harrington
City Clerk

Approved as to Form:

DocuSigned by:

kristopher J. kokotaylo

ABEC8AFEC9714E4...

Kristopher J. Kokotaylo
City Attorney

DocuSign Envelope ID: C8E2C7F0-561A-46F3-92A9-972C33B3A8B3

FIRST AMENDMENT TO THE CONTRACTUAL SERVICES AGREEMENT BETWEEN THE CITY OF NEWARK AND ORION SECURITY

This First Amendment to Contractual Services Agreement C22041 between the City of Newark, a municipal corporation, ("City") and Orion Security, a Type "C" Corporation ("Consultant") (sometimes referred to as "Parties") dated July 13, 2022 (the "Agreement"), is entered into as of 30th January, 2023 for the provision of specialized professional services (security guard services).

RECITALS

WHEREAS, the Parties executed the Agreement for the provision of specialized professional services (security guard services); and

WHEREAS, Section 27, Modifications, 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, Section 3.A to increase the "Not to Exceed" Compensation amount; 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 not to exceed compensation by $28,000, for a total not to exceed amount of $77,999 (from a previous not to exceed amount of $49,999.).

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

City of Newark

DocuSigned by:
07576782C2304C4...

David J. Benoun
City Manager

Dated: 1/27/2023

Consultant

DocuSigned by:
Yoshi Galiramani
39672FAE39AA4E8...

Authorized Representative
Orion Security

Dated: 1/26/2023

Attest:

DocuSigned by:
Sheila Harrington
AD90989DBABE45E...

Sheila Harrington
City Clerk

Approved as to Form:

DocuSigned by:
Kristopher J. Kokotaylo
ABFC0AFEC0714E4...

Kristopher J. Kokotaylo
City Attorney

DocuSign

Certificate Of Completion

lope Id: C8E2C7F0561A46F392A9972C33B3A8B3
Subject: Complete with DocuSign: C22041 Orion Security 1st amendment.pdf
Source Envelope:
Document Pages: 2
Certificate Pages: 5
AutoNav: Enabled
EnvelopeId Stamping: Enabled
Time Zone: (UTC-08:00) Pacific Time (US & Canada)

Signatures: 4
Initials: 0

Status: Completed

Envelope Originator:
Sheila Harrington
37101 Newark Boulevard
Newark, CA 94560
sheila.harrington@newark.org
IP Address: 206.128.122.185

Record Tracking

Status: Original
1/17/2023 1:40:31 PM

Holder: Sheila Harrington
sheila.harrington@newark.org

Location: DocuSign

Signer Events	Signature	Timestamp
Yosh Gahramani Yosh@OrionSecurity.com Security Level: Email, Account Authentication (None)	DocuSigned by: Yosh Gahramani 39672FAE39AA4E8... Signature Adoption: Pre-selected Style Using IP Address: 50.223.130.158	Sent: 1/17/2023 1:47:56 PM Resent: 1/19/2023 9:37:35 AM Resent: 1/26/2023 3:52:52 PM Viewed: 1/26/2023 4:25:43 PM Signed: 1/26/2023 4:29:18 PM
Electronic Record and Signature Disclosure: Accepted: 1/26/2023 4:25:43 PM ID: 21fa3fce-7c65-4589-8ae8-e1a40e0d07d3		
topher J. Kokotaylo kotaylo@meyersnave.com Security Level: Email, Account Authentication (None)	DocuSigned by: kristopher J. Kokotaylo ABFC8AFEC9714E4... Signature Adoption: Pre-selected Style Using IP Address: 206.169.145.130	Sent: 1/26/2023 4:29:22 PM Viewed: 1/27/2023 11:21:44 AM Signed: 1/27/2023 11:22:00 AM
Electronic Record and Signature Disclosure: Accepted: 1/27/2023 11:21:44 AM ID: 34f7de36-33e7-414e-a610-c122b4a6ccd3		
David J. Benoun david.benoun@newark.org City Manager Security Level: Email, Account Authentication (None)	DocuSigned by: 07578782C2304C4... Signature Adoption: Drawn on Device Using IP Address: 206.128.122.185	Sent: 1/27/2023 11:22:05 AM Viewed: 1/27/2023 4:22:37 PM Signed: 1/27/2023 4:22:46 PM
Electronic Record and Signature Disclosure: Accepted: 1/27/2023 4:22:37 PM ID: a4892023-a5c5-4326-bc4c-e82e6c6ef347		
Sheila Harrington sheila.harrington@newark.org City Clerk City of Newark Security Level: Email, Account Authentication (None)	DocuSigned by: Sheila Harrington AD90989DBABE45E... Signature Adoption: Pre-selected Style Using IP Address: 73.158.135.105	Sent: 1/27/2023 4:22:49 PM Viewed: 1/30/2023 8:04:57 AM Signed: 1/30/2023 8:05:19 AM
tronic Record and Signature Disclosure: Not Offered via DocuSign		

In Person Signer Events	Signature	Timestamp
Editor Delivery Events	**Status**	**Timestamp**
Agent Delivery Events	**Status**	**Timestamp**
Intermediary Delivery Events	**Status**	**Timestamp**
Certified Delivery Events	**Status**	**Timestamp**
Carbon Copy Events	**Status**	**Timestamp**
Kathy Slafter kathy.slafter@newark.org Executive Assistant/Deputy City Clerk City of Newark Security Level: Email, Account Authentication (None) **Electronic Record and Signature Disclosure:** Not Offered via DocuSign	COPIED	Sent: 1/30/2023 8:05:22 AM
Roya Gonzalez roya.gonzalez@newark.org Security Level: Email, Account Authentication (None) **Electronic Record and Signature Disclosure:** Not Offered via DocuSign	COPIED	Sent: 1/30/2023 8:05:25 AM
L. Ortega lortega@orionsecurity.com Security Level: Email, Account Authentication (None) **Electronic Record and Signature Disclosure:** Not Offered via DocuSign	COPIED	Sent: 1/30/2023 8:05:28 AM Viewed: 1/30/2023 9:41:24 AM
Joseph Joseph@OrionSecurity.com Security Level: Email, Account Authentication (None) **Electronic Record and Signature Disclosure:** Not Offered via DocuSign	COPIED	Sent: 1/30/2023 8:05:30 AM Viewed: 1/30/2023 6:09:00 PM
Witness Events	**Signature**	**Timestamp**
Notary Events	**Signature**	**Timestamp**
Envelope Summary Events	**Status**	**Timestamps**
Envelope Sent	Hashed/Encrypted	1/17/2023 1:47:56 PM
Certified Delivered	Security Checked	1/30/2023 8:04:57 AM
Signing Complete	Security Checked	1/30/2023 8:05:19 AM
Completed	Security Checked	1/30/2023 8:05:30 AM
Payment Events	**Status**	**Timestamps**

Electronic Record and Signature Disclosure

ELECTRONIC RECORD AND SIGNATURE DISCLOSURE

From time to time, City of Newark (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

Getting paper copies

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a $0.00 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

Withdrawing your consent

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

Consequences of changing your mind

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

All notices and disclosures will be sent to you electronically

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

How to contact City of Newark:

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:
To contact us by email send messages to: sheila.harrington@newark.org

To advise City of Newark of your new email address

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at sheila.harrington@newark.org and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

To request paper copies from City of Newark

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to sheila.harrington@newark.org and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

To withdraw your consent with City of Newark

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;

ii. send us an email to sheila.harrington@newark.org and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

Required hardware and software

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: https://support.docusign.com/guides/signer-guide-signing-system-requirements.

Acknowledging your access and consent to receive and sign documents electronically

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

By selecting the check-box next to 'I agree to use electronic records and signatures', you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify City of Newark as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by City of Newark during the course of your relationship with City of Newark.

C22047

CONTRACTUAL SERVICES AGREEMENT

CONSULTANTS

This Service Agreement (hereinafter "Agreement") is made and entered into this 13TH day of JULY, 2022 by and between the **CITY OF NEWARK**, a municipal corporation ("City"), and ORION SECURITY, a C-Corporation ("Consultant"), collectively the "Parties".

W I T N E S S E T H:

WHEREAS, City requested proposals to perform the services generally including: SPECIALIZED PROFESSIONAL SERVICES.

WHEREAS, in response to City's request, Consultant submitted a proposal and, after negotiations, Consultant agreed to perform the Services more particularly described in Exhibit "A" ("Services"), in return for the compensation described in this Agreement and Exhibit "A".

WHEREAS, in reliance upon Consultant's documentation of its qualifications, as set forth in Exhibit "A", City finds that Consultant has demonstrated the requisite qualifications, experience, training, and expertise to perform the requested Services.

NOW, THEREFORE, the Parties hereto agree as follows:

1. **CONSULTANT'S SERVICES.** Consultant shall perform Services described, and in the time, place, and manner specified in Exhibit "A" in accordance with the terms and conditions of this Agreement. In the event of a conflict in or inconsistency between the terms of this Agreement and Exhibit "A", the Agreement shall control.

2. **TIME FOR PERFORMANCE.** Time is of the essence in the performance of Services under this Agreement and Consultant shall generally adhere to the schedule set forth in Exhibit "A"; provided, that City shall grant reasonable extensions of time for the performance of such Services occasioned by governmental reviews of Consultant's work product or other unavoidable delays occasioned by circumstances, provided, further, that such unavoidable delays shall not include strikes, lockouts, work stoppages, or other labor disturbances conducted by, or on behalf of, Consultant's officers or employees. Any Services for which times for performance are not specified in this Agreement shall be commenced and completed by Consultant in a reasonably prompt and timely manner based upon the circumstances and direction communicated to Consultant.

Consultant acknowledges the importance to City of City's performance schedule and agrees to put forth its best professional efforts to perform its Services under this Agreement in a manner consistent with that schedule. City understands, however, that Consultant's performance must be governed by sound professional practices.

3. **COMPENSATION.**

A. **"Not to Exceed" Compensation.** City shall compensate Consultant for all Services performed by Consultant hereunder in an amount based upon Consultant's hourly or other rates set forth in Exhibit "A". The payments specified in Exhibit "A" shall be the only payments to be made to Consultant for Services rendered pursuant to this Agreement.

Notwithstanding the foregoing, the combined total of compensation and costs payable hereunder shall not exceed the sum of $49,999 and No/100 Dollars ($49,999.00) unless the performance of services and/or reimbursement of costs and expenses in excess of said amounts have been approved in advance of performing such services or incurring such costs and expenses by City, evidenced in writing authorizing such additional amount.

B. **Method of Billing.** To request payment, Consultant shall submit monthly invoices to City identifying Services performed and the charges therefore (including an identification of personnel who performed Services, hours worked, hourly rates, and reimbursable expenses), based upon Consultant's billing rates (set forth on Exhibit "A" hereto).

Consultant shall submit all billings for said Services to City in the manner specified in Exhibit "A"; or, if no manner is specified in Exhibit "A", then according to the usual and customary procedures and practices which Consultant uses for billing clients similar to City.

Invoices shall be sent to:

City of Newark
Attn: Finance Department
37101 Newark Blvd.
Newark, CA 94560

Upon completion of Services, City shall sign off and acknowledge that all terms and conditions have been satisfactorily met; upon which, unless waived by City in writing, Consultant shall prepare an itemized statement, briefly describing by task and/or labor category the items billed.

C. **Payment.** Upon receipt of an invoice, City shall make payments to Consultant on a monthly basis, or at such other times as may be specified in Exhibit "A", for Services, which are performed in accordance with this Agreement to the satisfaction of City.

D. **Consultant's Failure to Perform.** In the event that Consultant performs Services that do not comply with the requirements of this Agreement, Consultant shall, upon receipt of written notice from City, re-perform the services (without additional compensation to Consultant). If Consultant's failure to perform in accordance with this Agreement causes damages to City, Consultant shall reimburse City for the damages incurred (which may be charged as an offset to Consultant's payment).

4. **ADDITIONAL SERVICES.** In the event City desires the performance of additional services not otherwise included within Services, such services shall be authorized by written task order approved in advance of the performance thereof. Such task order shall include

a description of the services to be performed thereunder, the maximum compensation and reimbursement of costs and expenses payable therefore, the time of performance thereof, and such other matters as the Parties deem appropriate for the accomplishment of such services. Except to the extent modified by a task order, all other terms and conditions of this Agreement shall be deemed incorporated in each such task order.

5. **INDEPENDENT CONSULTANT.** At all times during the term of this Agreement, Consultant shall be, and is an independent consultant and shall not be an employee or agent of City. Consultant shall not be entitled to any benefit, right, or compensation other than that provided in this Agreement. City shall have the right to control Consultant only insofar as the results of Consultant's Services; however, City shall not have the right to control the means by which Consultant accomplishes Services rendered pursuant to this Agreement.

Except as City may specify in writing, Consultant shall have no authority, express or implied, to act on behalf of City in any capacity whatsoever as an agent. Consultant shall have no authority, express or implied, pursuant to this Agreement to bind City to any obligation whatsoever.

6. **PERSONNEL.** Consultant understands that, in entering into this Agreement, City has relied upon Consultant's ability to perform in accordance with its representations regarding the qualifications of Consultant, including the qualifications of its Authorized Representative, its designated personnel, and its Subconsultants, if any, identified in Exhibit "A". Therefore, Consultant shall not replace its Authorized Representative, or any of the designated personnel or Subconsultants identified in Exhibit "A", without the prior written consent of City. All Services shall be performed by, or under, the direct supervision of Consultant's Authorized Representative.

Consultant agrees to include with all Subconsultants in their subcontract the same requirements and provisions of this Agreement including the indemnity and Insurance requirements to the extent they apply to the scope of the Subconsultant's work. Subconsultants hired by Consultant agree to be bound to Consultant and City in the same manner and to the same extent as Consultant is bound to City under this Agreement. Subconsultant further agrees to include these same provisions with any Sub-subconsultant. A copy of this Agreement's Indemnity and Insurance provisions will be furnished to the Subconsultant upon request. The Consultant shall require all Sub-subconsultants to provide a valid certificate of insurance and the required endorsements included in this Agreement prior to commencement of any Services and will provide proof of compliance to the City.

In the event that City, in its sole discretion, at any time during the term of this Agreement, desires the removal of any of Consultant's designated personnel or Subconsultants, Consultant shall, immediately upon receiving notice from City of such desire of City, cause the removal of such person or persons.

7. **FACILITIES AND EQUIPMENT.** Consultant shall, at its sole cost and expense, furnish all facilities and equipment which may be required for furnishing Services.

8. **INFORMATION AND DOCUMENTATION.**

A. **Information from City.** City has made an effort to provide Consultant with all information necessary for Consultant's performance of Services. If Consultant believes additional information is required, Consultant shall promptly notify City and City will provide to Consultant all relevant non-privileged information in City's possession.

B. **Consultant's Accounting Records.** Consultant shall maintain all accounting records related to this Agreement in accordance with generally accepted accounting principles and state law requirements, and in no event for less than four (4) years. Consultant's accounting records shall include, at a minimum, all documents which support Consultant's costs and expenses related to this Agreement, including personnel, subconsultants' invoices and payments, and reimbursable expenses. Consultant's accounting records shall be made available to City within a reasonable time after City's request, during normal business hours.

C. **Ownership of Work Product.** All original documents prepared by Consultant (including its employees and subconsultants) for this Agreement ("Work Product"), whether complete or in progress, are the property of City and shall be given to City at the completion of Consultant's Services, or upon demand of City. Consultant shall have a right to make and keep copies of the Work Product except for any confidential information. Consultant shall not reveal the Work Product or the confidential information contained in the Work Product, or make it available, to any third party without the prior written consent of City.

9. **CONFLICTS OF INTEREST PROHIBITED.** Consultant (including its employees, agents, and subconsultants) shall not maintain or acquire any direct or indirect interest that conflicts with the performance of this Agreement. Consultant shall comply with all requirements of the Political Reform Act (California Government Code Section 81000, *et seq.*) and other laws relating to conflicts of interest, including: (a) Consultant shall not make or participate in a decision made by City if it is reasonably foreseeable that the decision may have a material effect on Consultant's economic interest, and (b) if required by law, Consultant shall file financial disclosure forms with the City Clerk. If Consultant maintains or acquires a conflicting interest, any contract with City (including this Agreement) involving Consultant's conflicting interest may be terminated by City.

10. **NONDISCRIMINATION.** Consultant shall comply with all applicable federal, state, and local laws regarding nondiscriminatory employment practices, whether or not said laws are expressly stated in this Agreement. Consultant shall not discriminate against any employee or applicant because of race, color, religious creed, national origin, physical disability, mental disability, medical condition, marital status, sexual orientation, sex, age, or any other basis, as defined in California Civil Code Section 51.

11. **COMPLIANCE WITH LAW AND STANDARD OF CARE.** Consultant shall comply with all applicable legal requirements including all federal, state, and local laws (including ordinances and resolutions), whether or not said laws are expressly stated in this Agreement. Consultant shall perform Services using a standard of care equal to, or greater than, the degree of skill and diligence ordinarily used by reputable professionals, with a level of experience and training similar to Consultant, performing under circumstances similar to those required by this Agreement.

12. **RESERVED.**

13. **RESERVED.**

14. **INSURANCE.** Consultant shall procure and maintain for the duration of this Agreement insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the Consultant, his agents, representatives, subconsultants, or employees.

A. **Verification of Coverage.**

Consultant shall furnish City with original certificates of insurance and amendatory endorsements or copies of the applicable policy language effecting coverage required by this clause. The certificates and endorsements for each insurance policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. All certificates and endorsements are to be received and approved by City before work commences.

Proof of Insurance shall be mailed to the following address or any subsequent address as may be directed in writing by the City Risk Manager:

CITY OF NEWARK
Attn: Risk Manager
37101 Newark Boulevard
Newark, CA 94560

City reserves the right to require and obtain complete, certified copies of all required insurance policies and endorsements at any time. Failure to exercise this right at any time shall not constitute a waiver of right to exercise later. Consultant shall immediately furnish City with certificates of renewal for each policy that is renewed during the term of this Agreement.

B. **Minimum Scope of Insurance.**

Coverage shall be at least as broad as:

1. Insurance Services Office Form Number CG 00 01covering Commercial General Liability on an occurrence basis, including products and completed operations, property damage, bodily injury, and personal and advertising injury; and

2. Insurance Services Office Form Number CA 00 01 covering Code 1, (any auto), or Code 8 (hired) and Code 9 (non-owned) if consultant has no owned autos; and

3. Workers' Compensation insurance as required by the State of California, with Statutory Limits, and Employer's Liability Insurance; and

4. Errors and Omissions Liability insurance appropriate to the Consultant's profession. Architects' and Engineers' coverage is to be endorsed to include contractual liability.

C. **Minimum Limits of Insurance.**

It shall be a requirement under this Agreement that any available insurance proceeds broader than or in excess of the specified minimum Insurance coverage requirements and/or limits shall be available to the Additional Insured. Furthermore, the requirements for coverage and limits shall be (1) the minimum coverage and limits specified in this Agreement; or (2) the broader coverage and maximum limits of coverage of and Insurance policy or proceeds available to the named Insured; whichever is greater.

Consultant shall maintain limits no less than:

1. General Liability: (including products and completed operations, property damage, bodily injury, and personal and advertising injury)	**$2,000,000** per occurrence for bodily injury, personal injury, and property damage. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
2. Automobile Liability:	**$1,000,000** per accident for bodily injury and property damage.
3. Employer's Liability:	**$1,000,000** per accident for bodily injury or disease.
4. Errors and Omissions Liability:	**$1,000,000** per occurrence or claim; $2,000,000 aggregate.

D. **Deductibles and Self-Insured Retentions.**

Any deductibles or self-insured retentions must be declared to and approved by the City Risk Manager. At the option of City, either: (1) the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects to City, its officers, officials, directors, employees, contractors, agents, and volunteers, or (2) Consultant shall provide a financial guarantee satisfactory to City guaranteeing payment of losses and related investigations, claim administration, and defense expenses in an amount specified by the City Risk Manager or designee.

E. **Claims Made Policies.**

For all "claims made" coverage, in the event that Consultant changes insurance carriers Consultant shall purchase "tail" coverage or otherwise provide for continuous

coverage covering the Term of this Agreement and not less than five (5) years thereafter. Proof of such "tail" or other continuous coverage shall be required at any time that the Consultant changes to a new carrier.

F. Wasting Policies.

No policy required by this paragraph 14 shall include a "wasting" policy limit (ie. limit that is eroded by the cost of defense).

G. Remedies.

In addition to any other remedies City may have if Consultant fails to provide or maintain any insurance policies or policy endorsements to the extent and within the time herein required, City may, at its sole option exercise any of the following remedies, which are alternatives to other remedies City may have and are not the exclusive remedy for Consultant's breach:

1. Obtain such insurance and deduct and retain the amount of the premiums for such insurance from any sums due under the Agreement;

2. Order Consultant to stop work under this Agreement or withhold any payment that becomes due to Consultant hereunder, or both stop work and withhold any payment, until Consultant demonstrates compliance with the requirements hereof; and/or

3. Terminate this Agreement.

H. Acceptability of Insurers.

Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A:VII, unless otherwise acceptable to the City Risk Manager. All insurance companies providing coverage to Consultant shall be insurance organizations authorized by the Insurance Commissioner of the State of California to transact the business of insurance in the State of California.

I. Other Insurance Provisions.

The general liability and automobile liability policies are to contain, or be endorsed to contain, the following provisions:

1. Additional Insureds. City, its officers, officials, directors, employees and volunteers ("Additional Insureds") are to be covered as insureds with respect to liability arising out of work or operations performed by or on behalf of Consultant; including materials, parts or equipment furnished in connection with such work or operations.

2. Primary Coverage. For any claims related to Services, Consultant's insurance coverage shall be primary insurance as respects City, its officers, officials, directors, employees, and volunteers. Any insurance or self-insurance maintained by City, its officers, officials, directors, employees, or volunteers shall be excess of Consultant's insurance and shall

not be contribute with it. Consultant's policy will not seek contribution from the City's insurance or self-insurance.

3. Notice of Cancellation. Each insurance policy required above shall provide that coverage shall not be canceled during the term of this Agreement without notice to City.

4. Civil Code § 2782. Coverage shall not extend to any indemnity coverage for the active negligence of the additional insured in any case where an agreement to indemnify the additional insured would be invalid under Subdivision (b) of Section 2782 of the California Civil Code.

5. Deductibles and Self-Insured Retentions (SIR). All deductibles and self-insured retentions must be disclosed to the City Risk Manager for approval and shall not reduce the limits of liability. Policies containing any SIR provision shall provide or be endorsed to provide that the SIR may be satisfied by either the named Insured or the City.

6. Subconsultants. Consultant shall include all subconsultants as insureds under its policies or shall require and verify separate certificates and endorsements have been obtained for each subconsultant. All coverages for subconsultants shall be subject to all of the requirements stated herein.

7. Waiver of Subrogation. With respect to Workers' Compensation and Employer's Liability Coverage, the insurer shall agree to waive all rights of subrogation against City, its officers, officials, directors, employees, and volunteers for losses arising from work performed by Consultant for City.

8. Coverage is Material Element. Maintenance of proper insurance coverage in conformity with the provision of this paragraph 14 is a material element of this Agreement and failure to maintain or renew coverage or to provide evidence of coverage or renewal may be treated by City as a material breach of this Agreement.

9. Variation. The City Risk Manager may approve a variation in these insurance requirements upon a determination that the coverage, scope, limits, and form of such insurance are either not commercially available or that City's interests are otherwise fully protected. Any variation granted shall be done in writing and shall be made a part of this Agreement as Appendix "A".

15. REPORTING DAMAGES. If any damage (including but not limited to death, personal injury or property damage) occurs in connection with the performance of this Agreement, Consultant shall immediately notify the City Risk Manager's office by telephone at 510-578-4428, and Consultant shall promptly submit to the City's Risk Manager and the City's Administrator (see paragraph 19, herein below) a written report (in a form acceptable to City) with the following information: (a) name(s) and address(es) of the injured or deceased person(s), (b) name(s) and address(es) of witnesses, (c) name(s) and address(es) of Consultant's insurance company(ies), and (d) a detailed description of the damage(s) and whether any City property was involved.

16. INDEMNIFICATION/SAVE HARMLESS. To the fullest extent permitted by law, the Consultant shall: (1) immediately defend, and (2) indemnify City, its, officers, officials, directors, employees, and volunteers from and against all liabilities regardless of nature or type arising out of or resulting from Consultant's performance of Services, or any negligent or wrongful act or omission of Consultant or Consultant's officers, employees, agents, or subconsultants. Liabilities subject to the duties to defend and indemnify include, without limitation all claims, losses, damages, penalties, fines, and judgments; associated investigation and administrative expenses; defense costs, including but not limited to reasonable attorneys' fees; court costs; and costs of alternative dispute resolution. Consultant's obligation to indemnify applies unless it is adjudicated that its liability was caused by the sole active negligence or sole willful misconduct of an indemnified party. If it is finally adjudicated that liability is caused by the comparative active negligence or willful misconduct of an indemnified party, Consultant's indemnification obligation shall be reduced in proportion to the established comparative liability of the indemnified party.

In the event that Consultant or any employee, agent, or subconsultant of Consultant providing services under this Agreement is determined by a court of competent jurisdiction or the California Public Employees Retirement System (PERS) to be eligible for enrollment in PERS as an employee of City, Consultant shall indemnify, defend, and hold harmless City for the payment of any employee and/or employer contributions for PERS benefits on behalf of Consultant or its employees, agents, or subcontractors, as well as for the payment of any penalties and interest on such contributions, which would otherwise be the responsibility of City.

The duty to defend is a separate and distinct obligation from Consultant's duty to indemnify. Consultant shall be obligated to defend, in all legal, equitable, administrative, or special proceedings, with counsel approved by City immediately upon tender to Consultant of the claim in any form or at any stage of an action or proceeding, whether or not liability is established. An allegation or determination of comparative active negligence or willful misconduct by an indemnified party does not relieve the Consultant from its separate and distinct obligation to defend City. The obligation to defend extends through final judgment, including exhaustion of any appeals. The defense obligation includes an obligation to provide independent defense counsel if Consultant asserts that liability is caused in whole or in part by the negligence or willful misconduct of the indemnified party. If it is finally adjudicated that liability was caused by the sole active negligence or sole willful misconduct of an indemnified party, Consultant may submit a claim to City for reimbursement of reasonable attorneys' fees and defense costs.

The review, acceptance or approval of Consultant's work or work product by any indemnified party shall not affect, relieve or reduce Consultant's indemnification or defense obligations. This paragraph survives completion of Services or the termination of this contract. The provisions of this paragraph are not limited by and do not affect the provisions of this contract relating to insurance.

Consultant/Subconsultant's responsibility for such defense and indemnity obligations shall survive the termination or completion of this Agreement for the full period of time allowed by law. The defense and indemnification obligations of this Agreement are undertaken in addition to, and shall not in any way be limited by, the insurance obligations contained in this Agreement.

17. LICENSES, PERMITS, ETC. Consultant represents and warrants to City that it has all licenses, permits, qualifications, and approvals of whatsoever nature that are legally required for Consultant to practice its profession. Consultant represents and warrants to City that Consultant shall, at its sole cost and expense, keep in effect at all times during the term of this Agreement any licenses, permits, and approvals which are legally required for Consultant to practice its profession. In addition to the foregoing, Consultant shall obtain and maintain during the term hereof a valid City of Newark Business License.

18. TERM/TERMINATION.

A. The term of this Agreement shall commence upon the date first hereinabove written and shall expire upon completion of performance of Services hereunder by Consultant.

B. Notwithstanding the provisions of paragraph 18 Section A above, City may terminate this Agreement at any time and without cause upon written notification to Consultant. Consultant may cancel this Agreement upon thirty (30) days' written notice to City and shall include in such notice the reasons for cancellation. In the event of such termination, City shall compensate Consultant for Services rendered and reimburse Consultant for costs and expenses incurred, to the date of termination, calculated in accordance with the provisions of paragraph 3. In ascertaining the Services actually rendered to the date of termination, consideration shall be given both to completed work and work in process of completion. Nothing herein contained shall be deemed a limitation upon the right of City to terminate this Agreement for cause, or otherwise to exercise such rights or pursue such remedies as may accrue to City hereunder.

19. CONTRACT ADMINISTRATION. This Agreement shall be administered by **GINA ANDERSON CHIEF OF POLICY** of the City of Newark ("Administrator"). All correspondence shall be directed to or through the Administrator or his/her designee.

20. NOTICES. Written notices required or convenient hereunder shall be delivered personally or by depositing the same with the United States Postal Service, first class (or equivalent) postage prepaid and addressed, in the case of Consultant, to:

Orion Security JOSEPH BABA, PRESIDENT **Consultant**	**CITY OF NEWARK** GINA ANDERSON, CHIEF **Administrator**
Address: Orion Security 675 E. Gish Road San Jose, CA 95112	City of Newark Attn: Captain Jonathan Arguello 37077 Newark Boulevard Newark, CA 94560

21. PARAGRAPH HEADINGS. Paragraph headings used herein are for convenience only and shall not be deemed to be a part of such paragraphs and shall not be construed to change the meaning thereof.

22. EXHIBITS. All exhibits referred to herein are attached hereto and are by this reference incorporated herein.

23. SEVERABILITY. If any term of this Agreement (including any phrase, provision, covenant, or condition) is held by a court of competent jurisdiction to be invalid or unenforceable, the Agreement shall be construed as not containing that term, and the remainder of this Agreement shall remain in full force and effect; provided, however, this paragraph shall not be applied to the extent that it would result in a frustration of the Parties' intent under this Agreement.

24. GOVERNING LAW, JURISDICTION, AND VENUE. The interpretation, validity, and enforcement of this Agreement shall be governed by and interpreted in accordance with the laws of the State of California. Any suit, claim, or legal proceeding of any kind related to this Agreement shall be filed and heard in a court of competent jurisdiction in the County of Alameda.

25. ATTORNEY'S FEES. In the event any legal action is commenced to enforce this Agreement, the prevailing party is entitled to reasonable attorney's fees, costs, and expenses incurred.

26. ASSIGNABILITY. Neither Consultant nor City shall subconsult, assign, sell, mortgage, hypothecate, or otherwise transfer their respective interests or obligations in this Agreement without the express prior written consent of the non-transferring party.

27. MODIFICATIONS. This Agreement may not be modified orally or in any manner other than by an agreement in writing signed by both Parties.

28. WAIVERS. Waiver of breach or default under this Agreement shall not constitute a continuing waiver of a subsequent breach of the same or any other provision of this Agreement.

29. ENTIRE AGREEMENT. This Agreement, including all documents incorporated herein by reference, comprises the entire integrated understanding between the Parties concerning the Services. This Agreement supersedes all prior negotiations, agreements, and understandings regarding this matter, whether written or oral. The documents incorporated by reference into this Agreement are complementary; what is called for in one is binding as if called for in all.

30. SIGNATURES. The individuals executing this Agreement represent and warrant that they have the right, power, legal capacity, and authority to enter into and to execute this Agreement on behalf of the respective legal entities of Consultant and City. This Agreement shall inure to the benefit of and be binding upon the Parties hereto and their respective successors and assigns.

31. COVENANT AGAINST CONTINGENT FEES. Consultant hereby warrants that Consultant has not employed or retained any company or person, other than a *bona fide* employee working for Consultant, to solicit or secure this Agreement, and Consultant has not paid or agreed to pay any company or person, other than a *bona fide* employee, any fee, commission, percentage, brokerage fee, gift, or any other consideration contingent upon or resulting from the award or formation of this Agreement. For breach or violation of this warranty, City shall have the right to annul this Agreement without liability or, at City's discretion, to deduct from the Agreement price or consideration, or otherwise recover, the full amount of such fee, commission, percentage, brokerage fee, gift or contingent fee.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement the day and year first hereinabove written.

CITY OF NEWARK,
a municipal corporation

By _____
City of Newark

Date 7-13-22

ORION SECURITY,
a C-Corporation

By Yooshieh Gahramani
Consultant

Date 7-12-2022

Yooshieh Gahramani
Printed Name

Attest:

_____
City Clerk

Date 7/14/2022

Approved as to form:

_____
City Attorney

Date 7/13/22

EXHIBIT A

SCOPE OF SERVICES

EXHIBIT A

PAYMENT

EXHIBIT A

QUALIFICATIONS

3393490.1

Attention

Joshua Horst
Newark Police Department

Address

Newark City Council
37101 Newark Blvd.,
Newark, CA 94560

Proposal For



RFP Date:
Tuesday June 28th, 2022

Submitted By

Laura Tafoya
Security Consultant
Cell: (408) 771-1352
Phone: (408) 287-4411
Laura@OrionSecurity.com

INDEX

Cost of Service..... Page 1
Mission Statement..... Page 2
Company History..... Page 3
Executive Team..... Page 4
Management..... Page 5
Organizational Structure..... Page 6
Stationary..... Page 7
Parking Enforcement..... Page 8
Technology..... Page 9
Technology Reports..... Page 10
Dispatch..... Page 11
Recruitment..... Page 12
Drug Testing..... Page 13
Hiring Process..... Page 14
Orientation and Training..... Page 15
Quality Control Measures..... Page 16
Community..... Page 17
Private Patrol Operator License..... Page 18
Sample Reports..... Page 19
References..... Page 20

June 29th, 2022

Upgrade to Dependability

COST OF SERVICE – Unarmed Patrol

Designed to be straight forward with no hidden costs.

Cost for Year 2022 - 24/HR PAID OFFICER

Type of Coverage: One (1) unarmed, uniformed officer to patrol the property on foot to deter criminal activity ie. thefts, assault, burglary, robberies, and other unwanted transient activities. Daily shift reports with pictures to be sent via email. Special Incident Reports are created for important observations. Officer will assist in the enforcement of property policies.

SUN	MON	TUES	WEDS	THUR	FRI	SAT
	✓	✓	✓	✓	✓	
	7:30a-3:30p	7:30a-3:30p	7:30a-3:30p	7:30a-3:30p	7:30a-3:30p (bi-weekly)	

= Total Weekly Billable Hours: Approx. 36

Unarmed- Uniformed Security Officer

Officer's Minimum Hourly Pay Rate	$24.00/hour
Hourly Bill Rate	$36.10//hour
Holiday & Overtime Hourly Bill Rate	$54.15/hour
Special Request Officer- Less Than 24 Hours Notice	$54.15/hour

Features

Assigned Account Manager	$0.00/included
Online Web portal	$0.00/included
Digital Reports	$0.00/included
GPS Tracking	$0.00/included
Monthly Cost Samsung S10 Smart Phone (1)	$0.00/included
Security Signs	$0.00/included
Security Refrigerator Magnets	$0.00/included
24 Hour Dispatch Center	$0.00/included
Web Parking Software	$0.00/included
Marked Security Vehicle with amber lights(Optional)	$1,000.00/ Mo
Marked Security Golf Cart with amber lights(Optional)	$400.00/Mo

Total Cost

Weekly	$1,299.60
Monthly	$5,631.60
Yearly	$67,759.70

- *Quote includes the cost of all materials, uniforms, training, account setup, supervision, taxes, insurance, fuel, maintenance, workers compensation, etc.*
- *Total 'Monthly' cost is an estimation based on the average 4.33 weeks in a month. Total 'Yearly' cost is based on the average 52.143 weeks per year.*

June 29th, 2022

Upgrade to Dependability

Mission Statement

VISION & VALUES

Quality Service and state of the art technology



The fundamental mission for Orion Security is to protect the lives and property of the customers we serve in a manner consistent with the highest ideals within our industry, and to take advantage of those scientific advancements which will help us succeed in that endeavor. We dedicate ourselves to providing unsurpassed, personalized, quality security services. Whether your security concerns are large or small, we provide customized solutions to suit your needs in all situations.

Orion Security has committed it's energies to a policy of teamwork, reciprocal understanding, and growth of long-term business relationships with our customers and employees.
We look forward to the future with great confidence in seeking to win over new clients, while continuing to thank our current customers for their support.

In order to fulfill part of it's mission, Orion Security has assigned specially qualified managerial personnel to keep abreast technological developments within the industry. They are empowered to adapt those technologies they find to be useful, and which will advance our goals. Additionally, we have implemented a policy of measured, steady growth, which enables us to meet projected demand without ever degrading the quality of our service.

We endeavor to be the preferred security provider for all whom we serve and pledge to conduct our business with uncompromising honesty, wisdom, discretion and sound judgment. This commitment extends to customers, employees, vendors, communities, and industries with which we do business.

Company History

COMPANY HISTORY

Orion Security has been serving the Bay Area since 1980

Most companies rent their office space, Orion owns their building. This allows the company to park it's fleet of vehicles on site.



Orion Security was founded by Yosh Gahranmani in 1980 at 357 Town & Country Village in San Jose. Yosh had one goal in mind; to make a profitable business with best, in class, customer service. With only one employee, the company opened its doors as a provider of professional security services. In response to the growing demand for professional physical security service, Orion has grown into a full service organization providing loss-prevention, property protection, access control, revenue collection, executive protection, crisis intervention, patrol services, and other protective services to both private and government agencies. Orion handles accounts ranging in size from small businesses to large companies. Today the company has over 300 employees and is one of the largest security patrol services in the Bay Area.

ASIS INTERNATIONAL
Advancing Security Worldwide™

CALSAGA™
CALIFORNIA ASSOCIAITON OF LICENSED SECURITY AGENCIES, GUARD AND ASSOCIATES

BSIS
PROTECTING CALIFORNIA CONSUMERS

Owner and CEO

OWNER / CEO

After over 36 years, Yosh is still directly involved in business he created.



Yosh Gahranmani, CEO of Orion Security

Yosh Gahramani arrived in the San Francisco Bay in 1972 with only fifty dollars to his name. Yosh lived with a relative while working in construction for a few years, then as a security officer for an additional 5 years, before deciding to go into business for himself. With only one employee and one radio, Orion Security was formed.

Orion Security quickly grew by word of mouth, with the exceptional work that was performed by the owner and his new employees. Within 3 years Yosh had built his company up to over 100 happy clients and the largest locally owned security company in the Bay Area.

Today Yosh owns several successful companies such as Fantastic Bay Builders, Yosh Landscaping Services, and Paramount Investigations. Orion Security is lead by the example of the entrepreneurial CEO, with his incredible work ethic and infectiously positive attitude.

Executive Team

Team Leaders

Meet the Team!



Shortly after graduating in 1994 Joseph started his first job as a production worker. Within his first year of employment, Joseph was promoted to a supervisor position. After 2 years of lead, Joseph started working as a manager. Joseph exceled in client relations and Customer Service. With over 20 years of management and customer relations, Joseph is responsible for the company's growth and overall customer satisfaction. **Education & Experience:** High School Diploma, 2 years at Ohlone College, bachelor in Business from California State East Bay, 1 year with Pacific Fire Department, & a Licensed Security Officer.

Joseph Baba, Director of Business Development

Lita started with Orion Security in 1996 after getting her certification as a Medical Transcriber. At the time Orion was still a small company. Now 24 years later Lita has become the owner's right hand, and is the go to person for any employee needs. Not only does Lita handle all of Human Resources, but she is cross trained in almost every position within the company. She can and happily helps out any department when she is needed.



Lita Ortega, Controller



Margarita has been with Orion Security since 1992 when she was recruited after receiving her degree in Office Automation to work as an administrative assistant. Since then, Margarita has become Orion's Chief Accounting Officer. All payroll and invoicing is done through Margarita. She is easily the favorite person among all employees.

Margarita Camacho, Chief Accounting Officer

Account Management Team

Team Leaders
Meet the Account Management Team!

Ramtin has been working within the security industry for over 11 years; he has been working with Orion since 2019. Ramtin knows that security is about adding value and an increased sense of safety. Ramtin excels in his ability to accurately assess property issues then consult on the security needs for those properties. Ramtin is well know and respected by the Orion team and his clients.



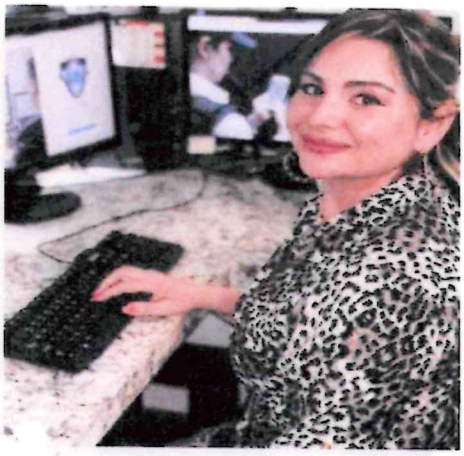
Ramtin Patehvir,
- Security Consultant & Account Manager



Laura started with Orion Security as a dispatcher. She quickly learned the operations of dispatch and staffing. She now works in the account management team along side Joseph and Teresa. Laura specializes in client relationship management, technical writing, and account management. She has proved to be an asset to our team. We value her hard work and positive attitude!
AAT- Psychology Degree from De Anza College

Laura Tafoya,
Security Consultant & Account Manager

Teresa Started her career in Security as an alarm operator in 2010, She quickly worked her way up to a Grave shift supervisor over seeing a team of 10 dispatchers and also assisting with client relations. Teresa joined Orion security in 2019 as a Office Assistant later joining the sales team to assist with consulting and account management.



Teresa Maestas,
Client Relationship Manager & Security Consultant

Office Staff

Team Leaders

Office Management



In 2001, Shannon Box was hired by Orion Security as a receptionist. Shannon proved to be a great asset to the company by helping out with just about every aspect of the business. She now specializes in the operations of the company, including oversight of dispatch and patrol operations. As the Operations Manager, Shannon is also in charge of the staffing, scheduling, security training, and post orders for sites.

Shanon Box, Operations Manager



Over 20 years of combined experience in military, law enforcement, security, investigations, Counter Intelligence operations, Anti and Counter Terrorism. A highlighted veteran of the U.S. ARMY who trained and managed combat teams during Desert Shield and Desert Storm Wars. Tom Trained and supervised SWAT Operations. In addition he managed international black marketing investigations in Europe and South Korea. **Certifications:** Anti Terrorism Spec (CMAS), SWAT training SRT, Military Police Investigator, Specialized Technology Degree, Police Academy Graduate of The University of Oklahoma.

Tom O'Donnell, Watch Commander



Atilla Aochqon has 3 years of patrol management experience with Orion. He also holds an extensive security and protection background. Before coming to work at Orion he worked with the US Military for a total of 12 years in Afghanistan. He treats all people with respect and dignity. Experience: Family Health International (FHI-360)/University of Massachusetts(Umass)/United States Agency for International Development(USAID)/ Afghanistan, Development Alternatives Incorporated(DAI/USAID). Education: Bachelor of Science, Engineering.

Atilla Aochqon, Patrol Manager

Supervisory Staff Highlights

Team Leaders

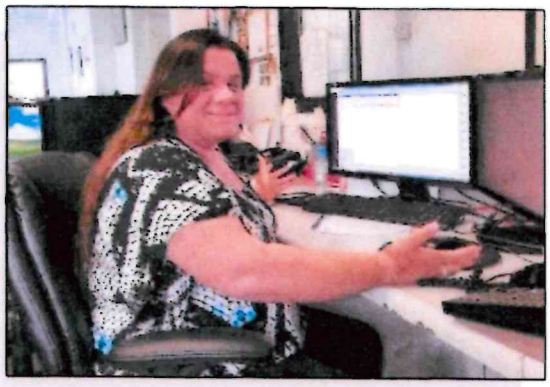
Supervisor and Patrol Management



Meron Mekonen, Supervisor

Meron has been with Orion Security since 2015. He started his career with Orion as a patrol driver. He proved to be a reliable, dedicated individual, and has since been promoted to supervisor. Meron supervises and trains the patrol drivers. Works shifts when there is a call off, and assists in anyway he can to provide the best quality security to our clients.

Andrea started with Orion Security in 2010 as a part-time dispatcher working weekends. Andrea eventually moved to working full-time. Andrea quickly became adept at filling open shifts, call offs, and answering inbound calls. Besides focusing on every component of staffing, dispatch is the first point of contact at Orion and the person charged with monitoring TrackTik for incidents, or call for service request.



Andrea Camrago, Dispatch Manager



Fatema Faramarz, Field Supervisor

Fatema has been with Orion Security since 2020. She started with Orion as a flex officer/dispatcher. She consistently showed that she was willing to work any post, and with a smile. Fatema has been cross trained on all stationary accounts, covers shifts, trains, and supervises.

June 29th, 2022

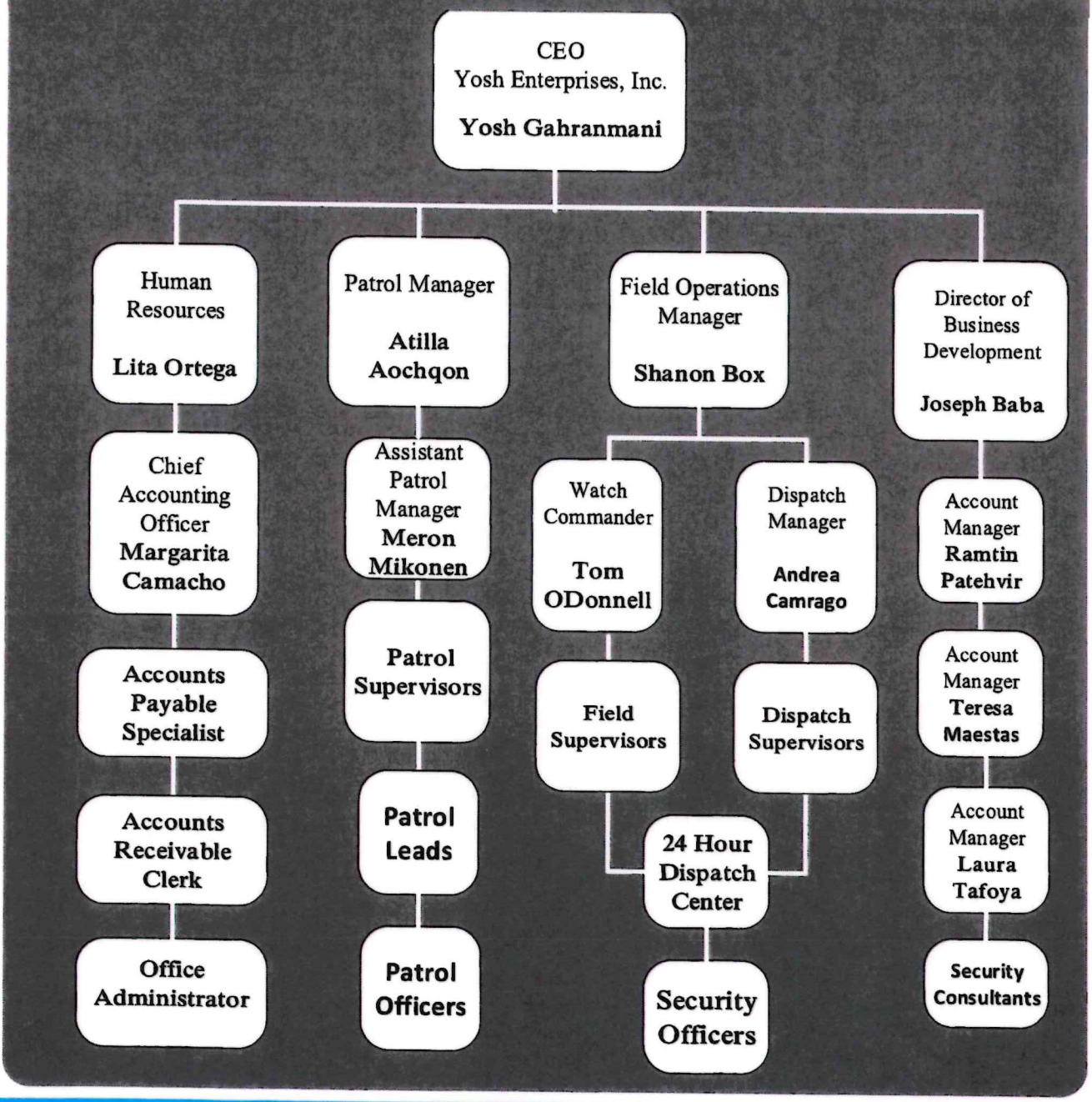
Upgrade to Dependability

Organizational Structure

ORGANIZATIONAL STRUCTURE

Forty years later, Yosh Gahranmani is still directly involved in the business

ORGANIZATIONAL STRUCTURE CHART



Stationary

STATIONARY OFFICERS

Professionalism and Customer service are our highest priority.

Construction

Orion handles some of the largest and most high profile construction sites in Northern California. We currently provide security services to WebCor Builders on the new R&D office for Samsung, in downtown San Jose. Always safe; always professional.



Orion is currently securing Webcor Builders, who are constructing the new Samsung R & D building in downtown San Jose, CA.

Shopping Centers

Increased crime in shopping areas has lead to new tactics for Police and Security Officers. Vehicle break ins are at an all time high across the Bay Area. With state of the art accountability software, we keep our officers alert and moving. Along with vehicle patrols from our large mobile patrol service, we lock down our shopping centers from the would be criminals.



Check points that must be scanned, are placed at key locations throughout the parking lot. This ensures our officers are moving and keeping vehicles safe.

Schools

Professionalism and customer service are our top priorities whether we are dealing with children or the elderly. We are in the customer service industry and every officer is trained to understand this. It is also important that our officers are dressed to impress. Clean pressed uniforms with proper tailoring is standard for all of our officers.



Professionalism and respect is given to everyone, big or small.

Parking Encorcement

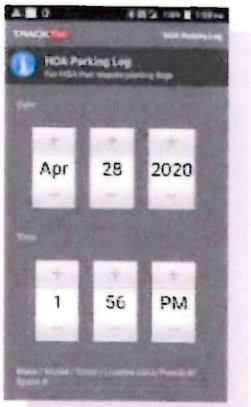
PARKING ENFORCEMENT

Let our officers take some stress off.

You give us your parking policies, and we will enforce them for you ! This takes innumerable amounts of stress off of our clients shoulders. Instead of calling you, they call our 24 hour dispatch! Residents or employees, utilizing our parking services, may call dispatch to let us know that there is a car in their spot or a car parked illegally. We will dispatch the task to the officers phone, and they will respond once they arrive on site.



Orion Security officers will document, take pictures, and sign for the tows of any illegally parked vehicle.





Tracktik Parking Software is easy to use and will meet any of your parking enforcement needs. Security officers access the program through their smart phones. Officers can add parking violations, and see prior parking violations. Clients may request a toe or 'do not toe' by calling or emailing our 24 hour dispatch.



Clients are able to dictate procedures. We can issue a warning citation, or tow immediately, when a car is found breaking property policies. Orion officers will request and sign for a tow of any vehicle blocking fire lanes.

Technology

TRACKTIK DASHBOARD

Easy to navigate dashboard application

TRACKTIK

Historically, it has been challenging to ensure accountability in the security industry. Those days are over! You will never again have to wonder if your property is getting it's patrol services. With TrackTik, dispatchers are able to monitor our officers in real time. If a patrol is missed or completed incorrectly, our dispatch center will be alerted immediately. New tasks can be given to our 24 hour dispatch at any time, and the officers will receive the task on their smartphone.



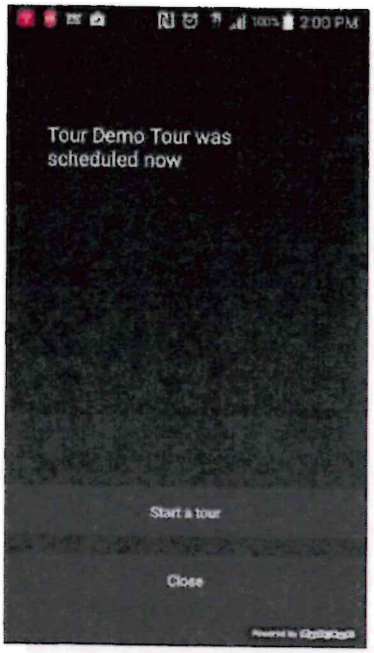
Officers use smart phones and tablets to document patrols and activity. Incidents are reported to the client as they happen, so detailed reports of an incident are available instantly.

TRACKTIK GUARD MANAGEMENT SOFTWARE

Real time guard tracking and paperless reporting available from any android device.

Technology

TRACKTIK



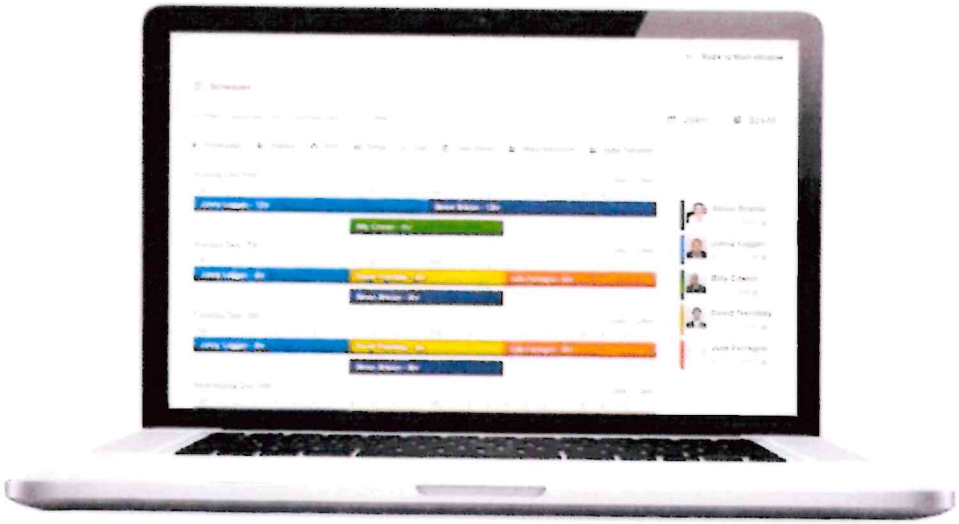
— *Officers are alerted to start a scheduled tour of the property.*



— *Once the tour is started, the officer can scan checkpoints by using the "NFC" (Near Field Communication) feature.*

The tour on the mobile device keeps track of which checkpoints are scanned and which checkpoints still need to be scanned.

TrackTik also keeps track of officer's attendance. If an officer arrives late or leaves early, we will know.





Reports

TRACKTIK REPORTING

Incident Reports are populated in real time and are emailed instantly to the Clients Inbox.

We have to try and forget about the old ways of security reporting. Property managers don't want to read generic reports stating "all clear", they want to know where the problems are so they can be addressed.

Tracktik makes this possible. The powerful data capturing, and organization of TrackTik reporting, is matched by its easy to customize interface. The easy-to-use, drag-and-drop interface allows officers to build reports on a Smartphone. With your own Tracktik login, you are able to see what the guard sees from their phone.



"The interface on both the field device and PC is logical and simple to use, even for the technically challenged."

TrackTik reporting is built to facilitate your unique incident report needs. By requiring Officers to add real-time photos into their reports, you are guaranteed to see that the officer is performing.





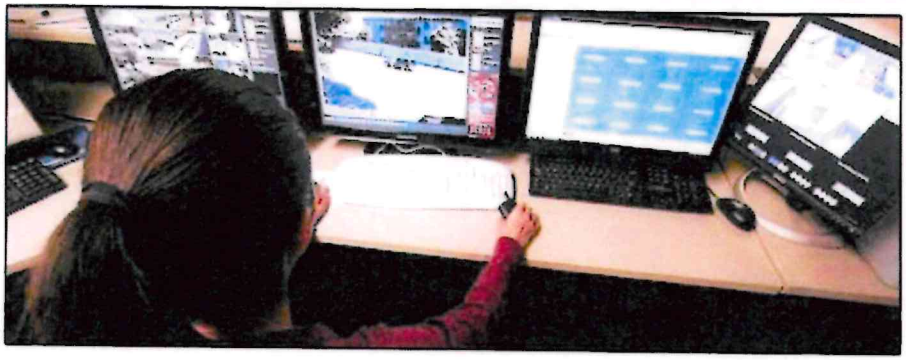
No longer do our clients have to worry if their properties are being checked, and patrols being made. TrackTik reports allow the client to be in the loop on all things that happen during the Officers shift. Clients can use Tracktik interface to review reports in live time, or get the reports emailed to them directly.

Dispatch

24-HOUR LIVE DISPATCH CENTER

Callers will always speak directly with an Orion Security employee

Dispatch is a crucial part of the team. State of the art equipment and software are required in order to manage all 300+ officers each night.



Most companies will claim to have a dispatch center but actually have one of two things; a paid answering service or an officer in the field with a cell phone. Orion has fully trained dispatchers on staff 24 hours per day. This ensures calls will be answered in a timely manner and always handled by an Orion employee.

When a call is answered, the dispatcher will gather the following information:

- Name of Property
- Name of Caller
- Address or Unit Number
- Details of Incident
- Contact Information
- Follow Up Requested

Dispatch oversees the entire operation 24 hours a day. All calls and incidents are streamlined through our dispatch center for record keeping and efficiency. Every officer in the field, is monitored in real time and given instructions from dispatch. Dispatch monitors the following:

- Officer Attendance
- Movement of Officers
- Incidents
- Video Surveillance
- Fire & Burglary Alarms
- Parking Violations





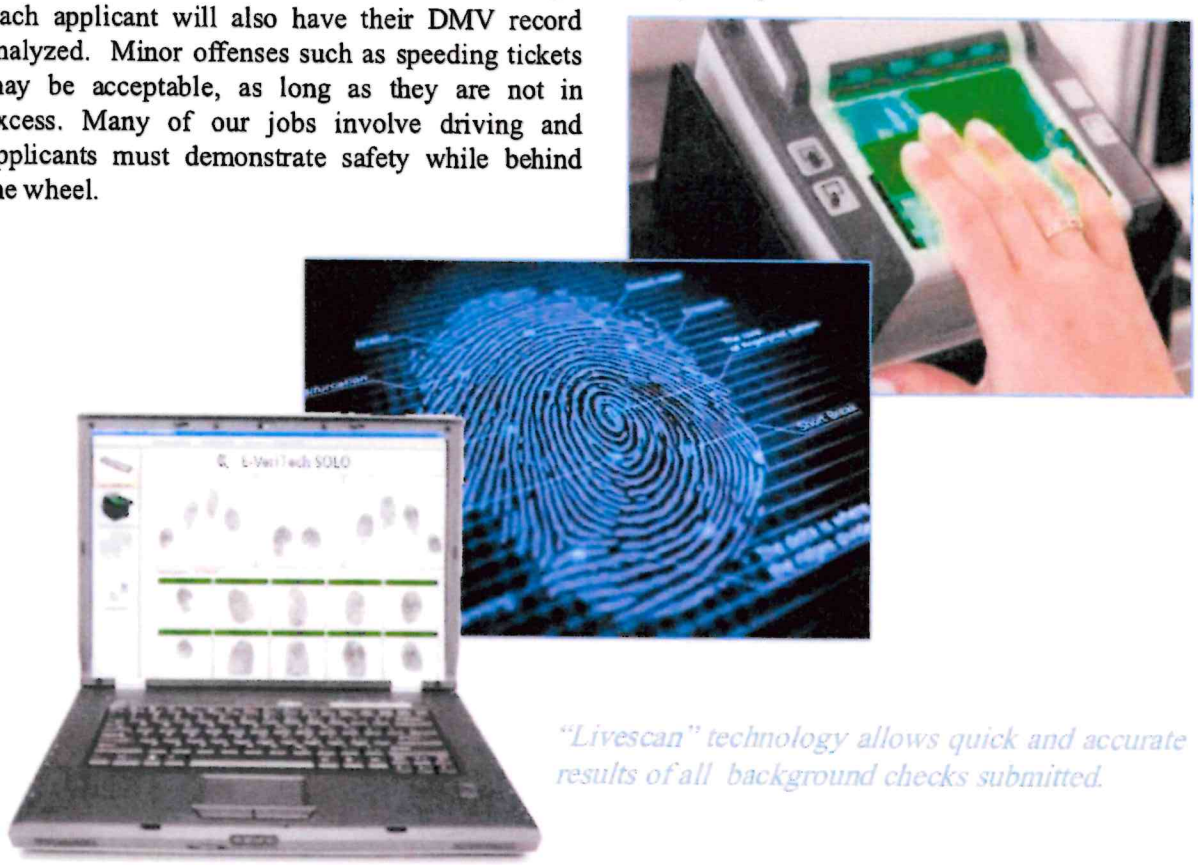
BACKGROUND CHECKS

All applicants are background checked via fingerprints sent to the U.S. Department of Justice and FBI.

Pre employment Screening

All applicants must pass a background check prior to employment. Potential employees have their fingerprints taken, which are then sent to the U.S. Department of Justice and the FBI. Applicants will not be considered for employment if the screening shows any felony or misdemeanor convictions.

Each applicant will also have their DMV record analyzed. Minor offenses such as speeding tickets may be acceptable, as long as they are not in excess. Many of our jobs involve driving and applicants must demonstrate safety while behind the wheel.



"Livescan" technology allows quick and accurate results of all background checks submitted.

Today's technology has made fingerprinting easy, clean, accurate and fast. It no longer requires messy ink used on the fingers. The fingerprints are now taken digitally by pressing down on the glass scanner of a "Livescan" machine. These scanning machines accept the swipe of a Drivers License, which will auto populate all the personal information into the program. The program requires that all 10 fingers are accurately logged into the system, before they can be submitted. As soon as the scan is complete, the fingerprints are instantly sent off to the federal agencies for processing.

Pre Employment Screening

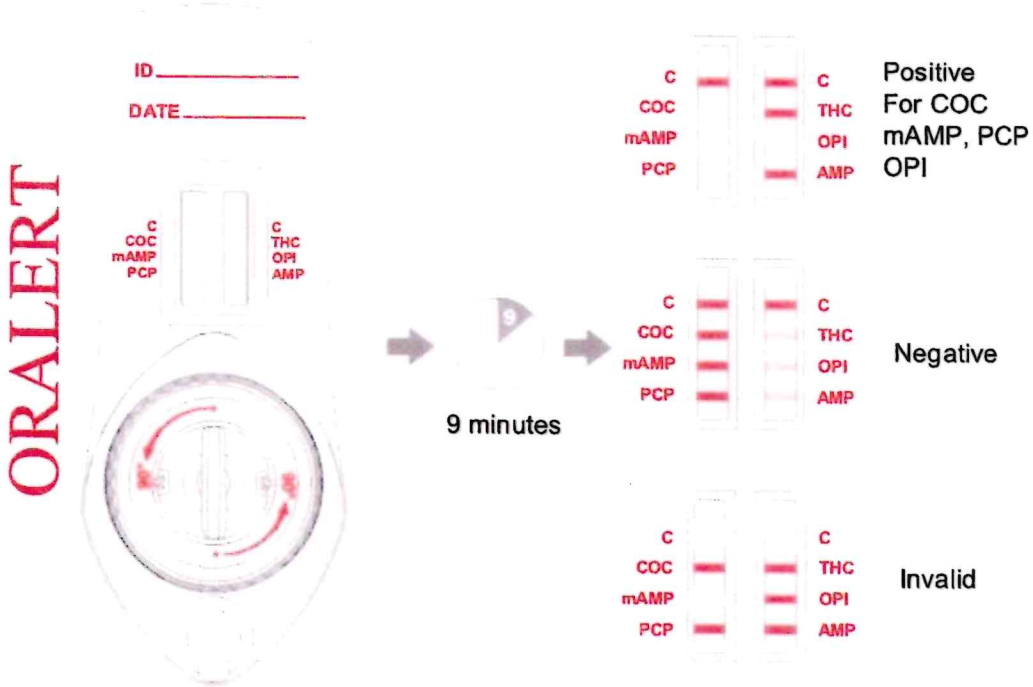
DRUG TESTING

Orion Security is a drug free workplace. All applicants are tested prior to employment, along with the random quality assurance mandated tests.

Drug testing has become cheap and easy to do onsite. There is no excuse for not checking an applicant for illegal substance use. Donors simply keep the sponge between the tongue and the cheek for 3 minutes. Within 9 minutes of placing the stick into the chamber, we know if the applicant uses illicit substances. If any illegal drugs are found in the test, the applicant will be denied employment.



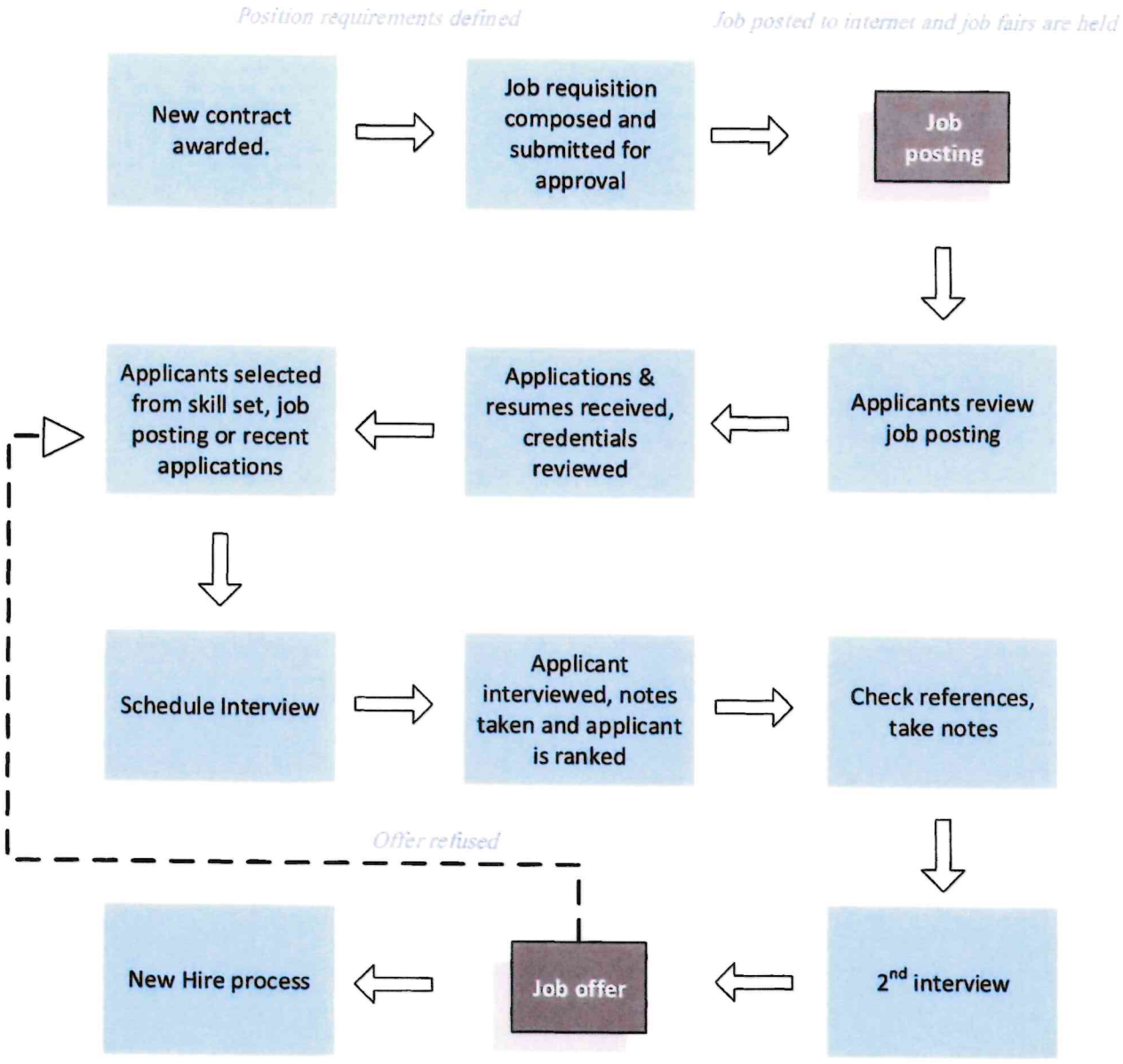
Drug tests will be administered if there is an accident or reasonable cause. For quality assurance, random drugs tests may also be given.



Hiring Process

HIRING

Hiring the right person for the job, is one of our most important services



ORIENTATION

Orientation sets the tone for all new hires. Employees are taught Orion's expectations.

Orientation and Training

The first thing Orion Security officers are taught, is that perception is everything. From the shoes all the way up to the hat, the officers must look professional at all times. Our officers in uniform should be alert while on duty, and professional at all times.

Orientation is where the new hires learn the fundamentals of security work. Whether the individual has a life long history in security or is brand new to the industry, everyone receives " Level 1" officer training. This program runs 4 hours long

Level 1 officer training includes the following

- Report Writing 101
- Incident Report Requirements
- Powers To Arrest
- Public Relations
- Observations & Details
- Effective Communication
- Liability 101
- Post Orders & Assignments
- Company Policies
- Officer Safety



Continuing education

Orion Security provides at least 4 hours of additional training to its employees annually. Annual training can include any of the following:

- CPR
- Fire Safety Course
- School Security Guard Training
- Evacuation Procedures
- Preserving the Incident Scene
- Weapons of Mass Destruction (WMD) & Terrorism Awareness
- Crowd Control



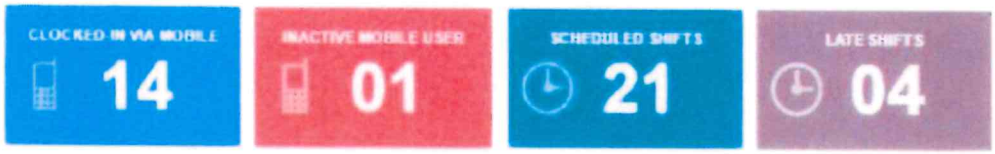
Ongoing training is a key element that most security companies do not provide. Keeping our officers educated helps provide a higher quality service for our clients and keeps the turnover ratio low. The cost is minimal considering the benefits for everyone.

QUALITY ASSURANCE

Real time tracking combined with on site "post checks" is how we ensure quality.

Quality Control Measures

Accountability



With the TrackTik software Orion has implemented, we are now able to have a higher level of accountability. With real-time reporting, GPS monitoring, and live dashboard updates, Orion is able to ensure our officers are where they should be, when they should be. As mentioned before, officers are time stamped when the arrive on site and each report requires live photo's to ensure that the guard actually checked all sensitive areas/items. Our clients also get these reports instantly in email form no matter what time of day/night an incident occurs insuring complete accountability.

Post Checks

Unfortunately there are no programs that can check the appearance or attitude of an officer. This is why "post checks" must be completed by our supervisors. Often we rely on our patrol service to check on our officers in the field. Upon arrival our patrol officer will check the overall appearance of the officer. The supervisor will be looking for stains, rips, or poorly fitting clothing. Next the supervisor will ask the officer to explain his duties and show the status of the daily activity report (DAR). Before leaving, the patrol supervisor will ask to see the officer's guard card. This will ensure the officer guarding you property is licensed and fit for duty.

Undercover Post Checks

Post checking an officer who is unaware of the evaluation, is the best way to see what kind of quality service the client is receiving.

The most effective post check, is one where the officer does not know they are being evaluated. Orion conducts random undercover post checks on its employees. This is where a manager will pose as a trespasser or illegally parked citizen somewhere on the property. The goal is to simply apply pressure to an officer or situation and observe how it is handled. After the test is over, the officer will be advised of the experiment and then review their performance. Typically our officers pass with no problems, but sometimes simple corrections are needed.



Community

COMMUNITY INVOLVEMENT

Orion Security has been serving the Bay Area since 1980

Orion Security does not just look at each bid as a business contract. For 36 years Orion has treated each client as a "Partner," and has made a point of involving themselves in their clients lives. At Orion, we are trusted with our clients physical safety, homes, places of work, and financial assets. It is only natural that a personal relationship forms. As part of the South Bay Area community, Orion does its part to demonstrate public responsibilities. With a shifting focus towards technology, the amount of paper usage is limited by automating all Officer Reporting. This transition away from paper documentation has made things more client friendly. Orion is working to become a "Green" company.



Orion Security goes beyond just protecting client's assets, they also attend community events, such as Neighborhood Watch meetings and or Night Outs.



An example of Orions community involvement was The Annual Resident Appreciation BBQ for Lakeview Apartments in Fremont. This is one example of community interaction by Orion. The picnic took place Sunday July 19th, 2016. Orion Security met with building residents and socialized. Orion also donated various gift cards and Starbucks cups. There was a band that played music and raffled prizes to winners.

PPO

PRIVATE PATROL OPERATOR LICENSE (PPO)

Never do business with a security company that cannot provide a PPO for you.

STATE OF CALIFORNIA
dca
DEPARTMENT OF CONSUMER AFFAIRS

Bureau of Security and Investigative Services
P.O. Box 989002
West Sacramento, CA 95798-9002
(916) 322-4000

PRIVATE PATROL OPERATOR

License No. PPO9495

Valid Until: 03/31/2023

Receipt No. 7771

ORION SECURITY
675 EAST GISH ROAD
SAN JOSE, CA 95112-2708

In accordance with the provisions of Division 3, Chapter 11.5 of the Business and Professions Code, the company named hereon is issued a Private Patrol Operator License Renewal.

---- NON-TRANSFERABLE ----- POST IN PUBLIC VIEW -----

WPIPPO 10/2015

A Private Patrol Operator licencse (PPO), acts as a business license for anyone who owns a company in the private security sector and has a patrol service.

The following are the requirements for a PPO

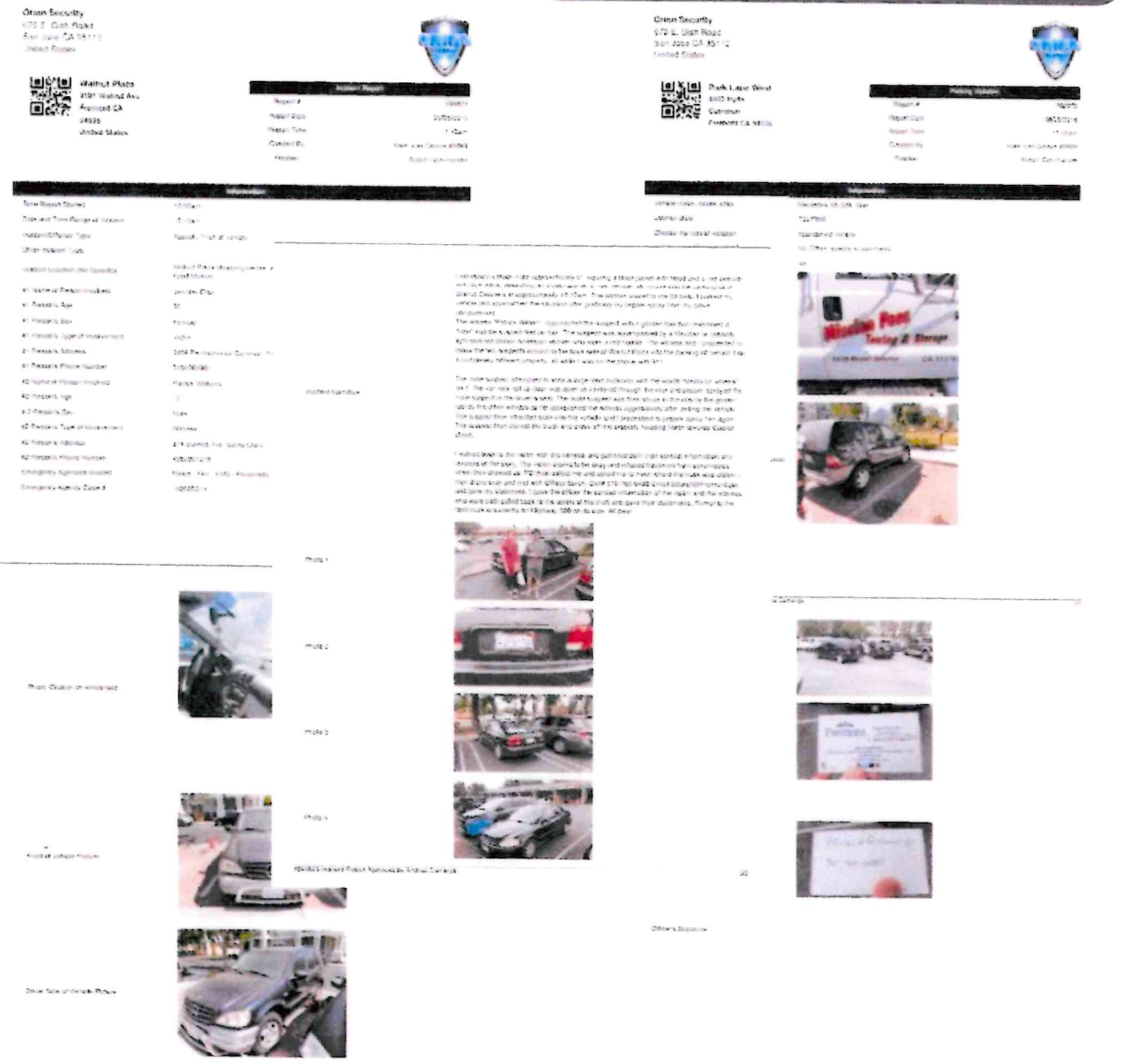
- Be at least 18 years old
- Must have at least one year of paid experience totaling not less than 2,000 hours as a security officer
- Pass a written examination
- Undergo a criminal history review by the Department of Justice and the FBI

A PPO license needs to be renewed every 2 years and is non transferrable.

Sample Reports

DIGITALLY CREATED PDF REPORTS

Creating clear and professional reports



June 29th, 2022

ORION SECURITY

Upgrade to Dependability

References

Here are some of the management companies we are currently contracted with.

RENAULT & HANDLEY

SAND HILL PROPERTY COMPANY

DKD Associates, Inc.
PROPERTY MANAGEMENT

Santa Clara County Office of Education

WEST COAST

CUSHMAN & WAKEFIELD

PACTRUST
Pacific Realty Associates, L.P

CBRE
Property Management

FIRST COMMERCIAL
REAL ESTATE

COMPASS

FPI MANAGEMENT

BAY AREA
PROPERTY SERVICES

WOODMONT

MARCH
DEVELOPMENT COMPANY

THE JOHN STEWART COMPANY

MBHM

CHARITIES HOUSING



ORCHARD COMMERCIAL

DAVIS PARTNERS

WOODSTOCK DEVELOPMENT

COMMON INTEREST
MANAGEMENT SERVICES
Serving Homeowner Associations Since 1980

HOA Management Solutions

BORELLI

STOER CONSTRUCTION

MVLA
HIGH SCHOOL DISTRICT

CMHC SCHL

PROPERTY PRO

Newmark Knight Frank

ALHOUSE DEATON

GREYSTAR
Redefining Excellence in Apartment Living

FABS Group Inc.

MNM
PROPERTY MANAGEMENT

KT
MANAGEMENT



JLL

ACORD

YOSHENT-01 SBORRELL

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 7/6/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER License # 0757776 HUB International Insurance Services Inc. 548 W Cromwell Avenue Suite 101 Fresno, CA 93711	CONTACT NAME: Lisa Glynn PHONE (A/C, No, Ext): FAX (A/C, No): E-MAIL ADDRESS: lisa.glynn@hubinternational.com
INSURED Yosh Enterprises is DBA Orion Security, Paramount Investigations 675 E. Gish Rd San Jose, CA 95112	INSURER(S) AFFORDING COVERAGE — NAIC # INSURER A : Philadelphia Indemnity Insurance Company — 18058 INSURER B : Hartford Underwriters Insurance Company — 30104 INSURER C : Hiscox Insurance Company — 10200 INSURER D : INSURER E : INSURER F :

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	X COMMERCIAL GENERAL LIABILITY CLAIMS-MADE X OCCUR X Errors & Omissions GEN'L AGGREGATE LIMIT APPLIES PER: X POLICY PRO-JECT LOC OTHER:	X		PHPK2400044	4/6/2022	4/6/2023	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG	$ 1,000,000 $ 100,000 $ 5,000 $ 1,000,000 $ 2,000,000 $ 2,000,000
A	AUTOMOBILE LIABILITY X ANY AUTO OWNED AUTOS ONLY SCHEDULED AUTOS HIRED AUTOS ONLY NON-OWNED AUTOS ONLY			PHPK2400044	4/6/2022	4/6/2023	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	$ 1,000,000 $ $ $
A	X UMBRELLA LIAB X OCCUR EXCESS LIAB CLAIMS-MADE DED X RETENTION $ 10,000			PHUB810003	4/6/2022	4/6/2023	EACH OCCURRENCE AGGREGATE	$ 5,000,000 $ 5,000,000
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) Y/N If yes, describe under DESCRIPTION OF OPERATIONS below	N/A	X	16WEQY5B8G	11/6/2021	11/6/2022	X PER STATUTE OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	$ 1,000,000 $ 1,000,000 $ 1,000,000
C	Crime			UC24448935.22	4/6/2022	4/6/2023	Employee Dishonesty	1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
Certificate Holder/ Additional Insured: City, its officers, officials, directors, employees and volunteers
Endorsements attached: PI-GLD-SG-1013, PI-SG-010-0209, WC04036

CERTIFICATE HOLDER

City of Newark
Attn: Risk Manager
37101 Newark Boulevard
Newark, CA 94560

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2015 ACORD CORPORATION. All rights reserved.
The ACORD name and logo are registered marks of ACORD

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

GENERAL LIABILITY DELUXE ENDORSEMENT: SECURITY SERVICES

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

It is understood and agreed that the following extensions only apply in the event that no other specific coverage for these extensions are provided under this policy. If such specific coverage applies, the terms, conditions and limits of that coverage are the sole and exclusive coverage applicable under this policy, unless otherwise noted on this endorsement. The following is a summary of the Limits of Insurance and additional coverages provided by this endorsement. For complete details on specific coverages, consult the policy contract wording.

Coverage Applicable	Limit of Insurance	Page #
Damage to Premises Rented to You	$1,000,000	2
Watercraft	Used in Security Services only	2
Medical Payments	$20,000	2
Medical Payments – Extended Reporting Period	3 years	2
Supplementary Payments – Bail Bonds	$2,500	3
Supplementary Payments – Loss of Earnings	$500 per day	3
Employee Indemnification Defense Coverage for Employees	$15,000	3
Additional Insured – Broadened Named Insured	Included	3
Additional Insured – Managers and Supervisors	Included	3
Additional Insured – Managers, Landlords, or Lessors of Premises	Included	3
Additional Insured – Lessors of Leased Equipment – Automatic Status When Required in Lease Agreement With You	Included	4
Additional Insured – Grantors of Permits	Included	4
Additional Insured – Blanket Additional Insureds by Contract	Included	4
Limited Rental Lease Agreement Contractual Liability	$50,000	5
Transfer of Rights of Recovery Against Others To Us	Clarification	5
Duties in the Event of Occurrence, Offense, Claim or Suit	Included	5
Unintentional Failure to Disclose Hazards	Included	6
Liberalization	Included	6
Bodily Injury – Mental Anguish	Included	6
Assault and Battery Coverage with Extended Property Damage	Included	6
Errors and Omissions Coverage	Included	7
Incidental Medical Malpractice	Included	9

© 2013 Philadelphia Indemnity Insurance Company
Includes copyrighted material of Insurance Services Office, Inc., with its permission.

A. Damage to Premises Rented to You

1. If damage by fire to premises rented to you is not otherwise excluded from this Coverage Part, the word fire is changed to fire, lightning, explosion, smoke, or leakage from automatic fire protective systems where it appears in:

   a. The last paragraph of **SECTION I – COVERAGES, COVERAGE A BODILY INJURY AND PROPERTY DAMAGE LIABILITY**, Subsection **2. Exclusions;**

   b. **SECTION III – LIMITS OF INSURANCE**, Paragraph **6.**; and

   c. **SECTION V – DEFINITIONS**, Paragraph **9.a.**

2. If damage by fire to premises rented to you is not otherwise excluded from this Coverage Part, the words fire insurance are changed to insurance for fire, lightning, explosion, smoke, or leakage from automatic fire protective systems where it appears in **SECTION IV – COMMERCIAL GENERAL LIABILITY CONDITIONS**, Subsection **4. Other Insurance**, Paragraph **b. Excess Insurance**.

3. The Damage To Premises Rented To You Limit section of the Declarations is amended to the greater of:

   a. $1,000,000; or

   b. The amount shown in the Declarations as the Damage to Premises Rented to You Limit.

   This is the most we will pay for all damage proximately caused by the same event, whether such damage results from fire, lightning, explosion, smoke, or leaks from automatic fire protective systems or any combination thereof.

B. Watercraft

SECTION I – COVERAGES, COVERAGE A BODILY INJURY AND PROPERTY DAMAGE LIABILITY, Subsection **2. Exclusions,** Paragraph **g. Aircraft, Auto Or Watercraft** does not apply to security services performed on or about watercraft.

C. Medical Payments – Limit Increased, Extended Reporting Period

If **COVERAGE C MEDICAL PAYMENTS** is not otherwise excluded from this Coverage Part:

1. The Medical Expense Limit is changed subject to all of the terms of **SECTION III – LIMITS OF INSURANCE** to the greater of:

   a. $20,000; or

   b. The Medical Expense Limit shown in the Declarations of this Coverage Part.

2. Under **SECTION I – COVERAGES, COVERAGE C MEDICAL PAYMENTS**, Subsection **1. Insuring Agreement**, Paragraph a., Item (b) is amended to read:

   provided that:

   (b) The expenses are incurred and reported to us within three years of the date of the accident; and

© 2013 Philadelphia Indemnity Insurance Company
Includes copyrighted material of Insurance Services Office, Inc., with its permission.

D. Supplementary Payments

In the **SUPPLEMENTARY PAYMENTS – COVERAGES A AND B** provision, Items **1.b.** and **1.d.** are amended as follows:

1. The limit for the cost of bail bonds is changed from $250 to $2,500; and

2. The limit for loss of earnings is changed from $250 a day to $500 a day.

E. Employee Indemnification Defense Coverage

In the **SUPPLEMENTARY PAYMENTS – COVERAGES A AND B** provision, the following is added:

We will pay, on your behalf, defense costs incurred by an "employee" in a criminal proceeding.

The most we will pay for any "employee" who is alleged to be directly involved in a criminal proceeding is $15,000 regardless of the numbers of "employees," claims or "suits" brought or persons or organizations making claims or bringing "suits."

F. Who is an Insured

SECTION II – WHO IS AN INSURED is amended as follows:

1. If coverage for newly acquired or formed organizations is not otherwise excluded from this Coverage Part, Paragraph **3.a.** is changed to read:

   a. Coverage under this provision is afforded until the end of the policy period;

2. Each of the following is also an insured:

   a. **Broadened Named Insured** – Any organization and subsidiary thereof which you control and actively manage on the effective date of this Coverage Part. However, coverage does not apply to any organization or subsidiary not named in the Declarations as Named Insured, if they are also insured under another similar policy, but for its termination or the exhaustion of its limits of insurance.

   b. **Managers and Supervisors** – If you are an organization other than a partnership or joint venture, your managers and supervisors are also insureds, but only with respect to their duties as your managers and supervisors.

   c. **Managers, Landlords, or Lessors of Premises** – Any person or organization with respect to their liability arising out of the ownership, maintenance or use of that part of the premises leased or rented to you subject to the following additional exclusions:

      This insurance does not apply to:

      (1) Any "occurrence" which takes place after you cease to be a tenant in that premises; or

      (2) Structural alterations, new construction or demolition operations performed by or on behalf of that person or organization.

© 2013 Philadelphia Indemnity Insurance Company
Includes copyrighted material of Insurance Services Office, Inc., with its permission.

d. **Lessors of Leased Equipment – Automatic Status When Required in Lease Agreement With You** – Any person or organization from whom you lease equipment when you and such person or organization have agreed in writing in a contract or agreement that such person or organization is to be added as an additional insured on your policy. Such person or organization is an insured only with respect to liability for "bodily injury," "property damage" or "personal and advertising injury" caused, in whole or in part, by your maintenance, operation or use of equipment leased to you by such person or organization.

A person's or organization's status as an additional insured under this endorsement ends when their contract or agreement with you for such leased equipment ends.

With respect to the insurance afforded to these additional insureds, this insurance does not apply to any "occurrence" which takes place after the equipment lease expires.

e. **Grantors of Permits** – Any state or political subdivision granting you a permit in connection with your premises subject to the following additional provision:

(1) This insurance applies only with respect to the following hazards for which the state or political subdivision has issued a permit in connection with the premises you own, rent or control and to which this insurance applies:

(a) The existence, maintenance, repair, construction, erection, or removal of advertising signs, awnings, canopies, cellar entrances, coal holes, driveways, manholes, marquees, hoist away openings, sidewalk vaults, street banners or decorations and similar exposures;

(b) The construction, erection, or removal of elevators; or

(c) The ownership, maintenance, or use of any elevators covered by this insurance.

f. **Blanket Additional Insureds by Contract** – Any person or organization for whom you are performing operations when you and such person or organization have agreed in writing in a contract or agreement that such person or organization be added as an additional insured on your policy. Such person or organization is an additional insured only with respect to liability for "bodily injury," "property damage" or "personal and advertising injury" caused, in whole or in part, by:

(1) Your acts or omissions; or

(2) The acts or omissions of those acting on your behalf;

in the performance of your ongoing operations for the additional insured.

A person's or organization's status as an additional insured under this endorsement ends when your operations for that additional insured are completed.

With respect to the insurance afforded to these additional insureds, the following additional exclusions apply:

This insurance does not apply to:

(1) "Bodily injury," "property damage" or "personal and advertising injury" arising out of the rendering of, or the failure to render, any professional architectural, engineering or surveying services, including:

© 2013 Philadelphia Indemnity Insurance Company
Includes copyrighted material of Insurance Services Office, Inc., with its permission.

(a) The preparing, approving, or failing to prepare or approve, maps, shop drawings, opinions, reports, surveys, field orders, change orders or drawings and specifications; or

(b) Supervisory, inspection, architectural or engineering activities.

(2) "Bodily injury" or "property damage" occurring after:

(a) All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) to be performed by or on behalf of the additional insured(s) at the location of the covered operations has been completed; or

(b) That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.

G. Limited Rental Lease Agreement Contractual Liability

The following is added to **SECTION I – COVERAGES, COVERAGE A BODILY INJURY AND PROPERTY DAMAGE LIABILITY**, Subsection **2. Exclusions**, Paragraph **b. Contractual Liability**:

(3) Based on the named insured's request at the time of claim, we agree to indemnify the named insured for their liability assumed in a contract or agreement regarding the rental or lease of a premises on behalf of their client, up to $50,000.

This coverage extension only applies to rental lease agreements. This coverage is excess over any renter's liability insurance of the client.

H. Transfer of Rights of Recovery Against Others To Us

As a clarification, the following is added to **SECTION IV – COMMERCIAL GENERAL LIABLITY CONDITIONS**, Paragraph **8. Transfer of Rights of Recovery Against Others To Us**:

Therefore, the insured can waive the insurer's rights of recovery prior to the occurrence of a loss, provided the waiver is made in a written contract.

I. Duties in the Event of Occurrence, Offense, Claim or Suit

1. When you report an "occurrence" (coverage for which is provided by this policy) to your compensation insurance carrier, and this "occurrence" later develops into a liability claim, failure to report such "occurrence" to us at the time of such "occurrence" shall not be deemed in violation of **SECTION IV – COMMERCIAL GENERAL LIABILITY CONDITIONS**, Paragraph **2. Duties in the Event of Occurrence, Offense, Claim or Suit**.

   This is upon the distinct understanding and agreement however, that you, the insured, as soon as made aware that this particular "occurrence" is a liability case, rather than a compensation case shall give us notification immediately.

2. The requirement in Condition **2.a.** of **SECTION IV – COMMERCIAL GENERAL LIABILITY CONDITIONS** that you must see to it that we are notified as soon as practicable of an "occurrence" or an offense, applies only when the "occurrence" or offense is known to:

© 2013 Philadelphia Indemnity Insurance Company
Includes copyrighted material of Insurance Services Office, Inc., with its permission.

a. You, if you are an individual;

b. A partner, if you are a partnership; or

c. An "executive officer" or insurance manager, if you are a corporation.

3. The requirement in Condition **2.b.** of **SECTION IV – COMMERCIAL GENERAL LIABILITY CONDITIONS** that you must see to it that we receive notice of a claim or "suit" as soon as practicable will not be considered breached unless the breach occurs after such claim or "suit" is known to:

a. You, if you are an individual;

b. A partner, if you are a partnership; or

c. An "executive officer" or insurance manager, if you are a corporation.

J. Unintentional Failure To Disclose Hazards

It is agreed that, based on our reliance upon your representations as to existing hazards, if you should unintentionally fail to disclose all such hazards prior to the beginning of the policy period of this Coverage Part, we shall not deny coverage under this Coverage Part because of such failure.

K. Liberalization

If we revise this endorsement to provide more coverage without additional premium charge, we will automatically provide the additional coverage to all endorsement holders as of the day the revision is effective in your state.

L. Bodily Injury – Mental Anguish

SECTION V – DEFINITIONS, Paragraph **3.** is changed to read:

"Bodily injury":

a. Means bodily injury, sickness or disease sustained by a person, and includes mental anguish resulting from any of these; and

b. Except for mental anguish, includes death resulting from the foregoing (Item **a.** above) at any time.

M. Assault and Battery with Extended Property Damage

SECTION I – COVERAGES, COVERAGE A BODILY INJURY AND PROPERTY DAMAGE LIABILITY, Subsection **2. Exclusions**, Paragraph **a.** is deleted in its entirety and replaced by the following:

a. Expected or Intended Injury

"Bodily injury" or "property damage" expected or intended from the standpoint of the insured. This exclusion does not apply to:

© 2013 Philadelphia Indemnity Insurance Company
Includes copyrighted material of Insurance Services Office, Inc., with its permission.

(1) "Bodily injury" or "property damage" resulting from the use of physical force to protect persons or property; or

(2) Allegations of vicarious liability on the part of a Named Insured arising solely from the acts of your "employees." However, acts of your "employees" shall not include theft.

N. Errors and Omissions Coverage

1. **SECTION I – COVERAGES, COVERAGE A BODILY INJURY AND PROPERTY DAMAGE LIABILITY** is amended by adding the following:

   ERRORS AND OMISSIONS

   This insurance applies to negligent acts, errors or omissions committed by you relating to your services described in the Declarations.

2. **SECTION I – COVERAGES, COVERAGE B PERSONAL AND ADVERTISING INJURY LIABILITY** is amended by adding the following:

   ERRORS AND OMISSIONS

   The insurance that applies to "personal injury" includes negligent acts, errors or omissions committed by you relating to your services described in the Declarations.

3. **SECTION I – COVERAGES** is amended by adding the following:

   COVERAGE D – ERRORS AND OMISSIONS LIABILITY

   a. Insuring Agreement

   (1) We will pay those sums that the insured becomes legally obligated to pay as damages because of errors or omissions committed by you relating to your services described in the Declarations. However, we will have no duty to defend the insured against any "suit" seeking damages for errors or omissions committed by the insured to which the insurance does not apply. We will have the right and duty to defend any "suit" seeking those damages. We may, at our discretion, investigate any claim or "suit" that may result. But:

   (a) The amount we will pay for damages is limited as described in **SECTION III – LIMITS OF INSURANCE**; and

   (b) Our right and duty to defend ends when we have used up the applicable limit of insurance in the payment of judgments or settlements under Coverages **A**, **B**, or **D**, or medical expenses under Coverage **C**.

   No other obligation or liability to pay sums or perform acts or services is covered unless explicitly provided for under **SUPPLEMENTARY PAYMENTS – COVERAGES A, B, AND D**.

   (2) This insurance applies only if the error or omission occurs during the policy period.

   b. Exclusions

   This insurance does not apply to:

© 2013 Philadelphia Indemnity Insurance Company
Includes copyrighted material of Insurance Services Office, Inc., with its permission.

(1) "Bodily injury" or "property damage";

(2) "Personal and advertising injury";

(3) Intentional injury, nor injury arising out of willful violation of a penal statute or ordinance, committed by or with the knowledge or consent of the insured;

(4) Any claim seeking relief or redress in any form other than monetary damages;

(5) Any claim arising out of any insured's activities, or as a fiduciary, under the Employment Retirement Income Security Act of 1974, any amendments or any regulation or order issued thereto;

(6) Any claim arising from warranties or guarantees made by any insured;

(7) Liability assumed by the insured under any contract or agreement. This exclusion does not apply to liability for damages:

(a) That the insured would have in the absence of the contract or agreement; or

(b) Assumed in a contract or agreement that is an insured contract;

(8) Liability arising from any fraudulent, dishonest, or criminal act of any insured;

(9) Liability arising from a claim made by a parent or subsidiary organization of the insured or another subsidiary organization of such parent or other subsidiary, nor any officer, director or "employee" of any of the above; and

(10) Any claim alleging, arising out of, resulting from, based upon or in consequence of, directly or indirectly, any employment practices or any discrimination against any person or entity on any basis; additionally, any actual or alleged violation of the Fair Labor Standards Act or any similar law or regulation applicable to the payment of wages or overtime.

(11) Liability arising directly or indirectly out of any action, error or omission that violates or is alleged to violate:

(a) The Telephone Consumer Protection Act (TCPA), including any amendment of or addition to such law;

(b) The CAN-SPAM Act of 2003, including any amendment of or addition to such law;

(c) The Fair Credit Reporting Act (FCRA), and any amendment of or addition to such law, including the Fair and Accurate Credit Transactions Act (FACTA); or

(d) Any federal, state or local statute, ordinance or regulation, other than the TCPA, CAN-SPAM Act of 2003 or FCRA and their amendments and additions, that addresses, prohibits, or limits the printing, dissemination, disposal, collecting, recording, sending, transmitting, communicating or distribution of material or information.

c. **SUPPLEMENTARY PAYMENTS – COVERAGES A AND B** is amended to read **SUPPLEMENTARY PAYMENTS – COVERAGES A, B, AND D**

© 2013 Philadelphia Indemnity Insurance Company
Includes copyrighted material of Insurance Services Office, Inc., with its permission.

d. SECTION III – LIMITS OF INSURANCE is amended as follows:

(1) Item **2.** is replaced by the following:

2. The General Aggregate Limit is the most we will pay for the sum of:

a. Medical expenses under Coverage **C**;

b. Damages under Coverage **A**, except damages because of "bodily injury" or "property damage" included in the "products-completed operations hazard";

c. Damages under Coverage **B**; and

d. Damages under Coverage **D**.

(2) Item **5.** is replaced by the following:

5. Subject to **2.** or **3.** above, whichever applies, the Each Occurrence Limit is the most we will pay for the sum of:

a. Damages under Coverage **A**; and

b. Medical expenses under Coverage **C**,

because of all "bodily injury" and "property damage" arising out of any one "occurrence"; and

c. Damages under Coverage **D**.

e. SECTION IV – COMMERCIAL GENERAL LIABILITY CONDITIONS, Paragraph **4. Other Insurance** is amended as follows:

(1) The first paragraph is replaced by the following:

If other valid and collectible insurance is available to the insured for a loss we cover under Coverages **A**, **B**, or **D** of this Coverage Part, our obligations are limited as follows:

(2) Paragraph **b. Excess Insurance**, Item **(2)** is replaced by the following:

When this insurance is excess, we will have no duty under Coverages **A**, **B**, or **D** to defend the insured against any claim or "suit" if any other insurer has a duty to defend the insured against that claim or "suit." If no other insurer defends, we will undertake to do so, but we will be entitled to the insured's rights against all those other insurers.

O. Incidental Medical Malpractice

We will pay for injury arising out of the rendering of or failure to render the following treatment or services by an "employee" for an accident occurring during the policy period:

1. First aid treatment including cardiopulmonary resuscitation (CPR); and

© 2013 Philadelphia Indemnity Insurance Company
Includes copyrighted material of Insurance Services Office, Inc., with its permission.

2. Medical, surgical, dental, x-ray, or nursing service or treatment, or the furnishing of food or beverages in connection therewith; and the furnishing or dispensing of drugs, or medical, dental, or surgical supplies or appliances.

However, this coverage does not apply to any insured or to any entity engaged in the business or occupation of providing the services or treatments described in **1.** and **2.** above.

© 2013 Philadelphia Indemnity Insurance Company
Includes copyrighted material of Insurance Services Office, Inc., with its permission.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

PRIMARY INSURANCE ENDORSEMENT

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name of Client(s)	Type of Service
Where required by written contract	Any/All Services
Information required to complete this Schedule, if not shown above, will be shown in the Declarations.	

SECTION IV – COMMERCIAL GENERAL LIABILITY CONDITIONS, Item **4. Other Insurance b. Excess Insurance** is deleted as respects:

1. Any contract for security or investigative operations; or
2. Operations from the type of service listed for the client shown in the endorsement **SCHEDULE**.

© 2009 Philadelphia Indemnity Insurance Company
Includes copyrighted material of Insurance Services Office, Inc., with its permission.



THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

WAIVER OF OUR RIGHT TO RECOVER FROM OTHERS ENDORSEMENT - CALIFORNIA

Policy Number: 16 WE QY5B8G **Endorsement Number:**
Effective Date: 11/06/21 Effective hour is the same as stated on the Information Page of the policy.
Named Insured and Address: YOSH ENTERPRISES INC
675 E GISH RD
SAN JOSE CA 95112

We have the right to recover our payments from anyone liable for an injury covered by this policy. We will not enforce our right against the person or organization named in the Schedule. (This agreement applies only to the extent that you perform work under a written contract that requires you to obtain this agreement from us.)

You must maintain payroll records accurately segregating the remuneration of your employees while engaged in the work described in the Schedule.

The additional premium for this endorsement shall be 2 % of the California workers' compensation premium otherwise due on such remuneration.

SCHEDULE

Person or Organization	**Job Description**
Any person or organization for whom you are required by written contract or agreement to obtain this waiver of rights from us	

Countersigned by _____
Authorized Representative

Form WC 04 03 06 (1) Printed in U.S.A.
Process Date: 10/27/21

Policy Expiration Date: 11/06/22

STAFF REPORT
Item D. 5.

DATE	06/13/2024
TO	Honorable Mayor and City Council Members
FROM	Nicholas Cuevas, Recreation and Community Services Director
SUBJECT	Adopt a resolution authorizing the City Manager to execute Task Order No. 30 to the Joint Powers Agreement with the City of Fremont for Fiscal Year 2025 senior case management services

SUMMARY AND RECOMMENDATION

The City contracts with the City of Fremont for senior case management services and requires execution of an annual task order to continue providing services. Staff recommends that the City Council, by resolution, authorize the City Manager to execute Task Order No. 30 to the Joint Powers Agreement with the City of Fremont for case management services in Fiscal Year 2025.

BACKGROUND

The City has contracted with the City of Fremont for case management services since July 1, 1997. Case management services provides assessments and resources to Newark seniors. Referrals are received from the City's Police and Recreation & Community Services Departments as well as the Alameda County Fire Department. As first responders, City and County staff encounter older adults that need assistance on many levels. Case management services often result in the elimination of repeated call-outs for crisis situations that require public safety response. This allows safety personnel to focus on other business within the City, thereby not straining public safety resources, while helping seniors remain in their homes as long as possible.

DISCUSSION/ANALYSIS

Case management is a vital component of the services offered through the City of Newark Senior Services program. It assists functionally impaired Newark seniors, striving to remain in their own home rather than being institutionalized. An assessment is made of the senior’s overall well-being, including health (physical and mental), financial, transportation and/or housing needs, personal safety issues, and the ability to care for themselves, either on their own or with assistance. If appropriate, a care plan for services is developed to assist the senior in addressing their needs and to provide ongoing monitoring of the senior and the services they receive. Case management services provides specialized resources for the City’s most vulnerable residents that would otherwise not be available. Based on the number of cases opened during the current fiscal year and reviewing previous years' case loads, staff recommends

continuing the annual appropriation of $5,000. This amount provides an average of one and one half hours of service per week, which has been sufficient to meet the needs of Newark clients.

The data below details the distribution of services delivered during the current fiscal year:

Case Management: Twenty-three (23) Newark residents, ten (10) men and 13 women, received case management services. Their average age is 77. The services provided included a comprehensive assessment of their needs, the development of a personalized care plan, and ongoing monitoring and follow-up in their homes as required.

Counseling: Seven (7) Newark residents, with an average age of 69, received mental health counseling. Counseling services feature a comprehensive assessment and individual therapy, which are provided in the clients' homes. Additionally, various therapeutic groups are offered. Through the senior peer counseling program, Fremont extended support to two (2) residents of Newark.

Caregiver Support: Five (5) Newark residents received caregiver support services. The caregiver program assists families who are caring for an older adult and provides support through both group and individual counseling sessions.

Senior HelpLine: The program is open to all Newark residents seeking information on services for older adults. The City of Fremont does not require disclosure of the city of residence when providing assistance.

FISCAL IMPACT

Funding in the amount of $5,000 was included in the draft 2024-2026 Biennial Budget for Fiscal Year 2025, and will be included in the 2024-2026 Biennial Budget presented to City Council for consideration and approval in June.

REVIEW AND APPROVAL

Prepared by - Nicholas Cuevas, Recreation & Community Services Director
Reviewed by - Krysten Lee, Finance Director
Reviewed by - Kristopher J. Kokotaylo, City Attorney
Reviewed and Approved by - Lenka Hovorka, Assistant City Manager

---

Attachments

Resolution - JPA Task Order 30 24-25 Case Management
JPA with Newark - Task Order 30 24-25 Case Managment

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWARK AUTHORIZING THE CITY MANAGER TO EXECUTE TASK ORDER NO. 30 TO THE JOINT POWERS AGREEMENT WITH THE CITY OF FREMONT FOR CASE MANAGEMENT SERVICES

WHEREAS, the City of Newark has entered into yearly agreements with the City of Fremont for case management services, beginning in 1997; and

WHEREAS, the City entered into an agreement entitled Joint Powers Agreement between the City of Newark and the City of Fremont on August 17, 2009; and

WHEREAS, the City of Fremont performs services satisfactorily in accordance with Task Orders issued by the City of Newark; and

WHEREAS, services include individualized assistance with health, economic, and social services to low income seniors residing in Newark who wish to retain independent living in the community; and

WHEREAS, the City of Newark wishes to continue case management services for the 2024-2025 program year.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newark that the City Manager is hereby authorized to execute Task Order No. 30 to the Joint Powers Agreement with the City of Fremont for Case Management Services, attached hereto and incorporated herein by reference.

TASK ORDER NO. 30 TO JOINT POWERS AGREEMENT BETWEEN THE CITY OF NEWARK AND THE CITY OF FREMONT

This Task Order No. 30 ("Task Order") is made and entered into by and between the City of Newark, a municipal corporation ("Newark"), and the City of Fremont, a municipal corporation ("Fremont").

RECITAL

A. Newark and Fremont entered into an agreement entitled Joint Powers Agreement between the City of Newark and the City of Fremont ("Agreement"), by which Fremont agreed to perform services in accordance with Task Orders issued by Newark.

NOW, THEREFORE, THE PARTIES HEREBY AGREE AS FOLLOWS:

1. **INCORPORATION BY REFERENCE.** This Task Order hereby incorporates by reference all terms and conditions set forth in the Agreement.

2. **SCOPE OF TASK ORDER.** Fremont shall perform the services described in Exhibit "A," attached hereto and incorporated herein by reference, in accordance with the terms and conditions of the Agreement.

3. **PAYMENT.** For services performed by Fremont in accordance with this Task Order, Newark will compensate Fremont in accordance with the terms and conditions of the Agreement, in an amount not to exceed $5,000 (five thousand dollars), as described in Exhibit "B," attached hereto and incorporated by reference.

4. **SIGNATURES.** The individuals executing this Task Order represent and warrant that they have the right, power, legal capacity, and authority to enter into and to execute this Task Order on behalf of the respective legal entities of the Newark and Fremont.

IN WITNESS WHEREOF, the Newark and Fremont do hereby agree to the full performance of the terms set forth herein.

CITY OF FREMONT	**CITY OF NEWARK**
Signature:_____	Signature:_____
By: Christina Briggs	By: David Benoun
Title: Assistant City Manager	Title: City Manager
Date:_____	Date:_____

APPROVED AS TO FORM:

Signature: _____

By: Heather Lee

Title: Senior Deputy City Attorney II

APPROVED AS TO FORM:

Signature:_____

By: Kristopher Kokotaylo

Title: City Attorney

EXHIBIT A TO TASK ORDER NO. 30
SCOPE OF SERVICES – Case Management Services

2024-2025 Program Year

1. GENERAL DESCRIPTION: TIME

1.1. To assist frail elderly residing in Newark to remain living independently in their homes for as long as possible. This service is an individualized service that assists low income, functionally impaired older adults in obtaining needed health, economic, and social services to retain independent living in the community, thereby delaying or preventing institutionalization.

2. PERSONNEL

a. Personnel to be supplied will include a professional Case Manager and whenever feasible a Case Management intern, as approved by Newark. Case management services provided will include but are not limited to the services outlined below (see paragraph 3).

3. SERVICE REQUIREMENTS

a. Services that offer individualized casework that promote and maintain the optimum level of functioning in the least restrictive setting possible are to be provided to the frail elderly residents of Newark who are in need of assistance.

b. Services that the Case Manager and Case Management intern will provide include:

(1) Comprehensive Needs Assessment

A comprehensive evaluation of the older person's health, financial, environmental, and social needs through home visits and telephonic means.

(2) Care Planning

Based on the assessment, a care plan is developed that is realistic, attainable, and affordable. The development of the care plan is a cooperative effort between the older person, the case manager, the family, and any others involved in the care of that person.

(3) Service Coordination

Services identified in the care plan are arranged and coordinated, drawing on the client's family or other social supports wherever practical.

(4) Follow Up

Follow up on services is provided to ensure that services are obtained and provided adequately to meet the needs of the client, modifying the care plan when necessary.

(5) Monitoring

After the care plan has been implemented, ongoing monitoring of the client situation is provided to determine progress and whether modification of the care plan is needed.

c. Schedule

(1) A Case Manager will be assigned to Newark throughout the life of the Agreement, unless otherwise requested by Newark. The Case Manager will provide one and one-half hours of service per week to Newark. A case manager or case management intern will be available to provide service and phone consultation on an as needed basis each week, Monday through Friday.

d. Specific Program Goals

(1) Various forms of outreach will be completed by the Case Manager intern including providing educational talks to target groups, writing short articles for local media, and other outreach as needed.

(2) Contractor will provide information and referrals to Newark.

(3) All cases, under normal circumstances, will be screened and assisted by the Case Management intern.

(4) Documentation of case management services provided to each client will be kept in a manner consistent with the Contractor's existing practice. Service statistics will be maintained and submitted to City of Newark staff on a monthly basis, and as otherwise requested. Fremont will obtain agreement from clients to provide Newark access to all records of Newark residents, including written summaries and copies of records.

EXHIBIT B TO TASK ORDER NO. 30
Budget

2024-2025 Program Year

The City of Newark will pay the City of Fremont for personnel and overhead costs associated with the Case Management Program. Costs are itemized below.

PERSONNEL	
Part Time Case Manager $51.76/hr. x 1.5 hrs/wk x 52 weeks	$4,037
TOTAL PERSONNEL COSTS	$4,037
Overhead	$ 963
TOTAL BUDGET	$5,000

STAFF REPORT
Item D. 6.

DATE	06/13/2024
TO	Honorable Mayor and City Council Members
FROM	Nicholas Cuevas, Recreation and Community Services Director
SUBJECT	Adopt a resolution authorizing the City Manager to execute Task Order No.31 to the Joint Powers Agreement with the City of Fremont for Paratransit services with Ride On Tri-City!

SUMMARY AND RECOMMENDATION

Staff recommends that the City Council, by resolution, authorize the City Manager to execute Task Order No. 31 to the Joint Powers Agreement with the City of Fremont for Newark Paratransit services with Ride On Tri-City!

BACKGROUND

Door-to-door shared ride transportation services are an essential service offered to Newark residents who are 70 years of age and older or who are unable to access public transit independently due to a medical or disabling health condition. These paratransit services are provided to elderly and disabled Newark residents in order to improve their access to health care, shopping, errands, and social and recreational activities. The City has contracted for Paratransit services with the City of Fremont since 2013. The size and scope of Fremont's program provides Newark residents with satisfactory services.

DISCUSSION/ANALYSIS

The following table summarizes services to be provided through the City of Fremont under the proposed contract for services with MV Transportation, local taxi companies, Lyft, and GoGo Technologies:

In addition to Paratransit, taxi vouchers, and direct ride-hailing services, Newark residents benefit from the high level of service coordination and customer service provided by the City of Fremont's Paratransit services team. City of Fremont staff ensures that elderly and disabled residents have expedited access to transportation services (applications can be processed within hours and urgent need transportation can be scheduled on the next day and sometimes even on the same day). Paratransit enrollment packets are sent out within a day or two of receipt of a completed application. Applications and application assistance are available at the Newark Senior Center.

FY 24/25 Service Parameters	Fremont/Newark Wheelchair Accessible Paratransit Service
Service Hours	Monday - Sunday 8:00 am - 6:00 pm
Service Area	All of Newark, Fremont, and Union City
Fares	$4 per one-way trip with Newark, Fremont, and Union City
Reservation Hours	Ride reservations will be taken Monday-Friday, 8 am - 5 pm. Reservations are taken up to 3 days in advance. Rides are reserved on a first-call, first served basis and are subject to vehicle space availability. Reservations and dispatch are provided through MV Transportation during the hours specified above. Standing order requests are processed and approved by Fremont's Transportation and Mobility Services team.
Enrollment processing time	On the same day of receipt of the application. Expedited access to transportation can also be arranged on the same day or the next day as scheduling capacity allows.

FY 24/25 Service Parameters	Subsidized Taxi Voucher Program
Service Hours	24 hours per day, seven days a week. Ride requests are made on the same day. Riders will be picked up within 45 minutes of their call or within 10 minutes of a time order request.
Service Area	All of Newark, Fremont, and Union City
Fares	Depends on the distance traveled. $4 per taxi voucher (purchased through the City of Fremont). Each voucher subsidizes up to $20 in taxi meter fare. Riders are responsible for fares beyond the voucher subsidy.
Enrollment Requirements	Must be enrolled in the Fremont/Newark Paratransit program.

FY 24/25 Service Parameters	Subsidized Direct-Ride Hailing Service with Lyft and Ride-Hailing Service with GoGo Technologies
Service Hours	24 hours per day, seven days a week, for rides ordered through an individual’s smartphone. Rides provided through GoGo Technologies (for individuals without smartphones) will be available 7 days per week, 8 am – 6 pm. Ride requests are made on the same day through the Lyft app on the rider’s own smartphone. Riders will receive special codes to apply to their rides in order to receive subsidized rides. Riders without smartphones will call GoGo Technologies’ GoGo Grandparent call center for a ride on the Lyft or Uber ride-hailing platforms.
Service Area	All of Newark, Fremont, and Union City. Out-of-Area medical trips by staff approval only.

Fares	Riders pay the first $4 of a trip, and up to $16 of the trip will be subsidized. Riders are responsible for all fares above $20. For staff-approved medical out-of-area trips, the rider pays the first $4 of the trip, and up to $46 of the trip will be subsidized; riders are responsible for all fares above $50. Passenger fares will be charged directly through the Lyft app or by GoGo Technologies.
Enrollment Requirements	Must be enrolled in the Fremont/Newark Paratransit program.

The following information offers an overview of rider statistics for individuals currently enrolled and using services provided by this program:

Expected Demand/ Use of Services:

Current Registrants for FY 2023-24	269
Projected Registrants for FY 2024-25	325
Registrant Increase	21%

Race/Ethnicity (include all that apply, individuals may be listed in multiple categories)	
American Indian or Alaska Native	1 (less than .5%)
Asian	105 (39%)
Black or African American	16 (6%)
Hispanic or Latino	41 (15%)
Native Hawaiian or Other Pacific Islander	4 (2%)
White	92 (34%)
Other	10 (4%)
Disability (include all that apply, individuals may be listed in multiple categories)	
Mobility/Physical	161
Spinal Cord (SCI)	Included in Mobility/Physical
Head Injuries (TBI)	Included in Mobility/Physical or Cognitive/Learning, depending on functional limitation area
Vision	18
Hearing	4
Cognitive/Learning	19
Psychological	4
Speech (this is a category we collect)	3
Invisible	Not collected

FISCAL IMPACT

Funding for Newark Paratransit services is provided through Measure BB sales tax revenue administered by the Alameda County Transportation Committee (ACTC). For Fiscal Year 2025, staff is recommending funding in the amount of $331,476.25 for the Paratransit program based on the revenue projections provided by ACTC (attached). An appropriation in the ACTC Measure BB - Paratransit Fund (Fund 286) for this amount was included in the draft 2024-2026 Biennial Budget for Fiscal Year 2025, and will be included in the 2024-2026 Biennial Budget presented to the City Council for consideration and approval in June.

REVIEW AND APPROVAL

Prepared by - Nicholas Cuevas, Recreation & Community Services Director
Reviewed by - Krysten Lee, Finance Director
Reviewed by - Kristopher J. Kokotaylo, City Attorney
Reviewed and Approved by - Lenka Hovorka, Assistant City Manager

---

Attachments

Resolution - Paratransit Services

JPA Task Order No. 31 for Paratransit Services

Measure BB Paratransit Direct Local Distribution (DLD) Projections for FY 2024-25

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWARK AUTHORIZING THE CITY MANAGER TO EXECUTE TASK ORDER NO. 31 TO THE JOINT POWERS AGREEMENT WITH THE CITY OF FREMONT FOR NEWARK PARATRANSIT SERVICES

WHEREAS, a Joint Powers Agreement between the City of Newark and the City of Fremont on was entered into on August 17, 2009 for case management services; and

WHEREAS, the City of Fremont agreed to perform services in accordance with the Task Orders issued by the City of Newark; and

WHEREAS, on August 17, 2013 the Joint Powers Agreement was amended to enable the City of Fremont to provide paratransit services to the City of Newark, in accordance with Task Orders issued by the City of Newark; and

WHEREAS, paratransit services includes essential door-to-door shared ride transportation services to Newark residents who are 70 years of age and older or who are unable to access public transit independently due to a medical or disabling health condition; and

WHEREAS, funding for Newark Paratransit services is provided through Measure BB sales tax revenue administered by the Alameda County Transportation Committee (ACTC); and

WHEREAS, the City of Newark wishes to continue paratransit services for the 2024-2025 program year.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newark that the City Manager of the City of Newark be and is hereby authorized to execute Task Order No. 31 to the Joint Powers Agreement with the City of Fremont for paratransit services, said agreement on file in the Office of the City Clerk.

TASK ORDER NO. 31 TO JOINT POWERS AGREEMENT BETWEEN THE CITY OF NEWARK AND THE CITY OF FREMONT

(PARATRANSIT SERVICES FY 2024/2025)

This Task Order No. 31 ("Task Order") is made and entered into by and between the City of Newark, a municipal corporation ("Newark"), and the City of Fremont, a municipal corporation ("Fremont").

RECITAL

A. Newark and Fremont entered into an agreement entitled Joint Powers Agreement between the City of Newark and the City of Fremont ("Agreement"), by which Fremont agreed to perform services in accordance with Task Orders issued by Newark.

NOW, THEREFORE, THE PARTIES HEREBY AGREE AS FOLLOWS:

1. **INCORPORATION BY REFERENCE.** This Task Order hereby incorporates by reference all terms and conditions set forth in the Agreement.

2. **SCOPE OF TASK ORDER.** Fremont shall perform the services described in Exhibit "A," attached hereto and incorporated herein by reference, in accordance with the terms and conditions of the Agreement.

3. **PAYMENT.** For services performed by Fremont in accordance with this Task Order, Newark will compensate Fremont in accordance with the terms and conditions of the Agreement, in an amount not to exceed $310,500, as described in Exhibit "B," attached hereto and incorporated by reference.

4. **SIGNATURES.** The individuals executing this Task Order represent and warrant that they have the right, power, legal capacity, and authority to enter into and to execute this Task Order on behalf of the respective legal entities of the Newark and Fremont.

IN WITNESS WHEREOF, the Newark and Fremont do hereby agree to the full performance of the terms set forth herein.

CITY OF FREMONT	**CITY OF NEWARK**
Signature:_____	Signature:_____
By: Christina Briggs	By: David Benoun
Title: Assistant City Manager	Title: City Manager
Date:_____	Date:_____

APPROVED AS TO FORM:

Signature: _____

By: Elana Rivkin-Haas

Title: Senior Deputy City Attorney

APPROVED AS TO FORM:

Signature: _____

By: Kristopher Kokotaylo

Title: City Attorney

EXHIBIT A TO TASK ORDER NO. 31
SCOPE OF SERVICES
Paratransit Services for FY 2024-2025

1. GENERAL DESCRIPTION

The City of Fremont will provide door-to-door, sharedride Wheelchair Accessible Van (WAV) service to Newark residents needing wheelchair-accessible vehicles who are 70 years of age and older or who are unable to access public transit independently due to a medical or disabling health condition. Subsidized taxi and ride-hailing services will be provided to ambulatory Newark residents who are 70 years of age and older or who are unable to access public transit independently due to a medical or disabling health condition. These transportation services are provided to elderly and disabled Newark residents in order to improve their access to health care, shopping, errands and social and recreational activities. Services will be provided from July 1, 2024 through June 30, 2025.

2. PERSONNEL

a. Personnel working on this program will include members of the City of Fremont's Ride-On Tri-City! Program. The Fremont team consists of a Program Manager, Program Coordinator, Transportation Resources Specialist, Senior Office Support Specialist and Office Support Specialist.

b. The City of Fremont will provide these services to the City of Newark for the specified period through its agreements with the City of Union City (for WAV services provided by MV Transportation, Inc.), Siddiq, Inc. (for Taxi services), Lyft, Inc. (for Ride-Hailing Services), and GoGo Technologies, Inc. (for Ride-Hailing Services).

3. SERVICE REQUIREMENTS

a. Program Parameters:

(1) Wheelchair Accessible Van Service will be offered during the following hours:
Monday – Sunday, 8 am – 6 pm
No services will be provided on the following holidays:
New Year's Day, Presidents Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day.

Taxi and Ride-Hailing Service requests can be made seven (7) days a week between 8 am and 6 pm.

(2) Rides will be provided within Fremont, Newark and Union City. Out of area trips for approved medical appointments will be provided to program participants using Ride-Hailing Services.

(3) Passenger Fares:

Fares for Wheelchair Accessible Van (WAV) rides: $4 per one-way trip within Newark, Fremont and Union City. Fares to be paid with a pre-paid WAV voucher. Program participants can purchase pre-paid voucher books (10 pre-paid vouchers per book) from the City of Fremont at a cost of $40 per book.

Fares for taxi rides: Depends on distance traveled. Riders will purchase taxi vouchers from the City of Fremont at a cost of $4 per taxi voucher. Each taxi voucher subsidizes up to $20 in taxi meter fare. Riders are responsible for fares beyond the voucher subsidy.

Fares for ride-hailing services: Riders will pay the first $4 of a trip and up to $16 of the trip will be subsidized. Riders are responsible for all fares above $20. For staff-approved medical out-of-area trips, rider pays first $8 of a trip and up to $42 of the trip will be subsidized; riders are responsible for all fares above $50. Passenger fares will be charged directly through the Lyft app or by GoGo Technologies.

(4) Ride Requests:

Wheelchair Accessible Van Service:
Ride reservations will be taken: Monday – Friday, 8 am – 5 pm
Reservations are taken up to 3 days in advance. Rides are reserved on a first call, first served basis and are subject to vehicle space availability.

Taxi Service:
Ride requests are made on the same day. Riders will be picked up within 45 minutes of their call.

Ride-Hailing Service through Lyft App:
Ride requests are made on the same day through the Lyft app on the rider's own smartphone. Riders requesting rides within the program's parameters will automatically receive program subsidy.

Ride-Hailing Service with GoGo Technologies:
Ride requests are made on the same day. Riders without smartphones will call GoGo Technologies' GoGoGrandparent call center service and a call center representative will book the

individual's ride on the Lyft or Uber ride-hailing platforms. Rides that fall within the program's parameters will automatically receive the program subsidy.

b. Services to be provided by the Transportation and Mobility Services Team include:

(1) Service Eligibility Screening & Program Enrollment

Staff will review applications, determine eligibility and enroll eligible individuals for transportation services. A Rider's Guide will be provided to each enrolled participant. Pre-paid WAV voucher books and taxi vouchers will be sold to program participants by mail or in person at Fremont City Hall.

(2) Consumer Education and Service Coordination

Staff will provide one-on-one assistance to program participants who are experiencing difficulties in accessing or using the City's transportation services.

(3) Program Monitoring

Fremont's Program Manager will be responsible for the ongoing monitoring and evaluation of paratransit service operations. Staff from each city will meet periodically to evaluate program and make adjustments as necessary to service operations.

(4) Service Documentation and Quarterly Invoicing

Documentation of paratransit services provided to each client will be kept in a manner consistent with the City of Fremont's existing practice. Service statistics will be maintained and submitted to City of Newark staff on a monthly basis, and as otherwise requested. The City of Newark will be responsible for all required reporting to the Alameda County Transportation Commission.

EXHIBIT B TO TASK ORDER NO. 31
BUDGET
Paratransit Services for FY 2024-25

The FY 2024-2025 budget for Task Order No. 31 is:

Paratransit Services:	Up to a maximum of $280,818
Administrative Fee:	Up to a maximum of $29,682
TOTAL BUDGET	$310,500

Invoicing to Newark will be broken down as follows:

- **Trip costs, by month, for all one-way trips provided to Newark residents:**

  a) Total monthly charge for Wheelchair Accessible Van services (based on each invoice received from MV Transportation) divided by the total number of one-way trips provided and multiplied by the number of one-way trips provided to Newark residents.

  b) Total number of taxi vouchers redeemed by Newark residents multiplied by $25 per voucher redeemed.

  c) Total monthly subsidized trip costs for Lyft rides provided through Newark residents' Lyft smartphone app as invoiced by Lyft.

  d) Total monthly subsidized trip costs for Lyft and Uber rides provided by GoGo Technologies for Newark residents as invoiced by GoGo Technologies.

- **The administrative fee (8.16% of total trip cost amount) will be billed quarterly.**

- **Any revenues from transportation voucher sales to Newark residents will be deducted from the quarterly invoice.**

The City of Newark will reimburse the City of Fremont for service provision and administrative costs associated with the Paratransit Program. The City of Fremont shall submit an invoice to Newark by January 30, 2025 for services provided in the first half of FY 2024/2025 and by July 31, 2025 for services provided in the second half of FY 2024/2025. Newark shall make payments to Fremont within thirty (30) days of receipt of an invoice.

DATE:	January 2, 2024
TO:	Paratransit Technical Advisory Committee
FROM:	Krystle Pasco, Senior Program Analyst
SUBJECT:	Paratransit Direct Local Distribution (DLD) Projections for FY 2024-25

Recommendation

Receive paratransit Direct Local Distribution (DLD) projections for FY 2024-25.

Summary

On January 9, 2024, the Paratransit Technical Advisory Committee (ParaTAC) will receive draft paratransit DLD projections for FY 2024-25.

Background

Planning Areas

The Alameda CTC divides the County into four planning areas:

- *North County* – the cities of Albany, Alameda, Berkeley,
- Emeryville, Oakland, and Piedmont
- *Central County* – the cities of Hayward and San Leandro and unincorporated areas
- *South County* – the cities of Fremont, Union City, and Newark, as well as Union City Transit
- *East County* – the cities of Livermore, Dublin, Pleasanton, and unincorporated areas, and LAVTA

Measure BB paratransit DLD funding is split by planning area as directed in the sales tax expenditure plans and within each planning area to each city by a formula adopted by the Paratransit Advisory and Planning Committee (PAPCO). The details for how funding is distributed is described below.

Measure BB Planning Area Funding Distribution

ParaTAC members should note that the 2000 Measure B funding sunset in spring 2022 and the 2014 Measure BB funding will double from 0.5% to 1% beginning April 1, 2022. Measure BB will be expanded to bring in 1% of transportation sales tax funding following the process described below. Per Alameda CTC's 2014 TEP, 10% of Measure BB funds are allocated to affordable transit for seniors and people with disabilities, as follows:

- 6% allocated to East Bay Paratransit Consortium
- 3% allocated to cities and local transit operators
- 1% allocated for service gaps and coordination

The 2014 TEP also specifies that the 3% allocated to cities and local transit operators will be distributed to each of the four planning areas based on the percentage of the population over age 70.

Measure BB Planning Area Funding Distribution

Measure BB specifies that PAPCO develops, and the Alameda CTC Commission adopts, a funding formula to allocate funding within each planning area to the individual agency recipients. Funds from a planning area may not be transferred to another area.

In establishing the funding formula, PAPCO and ParaTAC took three areas into account that impact a community's need for accessible transportation: age, disability, and income. The formula includes the following factors to measure these areas of concern: population over 70, population with a disability, and low-income population. The source for all data is the American Community Survey (ACS) which was deemed to be most accurate. In acknowledgement that many older seniors do not identify themselves as disabled, and therefore may not be captured by ACS data, PAPCO adopted a formula that weights seniors over the age of 80 more heavily (multiplied by 1.5).

In January 2017, PAPCO took action to extend the funding formula for the same length of time as the Master Program Funding Agreements, through 2027, with annual updates of ACS data. The table below shows the factors included in the current funding formula for Measure BB funds.

Factor	Description	Data Source
Age	Population estimates of seniors age 70-79	2021 American Community Survey (ACS)
Disability	Population estimates of seniors age 80+ multiplied by 1.5 to approximate the population of people with disabilities who may not identify as disabled	2021 ACS
Disability	Population estimates of people with a disability	2021 ACS
Income	Estimates of low-income households earning 30% of the Area Median Income, currently <$20,000 per year	2021 ACS

FY 2024-25 Projections

The draft paratransit DLD projections for all recipients for FY 2024-25 is available for reviewing in Attachment 5.1A. These projections are based on the current formula and the current Alameda CTC funding projection. ParaTAC members should note that during FY 2021-22, the 2000 Measure B funding sunset at the end of March 2022 and the 2014 Measure BB funding will double beginning April 1, 2022.

Committee members should also note that the funding projection is a draft and could change when updated projections are made available for FY 2024-25. Updated projections can be found on the Alameda CTC website: https://www.alamedactc.org/funding/direct-local-prog-dist-pay. These projections should be used by ParaTAC in preparing the FY 2024-25 Program Plans, which will be due in late February.

Fiscal Impact: There is no fiscal impact.

Attachment:

A. FY 2024-25 Paratransit Direct Local Distribution (DLD) Projections

FY 2024-25 Measure BB Projection
December 2023 (Preliminary)[1]
Paratransit Direct Local Distribution Funding[2]

Recipient		Measure BB
Alameda	$	548,308.25
Albany	$	94,054.83
Berkeley	$	865,484.61
Emeryville	$	84,121.00
Fremont	$	1,481,314.49
Hayward[3]	$	2,152,083.58
LAVTA[4]	$	961,972.28
Newark	$	331,476.25
Oakland[5]	$	3,235,968.26
Pleasanton	$	599,801.03
San Leandro	$	778,579.36
Union City	$	556,756.04
East Bay Paratransit	$	23,379,840.00
AC Transit District	*$*	*17,534,880.00*
BART	*$*	*5,844,960.00*
Total	$	35,069,759.98

Notes:
1. These projections are a draft based on current revenue projections.
2. Projections are based on the current formula which expires in June 2027.
3. Hayward's projection include the unincorporated areas of Central Alameda County.
4. LAVTA's projection include Dublin and Livermore.
5. Oakland's projection include Piedmont.

STAFF REPORT
Item D. 7.

DATE	06/13/2024
TO	Honorable Mayor and City Council Members
FROM	Alex Tat, Senior Civil Engineer
SUBJECT	Adopt a resolution authorizing the City to file a request to the Metropolitan Transportation Commission for the allocation of Fiscal Year 2025 Transportation Development Act Article 3 Pedestrian and Bicycle Project funding for the Annual Citywide Accessible Pedestrian Ramps Project; exempt from CEQA review per CEQA Guidelines Section 15301

SUMMARY AND RECOMMENDATION

The City is in position to receive $450,000 of Transportation Development Act (TDA) Article 3 funds for Fiscal Year 2025. Staff recommends that the available TDA Article 3 funds be allocated to the Annual Citywide Accessible Pedestrian Ramps Project in the Capital Improvement Plan (CIP). The project will install and upgrade pedestrian ramps located on various streets throughout the City to meet current Americans with Disabilities Act (ADA) standards.

Staff recommends that the City Council, by resolution, authorize the filing of a request to the Metropolitan Transportation Commission (MTC) for the allocation of Fiscal Year 2025 Transportation Development Act Article 3 Pedestrian and Bicycle project funding for the Annual Citywide Accessible Pedestrian Ramps Project.

BACKGROUND

Transportation Development Act (TDA) Article 3 is a funding source administered by the Metropolitan Transportation Commission (MTC) that is available annually to local agencies to use for bicycle and pedestrian projects. Local distributions are determined based on population and may either be used in the fiscal year in which they are distributed or rolled over and combined with previous and/or future distributions. MTC also allows the borrowing from future allocations based on the availability of funds. The City last used TDA funds in Fiscal Year 2022 for the Fiscal Year 2021-2022 Citywide Accessible Ramp project, and is now in position to receive $450,000 of TDA Article 3 funds for Fiscal Year 2025.

DISCUSSION/ANALYSIS

Staff recommends that the $450,000 of available TDA Article 3 funds be allocated to the CIP Annual Citywide Accessible Pedestrian Ramps Project. This amount includes the City's Fiscal 2024 and Fiscal Year 2025 allocations along with borrowing against future funds. The project will install and upgrade approximately 65 pedestrian ramps located on various streets throughout the City to meet current American with Disabilities Act (ADA) standards. Curb ramps on street segments selected for pavement rehabilitation as part of the City's Rubberized Cape Seal and Slurry Seal Program project will be prioritized. Additional curb ramp locations will be selected based on reported and identified concerns and as budget allows.

To be eligible to receive TDA Article 3 funding, the City Council must adopt a resolution authorizing the filing of an application for the TDA Article 3 funds and providing the City's assurance to complete the project.

FISCAL IMPACT

There is no fiscal impact associated with this action. Jurisdictions that receive TDA Article 3 funds are not required to provide local matching funds.

ENVIRONMENTAL/PLANNING COMMISSION REVIEW

The repair and maintenance of existing facilities is categorically exempt under the California Environmental Quality Act (CEQA) section 15301 (Existing Facilities).

REVIEW AND APPROVAL

Prepared by - Alex Tat, Senior Civil Engineer
Reviewed by - Diana Cangco, Acting City Engineer
Reviewed by - Soren Fajeau, Public Works Director
Reviewed by - Kristopher J. Kokotaylo, City Attorney
Approved by - Lenka Hovorka, Assistant City Manager

Attachments

Resolution

Attachment A to Resolution - Required Findings

Attachment B to Resolution - Claim Form

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWARK AUTHORIZING THE FILING OF A REQUEST TO THE METROPOLITAN TRANSPORTATION COMMISSION FOR THE ALLOCATION OF FISCAL YEAR 2024-2025 TRANSPORTATION DEVELOPMENT ACT ARTICLE 3 PEDESTRIAN/BICYCLE PROJECT FUNDING FOR CITYWIDE ACCESSIBLE PEDESTRIAN RAMPS PROJECT

WHEREAS, Article 3 of the Transportation Development Act (TDA), Public Utilities Code (PUC) Section 99200 et seq., authorizes the submission of claims to a regional transportation planning agency for the funding of projects exclusively for the benefit and/or use of pedestrians and bicyclists; and

WHEREAS, the Metropolitan Transportation Commission (MTC), as the regional transportation planning agency for the San Francisco Bay region, has adopted MTC Resolution No.4108, entitled "Transportation Development Act, Article 3, Pedestrian and Bicycle Projects," which delineates procedures and criteria for submission of requests for the allocation of "TDA Article 3" funding; and

WHEREAS, MTC Resolution No. 4108 requires that requests for the allocation of TDA Article 3 funding be submitted as part of a single, countywide coordinated claim from each county in the San Francisco Bay region; and

WHEREAS, the City of Newark desires to submit a request to MTC for the allocation of TDA Article 3 funds to support the project described in Attachment B to this resolution, which is for the exclusive benefit and/or use of pedestrians and/or bicyclists.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Newark that the City Council does hereby declare it is eligible to request an allocation of TDA Article 3 funds pursuant to Section 99234 of the Public Utilities Code.

BE IT FURTHER RESOLVED that there is no pending or threatened litigation that might adversely affect the project described in Attachment B to this resolution, or that might impair the ability of the City of Newark to carry out the project.

BE IT FURTHER RESOLVED that the project has been reviewed by the countywide Bicycle and Pedestrian Advisory Committee (BPAC) and that the City of Newark has been approved by MTC to use the countywide BPAC and the countywide BPAC provides for expanded representation of the City of Newark and the designated representative is familiar with the bicycle and pedestrian needs of the City of Newark.

BE IT FURTHER RESOLVED that the City of Newark attests to the accuracy of and approves the statements in Attachment A to this resolution.

BE IT FURTHER RESOLVED that a certified copy of this resolution and its attachments, and any accompanying supporting materials shall be forwarded to the Congestion Management Agency, Countywide Transportation Planning Agency, or County Association of Governments, as the case may be, of Alameda County for submission to MTC as part of the countywide coordinated TDA Article 3 claim.

RESOLUTION NO.

ATTACHMENT A

Re: Request to the Metropolitan Transportation Commission for the Allocation of Fiscal Year 2024-2025 Transportation Development Act Article 3 Pedestrian/Bicycle Project Funding

FINDINGS

1. That the City of Newark is not legally impeded from submitting a request to the Metropolitan Transportation Commission for the allocation of Transportation Development Act (TDA) Article 3 funds, nor is the City of Newark legally impeded from undertaking the project(s) described in "Attachment B" of this resolution.
2. That the City of Newark has committed adequate staffing resources to complete the project(s) described in Attachment B.
3. A review of the project(s) described in Attachment B has resulted in the consideration of all pertinent matters, including those related to environmental and right-of-way permits and clearances, attendant to the successful completion of the project(s).
4. Issues attendant to securing environmental and right-of-way permits and clearances for the projects described in Attachment B have been reviewed and will be concluded in a manner and on a schedule that will not jeopardize the deadline for the use of the TDA funds being requested.
5. That the project(s) described in Attachment B comply with the requirements of the California Environmental Quality Act (CEQA, Public Resources Code Sections 21000 et seq.).
6. That as portrayed in the budgetary description(s) of the project(s) in Attachment B, the sources of funding other than TDA are assured and adequate for completion of the project(s).
7. That the project(s) described in Attachment B are for capital construction and/or final design and engineering or quick build project; and/or for the maintenance of a Class I bikeway which is closed to motorized traffic and/or Class IV separated bikeway; and/or for the purposes of restriping Class II bicycle lanes; and/or for the development or support of a bicycle safety education program; and/or for the development of a comprehensive bicycle and/or pedestrian facilities plan, and an allocation of TDA Article 3 funding for such a plan has not been received by the City of Newark within the prior five fiscal years.
8. That the project(s) described in Attachment B which are bicycle projects have been included in a detailed bicycle circulation element included in an adopted general plan or included in an adopted comprehensive bikeway plan (such as outlined in Section 2377 of the California Bikeways Act, Streets and Highways Code section 2370 et seq.) or responds to an immediate community need, such as a quick-build project.
9. That any bicycle project described in Attachment B meets the mandatory minimum safety design criteria published in the California Highway Design Manual or is in a National Association of City and Transportation Officials (NACTO) guidance or similar best practices document.

10. That the project(s) described in Attachment B will be completed in the allocated time (fiscal year of allocation plus two additional fiscal years).
11. That the City of Newark agrees to maintain, or provide for the maintenance of, the project(s) and facilities described in Attachment B, for the benefit of and use by the public.

TDA Article 3 Project Application Form

1. **Agency**	City of Newark		
2. **Primary Contact**	Alex Tat		
3. **Mailing Address**	37101 Newark Boulevard, Newark, CA 94560		
4. **Email Address**	alex.tat@newark.org	5. **Phone Number**	510-578-4041
6. **Secondary Contact** (in the event primary is not available)	Diana Cangco		
7. **Mailing address** (if different) N/A☒			
8. **Email Address**	diana.cangco@newark.org	9. **Phone Number**	510-578-4225
10. **Send allocation instructions to** (if different from above):			
11. **Project Title**	2025 Citywide Accessible Pedestrian Ramps		
12. **Amount requested**	$450,000	13. **Fiscal Year of Claim**	2024-2025

14. **Description of Overall Project:**

Installation and upgrade of pedestrian ramps located on various streets throughout the City to meet current ADA standards

15. **Project Scope Proposed for Funding:** (Project level environmental, preliminary planning, and ROW are ineligible uses of TDA funds.)

Construction

16. **Project Location:** A map of the project location is attached or a link to a online map of the project location is provided below:

See attached map of project locations on page 3.

Project Relation to Regional Policies (for information only)

17. Is the project in an Equity Priority Community? Yes☐ No☒

18. Is this project in a Priority Development Area or a Transit-Oriented Community? Yes☐ No☒

19. **Project Budget and Schedule**

Project Phase	TDA 3	Other Funds	Total Cost	Estimated Completion (month/year)
Bike/Ped Plan				
ENV				
PA&ED				
PS&E				
ROW				
CON	450,000		450,000	Oct-25
Total Cost	450,000		450,000	

Project Eligibility

A. Has the project been reviewed by the Bicycle and Pedestrian Advisory Committee? Yes☒ No☐
If "YES," identify the date and provide a copy or link to the agenda.
May 8, 2024 Alameda CTC BPAC – Hyperlink to Agenda here: Alameda CTC BPAC Agenda

B. Has the project been approved by the claimant's governing body? Yes☒ No☐
If "NO," provide expected date:_____

C. Has this project previously received TDA Article 3 funding? Yes☐ No☒
(If "YES," provide an explanation on a separate page)

D. For "bikeways," does the project meet Caltrans minimum safety design criteria pursuant to Chapter 1000 of the California Highway Design Manual? Yes☐ No☐ N/A☒

E. **1.** Is the project categorically exempt from CEQA, pursuant to CCR Section 15301(c), Existing Facility? Yes☒ No☐

2. If "NO" above, is the project is exempt from CEQA for another reason? Yes☐ No☐
Cite the basis for the exemption. _____ N/A☒
If the project is not exempt, please check "NO," and provide environmental documentation, as appropriate.

F. Estimated Completion Date of project (month and year): October 2025

G. Have provisions been made by the claimant to maintain the project or facility, or has the claimant arranged for such maintenance by another agency? (If an agency other than the Claimant is to maintain the facility, please identify below and provide the agreement. Yes☒ No☐

H. Is a Complete Streets Checklist required for this project ? Yes☒ No☐
If the amount requested is over $250,000 or if the total project phase or construction phase is over $250,000, a Complete Streets checklist is likely required. Please attach the Complete Streets checklist or record of review, as applicable. More information and the form may be found here: https://mtc.ca.gov/planning/transportation/complete-streets

Question 16 Attachment - Project Location Map



Contact Name	Alex Tat
Email Address	alex.tat@newark.org
Contact Phone Number	510-578-4041
City/Jurisdiction/Agency (If your option is not listed, select "Other")	Newark
County	Alameda
Is your project seeking regional discretionary funds or an endorsement?	Regional discretionary funding
Please include the name of the regional discretionary funding program that this project is seeking.	TDA Article 3
Project Name/Title	2025 Citywide Accessible Pedestrian Ramps
Project Area/ Location	Various locations throughout the City
Project Description (2000 character limit). You may also attach additional project documents, cross sections, plan views or other supporting materials.	Installation and upgrade of pedestrian ramps located on various streets throughout the City to meet current ADA standards
Please choose the project phase(s).	CON
Do you think your project qualifies for a Statement of Exception?	No

Topic: Bicycle, Pedestrian and Transit Planning

Does the project implement relevant plans, or other locally adopted recommendations?	Yes

Does the project area contain segments of the regional Active Transportation (AT) Network? [See MTC's AT Network map here]	Yes
If yes, describe the how project adheres to the National Association of City Transportation Official's (NATCO's) "Designing for All Ages & Abilities Contextual Guidance for High-Comfort Bicycle Facilities" and/or the Architectural and Transportation Barriers Compliance Board's "Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way."	The upgrade of accessible pedestrian ramps ensures the latest ADA standards are met to maintain accessibility to pedestrians of all ages and abilities.
Is the the project on a known High Injury Network (HIN) or has a local traffic safety analysis found a high incidence of bicyclist/ pedestrian-involved crashes within the project area?	No
Please summarize the traffic safety conditions and describe the project's traffic safety measures. The Bay Area Vision Zero System may be a helpful resource.	A majority of curb ramps locations proposed for upgrades are in residential areas with lower speed limits and stop signs. This project is proposing to upgrade pedestrian curb ramps only. No bikeway improvements are proposed.
Does the the project seek to improve conditions for people biking, walking and/or rolling? If the project includes a bikeway, was a Level of Traffic Stress (LTS), or similar user experience analysis conducted?	Yes

Describe how project seeks to provide low-stress transportation facilities or reduce a facility's LTS.	This project is proposing to upgrade pedestrian curb ramps only. No bikeway improvements are proposed.
A. Are there existing public transit facilities (stop or station) in the project area?	No
If yes, list transit facilities (stop, station, or route) and all affected agencies.	N/A
B. Have all potentially affected transit agencies had the opportunity to review this project? If yes, please save the email from transit operator(s) below.	No
C: Is there a MTC Mobility Hub (map) within the project area?	No
If applicable, please describe the pedestrian focused improvements and cite the design standards used (links to standards are not needed).	Installation and upgrade of accessible pedestrian curb ramps to meet the latest ADA standards.
If applicable, please provide the class designation for bikeways included in the project and cite the design standards used.	N/A
Will the project improve active transportation in an Equity Priority Community (EPC)?	No
Has a local (city or county) Bicycle and Pedestrian Advisory Commission (BPAC) reviewed this Checklist? The Checklist will begin	No

MTC review once the BPAC meeting has occurred.	
Please provide the meeting date(s).	May 8, 2024
Please provide a summary of meeting comments. If meeting date hasn't occurred yet, please share future meeting comments here.	The BPAC committee was in favor of this project to improve and upgrade pedestrian accessibility that serves the community.
Compliance and Exemption	
Please check below if Yes. If no, complete the Statement of Exception. If Yes, this Checklist is complete and the rest of the form can be skipped. If No, please fill out the Statement of Exception section.	Yes
Has a local (city or county) Bicycle and Pedestrian Advisory Commission (BPAC) reviewed this Checklist? The CS Checklist will begin review once the BPAC meeting notes are included in this form.	The Checklist is being submitted to send to the BPAC for review.
Please provide the meeting date(s).	May 8, 2024
Please provide a summary of comments, if any.	The Alameda CTC BPAC was in support of the project to upgrade pedestrian accessible curb ramps. Committee member was frustrated with the evolving ADA standards that require by law the upgrades to pedestrian access ramps on a continual basis.

This PDF is generated with the Google Forms Notification add-on.

To generate customized PDFs from Google Forms, download Document Studio (video demo).

These messages are not added in the premium version.

STAFF REPORT
Item D. 8.

DATE	06/13/2024
TO	Honorable Mayor and City Council Members
FROM	Diana Cangco, Acting City Engineer
SUBJECT	Adopt a resolution approving the Road Repair and Accountability Act of 2017 (Senate Bill 1) Fiscal Year 2025 Project List

SUMMARY AND RECOMMENDATION

In order to receive Road Maintenance and Rehabilitation Account (RMRA) funds from the State, Senate Bill 1 requires cities and counties to submit to the California Transportation Commission each year a list of projects proposed to be funded with RMRA funds.

Staff recommends that City Council for Fiscal Year 2025 approve inclusion of the 2025 Asphalt Concrete Overlay Program and the Old Town PDA Streetscape and Complete Streets Improvement Project on the City of Newark's RMRA Project List, and that the City Council, by resolution approve the Road Repair and Accountability Act of 2017 (Senate Bill 1) Fiscal Year 2025 Project List.

BACKGROUND

In April 2017, the State Legislature passed Senate Bill 1 (SB1), the Road Repair and Accountability Act of 2017. SB1 established the Road Maintenance and Rehabilitation Program and provides a significant, stable, and ongoing increase in state transportation funding to address deferred maintenance on the state highway and local streets and roads systems. Funds for the program are deposited into the State Transportation Fund, Road Maintenance and Rehabilitation Account (RMRA). The funds come from gasoline excise taxes, diesel fuel sales taxes, and vehicle registration fees.

SB1 continues to generate over $5 billion annually for State and local transportation improvements. Cities and counties are slated to receive over $1.4 billion per year for local street and road maintenance. Allocations of funds to cities are based upon population.

It is projected that the City of Newark will receive approximately $1,229,167 of RMRA funds for Fiscal Year 2025. This funding is in addition to the Highway Users Tax Account funds that the City receives annually (commonly known as "Gas Tax" funds). RMRA funding is included as part of the City's 2024-2026 Biennial Budget and Capital Improvement Plan.

In order to receive RMRA funds from the State, SB1 requires cities and counties to submit to the California Transportation Commission each year a list of projects proposed to be funded with RMRA funds. RMRA funds are required to be used towards projects which include, but are not limited to:

· Road maintenance and rehabilitation
· Safety improvements
· Railroad grade separations
· Traffic control devices
· Complete street components, which include active transportation elements, pedestrian and bicycle safety improvements, transit facilities, and drainage and stormwater capture measures in conjunction with other allowable projects

DISCUSSION/ANALYSIS

It is projected that the City of Newark will receive approximately $1,229,167 of RMRA funds for Fiscal Year 2025. Staff recommends that City Council approve the following RMRA project list for Fiscal Year 2025:

Project Title	Project Location
2025 Asphalt Concrete Overlay Program	• Fountain Avenue – between Haley Street and Cherry Street • Castleford Court – from Lake Boulevard to End • Chestnut Street – between Thornton Avenue and Juniper Street • Crestmont Avenue – from Bettencourt Street to End • Baine Avenue – between Bellhaven Avenue to Lafayette Avenue • Elm Street – between SP Railroad to Wells Avenue
Old Town Streetscape and Complete Streets Improvements, Project No. 1258	• Thornton Avenue between Cherry Street and Ash Street

The RMRA project list is neither binding nor inclusive. Including a project on the list does not obligate the City to complete the project nor does it limit the flexibility of the City to use RMRA funds toward projects not originally included on the list, so long as the project meets the eligibility criteria listed above.

FISCAL IMPACT

There is no fiscal impact associated with this action. Jurisdictions that receive SB1/RMRA funds are not required to provide local matching funds.

REVIEW AND APPROVAL

Prepared by - Diana Cangco, Acting City Engineer
Reviewed by - Soren Fajeau, Public Works Director
Reviewed by - Krysten Lee, Finance Director
Reviewed by - Kristopher J. Kokotaylo, City Attorney
Approved by - Lenka Hovorka, Assistant City Manager

Attachments

Resolution

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWARK APPROVING THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017 (SENATE BILL 1) FISCAL YEAR 2024-2025 PROJECT LIST

WHEREAS, Senate Bill 1 (SB1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and signed into law by the Governor in April 2017 to address the significant multi-modal transportation funding shortfalls statewide; and

WHEREAS, SB1 includes accountability and transparency provisions that will ensure the residents of our City are aware of the projects in our community that are proposed for SB1 funding and which projects are completed each fiscal year; and

WHEREAS, the City must adopt by resolution each year a list of projects proposed to receive fiscal year funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB1, with such list of projects including a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement; and

WHEREAS, the City will receive an estimated $1,229,167 in RMRA funding in Fiscal Year 2024-2025 from SB1; and

WHEREAS, this is the eighth year in which the City is receiving SB1 funding and will enable the City to continue essential road maintenance and rehabilitation projects, safety improvements, and increasaccess and mobility options for the traveling public that would not have otherwise been possible without SB1; and

WHEREAS, the City used the 2024-2026 Capital Improvement Plan to develop the SB1 project list to ensure public input into our community's transportation priorities; and

WHEREAS, the City uses a Pavement Management System to develop SB1 project lists to ensure revenues are being used on the most high-priority and cost-effective projects that also meet the community's priorities for transportation investment; and

WHEREAS, the funding from SB1 will help the City maintain and rehabilitate multiple street segments and help add active transportation infrastructure throughout the City this year and into the future; and

WHEREAS, the 2023 California Statewide Local Streets and Roads Needs Assessment found that the City's streets are in "good" condition and this revenue will help the City maintain the overall quality of our road system over the next decade; and

WHEREAS, the SB1 project list and overall investment in our local streets and roads infrastructure with a focus on basic maintenance and safety and investing in complete streets infrastructure will have significant positive co-benefits statewide.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Newark does hereby approve the following list of newly and previously proposed projects to be funded in part or solely with Fiscal Year 2024-2025 Road Maintenance and Rehabilitation Account revenues:

Project Title & Description	**Project Location**	**Estimated Useful Life**	**Anticipated Start of Project**	**Anticipated Completion of Project**
2025 Asphalt Concrete Overlay Program Pavement maintenance of various streets involving placement of asphalt concrete overlay and base repairs	• Fountain Ave – between Haley St and Cherry St • Castleford Ct – from Lake Blvd to End • Chestnut St – between Thornton Ave and Juniper St • Crestmont Ave – from Bettencourt St to End • Baine Ave – between Bellhaven Ave to Lafayette Ave • Elm St – between SP Railroad to Wells Ave	20 years	July 2025	October 2025
Old Town Streetscape and Complete Streets Improvements, Project No. 1258 Roadway and complete street improvements that will improve access, safety, and connections for pedestrians, bicyclists, and transit users, while also serving as a catalyst for private investment in the Old Town neighborhood. The project will	Thornton Avenue between Cherry Street and Ash Street	20 years	June 2025	December 2025

reduce the number of travel lanes on Thornton Avenue to provide wider sidewalks and add bicycle lanes. The project will install additional safety and connectivity improvements, which includes new high visibility crosswalks, curb extensions, bus stop amenities, and landscaping to improve the convenience and comfort of alternative travel modes.				

STAFF REPORT
Item D. 9.

DATE	06/13/2024
TO	Honorable Mayor and City Council Members
FROM	Diana Cangco, Acting City Engineer
SUBJECT	Adopt a resolution authorizing the City Manager to execute a Cooperative Agreement with the Alameda County Water District for water main design and construction associated with the Old Town Streetscape Improvements, Project 1258

SUMMARY AND RECOMMENDATION

The Old Town Streetscape Improvements, Project 1258, is a key component of the Old Town Specific Plan and aims to serve as a catalyst for private investment within the Old Town neighborhood by improving access, safety and connections for pedestrians, bicyclists and transit users along Thornton Avenue between Olive Street and Ash Street. As part of their Small Diameter Water Main Renewal Program, the Alameda County Water District (ACWD) plans to replace the existing water system within this segment of Thornton Avenue.

To allow for a much more efficient and economical design and construction effort, as well as minimize disruption to property owners of the Old Town neighborhood during construction, staff and ACWD desire to combine their respective improvements into a single project (the Joint Project). The Joint Project will include professional engineering design services, construction, inspection, testing acceptance, and warranties related to City and ACWD improvements within the Old Town Streetscape Improvements street areas.

Staff recommends that the City Council adopt a resolution authorizing the City Manager to execute a Cooperative Agreement with ACWD, in a form approved by the City Attorney, for water main design and construction associated with the Old Town Streetscape Improvements, Project 1258.

BACKGROUND

In 2021, the Old Town Specific Plan was approved, bringing together 30 years of planning and analysis to identify a grand vision to revitalize the Historic Newark Old Town area as a vibrant mixed-use neighborhood, with a strong sense of place, thriving retail and commercial businesses, a range of housing choices for existing and future residents, a streetscape that prioritizes bicycles and pedestrians, and public spaces that allow community members to gather with their neighbors.

In September 2023, the City entered into a Contractual Services Agreement with CSW Stuber-Stroeh Engineering Group for Professional Design Services for the Old Town Streetscape Improvements. As part of their Small Diameter Main Renewal Program, ACWD plans to replace approximately 1,750 feet of water main within the alignment of Thornton Avenue within the Old Town Streetscape Improvements project area. The work would include replacement and relocation of an existing 8-inch and 12-inch water mains, fire hydrants, water service laterals, and related appurtenances.

DISCUSSION/ANALYSIS

In order to allow for a much more efficient and economical design and construction effort, as well as minimize disruption to property owners of the Old Town neighborhood during construction, staff and ACWD desire to combine their respective improvements into a Joint Project. The Joint Project would allow the City's consultant team, CSW Stuber-Stroeh Engineering Group, to design both the City and ACWD improvements as a single project. Similarly, the construction of the Joint Project would be bid as a single project, with one contractor selected to construct all improvements concurrently. In all, the Joint Project would include professional engineering design services, construction, inspection, testing, acceptance, and warranties related to City and ACWD improvements within the Old Town Streetscape Improvements project area.

A Cooperative Agreement has been prepared to facilitate this joint effort between the City and ACWD. The agreement addresses roles, responsibilities, and cost-sharing for the City and ACWD to complete the design and construction of the Joint Project improvements. The City would serve as the lead agency and administer the contracts for both professional engineering design services and the construction of the Joint Project improvements. ACWD participated in the evaluation of proposals received for professional engineering design services in support of the Joint Project. Construction bid items associated with ACWD's water system improvements would be identified separately as Alternate Bid Items in the construction contract. Upon review of all construction bids received, ACWD would reserve the option to remove their water system items from the construction contract should the cost or other terms be unacceptable.

FISCAL IMPACT

Partnering with ACWD and entering into the Cooperative Agreement would not cause additional project costs for the City. Instead, both City and ACWD staff anticipate that combining our two projects will result in a more efficient and economic design and construction process.

Per the terms of the Cooperative Agreement, ACWD will be responsible for 100% of the cost of professional engineering services, materials, and equipment attributed specifically to the design and construction of their water system improvements. A 5% administrative fee would also be added to all ACWD construction costs to reimburse the City for administration and construction management of the Joint Project contracts.

REVIEW AND APPROVAL

Prepared by - Diana Cangco, Acting City Engineer
Reviewed by - Soren Fajeau, Public Works Director
Reviewed by - Krysten Lee, Finance Director
Reviewed by - Kristopher J. Kokotaylo, City Attorney
Approved by - Lenka Hovorka, Assistant City Manager

Attachments

Resolution

Cooperative Agreement

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWARK AUTHORIZING THE CITY MANAGER TO EXECUTE A COOPERATIVE AGREEMENT WITH THE ALAMEDA COUNTY WATER DISTRICT IN A FORM APPROVED BY THE CITY ATTORNEY FOR THE WATER MAIN DESIGN AND CONSTRUCTION ASSOCIATED WITH THE OLD TOWN STREETSCAPE IMPROVEMENTS, PROJECT 1258.

WHEREAS, on September 23, 2021, the City Council adopted the Old Town Specific Plan, bringing together over 30 years of planning and analysis for Newark's Old Town neighborhood; and

WHEREAS, Old Town Streetscape Improvements, Project 1258 is a key component of the Old Town Specific Plan and aims to serve as a catalyst for private investment within the Old Town neighborhood by improving access, safety and connections for pedestrians, bicyclists, and transit users; and

WHEREAS, the Alameda County Water District (ACWD), as part of their Small Diameter Main Renewal Program, plans to replace existing water mains in the same street sections associated with Project 1258; and

WHEREAS, to ensure an efficient and economical design and construction effort and to minimize the disruption to property owners of these areas during construction, a combined single project is desirable and would include professional design services, construction, inspection, testing, acceptance and warranties related to the City and ACWD improvements in these areas; and

WHEREAS, a Cooperative Agreement has been prepared to facilitate this joint effort between the City and ACWD, with the City serving as the lead agency. This agreement provides for the roles, responsibilities, and cost-sharing for the City and ACWD to complete the design and construction of the collective improvements.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Newark does hereby authorize the City Manager to execute a Cooperative Agreement with the Alameda County Water District in a form approved by the City Attorney for the water main design and construction associated with the Old Town Streetscape Improvements, Project 1258.

COOPERATIVE AGREEMENT

BETWEEN CITY OF NEWARK AND THE ALAMEDA COUNTY WATER DISTRICT FOR COST SHARING FOR WATER MAIN INSTALLATION WORK FOR THE NEWARK OLD TOWN STREETSCAPE AND MAIN RENEWAL PROJECT (City Project P1258, ACWD Job XXXXX)

This "Cooperative Agreement for the Newark Old Town Streetscape and Main Renewal Project (City Project P1258, ACWD Job XXXX)" ("Agreement") is made and entered into by and between the City of Newark, a municipal corporation ("City"), and the Alameda County Water District ("ACWD"), a county water district duly organized and existing under the County Water District Law (being Division 12 of the Water Code of the State of California). City and ACWD may be collectively referred to herein as the "Parties."

RECITALS

A. As part of its Small Diameter Main Renewal Program, ACWD is planning and intends to construct or cause the construction of improvements to its water system within the City right-of-way, including approximately 1,750-feet of water main within the alignment of Thornton Avenue between Ash Street and Cherry Street, Dairy Street between Thornton Avenue and Sycamore Street, Sycamore Street between Dairy Avenue and Thornton Avenue, Magnolia Street between Thornton Avenue and Rich Avenue, and connections at cross streets along this alignment. The work will include replacement and relocation of existing 8-inch and 12-inch water mains with 12-inch water mains, fire hydrants, water service laterals, and related appurtenances (ACWD Job XXXX, the "ACWD Waterline Work").

B. The City is planning and intends to construct the Newark Old Town Streetscape Project (City Project P1258, the "City Project"), in accordance with the City's Old Town Specific Plan, which encompasses a 76-acre area, to revitalize Old Town Newark as a vibrant mixed-use neighborhood; the City Project includes reconstructing the streets with new curb and gutter, sidewalk, pavement section, improved and/or new storm water drainage systems, and landscaping in and around Thornton Avenue from Ash Street to Olive Street and include the existing public plaza areas on the north side of Magnolia Street & Thornton Avenue and the Carter Station Plaza at the south side of Sycamore Street and Thornton Avenue.

C. The ACWD Waterline Work and City Project both involve major improvements to utilities and other infrastructure within the public right-of-way and within the same general geographic area as shown in Exhibit A, attached hereto.

D. In order to provide for the most efficient and cost-effective implementation of the two projects, to minimize disruption to the infrastructure improvements in the City Project area and impacts to Newark residents due to traffic and water service outages, the Parties desire to combine the work into a single project to the extent possible. To this end, the Parties intend to include the

ACWD Waterline Work into the City Project, the combined project being referred to herein as the "Joint Project."

E. It is the intent of the City to administer the Joint Project. It is the intent of ACWD to support City's implementation of the Joint Project and to reimburse the City's reasonable costs of the ACWD Waterline Work.

F. The inclusion of the ACWD Waterline Work into the Joint Project will require coordination between the City and ACWD regarding the acquisition of permits, design and design review, construction, inspection, testing, acceptance, and warranties for the Joint Project.

G. Beginning in June 2023, the City and ACWD coordinated on the preparation of the City's Request for Proposals (RFP) for providing professional design services for the design of the Joint Project. ACWD reviewed the RFP and provided comments and edits on the scope of the ACWD Waterline Work to be included in the City Project as optional design tasks. Accordingly, the City has included optional scope items to cover design services for the ACWD Waterline Work in the City Project RFP.

H. The Parties desire to work cooperatively and to document a reasonable and responsible basis for the cooperative design and construction of the Joint Project for the mutual benefit of their agencies and their public constituents.

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS AND CONDITIONS IDENTIFIED HEREIN, THE PARTIES HEREBY AGREE AS FOLLOWS:

1. ADVERTISING AND AWARD OF DESIGN AND ENGINEERING SERVICES IN SUPPORT OF THE JOINT PROJECT.

1.1. The City and ACWD previously coordinated on the development of the RFP for the design and engineering services in support of the Joint Project ("Joint Design") RFP. The City advertised the Joint Design RFP, including the design and engineering services related to the ACWD Waterline Work, in accordance with the City's practices and applicable law. Design and engineering services associated with the ACWD Waterline Work were included separately in the RFP as "optional" work.

1.2. Upon receipt of proposals for the work, the City share the proposals received, including costs for the ACWD Waterline Work, with ACWD. ACWD reviewed and provided input on the evaluation and ranking methodology; however, the City retained the sole discretion to select the method with which proposals were evaluated and ranked. ACWD participated in the evaluation of the proposals and the City and ACWD conferred regarding the proposals;

however, the City retained the sole discretion to select the proposer based on the proposal in accordance with its proposal evaluation criteria.

1.2.1. Should ACWD conclude that the City's selected proposal does not meet ACWD's needs, then the "optional" ACWD Waterline Work will not be awarded by the City, and ACWD shall be responsible for completing the design of the ACWD Waterline Work. In this event, the City and ACWD shall confer as to their collective approach to implementation of their individual projects, and this Agreement may be terminated in writing by either Party.

1.2.2. Should ACWD be satisfied that the City's selected proposal meets ACWD's needs, ACWD will provide written confirmation of its agreement with the City's selection. The City will then award the Joint Design work, including design and engineering services in support of the ACWD Waterline Work, to the selected proposer ("Design Consultant") in accordance with its practices and applicable law.

2. COORDINATED DESIGN AND ENGINEERING WORK.

2.1. City's hired Design Consultant shall prepare the design and construction contract documents for the ACWD Waterline Work ("Waterline Work Product") to be incorporated into Joint Project, and other requirements pursuant to Sections 3 through 5.

2.2. ACWD agrees to pay one hundred percent (100%) of the costs for design services scope items for ACWD Water Pipeline as shown in Exhibit B, attached hereto.

2.3. All Waterline Work Product shall be and are the property of ACWD who shall be entitled to access and to copy the Waterline Work Product during the progress of the work. If requested by ACWD, the City shall deliver one copy of the Waterline Work Product remaining in the hands of the City, or in the hands of the Design Consultant, or any subcontractor, upon completion or termination of the work or Agreement to ACWD. The City assigns to ACWD all right, title, and interest in and to the Waterline Work Product, including ownership of copyright in the Waterline Work Product. ACWD may utilize any material prepared or work performed by the City's hired Design Consultant pursuant to this Agreement, in any manner which ACWD deems proper without additional compensation to the City. The City shall not disclose project related data or information without the prior written consent of ACWD.

2.4. The Joint Project construction contract documents shall include a schedule of "bid items" for which each bidder shall identify a "bid item amount." The bid items for the ACWD Waterline Work ("ACWD Bid Items") shall be incorporated in the Joint Project bid and construction documents, along with the estimated quantity for each bid item.

2.5. All City bid items will be contained in the Base Bid. The ACWD Bid Items shall be included on a separate bid item schedule (e.g. “Waterline Work”) and shall be characterized as “Alternate Bid Items” in the construction contract that may be awarded with the Base Bid items, later by change order, or excluded from the award. For the purposes of bid comparison and determination of the lowest responsive and responsible low bid, the Waterline Work bid schedule shall be added to the City bid items.

2.6. ACWD shall review the portion of the design, construction plans, and specifications related to ACWD Waterline Work at ACWD's sole cost and expense.

2.7. City shall provide ACWD 50%, 90%, and 100% design submittals, to include the design drawings and specifications, for any ACWD Waterline Work incorporated into the Joint Project for review. ACWD shall promptly and diligently review each design submittal, and provide comments, if any, to City within twenty-one (21) calendar days of ACWD's receipt of the respective design submittal.

2.8. At least thirty-five (35) calendar days prior to the advertisement of bids, City shall provide ACWD with a complete copy of the 90% design submittal for review, including but not limited to, the 90% drawing set, General Conditions, Special Conditions, Technical Specifications, and payment item schedule, including the ACWD Bid Items. ACWD shall promptly and diligently review the 90% Design Submittal for Joint Project, and provide comments, if any, to City within fourteen (14) calendar days of ACWD's receipt of the 90% design submittal. City shall reasonably consider ACWD proposed modifications of the 90% design submittal. City shall supply within seven (7) calendar days written explanation, including reasons why and justification for, any ACWD modifications not included. If ACWD believes that its modifications should be included in the Construction Contract plans and specifications for Joint Project after reasonably considering City's written explanation, ACWD and City shall meet and confer in good faith to reach a mutually acceptable solution.

2.9. If re-design of ACWD’s work is required due to unforeseen conditions, the City’s design consultant is responsible for the re-design. ACWD shall review the revised design and shall provide the City a written notice of approval of the re-design with in seventy-two (72) hours after ACWD receives the re-design.

3. ENVIRONMENTAL REVIEW AND PERMITTING.

3.1. City will serve as the lead agency for California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) for the joint project in accordance with the Federal and State grant requirements. ACWD will be a responsible agency with discretionary approval authority

over the project. The City will pay for the environmental review costs associated with the filing of the NEPA and CEQA for the Joint Project.

3.2. City will acquire all environmental, right-of-way and construction related permits for the Joint Project that includes ACWD Waterline Work in accordance with the Federal and State grant requirements. No City of Newark encroachment permit fee will be paid by ACWD.

4. BIDDING AND AWARD OF CONSTRUCTION CONTRACT.

4.1. The City shall issue the plans and specifications, including minimum experience requirements for the ACWD Waterline Work, for the Joint Project for public competitive bids and award the contract for the Joint Project in accordance with the requirements of the California Public Contract Code, the Newark Municipal Code, and any other applicable laws and regulations.

4.2. Concurrently with advertising for bids, City shall provide ACWD with a complete copy of the advertised contract documents ("Construction Contract") for the Joint Project used to invite such bids. City shall include ACWD when issuing any addenda during the bidding period.

4.3. Within seven (7) working days following a bid opening, City shall provide copies of the final bid documents for the three (3) apparent lowest responsible bidders to ACWD for the Joint Project.

4.4. ACWD shall, within Five (5) working days of its receipt of the final bid documents and the City's selected bid, indicate whether it supports the City proceeding with the award of the ACWD Waterline Work along with the City's award of the Joint Project Construction Contract.

4.4.1. Should ACWD conclude that the City's selected bid does not meet ACWD's needs, then the "alternate" ACWD Waterline Work will not be awarded by the City, and ACWD shall be responsible for completing construction of the ACWD Waterline Work. In this event, the City and ACWD shall confer as to their collective approach to implementation of their individual projects, and this Agreement may be terminated in writing by either Party.

4.4.2. Should ACWD be satisfied that the City's selected bid meets ACWD's needs, ACWD will provide written confirmation of its agreement with the City's selection. The City will then award the Joint Project construction work, including construction of the ACWD Waterline Work, to the selected bidder ("Contractor") in accordance with its practices and applicable law, and the District will proceed to authorize budgeted funds for construction of the ACWD Waterline Work.

5. CONSTRUCTION, INSPECTION, CONSTRUCTION MANAGEMENT AND CONSTRUCTION ADMINISTRATION.

5.1. The City shall administer the Construction Contract for the Joint Project including the ACWD Waterline Work. ACWD shall support the City's administration of the construction work.

5.2. ACWD will provide specialty waterline construction inspection, assist with construction management for all components of any ACWD Waterline Work during construction, and shall promptly communicate to City pursuant to each rejection or acceptance of the quality of materials and construction work relating to the ACWD Waterline Work. ACWD shall retain the right to review any RFI related to Waterline Work concurrent with City's design review, and shall be afforded the opportunity to provide input prior to the City's response to the Contractor. ACWD's inspection responsibilities shall include, but not be limited to, inspections of: (a) installation of the permanent waterline and all associated appurtenances, (b) waterline connections, (c) pressure and bacterial testing, (d) backfill of the trench up to one foot over the top of pipe, and (e) final acceptance of ACWD Waterline Work as complete. City shall, in turn, communicate each acceptance or rejection of the quality of materials and construction work to Contractor. City shall require Contractor to cooperate with ACWD, and ACWD's agents, in inspection of all ACWD Waterline Work, provided that: (a) ACWD shall coordinate all inspections with City; (b) all communication with Contractor shall be through City's Resident Engineer (except in an emergency situation to the extent necessary for the protection of persons or property); and (c) when conducting any inspections, ACWD shall not take any actions that unreasonably interfere with Contractor's performance, direct Contractor's performance in the field, or authorize any additional work. ACWD shall have an inspector available to be on-site as needed during Contractor's approved working hours, upon forty-eight (48) hours' notice from Contractor. Inspection requested by Contractor for work on Saturdays, Sundays, or ACWD Holidays, or nights shall be requested fourteen (14) calendar days in advance of the scheduled work.

5.3. No modifications or connections to the District's existing sterile water system shall be performed without the presence and direction of authorized District staff.

5.4. To the extent ACWD inspections at any stage reveal a failure by Contractor to meet the requirements of the Construction Contract and the ACWD Plans, ACWD shall provide a written explanation of the basis for the failure. City shall forward all comments provided by ACWD to Contractor, instruct Contractor to take all appropriate actions to correct its work, and shall not accept these components of the ACWD Waterline Work until ACWD approves them.

5.5. Both City and ACWD shall maintain all documents related to any ACWD Waterline Work, including all daily logs, inspector notes, testing, and correspondence and each party shall provide copies of all such documents to the other party upon request.

5.6. During the course of construction of any ACWD Waterline Work, City shall cause its Contractor to allow ACWD to regularly inspect, after reasonable notice, record ("redline") drawings of any ACWD Waterline Work. City shall supply redline drawings of any ACWD Waterline Work to ACWD upon City's acceptance of the City Project as complete. The redline drawings shall show the location and details of any changes made during construction to any ACWD Waterline Work.

The City shall be responsible for the day-to-day inspection and approval for all components of the Joint Project, except that ACWD shall be responsible for inspecting the ACWD Waterline Work provided that the City shall provide ACWD with at least twenty-four (24) hours prior notice of the date that the work is available for inspection. ACWD, in its sole discretion, may have an ACWD inspector present on-site when the ACWD Waterline Work is being performed. If after inspecting the ACWD Waterline Work, ACWD determines that any of the work does not comply with the drawings and specifications for the ACWD Waterline Work as set forth in the Joint Project contract, ACWD shall provide the City with written notice specifying its basis for such determination within seventy two (72) hours after ACWD inspects the ACWD Waterline Work. ACWD's failure to timely notify the City of its determination of noncompliance of any matter shall be deemed ACWD's acceptance of such matter. The City shall, in turn, forward all comments to the Contractor, instruct the Contractor to take appropriate actions to correct its work, and shall not accept the ACWD Waterline Work until ACWD approves in writing, which approval shall not be unreasonably withheld. The City shall require the Contractor to cooperate with ACWD in inspection of the ACWD Waterline Work. The time impact analysis will be used to determine the time impacts associated with changes caused by the ACWD work. The cost split associated with concurrent delays caused by both parties work, the cost split shall be proportional to each party’s contribution to the delay, based on a time impact analysis.

6. CONSTRUCTION COSTS AND OWNERSHIP ASSOCIATED WITH ACWD WATERLINE WORK AND ADMINISTRATIVE FEE.

6.1. The as-bid construction cost for the ACWD Bid Items shall be as identified separately on the bid schedule to be included in the Construction Contract ("ACWD As Bid Construction Cost"). The as-bid construction cost, including labor, material, permit fees, equipment and warranties for the ACWD Bid Items shall be determined before the Construction Contract is awarded by the City. As full consideration for the satisfactory performance by the Contractor, ACWD agrees to pay one hundred percent (100%) of "ACWD As Bid Construction Cost" to the City per executed Construction Contract payment requirements. The City assigns to ACWD all right, title, and interest in and to the ACWD Waterline Work, including beneficial use of work in progress.

6.2. ACWD agrees to pay one hundred percent (100%) of engineering services during construction provided by the Design Consultant to support construction of the ACWD Waterline Work.

6.3. ACWD agrees to pay an Administrative Fee to the City to reimburse the City for administration and construction management of the ACWD Waterline Work. The Parties agree that the

appropriate amount of the Administrative Fee is equal to 5% of the total cost of all ACWD Waterline Work payment items as included in the successful Contractor's bid.

6.4. ACWD shall pay the City the Administrative Fee as part of the monthly billing as a percentage of construction costs attributable to ACWD Waterline Work.

7. ACWD WATERLINE WORK ACTUAL COST, ADDITIONAL ADMINISTRATIVE FEE AND PAYMENT.

7.1. Pursuant to the contract awarded by the City, the Contractor shall be obligated to the City to perform all work required by the Joint Project Contract (including the ACWD Bid Items) and the City shall be obligated to administer the Contract and pay the Contractor for all work performed in accordance with the Joint Project Contract. ACWD agrees to pay to the City the actual cost of the ACWD Waterline Work ("ACWD Waterline Work Actual Cost") plus, an additional amount to reimburse the City for its costs in administering any change orders or claims relating specifically to the ACWD Waterline Work and the City's incremental cost associated with construction management tasks associated with the ACWD Waterline Work, including those tasks performed by a third-party construction manager under contract to the City, ("Additional Administrative Fee") as further described in this Section.

7.2. The "ACWD Waterline Work Actual Cost" shall equal the dollar amount that the City actually pays the Contractor in accordance with the terms of the City Project Contract for ACWD Bid Items plus the actual construction cost of any and all construction change orders and claims to the extent that they increased the cost of the ACWD Waterline Work. Thus, the ACWD Waterline Work Actual Cost will include the product of the actual quantities and the Contractor's bid amount for each ACWD Bid Item plus payments for contract change orders and claims related to the ACWD Waterline Work as further discussed in this Section.

7.3. The "Additional Administrative Fee" shall be an amount equal to 5% of the actual cost of any and all change order work and claims actually paid to the Contractor in accordance with Section 7.1 and Section 7.2.

7.4. For the Joint Project construction contract, ACWD agrees to pay for the full cost of work for which the District is responsible based on the unit prices and final approved quantities of the applicable pay items. Within thirty (30) days after the award of the Contract, ACWD agrees to deposit with the City ten percent (10%) of the ACWD As Bid Construction Cost, which the City will initially use to deduct the monthly ACWD Waterline Work Actual Costs. On a monthly basis, City will furnish to ACWD a statement ("Invoice") of the ACWD Waterline Work Actual Cost which shall include a detailed statement of itemized construction costs for the completed and verified ACWD Bid Items plus the ACWD-related portion of any and all construction change orders and claims to the extent that they increased the cost of the ACWD Waterline Work. The

Invoice shall also itemize any Additional Administrative Fee amounts due as determined in accordance with this Section. If requested by ACWD, the City will provide ACWD with copies of the Contractor's invoices for the ACWD Waterline Work. Within fourteen (14) calendar days after the receipt of an Invoice from the City, ACWD shall pay the City the monthly ACWD Waterline Work Actual Costs. The City will use the payment from ACWD to replenish the ACWD deposit initially used to pay the invoice. The City shall return to ACWD all unspent funds deposited by ACWD in accordance with this Agreement at the conclusion of the work.

7.5. For the Consultant Design Services, ACWD shall pay to the City the total of the ACWD Waterline Work Design Services Costs. If ACWD disputes any portion or item of any Invoice, ACWD shall provide written notice of the dispute, with an explanation of the basis for the dispute no later than 14 calendar days after ACWD's receipt of the Invoice. ACWD's failure to provide timely written notice to the City disputing any portion or item of an Invoice received by the District shall be deemed an approval by ACWD of all undisputed portions or items of ACWD Actual Cost. ACWD shall pay the portion of the Invoice that is not in dispute in accordance with this section.

7.6. If ACWD provides the City with a written notice of dispute, the City and ACWD shall negotiate in good faith to informally resolve any such dispute. If no agreement is reached within 45 calendar days after the date City receives ACWD's notice of dispute and either party indicates that progress is not being made to resolve the dispute, the parties shall submit the matter to dispute resolution as described in Section 9 of this Agreement.

8. MODIFICATIONS TO ACWD WATERLINE WORK DURING CONSTRUCTION.

8.1. To the extent that the Contractor is entitled to additional compensation under the terms of the City Project Contract for work related to the ACWD Bid Items, the additional compensation shall be considered ACWD Actual Cost pursuant to Section 7 of this Agreement.

8.2. All major construction change orders or claims affecting or increasing the cost of the ACWD Waterline Work shall be submitted to ACWD staff for prior review and approval, except in emergency circumstances. A "major" construction change order or claim is one which could reasonably be deemed to result in a ten percent (10%) cumulative increase in cost of the ACWD Waterline Work, or one which would increase the cost of the ACWD Waterline Work by $50,000 or more. Written responses of ACWD staff shall be provided to the City within 7 calendar days after receipt, unless authorized City and ACWD staff agree in writing that a specific longer period of review time is necessary for more complex change order proposals or claims. If ACWD disagrees with the proposed change order or a proposed claim approval, ACWD shall include the reasons for its disagreement in its written responses. If the City project manager does not receive comments from ACWD within the specified time, he or she shall be deemed to be authorized to use his or her best judgment with regard to acting upon the proposed change

order or claim. If ACWD submits written responses in accordance with the schedule indicated in this section, the City shall in good faith consider such responses in acting upon the proposed change order or claim.

8.3. The City may act upon construction change orders and claims which are not "major" without consultation with ACWD. “Non-major” change orders are those not considered “major” as defined in Section 8.2. However, after the aggregate total of change orders or claims exceeds 10% of the cost of the ACWD Waterline Work as set forth in the Contractor's bid, City shall submit to ACWD staff for prior review and approval all subsequent non-major change orders or claims. This prior review and ACWD response shall be pursuant to Section 8.2 except that responses of ACWD staff shall be provided within five (5) working days for non-major change orders.

9. **RESOLUTION OF DISPUTES.** In the event the Parties should disagree regarding implementation of this Agreement, the Parties agree to use the following dispute resolution procedure.

9.1. At least one individual in a senior management position from each party will meet, in person, and attempt to resolve the dispute informally.

9.2. If the initial meeting does not resolve the dispute, the City Manager for the City, and the General Manager for ACWD will meet, in person, and attempt to resolve the dispute informally.

9.3. If the meeting with the City Manager and General Manager does not resolve the dispute, the matter shall be referred to a mediation with a JAMS representative with JAMS' fees to be split equally between the City and ACWD.

9.4. If neither the staff meetings nor the meditation results in resolution of the dispute, the Parties shall have the right to exercise any of its remedies available under law.

10. GENERAL PROVISIONS.

10.1. **RELATIONSHIP BETWEEN THE PARTIES.** This Agreement does not create any partnership or agency between the parties.

10.1.1. ACWD is, and at all times shall remain, solely responsible for all acts of its officials, employees, agents, and contractors, including any negligent acts or omissions. ACWD is not the City's agent and shall have no authority to act on behalf of the City, or to bind the City to any obligation whatsoever.

10.1.2. The City is, and at all times shall remain, solely responsible for all acts of its officials, employees, agents, and contractors, including any negligent acts or omissions. The City is not the ACWD's agent and shall have no authority to act on behalf of ACWD, or to bind ACWD to any obligation whatsoever.

10.2. AUTHORIZED REPRESENTATIVES.

10.2.1. All ACWD services under this Agreement shall be performed by, or under the direct supervision of, **ACWD's Authorized Representative, Rekha Ippagunta, Project Engineering Manager**, unless otherwise designated in writing by ACWD's Authorized Representative or the General Manager.

10.2.2. All City services under this Agreement shall be performed by, or under the direct supervision of, **the City's Authorized Representative, Diana Cangco, Acting City Engineer,** unless otherwise designated in writing by the City's Authorized Representative or the City Manager.

10.3. INDEMNIFICATION.

Pursuant to Government Code section 895.4, City shall indemnify, hold harmless, and defend ACWD (including its elected officials, officers, agents, and employees) from and against any and all claim (including all litigation, demands, damages, liabilities, costs, and expenses, and including court costs and attorney's fees) resulting or arising from the City's negligent acts or omissions in the performance of contract administration under this Agreement.

In addition, City will require its design and engineering consultant(s) and construction Contractor to indemnify, hold harmless, and defend ACWD and its officials, officers, agents, and employees and to include ACWD and its officials, officers, agents, and employees as additional insureds to the same extent that the City requires its design and engineering consultants and construction Contractor to indemnify, hold harmless, and defend the City and to include the City as an additional insured.

10.3.1. Pursuant to Government Code section 895.4, ACWD shall indemnify, hold harmless, and defend the City (including its elected officials, officers, agents and employees) from and against any and all claims (including all litigation, demands, damages, liabilities, costs, and expenses, and including court costs and attorney's fees) resulting or arising from the standard specifications provided by ACWD for the ACWD Waterline Work or ACWD's negligent performance or failure to perform, under this Agreement.

10.4. **TERM OF THE AGREEMENT.** The term of this Agreement shall commence on the date last signed by the parties, below, and shall continue until completion of all the obligations of the parties under this Agreement.

10.5. **ACCOUNTING RECORDS.** The parties shall maintain all accounting records related to this Agreement in accordance with generally accepted accounting principles and state law requirements, and in no event for less than four years. The parties' accounting records shall include, at a minimum, all documents which support the costs and expenses related to the ACWD Waterline Work for this Agreement, including personnel, contractors, invoices and payments, and reimbursable expenses. Each party's accounting records shall be made available to the other party within a reasonable time after request, during normal business hours.

10.6. **NOTICES.** All notices required or contemplated by this Agreement shall be in writing and shall be delivered to the respective party as set forth in this section. Communications shall be deemed to be effective upon the first to occur of: (a) actual receipt by a party's Authorized Representative, or (b) actual receipt at the address designated below, or (c) three working days following deposit in the United States Mail of registered or certified mail sent to the address designated below. The Authorized Representative of either party may modify their respective contact information identified in this section by providing notice to the other party.

To: City
Attn: Public Works Director
City of Newark
37101 Newark Boulevard
Newark, CA 94560

To: ACWD
Attn: Director of Engineering and Technology
Alameda County Water District
P.O. Box 5110
Fremont, CA 94537-5110

10.7. **HEADINGS.** The heading titles for each paragraph of this Agreement are included only as a guide to the contents and are not to be considered as controlling, enlarging, or restricting the interpretation of the Agreement.

10.8. **SEVERABILITY.** If any term of this Agreement (including any phrase, provision, covenant, or condition) is held by a court of competent jurisdiction to be invalid or unenforceable, the Agreement shall be construed as not containing that term, and the remainder of this Agreement shall remain in full force and effect; provided, however, this paragraph shall not be applied to the extent that it would result in a frustration of the parties' intent under this Agreement.

10.9. **GOVERNING LAW, JURISDICTION, AND VENUE.** The interpretation, validity, and enforcement of this Agreement shall be governed by and interpreted in accordance with the laws of the State of California. Any suit, claim, or legal proceeding of any kind related to this

Agreement shall be filed and heard in a court of competent jurisdiction in the County of Alameda.

10.10. **ASSIGNMENT AND DELEGATION.** This Agreement, nor any portion thereof, shall not be assigned or transferred, nor shall any of a Party's duties be delegated, without the written consent of the other Party. Any attempt to assign or delegate this Agreement without the written consent of the other Party shall be void and of no force or effect. A consent by a party to one assignment shall not be deemed to be a consent to any subsequent assignment.

10.11. **MODIFICATIONS.** This Agreement may not be modified orally or in any manner other than by an agreement in writing signed by both parties.

10.12. **WAIVERS.** Waiver of a breach or default under this Agreement shall not constitute a continuing waiver or a waiver of a subsequent breach of the same or any other provision of this Agreement.

10.13. **ENTIRE AGREEMENT.** This Agreement, including all documents incorporated herein by reference, comprises the entire integrated understanding between the parties concerning the matters described herein. This Agreement supersedes all prior negotiations, Agreements, and understandings regarding this matter, whether written or oral. The documents incorporated by reference into this Agreement are complementary; what is called for in one is binding as if called for in all.

10.14. **EACH PARTY'S ROLE IN DRAFTING THE AGREEMENT.** Each party to this Agreement has had an opportunity to review the Agreement, confer with legal counsel regarding the meaning of the Agreement, and negotiate revisions to the Agreement. Accordingly, neither party shall rely upon Civil Code section 1654 in order to interpret any uncertainty in the meaning of the Agreement.

10.15. **COUNTERPART SIGNATURES.** The parties hereto recognize and agree that separate counterpart signature pages may be used but that all such pages constitute one and the same Agreement.

10.16. **SIGNATURES.** The individuals executing this Agreement represent and warrant that they have the right, power, legal capacity, and authority to enter into and to execute this Agreement on behalf of the respective legal entities of the ACWD and the City. This Agreement shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF, the City and ACWD do hereby agree to the full performance of the terms set forth herein.

City of Newark

By: _____
David Benoun
Title: City Manager

Date: _____

Alameda County Water District

By: _____
Ed Stevenson
Title: General Manager

Date: _____

EXHIBIT A

Old Town Streetscape Project Site Area

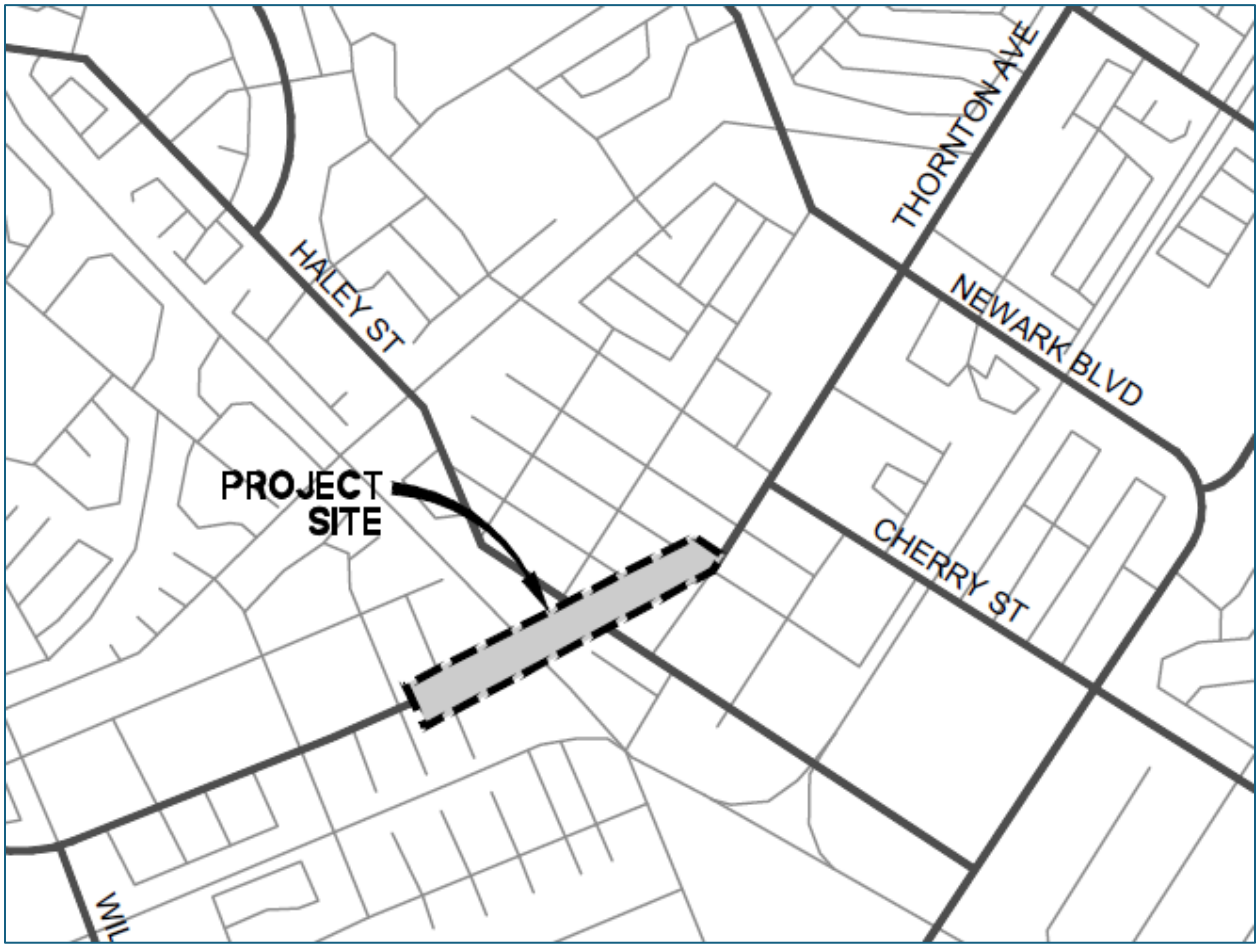


EXHIBIT B

ACWD Design Scope Costs

Old Town Streetscape Improvements

FEE PROPOSAL

Schaaf & Wheeler
CONSULTING CIVIL ENGINEERS

Submittal Date: 08.07.23

		Schaaf and Wheeler Water Pipeline				
		Glen Anderson Principal-in-Charge	Brett Crews **Project Engineer**	**Varies** Engineer	**Total Hours**	**Total Fee Proposal**
	Billable Rate ($/ hour)	275.00	210.00	195.00		
Task 1	**Preliminary Engineering**					
1.1	**Project Kickoff**					
	Outreach Plan and Setup	4	4	4	12	$2,720
	Project Construction Budget				0	$0
	QA/QC Plan	8	4		12	$3,040
1.2	**Data Collection and Field Review**		8	4	12	$2,460
1.3	**Existing Conditions Mapping**				0	$0
1.4	**Subsurface Conditions Assessment**				0	$0
1.5	**General Order 88B**				0	$0
1.6	**Preliminary Design**					
	35% Streetscape				0	$0
	30% Waterline	16	20	20	56	$12,500
1.7	**Public Utilities**					
	Preliminary Notice				0	$0
	65 and 95% Coordination				0	$0
	New Utility Services				0	$0
1.8	**Outreach**				0	$0
	Electronic Updates				0	$0
	Community Meeting 1				0	$0
	Community Meeting 2				0	$0
	Public Arts				0	$0
	City Council				0	$0
1.9	**Contract Management**					
	Project Management	8			8	$2,200
	Quality Control	8	4		12	$3,040
	Meetings	4	4		8	$1,940
	Task 1 Preliminary Engineering Subtotal:	**48**	**44**	**28**	**120**	**$27,900**
Task 2	**Construction Documents**					
2.1	**Streetscape Plans, Specifications and Estimate**					
	50% PS&E				0	$0
	90% PS&E				0	$0
	100% PS&E				0	$0
2.2	**ACWD Plans, Specifications and Estimate**					
	50% PS&E	20	30	20	70	$15,700
	90% PS&E	20	20	20	60	$13,600
	100% PS&E	12	20	20	52	$11,400
2.3	**Grant Funding**	no cost			0	$0
2.4	**Local Assistance Support**				0	$0
2.5	**Outreach**				0	$0
	Electronic Updates				0	$0
	Public Arts				0	$0
	City Council				0	$0
2.6	**Final Plans**				0	$0
2.7	**Contract Management**					
	Project Management	8			8	$2,200
	Quality Control	16	8		24	$6,080
	Meetings	8	8		16	$3,880
	Task 2 Construction Documents Subtotal:	**84**	**86**	**60**	**230**	**$52,860**
Task 3	**Bidding and Construction**					
3.1	**Bidding Support**		8		8	$1,680
3.2	**Contract Management**				0	$0
	Task 3 Bidding and Construction Subtotal:	**0**	**8**	**0**	**8**	**$1,680**
	Total Labor Expenses:	**132**	**138**	**88**	**358**	**$82,440**
Reimbursable Expenses						
General Expenses						
	Total Reimbursable Expenses:					**$0**
	Total Subconsultant Fee:					**$82,440**

STAFF REPORT

Item F. 1.

DATE	06/13/2024
TO	Honorable Mayor and City Council Members
FROM	Roya Gonzalez, Senior Management Analyst
SUBJECT	Adopt a Resolution approving the Public Art Master Plan May 2024 Update

SUMMARY AND RECOMMENDATION

In November 2022, City Council authorized an agreement with Gail M. Goldman Associates and Art Builds Community for an update of the 2001 Public Art Master Plan. The draft Public Art Master Plan update was presented to City Council in November 2023 and, after incorporating comments provided by the Council and the public, the Plan Update has been prepared for final consideration by the City Council. The Plan Update will serve as a guide to develop, administer and maintain a vibrant and inspiring public art program in Newark.

Staff recommends that the City Council, by resolution, adopt the Public Art Master Plan May 2024 Update.

BACKGROUND

In 2001, the City Council approved the City's first Public Art Master Plan (Plan). After more than two decades, staff began the process to update the Plan. In November 2022, the City Council authorized an agreement with Gail M. Goldman Associates and Art Builds Community to update the Plan. During the first half of 2023, the consultant conducted robust and diverse community engagement. This engagement and input from the Newark community were key to the development of the Plan Update. The community engagement strategy included stakeholder meetings, focus groups, an online survey, a community meeting, and artist-led pop-ups.

In November 2023, a draft Plan Update was presented to the City Council highlighting five recurring themes that emerged during community outreach:

1. Identity and Civic Pride: Use public art to set Newark apart from surrounding communities
2. Accessibility and Public Education: Locate high quality art throughout Newark, ensuring that it is fully accessible to the public
3. Local Artists: Support and increase visibility of local artists and creative entrepreneurs
4. Administration and Collection Management: Promote the implementation of the

Public Arts Master Plan Update
5. Funding: Ensure that the Art in Public Places fund has sufficient dollars to support public art and other arts initiatives

Following the presentation of the draft Plan Update, the consultant solicited feedback from the City Council and the community that was considered during the finalization of the Plan Update.

DISCUSSION/ANALYSIS

The Public Art Master Plan May 2024 Update outlines a strategic framework for the development, implementation, and management of a robust public art program in Newark. By having a strong public art program, Newark will stand out and create a deeper sense of identity.

The consultant team worked closely with staff and the community to develop the following Vision, Goals and Guiding Principles:

Vision: All residents and visitors in Newark experience public art as part of their daily lives and throughout all neighborhoods, celebrating the City's history, people, natural environment, and culture.

Goals: The City of Newark will adopt the Public Art Master Plan May 2024 Update as the guiding document for all public art and public art programming proposed for City property and the public realm in general.

- Provide diverse and engaging public art throughout Newark
- Commission community-focused art in publicly accessible places
- Integrate public art into qualified municipal construction projects
- Celebrate Newark's cultural diversity through public art
- Connect and build the artist community in Newark
- Provide ongoing financial and administrative support for public art
- Maintain and expand the City's collection of public art

Guiding Principles: Public art in Newark has the power to:

- Express Newark's identity throughout the built environment.
- Elevate the role of artist and the creative process play in connecting people and place.
- Provide equitable access to a diversity of artists and artistic experiences.
- Encourage multi-disciplinary collaboration in the public and private sectors to create vibrant public spaces.
- Celebrate the communities' cultural assets, highlighting the unique character of Newark's neighborhood, honoring their histories, and preserving quality of place.

The Public Art Master Plan May 2024 Update outlines a variety of recommendations to support the vision, goals, and guiding principles. These recommendations are organized according to the recurring themes that were identified during community engagement. The recommendations are meant to guide the City Council, staff and the future Public Art Committee with the flexibility to develop, implement and manage

projects that are within the resources available.

The Plan Update includes a draft five-year implementation grid that outlines projects and administrative tasks with associated costs for the next five years. Many of the items have already commenced, including the inclusion of public art in the Central Overpass and Old Town Streetscape Capital Improvement Projects. Additionally, staff have recommended the addition of a new Recreation Supervisor in the draft 2024-2026 Biennial Budget, in part, to support the public art program. Additional administrative support will be provided by public art consultants.

The Plan Update includes sample policies that are essentially a toolkit of best practices that have been successfully implemented in other local municipalities. Staff can draw upon these sample policies and adapt them to fit the context of Newark and align them with the vision, goals, and guiding principles of the Public Art Master Plan May 2024 Update.

During the next twelve months, if adopted, the following public art activities are recommended:

- Continue the inclusion of public art in the Central Overpass Project
- Continue to coordinate public art with the Old Town Streetscape Project design team
- Implement the Utility Box Art program
- Develop a changing art exhibit in the lobby of City Hall
- Establish the Public Art Committee (PAC)
- Create a Public Art Ordinance and revise the Art in Public Places Fee
- Finalize recommended public art policies (samples provided in Plan Update)

FISCAL IMPACT

The adoption of the May 2024 update to the Public Art Master Plan, along with the implementation of its recommendations, will be primarily funded by the Art in Public Places Fund. Adequate funds are available to carry out the activities described for the first year, including the necessary staff and consultant resources to support these initiatives. Staff will request the appropriation of these funds as needed.

REVIEW AND APPROVAL

Prepared by - Roya Gonzalez, Senior Management Analyst
Reviewed by - Krysten Lee, Finance Director
Reviewed by - Kristopher J. Kokotaylo, City Attorney
Reviewed and Approved by - Lenka Hovorka, Assistant City Manager

---

Attachments

Public Art Master Plan May 2024 Update Resolution

Public Art Master Plan May 2024 Update

Public Art Master Plan May 2024 Update presentation

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWARK ADOPTING THE PUBLIC ART MASTER PLAN MAY 2024 UPDATE

WHEREAS, the first Public Art Master Plan was adopted in 2001 to formally guide public art expenditures and strengthen the overall program; and

WHEREAS, after two decades an update was needed to ensure the plan represents the current community in Newark; and

WHERAS, the City released a request for proposals to update the Public Art Master Plan (Plan) and entered into an agreement with Gail M. Goldman Associates and Art Builds Community (Consultant) for the Plan update; and

WHEREAS, the Consultant conducted a robust community engagement effort that informed the Public Art Master Plan May 2024 Update; and

WHEREAS, the Public Art Master Plan May 2024 Update will be a guide to the City in its efforts to promote and support public art; and

WHEREAS, the draft Plan was presented to City Council in November 2023 and feedback was received; and

WHEREAS, the feedback provided has been incorporated into the final Plan.

NOW THEREFORE, BE IT RESOLVED that the City Council herby adopts the Public Art Master Plan May 2024 Update attached hereto and incorporated by reference.

NEWARK
california

NEWARK
PUBLIC ART MASTER PLAN

- Final Draft -

Gail M. Goldman Associates
Art Builds Community

May 2024

City of Newark Public Art Master Plan

Final Draft

TABLE OF CONTENTS PAGE

I. EXECUTIVE SUMMARY 04

II. BACKGROUND 05
- A. Context
- B. 2001 Public Art Master Plan
- C. Purpose of Updated Public Art Master Plan

III. TIMELINE AND METHODOLOGY 07

IV. RESEARCH 08
- A. Synergy with Other City Plans
- B. Community Outreach

V. VISION, GOALS AND GUIDING PRINCIPLES 13

VI. RECURRING THEMES AND SUMMARY OF RECOMMENDATIONS 15

VII. RECOMMENDATIONS AND PROJECT CONSIDERATIONS 20
- A. Identity and Civic Pride
- B. Accessibility and Community Education
- C. Local Artists
- D. Administration and Collection Management
- E. Funding Strategies

VIII. IMPLEMENTATION: FIVE YEAR ACTION PLAN 56

APPENDICES PAGE

IX. APPENDICES **57**

A. City of Newark Staff Interviews
B. Core Questions
C. Survey Responses
D. Location Map
E. Sample Public Art Program Position Descriptions
F. Sample Workplan Template
G. Sample Artist and Artwork Selection Guidelines
H. Sample Deaccession Policy
I. Sample Gifts, Loans, and Exhibitions of Art Policy
J. Sample Memorials Policy
K. Sample Temporary Art Policy
L. Sample Public Art Ordinance
M. Sample Language for Inclusion in RFP/RFQ for Prime Contractor
N. Five Year Implementation Grid

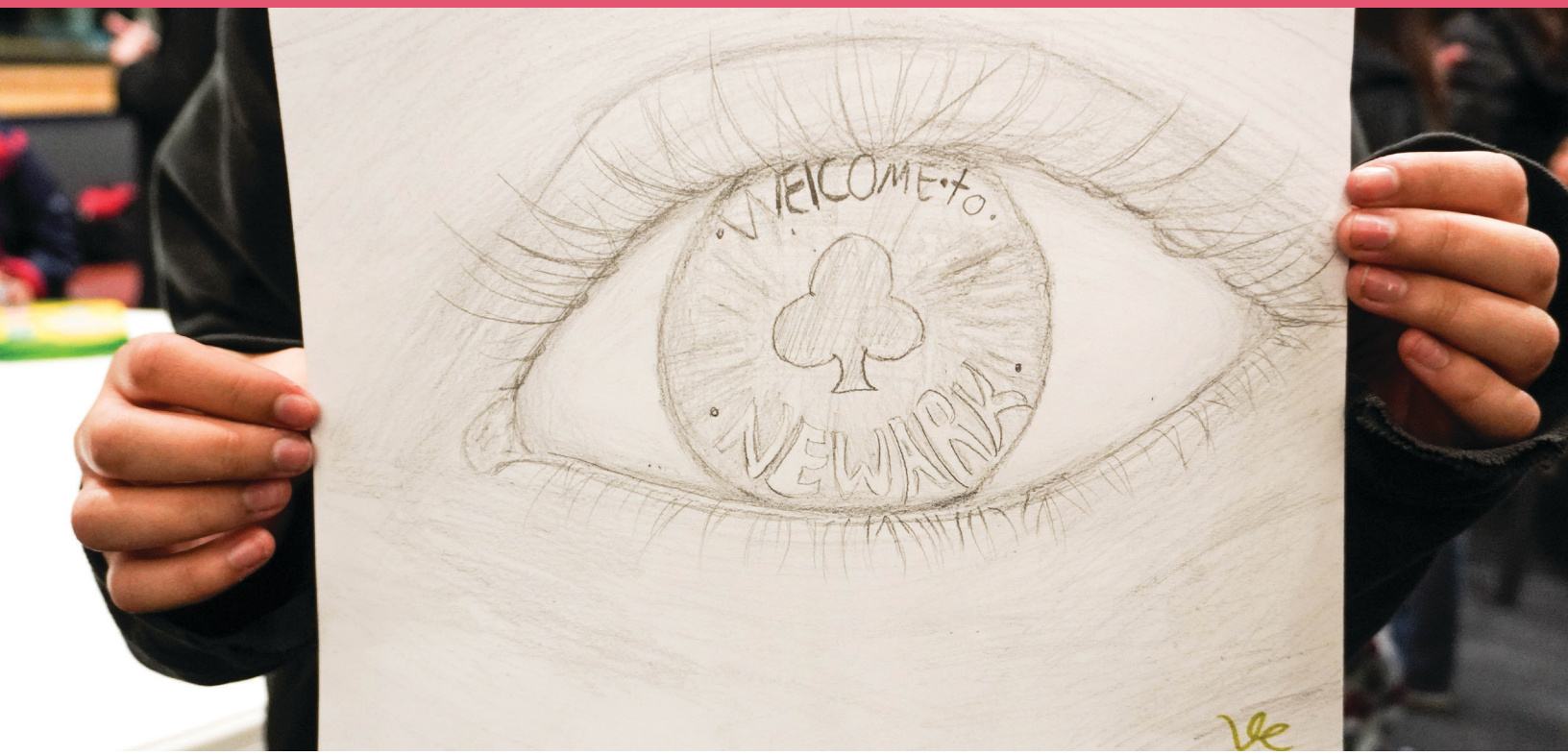


Image: Ve, a Teen Focus Group participant shows off her illustration that she drew to welcome people to Newark. Credit: Quynh-Mai Nguyen

I. EXECUTIVE SUMMARY

This Public Art Master Plan (PAMP) is designed to be a comprehensive guide for the City of Newark (City) in its efforts to promote and support public art. This plan intends to provide a clear direction and vision for the City's Public Art Program and to ensure that public art is integrated into the community in a meaningful and impactful way. The PAMP establishes the policies and procedures needed to effectively manage the City's Public Art Program and collection, and to promote public art as an essential component of the community's cultural and creative landscape.

The PAMP will help the City make informed decisions about public art, including the selection and placement of artworks, the commissioning of new works, and the management of a public art collection. It will provide a roadmap for the City to effectively leverage its resources and staff capacity to support public art initiatives, and it will provide a framework for community engagement and involvement in public art projects.

By having a strong and diverse public art presence, Newark can differentiate itself from neighboring communities and create a unique sense of place and identity. Public art can drive tourism and encourage people to explore and experience the culture and art offerings across the city. Additionally, by supporting artists, cultural organizations, and businesses, Newark can further strengthen its economy and provide valuable opportunities for growth and development.



Image: : The Newark Civic Center Plaza is home to the Police Building, Newark Library and the new David W. Smith City Hall and serves as a community gathering place for special events. Credit: City of Newark

II. BACKGROUND

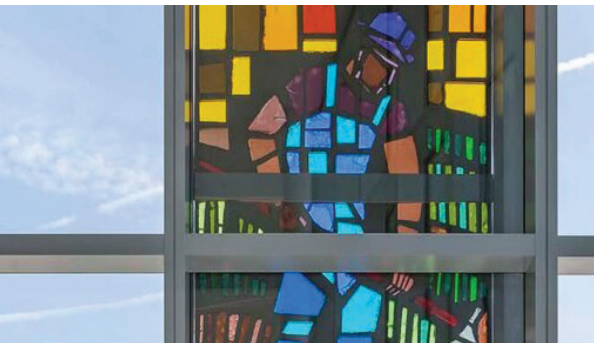




Image (Top): Stained glass artwork panels from the old City Hall were reused at the entry to each of the new buildings. Credit: Perkins & Will

Image (Bottom): Cargill salt stacks are located at the west end of Newark and are a part of the industrial history of the city, 2010. Credit: Cris Benton

A. CONTEXT

The City of Newark is an island surrounded by the City of Fremont and bordered to the west by the brightly colored Cargill Salt ponds, its oldest heritage industry. Located adjacent to San Francisco Bay with immediate access to Fremont's Don Edwards Wildlife Preserve, the city has no actual waterfront. Instead, it has wonderful views.

While many people experience Newark as a pass through on the Dumbarton Bridge from the San Francisco Peninsula to the East Bay, the city is a hidden gem with its own unique neighborhoods, ethnic cultures, and economic strengths. Newark is a comfortable, well-governed suburban city with a strong sense of community and a small-town feel. Founded in 1955, Newark has grown from a population of fewer than 10,000 in 1960 to almost 50,000 today with another 10,000 expected in the coming decade. Like many other places in the Bay Area, it has evolved from a small town with a few unique industries, into a burgeoning bedroom community with tree-lined neighborhoods and inward-looking industrial parks. And, as its populations and its industries grow, the city's profile is changing.

The first wave of Newark's neighborhoods were primarily single-family homes on discreet lots. There are large houses on generous lots in the Lake District and smaller houses closer together near the core of the historic Old Town neighborhood. Newer neighborhoods are denser, consisting of townhouses and apartments. However, what neighborhoods lack is a pedestrian-oriented mixed-use area for people to gather. While Newark is well-served with open spaces and recreational opportunities, it's missing a strong sense of place. As a suburban bedroom community, people are most likely to meet at a mall or a recreation center aside from the community parks. What is exciting is that as the city grows, there is potential to change where and how the community gathers.

B. 2001 PUBLIC ART MASTER PLAN

In 1992, the City Council adopted a series of resolutions to create an Art in Public Places and Private Development Program. This included a public art in private development fee based on square footage for new residential, office, light manufacturing, and high technology development. Fees began to be collected in 1999 and were deposited into the Art in Public Places Fund. Basic goals and parameters for the expenditures of the fee, including a list of target locations for public artwork, were established by the Art in Public Places and Private Development Program.

To guide future art fee expenditures and strengthen the overall program, a Public Art Master Plan subsequently was conducted and adopted by the City Council in 2001. However, few of the projects identified in the original Public Art Master Plan were able to be implemented. The landscape and demographics of Newark have evolved over the last twenty years. In addition to its two decades of transformation, an increased interest in public art prompted the City to update the 2001 Public Art Master Plan.

C. PURPOSE OF THE UPDATED PUBLIC ART MASTER PLAN

This Public Art Master Plan was commissioned at an opportune time when Newark is reviewing its Citywide Parks Master Plan, revitalizing its historic neighborhoods, assessing its capital improvement needs, and initiating a variety of programs to make it more pedestrian and bicycle friendly. In response to the pandemic, the city employed ARPA recovery funds to support small businesses and community-focused activities and is primed to build upon these efforts to concentrate on placemaking and enhancing its civic identity. Public art and arts activities can be a significant part of that effort.

As Newark moves beyond the pandemic with renewed interest in expanding its civic infrastructure, City leaders recognize that engaging artists in enhancing its development efforts, reestablishing a downtown, and creating places for people to participate in the arts will reinforce its sense of place and provide creative activities for all to enjoy. This plan establishes a framework to realize that vision.

III. TIMELINE AND METHODOLOGY

Gail M. Goldman Associates and Art Builds Community, with the City of Newark City staff, developed this plan between December 2022 and November 2023. Research included site visits, interviews, focus groups, community meetings, and artist-led community engagement throughout the planning process. The consultants sought input from stakeholders including City staff, private developers, community leaders, and artists. City planning documents were reviewed to help identify potential public art projects, partnerships, and programs.

Newark residents, business owners, workers, and visitors provided key input that informed the plan recommendations, which will guide future public art projects in Newark.

Timeline:

- December 2022–February 2023: Project Initiation & Research
- February–June 2023: Community Outreach and Public Participation
- June–November 2023: Development of Public Art Master Plan
- May 2024: Final Draft Designed Plan



Image: Newark community members gather at the start line of the Family Fun Run at Newark Community Center Park on March 24, 2023. Credit: Quynh-Mai Nguyen

IV. RESEARCH

A. SYNERGY WITH OTHER PLANS

The research into City priorities included interviews with City staff, tours of Newark, and an overview of the City's planning goals. During the past few years, the City has commissioned several planning studies that can have a direct bearing on arts and culture. These plans assisted the consultants in identifying locations for art, understanding the City's values and its municipal aspirations, and tailoring its recommendations. The consultants reviewed these documents and conducted follow-up interviews with City staff and their planning consultants. The documents included:



Image: *Blackbird* by Kincannon Studios LLC in Austin, TX, honors the Mexican-American community with a nod to 60s pop music, 2017. Credit: Kickstart Farmington

- Public Art Master Plan, 2001
- Old Town Newark Specific Plan 2021
- Dumbarton Corridor Improvements (Central Overpass) 2020
- NewPark Place Specific Plan 2018
- Active Transportation Plan 2017 Update
- Citywide Parks Master Plan 2017
- Housing Element Update 2015
- Newark California General Plan 2013
- Dumbarton TOD Specific Plan, 2010

In general, these plans provide a myriad of opportunities for the inclusion of public art ranging from iconic gateways to functional streetscape elements to interactive and performative art, both permanent and temporary.

Facilities Master Plan

By design, the City is simultaneously preparing a Facilities Master Plan and Public Art Master Plan. As input from the community was solicited for both planning initiatives, it is clear that a synergy between the two exists.

The Facilities Master Plan includes a condition assessment of existing facilities and studying them for replacement or renovation in the context of expressed community needs. Through their community outreach efforts, performing and visual arts rank high in interest.

- Through the Public Art Master Plan process, artists and the community at large repeatedly expressed an interest and need for a designated community art center with exhibition, performance, and classroom space.
- In addition, the Public Art Master Plan includes the consideration of allocating one percent of construction costs for public art in new and renovated City Capital Improvement Projects.

The consultants for the Public Art Master Plan and Facilities Master Plan met and discussed the overlaps and how coordination between these two plans benefits the community and the City.



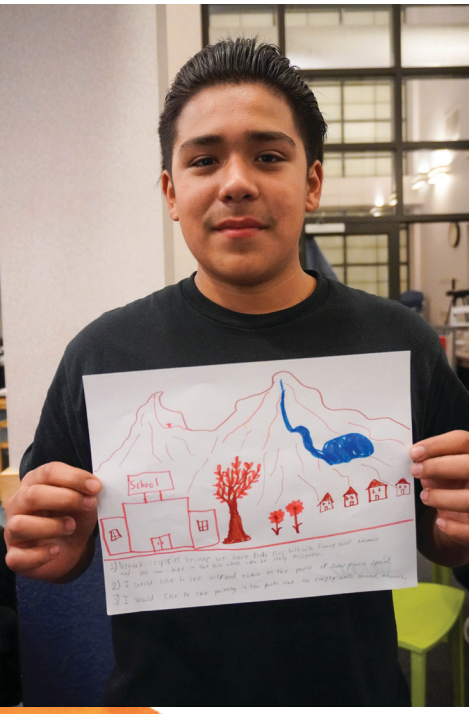
B. COMMUNITY ENGAGEMENT

From February through June 2023, Gail M. Goldman Associates (GMGA) and Art Builds Community (ABC) conducted community outreach activities including stakeholder meetings, focus groups, a bilingual survey in English and Spanish, and artist-led public pop-up events.



City Staff

The consultants met with City staff members from the City Manager's Office, Community Development, Recreation and Community Services, Public Works, Human Resources, Police, Fire, and Economic Development, as well as the Alameda County Newark Library staff (Appendix A). Two input sessions open to all City staff were held at City Hall with more than 30 staff members participating from across departments.



Focus Groups and Community Meeting

The consultants conducted five in-person focus groups and one community meeting. Seniors, artists, community organizers, business owners, and youth of diverse backgrounds and identities participated and provided input about community needs and priorities. One public community meeting was held on May 16 at the Newark Library.

- Seniors Focus Group at Clark W. Redecker Newark Senior Center (February 23)
- Promotores Focus Group at The Silliman Activity and Family Aquatic Center (February 24)
- Teen Focus Group at The Silliman Activity and Family Aquatic Center (February 24)
- Merchants Focus Group at Lion Center Plaza (March 23)
- Artists Focus Group at Newark Library (May 17)

Images: During the Teens Focus Group at the Siliman Activity and Family Aquatic Center on February 24, 2023, the youth were asked to think about what makes Newark special to them. They were then asked to translate that into a drawing for a postcard or mural that welcomes people to the Newark. Credit: Quynh-Mai Nguyen





Images: A campaign for the community engagement pop-up tour took place at different community events to encourage community members to provide feedback to the Public Art Master Plan by filling out a survey or participating in an art activity facilitated by a local artist. Credit: Quynh-Mai Nguyen

City Staff

From March 1 to June 30, 2023, a survey was available in English and Spanish and was circulated widely through the City of Newark Public Art Master Plan project webpage, community event calendars, and email lists. It also was printed in the City's quarterly newsletter, on flyers, and as bookmarks distributed at the Newark Library and community engagement pop-ups. Consultants and City staff developed core questions specific to Newark for the survey. There were 266 people who participated in the survey and whose responses helped inform the recommendations in this plan (Appendix B and C).

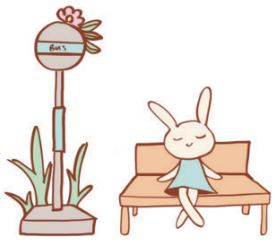
Pop-ups

The consultants and City staff identified the existing community events to hold the pop-up engagement activities:

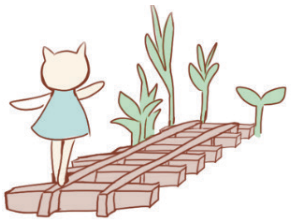
- Family Fun Run — March 24, 2023
- Family Day at the Park — April 1, 2023
- Newark Library — May 13, 2023
- Music at the Grove — June 16, 2023

To build excitement and provide experience to a Newark-based artist, the consultants announced and distributed a competitive call to artists in the Tri-City area to co-lead the PAMP community outreach activities.

Newark digital artist Vincy Chow was selected to lead the pop-ups. She developed a project called "Newark City Charm," an art-making activity using plastic sheets that shrink and thicken to one-third the size when heated (aka Shrinky Dinks). Chow created illustrations representing six public art categories: environmental, functional, light/digital/sound, performance/events, historical, and murals.













Images: Particpants were invited to provide their feedback by making shrinky dink charms designed by local artist Vincy Chow. Credit: Quynh-Mai Nguyen

Participants reviewed images that illustrated these categories and selected the illustration that represented their preferences. They colored their own “hometown charm” and left with instructions of how to create their Shrinky Dink. Pop-up participants also shared feedback by voting for public art categories, answering core questions, and identifying potential locations and opportunities for public art on a map of Newark. This map was transformed into a visual heat map (Appendix D).

The list below represents the top four public art categories that were ranked highest by the community participants during the community engagement Pop-Ups:

- Performances/Events
- Light/Digital Art/Sound
- Community & Interactive Art
- Environmental Art

Other notable takeaways were a strong interest in more family and community-oriented programming in local parks, more opportunities for cultural art experiences to build civic pride, and the need to remove language barriers to arts participation.



Image: Participants helped create a map that located opportunities for public art throughout Newark. Credit: Quynh-Mai Nguyen

V. VISION, GOALS, AND GUIDING PRINCIPLES

A. VISION

All residents and visitors in Newark experience public art as part of their daily lives and throughout all neighborhoods, celebrating the city's history, people, natural environment, and culture.

B. GOALS

The City of Newark will adopt the Public Art Master Plan as the guiding document for all public art and public art programming proposed for City property and the public realm in general.

- Provide diverse and engaging public art throughout Newark.
- Commission community-focused art in publicly accessible places.
- Integrate public art into all qualified municipal capital construction projects.
- Celebrate Newark's cultural diversity through public art.
- Connect and build the artist community in Newark.
- Provide ongoing financial and administrative support for public art.
- Maintain and expand the City's collection of public art.

C. GUIDING PRINCIPLES

Public art in Newark has the power to:

- Express Newark's identity throughout the built environment.
- Elevate the role the artist and the creative process play in connecting people and place.
- Provide equitable access to a diversity of artists and artistic experiences.
- Encourage multi-disciplinary collaboration in the public and private sectors to create vibrant public spaces.
- Celebrate the communities' cultural assets, highlighting the unique character of Newark's neighborhoods, honoring their histories, and preserving quality of place.



Image: Newark Days is a four-day festival that celebrates the birthday of the City of Newark, CA, 2023. Credit: Eternity Band

VI. RECURRING THEMES AND SUMMARY OF RECOMMENDATIONS

Information gleaned throughout the research and community engagement processes was evaluated. Input that was repeatedly expressed resulted in the following recurring themes which evolved into the specific recommendations in each category.



Image: *Westminster*, Sonia Romero, Westminster, CA, 2022. Permanent public art can provide opportunities for diverse communities to see themselves in the art. Credit: Sonia Romero

A. IDENTITY AND CIVIC PRIDE

Use public art to set Newark apart from surrounding communities.

RECOMMENDATIONS

1. Use public art for demarcation of the major gateways into Newark, welcoming people and helping to identify Newark.
2. Place public art along bicycle pathways, crosswalks, and intersections to encourage and increase usage and ridership.
3. Develop temporary and permanent public art projects and placemaking opportunities at the Civic Center and in parks throughout Newark.
4. Integrate public art into any update of existing or development of new City planning documents, i.e., Facilities Master Plan, Old Town, Central Overpass, Active Transportation Plan, Parks Master Plan.
5. Develop an art in vacant storefronts program to support artists and animate business districts and shopping centers.
6. Use public art to create walkable pathways and destinations for public gatherings.

B. ACCESSIBILITY AND PUBLIC EDUCATION

Locate high quality art throughout Newark, ensuring that it is fully accessible to the public.

RECOMMENDATIONS

1. Commission a range of artworks in theme, form, and interactivity, i.e., murals, environmental, light projections/digital art, functional, historical, interactive/kinetic.
2. Use public art to reflect the history and demographics of Newark by combining historic with contemporary values.
3. Use public art to celebrate the natural environment that is distinctive to Newark, i.e., Salt Ponds, the Bay, the windy climate.
4. Partner with private developers to create opportunities to utilize private property for changing sculpture.
5. Implement a comprehensive program of community education and outreach designed to introduce all sectors of Newark to public art.



Image: *A Resurrection in Four Stanzas* by April Banks opened in 2021, is located in the historical African American neighborhood of Belmar Park in Santa Monica, CA. The permanent sculptures respond to the history of place with a social practice lens by calling out four parts of a physical home that no longer exists. Credit: Public Art Archive



Image: Participants create art as a way to provide feedback on the type of public art they wish to experience in their communities during Family Day at the Park on April 1, 2023. Credit: Quynh-Mai Nguyen

C. LOCAL ARTISTS

Support and increase the visibility of local artists and creative entrepreneurs.

RECOMMENDATIONS

1. Create a visual arts center as a venue for exhibitions, classes, and as a gathering place for informal interaction among artists.
2. Provide opportunities and build capacity for local artists by hosting workshops, creating an artist directory, and establishing an artist-in-residence program where artists collaborate with a host organization, institution, or neighborhood in pursuit of a specific public art project, performance, or event.
3. Support opportunities for local artists to showcase and sell their work, including the annual Open Studios event, booths for local artists at community events through funding and/or waiving booth fees, and changing exhibitions in City buildings.



Image: *Vitae Telam (Web of Life) Tela de la Vida* by Jamex and Einar de la Torre is located at the Ranchos Los Amigos National Rehabilitation Center in Downey, CA. 20' sculpture combines the traditional tree of life with the human skeletal system, 2018. Credit: De La Torre Brothers

D. ADMINISTRATION AND COLLECTION MANAGEMENT

Promote the implementation of the Public Art Master Plan.

RECOMMENDATIONS

1. Provide adequate staff and/or consultants to administer the Public Art Program.
2. Initially locate the Public Art Program under the City Manager's Office with the option of moving it to another department at a later date.
3. Establish a Public Art Committee appointed by the Mayor and approved by City Council to advise on and advocate for public art.
4. Prepare an annual Public Art Workplan that identifies new projects to be initiated within that fiscal year and provides a status report on current and completed projects.
5. Provide Artist and Artwork Selection Guidelines, including goals and definitions of art, for the implementation of municipal and private development public art projects.
6. Document and maintain the artwork in the City's public art collection.
7. Adopt policies and procedures for the deaccession of artwork, donations and loans of artwork, memorials, and temporary art to meet industry standards for effective public art collection management.



Image: *Whimsy & Wise* by Brad Oldham, serves as functional bollards in front of the Mitchell Park Library in Palo Alto, CA, 2013. Credit: City of Palo Alto

E. FUNDING

Ensure that the Public Art Fund has sufficient dollars to support public art and other arts initiatives.

RECOMMENDATIONS

1. Establish an allocation of one percent of construction costs for art in City Capital Improvement (CIP) projects.
2. Revise the current public art fee for new private development from a square footage-based fee to 0.5% of the building permit valuation.
3. Identify sustainable funding sources and systems for supporting and maintaining the Public Art Program, i.e., grants, foundations, and Corporate Social Responsibility (CSR).



Image: Oakland Chinatown crosswalks are an example of temporary functional art that identifies a neighborhood. Credit: Greg Linhares, City of Oakland, CA, 2010

VII. RECOMMENDATIONS AND PROJECT CONSIDERATIONS

The following recommendations are in direct response to the expressed needs of the residents, visitors, business owners, developers, artists and other stakeholders who want to engage in creative and culturally relevant arts experiences throughout Newark. Each recommendation includes project and programming ideas for consideration, which in some cases fall within multiple categories. The project suggestions are intended to enable the City to launch and establish the Public Art Program as well as plan for its future.

A. IDENTITY AND CIVIC PRIDE

Through extensive research and conversations, the following list of priority locations and opportunities where residents and business owners would like to experience public art developed:

- Medians
- High visibility crosswalks
- Mowry Avenue, Thornton Avenue, Newark Boulevard near Highway 84
- Civic Center Plaza
- Newark Community Center
- Future Transit Station at Bayside
- Bridgepointe Park
- Electronic signs facing Interstate 880
- Routes to schools

1. GATEWAYS

RECOMMENDATION: Use public art for demarcation of the major gateways into Newark, welcoming people and helping to identify Newark.

Artwork strategically located at entrances into Newark emphasizes a sense of arrival and become landmarks that serve as way-finding elements to welcome residents and visitors and draw them to local parks, business centers, and other amenities. Thornton Avenue at Nimitz Freeway, at the northwest entry and Mowry Avenue at Nimitz Freeway at the southeastern entry point into the city are prominent locations for major public art gateways. Memorable artwork at these major entrances into Newark will help demarcate the city and promote it as a destination in addition to generating civic pride among those who live and work there.



Image: The Motion Cornerstone, *Gateway of the Open Book* was created by Brower Hatcher, Providence, RI, in cooperation with Frank Russell, Greensboro, NC celebrates the unique qualities of the city in one of four gateways in the city, 2012. Credit: Greensboro Public Art



Image: *Dragonfly Garden* by Lorna Jordan is a City of Seattle, WA Public Utilites 1% for Art funds program. It is integrated into the entrance of SPU's Longfellow Creek Drainage and Habitat Improvement Project, 2006. Credit: City of Seattle Office of Arts & Culture

2. PARKS AND NEIGHBORHOODS

RECOMMENDATION: Develop temporary and permanent public art projects and placemaking opportunities at the Civic Center and in parks throughout Newark.

As an option, temporary public art is a highly effective tool for developing socially engaging, interactive art experiences in community settings. Carefully planned and executed, temporary art generates substantial awareness, involvement, and appreciation for public art. Temporary projects can involve a wide range of artists and art forms including visual, culinary, literary, media, and performing arts. Temporary interactive artwork can be commissioned to help mitigate construction zones, street and sidewalk closures, add to the festivities at a ribbon cutting, or attract people to other special events.

Temporary installations and performances also can be more experimental in nature, are not placed in perpetuity, and are more cost effective in general. By its fresh and timely nature, temporary art fosters artistic exploration far beyond the traditional boundaries of public art and will draw residents and visitors to Newark in anticipation of each new installation or activity.





Embrace Nature

To promote usership and safety, as well as walking and biking, public art on trails and at parks such as Jerry Raber Ash Street Park will encourage local and regional residents and visitors to return often. Placemaking opportunities in parks include art on trash receptacles and functional elements such as seating, shade structures, and bicycle racks. Art in the parks also provides a vehicle to celebrate the neighborhoods that surround it.

Outside the Box: Utility Boxes and Trash Receptacles

Utility boxes and trash receptacles in parks and throughout Newark are undiscovered canvases for artwork. An often-expressed community priority, the City can hold a competition for Tri-City artists, graphic designers, photographers, illustrators, and other creative entrepreneurs to develop concepts for utility boxes and trash receptacles that can be realized by painting directly onto the metal or reproducing digital artwork onto vinyl wraps. Led by an artist, school children can participate in creating art for the utility boxes outside their respective schools. Themes related to neighborhood and community identity can be defined and the artwork refreshed annually.



Image (Top Left): *Traceries* by Mary Bates Neubaue, Scottsdale, AZ is an augmented reality project where people can meet the artist as she shares the story behind the recycle and waste bins, 2020. Credit: CodaWorx

Image (Top Right): *Litter-Ature* by Mighty Mike McGee and Carlos Perez, San Jose, CA are a series of creative poetry responses chosen from 180 students., 2019. Credit: City of San Jose





Civic Celebration

The new Civic Center is a prime location for temporary large public art projects that celebrate the diverse cultures of Newark. This can take the form of an interactive visual art installation, dance performance, and poetry slam, among other considerations.

Yarn Storming

Yarn Storming is the practice of using knitting and crochet yarn to cover objects in the public realm on a temporary basis. This art form is used to beautify public spaces, reclaim sterile urban environments, and add whimsey, color, and craft into the public view in unexpected areas, engaging and delighting people of all ages. Trees, bicycle racks, streetlight poles, and any number of other objects can be used.

Image (Top): *The Pool* by Jen Lewin a temporary project in Brooklyn, NY is a large-scale interactive installation featuring concentric circles made from more than 100 circular pads where play and movement produces a show of light and color, 2022. Credit: Gotham To Go Art & Culture

Image (Bottom): *Cold Spring Yarnbomb*, '12 by Stephen Duneier in Santa Barbara, CA is a temporary artwork on a 40' eucalyptus tree, 2023. Credit: Yarnbomber.com

3. PUBLIC ART AND PLANNING DOCUMENTS

RECOMMENDATION: Integrate public art into City planning documents, i.e., Facilities Master Plan, Old Town Specific Plan, NewPark Place Specific Plan, Active Transportation Plan, Parks Master Plan.

Incorporating public art into the fundamental aspects of planning elevates the quality of the urban environment and promotes a cohesive vision for the character of public places and neighborhoods. Including public art considerations in General Plan updates, strategic plans, and master plans redefines the relationship of art to urban space as an integral part of the urban infrastructure and the natural environment.

When public art is addressed at the planning level, it can contribute to economic prosperity, create great public spaces, foster cultural diversity, and attract tourists—all while celebrating the distinctiveness of Newark and its neighborhoods. Artwork enlivens the pedestrian experience by serving as a point of reference, landmark, or critical linkage.

Incorporate Language into Planning Documents

All appropriate general, strategic, and master planning documents need to include a set of prioritized public art goals and opportunities (Appendix M). When implemented, the inclusion of public art becomes part of the vision and is further refined in relevant design standards and other implementation documents.



Image: '78' by Paul Rucker honors the Northwest jazz legends that once populated Jackson Street in Seattle, WA Central District, 2021. Credit: Daniel Spils

Language in future plans, based on the type of plan, needs to:

- Identify and define public art goals, guidelines, and opportunities that include the examination of character, connections, history, and land uses.
- Outline criteria for placement of public art, including appropriate material and scale.
- Classify high-visibility placement opportunities.
- Describe programming ideas for temporary public art installations and performances.



Image: *Quercus 650* by Paz De La Calzada is a temporary streetscape mural (36' x 30') on California Avenue in Palo Alto, CA, 2023. Credit: Amanda Rawson

Professional Design Services Selection

To reinforce the City's commitment and expectations regarding public art in Capital Improvement Projects (CIP), it is important to provide advance notice regarding requirements in all Requests for Qualifications to potential project consultants. In addition, language regarding the consultant's responsibility to work with artists needs to be included in the contract between the city and the consultant. During interviews, it is useful to include questions regarding the consulting firm's experience working with artists and the firm's approach to public art. To assist in the assessment of the firms, it is recommended that Public Art Program staff participate on the interview panel.

Pilot Projects

Notably, City leadership has proactively addressed this recommendation by initiating two significant pilot projects. In addition to studying ways to mitigate construction through commissioning temporary art, the city has included working with artists in the Request for Proposals as part of the scope of the design consultant for Old Town Streetscape Improvement Projects. This is significant at this early stage of planning because it maximizes the opportunities for art to be a component of the infrastructure rather than an afterthought.

In addition, the city has begun discussions about integrating artwork into the construction of the Central Avenue Overpass. Newark City staff will work with public art consultants to determine the public art component of the four-lane structure that will include bike paths and sidewalks. This pilot project will lead the way to future public art projects on public property throughout Newark.



Image: *There Is Nothing I Can Do Without You, Windows on First* by Shan Michael Evans is an ongoing program in Las Vegas, NV that invites artists to create original, site-specific installations presented within the context of the First Street Art Trail, 2019. Credit: City of Las Vegas, NV

4. VACANT STOREFRONTS

RECOMMENDATION: Develop an art in vacant storefronts program to support artists and animate business districts and shopping centers.

The potential negative economic impact of street-level empty storefronts and unoccupied buildings can be minimized by using the space for public art installations and temporary exhibitions. The Public Art Program staff can work with commercial and business district leaders and private property owners who are interested in organizing vacant storefront programs that will make these spaces available to artists for an ongoing series of temporary art installations.

Projects would be based on the anticipated duration of the vacancy and the willingness of the owner to provide the space to artists. Activating and animating these vacant properties will help eliminate blight and increase the economic viability of the community.

5. STREETSCAPES

RECOMMENDATION: Use public art to create walkable pathways and destinations for public gatherings.

Crosswalks

Painted crosswalks based on identified themes can support walkable areas in neighborhoods throughout Newark. Old Town is an ideal location to initiate a pilot project during construction that begins to redefine the area as a destination and community gathering place.

Other Streetscape Improvements

Local artists can be tasked with creating sidewalk improvements, seating, shade structures, banners, and interactive lighting projections to enhance the walking experience and reinforce neighborhood identity. Projects with themes reflecting local history, demographics, family, and neighborhood can be led by artists and involve active participation by the community.

Façade Improvement Grants

For property and business owners interested in rehabilitating commercial facades, the City can offer property owners a partial rebate for commissioning an artist to create artwork for the façade. This would stimulate private investment and customer patronage in the commercial districts by focusing on revitalizing building façades visible to customers, neighboring merchants, and residents.



Image: Art Panels by Heather Renaux and CJ Renner are part of a streetscape project for the Artery in Hopkins, MN., 2018. Credit: The City of Hopkins



Image: *¡Alebrijes!* mural by Francisco Franco is located on the side of a restaurant in downtown San Jose, CA, Credit: SJtoday Staff

B. ACCESSIBILITY AND COMMUNITY EDUCATION

1. ACCESSIBILITY

RECOMMENDATION: Commission a range of artworks in theme, form, and interactivity, i.e. murals, environmental, light projections/digital art, functional, historical, and interactive/kinetic.

Rotating Sculpture in Medians and Parks

Work with groups interested in adopting specific areas throughout Newark to designate as outdoor galleries for the display of sculpture for long-term loan (12-24 months). Placing sculpture on medians, parks, plazas, and other heavily trafficked areas with high visibility would enliven the landscape, create a dynamic visual experience for residents and visitors, and establish more venues for artwork in the city.

Murals

Murals are a way to engage local artists and students who want to be involved in their city. Students from Newark Memorial High School and local teens can work together with residents on a community mural in select areas of the city to help make it more welcoming and walkable. This can be implemented as a competitive grant opportunity where the neighborhood or artist initiates the mural project. Another option is for the Public Art Program staff to pre-qualify and match neighborhoods and artists. Murals can be painted or digitally reproduced on vinyl for exterior and interior walls of City-owned buildings such as the Newark Senior Center and Newark Community Center.





Street Furnishings

For an innovative, cost-effective approach to providing unique street furnishings throughout Newark, a catalogue of prototypical artist-designed seating, bicycle racks, litter and recycling receptacles, and other amenities can be created. As downtown revitalization occurs, items from the catalogue can be ordered, manufactured, and installed within the streetscapes to add character, identity, and definition to a neighborhood.

Playgrounds

By integrating unique and thoughtful interactive artworks into playgrounds, artists can create stimulating play environments that promote critical thinking, creativity, and engagement among children and their families. Artworks also stimulate the senses by including sound, motion-sensors, and music among other interactive components.

Incorporating public art installations in neighborhood playgrounds and parks can elevate the overall play experience by creating distinctive spaces that resonate with the community's values and history. Additionally, the art can serve as landmarks and points of reference, assisting with wayfinding and navigation throughout the playground.

Light Up Newark Art Festival

The City can provide a platform for artists working in light, sound, performance, and projection art to transform places like the Civic Center and Old Town into a dynamic nighttime environment of temporary, site-specific public art. The festival can include light art installations and sculptures as well as interactive and performance-based art. Tri-City artists can be invited to submit proposals for thoughtful and participatory temporary artworks at various locations in and around the city that can bring about partnerships between the City and the private sector.

Image (Top Left): *Los Trompos* by Héctor Esrawe and Ignacio Cadena in Coral Gables, FL, is an interactive outdoor artwork where visitors are encouraged to take the tops for a spin or sit back and relax, 2023. Credit: Life Style

Image (Top Right): *Helix Seats* by artist team Pneuhaus was temporarily installed in downtown Palo Alto, CA during the CodeArt Festival, 2023. Credit: Amanda Rawson



Image: The Auburn Avenue Historic and Cultural Information Project by Dr. Karcheik Sims-Alvarado and Sky Design created art designed wayfinding to celebrate the history of the neighborhood in Atlanta, GA, 2020. Credit: Quynh-Mai Nguyen

2. CELEBRATE NEWARK'S HISTORY AND DEMOGRAPHICS

RECOMMENDATION: Use public art to reflect the history and demographics of Newark by combining historic with contemporary values.

The Newark community is rich in cultural and generational diversity. Public art can support these communities with the development of placemaking projects that highlight various cultures and history. Impromptu and pre-planned projects such as poetry slams, short plays, dance performances, and interactive art experiences will serve to celebrate diversity and inspire cultural expression through the arts. Other project considerations include:

Sharing Stories

Educational programs in schools and the Newark Library can be developed utilizing high school students to conduct interviews with long-time neighborhood residents and commission interactive artwork utilizing the spoken word.

Partnering with the Newark Library

The Newark Library works regularly with local partners in the Asian and Latino communities with programs such as Día de los Muertos and Lunar New Year, among others. Teaming with the Newark Library will support the City's effort to engage with the diverse community through temporary public art projects that can take place concurrently with other scheduled events. The City also can partner with other programs sponsored by the Newark Library including Let's Art Together, Arts & Crafts, and Music Hour, among other programs that take place throughout the year.

The City at City Hall

Cities are often described as a subject rather than an object. Commission an artist to interpret Newark's history through historic and contemporary maps, imbuing the artwork with the unique history and culture of each place by expressing anthropological and historical narratives of the area's rich history.

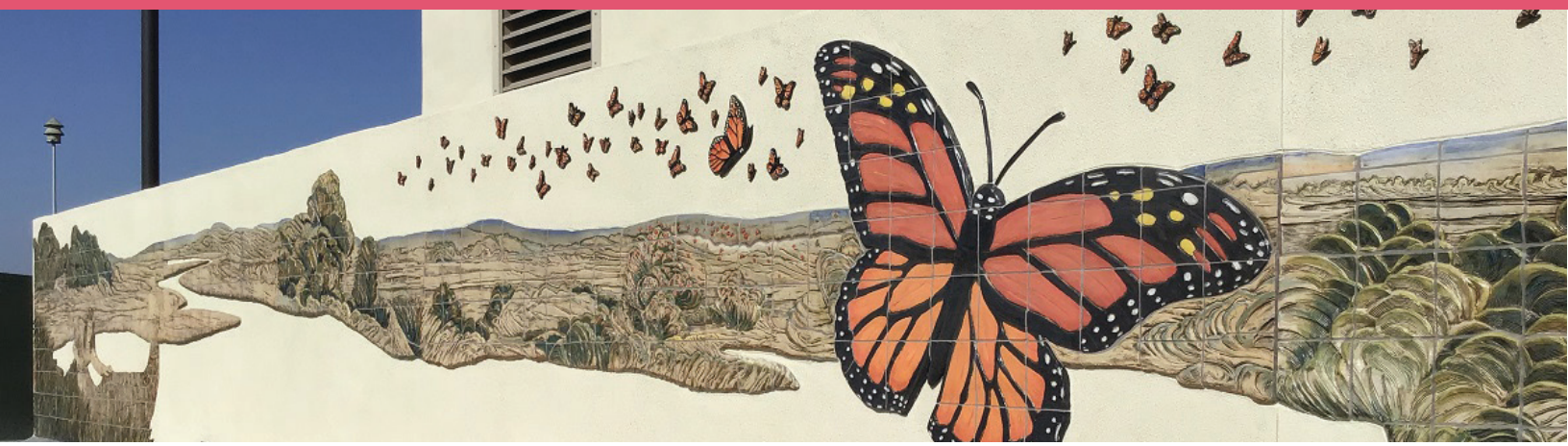


Image: *Dreams of the Salt Marsh* by Sam Tubiolo, at Alviso's Stormwater Pump Station reflects the history and wetlands of the area, 2019. Credit: City of San Jose, CA

3. NATURE AND THE NATURAL ENVIRONMENT

RECOMMENDATION: Use public art to celebrate the natural environment that is distinctive to Newark, i.e., salt ponds, the San Francisco Bay, the windy climate.

Kinetic Art

Creating public art that speaks to the natural environment will build a community understanding and appreciation of Newark and its geographical surroundings. Kinetic art can capitalize on the windy climate, engaging viewers with its energy and movement. The art can be in unexpected places at the western edge of the city with similarly themed artwork in different neighborhoods to encourage people to learn about the local climate and explore Newark and other neighborhoods.

Celebrating Nature and Industry

Newark's location at the southern portion of the San Francisco Bay provides many opportunities to use public art to highlight the natural environment and the history of the city concurrently. For example, projects that focus on the Cargill Salt Ponds also can address the innovative industrial local history which can include a presence on the City's website, expanding accessibility to the art and information.

Art in the Parks

Work with groups interested in commissioning an artist to develop an interactive temporary artwork to coincide with a community celebration or special event at a neighborhood or community park or series of parks or trail sites. Designed to encourage active participation, the event would engage local residents, institutions, and community groups in the planning, construction, and design of installations and performances.

4. ROTATING ART ON PRIVATE PROPERTY

RECOMMENDATION: Partner with private developers to create opportunities to utilize private property for changing sculptures.

The City can partner with private developers by designating highly visible medians and public open space on private property for the display of sculpture which can range from a 6 to 12-month period. Options include Bayside at Newark, NewPark Mall, and new housing developments along Cedar Boulevard between Central Avenue and Mowry Avenue.





Image (Left): Sense of the City is a guide to public art in Cambridge, MA that provides the option to explore the collection based on themes such as activism, nature, and play. Credit: City of Cambridge, MA

Image (Right): *Aero Agoseries* by Mark Baltes, located in Boise, ID, is a kinetic sculpture with seeds at the top that move in the wind, 2008. Credit: Boise City Department of Arts and History

5. COMMUNITY EDUCATION

RECOMMENDATION: Implement a comprehensive program of community education and outreach designed to introduce all sectors of Newark to public art.

The success of public art is measured in part by the community's awareness of and respect for public artwork as a cultural resource. How public education is handled can make a significant difference in public reception of a project. By building a regular program of educational and promotional activities, a sense of community ownership can be instilled and cultivated. These activities can generate broader community appreciation of public art and recognition of the contribution public art makes in creating meaningful places.

A major priority for Newark's arts community is encouraging broader thinking on what defines public art. A comprehensive program of community education and outreach, directed to the general public and to the numerous special constituencies affected by the program, would help establish Newark as a community that recognizes and supports the importance of public art.

Having opportunities for education and engagement in public art can help deepen the public's understanding and appreciation of this form of creative expression. Providing such opportunities can also create a more informed and culturally rich community. By developing and offering interactive events that focus on public art, individuals of all ages and backgrounds can learn about the creative process, the artists involved, and the cultural, historical, and social significance of the pieces. This not only enriches the lives of residents, but also contributes to a more vibrant and culturally diverse community.





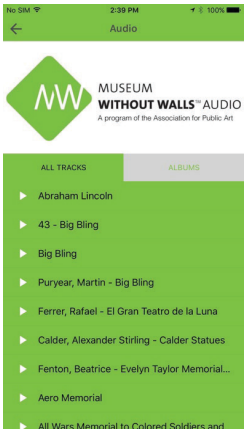


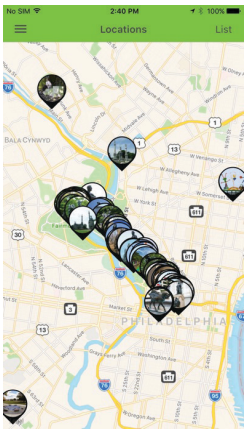
Images: *El Parque de la Comunidad* by Rayos Magos is a temporary, community-based mural in the San Jose, CA neighborhood of Little Portugal created in response to a future development plan, 2023. Credit: Quynh-Mai Nguyen

Community Murals

Commission community mural projects that involve residents in the creation of public art. This can be accomplished through a grant program that pairs artists with community organizations.







Public Art Walks, Tours, and Scavenger Hunts

Organize guided and self-guided public art walks and tours to showcase existing public artworks in the city and engage residents in learning about the Public Art Program. Create a scavenger hunt as a playful and engaging way for individuals and families to discover the public art in Newark.

Smartphone App

Utilize a smartphone application specific to the public art collection, placing a portal on each artwork that links to the Public Art Program website, artist's website, and other resources.

Images (Left): Museum Without Walls in Philadelphia, PA in collaboration with the Association for Public Art created this Audio program and digital guide on Bloomberg connects, the free art and culture app. The guide takes you behind the scenes with exclusive multimedia perspectives from artists, curators, and more. Credit: Association for Public Art



Coloring Book

Produce coloring books that feature Newark's public art for distribution at community events and the Newark Library. Include small packets of crayons sealed with a sticker of the City logo.

Volunteer Opportunities

Provide opportunities for residents to volunteer on public art projects, such as assisting with the installation of public art or helping to maintain existing public artworks.

Online Engagement

Utilize social media and other online platforms to engage residents in the City's Public Art Program, such as through online surveys and forums.

Image: Coloring sheet produced by Public Art Portland in Portland, OR featuring artwork in their collection. Credit: Public Art Portland



Image: Flyer announcing the 22nd Annual Newark Artist Open Studios, Newark, CA. Credit: Adriane Dedic

C. LOCAL ARTISTS

There are a number of programs and grant opportunities that can be offered to support the local artists community, which is defined in this document as artists who live or work in the Tri-City area. These resources help them become successful small business entrepreneurs and creative producers.

1. COMMUNITY ARTS CENTER

RECOMMENDATION: Create a visual and performing arts center as a venue for exhibitions, performances, classes, and as a gathering place for informal interaction among artists.

The need for a community center that supports local visual and performing artists and provides exhibition and performance space for various skill levels was raised at almost all the community meetings, focus groups, and pop-ups. Repeatedly, participants expressed a dedication to engendering Newark's young people with a love of the arts. They envision a community arts center that provides classes, exposure to the arts, and perpetuates creativity among the youth.

2. PROFESSIONAL DEVELOPMENT

RECOMMENDATION: Provide opportunities and build capacity for local artists by hosting workshops, establishing an artist-in-residency program, and creating an artist directory.

Informal Gatherings

The City can coordinate mixers where local artists meet each other, discuss and critique artwork, share resources, and connect with other artists in the community. Organizing and hosting these Meet & Greet events could be a responsibility of the Public Art Committee.



Image: Flyer announcing the Arts Networking Mixer in Silicon Valley, CA, a partnership between the artist group and local businesses. Credit: genARTS Facebook page

Workshops, Lectures, Webinars

In person and online workshops, lectures, and webinars can be offered to artists to support, launch, and sustain successful careers. Artists can learn best practices in the business of being an artist including sessions on administration, financing, contracts, insurance, and marketing. When new public art project opportunities are announced, the City can host sessions on responding to Calls to Artists, proposal preparation, understanding application processes and contract issues, forming collaborations, and other relevant issues.

Great Ideas Grants

The City can establish a grant program for groups interested in proposing ideas for temporary public art on a site of their choosing. Local artists can submit a letter of interest and qualifications, and each selected artist would receive a fixed fee for the design, fabrication, and installation of the artwork. This is an important opportunity for artists new to public art to gain experience.



Image: The Pepon Residency for interdisciplinary artists at the Atlantic Center for the Arts in New Smyrna Beach, FL. Credit: Atlantic Center for the Arts

Artists in Residence

An Artist in Residence (AIR) program provides the opportunity for an artist to work in a specified environment for an extended period. Eligibility is open to artists working in diverse art forms including visual arts, theatre, dance, literature, film, and music. AIR encourages artists in all disciplines to explore new working methods, create arts-rich learning environments, and develop socially engaging, interactive art experiences in community and school settings.

The City can work with groups interested in developing an Artist In Residence Program in neighborhood schools, recreation centers, libraries, or other institutions in which artists work with residents to create permanent or temporary public art installations.



Image: The Midtown Alliance supports local artists through temporary projects and works with building owners to provide temporary space for artists to create and exhibit in Atlanta, GA. Credit: Amanda Rawson

3. ANNUAL OPEN STUDIOS EVENT

RECOMMENDATION: Support the annual Open Studios event.

For many years before the 2020 COVID epidemic, local artists managed an annual Open Studios event. Well attended, it encouraged residents and visitors in Newark to experience art where it is created, meet the artist, and learn about their artistic process. It also is a great way for people to meet neighbors who they might not know are artists and to visit parts of Newark that they had not previously explored.

The City can help revive and expand this event by supporting local artists in their efforts to locate new artists, develop partnerships with local businesses to provide space for artists without designated studios, and promote Open Studios and the individual artists. This can be accomplished by providing direct funding and initiating partnerships with business owners.

Art Fairs

In addition to an annual Open Studios event, local street fairs and other special events are a great vehicle for showcasing the work of local artists. They provide a face-to-face opportunity for artists to sell their work and build relationships with the community and potential customers. The City can provide booths to local artists at annual events including the Family Fun Run, Family Day at the Park, Music at the Grove, and the Tree Lighting Celebration among others to increase participating artist's visibility while providing local artists the opportunity to meet other artists and see their work.



Image: *The Eyes of the Future*, Yuke Ito, is part of a rotating art display system on the facade of Boston City Hall in Boston, MA, 2022. Credit: Downtown Boston Art Walk

Changing Exhibitions

Artwork by local artists can be featured on a changing exhibition basis in City-owned buildings that are open to the public including City Hall, Recreation Centers, and the Newark Library. The exhibitions can be curated and organized in partnership with Open Studios, the Newark Library, and other artist-based organizations.

Portable Works Collection

A portable works collection can be developed over time by annually allocating funds for the purchase of existing two- and three-dimensional artwork by Tri-City artists. Using a competitive selection process, the individual artworks can be placed throughout publicly accessible City facilities on a long-term or short-term basis.

Artist Directory

An online local artist directory would provide a centralized resource and platform in which artists at varied career levels could expand their audience and publicize their work. It also connects artists to opportunities by presenting their work in a searchable form for organizations, curators, architects, developers, community organizations, individuals, and businesses. The registry should be free to join and free to use.

A framework could be established where each artist inputs her/his own data and updates it as needed. Visual arts organizations could link existing artist directories to the website. Once set up, the directory could operate with minimal administrative oversight with the understanding that the artists–-who are eager to have the information centralized, accessible, and current—would keep it updated.

D. ADMINISTRATION AND COLLECTION MANAGEMENT

1. STAFFING THE PUBLIC ART PROGRAM

The ambitions of this Public Art Master Plan are centered on Newark's desire to employ the arts as a key element of its growth. As such, Public Art staff are required--whether permanent or contractual--to work with other City Departments to plan and implement its arts investments, conduct community engagement, and manage arts projects.

RECOMMENDATION: Provide adequate staff or outsourcing of consultants to administer the Public Art Program.

Dependable and knowledgeable administration of Newark's Public Art Program is essential to achieve the goals and objectives outlined in this Public Art Master Plan. Currently, there are no designated staff to manage a public art program. The need for specialized staff will increase as the program grows and opportunities arise to commission public artwork, support local artists, and fund public art programming.

The following new staffing is recommended to ensure professional and successful implementation of the goals and objectives of this Public Art Master Plan, Public Art Program, and its anticipated growth over the next five years (Appendix E). This work can be accomplished through outsourcing of consultants with the goal of establishing City staff positions to administer the Public Art Program:

- **Full Time Public Art Program Manager**
  The Public Art Manager is accountable for management level administrative work directing program operations, staff, projects, budget, marketing and public education, and complex tasks in support of the Public Art Committee mission, goals, policies, and objectives.

- **Full Time Public Art Program Public Art Coordinator**
  It is the responsibility of the Public Art Program Public Art Coordinator to assume the pivotal role of overseeing the implementation of the public art ordinance, working with all stakeholders, and guiding the process including the artist and artwork selection; artwork design, fabrication, and installation; maintenance, gifts, loans, and deaccession of artwork; and marketing and social media.

  Most of the day-to-day work is administrative and can be complex and challenging, requiring specialized expertise. To that end, public art administrators need knowledge of art history, contemporary art, public administration, community relations, contract negotiation, project management, public education, and collection maintenance. Public art management requires an unusual complement of knowledge and skills to work successfully with community members, artists, architects, engineers, building contractors, elected officials, City staff, and other technical professionals.

- **Part Time Collection Specialist**
  The Public Art Program Collection Specialist manages the public art collection inventory, tracks maintenance and repairs, and produces content for educational and promotional materials.

2. ORGANIZATIONAL STRUCTURE

RECOMMENDATION: Initially locate the Public Art Program in the City Manager's Office with the option of moving it to another department at a later date.

The 1992 City Council resolution assigns "representatives from the Recreation and Planning Divisions" to manage what was then referred to as the Art in Public Places Program. Due to limited staff capacity, the program has not realized its expected potential. As a result, the City Manager's Office initiated this Public Art Master Plan Update and has assumed responsibility to launch its implementation. As the Public Art Program evolves, there will be ample opportunity to assess whether its administration is best served by the City Manager's Office or another City department.

3. PUBLIC ART COMMITTEE

RECOMMENDATION: Establish a Public Art Committee appointed by the Mayor and approved by City Council to advise on and advocate for public art.

To promote, encourage, and advise on policies and programs that affect public access to a wide variety of arts and culture opportunities, it is advisable to establish a Public Art Committee (PAC) appointed by the City Council.

Value and Purpose

Establishing an committee of qualified arts professionals to advise the City Council is standard best practice for municipal arts programs throughout the United States. A commission or committee of City Council appointed members is important for the following reasons:

- Reinforces the City's commitment to providing the highest quality public art and arts experiences to residents and visitors.
- Protects the City Council from having to make independent aesthetic decisions about artists and artwork based on a subjective assessment as opposed to acting on the recommendation of a group of knowledgeable and experienced arts professionals. When members of the public voice dissatisfaction about an artwork, the City Council is safeguarded by the fact that they acted on the informed recommendation of a group of qualified professionals.

- Provides transparency and accessibility to the public on policies and decisions and the process that resulted in those decisions, thereby strengthening the trust that Newark citizens have in local government.
- Members serve as liaisons and ambassadors of the arts by educating the public, soliciting their input and support, and attending arts and culture events.
- Members can conduct tours of public artwork in the City's collection, host artist Meet & Greet events, and make presentations at community meetings, thereby helping to extend the capacity of staff and City Council.

Composition

The Public Art Committee would be comprised of a minimum of five (5) and up to nine (9) voting members appointed by the City Manager, each of whom has considerable knowledge and experience in the arts. Consistent with national standards, the term of each member would be three (3) years, renewable for a second term, or until a successor takes office. The Public Art Committee also would include a non-voting City Council liaison.

Public Art Committee members need to have professional credentials and work experience as exhibiting or performing artists, contemporary museum and gallery art curators, arts management professionals, arts educators, and design professionals such as architects, landscape architects, and urban planners. Oversight of the Public Art Committee is the responsibility of Public Art Program staff.

Duties

The Public Art Committee would convene on an as-needed basis and no less than two times a year. In general, the duties of the Public Art Committee include the following:

- Establish and approve the Public Art Program mission, and curatorial and programmatic goals, policies, and guidelines.
- Review and act on Artist/Artwork Selection Panel recommendations for Public Art Fund projects.
- Review and approve recommendations for maintenance and conservation of artwork, deaccession of artwork, and acceptance of artwork gifts and loans, in accordance with each respective policy.
- Develop an Annual Public Art Workplan outlining specific public art projects, locations, and budgets for submission to the City Council.
- Serve as the key advocacy body for the City's Public Art Program.
- Advise and assist the City Council in connection with such other public art matters as may be referred to by the City Council.



Image: *33 Oaks Project* by David Landis is located along the BeltLine Trail path in Atlanta, GA and represents the 33 species of native Georgia oaks, 2015. Credit: Amanda Rawson

4. PUBLIC ART WORKPLAN

RECOMMENDATION: Prepare an annual Public Art Workplan that identifies new projects to be initiated within that fiscal year and provides a status report on current and completed projects.

An Annual Public Art Workplan is a valuable tool for charting current and future public art projects and programming. This serves to inform City policymakers, staff, and the public about arts and culture activities and opportunities available.

Planning for long-range and near-term projects needs to be balanced. To ensure operational consistency and accountability, the Public Art Committee and Public Art Program staff will annually identify new projects to be initiated within that fiscal year and provide a status report on current and completed projects. The Annual Public Art Workplan needs to be updated each fiscal year and include the following components which can be reported using a standard format (Appendix F):

- Eligible municipal percent for art projects and other arts and culture projects and programs to begin within the following one-year period.
- Budget and funding sources for each project.
- Status of the Public Art Fund as well as anticipated new funding from private development percent for art in-lieu contributions.
- Location of each project and identification of community partners.
- Estimated timeline for project initiation and completion.
- Projects currently funded and in progress with estimated project completion dates.
- As available, number of participants in public art activities and events completed in the previous year.

5. ARTIST AND ARTWORK SELECTION GUIDELINES

RECOMMENDATION: Provide administrative guidelines for the selection of artists and artwork, including goals and definitions of art, for the implementation of municipal public art projects.

Establishing administrative guidelines will serve to facilitate operations, explain legal requirements, and reflect best practices in the public art field (Attachment G). Defining the review and approval processes and the roles and responsibilities of City staff, the Public Art Committee, City Manager, and City Council, will make the public art process easier to navigate. In addition to guiding City department staff, the guidelines serve to inform the general public in understanding the goals, policies, and procedures of the Public Art Program.



Image: *1000 Suns* by FutureForms is a sculptural shade canopy in downtown Sunnyvale, CA located in the plaza of a commercial building, 2022. Credit: Amanda Rawson

6. COLLECTION MANAGEMENT

RECOMMENDATION: Document and maintain the artwork in the City's public art collection.

Maintenance and Conservation Differentiated

Maintenance refers to all activities required to conserve, repair, or preserve the integrity of an artwork and site in which the artwork is located. This is the responsibility of Public Art Newark staff. Routine maintenance is limited to the basic day-to-day care of the artwork, conducted by the City such as mowing the lawn around an outdoor sculpture and removing the daily accumulation of dust, dirt, and fingerprints. Removal of graffiti needs to be accomplished by a qualified art conservator to prevent damage to artwork by abrasives that tend to be used by City maintenance staff.

Conservation refers to the activities required to repair, restore, and conserve damaged or malfunctioning artwork, including treatment that returns the artwork to its original condition. Public Art Program staff is responsible to oversee the conservation of artwork and conduct an annual survey of the condition of the artwork in the City's collection.

Conservation Review and Long-Term Maintenance

The image and value of the City's public art collection depends on the artwork being in good condition, which requires careful documentation, monitoring, and maintenance. Artworks in the collection need to be inventoried, documented, and assessed on a regular basis. It is important that the City contract the services of a professional arts conservator on an as-needed basis to conduct the work.

Public Art Program staff is responsible to oversee the following recommended practices:

- Conduct a condition survey of all City-owned public art once a year. Include a condition report on each artwork and prioritize recommendations for restoration, repair, or maintenance, as needed.

- Ensure that routine maintenance of the artwork is accomplished by the appropriate City Department and occurs with regularity.
- Ensure that all repair and restoration of the artwork is completed with the highest standards of professional conservation practice.
- Offer periodic workshops on routine maintenance practices to City of Newark department staff responsible for day-to-day general upkeep of the artwork.

Review of Proposed Artwork

Proactively addressing maintenance and conservation needs of permanently-sited artwork is key to the long-term viability of the City's collection. It is standard practice in the field of public art to have proposals for public art examined by a qualified conservator with expertise specific to the medium prior to approving the fabrication phase of the work. Artists who create public art rely on fabricators and product information to decide on the process and materials they will use. Oftentimes the materials proposed for such works have not been vetted properly in advance or have not been used before in a specific environment or climate.

Methods and Materials

The Methods and Materials review process, which needs to be an integral part of all artwork commissions, takes place once the artist develops a preliminary design concept. The artist works with Public Art Program staff and the conservator during fabrication to assemble a documentation package that identifies all materials, sources, proposed fabrication processes, coatings, siting of the artwork, and its vulnerability to damage.

Once the artwork has been installed, a report is developed on each artwork that addresses the requirements for long-term maintenance of the artwork, how often routine maintenance needs to be performed and by whom, and the frequency of condition inspections by a qualified conservator.

Review of Purchased Artworks

Artworks that are purchased for the City collection need a thorough inspection and subsequent condition report prepared by a professional conservator prior to final purchase. Final documentation is provided on each artwork detailing how each work was created and how it can be repaired when needed.

Defining the Lifespan of Artwork

Determining the "lifespan" of an artwork at the time it is commissioned has become a reasonable and necessary consideration as public art opportunities evolve to meet the reality of budgets, staff allocation, and other resources. Categories and recommended lifespans are as follows:

- Temporary, up to 2 years
- Mid-span, up to 15 years
- Long term, up to 50 years

7. POLICIES AND PROCEDURES

RECOMMENDATION: Adopt policies and procedures for the deaccession of artwork, donations and loans of artwork, memorials, and temporary art to meet industry standards for effective public art collection management.

Deaccession Policy

It is important for the City of Newark to retain the right to remove any artwork in the public art collection that, among other considerations, requires excessive maintenance, poses public safety risks, is damaged beyond repair, or is adversely affected by changes to the site. Considerations of removal and relocation of an artwork must be governed by careful, standardized procedures that represent best professional practices in the field of public art and serve to insulate the deaccessioning process from fluctuations in personal taste.

The proposed Deaccession of Artwork Policy (Appendix H) for the removal and disposition of artwork on City-owned land and in City-owned facilities details the criteria and procedures for review and approval or denial by the City Council. This policy needs to be reviewed and updated every five years at a minimum.

Donations and Loans of Artwork Policy

A Donations and Loans of Artwork Policy (Appendix I) provides greater detail to ensure that the process is standardized and meets best practices in the public art field. This policy needs to be reviewed and updated every five years at a minimum.

The primary objectives of a Donations and Loans of Artwork Policy are to:

- Provide deliberate, uniform procedures for the review and acceptance of donations and loans of public artwork to the City of Newark.

- Maintain high artistic standards in all artwork displayed by the City of Newark.
- Facilitate more cohesive planning for the placement of artwork throughout the city.
- Include evaluation of the cost to the City of Newark when considering a donation.

Memorials Policy

The City of Newark may occasionally decide to install permanent memorials on City-owned property to commemorate persons or events of note, or to otherwise convey the City's position on various topics. A Memorials Policy will establish a standard measure for review of prospective donated memorials by the appropriate City entities to ensure that only objects of the highest standard of excellence are accepted. This policy needs to be reviewed and updated every five years at a minimum.

The proposed Memorials Policy (Appendix J) for the acceptance of memorials defines the types of donations that the City will accept and establishes criteria for review and acceptance of these objects. The following types of projects are considered in this policy.

- The gift of a newly commissioned memorial to be permanently located upon public rights of way or property owned by the City of Newark.
- The offer by a donor to organize a public competition that will result in the gift or loan of a memorial to be located permanently or temporarily on City-owned property.

Temporary Art Policy

There was an overwhelming consensus in support of more temporary art among people who participated in the public art planning process. Temporary artworks become destinations for residents and visitors, and they impact the way a given environment is experienced.

- Artwork can be commissioned as a single, short-term occurrence or as part of an ongoing, revolving program. The optimal approach commissions site-specific works responsive to an issue, topic, or idea.
- Temporary public art is appropriate when the project budget is limited, experimentation is desired, for short-term events or festivals, or a pressing issue warrants a response on behalf of or in tandem with the broader community. It is also a way to create opportunities for emerging artists new to public art.

The proposed Temporary Artwork Policy (Appendix K) is intended to activate publicly owned spaces in parks, plazas, streetscapes, and other property owned by the City of Newark, ensuring a consistent approach to placing temporary art in the public realm. This policy needs to be reviewed and updated every five years at a minimum.

E. FUNDING STRATEGIES

RECOMMENDATION: Identify sustainable funding sources and systems for supporting and maintaining the Public Art Program, i.e., grants, foundations, Corporate Social Responsibility (CSR).

1. **Repeal Resolutions 6582 and 6583 and replace with an Ordinance** establishing an allocation of one percent (1%) of construction costs for art in City Capital Improvement Projects (CIP) and a Public Art Development Fee of one half of one percent (0.5%) of the building permit valuation applicable to all private developments requiring a building permit. In 1992, the City Council adopted Resolution 6582 adding a policy for providing art in public places and private development and Resolution 6583 establishing development fees. A complex formula based on gross square footage was established. Although the resolutions provided an option for the developer to commission onsite artwork, the developers interviewed acknowledged that the fees generated per project are so low, the process too cumbersome, and the availability of publicly accessible locations for artwork scant to prompt them to consider anything other than paying the fee into the Art in Public Places Fund.

   Although well-intentioned, these resolutions have not provided the needed resources to match the vision and ambitions of the City. To that end, it is in the City's best interest to repeal the existing Resolutions and replace them with an Ordinance that reflects current national standards and best practices.

   Public Art Fund

   Currently, the Art in Public Places Fund limits expenditures to narrowly defined public art projects. Support of other cultural and performing arts was a clear priority for the community which was expressed repeatedly throughout the engagement process for this public art master plan. To provide flexibility for the City to fund a range of public art projects and programming, the title of the Art in Public Places Fund and its use need to be expanded to be more inclusive.

   Accordingly, the name can be changed to Public Art Fund and its purpose redefined so the revenues can be used for:

   - The acquisition, commission, design, installation, improvement, maintenance and insurance of public art and public art programming.
   - Other expenses associated with the implementation and administration of the public art program.

- Free and publicly accessible public art programming.
- Grants for the creation of public art and cultural events.
- Further the purposes of public art as defined in the proposed ordinance.

City Capital Improvement Projects

Require the allocation of one percent (1%) of the construction budget for eligible Capital Improvement Program (CIP) projects of $250,000 or more for public art. The City of Newark is eager to expand its commitment to public art and take a leadership role in providing sustainable funding to support the public art as an element of the city's development and revitalization. The most predictable way of funding art on city property is through the city's CIP budget. The purpose of the percent for art calculation is to establish a consistent source of funding that is tied to the city's growth. Public art funded by this method becomes integral to the city's placemaking and economic development goals.

- **Implementation**
  Implementation of the percent for art in CIP projects will be the responsibility of the Public Art Program staff, who will manage the artist selection processes and oversee the design, fabrication, and installation of the artwork on city-owned property. Public Art Program staff will have the authority to pool funds and may propose funds for use at a current CIP site or any other city-owned publicly accessible site. Requiring that the art be on the same site as the project funding limits the placement to that location, hindering efforts to distribute artworks more equitably throughout the city and to areas where there is the greatest need.
- **Review and Approval**
  Review and approval of artists and artwork for CIP construction projects of $250,000 or more will be the responsibility of the Public Art Committee. Establishing and maintaining consistent standards and practices for the selection of artists and artwork is critical to a successful program. Adopting guidelines for this purpose will encourage the highest level of creative engagement while furthering the mission and goals of the Public Art Program.
- **Artist Engagement at the Inception of the CIP Design Process**
  It is critical that project artists are engaged at the inception of the CIP design process. The artist's ideas can help shape aspects of the site and the building, thereby creating a relationship of maximum impact between the art and the building project. This also ensures that the project artist has access to the broadest possible opportunities.



Image: *Birds of Paradise* by Roan Victor is located on a wall of an interior courtyard of an apartment building located in San Jose, CA Japantown neighborhood, 2022. Credit: Quynh Mai-Nguyen

Private Development Projects

Establish a Public Art Development fee of one half of one percent (0.5%) of the building permit valuation for all residential, commercial, and industrial developments requiring a building permit to be deposited into the Public Art Fund.

The optimal way to sustain funding in the Public Art Fund and thereby enable the City to realize its commitment to full and equitable access to public art throughout Newark, is to revise and simplify the existing Art in Public Places fee. To accomplish that, the City can exercise the same process already in place with the Community Development Maintenance Fee by applying a Public Art Fee of one half of one percent (0.5%) to be deposited into the Public Art Fund. Like the Community Development Maintenance Fee, it would apply to all development projects requiring building permits, and would be used to support arts and culture throughout Newark (Appendix L).

2. FEDERAL AND STATE GRANTS FOR CIP PROJECTS

When applying for Federal and State funding for City Capital Improvement Projects, many granting agencies allow for the incorporation of art, cost of “non-functional landscaping”, and including an artist on the design team as eligible expenses.

3. PUBLIC AGENCY GRANTS FOR PUBLIC ART

Funding for specific public art project initiatives is available through the National Endowment for the Arts, California Arts Council, and Alameda County Arts Commission. Information and applications are available online.

4. TRANSPORTATION TAX

Under Measure BB, approved by the voters of Alameda County in 2014, the city receives a portion of the proceeds of an additional one-half cent sales tax which can be used for public art funding.

5. GENERAL FUND

An option to consider as the Public Art Program grows and evolves is for the City Council to allocate an annual line item from the General Fund to support specific programs and project initiatives that serve the neighborhoods throughout Newark. Many of the ideas generated in this PAMP are applicable, for example community murals, Artists in Residence, and temporary art in the parks, among other city-wide initiatives.

6. TRANSIENT OCCUPANCY TAX (TOT)

TOT revenues collected from overnight visitors who stay in Newark can be allocated to the City to provide funding for public artwork and programming. Adding to the cultural vibrancy of Newark, public art serves as a magnet attracting arts enthusiasts and tourists to the area. This can be based on a percentage of the TOT revenues or on a specific cent on the dollar.

7. CORPORATE DONATION REQUESTS

There are many corporations dedicated to giving back to the community they serve, through in-kind donations and foundation grants. There are a multitude of opportunities that are easily researched online including general stores, home improvement stores, healthcare, restaurants, and tech companies, and financial institutions, among many others.

8. PROPERTY TAX

Using property taxes to provide a dedicated funding stream for public art can be considered because public art improves the quality of life in communities, making them more attractive places to live and boosting property values. Options include the creation of special taxing districts, increasing real estate transfer taxes on newcomers, and earmarking local mill levies subject to local voters' approval.

9. BUSINESS LICENSE RENEWAL

Increasing the business license renewal fee can be considered since public art improves the appearance of business districts and shopping centers, making them more attractive to shoppers and thereby contributing to Newark's economic health.

VIII. IMPLEMENTATION: FIVE-YEAR ACTION PLAN

Short term, mid-term, and long-term implementation goals for each action identified are listed in the Implementation Grid (Attachment N). These goals are prioritized based on the immediate availability of funding, the ease of implementation, and the need to demonstrate success early in the implementation of the City of Newark Public Art Master Plan and Public Art Program.

The estimated project costs apply to the current funds available in the Public Art Fund. It is anticipated that these resources will continue to accumulate when the Public Art Ordinance is amended and other funding source recommendations are realized.

IX. APPENDICES

A. City of Newark Staff Interviews 58

B. Core Questions 59

C. Survey Responses 60

D. Location Map 69

E. Sample Public Art Program Position Descriptions 71

F. Sample Workplan Template 74

G. Sample Artist and Artwork Selection Guidelines 75

H. Sample Deaccession Policy 80

I. Sample Gifts, Loans, and Exhibitions of Art Policy 89

J. Sample Memorials Policy 94

K. Sample Temporary Art Policy 100

L. Sample Public Art Ordinance 105

M. Sample Language for Inclusion in RFP/RFQ for Prime Contractor 114

N. Five Year Implementation Grid 115

Appendix A

CITY OF NEWARK STAFF INTERVIEWS

Jennifer Solito
Former *Human Resources Director*

Laurie Gebhard
Assistant to the City Manager

Soren Fajeau
Public Works Director

Steven Turner
Community Development Director

Jada Chiu
Former Community Engagement Manager

Anne Stedler
Economic Development Director

Joe Stoner
Library Manager, Newark Library

Art Interiano
Deputy Community Development Director

Lenka Hovorka
Assistant City Manager

Nicholas Cuevas
Recreation & Community Services Director

Appendix B

CORE QUESTIONS

The following questions were asked during the community engagement phase during interviews, focus groups, community meetings, and pop-up events.

Focus Group and Pop-Ups

1. What type of public art do you want to see in Newark?
2. Where do you want to see public art and cultural arts programming in Newark?
3. What type of art and events do you want to see in Newark?
4. What makes Newark special?

Survey

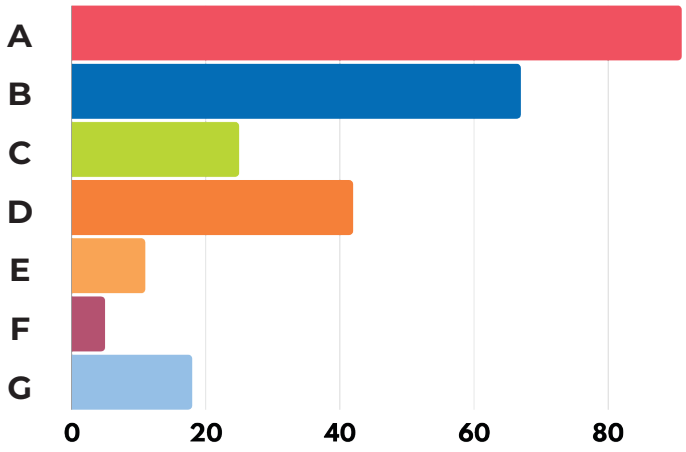
1. What is the first thing that comes to mind when you think of Newark?
2. Where would you like to see public art and cultural programs in Newark?
3. What type of art would you like to experience in public places? (Choose 3)
4. What are two or three places you have visited where the arts left a lasting impression outside of Newark? (Open-ended)
5. Where do you like to take visitors when they visit Newark? (Open-ended)
6. Where do people tend to gather to celebrate special events? (Open-ended)
7. What do you think is the role of public art in Newark? (Choose 6)

Appendix C

SURVEY RESPONSES

From March 1 to June 30, 2023, a survey was made available in English and Spanish and was circulated widely through the City of Newark Public Art Master Plan project webpage, community event calendars, and on tables at community events. There were a total of 266 people who participated in the survey and whose responses helped inform the recommendations in this plan. The following are selected responses from the particpants. Note: Some questions have been omitted out of respect for participant's privacy. The following questions have been illustrated into graphs where the x-axis (horizontal line) represents the number of people who have particpated in answer the queston.` The y-axis (vertical line) corresponds to the answers they have chosen and is identified by the Legend that is located to the right of the graph. Participants were also allowed to write-in their responses by selecting "Other." Those responses have been organized and consolidated below.

Q1. What is the first thing that comes to mind when you think about the City of Newark?



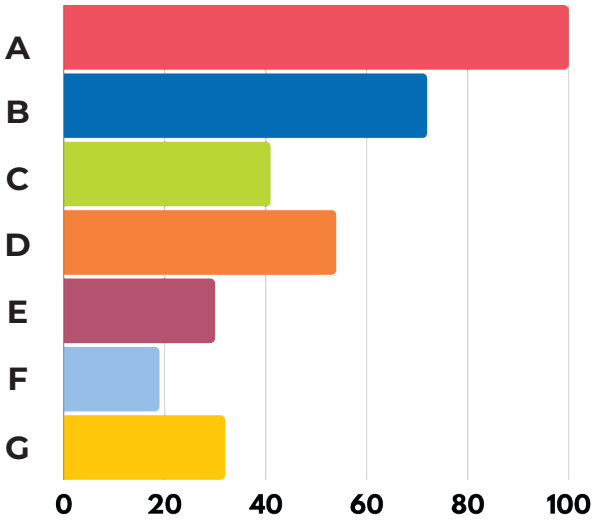
LEGEND:

A. Culturally Diverse - 34.2%
B. Family-Oriented - 25.1%
C. Neighborly - 9.3%
D. Close to Nature - 1.6%
E. Manufacturing - 4.1%
F. Biotech - 1.8%
G. Other - 6.7%

- Other (3)
- All of the above
- Old School
- Small Town
- Unique
- A quiet place
- Needs to modernize. Our shopping centers are old and vacant and many places are outdated
- Needs to be updated. Homes need clean up
- Suburban Sprawl
- Decaying parks and streets
- Homeless (2)
- Use to be blue collar
- Struggling
- Neglected and rundown
- Old

Appendix C

Q2. Where would you like to see public art and cultural programs in Newark?



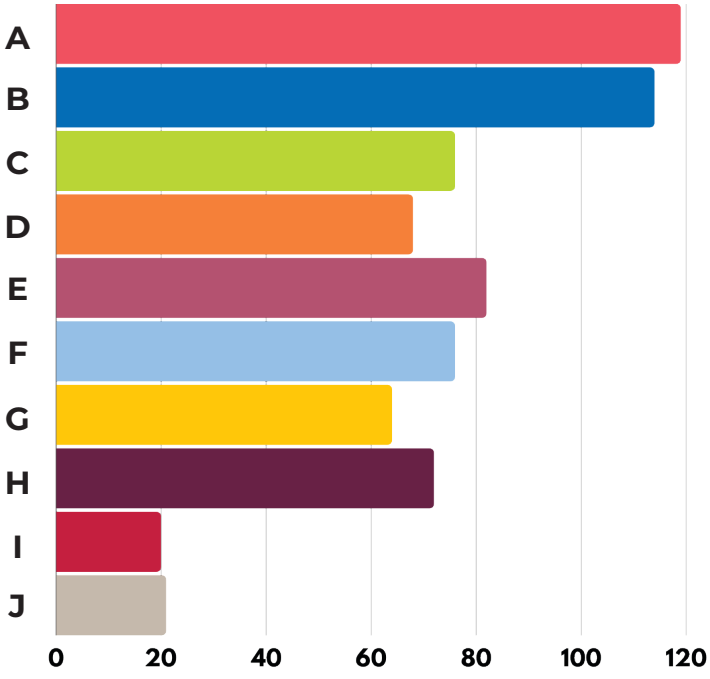
LEGEND:

A. Parks and Trails - 37.5%
B. Near City Hall / Civic Center- 27.0%
C. Greater New Park Mall - 15.4%
D. Neighborhoods - 20.3%
E. Old Town - 11.2%
F. Other - 7.1%

- Entryways into Newark (2)
- Everywhere (2)
- All of the city-equal treatment
- Neighborhoods, old town (2), parks
- All of the above(5)
- The Lake path
- Nowhere
- Power boxes
- As many places as possible
- Schools
- The Library

Appendix C

Q3. What type of art would you like to experience in public places? (choose 3)



LEGEND:

Events & Performances - 44.7%

Murals - 42.8%

Environmental Art - 28.5%

Light / Project / Digital Art - 25.5%

Functional Art (Street Furnishing) - 30.8%

Historical Art - 28.5%

Interactive / Kinetic Art - 24.0%

Sculptures - 27.0%

Sound Art - 7.5%

Other - 7.5%

- Kid Friendly/Kid Oriented
- All of the above (3)
- Fairy Doors
- Paintings
- Photography
- Street Repair
- Ohlone Indian Art
- Utility Box Art
- None
- Treets
- Native Plant Gardens for Special Needs Equipment
- Other Butterflies

Q4. What are two or three places you have visited outside of Newark where the arts left a lasting impression? (open-ended)

NOTE: These open-ended answers have been consolidated.

Locations:

- Chicago, IL
- San Francisco (SF), CA
- Los Gatos, CA
- Campbell, CA
- Miami, FL
- Sunnyvale, CA
- San Jose, CA
- Oakland, CA
- New York (NY), NY
- Solvang, CA
- Napa, CA
- Hayward, CA
- Fremont, CA
- New Orleans, LA
- Palo Alto, CA
- Honolulu, HI
- Carmel, CA
- Foster City, CA
- Berkeley, CA
- Orlando, FL
- Portland, OR
- Indiana
- Pleasanton, CA
- Los Altos, CA
- Indianapolis, IN
- San Diego, CA
- Sacramento, CA
- Dublin, CA
- Mountain View, CA
- Minneapolis, MN
- Paso Robles, CA
- Union City, CA
- East Palo Alto, CA
- East San Jose, CA
- Marin (county), CA
- Richmond, CA
- Santa Barbara, CA
- Malaga, Spain
- Seattle, WA
- Walla Walla, WA
- Capitola, CA
- Redwood City, CA
- Livermore, CA
- San Leandro, CA

Attractions/Places of Interest:

- Art museum (Chicago, SF, Oakland)
- Community park
- Parks (various locations)
- Libraries (various locations)
- Children's Discovery Museum (San Jose, Oakland)
- Zoo (Oakland)
- Theatre (Palo Alto, San Jose)
- Art gallery (Carmel, SF, San Jose)
- Historic farm (Ardenwood)
- Bull statue (Wall St.)
- City hall (various locations)
- Mall
- Aquarium Center
- Palace of the Legion of Honor
- Cafe Tutu (Orlando)
- Outdoor art installations (Stanford, Minneapolis, Vigeland Sculpture Garden)
- Field of Light (Paso Robles)
- Sunken Gardens
- Burning Man (downtown SJ, Palm Springs)
- Mission (SF, Fremont)
- Mendocino
- Chinatown (SF)
- Christmas in the Park (San Jose)
- Orpheum Theater (Oakland)
- Yerba Buena Art Center (SF)
- Stanford
- O'ahu (Hawaii)
- Santa Cruz

Art and Culture:

- Building murals
- Outdoor film interactive sculpture (Niles)
- Murals of the City's history (Hayward)
- Murals (Union City)
- Galleries (SJ)
- Sculptures (Niles, Fremont)
- Utility boxes (Union City)
- Sculptures (Fremont)
- Murals (Hayward)

Miscellaneous:

- Parks with murals
- Historic downtowns with murals
- Musical concerts
- Murals around San Jose (some created by teens/high school students)
- Everywhere
- Utility boxes (Union City)
- Libraries (Ardenwood)
- Anywhere

Q5. Where do you like to take visitors when they visit Newark? (open-ended)

NOTE: These open-ended answers have been consolidated.

Parks and Recreation Areas:

- Newark Community Park
- Silliman Aquatic Center
- The Lake
- Coyote Hills Park
- New Park Mall
- Don Edwards National Refuge
- Ardenwood Farm
- Swiss Park
- Bridgeway Clubhouse
- Birch Grove Park
- Community Center Park
- Elizabeth Park
- Old Town
- Don Edwards San Francisco Bay National Wildlife Refuge

Libraries and Educational Centers:

- Newark Library
- Ohlone College
- Pacific Research Center

Entertainment and Dining:

- Restaurants (various locations)
- Jack's at Newpark Mall
- Simply Thai on Jarvis
- Tortilla Factory

Cities and Areas:

- San Francisco (SF)
- San Jose
- Fremont
- Palo Alto

Miscellaneous:

- Everywhere
- Not from here
- Nowhere, the city doesn't have attractions that would interest visitors
- To Oakland, SF, or San Jose
- I hate to say it but most of the time I take them to Fremont

Q6. Where do people tend to gather to celebrate special events in Newark? (open-ended)

NOTE: These open-ended answers have been consolidated.

Parks and Recreation Areas:

- Community Center Park
- Swiss Park
- Birch Grove Park
- Cedar Community Centre
- Newark Community Park
- Mayhews Landing Park
- Lark Park (by the public library)
- Old Town

Community Centers and Halls:

- Community Center
- Community Hall
- Silliman Center
- Birch Park
- Newark Pavilion
- Don Edwards San Francisco Bay National Wildlife Refuge (includes a visitor center)
- Civic Center (various mentions)

Libraries and Educational Centers:

- Newark Library
- Ohlone College (may include facilities or events)
- Pacific Research Center
- Don Edwards Library

City and Civic Areas:

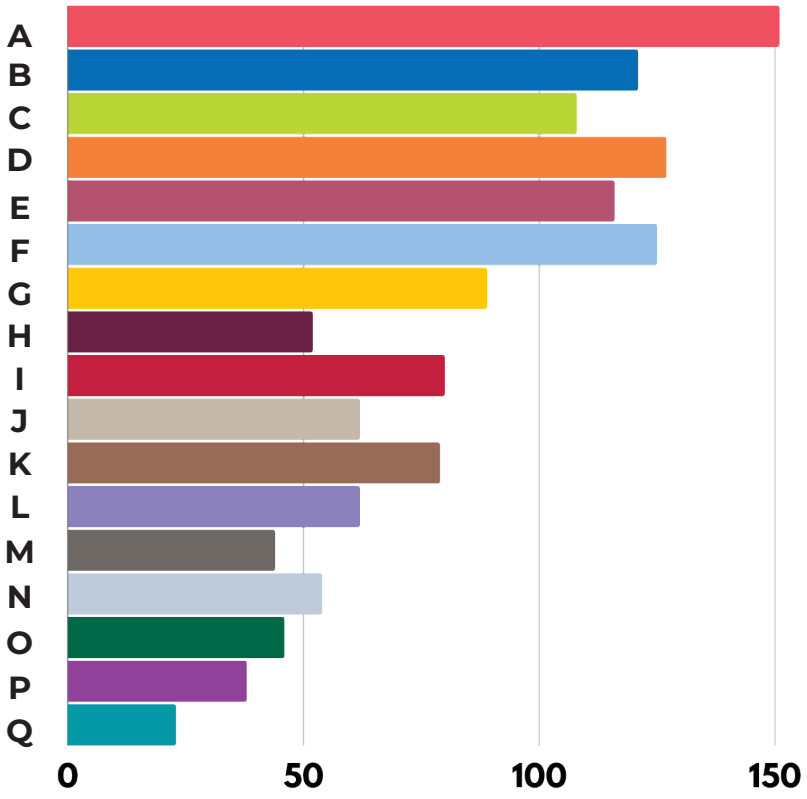
- Newark Blvd
- City Hall Plaza
- Downtown
- Central Park
- City Centre

Other Locations and Activities:

- NewPark Mall
- Internet (likely referring to accessing community resources or events online)
- Mini festivals (likely held in parks or community centers)
- Schools (not specified, likely includes local school events or facilities)
- Restaurants

Appendix C

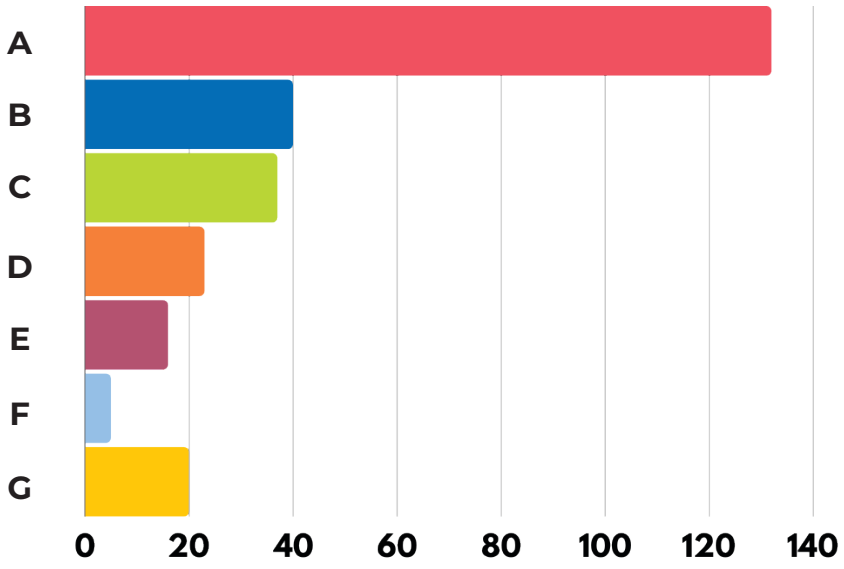
Q7. What do you think is the role of public art in Newark? (choose six)



LEGEND:

- **A** Welcome people to Newark - 60.2%
- **B** Support the growth of the local arts community - 48.2%
- **C** Promote pride in Newark - 43%
- **D** Help build and reinforce the identity of Newark - 50.6%
- **E** Provide opportunities for people to experience art that they otherwise wouldn't be able to access - 46.2%
- **F** Bring a sense of whimsy and delight to everyday spaces - 49.8%
- **G** Create community interaction and strengthen social networks and connection - 35.4%
- **H** Support tourism - 20.7%
- **I** Draw attention to the natural environment and environmental issues facing Newark - 31.9%
- **J** Encourage economic development - 24.7%
- **K** Anchor community gathering places - 31.5%
- **L** Help build and reinforce the distinct neighborhood identities - 24.7%
- **M** Position Newark as an arts destination - 17.5%
- **N** Explore and provide information about facets of Newark history - 21.5%
- **O** Enhance identity of community institutions and civic buildings - 18.3%
- **P** Open conversations about issues facing the community - 15.1%
- **Q** Other - 9.2%

Q8 Please tell us about yourself (multiple choice)



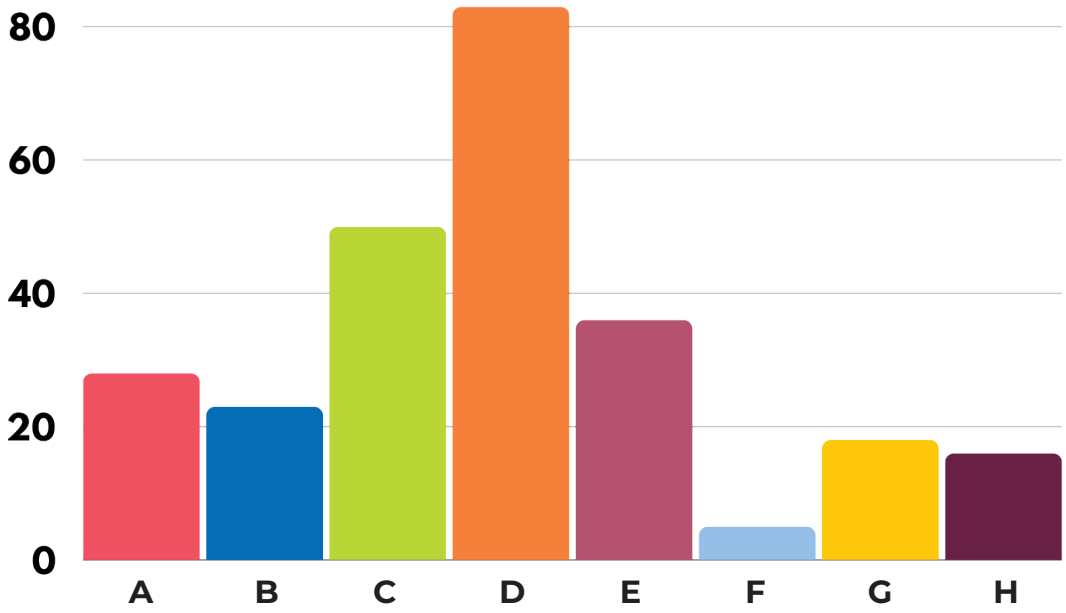
LEGEND:

A. Resident - 94%
B. Visitor - 28.6%
C. Artist - 27.1%
D. Employed in Newark - 16.4%
E. Business Owner - 11.4%
F. Student - 3.6%
G. Other - 14.3%

Other:

- Parent
- Retiree (2)
- Writer
- Art Lover and Lover of Newark
- Former Resident
- Newark Advocate

Q9. Please tell us about yourself (multiple choice)



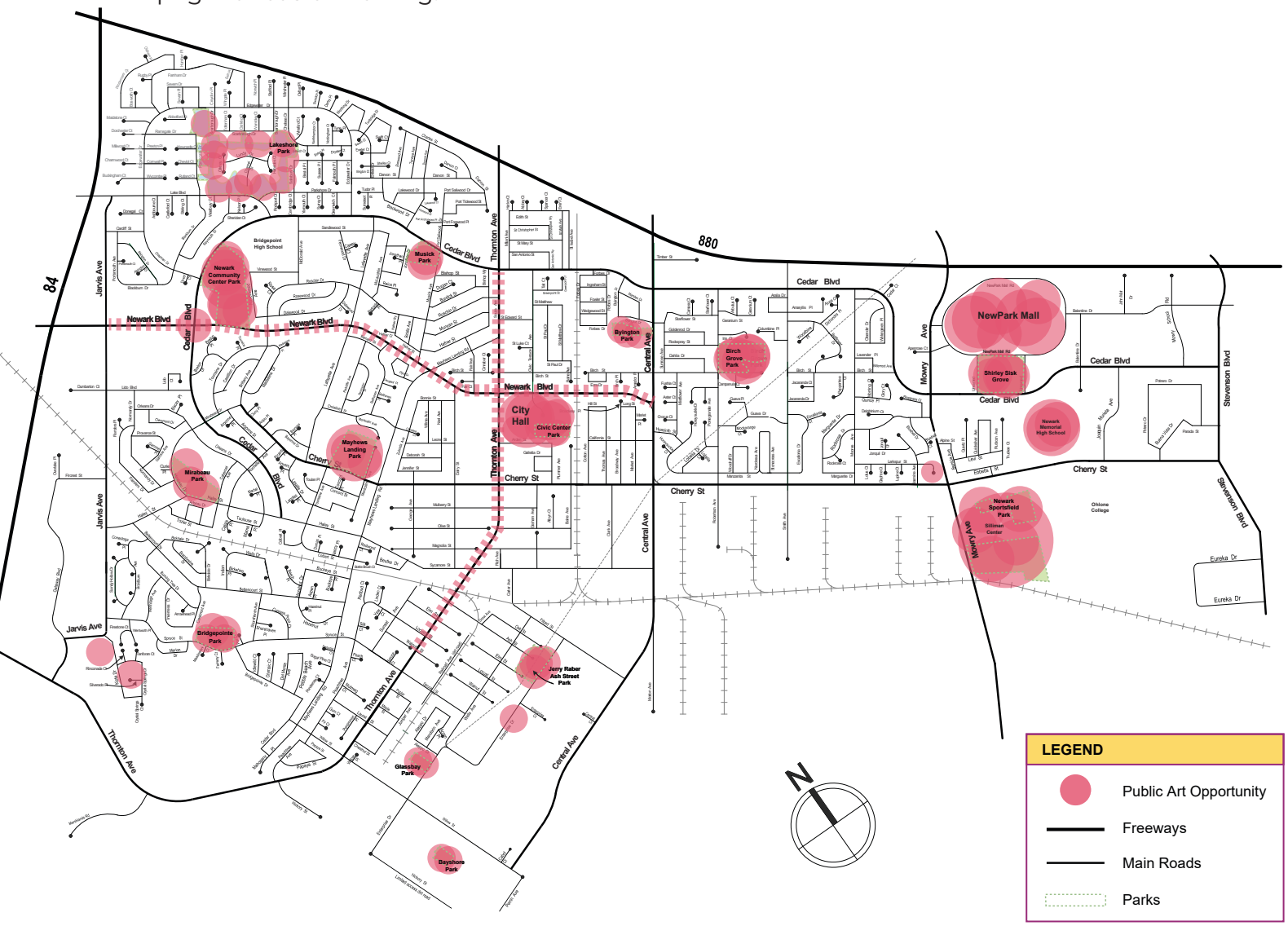
LEGEND:

A. 65+ - 21.1%
B. 55-64 - 17.3%
C. 45-54 - 37.6%
D. 35-44 - 62.4%
E. 25-34 - 27.1%
F. 18-24 - 3.8%
G. Under 18 - 13.5%
H. Decline to State - 12%

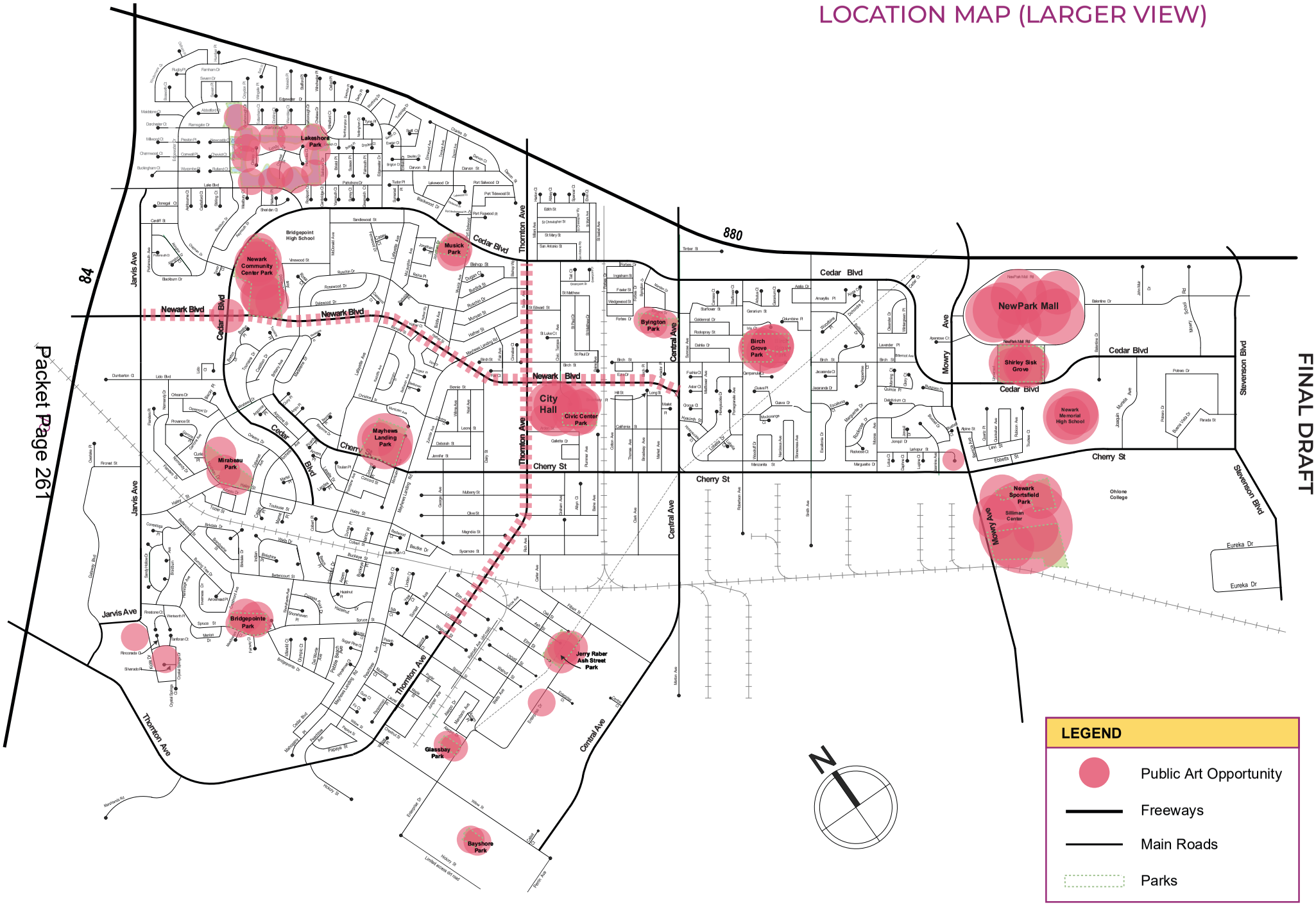
Appendix D

LOCATION MAP

This heat map was created through the collected feedback from participants who were asked to identify locations and opportunities for public art in the City of Newark. Participants were invited to draw, make marks, highlight, and color on the map during the community engagement pop-ups. The pink circles represent locations of interest. The larger pink circles as well as overlapping circles represent an area on the map where multiple participants identified as an area/neighborhood of high interest for public art investment whereas the pink tally marks highlight specific streets and roads that particpants envision as walkable mainstreets that incoporate public art and programming. This map is enlarged on the following page for easier viewing.



LOCATION MAP (LARGER VIEW)



Appendix E

SAMPLE PUBLIC ART PROGRAM POSITION DESCRIPTIONS

To support the Public Art Program, the following staff and/or consultant positions are recommended:

1. Public Art Program Manager (Full Time)

Under the direction of the future department, the Public Art Manager is accountable for management level administrative work directing program operations, staff, projects, and complex tasks in support of the Public Art Committee mission, goals, policies, and objectives.

The following are responsibilities of the Public Art Manager

- Plans, manages, and oversees the daily functions, operations, and activities of the Public Art Program.
- Plans, organizes, oversees, coordinates, and reviews the work of staff performing duties related to performing arts, visual arts, public art, literary arts, media arts, and instructional programs.
- Participates in the development and implementation of goals, objectives, policies, and priorities for the Public Art Program.
- Recommends appropriate service and staffing levels.
- Develops and manages the Public Art Program budget including the Public Art Fund and monitors expenditures; conducts research and prepares projections.
- Develops and manages the preparation of grant proposals; supervises the implementation of grant-funded programs and services.
- Plans and executes strategic marketing plans and promotional activities for all arts events and programs.
- Communicates with City departments to ensure success in coordination of all cultural activities.
- Manages all relations and staff support to the Public Art Committee and associated constituent groups.

- Prepares and reviews presentation materials submitted for City Council review.
- Makes presentations to business and neighborhood groups, City Boards and Committees, City Council, and the public and represents the Public Art Program at various meetings.
- Stays abreast of latest trends and innovations in public art and studies their applicability to City needs.
- Makes presentations to business and neighborhood groups, City Boards and Committees, City Council, and the public and represents the Public Art Program at various meetings.
- Stays abreast of latest trends and innovations in public art and studies their applicability to City needs.

2. Public Art Program Public Art Coordinator (Full Time)

It is the responsibility of the Public Art Coordinator to assume the pivotal role of guiding the public art process and coordinating the efforts of a multitude of participants. To ensure that each project's full potential can be realized, the Public Art Program Public Art Coordinator must adopt the following responsibilities:

- Oversee the percent for art budget, including regular meetings with the appropriate City department to assess project eligibility for current and projected Capital Improvement Program projects.
- Manage the interests and needs of a varied range of stakeholders, including the City of Newark's departmental staffs, City Council, Public Art Committee, and various panels, private developers, peer professionals, community members, and others.
- Coordinate public information and community outreach, including the Public Art Program website.
- Be knowledgeable about the range of artistic possibilities and familiar with local and national resources in the field.
- Facilitate the artist and artwork selection and approval processes.
- Represent and defend the interests of the artist and the intended artwork from the beginning to the end of a project, while at the same time understanding and balancing the competing interests and needs of all the other participants in the public art process.

- Prepare for public art controversy. In the event that it occurs, develop proactive systems for distributing information, responding to the media, and activating supporters.
- Manage the design, fabrication, and installation of public artwork.
- Anticipate, plan for, and implement the complex layers of competing schedules, information requirements, budgets, and programmatic needs.
- Negotiate contract agreements and develop consensus around highly complex issues and situations.
- Oversee the documentation, care, and maintenance of the City of Newark's public art collection, as well as the deaccessioning of artwork.
- Administer the donation of artwork gifts to the City from private individuals, collectors, artists, foreign cities, or countries.

3. Public Art Program Collection Specialist (Part Time)

- Manage public art collection inventory and data.
- Schedule and track collection maintenance and repairs.
- Maintain records.
- Maintain artwork insurance policies.
- Produce content for educational materials, collateral, signage, maps, and tours.

Appendix F

SAMPLE WORKPLAN TEMPLATE

CIP PROJECT NAME/DEPT	COUNCIL DISTRICT	PUBLIC ART BUDGET	PARTNERS	ARTIST SELECTION	START DATE	END DATE	PUBLIC ART PROJECT STATUS

PUBLIC ARTS FUND PROJECT NAME/DEPT	COUNCIL DISTRICT	BUDGET	ADDITIONAL FUNDING	PARTNERS	START DATE	END DATE	PROJECT STATUS

CULTURAL ARTS ACTIVITY/EVENT NAME/LOCATION	COUNCIL DISTRICT	BUDGET	FUNDING SOURCE	PARTNERS	START DATE	END DATE	ESTIMATED # PARTICIPANTS	PROJECT STATUS

BUDGET REPORT	CURRENT YEAR TOTAL	LESS: PROJECT COSTS	LESS: ADMIN COSTS	AVAILABLE	ANTICIPATED: NEXT YEAR
PUBLIC ART FUND					
GENERAL FUND					
OTHER					

Appendix G

SAMPLE ARTIST AND ARTWORK SELECTION GUIDELINES

1. Artist Selection Goals

The overarching goal of artist selection is to acquire artwork of the highest quality. Success depends on selecting an artist whose skill, experience, style, commitment to collaboration and community facilitation skills match the project's needs. The specific goals of the selection process are to:

A. Encourage the highest level of creative engagement and vibrant thinking in creating free-standing or site-integrated artworks.

B. Select an artist or artists whose existing public artworks or past collaborative efforts have maintained a high level of quality and integrity.

C. Further the mission and goals of the Public Art Program and the City of Newark (City).

D. Identify the optimal approach to public art that is suitable to the demands of the particular project.

E. Select an artist or artists who will best respond to the distinctive characteristics of the site and the community it serves.

F. Select an artist or artists who can work successfully with the project design team.

G. Ensure that the selection process represents and considers the interests of all parties concerned, including the public, the arts community, and the City.

2. Artist Selection Panel

A. The Artist Selection Panel functions in an ad hoc capacity and is responsible for reviewing artist submittals for publicly funded art projects and making recommendations of finalists to the Public Art Committee.

B. The Artist Selection Panel is selected by the Public Art Program staff or consultant on a project-by-project basis and ideally is comprised of at least three arts professionals selected based on expertise in public art, artists with public art experience, and arts

management professionals, a representative of the project design team, the client City department, and at least one panel member representing the community in which the artwork will be located.

C. Public Art Committee members may serve on the panel as community members or arts professionals, if appropriate, or may participate on the artist selection panel as observers. Panel recommendations shall be based upon consensus.

D. The Artist Selection Panel is customized to each qualifying Capital Improvement Program project (CIP). Utilizing an Artist Selection Panel is also an option for non-CIP artist selection for large budget artworks. Artists being considered for smaller budget, non-CIP projects can be adjudicated and approved directly by the Public Art Committee.

3. Methods for Artist Selection

A. Criteria

The Public Art Committee, in consultation with Public Art Program staff or consultant, defines the method for artist selection for each project, considering the nature and needs of the specific project, including:

1. Project goals.
2. Size of the budget available for artwork.
3. Interest in working with emerging and/or established artists.
4. Geographic restrictions on artists' eligibility.
5. Preferences concerning the nature of the artwork, i.e., medium, form.
6. Potential locations for the work and limitations or opportunities presented by the site.

B. Options for Artist Solicitation

There are several standard methods of artist selection that may be used. In each case, the contracting process must be in compliance with the City's purchasing policy.

1. Request for Qualifications (RFQ)

a. Request for Qualifications (RFQ) can be an effective and efficient method to issue a Call for Artists. RFQs require minimal expenditures of time and money from artists. RFQs primarily rely upon examples of an artist's previous work and

typically include an artist's vita, selected references, and a statement of interest about the project. When RFQs are written thoughtfully and applicants' materials are subsequently reviewed, considered, and evaluated by arts professionals and the commissioning organization, a short list of qualified artists to interview for a proposed project may be easily accomplished.

b. The outcome of this process creates opportunities for in-person interviews or offering a reasonable fee to compensate for the development of conceptual ideas for the project. The RFQ process does not anticipate that artists prepare, or present specific ideas based on limited information provided in the Call. Instead, conceptual artwork proposals for the project are developed only after learning more about the project through site visits and interactions with project personnel and constituent interests.

2. Request for Proposals (RFP)

a. If the design process is sufficiently advanced and a context has been established to which the artists can respond, each of the finalists may be asked to develop a preliminary artwork proposal. Request for Proposals (RFP) can be an effective way to consider and evaluate the appropriateness of an artist when a limited number of artists are invited to participate in a selection process, the criteria for selection is explicit and uniform, and there is an honorarium paid to the artist for each submission. Commissioning bodies recognize that artists will not have sufficient time and information to develop site specific proposals that are informed by substantial client interaction unless the proposals and competition affords at least four to six weeks of preparation time.

b. Proposals are requested only when the City is prepared to consider the proposal as a conceptual approach to the project and not the final design. The commissioning body must pay each artist a standardized proposal fee commensurate with the commission amount for the development of the proposals. All proposal materials are returned to those artists not selected for the project and the City recognizes that all ideas presented for the project, including copyright, belong to each artist.

3. Open Competition

In an open competition, any artist may submit their credentials, subject to requirements established by the Public Art Program. The Call for Artists must be sufficiently detailed to permit artists to determine whether their work is appropriate for consideration. An open competition allows for the broadest range of possibilities for a site and can bring in new and emerging artists. This method sometimes discourages established artists who prefer to respond to limited competitions and to be directly selected for projects.

4. **Limited Competition**

   In a limited competition, three or more artists are preselected and invited to submit qualifications. Limited competitions are more appropriate for projects with extremely aggressive schedules, where there is consensus around an artist or list of artists to be considered, and where a high-level or specific type of expertise is required for the project. The list of preselected artists can be developed by the Public Art Committee with input from the Public Art Program staff; local, national, and international arts professionals; project partners; and/or a curator or consultant advising on the projects.

5. **Direct Selection**

   Direct selection is a method that is most often used in private development projects, although developers may choose to select an artist through other methods described here. On occasion, an artist for a municipal public art project may be chosen directly by the Public Art Committee. Direct selection may be appropriate on projects where an urgent timeline, limited budget, or specific project requirements exist.

6. **Direct Purchase**

   At times, the Public Art Committee may elect to recommend a direct selection in which it contracts with a specific artist for a particular project. This may occur for any reason, but generally is used when circumstances surrounding the project make either an open or limited competition unfeasible (i.e., project timeline, community or social considerations, client demand) or a specific artwork is needed due to the exacting nature of the project.

4. Evaluation Criteria

A. General Questions to Consider when Commissioning Public Art

1. Is the artwork of a high quality?
2. Does the artist have experience or demonstrate a level of excellence?
3. Does the artwork celebrate some aspect of the uniqueness of Newark?
4. Have potential safety and security issues been assessed?
5. Has the artist identified ongoing maintenance needs?

6. Has there been a consultation to ensure that design of the project meets requirements of the Americans with Disability Act?
7. How does the artwork relate to the City's overall collection?

B. Artist Qualifications

1. Meets the definition of artist, as defined in the Public Art Ordinance.
2. Demonstrates artistic excellence, innovation, and originality as represented in past work and supporting materials.
3. Shows capacity for working with the tools and materials used to create the artwork and with concepts appropriate to the project goals and site.
4. Demonstrates interest and capability in creating public artwork in collaboration with the Public Art Program, project design team (if applicable), and other project partners.
5. Demonstrates experience in successfully completing works of similar scope, scale, budget and complexity, or ability to articulate how they would be able to bring the necessary artistic and technical skills to this project.
6. Demonstrates interest in and understanding of the project.
7. Is available to perform the work in a timely and professional manner.
8. If applicable, demonstrates a cohesive team.

C. Criteria for Evaluating Artist Concept and Schematic Proposals

1. Clearly responds to the project goals.
2. Meets the definition of artwork as defined by the Public Art Ordinance.
3. Demonstrates excellence in aesthetic quality, workmanship, innovation, and creativity.
4. Demonstrates appropriateness in scale, form and is of materials/media suitable for the site.
5. Demonstrates feasibility in terms of budget, timeline, safety, durability, operation, maintenance, conservation, legal and ethical issues related to possession and use of proposed artwork, security, and/or storage and siting.
6. Builds the diversity of the City's public art collection.

Appendix H

SAMPLE DEACCESSION POLICY

1. Purpose

The Public Art Program staff manages and maintains the City of Newark's collection of artwork for the benefit of the Newark community.

A. This policy shall govern removal, disposal, and destruction of artworks in the collection of the City. This policy applies to permanent artworks in the City's collection that are intended to stay in place for long periods and that have a predetermined lifetime of one year or more.

B. Removing an artwork from the collection (deaccessioning) is a sensitive matter and needs to be managed according to clear criteria. The policies outlined below are subject to periodic review by the Public Art Committee.

C. Except in the case of a safety emergency, no artwork in the collection shall be deaccessioned until the policies set forth below have been observed.

2. Policy

A. Any proposal for removal or destruction of an artwork shall be submitted to Public Art Program staff and reviewed by the Public Art Committee according to the policies and procedures contained herein; review shall be deliberate and independent of political pressures, fluctuations in artistic taste, popularity, and public opinion.

B. Deaccession shall be a seldom-employed action that is taken only after issues such as artists' rights, public benefit, censorship, copyrights, and legal obligations have been carefully considered. The final decision with respect to deaccession of artworks owned by the City shall rest with the Public Art Committee.

C. At regular intervals, the condition of the City's artwork collection shall be evaluated by the Public Art Program staff or a professional fine art conservator and reported to the Public Art Committee with any recommendations for deaccession.

3. Definitions

For purposes of this Policy, the following definitions apply.

A. Artist. An individual generally recognized by critics and peers as a professional practitioner of the visual arts as judged by the quality of the professional practitioner's body of work, educational background and experience, past public commissions, sale of works, exhibition record, publications, and production of artwork.

B. Artwork. Works in any style, expression, genre, and media created by an Artist and owned by the City in the permanent collection, whether functional or non-functional. Artwork may be stand-alone and integrated into the architecture, landscaping, or other site development if such are designed by an Artist as defined herein.

The following are not considered Artwork:

1. Reproductions, by mechanical or other means of original Artwork, except in cases of film, video, photography, printmaking, theater, or other media arts;
2. Art objects that are mass produced (excluding artist-created, signed limited-edition works), ordered from a catalog, or of a standard design, such as playground sculpture or fountains; and
3. Directional or other functional elements such as signage, supergraphics, color coding, or maps unless specifically designed as artworks.

C. Deaccession. The procedure for the removal of an Artwork owned by the City and the determination of its future disposition.

D. Deaccession Notification. A written communication to the artist or donor referencing the applicable condition(s) of the Artwork and describing reasons why the deaccession review needs to be undertaken.

4. Guidlines

Any Artwork owned by the City shall be eligible for deaccession except an artwork accompanied by verified legal stipulations that it may not be. During the review process, the artwork shall remain accessible to the public in its existing location unless it poses a threat to public safety.

A. Artwork may be reviewed for deaccession at any time by Public Art Program staff or Public Art Committee members. Review also may be initiated by the Artist regarding the Artwork they created, by that Artist's designated heir(s), or by legally recognized representative(s).

B. Artwork may be considered for review toward deaccession if one or more of the following conditions apply:

1. The condition or security of the Artwork cannot be reasonably guaranteed.
2. The Artwork requires excessive maintenance or has faults of design, materials or workmanship, and repair or remedy is impractical or unfeasible.
3. The Artwork has been damaged or has deteriorated, and repair or remedy is impractical or unfeasible.
4. If the Artwork has been lost, stolen, or is missing, the Public Art Committee may approve formally deaccessioning it from the collection while retaining a record in the collection database showing that the work has been deaccessioned.
5. The Artwork's physical or structural condition poses a threat to public safety.
6. The Artwork is proved to be inauthentic or in violation of existing copyright laws.
7. The Artwork is not, or is only rarely, on display because the City lacks a location for its display.
8. As applicable, the Artwork has exceeded its expected lifespan, as defined in the contract agreement with the artist for the commission or acquisition of the artwork.
9. No suitable site is available for relocation or exhibition, or significant changes in the use, character, or design of the site have occurred which affect the integrity of the artwork.
10. Changes to the site have significantly limited or prevented the public's access to the artwork.
11. The site where the work is located is undergoing privatization.
12. Deaccession is requested by the artist.
13. If there are more than three permanently installed works on public display in the City, Public Art Program staff may recommend to the Public Art Committee that the City retain only a representative selection of that artist's work.

5. Deaccession Criteria

In addition to the condition and security of the artwork as stated above, the review criteria for Deaccession Requests include, but are not limited to:

A. Artistic Excellence. Qualifications and professional reputation of the Artist; craftsmanship, conceptual content, style, form.

B. Value of Artwork. As determined by a professional appraiser, if available.

C. Relationship to Existing Collection of Artwork. Style, form, scale, diversity, quantity, quality, longevity, and compatibility with the existing collection of Artwork and goals of the Public Art Program.

D. Availability of City Support. The availability of necessary funding for conservation, maintenance, and/or repair; exhibition and storage space; for sitting Artwork; and staff support.

E. Relationship to Site. Accessibility, public safety, and social, cultural, historical, ecological, physical, and functional context of the Artwork in relation to the site, both existing and planned.

F. Legal Considerations. Issues related to liability, insurance, copyright, warranties, ownership, theft, vandalism, loss, indemnification, and public safety. The City Attorney shall review the recommendation of the Public Art Program staff and Public Art Committee to determine whether there are any known legal restrictions that would prevent deaccessioning the object. The City Attorney's approval must be obtained prior to deaccessioning an object.

G. Timing. Safety or hazard emergencies, relevant construction schedules, and the allowance of sufficient time for a normal review process.

H. Acquisition Process. Method by which the Artwork was acquired and accessioned into the collection of artwork (i.e., donation, loan, commission).

I. Community Feedback. Community feedback about the Artwork, its site, and its condition solicited via a publicly noticed meeting or placed on the agenda of the Public Art Committee.

J. Restrictions. Any recognized restrictions associated with the Artwork.

6. Procedures

A. Deaccession Request

1. Deaccession shall begin with a formal Deaccession Request which can be initiated by the Public Art Committee, by Public Art Program staff, the artist, the artist's designated heirs or legally appointed representative.
2. The Deaccession Request shall be submitted to Public Art Program staff and shall describe the applicable condition(s) outlined in the Guidelines above, and the reasons why the deaccession review should be undertaken.

3. A Deaccession Request must also contain information about the requester's relationship to the Artwork and stake in deaccessioning the Artwork.

4. Deaccession Requests shall be reviewed by Public Art Program staff, who shall make every reasonable effort through a Deaccession Notification to contact the artist who created the Artwork named in the Deaccession Request, and any other known parties with a vested interest in the artwork and shall comply with any applicable state or federal notice requirements.

B. Review and Approval Process

1. When Artwork is proposed for deaccession, Public Art Program staff shall place the matter on the Public Art Committee agenda for review of the Deaccession Request, reasons deaccessioning is being considered, and the Public Art Program staff deaccession recommendation.

2. In presenting the Deaccession Request, Public Art Program staff shall provide all available relevant corresponding materials to the Public Art Committee, including, but not limited to:

   a. Artist's name, biographical information, samples of past artwork, and resume.

   b. A written description and images of the Artwork.

   c. Artist's statement about the artwork named in the Deaccession Request.

   d. A description of the selection/acquisition process and related costs implemented when the Artwork was selected.

   e. If available, a formal appraisal of the Artwork provided by a qualified art appraiser.

   f. Information about the origin, derivation, history, and past ownership of the Artwork.

   g. A warranty of originality of the artwork as evidenced by artist's signature on the artwork and/or the contract agreement for the commission or acquisition of the artwork signed by the artist.

   h. Information about the condition of the artwork and the estimated cost of its conservation provided by a qualified visual arts conservator.

   i. Information about and images of the artwork's site.

   j. Information about how community feedback about the artwork was collected and the outcome of that feedback.

   k. Feedback from the Director of the City department responsible for operating and maintaining the Artwork site.

l. A detailed budget for all aspects of conservation, maintenance, repair, installation, operation, insurance, storage, and City staff support.

m. The artist's contract with donor or comparable legally binding document with Proof of Title, if applicable.

n. Deed of gift restrictions, if any.

15. The Public Art Committee shall approve, with or without conditions, or reject the Deaccession Request based on the Deaccession Criteria described in this policy.

7. Methods of Removal

The deaccessioned artwork shall be removed from the collection of artwork through methods administered by the Public Art Program staff.

A. Opportunity for Artist to Purchase Artwork

1. In all cases, the artist or the artist's designated heir(s), or legally recognized representative(s) shall be given, when possible and within a reasonable time frame, the opportunity to purchase the artwork for the fair market value as determined by a qualified art appraiser retained by the City for that purpose.

2. If the artwork is determined to be of negligible value, the artist shall be given the opportunity to claim the Artwork at the Artist's own cost.

B. Methods of Removal

When the Artist does not purchase or claim the deaccessioned Artwork, the City, at its discretion, may use any of the following methods to remove the Artwork:

1. **Sale**.

   a. Proceeds from the sale shall be deposited in the Public Art Fund. Written acknowledgement to place revenues from the sale of deaccessioned artwork in the Public Art Fund must be obtained from the City Manager. Public notice regarding the sale shall be provided on the City website, at a publicly noticed meeting and in any other manner required by law.

   b. The Artist/donor shall be given the right of first refusal to reacquire the work at fair market value, original price, or nominal value, depending on the recommendation of the Public Art Committee.

      - The cost of removal of the work may be reflected in the amount set.
      - Sell the work through a dealer.
      - Sell the work through sealed bidding or public auction.

2. **Trade or Exchange**. Trade or exchange of a deaccessioned artwork for another by the same Artist.

3. **Donation**. Donation of deaccessioned artwork to a non-profit organization, institution, or agency.

4. **Destruction**. This method is appropriate in the following instances:

    a. The entire artwork has been damaged or has deteriorated, and repair or remedy is impractical or unfeasible.

    b. Most of the artwork has been damaged or has deteriorated, and repair or remedy is impractical or unfeasible, and any remaining intact parts of the artwork are deemed to have negligible value, and the artist is not willing to claim the remaining parts at the Artist's own cost.

    c. Public safety considerations support destroying the artwork.

    d. Every effort to locate the Artist, kin, or donor has failed.

    e. The Public Art Committee and the Public Art Program staff determines that no other method of implementation is feasible.

C. Profits

1. When possible, the method for removing the artwork from the collection shall be selected based on the highest reasonable price that may be received.

2. Any profits received by the City through the sale, trade, or auction of a deaccessioned artwork shall be deposited into the Public Art Fund.

8. Implementation

A. A deaccessioned work is sold or exchanged, Public Art Program staff shall implement any legal requirements for compensating the artist, including the California Resale Royalties Act (Civil Code section 986) which entitles artists to a royalty payment upon the resale of their art).

B. Public Art Program staff shall remove acquisition numbers and labels from the Artwork and coordinate its physical removal from the City's collection.

C. Public Art Program staff shall report on the sale or exchange of Artwork at the next regularly scheduled meeting of the Public Art Committee, following receipt of all funds or the completion of the sale, exchange, or donation.

D. Public Art Program staff shall transmit a report informing City Council of the removal of the artwork from the City's collection.

E. Public Art Program staff shall maintain a Deaccession File that includes individual files on each deaccessioned artwork. These files shall include all documentation regarding the Artwork.

9. Exceptions

A. Artworks may not be sold, traded, or donated to current employees of the City of Newark, their business partners, or their immediate family members. Current elected officials, Public Art Committee members, their business partners, and their immediate family members may not buy, receive, or own any Artwork which has been deaccessioned from the collection of Artwork.

B. Nothing in these guidelines shall limit the City's ability to take appropriate action to protect public health and safety in an emergency.

SAMPLE DEACCESSION FORM

Person Requesting Deaccession

Name: _____

Affiliation: _____

Email: _____

Phone: _____

Artwork

Title of Artwork: _____

Collection / Accession #: _____

Name of Artist: _____

Date of Artwork: _____

Item Description: _____

_____

Reason for Deaccessioning

- ☐ The condition or security of the Artwork cannot be reasonably guaranteed.
- ☐ The Artwork requires excessive maintenance or has faults of design, materials or workmanship, and repair or remedy is impractical or unfeasible.
- ☐ The Artwork has been damaged or has deteriorated, and repair or remedy is impractical or unfeasible.
- ☐ The Artwork has been lost, stolen, or is missing.
- ☐ The Artwork's physical or structural condition poses a threat to public safety.
- ☐ The Artwork is proved to be inauthentic or in violation of existing copyright laws.
- ☐ The Artwork is not, or is only rarely, on display because the City lacks a location for its display.
- ☐ As applicable, the Artwork has exceeded its expected lifespan, as defined in the contract agreement with the artist for the commission or acquisition of the artwork.
- ☐ No suitable site is available for relocation or exhibition, or significant changes in the use, character, or design of the site have occurred which affect the integrity of the artwork.
- ☐ Changes to the site have significantly limited or prevented the public's access to the artwork.
- ☐ The site where the work is located is undergoing privatization.
- ☐ Deaccession is requested by the artist.
- ☐ There are more than three permanently installed works by the same artist on public display.

To be completed by Public Art Program Staff:

Final Decision by Public Art Committee

Date: _____

- ☐ Approve Deaccession
- ☐ Reject Deaccession

***Method of Removal**

- ☐ Sale
- ☐ Donation
- ☐ Trade or Exchange
- ☐ Destruction

Appendix I

SAMPLE GIFTS, LOANS, AND EXHIBITIONS OF ARTWORK ON PUBLIC PROPERTY

1. Background

Private individuals and agencies may occasionally offer works of art as gifts or loans to the City of Newark (City) or desire to exhibit art owned by those individuals or agencies on public property. Similarly, individuals or groups may also wish to propose a public art project that would be temporarily or permanently installed on City property.

A. These gifts, loans, and exhibitions are an important part of the City's growing art collection and its presence in the public realm. The City has established policies and procedures for any unsolicited gifts, loans, or exhibition proposals for the following reasons:

1. Maintain the quality of the public art collection.
2. Ensure that artworks are sited in the most suitable locations.
3. Ensure that there are adequate funds to protect, maintain, preserve, and conserve works of art on public property.
4. Evaluate works for quality, safety, durability, and maintainability.

B. The Public Art Committee is responsible for reviewing all gifts, loans, and exhibitions proposed by individuals, organizations, and neighborhood and community groups. The Public Art Committee may choose to include non-voting ex-officio members, such as conservators or curators, as needed.

C. The Public Art Committee may accept and shall comply with the terms and conditions of gifts, loans, and exhibitions of artwork so long as acceptance of the of the same entails no expense for the City beyond ordinary care and maintenance, in which case the Public Art Committee makes a recommendation to the City Council for acceptance.

2. Definitions

A. Artwork Gifts and Loans.

1. Unrestricted Gift: The gift of a work of art to the City without any restrictions placed on where it is sited.
2. Restricted Gift: The gift of a site-specific work of art to the City.
3. Loan: The loan of a work of art to the City, with or without restrictions on where it is sited.

B. Exhibitions/Artwork.

1. Temporary Exhibition/Artwork: A proposed exhibition or work of public art installed temporarily on City property for one year or less. Proposals may be site-specific or not.
2. Permanent Exhibition/Artwork: A proposed exhibition or work of public art installed permanently on City property for 10 years or more. Proposals may be site-specific or not.
3. Exhibition of Privately Owned Art on Public Property: A proposed exhibition of art not owned by the City and that is borrowed by the owner of the artwork for display on City property.

C. Monetary Gift. Cash gift contributed to the Public Art Committee.

3. Review Process

The Public Art Committee shall review each gift, loan, and exhibition proposal based on the criteria established below. This includes artwork that may have been part of a previously juried exhibition.

A. Individuals or groups shall be required to submit the relevant application and supporting materials when proposing a gift, loan, or exhibition of artwork to ensure that all criteria are addressed.

B. In addition to the following, the Public Art Committee may require other support materials such as text verbally describing artwork, specifications, structural and engineering drawings, models, and presentation drawings.

1. **Artistic Merit**
   Does the artwork have strong artistic merit? Criteria include but are not limited to:

   a. Durability and craftsmanship in fabrication.

   b. Relationship of artwork to other works in the City art collection.

   c. Appropriateness of artwork scale to the proposed site.

   d. Appropriateness of artwork to other aspects of its surroundings, and artist's credentials and recognition.

2. **Provenance**
   Does the owner have clear title to the artwork to make the legal gift?

3. **Site**
   What type of site is proposed for the artwork? Siting criteria include but are not limited to:

   a. Written evidence that location of artwork on the proposed site has been approved by the City department charged with oversight of that site.

   b. If an artwork is designated in a neighborhood plan, is the proposed artwork consistent with the plan recommendations, and have community members approved of its proposed placement?

   c. If the artwork is proposed for a site of regional significance (e.g., a regional park, an arterial route, a major civic building), does its scale and aesthetic quality merit a prominent location?

4. **Relationship to the City's Collection as a Whole**
   How is the proposed gift compatible or incompatible with the City's public art collection? Criteria for compatibility include but are not limited to:

   a. Does the artwork contribute to the diversity and breadth of the City's collection?

   b. Is the artist's work already adequately represented in the City's collection?

5. **Safety, Maintainability and Feasibility**
   Artworks must be structurally sound, durable, and resistant to vandalism, weathering, and excessive maintenance/repair costs and should not threaten the public's safety. Applicant must provide the following information for Public Art Committee review:

   a. Adjacent/surrounding site conditions if applicable,

   b. Dimensions

   c. Materials

   d. Colors

   e. Power, plumbing, or other utility requirements

   f. Construction/installation method

   g. The fabricator or contractor is qualified to install the work and carries adequate insurance to meet City requirements.

   h. Evidence the art shall not pose a threat to public safety.

4. Maintenance Requirements

The Public Art Committee maintains records of all artwork on City property and oversees their maintenance. However, funds to maintain artworks in the City's collection are limited.

A. Donors may be required to sign a maintenance agreement or establish a maintenance endowment to ensure that the artwork can be cared for adequately.

B. Funds provided for maintenance are deposited into the Public Art Fund and earmarked for that purpose. Typically, a maintenance fund consists of 10% of the value of the artwork.

5. Procedures

A. Proposed gifts, loans, and exhibitions should first be referred to the Public Art Program staff who shall assist individuals in identifying the appropriate application that must be submitted for review. Any questions regarding the application should be referred to the Public Art Program staff.

B. Completed and signed applications and supporting materials, including images or a maquette or rendering of artwork(s), should be submitted to Public Art Newark, and reviewed by Public Art Program staff for completion.

C. The Public Art Commission shall review applications and supporting materials according to the criteria outlined above and determine whether they shall recommend accepting or rejecting the proposal. The Committee may attach conditions to its recommendations for acceptance or rejection of proposals.

D. If a specific site is recommended for placement of the donated or loaned work or exhibition of private art on public property, the Committee shall review the proposed site. The site shall also need to be approved by the appropriate City department under whose jurisdiction the artwork site is located. If a site has not been proposed, Public Art Program staff shall work with the applicant to identify an appropriate location for the work of art or exhibition.

E. If the City chooses to accept a proposal, Public Art Program staff shall work with individuals or groups on contracts, timelines, and installation of artwork(s).

F. If the artwork for exhibition has yet to be fabricated, the Public Art Program staff must be kept informed of the fabrication process with progress updates and scheduled studio visits.

G. If the Public Art Commission approves the exhibition of private art on public property, the owner of the private art must execute an agreement with the City whereby, among other things, the owner assumes liability for personal or property damage arising from the exhibition of that private art on public property.

6. Monetary Gifts

Donors may contribute monetary gifts to the Public Art Fund. At the discretion of the Public Art Commission, these funds may be used for maintenance of the collection, the acquisition of artwork, arts programming, and program administration, among others. If the donor proposes a specific project or commission, the above procedures must be followed.

Appendix J

SAMPLE MEMORIALS POLICY

1. Introduction

A. The City of Newark (City) may occasionally decide to install permanent memorials on City of Newark property to commemorate persons or events of note, or to otherwise convey the City's position on various topics (referred to as *government speech*). The City seeks to establish a standard measure for review of prospective donated memorials to ensure that only objects of the highest standard of excellence are accepted. The placement of memorials shall be limited to circumstances of the highest community-wide importance, both to maintain the significance of such memorials and to minimize conflicts with the active and variable use of public spaces.

B. The following policy for the acceptance of memorials defines the types of donations that the City shall accept and establishes criteria for review and acceptance of these objects. The following types of projects are considered in this policy:

1. The gift of a newly commissioned memorial to be located permanently on City property or public right of way.
2. The offer by a donor to organize a public competition that shall result in the gift or loan of a memorial to be located permanently or temporarily on City property.

2. Policy

A. This policy provides a framework for review and approval of prospective memorials. The City of Newark shall only accept memorials that are of the highest quality. Memorials must meet the subject criteria outlined below. In order for the City to accept donations of memorials, it must first determine that there is an identified space for exhibition on City of Newark property or within City facilities.

B. The City shall not accept memorial objects that are unlimited reproductions or are mass-produced. These memorial donations differ from public artworks commissioned or acquired by the City through other legislation and policies.

3. Definitions

A. Memorials are markers, statues, and other similar permanent installations to express government speech, as further described in this policy, and which are installed by the City of Newark, or which are accepted by the City and installed on City property with City permission. Memorials may be in various forms including:

1. Plaques
2. Sculpture
3. Fountains
4. Other forms of memorials as determined by the Public Art Committee

B. Artwork Memorials are memorials that are designed by an artist. Memorials may be designed by artists in collaboration with members of allied fields such as architecture, engineering, landscape architecture, and graphic design.

4. Memorials and Government Speech

A. The City has established the following considerations for the topic of memorials:

1. The placement of memorials shall be limited to circumstances of the highest community-wide importance, both to maintain the significance of such memorials and to minimize conflicts with the active and variable use of public spaces.
2. Memorials should convey a powerful connection between Newark, its natural setting, and its history.
3. Memorials should recognize significant circumstance, events or people, or provide information on topics approved by the Public Art Committee, as set forth below:

    a. The contributions of individuals or groups who made a substantial impact on the City;

    b. The history of Newark or of the United States;

    c. Historical, natural, or cultural influences on Newark; or

    d. Local innovation or creativity that has contributed to Newark's growth and prosperity.

B. The City does not permit the installation of memorials to living persons. Usually a minimum of five years between an event and its commemoration is recommended to allow for sufficient historical perspective.

C. The City may decide, in its sole discretion, to reject a proposal for a memorial and/or may determine the appropriate site for any and all City memorials.

5. Procedures for Acceptance of Memorials

A. Application Process

1. Potential gifts of memorials must be submitted to the City Manager or designee for initial review. If the memorial is determined to be an artwork memorial, the City Manager or designee shall initiate a review and approval process. City Manager or designee shall respond to all donor inquiries and advise donors of the process for review and approval based on this determination.
2. Gifts of memorials may not be offered for a specific site. Before offering a permanently sited memorial, the donor must submit an initial request for placement consideration to the City Manager or designee. Once a potential site has been identified, the donor must submit a site plan demonstrating the relationship of the memorial to the proposed location and include color photographs of the site.
3. For gifts of memorials, the completed application must be accompanied by:

    a. A letter from the donor stating the purpose of the memorial and its responsiveness to the criteria stated above.

    b. A model, color photographs, or a color rendering of the proposed memorial. If the work is three-dimensional, multiple views are required.

    c. If the memorial is an artwork, the completed application additionally must include:

        - A professional assessment of the artwork's condition conducted by a fine arts conservator and accompanied by maintenance requirements;
        - The artist's resume;
        - Information on the artwork's context, provenance, and history (e.g., where it has been shown, who owned it, etc.); and
        - Letter of authentication from the artist or the artist's estate.

    d. Evidence that there are sufficient funds available for the fabrication, installation, and ongoing care of the memorial.

B. Review and Evaluation

Step 1: Department Review

The Director of the City department with jurisdiction of the location where the artwork is proposed shall review the proposed memorial to determine whether there is an appropriate location for its permanent placement and to determine whether the memorial meets the topic criteria identified in this policy. If the memorial is not determined to be an art component, the City Manager or designee shall proceed according to Step 4 below.

Step 2: City Manager Review

a. The City Manager or designee shall review applications for donations of artwork memorials for completeness, evaluate the prospective donation, and make written recommendations for review and approval by the Public Art Committee. If the City Manager or designee determines that the donation is not feasible, the donor shall be notified in writing.

b. If the City Manager or designee has approved a site for the memorial, then the City Manager or designee shall consult with the City department responsible for that site to develop a community outreach plan.

c. If necessary, the City Manager or designee may appoint an ad hoc memorial advisory panel of three to five arts professionals to review the proposed memorial and make recommendations to the Public Art Committee based on the following criteria.

- **Artistic Excellence**
  Donated artwork memorials should reflect the highest standards of excellence and represent diversity of art forms and artists, while excluding reproductions that are unlimited editions and art objects that are mass-produced.
- **Professional Credentials of the Artist**
  An artist's resume should demonstrate the breadth of professional work through solo and group shows, collections, publications, and education.
- **Appropriateness to the Site**
  Donated memorials should be compatible with the proposed site's architecture, landscape, and surrounding area.
- **Placement**
  If the memorial requires siting but no suggested site is specified by the applicant, the City Manager or designee, after determining the work to be appropriate for placement on City property, may consult with other City departments and then suggest locations to the Public Art Committee for review.

d. Maintenance Requirements

The memorial should be in good condition with a recent conservation report detailing routine maintenance instructions. The materials used in the creation of the artwork must last in a public, non-archival setting suitable for both indoor and outdoor exhibition and must be resistant to vandalism.

e. Maintenance Endowment

The donor must demonstrate the ability to provide a maintenance endowment sufficient for the ongoing care of the memorial.

Step 3: Public Art Committee Review

a. Upon City Manager or designee recommendation, the Public Art Committee shall review applications and decide whether to approve or disapprove. The Committee may review artworks in two ways:

- Approve/disapprove donations of artwork memorials submitted to the City of Newark.
- Approve/disapprove placement of artwork memorials on property belonging to, or under the control of the City of Newark, submitted for acceptance to other City of Newark departments or officials as donations to the City of Newark.

b. Criteria for Evaluation of all Memorials

- The donor can demonstrate that the person, group or event being memorialized deemed by the City of Newark to have made a significant enough contribution to merit a memorial of the scale, cost, and visibility proposed.
- The memorial does not duplicate existing memorial themes.
- The proposal has been through community outreach conducted by the group or person suggesting that the City of Newark install the memorial, and the installation and maintenance of the memorial is within the priorities of the the responsible department.
- The proposed memorial is not objectionable to the relatives of the persons or community that it is intended to honor.
- The proposed site for the memorial is related to its underlying purpose as designated in a master plan or other approval of the City Council or City Manager as a particularly appropriate site.

- The memorial was designed by qualified professionals who may include registered architects, engineers, landscape architects, and artists who can demonstrate professional recognition in the form of public commissions or permanent public installations.
- There is a committed and verifiable funding source for the review, design, fabrication, installation, and maintenance of the memorial before proceeding to incur City of Newark costs and staff time.

Step 4: City Council Review

Upon Public Art Committee recommendation, the City Council shall review the application and decide whether to approve or disapprove.

Step 5: Acceptance

a. If the memorial is accepted by the City Council, the following requirements shall apply:
   - The artist, donor, or sponsor of a memorial shall be required to pay for all installation costs and commemorative plaques associated with its placement on property belonging to or under the control of the City.
   - The donor shall grant the City the right to convey the work to another site, to storage, or for conservation.
   - The donor shall grant the City the right to deaccession any accepted memorials under this policy with Public Art Committee review.
   - The donor shall be required to establish a maintenance fund for the memorial. Donor must provide documentation of maintenance methods and requirements for the life of the memorial and establish a maintenance fund at the City.
   - The City shall inform the donor that acceptance of a donation is not determinative of the value of the donation.
   - Upon acceptance of the donation, the donor shall receive an acknowledgement letter from the City. A commemorative plaque identifying the memorial, artist, and donor shall be installed near the memorial.

b. If the prospective donation of an artwork memorial or non-art related memorial is not accepted, the City Manager or designee shall provide written notification and explanation to the donor.

Appendix K

SAMPLE TEMPORARY ART POLICY

1. Purpose

A. This Temporary Artwork Policy is intended to activate publicly owned spaces in parks, plazas, streetscapes, and other City-owned property. Temporary artworks enliven communities, provoke conversations, and refresh the public realm. Temporary art is commissioned through the City of Newark (City) Public Art Program.

B. Temporary artworks may be funded by the City or by private individuals or organizations. The City may initiate temporary artworks or individuals and community organizations may request City consideration of community-initiated temporary art projects.

C. The Temporary Artwork Policy establishes criteria and guidelines for the consideration and installation of temporary artworks on City-owned property. These procedures are intended to ensure a consistent approach to placing art in the public realm.

2. Goals

A. To encourage the temporary placement of thought-provoking, innovative works of high artistic merit that connect people to place.

B. To contribute to Newark's sense of identity and pride.

C. To build on Newark's identity as a diverse community.

D. To engage artists in projects that stimulate and encourage community interaction.

E. To create pilot projects in potential locations for permanent artworks.

F. To provide opportunities for emerging and established artists.

3. Definition

This policy applies wherever temporary artwork is proposed for placement on property owned or controlled by the City.

A. Temporary public art is defined as any art, including visual artworks, performances, projections, digital media, virtual reality, and other artistic media, that is not intended to be permanent and is not made a part of the permanent public art collection.

B. Temporary artwork has a predetermined lifetime ranging between a few hours to several years.

4. Public Art Project Types and Artwork Considerations

Temporary artworks are allowed on any City-owned property provided that the City is willing to allow the temporary placement of art.

A. Temporary art may include display of existing works of art as well as artworks and art experiences that may be created specifically for the site.

B. All approaches and media for public art shall be considered. These include sculpture, light, social practice/community art, performance, sound, projection art and other artistic media.

C. Physical artworks must be constructed to withstand outdoor placement during the City-designated display period.

D. Temporary artworks and experiences must not create a nuisance in the community where the artwork is proposed, especially when employing light or sound.

E. Artwork must not present any public safety hazards or violate City laws or codes.

F. Physical artwork selected for temporary placement may require stamped engineering drawings and have specific insurance requirements, and environmental review may be required.

G. All temporary artworks must be removed by the artist, who must restore the site to its original condition upon display completion.

5. Procedures

A. Artist Selection Options

The Public Art Program staff may issue a Request for Proposals (RFP) to solicit artists to develop original project proposals or submit pre-existing artwork to be loaned to the City.

1. The Public Art Program may enter into a contract with the artist that includes the artist's cost for design, fabrication, installation, maintenance, and de-installation of commissioned temporary artwork or pay a fee to the artist for the loan and maintenance of pre-existing artworks.
2. The City may contract for the services of guest curators or non-profit arts organizations to select and curate temporary artworks.

    a. When a contracted arts organization or curator is recommended by the Public Art Committee to implement the temporary artworks, the Public Art Program staff must be represented in the artist selection process as well as on the project team that reviews design development and implementation.

    b. The Public Art Program staff shall employ a list of available web sites for soliciting proposals. The RFP or invitation typically shall indicate the available sites for art placement, the duration of the display, and the City's requirements for insurance, liability, safety, etc.

B. Review and Approval

Projects proposed by individuals or arts organizations shall be evaluated by Public Art Program staff for compliance with City standards and requirements as well as consistency with the 2024 Public Art Master Plan and overall Public Art Program goals.

1. **Review Panel**
   Public Art Program staff may convene a review panel to shortlist the proposals before forwarding them to the Public Art Committee for review and selection.
2. **Criteria**

    a. Artists or commissioning organizations submitting artwork for consideration shall submit a proposal, including but limited to the following information:

    - Artist's resume.
    - A minimum of two photographs of the work.
    - A written narrative describing the artwork.

- In the case of physical artworks, a description of the construction materials and methods of fabrication and anchoring details.
- Estimated value of physical art.
- Asking price (if sales are allowed)

b. Selection criteria shall be defined in advance by the Public Art Program staff based on the goals articulated in the annual Public Art Workplan. In general, selection criteria shall include:

- Artistic merit.
- Appropriateness to site and goals articulated for the project.
- Community engagement.
- Feasibility and durability.
- Hazard mitigation
- Compliance with City codes.

3. **Approval**

a. The Public Art Committee shall review and approve, deny, or suggest revisions to temporary artwork proposals.

b. Temporary and performance-based projects of less than 24-hour duration may be reviewed and approved at staff level.

6. Conditions

A. The City reserves the right to manage its own property including the removal of the artwork, for reasons that include, but are not limited to, artwork that poses a public safety risk, has been left on City property beyond the agreed terms, or is damaged beyond repair.

B. If an artwork is not completed within the timeline originally approved by the Public Art Committee, or if changes in content, materials, form, presentation, or financing of the artwork occur, the artwork may require review again by the Public Art staff and Public Art Committee.

C. In accepting a temporary artwork, the City requires that the responsible parties enter into an agreement for the duration of the display that outlines the maintenance responsibilities and agreement to remove the work at the agreed upon conclusion of the display, leaving the site in its original condition or better.

D. Neither the Public Art Committee, nor the City, nor any of its agents, shall be held liable for any damage or state of disrepair of a temporary artwork.

7. Documentation

Artists shall assist Public Art Program staff in collecting and/or creating documentation that includes the following information:

A. Artist biographical summary.

B. Written narrative describing the artwork, including materials.

C. Photographs or other documentation of the installed work.

D. Mention and/or reviews of the artwork in local press.

Appendix L

SAMPLE PUBLIC ART ORDINANCE

WHEREAS, for hundreds of years, the arts have reflected in differing ways the historical development, attitudes, and values of the society in which they were created. Works of art chronicle historical development, attitudes, and values of this City, both by comparison and contrast; and

WHEREAS, the arts are critical to the development of an urbanized society in which people live in close proximity to each other. Art enables individuals to reflect upon personal differences in beauty and expression. Works of art exemplify differences and similarities which exist among people living together as a society; and

WHEREAS, cultural and artistic resources preserve and enhance the quality of life for individuals living in, working in, and visiting the City; and

WHEREAS, the arts create a focal point for physical gathering, discussion, sharing of common or diverse interests, and create an opportunity for personal reflection, all of which are viewed as beneficial to the health and welfare of the community; and

WHEREAS, the arts inspire civic pride amongst its residents, strengthens the City's regional identity by enhancing public spaces, giving character to neighborhoods and business districts, and providing numerous opportunities for people to experience the arts; and

WHEREAS, the City of Newark is dedicated to supporting, promoting, and protecting community interest and diversity in art, culture, and creative expression; and

WHEREAS, the City Council desires to establish a public art requirement for specified public and private development projects; and

WHEREAS, the City Council desires to establish payment of a public art fee requirement for any new commercial, industrial, or residential development requiring a building permit from the City into a public art fund to be used to further the purposes of the public art program.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NEWARK DOES HEREBY ORDAIN AS FOLLOWS.

SECTION 1. Amendments to the Municipal Code

Chapter XX is hereby added to XX of the Newark Municipal Code to read as follows:

1. Definitions.
2. Public Art Requirement.
3. Exceptions and Waivers.
4. Use of public art fund.
5. Administration.

1. Definitions.

For the purpose of this chapter, the following words and phrases are defined as follows:

A. "Annual Public Art Workplan" means a document developed or reviewed annually by the Newark Public Art Committee with project and funding recommendations that shall be presented to the City Manager and City Council.

B. "Artist" means a practitioner of the creative arts, generally recognized as such by critics and peers, with a body of work that may include commissions, exhibitions, sales, publications, and collections. For the purposes of this Chapter, "artist" shall not include: (j) persons primarily working in the professional fields of architecture, engineering, design or landscaping; (ii) an employee or relative of the development project architect, landscape architect, engineer or project manager; (iii) any person with a business interest in a development project or with respect to individuals or entities serving as project architects, landscape architects, engineers or project managers; or (iv) a relative of or anyone with a financial interest with respect to an individual or entity serving on an art selection panel for the development project.

C. "Building Permit Valuation" means those construction costs as declared on all building permit applications for new construction but shall not apply to costs solely attributable to tenant improvements. Building permit applications shall include, but not be limited to, all building, plumbing, mechanical and electrical permit applications for the project.

D. "Capital Improvement Plan Project (CIP)" means street and park construction and rehabilitation projects, construction and/or repairs to City facilities, acquisitions of new equipment that are not part of a department's operating budget, feasibility studies to identify and quantify future projects, and some major equipment replacement purchases.

E. "Maintenance" means those activities required to conserve, repair, or preserve the integrity of the artwork and setting within which the artwork is located. Routine maintenance means the basic day-to-day care of the artwork.

F. "Nonprofit agency" means a corporation organized under Internal Revenue Code Section 501(c)(3), in good standing with the California Department of Corporations and in compliance with all federal, state, and local licensing, reporting, and tax requirements.

G. "Public Art" means artwork created by an Artist located in a public place on private property, or on land or in a building owned by the City, and encompasses all cultures through the broadest possible range of expression, media, and materials and that may be permanent, fixed, temporary or portable; and may be an integral part of a building, facility, structure, or landscape. These may include but are not limited to:

1. Media: Paintings, ceramics, light, sound, electronic, video, media-based, time-based, and web-based.
2. Style: Functional, realistic, abstract, community-based, and process-oriented; permanent and temporary. The artwork can include artistic elements of the overall architecture or landscape design if created by an Artist.
3. Genre: Fine art, craft, folk art, performance art. For reference, performance art is an art form in which a performance is presented within a fine art context, usually in collaboration with other interdisciplinary artists. The performance may be live or via media and the performer may be present or absent.

H. "Public Art Committee" means the City of Newark Committee that advises the City Council on public art policies, procedures, and expenditures from the Public Art Fund.

I. "Public Art Fund" means a separate account into which all monies generated under this policy, derived from gifts or donations for public art, shall be deposited.

J. "Public Art Policy Guidelines" means the document adopted by the Public Art Committee that includes standards and procedures for the implementation and administration of public art in accordance with this ordinance.

K. "Public Art Project" means the cost for the administration, development, acquisition, and installation of the public art CIP projects required by this chapter.

L. "Private Development Project" means any commercial, industrial, and residential private sector development that requires the issuance of a building permit by the City of Newark.

M. "Public Place" means an area on public property that is freely accessible to and available for use by the general public during normal hours of business operation consistent with the operation and use of the premises, including but not limited to lobbies, meeting spaces, sidewalks, and crosswalks.

2. Public Art Requirement.

A. Municipal Capital Improvement Plan Projects

1. For all Capital Improvement Plan (CIP) projects not specified under the exceptions below, the City shall provide not less than one percent (1%) of CIP project construction costs for projects of $250,000 or more for acquisition and installation of public art on the project site.
2. The City Manager or designee, prior to the release of the proposed CIP budget, shall review the list of identified projects. Where the eligibility of the CIP project is uncertain, the City Manager or their designee shall make the final determination.
3. Nothing is intended to prohibit the City Manager, in conjunction with the submission of the annual capital budgets of the City and subject to the approval of the City Council, from designating additional funds, subject to applicable restrictions, to be utilized for public art.
4. Appropriations for purposes of acquiring public art to carry out the provisions of this ordinance shall comply with applicable funding source requirements. If the source of funding or other applicable law or regulation with respect to any project prohibits or restricts the use of funds for public art, the amount of funds so prohibited or restricted shall be excluded in determining the 1%.
5. Each year in adopting the City's annual CIP budget, the City Council shall approve the appropriation of 1% of eligible construction project costs to be set aside and identified as funds to be appropriated and expended for acquisition or commissioning of public art.
6. Implementation of this Ordinance shall be the responsibility of the Public Art Program staff or by contracting the services of a professional public art consultant.
7. Public Art Program staff shall have the authority to pool funds and may propose funds for use at a current CIP site or any other City-owned publicly accessible site.
8. The Public Art Committee shall approve or deny the selection of artists, the commissioning of public art, and/or the purchase of artwork in accordance with the Public Art Policy Guidelines and shall make recommendations to the City Council for approval of the commissioning of public art and/or the purchase of artwork to be located on municipal property in accordance with the Public Art Policy Guidelines defined in this Ordinance.

9. Routine maintenance of public art shall be performed by and costs borne by the XX Department, consistent with the specifications as defined by the artist and provided by Public Art Program staff. When routine maintenance costs exceed the resources of the XX Department, the Public Art Committee may recommend the expenditure of Public Art Fund reserves to support the cost of supplies and labor to perform routine maintenance.

B. Private Development Projects.

1. The owner of a development project for a commercial, industrial, or residential building shall be required to pay a public art fee in accordance with the requirements of this section.
2. The Community Development Department shall collect a public art fee in the amount equal to .5% of the building permit valuation before issuance of a building permit.
3. The public art fee shall be deposited into the Public Art Fund and may be used for the purposes stated in Section XX of this Chapter.

3. Exceptions and Waivers.

The requirements of this chapter shall not apply to the following activities:

A. ADA Compliance Projects (not including projects where ADA compliance is a portion of a larger project).

B. Road, path, and sidewalk repairs, including traffic signals and upgrades, curb and gutter repairs, sign reflectivity, road and parking signage, resurfacing of roads or other existing hardscape areas.

C. Emergency repair projects.

D. Cyclical replacement and repair of trails, outdoor furnishings, or fencing.

E. Studies and plans.

F. Roof replacement

G. Mechanical, security, A/V equipment, HVAC, and IT installations, upgrades and repairs.

H. Utilities projects unless there is a building construction or reconstruction involved.

I. Vehicle repair and replacement.

J. Seismic upgrades and waterproofing.

K. Projects where the majority of the cost is allocated to elements located underground.

L. Projects where prohibited by federal law, including projects or portions of projects funded by grants from non-City sources that prohibit expenditure of funds for art.

4. Use of Public Fund.

A. There is hereby created a public art fund to account for the public art fee and any and all other revenues appropriated or received for public art and arts and cultural programs, including gifts, grants, and donations made to the City for the purposes of this Ordinance. The public art fund shall be self-perpetuating from year to year. The revenues in such fund shall be used solely for:

1. The acquisition, commission, design, installation, production, presentation, performance, maintenance, and of public art and arts and cultural programs identified by Section 2. Public Art Requirement of this Ordinance.
2. No more than twenty percent (20%) of the annual Public Art Fund shall be used for all necessary and reasonable administrative costs incurred in connection with Public Art Program staff or consultant supervision of the Public Art Program and the expenditure of all funds appropriated for public art.
3. Other expenses associated with the implementation and administration of the Public Art Program.
4. Further the purposes of public art as defined in this chapter.

B. All fees collected under this chapter shall be maintained, managed, and reviewed by the City Manager or designee. The City Manager shall present annually to the City Council for approval an Annual Public Art Workplan that recommends the use of Public Art Fund monies consistent with the purpose of this section including the administrative costs of the Public Art Program annually, staff support and related expenses; curatorial services; documentation; publicity, community education, and any other services or programs in accordance with the intent of this chapter.

C. Included and Excluded Appropriations and Expenses

1. Included appropriations and expenditures for public art include:

   a. Acquisition of public art through direct purchase or through the design, fabrication, transportation, installation, and presentation of public art.

b. Temporary stages, arenas, and other devices for performance.

c. Artist fees and expenses.

d. Supplies and materials.

e. Costs for insurance, identification plaques, project management by an independent public art consultant, and other reasonable expenses associated with the planning, development, and completion of public art.

f. Other related expenses approved by the Public Art Committee.

2. Excluded appropriations and expenditures for public art include:

a. Reproductions, by mechanical or other means of original artwork, except in cases of film, video, photography, printmaking, theater, or other media arts.

b. Decorative, ornamental, architectural, or functional elements that are designed by the project architect or other design consultants engaged by the architect as opposed to an artist commissioned for this purpose.

c. Landscape architecture, gardening, or materials generally considered to be components of the landscape designed by the project architect, landscape architect or other design professional engaged by the architect as opposed to an artist commissioned for this purpose.

d. Art objects that are mass produced (excluding artist-created, signed limited-edition works), ordered from a catalog, or of a standard design, such as playground sculpture or fountains.

e. Directional or other functional elements such as signage, supergraphics, color coding, or maps that are designed by architect, landscape architect or other design professional engaged by the primary designer.

f. Utility costs and expenses related to the ongoing operation of the artwork such as electrical, water, or mechanical service required to activate the work; and

g. Services, utilities, and other ongoing operating expenses for maintenance of public art or cultural programming.

5. Public Art Committee.

A. The Public Art Committee shall consist of a minimum of five (5) and not more than 9 (nine) members appointed by the Mayor and confirmed by the City Council.

B. Public Art Committee members shall have professional credentials and work experience as exhibiting and performing artists in the visual and media arts, contemporary museum and gallery art curators, museum directors, arts management

professionals, arts educators, design professionals such as architects, landscape architects, and urban planners. At least three (3) of the nine voting members shall be professional artists and at least one (1) of the nine voting members shall be design professionals.

C. The powers and duties of the Public Art Committee shall be as follows:

1. Establish and approve the Public Art Program mission and curatorial and programmatic goals, policies, and guidelines.
2. Develop an Annual Public Art Workplan that charts current and future public art projects and arts and culture programming and determines resources and funding priorities.
3. Make recommendations to the City Council on the expenditure of funds in the Public Art Fund.
4. Make recommendations to the City Council and City Manager concerning the resources and needs of the community on the subject of the arts and opportunities for participation of artists.
5. Review and make recommendations to the City Council concerning the removal, relocation or alteration of existing public art or items of cultural significance in the possession of the City in accordance with the deaccession policy.
6. Review and make recommendations to the City Council concerning gifts and loans of artwork to the City in accordance with the gifts and donation of art policy.
7. Explore methods of obtaining private, local, state and federal funds to promote art and other cultural projects within the city and make recommendations to the council on applying for such grants and funds.
8. Encourage public and private partnerships to assure the survival of the arts and artists in the City.
9. Serve as the key advocacy body for the Public Art Program and participate in community outreach activities and events.
10. Adopt rules, regulations, and procedures for the chairperson and conduct of its meetings.
11. Exercise such other and incidental powers not inconsistent with law, necessary to carry out its functions.

6. City Council role and responsibilities.

A. Approve the City of Newark Public Art Master Plan.

B. Approve the annual Public Art Workplan as part of the City's annual budget adoption process, which outlines the projects and expenses the Public Art Program will undertake each year.

C. Approve annual Capital Improvement Program allocations for public art, as outlined in this Ordinance.

D. Approve annual operating allocations for the Public Art Program as part of the City's annual budget process, including necessary funding for staffing the Public Art Program and maintenance of public art with a relief of twenty percent (20%) for allowable costs from the Public Art Fund as indicated in this Ordinance.

E. Make final determinations on Public Art Committee recommendations regarding the commissioning and acquisition of public art on City property in compliance with the City's purchasing policy.

F. Make final determinations on Public Art Committee recommendations regarding deaccession of artwork, acceptance of artwork gifts and loans, and proposals for memorials and murals on City property, in accordance with each respective policy.

7. Public Art Policy Guidelines.

Guidelines for the implementation and administration of public art shall be adopted by the Public Art Committee. Any major changes to the Public Art Policy Guidelines after adoption shall be submitted to the Public Art Committee for review and consensus.

Appendix M

SAMPLE LANGUAGE FOR INCLUSION IN RFP/RFQ FOR PRIME CONTRACTOR

The lead designer will participate in the City of Newark's process for commissioning project artists and assist with the successful integration of their artworks into the architectural design. The contract agreement with the City will require the lead designer to work with the City and all project artists to ensure that art is an integral component of the building project.

The artist selection and approval process must be integrated into the overall project schedule to afford the opportunity for a successful collaboration between the project artist and contractor. The City's policies and procedures will be included in the contractor contract agreement so that the lead designer and contractor will be aware of their responsibilities throughout the public art process and can budget accordingly.

While most of the selection process is handled by City staff and/or designated public art consultant, members of the contractor project team play an important role. In addition, the lead designer is substantially involved in the integration of art into the architectural design and must personally participate on the artist selection panel.

Once the contract with the lead designer is awarded by the City, the City staff and/or designated public art consultant will schedule an introductory meeting with the lead designer and contractor. This meeting will occur early in the project schedule before the lead designer and contractor have produced a design concept for the project.

Appendix N

FIVE-YEAR IMPLEMENTATION GRID

NOTE: Although categorized, there are projects listed below that are applicable under more than one heading. PAF = Public Art Fund. PAC = Public Art Committee

—— Denotes continuous years.

CATEGORY	PROJECT	LOCATION	CURRENT PAF : EST PROJECT COST	OTHER FUNDING SOURCES	IMMEDIATE	SHORT TERM 1-3 YEARS	MID-TERM 3-5 YEARS	LONG TERM 5-10 YEARS
CIP	Central Overpass		$400,000	CIP	——	——		
	Old Town Streetscape			CIP		——	——	——
GATEWAY	Old Town Streetscape			CIP	——	——	——	
NEIGHBORHOODS	Utility Boxes	City-wide	$40,000 First Year	PAC Members				
	Murals	Grants to Community Organizations	$50,000 per year	General Fund				
LOCAL ARTISTS	Meet & Greet (2x Per Year)			PAC Members				
	Changing Exhibits	City Hall						
	Artist Directory	City Website						
ADMIN	Establish Public Art Committee				——	——	——	——
ADMINISTRATION	Project Management (outsourced)		$100,000 Per Year	General Fund			——	——
GATEWAY	Thornton Avenue at Nimitz Freeway		$500,000					
	Mowry Avenue at Nimitz Freeway	Near NewPark Mall	$500,000		Developer			

Denotes continuous years.

Appendix N

CATEGORY	PROJECT	LOCATION	CURRENT PAF : EST PROJECT COST	OTHER FUNDING SOURCES	IMMEDIATE	SHORT TERM 1-3 YEARS	MID-TERM 3-5 YEARS	LONG TERM 5-10 YEARS
NEIGHBORHOODS	Trash Receptacles	Parks	$35,000	Measure D				
TEMPORARY	Yarn Storming	Parks	$5,000 Per Year					
	Vacant Storefronts	Shopping Malls	$13,000 Per Year	Property Owners				
HISTORY	Permanent Artwork	City Hall						
LOCAL ARTISTS	Artists in Residence (2 Per Year)	Community Center Senior Center						
	Annual Open Studios Event		$5,000 - $10,000 Per Year	General Fund				
	Artists Booths at Annual Events	Parks						
	Workshops, Webinars, Lectures, etc.							
TEMPORARY	Newark Library	During Scheduled Events						
	Civic Center	During Scheduled Events						
HISTORY	Oral Histories by Students			Newark Library				
NATURE	Wind-generated Kinetic Art	Parks						
	Geography & Cargill Salt Ponds	City Hall		Developer				
PUBLIC EDUCATION	Walks, Tours							
	Smartphone App							
	Coloring Book							
		TOTAL PAF:	**$2,000,000**					

City of Newark Public Art Master Plan Update

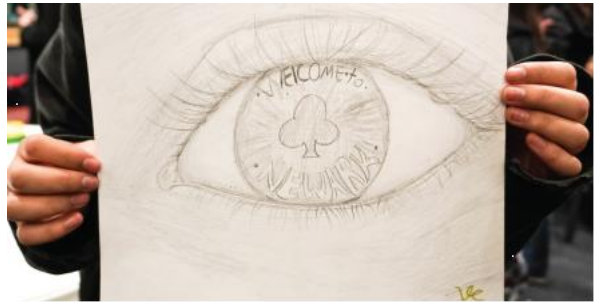
City Council June 13, 2024



Gail M. Goldman
Associates with Art Builds Community

VISION

All residents and visitors in Newark experience public art as part of their daily lives and throughout all neighborhoods, celebrating the city's history, people, natural environment, and culture.



Teen Focus Group participant.

RECURRING THEMES

- Use public art to set Newark apart from surrounding communities.
- Locate high quality art throughout Newark, ensuring that it is fully accessible to the public.
- Support and increase the visibility of local artists and creative entrepreneurs.
- Promote the implementation of the Public Art Master Plan.
- Ensure that the Public Art Fund has sufficient dollars to support public art and other arts initiatives.

November 9, 2023 City Council Input Addressed



- Commitment to high quality artwork to survive generations.
- In first year, coordinate changing exhibitions in City Hall and Library.
- Include exhibition of local artists during Newark Days.
- Students create art for utility boxes outside their respective schools.
- Identify walls for murals.
- Add TOT as potential funding source.
- Add corporate “donation request” for stores such as Home Depot, Target, Costco, etc. as potential funding source.

FINAL DRAFT: IMMEDIATE ACTION

- **Administration**
  Establish Public Art Committee

- **CIP** (in progress)
  Old Town Streetscape
  Central Avenue Overpass

- **Neighborhoods**
  Utility Boxes and Murals

- **Local Artists**
  Meet & Greet
  Artist Directory
  Changing Exhibitions in City Hall



LIBRARY BOLLARDS
Whimsy and Wise,
Brad Oldham,
Palo Alto



LOCAL HISTORY
Portrait of Lawson McGhee,
John Kelley, Knoxville



TRASH RECEPTICLE
Traceries,
Mary Bates Neubauer,
Scottsdale

STAFF REPORT

Item F. 2.

DATE	06/13/2024
TO	Honorable Mayor and City Council Members
FROM	Brett Oeverndiek, Management Analyst II
SUBJECT	Adopt resolutions for approval of Annual Engineer's Reports, intention to levy and collect assessments and setting a public hearing for July 11, 2024, for Landscaping and Lighting District Nos. 1, 2, 4, 7, 11, 15, 16, 17, 18 and 19 for Fiscal Year 2025 in accordance with the provisions of the Landscaping and Lighting Act of 1972; and initiate dissolution proceedings for Landscaping and Lighting Distrcit Nos. 6, 10 and 13.

SUMMARY AND RECOMMENDATION

The City of Newark previously completed all necessary proceedings to establish Landscaping and Lighting District Nos. 1, 2, 4, 6, 7, 10, 11, 13, 15, 16, 17, 18 and 19 (collectively "Districts") to fund ongoing landscaping and lighting maintenance and improvements at various locations. For each upcoming fiscal year, it is necessary for the City Council to initiate proceedings for the levy and collection of assessments for the Districts, approve the Annual Engineer's Reports which detail the assessments for each of the Districts, and conduct a public hearing. The City Council adopted Resolution No. 11631 on April 11, 2024, to initiate proceedings to provide for the levy of assessments for Fiscal Year 2025 and to direct the City Engineer to prepare and file the Annual Engineer's Reports with the City Clerk. The Annual Engineer's Reports have been prepared and filed for City Council's consideration.

Staff recommends that the City Council: (1) by resolution, approve the Annual Engineer’s Reports; and, (2) by resolution, declare an intention to levy and collect assessments and set the date for the annual public hearing for July 11, 2024, for Landscaping and Lighting District Nos. 1, 2, 4, 7, 11, 15, 16, 17, 18 and 19 for Fiscal Year 2025 in accordance with the provisions of the Landscaping and Lighting Act of 1972. In addition, the City does not maintain any improvements corresponding to Landscaping and Lighting District Nos. 6, 10 and 13 and does not levy assessments for these Districts. Therefore, City staff is recommending City Council initiate dissolution proceedings for Landscaping and Lighting District Nos. 6, 10 and 13 by adoption of the attached Resolution of Intention pursuant to Section 22610 of the Act.

BACKGROUND

The City Council previously established the Districts to provide for the annual operation and maintenance of certain landscaping and lighting improvements benefiting property within the Districts as summarized below.

Landscaping and Lighting District No. 1: Central Avenue between Filbert Street and Willow Street - Provides for the maintenance of median landscaping on Central Avenue between Filbert Street and Willow Street and buffer landscaping adjacent to the Alameda County Flood Control channel immediately west of Filbert Street, and for the maintenance and operation of median streetlights along this portion of Central Avenue.

Landscaping and Lighting District No. 2: Jarvis Avenue and Newark Boulevard adjacent to Dumbarton Technology Park and Four Corners shopping centers – Provides for the maintenance of Jarvis Avenue and Newark Boulevard median island and in-tract buffer landscaping and landscape irrigation systems adjacent to and within the boundaries of Tract 5232, the Dumbarton Industrial Park, and the Four Corners shopping centers.

Landscaping and Lighting District No. 4: Stevenson Boulevard and Cherry Street adjacent to New Technology Park - Provides for the maintenance of Stevenson Boulevard median island landscaping from the Nimitz Freeway to the railroad tracks west of Cherry Street and maintenance of median islands and up to 50 feet of greenbelt landscaping adjacent to Cherry Street and the interior loop streets within the boundaries of Stevenson Point Technology Park, the maintenance of landscaping across from the Newark Unified School District property on Cherry Street, and the street lighting maintenance, trash capture device maintenance, and neighborhood park maintenance related to Benefit Zone No. 2 (Sanctuary).

Landscaping and Lighting District No. 6: Cedar Boulevard and Duffel Redevelopment Area No. 2 – Authorized to provide for the maintenance of all street landscaping within the public right-of-way, and landscaping and landscape irrigation systems within easement areas and developed properties in Redevelopment Area No. 2 at Cedar Boulevard and Stevenson Boulevard, plus the Stevenson Station Shopping Center. The district is inactive at this time because all the improvements are either privately maintained or are maintained through the Public Works operating budget to City standards. Should the improvements not be maintained to City standards, the district may be activated, so funding is available for the City to maintain the improvements.

Landscaping and Lighting District No. 7: Newark Boulevard and Rosemont Square Shopping Center – Provides for the maintenance of buffer landscaping and the landscape irrigation system within the public right-of-way and easement areas for Rosemont Square Shopping Center.

Landscaping and Lighting District No. 10: Various locations throughout the City – Authorized to provide for the maintenance of street lighting, landscaping and landscape irrigation systems within public right-of-way and easement areas located throughout the City. A benefit zone has been established for each maintenance area. All benefit zones are inactive at this time because the improvements are privately maintained to City standards. Should the improvements not be maintained to City standards, the applicable benefit zone may be activated, so funding is available for the City to

maintain the improvements.

Landscaping and Lighting District No. 11: Edgewater Drive - Provides for the maintenance of landscaped medians on Edgewater Drive.

Landscaping and Lighting District No. 13: Citation Homes and Bren developments on Thornton Avenue – Authorized to provide for maintenance of the landscaping and irrigation systems for Thornton Avenue, Cedar Boulevard, Willow Street, and other streets within these subdivisions. This district was relieved from the responsibility for maintenance of median landscaping on Thornton Avenue in May 1997. The district is inactive at this time because all the improvements are privately maintained to City standards. Should the improvements not be maintained to City standards, the district may be activated, so funding is available for the City to maintain the improvements.

Landscaping and Lighting District No. 15: Robertson Avenue at Iris Court - Provides for the maintenance of the landscaping and irrigation systems on Robertson Avenue at Iris Court.

Landscaping and Lighting District No. 16: Kiote Drive in Tract 6671 – Provides for the maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement along the street frontage of Kiote Drive in Tract 6671, along with the landscaping, irrigation system, recreation facilities associated with the mini-park common area and any related appurtenant improvements.

Landscaping and Lighting District No. 17: Newark Boulevard and Mayhews Landing Road in Tract 7004 – Provides for the maintenance of landscaping and the landscape irrigation system within the public right-of-way of the Newark Boulevard and Mayhews Landing Road frontages of Tract 7004.

Landscaping and Lighting District No. 18: Cedar Boulevard along the frontage of Tract 8130 – Provides for the maintenance of landscaping and the landscape irrigation system within the Cedar Boulevard median area along the frontage of Tract 8130 between Central Avenue and Smith Avenue.

Landscaping and Lighting District No. 19: Willow Street and Enterprise Drive in the Bayside Newark Transit Oriented Development – Provides for the maintenance of landscaping and the landscape irrigation system within the Willow Street and Enterprise Drive medians and traffic circles, maintenance of public street lighting systems, and maintenance of other improvements related to each benefit zone associated with the Bayside Newark Transit Oriented Development.

Pursuant to Section 22620 of the Landscaping and Lighting Act of 1972, the City Council, with Resolution No. 11631 adopted on April 11, 2024, initiated proceedings to provide for the levy of assessments for Fiscal Year 2025 in order to provide for the necessary costs and expenses pertaining to the maintenance of improvements within these districts and directed the City Engineer to prepare and file the Annual Engineer's Reports for each District with the City Clerk.

DISCUSSION/ANALYSIS

The Annual Engineer's Reports for all Districts have been filed with the City Clerk as directed. There are no new improvements or substantial changes to existing improvements associated with the Districts for Fiscal Year 2025. City staff is recommending Fiscal Year 2025 assessments for the Districts be levied in alignment with recent years at or below the respective authorized maximum rates to pay for operation and maintenance of landscaping and lighting improvements.

For Landscaping and Lighting District Nos. 1, 2, 4 (Benefit Zone 1), 7, 11, 15, 16, 17, and 18, the authorized maximum assessment rates are recommended to be levied for Fiscal Year 2025. For Landscaping and Lighting District Nos. 4 (Benefit Zone No. 2) and 19 (All Benefit Zones), assessment rates below the authorized maximum are proposed to be levied for Fiscal Year 2025.

The City does not levy assessments within Landscaping and Lighting District Nos. 6, 10 and 13 because their respective improvements are either privately maintained or are maintained through the Public Works operating budget to City standards, and therefore, City staff recommends initiating dissolution proceedings for these Districts. Pursuant to Section 22610 of the Act, the City may initiate dissolution proceedings by adoption of a Resolution of Intention.

Upon conclusion of the annual public hearings, the assessments for the cost of the work would be added to the tax bills for those property owners included within the boundaries of active districts. Excess funds, or funds collected for which work was not completed, can be carried over from one year to the next.

FISCAL IMPACT

If assessments for the Districts are not levied, there would be a total revenue loss of approximately $396,900 for Fiscal Year 2025 to fund the annual operation and maintenance of certain landscaping and lighting improvements benefiting property within the Districts.

REVIEW AND APPROVAL

Prepared by - Brett Oeverndiek, Management Analyst II
Reviewed by - Soren Fajeau, Public Works Director
Reviewed by - Krysten Lee, Finance Director
Reviewed by - Kristopher J. Kokotaylo, City Attorney
Approved by - Lenka Hovorka, Assistant City Manager

Attachments

Resolution - Approving Engineer's Reports

Resolution - Intention to Levy and Dissolve

L&L No. 1

L&L No. 2

L&L No. 4

L&L No. 7
L&L No. 11
L&L No. 15
L&L No. 16
L&L No. 17
L&L No. 18
L&L No. 19

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWARK APPROVING THE ANNUAL ENGINEER'S REPORTS FOR LANDSCAPING AND LIGHTING DISTRICT NOS. 1, 2, 4, 7, 11, 15, 16, 17, 18 AND 19, FOR FISCAL YEAR 2025 IN ACCORDANCE WITH THE PROVISIONS OF THE LANDSCAPE AND LIGHTING ACT OF 1972

WHEREAS, the City Council of the City of Newark previously completed its proceedings in accordance with and pursuant to the Landscape and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (the "Act") to establish Landscaping and Lighting District Nos. 1, 2, 4, 6, 7, 10, 11, 13, 15, 16, 17, 18 and 19 (the "Districts") in order to fund ongoing maintenance and improvements authorized under the Act; and

WHEREAS, there are no new proposed improvements or any substantial changes to existing improvements in the Districts; and

WHEREAS, Section 22620, et seq. of the Act provides for the levy of annual assessments after formation of the Districts; and

WHEREAS, the City designates the City Engineer to prepare and file reports in accordance with Section 22565, et seq., of the Act (the "Annual Engineer's Reports"); and

WHEREAS, pursuant to Section 22622 of the Act, the City Council, with Resolution No. 11631 adopted on April 11, 2024, initiated proceedings to provide for the levy of assessments for Fiscal Year 2025 in order to provide for the necessary costs and expenses pertaining to the maintenance of the improvements within the Districts and ordered the City Engineer to prepare and file with the City Clerk the Annual Engineer's Reports; and

WHEREAS, the City does not levy assessments within Landscaping and Lighting District Nos. 6, 10 and 13 because their respective improvements are either privately maintained or are maintained through the Public Works operating budget to City standards; and

WHEREAS, the City will initiate dissolution proceedings for Landscaping and Lighting District Nos. 6, 10 and 13 by the adoption of the Resolution of Intention pursuant to Section 22610 of the Act and therefore no Annual Engineer's Reports for Landscaping and Lighting District Nos. 6, 10 and 13 have been submitted to the City Clerk for Fiscal Year 2025.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newark that the Annual Engineer's Reports for Fiscal Year 2025 submitted to the City Clerk pursuant to City Council Resolution No. 11631 are hereby approved as filed.

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWARK DECLARING INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR LANDSCAPING AND LIGHTING DISTRICT NOS. 1, 2, 4, 7, 11, 15, 16, 17, 18 AND 19 FOR FISCAL YEAR 2025; INITIATE DISSOLUTION PROCEEDINGS FOR LANDSCAPING AND LIGHTING DISTRICT NOS. 6, 10 AND 13; AND SETTING THE ANNUAL PUBLIC HEARING DATE FOR JULY 11, 2024 IN ACCORDANCE WITH THE PROVISIONS OF THE LANDSCAPING AND LIGHTING ACT OF 1972

WHEREAS, the City Council of the City of Newark previously completed its proceedings in accordance with and pursuant to the Landscaping and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (the "Act") to establish Landscaping and Lighting District Nos. 1, 2, 4, 6, 7, 10, 11, 13, 15, 16, 17, 18 and 19 (the "Districts") in order to fund ongoing maintenance and improvements authorized under the Act; and

WHEREAS, there are no new proposed improvements or any substantial changes to existing improvements in the Districts; and

WHEREAS, Section 22620, et seq. of the Act provides for the levy of annual assessments after formation of the Districts; and

WHEREAS, the City designates the City Engineer to prepare and file reports in accordance with Section 22565, et seq., of the Act (the "Annual Engineer's Reports"); and

WHEREAS, pursuant to Section 22622 of the Act, the City Council, with Resolution No. 11631 adopted on April 11, 2024, initiated proceedings to provide for the levy of assessments for Fiscal Year 2025 in order to provide for the necessary costs and expenses pertaining to the maintenance of the improvements benefiting the Districts and ordered the City Engineer to prepare and file with the City Clerk the Annual Engineer's Reports; and

WHEREAS, the City does not levy assessments within Landscaping and Lighting District Nos. 6, 10 and 13 because their respective improvements are privately maintained to City standards; and

WHEREAS, the City may initiate dissolution proceedings for Landscaping and Lighting District Nos. 6, 10 and 13 by the adoption of the Resolution of Intention pursuant to Section 22610 of the Act.

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

1. The City Council intends to levy and collect assessments within Landscaping and Lighting District Nos. 1, 2, 4, 7, 11, 15, 16, 17, 18 and 19 and initiates dissolution proceedings for Landscaping and Lighting District Nos. 6, 10 and 13 for Fiscal Year 2025.

2.The improvements to be made in these assessment districts are generally described as follows:

Landscaping and Lighting District No. 1: Central Avenue between Filbert Street and Willow Street - Provides for the maintenance of median landscaping on Central Avenue between Filbert Street and Willow Street and buffer landscaping adjacent to the Alameda County Flood Control channel immediately west of Filbert Street, and for the maintenance and operation of median streetlights along this portion of Central Avenue.

Landscaping and Lighting District No. 2: Jarvis Avenue and Newark Boulevard adjacent to Dumbarton Technology Park and Four Corners shopping centers – Provides for the maintenance of Jarvis Avenue and Newark Boulevard median island and in-tract buffer landscaping and landscape irrigation systems adjacent to and within the boundaries of Tract 5232, the Dumbarton Industrial Park, and the Four Corners shopping centers.

Landscaping and Lighting District No. 4: Stevenson Boulevard and Cherry Street adjacent to New Technology Park - Provides for the maintenance of Stevenson Boulevard median island landscaping from the Nimitz Freeway to the railroad tracks west of Cherry Street and maintenance of median islands and up to 50 feet of greenbelt landscaping adjacent to Cherry Street and the interior loop streets within the boundaries of Stevenson Point Technology Park, the maintenance of landscaping across from the Newark Unified School District property on Cherry Street, and the street lighting maintenance, trash capture device maintenance, and neighborhood park maintenance related to Benefit Zone No. 2 (Sanctuary).

Landscaping and Lighting District No. 7: Newark Boulevard and Rosemont Square Shopping Center – Provides for the maintenance of buffer landscaping and the landscape irrigation system within the public right-of-way and easement areas for Rosemont Square Shopping Center.

Landscaping and Lighting District No. 11: Edgewater Drive - Provides for the maintenance of landscaped medians on Edgewater Drive.

Landscaping and Lighting District No. 15: Robertson Avenue at Iris Court - Provides for the maintenance of the landscaping and irrigation systems on Robertson Avenue at Iris Court.

Landscaping and Lighting District No. 16: Kiote Drive in Tract 6671 – Provides for the maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement along the street frontage of Kiote Drive in Tract 6671, along with the landscaping, irrigation system, recreation facilities associated with the mini-park common area and any related appurtenant improvements.

Landscaping and Lighting District No. 17: Newark Boulevard and Mayhews Landing Road in Tract 7004 – Provides for the maintenance of landscaping and the landscape irrigation system within the public right-of-way of the Newark Boulevard and Mayhews Landing Road frontages of Tract 7004.

Landscaping and Lighting District No. 18: Cedar Boulevard along the frontage of Tract 8130 – Provides for the maintenance of landscaping and the landscape irrigation system within the Cedar Boulevard median area along the frontage of Tract 8130 between Central Avenue and Smith Avenue.

Landscaping and Lighting District No. 19: Willow Street and Enterprise Drive in the Bayside Newark Transit Oriented Development – Provides for the maintenance of landscaping and the landscape irrigation system within the Willow Street and Enterprise Drive medians and traffic circles, maintenance of public street lighting systems, and maintenance of other improvements related to each benefit zone associated with the Bayside Newark Transit Oriented Development.

3. City staff is recommending Fiscal Year 2025 assessments for Landscaping and Lighting District No. 1, 2, 4, 7, 11, 15, 16, 17, 18 and 19 to be levied at or below the respective authorized maximum rates to pay for operation and maintenance of landscaping and lighting improvements.

4. In accordance with City Council Resolution No. 11631 directing the filing of the Annual Engineer's Reports, the City Engineer, Engineer of Work, has filed with the City Clerk the Annual Engineer's Reports required by the Act. All interested persons are referred to the Annual Engineer's Reports for a full and detailed description of the improvements, the boundaries of the Districts, and the proposed assessments upon assessable lots and parcels of land within the Districts.

5. On Thursday, the 11th of July, 2024, at the hour of 7:00 p.m., or as soon thereafter as the matter may be heard, the City Council will conduct a public hearing on the question of levy and collection of the proposed annual assessments. The hearing will be held at the meeting place of the City Council located in the City Administration Building, 37101 Newark Boulevard, Newark, California.

6. The City Clerk is authorized and directed to give the notice of hearing as required by the Landscaping and Lighting Act of 1972.

NEWARK
california

Landscaping and Lighting District No. 1

Fiscal Year 2024-25
Preliminary Engineer's Report

June 13, 2024

Prepared by

FRANCISCO AND ASSOCIATES

Where Innovative Strategies
Fund Tomorrow's Communities

Table of Contents

Page No.

Certificate ii

Section I - Introduction 1

Section II – Engineer's Report 3

Part A – Plans and Specifications 5

Part B – Estimate of Cost 8

Part C – Assessment District Diagram 10

Part D – Method of Apportionment of Assessments 12

Part E – Assessment Roll 15

ENGINEER'S REPORT
CITY OF NEWARK
LANDSCAPING AND LIGHTING DISTRICT NO. 1
FISCAL YEAR 2024-25

The undersigned, acting on behalf of Francisco & Associates respectfully submits the enclosed Engineer's Report as directed by the Newark City Council pursuant to the provisions of Article XIIID, Section 4 of the California Constitution, and the Landscape and Lighting Act of 1972 being Section 22500 et al of the California Streets and Highways Code (the "1972 Act"). The undersigned certifies that he is a Professional Engineer, registered in the State of California.

Dated: May 14, 2024

By: _____
Eduardo Espinoza, P.E.
RCE # 83709

SECTION I

INTRODUCTION

The City of Newark ("City") levies and collects special assessments on parcels within the City of Newark Landscaping and Lighting District No. 1 ("District") to maintain public improvements. The District was formed to provide a dedicated source of funding for the ongoing maintenance of median-island and buffer landscaping and median-island streetlight improvements benefiting parcels within the boundaries of the District.

The assessments and method of apportionment described in this Report utilize commonly accepted assessment engineering practices and have been calculated and proportionately spread to each parcel based on the special benefits received as approved by the City Council at the time the District was formed.

The District generally consists of those properties both fronting and adjacent to Central Avenue and between Filbert Street to the east and Willow Street to the west. A reduced copy of the Assessment Diagram showing the exterior boundaries of the District is provided in Part C of this Report.

Compliance with the California Constitution

Assessments are levied annually within the District pursuant to the 1972 Act. All assessments described in this Report and approved by the City Council are prepared in accordance with the 1972 Act and are compliant with the provisions of the California Constitution Article XIIID ("Article XIIID"), which was enacted with the passage of Proposition 218 in November 1996. Pursuant to Article XIIID Section 5, certain existing assessments are exempt from the substantive and procedural requirements of Article XIIID Section 4. Specifically, Article XIIID Section 5(b) exempted:

> *"Any assessment imposed pursuant to a petition signed by the persons owning all of the parcels subject to the assessment at the time the assessment is initially imposed. Subsequent increases in such assessment shall be subject to the procedures and approval process set forth in Section 4."*

The City determined that the annual assessments originally established for the District were established by a petition signed by the persons owning all the parcels subject to the assessment at the time the assessment was originally proposed. As such, pursuant to Article XIIID Section 5(b), the pre–existing assessment amount has been exempted from the procedural requirements of Article XIIID Section 4 since the amount of the assessment has not increased since the passage of Proposition 218. Any future increase in the assessment rate or substantial changes in the services provided would require that the District be brought into compliance with all the requirements of Article XIIID and would require the approval of the property owners subject to the assessment based upon a mailed ballot which would be sent to each property owner.

Current Annual Administration

As required by the 1972 Act, the Engineer's Report includes: (1) a description of the improvements to be operated, maintained, and serviced by the District, (2) a cost estimate for the District, and (3) a listing of the proposed Fiscal Year 2024-25 assessments to be levied upon each assessable lot or parcel within the District.

The City will hold a Public Hearing on July 11, 2024, regarding this District which will provide an opportunity for any interested person to be heard. At the conclusion of the Public Hearing, the City Council may adopt a resolution confirming the assessment rates as originally proposed or as modified.

Payment of these annual assessments for each parcel will be made in the same manner and at the same time as payments are made for their annual property taxes. All funds collected through the assessments must be placed in a special fund and can only be used for the purposes stated within this Report.

SECTION II

ENGINEER'S REPORT PREPARED FOR THE CITY OF NEWARK LANDSCAPING AND LIGHTING DISTRICT NO. 1 FISCAL YEAR 2024-25

Pursuant to the Landscaping and Lighting Act of 1972 (Part 2 of Division 15 of the Streets and Highways Code of the State of California), and in accordance with the Resolution of Initiation, being Resolution No. 11631, which directs the preparation and filing of the Engineer's Report, adopted by the City Council of the City of Newark, on April 11, 2024, the following Report was prepared consisting of Section I (Introduction), and this, Section II, which consists of five (5) parts as follows:

PART A: PLANS AND SPECIFICATIONS

This part describes the improvements maintained by the District. Plans and specifications for the improvements are on file in the Office of the Director of Public Works of the City of Newark and are incorporated herein by reference.

PART B: ESTIMATE OF COST

This part contains an estimate of the cost of the proposed improvements to be maintained for Fiscal Year 2024-25, including incidental costs and expenses in connection therewith. The estimate is attached hereto and is on file in the Office of the Director of Public Works of the City of Newark.

PART C: ASSESSMENT DISTRICT DIAGRAM

This part incorporates a Diagram of the District showing the exterior boundaries of the District, the boundaries of any zones within the District and the lines and dimensions of each lot or parcel of land within the District. This Diagram has been prepared by the Engineer of Work and is on file in the Office of the Director of Public Works of the City of Newark.

The lines and dimensions of each lot or parcel within the District are those lines and dimensions shown on the maps of the Alameda County Assessor for the year when this Report was prepared. The Assessor's maps and records are incorporated by reference herein and made a part of this Report.

PART D: METHOD OF APPORTIONMENT OF ASSESSMENTS

This part describes the method of apportionment of assessments, based upon each parcel's classification within the District in proportion to the estimated special benefits to be received.

PART E: DESCRIPTION OF ASSESSMENT ROLL

This part contains an assessment of the estimated cost of the improvements apportioned to each benefited parcel of land within the District. The Assessment Roll is filed in the Office of the City Clerk of the City of Newark and is incorporated in this Report. The list is keyed to the records of the Alameda County Assessor, which are incorporated herein by reference.

PART A

PLANS AND SPECIFICATIONS

IMPROVEMENTS AND SERVICES PURSUANT TO THE 1972 ACT

The improvements and services authorized by the provisions of the Landscape and Lighting Act of 1972, being Part 2 of Division 15 of the Streets and Highways Code, commencing with Section 22500 (hereafter referred to as the "1972 Act"), that may be applicable to this District and associated assessments may include one or more of the following definitions:

- "Improvement" means one or any combination of the following:
  - The installation or planting of landscaping.
  - The installation or construction of statuary, fountains, and other ornamental structures and facilities.
  - The installation or construction of public lighting facilities, including, but not limited to, traffic signals.
  - The installation or construction of any facilities which are appurtenant to any of the forgoing, or which are necessary or convenient for the maintenance or servicing thereof, including, but not limited to, grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks, or paving, or water, irrigation, drainage, or electrical facilities.
  - The installation of park or recreational improvements, including, but not limited to all the following:
    - Land preparation, such as grading, leveling, cutting and filling, sod, landscaping, irrigation systems, sidewalks, and drainage.
    - Lights, playground equipment, play courts, and public restrooms.
  - The maintenance or servicing, or both, of any of the forgoing, and of any improvements authorized below.
  - The acquisition of land for park, recreational, or open space purposes.
  - The acquisition of any existing improvement otherwise authorized herein.
  - The acquisition or construction of any community center, municipal auditorium or hall, or similar public facility for the indoor presentation of performances, shows, stage productions, fairs, conventions, exhibitions, pageants, meetings, parties, or other group events, activities, or functions, whether those events, activities, or functions are public or private.

- "Incidental expenses" include all the following:
    - The costs of preparation of the report, including plans, specifications, estimates, diagram, and assessment.
    - The costs of printing, advertising, and giving of published, posted, and mailed notices.
    - Compensation payable to the county for collection of assessments.
    - Compensation of any engineer or attorney employed to render services in proceedings pursuant to this part.
    - Any other expenses incidental to the construction, installation, or maintenance and servicing of improvements.
    - Any expenses incidental to the construction, installation, or maintenance and servicing of the improvements.
    - Any expenses incidental to the issuance of bonds or notes.
    - Costs associated with any elections held for the approval of a new or increased assessment.

- "Landscaping" means trees, shrubs, grass, or other ornamental vegetation.

- "Maintain" or "maintenance" means the furnishing of services and materials for the ordinary and usual maintenance, operation, and services of any improvement, including:
    - Repair, removal or replacement of all or any part of any improvement.
    - Providing for the life, growth, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury.
    - The removal of trimmings, rubbish, debris, and other solid waste.
    - The cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

- "Public lighting facilities" means all works or improvements used or useful for the lighting of any public places, including ornamental standards, luminaries, poles, supports, tunnels, manholes, vaults, conduits, pipes, wires, conductors, guys, stubs, platforms, braces, transformers, insulators, contacts, switches, capacitors, meters, communication circuits, appliances, attachments, and appurtenances.

- "Service" or "servicing" means the furnishing of:
    - Electric current or energy, gas, or other illuminating agent for any public lighting facilities or for the lighting or operation of any other improvements.
    - Water for the irrigation of any landscaping, the operation of any fountains, or the maintenance of any other improvements.

DESCRIPTION OF DISTRICT IMPROVEMENTS

The improvements, which have been constructed within the City, and those which may be subsequently constructed, operated, maintained, and serviced with District assessments are generally described as follows:

> The maintenance and operation of median-island and buffer landscaping and the landscape irrigation system and median-island lighting located on Central Avenue between Filbert Street and Willow Street. Costs shall include all maintenance and operation costs including normal upkeep, operating expenses, management expenses, replanting costs, and power costs.

Improvement diagrams have been prepared identifying all improvements and areas that are to be maintained by the District. A copy of this diagram is on file with the City's Public Works Department.

PART B

ESTIMATE OF COSTS

The 1972 Act requires that a special fund be set up for the collection of revenues and expenditures of the District. The Act provides that the total cost of construction, operation, and maintenance and servicing of the public improvements specified in Part A of this Report can be recovered by the District. Incidental expenses including administration of the District, engineering fees, legal fees and all other costs associated with the construction, operation and maintenance and servicing of the District can also be included.

The 1972 Act also requires that a special fund be set up for the revenues and expenditures of the District. Funds raised from the assessments shall be used only for the expenditures represented above. A contribution to the District by the City may be made to reduce assessments as the City deems appropriate. Any balance remaining on July 1 at the end of the fiscal year must be carried over to the next fiscal year unless the funds are being accumulated for future capital replacement projects or operating reserves.

The following table provides a summary of the estimated District revenues and cost estimates for Fiscal Year 2024-25.

Landscaping and Lighting District No. 1 Fiscal Year 2024-25 Cost Estimate	
Projected Revenues	
Assessment Revenue	$41,547
Non-Assessment Revenues[1]	$3,337
Total Projected Revenues	**$44,884**
Projected Expenses	
Contract Services[2]	$139,149
Utilities	$5,000
Administration and Incidentals	$24,383
County Collection Fees	$706
Unforeseen Maintenance and Repairs[3]	$8,462
Total Projected Expenses	**$177,701**
Projected Fund Balance	
Beginning Fund Balance - July 1, 2024	$222,490
Reserve Fund Collection Increase/(Decrease)	($132,816)
Ending Fund Balance - June 30, 2025	$89,673
Recommended Operating Reserves	$84,619
Available Operating Reserves	$84,619
Available Capital Reserves	$5,054

[1]Non-Assessment Revenue includes interest earnings estimated at 1.5% of Projected Beginning Fund Balance and any other non-assessment revenue sources.

[2]Includes $120,00 for Plant & Tree Replacement, Grading, Irrigation & Pop-Up Replacement, Irrigation Retrofit, and Re-mulch projects.

[3]Unforeseen Maintenance and Repairs are assumed to be 5% of the Projected Expenses.

The purpose of the various reserves is to ensure the District will have funds available for cashflow purposes and to repair or reconstruct the improvements that are the responsibility of the District.

The Recommended Operating Reserve target is fifty percent (50%) of the projected expenditures. Maintaining a fully funded Operating Reserve eliminates the need for the City to transfer funds from non-District accounts to pay for operational expenses during the first half of the fiscal year and provides the District with sufficient funds to address any unforeseen or unusual expenditures that may occur during the year.

The purpose of collecting and holding funds in a Capital Reserve is so that when improvements need to be replaced or expenditures are greater than can be conveniently raised from a single year's assessment, funds are available so that the District can respond and address the need promptly.

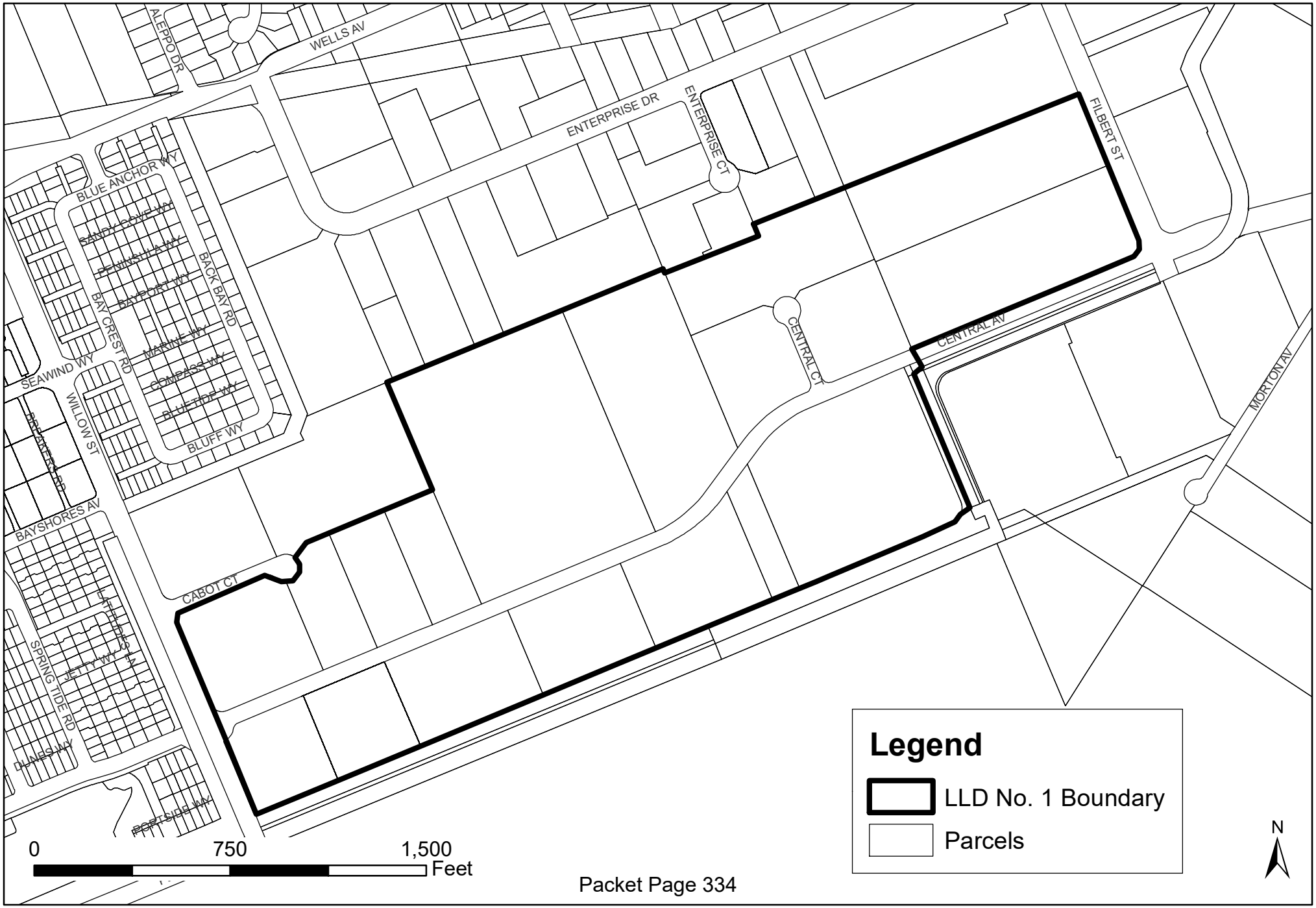
PART C

ASSESSMENT DISTRICT DIAGRAM

The boundaries of the District are shown herein. The Diagram is on file in the Public Works Department of the City and shown on the following page of this Engineer's Report. The lines and dimensions of each parcel within the District are those lines and dimensions shown on the maps of the Alameda County Assessor for the year in which this Report was prepared and are incorporated by reference herein and made part of this Report.

A reduced copy of the Assessment Diagram is shown on the following page.

LANDSCAPING AND LIGHTING DISTRICT NO. 1
(CENTRAL AVENUE)
ASSESSMENT DIAGRAM



PART D

METHOD OF APPORTIONMENT OF ASSESSMENTS

This section explains the benefits to be derived from the improvements and the methodology used to apportion the total costs of the improvements to properties within the District.

The method used for apportioning the assessment is based upon the relative special benefits to be derived by the properties in the District and any established benefit zones. The assessment is apportioned to each parcel in proportion to the relative cost of the special benefits from the improvements.

General

The 1972 Act permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements which include the construction, maintenance and servicing of public lights, landscaping, and appurtenant facilities. The 1972 Act further requires that the cost of these improvements be levied according to benefit rather than assessed value:

> *"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."*

The formula used for calculating assessments in the District therefore reflects the composition of the parcels, and the improvements and services provided, to fairly apportion the costs based on estimated benefit to each parcel.

In addition, the 1972 Act permits the designation of zones of benefit within any individual assessment district if "by reasons or variations in the nature, location, and extent of the improvements, the various areas will receive different degrees of benefit from the improvement." Thus, the 1972 Act requires the levy of a true "assessment" rather than a "special tax".

Discussion of Benefit

Each of the improvements have been carefully reviewed by the City and the corresponding assessments have been proportionately spread to each parcel based on the special benefits conferred to property from the improvements as determined at the time the District was established.

The District consists of all Assessor Parcels within the boundaries of the District. The method of apportioning costs and assessing properties is based upon the proportional special benefits to be conferred by the improvements and services to the properties within the boundaries of the District. The apportioning of special benefit is a two-step process: the first step is to identify the types of special benefits arising from the improvements and services, and the second step is to allocate the costs and assign assessments to property based on the estimates of the special benefit being conferred to each property.

In summary, the assessments can only be levied based on the special benefit to property conferred from the installation, maintenance, and servicing of the improvements funded by the District. These special benefits are not dependent on any one property owner's use of the District's improvements or their specific demographic status. The basis for these special benefits comes from statutes approved by the California Legislature and other studies that describe the types of benefits received by property from such improvements. The identified special benefits conferred to property from the improvements can be summarized as follows:

- Improved aesthetics:
  - Well-maintained and attractive landscaping enhances the overall appearance and desirability of the area, making it visually appealing to property owners and visitors.
  - Well-lit medians contribute to property visibility, especially during nighttime, benefiting businesses or properties seeking attention and attracting customers. It also adds to the visual appeal, attractiveness, and inviting nature of the area.

- Increased property values:
  - Attractive and well-maintained landscaping can increase the desirability of nearby properties, potentially leading to higher property values.
  - Well-maintained and well-lit medians can have a positive impact on property values in the surrounding area. Adequate lighting is seen as a desirable feature, making properties more appealing to potential buyers or tenants.

- Safety:
  - Median and buffer landscaping helps calm traffic and reduce speeds, creating a safer environment for people traveling to and from properties within the District. It also acts as a physical buffer between roadways and properties within the District.
  - Well-lit medians contribute to improved safety for both motorists and pedestrians traveling to and from properties within the District. Adequate lighting enhances visibility, reducing the risk of accidents and improving overall traffic safety. It also facilitates easier access to adjacent properties.

- Noise reduction:
  - Trees and plants help absorb traffic noise and create a buffer between the road and nearby properties, reducing noise levels and creating a more peaceful environment.

- Reduced pollution:
  - Trees and plants aid in filtering pollutants from the air, improving air quality and creating a healthier environment for properties in proximity to the landscape.

These benefits, when applied to property in the District, specifically increase the utility of the property within the District. For example, the assessments provide funding to maintain the landscaping and lighting that improves safety and access to the property and provides visual and environmental benefits to the properties within the District. Such improved and well-maintained public facilities enhance the overall usability, quality, desirability, and safety of the properties.

Method of Assessment

This process of apportioning assessments to each property involves determining the relative special benefit received by each property from the improvements and services. The City and Engineer of Work at the time of District formation determined that each property's linear foot of frontage along Willow Avenue receives a similar benefit from the improvements. Therefore, it was determined that the most appropriate method of apportioning costs was to assess properties based on a front footage basis for all parcels fronting Central Avenue between Filbert Street and Willow Street. This methodology is commonly used to distribute assessments in proportion to estimated special benefit and is generally recognized as providing the basis for a fair and appropriate distribution of assessments.

In Fiscal Year 2024-25, the City proposes to collect the maximum assessment revenue from the assessable parcels located in the District, which amounts to $6.01 per linear foot of frontage to be levied. A listing of each assessable parcel and their proposed Fiscal Year 2024-25 assessment is on the Assessment Roll in Part E of this Report.

Exempted from the assessment would be the areas of public streets, public avenues, public lanes, public roads, public drives, public courts, public alleys, public easements and rights-of-ways, public greenbelts, and public parkways (all of which are typically not assigned an Assessor's Parcel Number (APN) by the County). Also exempted from the assessment would be public agency owned property, utility rights-of-ways, common areas (such as in condominium complexes or those that are owned by a Homeowner's or Property Owner's Association), and any other property that is deemed to be unable to develop by the City. These types of parcels do not benefit from the improvements.

Appeals and Interpretations

Any property owner who feels the assessment levied on the subject property is in error because of incorrect information being used to apply the foregoing method of assessment, may file a written appeal with the City Engineer or his or her designee. Any such appeal is limited to correction of an assessment during the then current or, if before July 1, the upcoming fiscal year. Upon the filing of any such appeal, the City Engineer or his or her designee will promptly review the appeal and any information provided by the property owner. If the City Engineer or his or her designee finds that the assessment should be modified, the appropriate changes shall be made to the assessment roll. If any such changes are approved after the assessment roll has been filed with the County for collection, the City Engineer or his or her designee is authorized to refund to the property owner the amount of any approved reduction. Any property owner who disagrees with the decision of the City Engineer or her or his designee may refer their appeal to the City Council and the decision of the City Council shall be final.

PART E

ASSESSMENT ROLL

A list of names and addresses of the owners of all parcels, and the description of each parcel within the District is shown on the last equalized Secured Property Tax Roll of the Alameda County Assessor, which by reference is hereby made a part of this Report.

This list is keyed to the Assessor's Parcel Numbers as shown on the Assessment Roll, which includes the proposed amount of assessments for Fiscal Year 2024-25 apportioned to each parcel. The Assessment Roll is on file in the Public Works Department of the City and is included in this Report beginning on the next page.

The total proposed assessment for Fiscal Year 2024-25 is $41,547.08.

CITY OF NEWARK
LANDSCAPING & LIGHTING DISTRICT No. 1
ASSESSMENT ROLL
FISCAL YEAR 2024-25

Assessor's Parcel Number	Assessment Amount
092 -0116-035-03	$2,091.48
092 -0116-048-00	$4,303.16
092 -0116-049-00	$2,758.58
092 -0116-050-00	$1,364.26
092 -0116-055-00	$3,071.10
092 -0116-056-00	$2,776.62
092 -0116-057-00	$3,029.04
092 -0116-064-00	$1,358.26
092 -0116-065-00	$1,238.06
092 -0116-066-00	$2,686.46
092 -0116-068-00	$168.28
092 -0116-069-00	$168.28
092 -0116-070-00	$168.28
092 -0116-071-00	$168.28
092 -0116-072-00	$168.28
092 -0116-073-00	$168.28
092 -0116-074-00	$168.28
092 -0116-075-00	$168.28
092 -0116-076-00	$168.28
092 -0116-077-00	$168.28
092 -0116-078-00	$168.28
092 -0116-079-00	$168.28
092 -0251-012-00	$2,079.46
092 -0251-014-00	$2,019.36
092 -0252-011-00	$4,387.30
092 -0252-012-00	$727.20
092 -0252-015-00	$5,637.38
Total Parcels:	27
Total Assessment:	$41,547.08

NEWARK
california

Landscaping and Lighting District No. 2

Fiscal Year 2024-25
Preliminary Engineer's Report

June 13, 2024

Prepared by

FRANCISCO AND ASSOCIATES

Where Innovative Strategies
Fund Tomorrow's Communities

Table of Contents

Page No.

Certificate ii

Section I - Introduction 1

Section II – Engineer's Report 3

Part A – Plans and Specifications 5

Part B – Estimate of Cost 8

Part C – Assessment District Diagram 10

Part D – Method of Apportionment of Assessments 12

Part E - Assessment Roll 15

ENGINEER'S REPORT
CITY OF NEWARK
LANDSCAPING AND LIGHTING DISTRICT NO. 2
FISCAL YEAR 2024-25

The undersigned, acting on behalf of Francisco & Associates respectfully submits the enclosed Engineer's Report as directed by the Newark City Council pursuant to the provisions of Article XIIID, Section 4 of the California Constitution, and the Landscape and Lighting Act of 1972 being Section 22500 et al of the California Streets and Highways Code (the "1972 Act"). The undersigned certifies that he is a Professional Engineer, registered in the State of California.

Dated: May 14, 2024

By: _____
Eduardo Espinoza, P.E.
RCE # 83709

SECTION I

INTRODUCTION

The City of Newark ("City") levies and collects special assessments on parcels within the City of Newark Landscaping and Lighting District No. 2 ("District") to maintain public improvements. The District was formed to provide a dedicated source of funding for the ongoing maintenance of landscaping improvements within the public right-of-way within the boundaries of the District.

The assessments and method of apportionment described in this Report utilize commonly accepted assessment engineering practices and have been calculated and proportionately spread to each parcel based on the special benefits received as approved by the City Council at the time the District was formed.

The District generally consists of those properties west of Jarvis Avenue, north of the railroad tracks, east of California State Route 84, and south of the City owned parcel at the corner of Jarvis Avenue and Cardiff Street. A reduced copy of the Assessment Diagram showing the exterior boundaries of the District is provided in Part C of this Report.

Compliance with the California Constitution

Assessments are levied annually within the District pursuant to the 1972 Act. All assessments described in this Report and approved by the City Council are prepared in accordance with the 1972 Act and are compliant with the provisions of the California Constitution Article XIIID ("Article XIIID"), which was enacted with the passage of Proposition 218 in November 1996. Pursuant to Article XIIID Section 5, certain existing assessments are exempt from the substantive and procedural requirements of Article XIIID Section 4. Specifically, Article XIIID Section 5(a) exempted:

> *"Any assessment imposed exclusively to finance the capital costs or maintenance and operation expenses for sidewalks, streets, sewers, water, flood control, drainage systems or vector control. Subsequent increases in such assessments shall be subject to the procedures and approval process set forth in Section 4."*

The City determined that the annual assessments originally established for the District were for the maintenance and operation of landscape and medians within the public street rights-of-way. As such, pursuant to Article XIIID Section 5(a), the pre–existing assessment amount has been exempted from the procedural requirements of Article XIIID Section 4 since the amount of the assessment has not increased since the passage of Proposition 218. Any future increase in the assessment rate or substantial changes in the services provided would require that the District be brought into compliance with all the requirements of Article XIIID and would require the approval of the property owners subject to the assessment based upon a mailed ballot which would be sent to each property owner.

Current Annual Administration

As required by the 1972 Act, the Engineer's Report includes: (1) a description of the improvements to be operated, maintained, and serviced by the District, (2) a cost estimate for the District, and (3) a listing of the proposed Fiscal Year 2024-25 assessments to be levied upon each assessable lot or parcel within the District.

The City will hold a Public Hearing on July 11, 2024, regarding this District which will provide an opportunity for any interested person to be heard. At the conclusion of the Public Hearing, the City Council may adopt a resolution confirming the assessment rates as originally proposed or as modified.

Payment of these annual assessments for each parcel will be made in the same manner and at the same time as payments are made for their annual property taxes. All funds collected through the assessments must be placed in a special fund and can only be used for the purposes stated within this Report.

SECTION II

ENGINEER'S REPORT PREPARED FOR THE CITY OF NEWARK LANDSCAPING AND LIGHTING DISTRICT NO. 2 FISCAL YEAR 2024-25

Pursuant to the Landscaping and Lighting Act of 1972 (Part 2 of Division 15 of the Streets and Highways Code of the State of California), and in accordance with the Resolution of Initiation, being Resolution No. 11631, which directs the preparation and filing of the Engineer's Report, adopted by the City Council of the City of Newark, on April 11, 2024, the following Report was prepared consisting of Section I (Introduction), and this, Section II, which consists of five (5) parts as follows:

PART A: PLANS AND SPECIFICATIONS

This part describes the improvements maintained by the District. Plans and specifications for the improvements are on file in the Office of the Director of Public Works of the City of Newark and are incorporated herein by reference.

PART B: ESTIMATE OF COST

This part contains an estimate of the cost of the proposed improvements to be maintained for Fiscal Year 2024-25, including incidental costs and expenses in connection therewith. The estimate is attached hereto and is on file in the Office of the Director of Public Works of the City of Newark.

PART C: ASSESSMENT DISTRICT DIAGRAM

This part incorporates a Diagram of the District showing the exterior boundaries of the District, the boundaries of any zones within the District and the lines and dimensions of each lot or parcel of land within the District. This Diagram has been prepared by the Engineer of Work and is on file in the Office of the Director of Public Works of the City of Newark.

The lines and dimensions of each lot or parcel within the District are those lines and dimensions shown on the maps of the Alameda County Assessor for the year when this Report was prepared. The Assessor's maps and records are incorporated by reference herein and made a part of this Report.

PART D: METHOD OF APPORTIONMENT OF ASSESSMENTS

This part describes the method of apportionment of assessments, based upon each parcel's classification within the District in proportion to the estimated special benefits to be received.

PART E: ASSESSMENT ROLL

This part contains an assessment of the estimated cost of the improvements apportioned to each benefited parcel of land within the District. The Assessment Roll is filed in the Office of the City Clerk of the City of Newark and is incorporated in this Report. The list is keyed to the records of the Alameda County Assessor, which are incorporated herein by reference.

PART A

PLANS AND SPECIFICATIONS

IMPROVEMENTS AND SERVICES PURSUANT TO THE 1972 ACT

The improvements and services authorized by the provisions of the Landscape and Lighting Act of 1972, being Part 2 of Division 15 of the Streets and Highways Code, commencing with Section 22500 (hereafter referred to as the "1972 Act"), that may be applicable to this District and associated assessments may include one or more of the following definitions:

- "Improvement" means one or any combination of the following:
  - The installation or planting of landscaping.
  - The installation or construction of statuary, fountains, and other ornamental structures and facilities.
  - The installation or construction of public lighting facilities, including, but not limited to, traffic signals.
  - The installation or construction of any facilities which are appurtenant to any of the forgoing, or which are necessary or convenient for the maintenance or servicing thereof, including, but not limited to, grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks, or paving, or water, irrigation, drainage, or electrical facilities.
  - The installation of park or recreational improvements, including, but not limited to all the following:
    - Land preparation, such as grading, leveling, cutting and filling, sod, landscaping, irrigation systems, sidewalks, and drainage.
    - Lights, playground equipment, play courts, and public restrooms.
  - The maintenance or servicing, or both, of any of the forgoing, and of any improvements authorized below.
  - The acquisition of land for park, recreational, or open space purposes.
  - The acquisition of any existing improvement otherwise authorized herein.
  - The acquisition or construction of any community center, municipal auditorium or hall, or similar public facility for the indoor presentation of performances, shows, stage productions, fairs, conventions, exhibitions, pageants, meetings, parties, or other group events, activities, or functions, whether those events, activities, or functions are public or private.

- "Incidental expenses" include all the following:
    - The costs of preparation of the report, including plans, specifications, estimates, diagram, and assessment.
    - The costs of printing, advertising, and giving of published, posted, and mailed notices.
    - Compensation payable to the county for collection of assessments.
    - Compensation of any engineer or attorney employed to render services in proceedings pursuant to this part.
    - Any other expenses incidental to the construction, installation, or maintenance and servicing of improvements.
    - Any expenses incidental to the construction, installation, or maintenance and servicing of the improvements.
    - Any expenses incidental to the issuance of bonds or notes.
    - Costs associated with any elections held for the approval of a new or increased assessment.

- "Landscaping" means trees, shrubs, grass, or other ornamental vegetation.

- "Maintain" or "maintenance" means the furnishing of services and materials for the ordinary and usual maintenance, operation, and services of any improvement, including:
    - Repair, removal or replacement of all or any part of any improvement.
    - Providing for the life, growth, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury.
    - The removal of trimmings, rubbish, debris, and other solid waste.
    - The cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

- "Public lighting facilities" means all works or improvements used or useful for the lighting of any public places, including ornamental standards, luminaries, poles, supports, tunnels, manholes, vaults, conduits, pipes, wires, conductors, guys, stubs, platforms, braces, transformers, insulators, contacts, switches, capacitors, meters, communication circuits, appliances, attachments, and appurtenances.

- "Service" or "servicing" means the furnishing of:
    - Electric current or energy, gas, or other illuminating agent for any public lighting facilities or for the lighting or operation of any other improvements.
    - Water for the irrigation of any landscaping, the operation of any fountains, or the maintenance of any other improvements.

DESCRIPTION OF DISTRICT IMPROVEMENTS

The improvements, which have been constructed within the City, and those which may be subsequently constructed, operated, maintained, and serviced with District assessments are generally described as follows:

> The maintenance of Jarvis Avenue median-island and buffer landscaping and landscape irrigation system, and lighting adjacent to and within the boundaries of Tract 5232 and the Dumbarton Industrial Park. Costs shall include all maintenance and operation costs including normal upkeep, operating expenses, management expenses, replanting costs, and power costs.
>
> The maintenance of landscaping and the landscape irrigation system within the public right-of-way and easement areas adjacent to the public right-of-way on Dumbarton Court, Jarvis Avenue and Newark Boulevard, and the 10-foot-wide landscape easement in lots 6 and 7 of Tract 5232 adjoining the property within Parcel Map 5618.

Improvement diagrams have been prepared identifying all improvements and areas that are to be maintained by the District. A copy of this diagram is on file with the City's Public Works Department.

PART B

ESTIMATE OF COSTS

The 1972 Act requires that a special fund be set up for the collection of revenues and expenditures of the District. The Act provides that the total cost of construction, operation, and maintenance and servicing of the public improvements specified in Part A of this Report can be recovered by the District. Incidental expenses including administration of the District, engineering fees, legal fees and all other costs associated with the construction, operation and maintenance and servicing of the Districts can also be included.

The 1972 Act also requires that a special fund be set up for the revenues and expenditures of the District. Funds raised from the assessments shall be used only for the expenditures represented above. A contribution to the District by the City may be made to reduce assessments as the City deems appropriate. Any balance remaining on July 1 at the end of the fiscal year must be carried over to the next fiscal year unless the funds are being accumulated for future capital replacement projects or operating reserves.

The following table provides a summary of the estimated District revenues and cost estimates for Fiscal Year 2024-25.

Landscaping and Lighting District No. 2 Fiscal Year 2024-25 Cost Estimate	
Projected Revenues	
Assessment Revenue	$26,678
Non-Assessment Revenues[1]	$3,008
Total Projected Revenues	**$29,686**
Projected Expenses	
Contract Services[2]	$81,071
Utilities	$4,000
Administration and Incidentals	$15,892
County Collection Fees	$454
Unforeseen Maintenance and Repairs[3]	$5,071
Total Projected Expenses	**$106,487**
Projected Fund Balance	
Beginning Fund Balance - July 1, 2024	$200,524
Reserve Fund Collection Increase/(Decrease)	($76,801)
Ending Fund Balance - June 30, 2025	$123,723
Recommended Operating Reserves	$50,708
Available Operating Reserves	$50,708
Available Capital Reserves	$73,015

[1]Non-Assessment Revenue includes interest earnings estimated at 1.5% of Projected Beginning Fund Balance and any other non-assessment revenue sources.

[2]Includes $75,000 for Plant & Tree Replacement, Grading, Irrigation & Pop-Up Replacement, Irrigation Retrofit, and Re-mulch projects.

[3]Unforeseen Maintenance and Repairs are assumed to be 5% of the Projected Expenses.

The purpose of the various reserves is to ensure the District will have funds available for cashflow purposes and to repair or reconstruct the improvements that are the responsibility of the District.

The Recommended Operating Reserve target is fifty percent (50%) of the projected expenditures. Maintaining a fully funded Operating Reserve eliminates the need for the City to transfer funds from non-District accounts to pay for operational expenses during the first half of the fiscal year and provides the District with sufficient funds to address any unforeseen or unusual expenditures that may occur during the year.

The purpose of collecting and holding funds in a Capital Reserve is so that when improvements need to be replaced or expenditures that are greater than can be conveniently raised from a single year's assessment, funds are available so that the District can respond and address the need promptly.

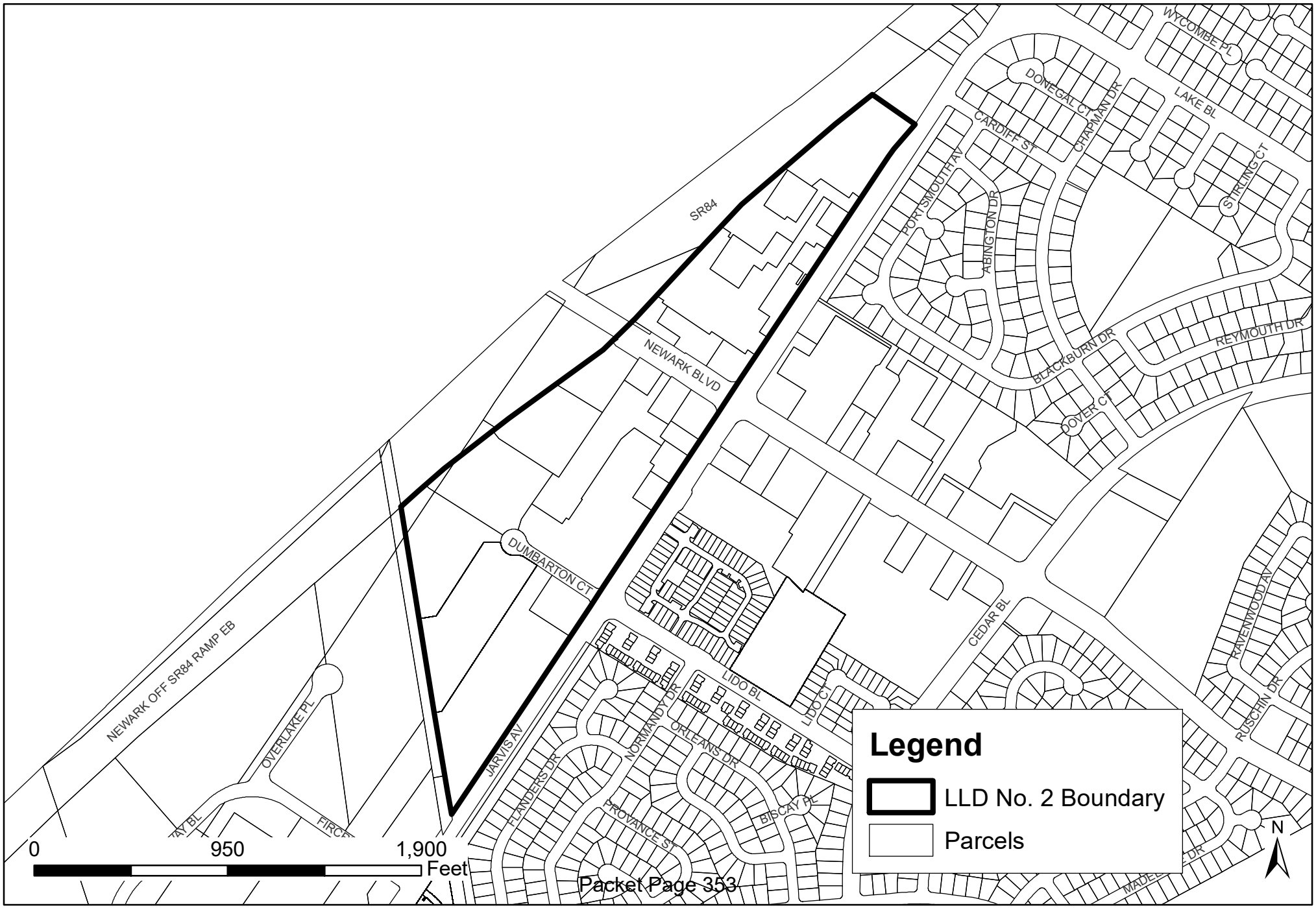
PART C

ASSESSMENT DISTRICT DIAGRAM

The boundaries of the District are shown herein. The Diagram is on file in the Public Works Department of the City and shown on the following page of this Engineer's Report. The lines and dimensions of each parcel within the District are those lines and dimensions shown on the maps of the Alameda County Assessor for the year in which this Report was prepared and are incorporated by reference herein and made part of this Report.

A reduced copy of the Assessment Diagram is shown on the following page.

LANDSCAPING AND LIGHTING DISTRICT NO. 2
(NEWARK BOULEVARD AT JARVIS AVENUE)
ASSESSMENT DIAGRAM



PART D

METHOD OF APPORTIONMENT OF ASSESSMENTS

This section explains the benefits to be derived from the improvements and the methodology used to apportion the total costs of the improvements to properties within the District.

The method used for apportioning the assessment is based upon the relative special benefits to be derived by the properties in the District and any established benefit zones. The assessment is apportioned to each parcel in proportion to the relative cost of the special benefits from the improvements.

General

The 1972 Act permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements which include the construction, maintenance and servicing of public lights, landscaping, and appurtenant facilities. The 1972 Act further requires that the cost of these improvements be levied according to benefit rather than assessed value:

> *"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."*

The formula used for calculating assessments in the District therefore reflects the composition of the parcels, and the improvements and services provided, to fairly apportion the costs based on estimated benefit to each parcel.

In addition, the 1972 Act permits the designation of zones of benefit within any individual assessment district if "by reasons or variations in the nature, location, and extent of the improvements, the various areas will receive different degrees of benefit from the improvement." Thus, the 1972 Act requires the levy of a true "assessment" rather than a "special tax".

Discussion of Benefit

Each of the improvements have been carefully reviewed by the City and the corresponding assessments have been proportionately spread to each parcel based on the special benefits conferred to property from the improvements as determined at the time the District was established.

The District consists of all Assessor Parcels within the boundaries of the District. The method of apportioning costs and assessing properties is based upon the proportional special benefits to be conferred by the improvements and services to the properties within the boundaries of the District. The apportioning of special benefit is a two-step process:

the first step is to identify the types of special benefits arising from the improvements and services, and the second step is to allocate the costs and assign assessments to property based on the estimates of the special benefit being conferred to each property.

In summary, the assessments can only be levied based on the special benefit to property conferred from the installation, maintenance, and servicing of the improvements funded by the District. These special benefits are not dependent on any one property owner's use of the District's improvements or their specific demographic status. The basis for these special benefits comes from statutes approved by the California Legislature and other studies that describe the types of benefits received by property from such improvements. The identified special benefits conferred to property from the improvements can be summarized as follows:

- Improved aesthetics:
    - Well-maintained and attractive landscaping enhances the overall appearance and desirability of the area, making it visually appealing to property owners and visitors.

- Increased property values:
    - Attractive and well-maintained landscaping can increase the desirability of nearby properties, potentially leading to higher property values.

- Safety:
    - Median landscaping helps calm traffic and reduce speeds, creating a safer environment for people traveling to and from properties within the District. It also acts as a physical buffer between roadways and properties within the District.

- Noise reduction:
    - Trees and plants help absorb traffic noise and create a buffer between the road and nearby properties, reducing noise levels and creating a more peaceful environment.

- Reduced pollution:
    - Trees and plants aid in filtering pollutants from the air, improving air quality and creating a healthier environment for properties in proximity to the landscape.

These benefits, when applied to property in the District, specifically increase the utility of the property within the District. For example, the assessments provide funding to maintain the landscaping that improves safety and access to the property and provides visual and environmental benefits to the properties within the District. Such improved and well-maintained public facilities enhance the overall usability, quality, desirability, and safety of the properties.

Method of Assessment

This process of apportioning assessments to each property involves determining the relative special benefit received by each property from the improvements and services. Therefore, the City and Engineer of Work at the time of District formation determined the project costs related to Jarvis Avenue west of Dumbarton Court and for Dumbarton Court, including a proportionate share of the incidental expenses will be spread on the basis of area to lots which front Jarvis Avenue and Dumbarton Court. Project costs related to improvements on Jarvis Avenue east of Dumbarton Court and on Newark Boulevard, including a proportionate share of incidental expenses will be spread to properties fronting this segment of Jarvis Avenue and Newark Boulevard on the basis of area, but after buildings are constructed, these costs are to be spread on the basis of building square footage, with costs allocated to undeveloped property based on the maximum building size permitted on the parcel. This methodology distributes assessments in proportion to the estimated special benefit conferred to property and is generally recognized as providing the basis for a fair and appropriate distribution of assessments.

In Fiscal Year 2024-25, the maximum allowable assessment for each assessable parcel within the District is needed to cover the annual costs. A listing of each assessable parcel and their proposed Fiscal Year 2024-25 assessment is on the Assessment Roll in Part E of this Report.

Exempted from the assessment would be the areas of public streets, public avenues, public lanes, public roads, public drives, public courts, public alleys, public easements and rights-of-ways, public greenbelts, and public parkways (all of which are typically not assigned an Assessor's Parcel Number (APN) by the County). Also exempted from the assessment would be public agency owned property, utility rights-of-ways, common areas (such as in condominium complexes or those that are owned by a Homeowner's or Property Owner's Association), and any other property that is deemed to be unable to develop by the City. These types of parcels do not benefit from the improvements.

Appeals and Interpretations

Any property owner who feels that the assessment levied on the subject property is in error because of incorrect information being used to apply the foregoing method of assessment, may file a written appeal with City Engineer or his or her designee. Any such appeal is limited to correction of an assessment during the then current or, if before July 1, the upcoming fiscal year. Upon the filing of any such appeal, the City Engineer or his or her designee will promptly review the appeal and any information provided by the property owner. If the City Engineer or his or her designee finds that the assessment should be modified, the appropriate changes shall be made to the assessment roll. If any such changes are approved after the assessment roll has been filed with the County for collection, the City Engineer or his or her designee is authorized to refund to the property owner the amount of any approved reduction. Any property owner who disagrees with the decision of the City Engineer or her or his designee may refer their appeal to the City Council and the decision of the City Council shall be final.

PART E

ASSESSMENT ROLL

A list of names and addresses of the owners of all parcels, and the description of each parcel within the District is shown on the last equalized Secured Property Tax Roll of the Alameda County Assessor, which by reference is hereby made a part of this Report.

This list is keyed to the Assessor's Parcel Numbers as shown on the Assessment Roll, which includes the proposed amount of assessments for Fiscal Year 2024-25 apportioned to each parcel. The Assessment Roll is on file in the Public Works Department of the City and is included in this Report beginning on the next page.

The total proposed assessment for Fiscal Year 2024-25 is $26,678.00.

CITY OF NEWARK
LANDSCAPING & LIGHTING DISTRICT No. 2
ASSESSMENT ROLL
FISCAL YEAR 2024-25

Assessor's Parcel Number	Assessment Amount
092A-2596-001-00	$134.00
092A-2596-002-00	$44.00
092A-2596-003-00	$77.00
092A-2596-004-00	$797.00
092A-2596-005-00	$74.00
092A-2596-006-00	$83.00
092A-2596-007-00	$66.00
092A-2596-008-00	$202.00
092A-2596-009-00	$796.00
092A-2596-010-00	$377.00
092A-2596-011-00	$161.00
537 -0521-014-00	$1,643.00
537 -0521-015-00	$198.00
537 -0521-023-02	$25.00
537 -0521-024-02	$55.00
537 -0521-025-00	$99.00
537 -0521-026-00	$38.00
537 -0521-027-00	$73.00
537 -0521-028-00	$78.00
537 -0521-036-00	$631.00
537 -0521-037-00	$820.00
537 -0521-038-00	$14,308.00
537 -0521-039-00	$2,306.00
537 -0521-045-00	$743.00
537 -0521-046-00	$57.00
537 -0521-047-00	$304.00
537 -0521-048-00	$195.00
537 -0855-001-00	$114.70
537 -0855-002-00	$114.70
537 -0855-003-00	$114.70
537 -0855-004-00	$114.70
537 -0855-005-00	$114.70
537 -0855-006-00	$114.70
537 -0855-007-00	$114.70
537 -0855-008-00	$114.70
537 -0855-009-00	$114.70
537 -0855-010-00	$114.70
537 -0855-011-00	$114.70
537 -0855-012-00	$114.70
537 -0855-013-00	$114.70
537 -0855-014-00	$114.70
537 -0855-015-00	$114.70
537 -0855-016-00	$114.70
537 -0855-017-00	$114.70
537 -0855-018-00	$114.70
537 -0855-019-00	$114.70
537 -0855-020-00	$114.70
Total Parcels:	47
Total Assessment:	$26,678.00

NEWARK
california

Landscaping and Lighting District No. 4

Fiscal Year 2024-25
Preliminary Engineer's Report

June 13, 2024

Prepared by

FRANCISCO AND ASSOCIATES
Where Innovative Strategies Fund Tomorrow's Communities

Table of Contents

Page No.

Certificate ii

Section I - Introduction 1

Section II – Engineer's Report 3

Part A – Plans and Specifications 5

Part B – Estimate of Cost 9

Part C – Assessment District Diagram 11

Part D – Method of Apportionment of Assessments 13

Part E - Assessment Roll 19

ENGINEER'S REPORT
CITY OF NEWARK
LANDSCAPING AND LIGHTING DISTRICT NO. 4
FISCAL YEAR 2024-25

The undersigned, acting on behalf of Francisco & Associates respectfully submits the enclosed Engineer's Report as directed by the Newark City Council pursuant to the provisions of Article XIIID, Section 4 of the California Constitution, and the Landscape and Lighting Act of 1972 being Section 22500 et al of the California Streets and Highways Code (the "1972 Act"). The undersigned certifies that he is a Professional Engineer, registered in the State of California.

Dated: May 14, 2024

By: _____
Eduardo Espinoza, P.E.
RCE # 83709

SECTION I

INTRODUCTION

The City of Newark ("City") levies and collects special assessments on parcels within the City of Newark Landscaping and Lighting District No. 4 ("District") to maintain public improvements. The District was formed to provide a dedicated source of funding for the ongoing maintenance of median-island and buffer landscape, streetlight, and park improvements benefiting parcels within the boundaries of the District. Since formation, an additional zone of benefit was created on September 14, 2017.

Following annexation of the zone of benefit referenced above, the District consists of the following two (2) zones of benefit:

- Zone 1 (New Technology Park and Stevenson Point Techpark)
  The area includes office, commercial, and institutional establishments in the City known as the New Technology Park and the Stevenson Point Techpark.

- Zone 2 (Sanctuary)
  The Sanctuary development includes Tract 8270 and is comprised of 386 single family homes and private roads.

The assessments and method of apportionment described in this Report utilize commonly accepted assessment engineering practices and have been calculated and proportionately spread to each parcel based on the special benefits received as approved by the City Council at the time the District was formed and the additional zone of benefit was established.

The District generally consists of those properties south of Cherry Street, west of Stevenson Boulevard, north of the railroad tracks and east of Mowry Avenue. A reduced copy of the Assessment Diagram showing the exterior boundaries of the District and each zone of benefit is provided in Part C of this Report.

Impacts of Proposition 218

On November 5, 1996 California voters approved Proposition 218 entitled "Right to Vote on Taxes Act" which added Articles XIIIC and XIIID to the California Constitution. While its title refers only to taxes, Proposition 218 established new procedural requirements for the formation and administration of assessment districts.

These new procedures stipulate that even if assessments are initially exempt from Proposition 218, future increases in assessments must comply with the provisions of Proposition 218. However, if the increase in assessments were anticipated in the assessment formula (e.g., CPI increase or assessment cap) then the assessment would comply with the intent and provisions of Proposition 218.

Current Annual Administration

As required by the 1972 Act, the Engineer's Report includes: (1) a description of the improvements to be operated, maintained, and serviced by the District and each benefit zone, (2) a cost estimate for the District and each benefit zone, and (3) a listing of the proposed Fiscal Year 2024-25 assessments to be levied upon each assessable lot or parcel within the District and each benefit zone.

The City will hold a Public Hearing on July 11, 2024, regarding this District which will provide an opportunity for any interested person to be heard. At the conclusion of the Public Hearing, the City Council may adopt a resolution confirming the assessment rates as originally proposed or as modified.

Payment of these annual assessments for each parcel will be made in the same manner and at the same time as payments are made for their annual property taxes. All funds collected through the assessments must be placed in a special fund and can only be used for the purposes stated within this Report.

SECTION II

ENGINEER'S REPORT PREPARED FOR THE CITY OF NEWARK LANDSCAPING AND LIGHTING DISTRICT NO. 4 FISCAL YEAR 2024-25

Pursuant to the Landscaping and Lighting Act of 1972 (Part 2 of Division 15 of the Streets and Highways Code of the State of California), and in accordance with the Resolution of Initiation, being Resolution No. 11631, which directs the preparation and filing of the Engineer's Report, adopted by the City Council of the City of Newark, on April 11, 2024, the following Report was prepared consisting of Section I (Introduction), and this, Section II, which consists of five (5) parts as follows:

PART A: PLANS AND SPECIFICATIONS

This part describes the improvements maintained by the District. Plans and specifications for the improvements are on file in the Office of the Director of Public Works of the City of Newark and are incorporated herein by reference.

PART B: ESTIMATE OF COST

This part contains an estimate of the cost of the proposed improvements to be maintained for Fiscal Year 2024-25, including incidental costs and expenses in connection therewith. The estimate is attached hereto and is on file in the Office of the Director of Public Works of the City of Newark.

PART C: ASSESSMENT DISTRICT DIAGRAM

This part incorporates a Diagram of the District showing the exterior boundaries of the District, the boundaries of any zones within the District and the lines and dimensions of each lot or parcel of land within the District. This Diagram has been prepared by the Engineer of Work and is on file in the Office of the Director of Public Works of the City of Newark.

The lines and dimensions of each lot or parcel within the District are those lines and dimensions shown on the maps of the Alameda County Assessor for the year when this Report was prepared. The Assessor's maps and records are incorporated by reference herein and made a part of this Report.

PART D: METHOD OF APPORTIONMENT OF ASSESSMENTS

This part describes the method of apportionment of assessments, based upon each parcel's classification within the District in proportion to the estimated special benefits to be received.

PART E: ASSESSMENT ROLL

This part contains an assessment of the estimated cost of the improvements apportioned to each benefited parcel of land within the District. The Assessment Roll is filed in the Office of the City Clerk of the City of Newark and is incorporated in this Report. The list is keyed to the records of the Alameda County Assessor, which are incorporated herein by reference.

PART A

PLANS AND SPECIFICATIONS

IMPROVEMENTS AND SERVICES PURSUANT TO THE 1972 ACT

The improvements and services authorized by the provisions of the Landscape and Lighting Act of 1972, being Part 2 of Division 15 of the Streets and Highways Code, commencing with Section 22500 (hereafter referred to as the "1972 Act"), that may be applicable to this District and associated assessments may include one or more of the following definitions:

- "Improvement" means one or any combination of the following:
    - The installation or planting of landscaping.
    - The installation or construction of statuary, fountains, and other ornamental structures and facilities.
    - The installation or construction of public lighting facilities, including, but not limited to, traffic signals.
    - The installation or construction of any facilities which are appurtenant to any of the forgoing, or which are necessary or convenient for the maintenance or servicing thereof, including, but not limited to, grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks, or paving, or water, irrigation, drainage, or electrical facilities.
    - The installation of park or recreational improvements, including, but not limited to all the following:
        - Land preparation, such as grading, leveling, cutting and filling, sod, landscaping, irrigation systems, sidewalks, and drainage.
        - Lights, playground equipment, play courts, and public restrooms.
    - The maintenance or servicing, or both, of any of the forgoing, and of any improvements authorized below.
    - The acquisition of land for park, recreational, or open space purposes.
    - The acquisition of any existing improvement otherwise authorized herein.
    - The acquisition or construction of any community center, municipal auditorium or hall, or similar public facility for the indoor presentation of performances, shows, stage productions, fairs, conventions, exhibitions, pageants, meetings, parties, or other group events, activities, or functions, whether those events, activities, or functions are public or private.

- "Incidental expenses" include all the following:
    - The costs of preparation of the report, including plans, specifications, estimates, diagram, and assessment.
    - The costs of printing, advertising, and giving of published, posted, and mailed notices.
    - Compensation payable to the county for collection of assessments.
    - Compensation of any engineer or attorney employed to render services in proceedings pursuant to this part.
    - Any other expenses incidental to the construction, installation, or maintenance and servicing of improvements.
    - Any expenses incidental to the construction, installation, or maintenance and servicing of the improvements.
    - Any expenses incidental to the issuance of bonds or notes.
    - Costs associated with any elections held for the approval of a new or increased assessment.

- "Landscaping" means trees, shrubs, grass, or other ornamental vegetation.

- "Maintain" or "maintenance" means the furnishing of services and materials for the ordinary and usual maintenance, operation, and services of any improvement, including:
    - Repair, removal or replacement of all or any part of any improvement.
    - Providing for the life, growth, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury.
    - The removal of trimmings, rubbish, debris, and other solid waste.
    - The cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

- "Public lighting facilities" means all works or improvements used or useful for the lighting of any public places, including ornamental standards, luminaries, poles, supports, tunnels, manholes, vaults, conduits, pipes, wires, conductors, guys, stubs, platforms, braces, transformers, insulators, contacts, switches, capacitors, meters, communication circuits, appliances, attachments, and appurtenances.

- "Service" or "servicing" means the furnishing of:
    - Electric current or energy, gas, or other illuminating agent for any public lighting facilities or for the lighting or operation of any other improvements.
    - Water for the irrigation of any landscaping, the operation of any fountains, or the maintenance of any other improvements.

DESCRIPTION OF DISTRICT IMPROVEMENTS

The improvements, which have been constructed within the City, and those which may be subsequently constructed, operated, maintained, and serviced with District assessments are generally described as follows:

- The Landscape Improvements include, but are not limited to landscaping, planting, turf, trees, irrigation systems, and fixtures in parks, public streets, and sidewalk rights-of-way, including medians, traffic circles, parkways and other easements dedicated to the City within, and adjacent to, the zones.
- Street Lighting Improvements include, but are not limited to poles, fixtures, bulbs, conduits, conductors, equipment including guys, anchors, posts and pedestals, metering devices and appurtenant facilities as required to provide lighting in public streets and sidewalk rights-of-way and other easements dedicated to the City within, and adjacent to, the zones.

Improvement diagrams have been prepared identifying all improvements and areas that are to be maintained by the District. A copy of these diagrams is on file with the City's Public Works Department.

A more detailed description of the facilities which either have or will be constructed, operated, maintained, and serviced within each of the District benefit zones follows.

Zone 1 (New Technology Park and Stevenson Point Techpark)

Landscape Improvements

The Landscape Improvements include streetscapes and medians, specifically:

- The maintenance of Stevenson Boulevard median-island landscaping from the Nimitz Freeway to Cherry Street.
- The Maintenance of median-island and up to 50-feet of green belt landscaping and street lighting adjacent to Cherry street and the interior loop street within the boundaries of New Technology Park.
- The maintenance of landscaping across the Newark Unified School District parcel on Cherry Street.

Zone 2 (Sanctuary)

Park and Landscape Improvements

Zone 2 is responsible for maintaining the existing District improvements identified previously in Zone 1, as well as additional maintenance and servicing of a neighborhood park and trash capture devices as listed below. Park maintenance includes turf, trees, and irrigation.

- Neighborhood Park located north of Dragonfly Street, between Sea Turtle and Brush Rabbit.
- 6 trash capture devices on Cherry Street.
- 2 trash capture devices on Stevenson Boulevard.
- 3 trash capture devices on Tom Cod Street.

All other improvements associated with Zone 2 including landscaping, sidewalk rights-of-way, medians, parkways, and other easements dedicated to the City will be maintained by a Homeowner's Association and will not be assessed to parcels within the District.

Street Lighting Improvements

The Street Lighting Improvements include fifty-one (51) streetlights located throughout Tract 8270 located along streets within the zone.

PART B

ESTIMATE OF COSTS

The 1972 Act requires that a special fund be set up for the collection of revenues and expenditures of the District. The Act provides that the total cost of construction, operation, and maintenance and servicing of the public improvements specified in Part A of this Report can be recovered by the District. Incidental expenses including administration of the District, engineering fees, legal fees and all other costs associated with the construction, operation and maintenance and servicing of the District can also be included.

Funds raised from the assessments shall be used only for the expenditures represented above. A contribution to the District by the City may be made to reduce assessments as the City deems appropriate. Any balance remaining on July 1 at the end of the fiscal year must be carried over to the next fiscal year unless the funds are being accumulated for future capital replacement projects or operating reserves.

The following table provides a summary of the estimated District revenues and cost estimates for Fiscal Year 2024-25.

Landscaping and Lighting District No. 4
Fiscal Year 2024-25 Cost Estimate

	Zone 1	Zone 2	Total Amount
Projected Revenues			
Assessment Revenue	$37,082	$74,907	$111,989
Non-Assessment Revenues[1]	$6,836	$28,338	$35,174
Total Projected Revenues	**$43,918**	**$103,245**	**$147,162**
Projected Expenses			
Contract Services[2]	$59,130	$119,445	$178,575
Utilities	$1,656	$3,344	$5,000
Administration and Incidentals	$9,395	$18,977	$28,372
County Collection Fees	$630	$1,273	$1,904
Unforeseen Maintenance and Repairs[3]	$3,541	$7,152	$10,693
Total Projected Expenses	**$74,351**	**$150,192**	**$224,543**
Projected Fund Balance			
Beginning Fund Balance - July 1, 2024	$343,716	$555,460	$899,176
Reserve Fund Collection Increase/(Decrease)	($30,433)	($46,948)	($77,380)
Ending Fund Balance - June 30, 2025	$313,283	$508,513	$821,796
Recommended Operating Reserves	$35,405	$71,520	$106,925
Available Operating Reserves	$35,405	$71,520	$106,925
Available Capital Reserves[3]	$277,878	$436,992	$714,871

[1]Non-Assessment Revenues include interest earnings estimated at 1.5% of Projected Beginning Fund Balance and the City contribution for General Benefits and Special Benefits conferred to property not in the District.

[2]Includes $175,00 for Plant & Tree Replacement, Grading, Irrigation & Pop-Up Replacement, Irrigation Retrofit, and Re-mulch projects.

[3]Unforeseen Maintenance and Repairs are assumed to be 5% of the Projected Expenses.

The purpose of the various reserves is to ensure the District will have funds available for cashflow purposes and to repair or reconstruct the improvements that are the responsibility of the District.

The Recommended Operating Reserve target is fifty percent (50%) of the projected expenditures. Maintaining a fully funded Operating Reserve eliminates the need for the City to transfer funds from non-District accounts to pay for operational expenses during the first half of the fiscal year and provides the District with sufficient funds to address any unforeseen or unusual expenditures that may occur during the year.

The purpose of collecting and holding funds in a Capital Reserve is so that when improvements need to be replaced or expenditures are greater than can be conveniently raised from a single year's assessment, funds are available so that the District can respond and address the need promptly.

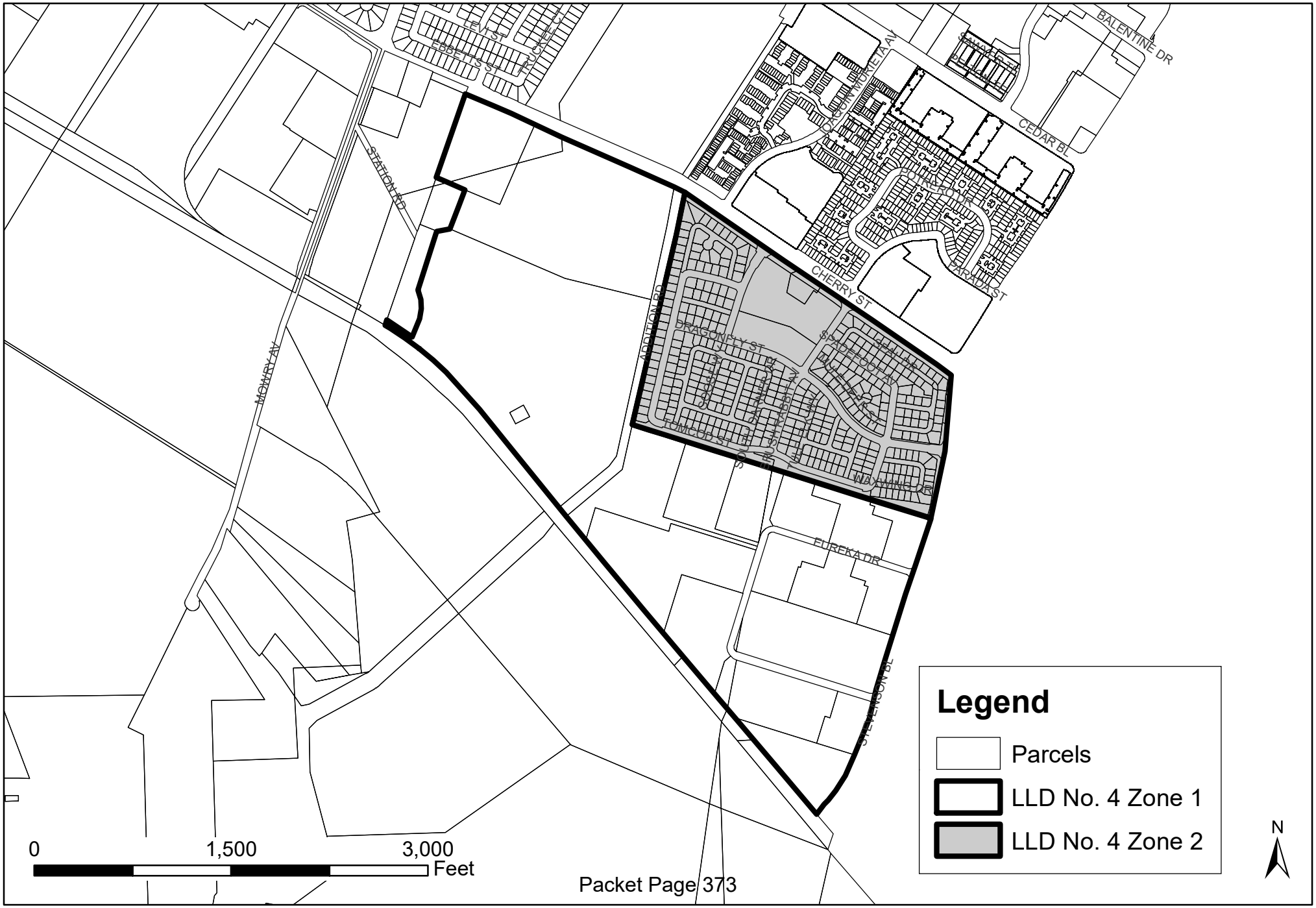
PART C

ASSESSMENT DISTRICT DIAGRAM

The boundaries of the District and each zone of benefit are shown herein. The Diagram is on file in the Public Works Department of the City and shown on the following page of this Engineer's Report. The lines and dimensions of each parcel within the District are those lines and dimensions shown on the maps of the Alameda County Assessor for the year in which this Report was prepared and are incorporated by reference herein and made part of this Report.

A reduced copy of the Assessment Diagram is shown on the following page.

LANDSCAPING AND LIGHTING DISTRICT NO. 4 ZONE 1 AND 2 (NEW TECHNOLOGY PARK AND STEVENSON POINT TECHPARK) ASSESSMENT DIAGRAM



PART D

METHOD OF APPORTIONMENT OF ASSESSMENTS

This section explains the benefits to be derived from the improvements and the methodology used to apportion the total costs of the improvements to properties within the District.

The method used for apportioning the assessment is based upon the relative special benefits to be derived by the properties in the District and any established benefit zones. The assessment is apportioned to each parcel in proportion to the relative cost of the special benefits from the improvements.

General

The 1972 Act permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements which include the construction, maintenance and servicing of streetlights, landscaping, parks, trails, open space, and appurtenant facilities. The 1972 Act further requires that the cost of these improvements be levied according to benefit rather than assessed value:

> *"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."*

The formula used for calculating assessments in the District therefore needs to reflect the composition of the parcels, and the improvements and services provided, to fairly apportion the costs based on estimated benefit to each parcel.

In addition, Article XIIID, of the California Constitution limits the amount of any assessment to the proportional "special benefit" conferred on the property. Article XIIID provides that only special benefits are assessable, and the City must separate the general benefits from the special benefits conferred on a parcel. There is no widely accepted or statutory formula for determining general and special benefit. However, the constitution states that a special benefit is different from a general benefit in that it is "particular and distinct" and "over and above" general benefits received by other properties.

The 1972 Act permits the designation of zones of benefit within any individual assessment district if "by reasons or variations in the nature, location, and extent of the improvements, the various areas will receive different degrees of benefit from the improvement." Thus, the 1972 Act requires the levy of a true "assessment" rather than a "special tax".

Article XIIID provides that publicly owned properties must be assessed unless there is clear and convincing evidence that those properties receive no special benefit from the assessment. Exempted from the assessment would be the areas of public streets, public avenues, public lanes, public roads, public drives, public courts, public alleys, public easements and rights-of-ways, public greenbelts and public parkways, utility easements,

and that portion of public property that is not developed and used for business purposes similar to private residential, commercial, industrial, and institutional activities.

The amount to be assessed may be apportioned by any formula or method which fairly distributes the amount among all assessable lots or parcels. In order for the City to separate out the general and special benefits for each improvement type, an analysis of each improvement was conducted. The analysis reviewed the purpose and users of each improvement, and then identified the properties that may benefit from the improvement both within and outside the City and within and outside each zone of benefit, and then allocated the costs to maintain, service, and replace each improvement type to each identified property. Because general benefits are not assessable, any costs associated with general benefits or special benefits assigned to properties within and outside the City and not in a District zone of benefit are to be paid for by the City. Only the costs associated with the special benefits conferred on property within each zone of benefit from the authorized improvements are assessable, and therefore assessed herein. A full analysis showing the quantification and separation of special and general benefits performed by the City and Assessment Engineer at the time of the establishment of Benefit Zone 2 (Sanctuary) can be found in the Engineer's Report prepared at the time of establishing Zone 2 (Sanctuary). A summary of the analysis by improvement type funded by District assessments is described below.

Special Benefit

Each of the improvements have been carefully reviewed by the City and the corresponding assessments have been proportionately spread to each parcel based on the special benefits conferred to property from the improvements as determined at the time the District and the subsequent zone of benefit was established.

The District consists of all Assessor Parcels within the boundaries of a zone of benefit. The method of apportioning costs and assessing properties is based upon the proportional special benefits to be conferred by the improvements and services within each zone of benefit to the properties within the boundaries of the District's zones of benefit. The apportioning of special benefit is a two-step process: the first step is to identify the types of special benefits arising from the improvements and services, and the second step is to allocate the costs and assign assessments to property based on the estimates of the special benefit being conferred to each property.

In determining the proportionate special benefit derived by each identified parcel, the proximity of the parcel to the public improvements detailed in Part A above, and the capital, maintenance, and operating costs of said public improvements, was considered and analyzed. Due to the close proximity of the parcels to the improvements detailed in Part A above, it has been demonstrated and determined that the parcels are uniquely benefited by, and receive a direct advantage from, and are conferred a particular and distinct special benefit over and above general benefits by said public improvements in a way that is particular and distinct from its effect on other parcels, and that real property in general and the public at large do not share.

In summary, the assessments can only be levied based on the special benefit to property conferred from the installation, maintenance, and servicing of the improvements funded by each zone of benefit within the District. These special benefits are not dependent on any one property owner's use of each zone of benefit's improvements or their specific demographic status. The basis for these special benefits comes from statutes approved by the California Legislature and other studies that describe the types of benefits received by property from such improvements. The identified special benefits conferred to property from the improvements are summarized as follows.

Special Benefit from Landscape Maintenance

All parcels within the District, specifically, Zone 1 (New Technology Park and Stevenson Point Techpark) and Zone 2 (Sanctuary), receive special benefit from Landscape Maintenance. Trees, landscaping, hardscapes, ornamental structures, and appurtenant facilities, if well maintained, confer a particular and distinct special benefit upon real property within the zones of benefit by providing beautification, shade and positive enhancement of the community character, attractiveness, and desirability of the surroundings. In addition, all the aforementioned contribute to a specific increase in property desirability and a specific enhancement of the property value of each parcel within each zone of benefit within the District.

In Parkways and Land Values, written by John Nolan and Henry V. Hubbard in 1937, it is stated:

> " ... there is no lack of opinion, based on general principles and experience and common sense, that parkways do in fact add value to property, even though the amount cannot be determined exactly .... Indeed, in most cases where public money has been spent on parkways the assumption has been made that the proposed parkway will show a provable financial profit to the City. It has been believed that the establishment of parkways causes a rise in real estate values throughout the City, or in parts of the City, ... "

It should be noted that the definition of "parkways" above may include the roadway as well as the landscaping alongside the roadway.

Special Benefit from Street Lighting Maintenance

All parcels within Zone 2 of the District receive special benefit from Street Lighting Maintenance. The special benefit from street lighting can be measured by increased safety to people and property, as well as the increased availability of lighting. The safety to people results in a special benefit to residential parcels because street lighting improves traffic safety during ingress and egress to the property and creates a deterrent to crime on the property. The safety to property results in a special benefit to both residential and vacant and undeveloped parcels because street lighting operation, maintenance and servicing provides for the protection of buildings and personal property against crimes such as theft and vandalism.

Special Benefit from Park Maintenance

All parcels within Zone 2 (Sanctuary) receive special benefit from Park Maintenance. The overall quality of life and desirability of an area is enhanced, when public parks and recreational facilities are in place, improved, operable, safe, clean, and properly maintained. Conversely, property desirability decreases when park and recreational facilities are unsafe or destroyed by the elements or vandalism.

Property desirability in an area also increases when there is an increase in the number of parks, recreation centers and sports facilities. These park and recreational facilities enable property owners to participate in sporting events, leisure activities, picnics, organized social events, and other miscellaneous activities.

Studies in several communities, including counties and cities throughout the United States, have indicated that recreation areas and facilities, if well maintained and wisely administered, have caused a marked increase in the property values of parcels in the community. Consequently, such recreation and park facilities have proved a potent factor in maintaining a sound economic condition and a high standard of livability in the community. These studies confirm the opinion, long held by planning authorities, as to the economic value of parks and recreational facilities in a community.

> *"The recreation value is realized as a rise in the value of land and other property in or near the recreation area, and is of both private interest to the landowner and others, holding an economic stake in the area, and of public interest to the taxpayers, who have a stake ...." (National Recreation and Park Association, June 1985)*
>
> *"Recreation and park amenities are central components in establishing the quality of life in a community. ... [Businesses'] main resource is their employees for whom quality of life is an important issue… The availability and attractiveness of local parks and programs influences some companies' relocation decisions. ... the presence of a park encourages real estate development around it.... ". (California Parks & Recreation, Winter 1997)*

The benefit of parks and other recreational facilities to residential and the surrounding commercial/industrial properties in Zone 1 (New Technology Park and Stevenson Point Techpark) is supported and has been summarized by several studies. The United States Department of the Interior, National Park Service, in a publication of June 1984, concluded the following:

- Parks and recreation stimulate business and generate tax revenues
- Parks and recreation help conserve land, energy, and resources
- An investment in parks and recreation helps reduce pollution and noise, makes communities more livable, and increases property values
- Public recreation benefits all employers by providing continuing opportunities to maintain a level of fitness throughout one's working life, and through helping individuals cope with the stress of a fast-paced and demanding life

Proper maintenance and operation of the parks within the City benefits those properties within the service areas of the parks by providing environmental quality and recreational enhancement.

Special Benefit to Parcels Outside of the District

There are parcels outside Zone 2 (Sanctuary) that receive special benefit from some of the improvements (e.g., parks, etc.). Based on the analysis performed at the time of the establishment of Zone 2 (Sanctuary), it was determined that 11.06% of the annual costs from the improvements associated with Zone 2 (Sanctuary) are attributable to special benefits to parcels outside of Zone 2 (Sanctuary).

The share of cost attributable to special benefits conferred to parcels outside of Zone 2 (Sanctuary) cannot be assessed to properties within the specific zone, but are required to be paid by some other source, such as the City's General Fund.

General Benefit

In the context of assessments, a general benefit is a benefit enjoyed by the community, or the public at large rather than a special benefit that is specifically conferred to individual properties. The Assessment Engineer at the time of establishing Zone 2 (Sanctuary) performed an analysis and determined there are general benefits conferred from the District improvements to the public at large. Based on this analysis performed by the Assessment Engineer, 2.26% of annual costs associated with the District and related improvements are attributable to general benefits received by the public at large. The share of costs attributable to the general benefits of each zone of benefit cannot be assessed to properties within each specific zone, but are required to be paid by some other source, such as the City's General Fund.

Method of Assessment

This process of apportioning assessments to each property involves determining the relative special benefit received by each property from the improvements and services. Since the assessment will be levied against parcels of property as shown on the tax roll, the final charges must be assigned by Assessor's Parcel Number. If assessments were to be spread just by parcel, not considering land use or parcel size, a single family parcel would be paying the same as a 50 unit apartment parcel or a large commercial establishment and this would not be equitable.

Therefore, the City and Engineer of Work at the time of formation of Zone 1 (New Technology Park and Stevenson Point Techpark) determined that the most appropriate method of apportioning costs was to segregate the costs associated with New Technology Park from the Stevenson Point Techpark and then spread the specific costs on an acreage basis to the benefiting parcels adjacent and in proximity to the improvements. However, the parcels south of Zone 2 east of Addition Road and west of Eureka Drive benefit from all Zone 1 improvements and are therefore apportioned costs associated with the improvements for both New Technology Park and Stevenson Point Techpark.

Furthermore, the City and Engineer at the time of establishing Zone 2 (Sanctuary) determined the most appropriate method of apportioning costs was to spread all Zone 2 (Sanctuary) specific costs equally to all single-family residential homes. Publicly owned properties within the District must be assessed unless there is clear and convincing evidence that those properties receive no special benefit from the improvements. Exempted from the assessment would be the areas of public streets, public avenues, public lanes, public roads, public drives, public courts, public alleys, public easements and rights-of-ways, public greenbelts, public parkways, public property designated open space, and any portion of public property that is not used for business purposes similar to private residential, commercial, industrial, and institutional activities. Also exempted from the assessments are private streets, utility easements, Homeowner's Association common areas (except club houses, community centers, parking lots, etc.) and any other parcels that do not receive a special and direct benefit from the improvements.

Parcels within each zone may be assessed once it is anticipated that improvements will need to be maintained or reserve funds will need to be collected for the ensuing fiscal year(s). The table below summarizes both the maximum and applied assessment rates for each zone for Fiscal Year 2024-25.

LLD No. 4 Benefit Zone	FY 2024-25 Maximum Assessment Rate	FY 2024-25 Applied Assessment Rate
Zone 1 - New Technology Park	$192.50	$192.50
Zone 1 - Stevenson Point Techpark	$130.00	$130.00
Zone 2 - Sanctuary	$234.90	$194.06

Maximum Assessment Rate Increases

The maximum assessment rates for Zone 1 (New Technology Park and Stevenson Point Techpark) may not be increased annually without property owner approval through a successful Proposition 218 proceeding. However, the maximum annual assessment rate for Zone 2 (Sanctuary) may be adjusted annually by the greater of the annual increase in the Bureau of Labor Statistics, Consumer Price Index for the month of February, All Urban Consumers for the San Francisco/Oakland/San Jose area, or 3%.

Appeals and Interpretations

Any property owner who feels that the assessment levied on the subject property is in error because of incorrect information being used to apply the foregoing method of assessment, may file a written appeal with City Engineer or his or her designee. Any such appeal is limited to correction of an assessment during the then current or, if before July 1, the upcoming fiscal year. Upon the filing of any such appeal, the City Engineer or his or her designee will promptly review the appeal and any information provided by the property owner. If the City Engineer or his or her designee finds that the assessment should be modified, the appropriate changes shall be made to the assessment roll. If any such changes are approved after the assessment roll has been filed with the County for collection, the City Engineer or his or her designee is authorized to refund to the property owner the amount of any approved reduction. Any property owner who disagrees with the decision of the City Engineer or her or his designee may refer their appeal to the City Council and the decision of the City Council shall be final.

PART E

ASSESSMENT ROLL

A list of names and addresses of the owners of all parcels, and the description of each parcel within the District is shown on the last equalized Secured Property Tax Roll of the Alameda County Assessor, which by reference is hereby made a part of this Report.

This list is keyed to the Assessor's Parcel Numbers as shown on the Assessment Roll, which includes the proposed amount of assessments for Fiscal Year 2024-25 apportioned to each parcel. The Assessment Roll is on file in the Public Works Department of the City and is included in this Report beginning on the next page.

The total proposed assessment for Fiscal Year 2024-25 is $111,988.92**.**

CITY OF NEWARK
LANDSCAPING & LIGHTING DISTRICT No. 4
ASSESSMENT ROLL
FISCAL YEAR 2024-25

Assessor's Parcel Number	Zone	Assessment Amount
901 -0185-033-00	1	$4,337.62
901 -0185-039-00	1	$259.28
901 -0185-040-00	1	$1,298.70
901 -0185-041-00	1	$1,869.20
901 -0185-042-00	1	$2,819.94
901 -0185-043-00	1	$2,316.52
901 -0110-068-00	1A	$1,341.72
901 -0110-069-00	1A	$342.46
901 -0185-013-08	1A	$15,425.02
901 -0185-014-00	1A	$270.66
901 -0185-044-00	1B	$758.54
901 -0185-049-00	1B	$1,589.24
901 -0185-051-00	1B	$476.70
901 -0185-052-00	1B	$631.80
901 -0185-053-00	1B	$491.40
901 -0185-054-00	1B	$510.38
901 -0185-055-00	1B	$523.38
901 -0185-056-00	1B	$374.26
901 -0185-057-00	1B	$102.82
901 -0185-059-03	1B	$966.42
901 -0185-060-01	1B	$375.70
901 -0200-028-00	2	$194.06
901 -0200-029-00	2	$194.06
901 -0200-030-00	2	$194.06
901 -0200-031-00	2	$194.06
901 -0200-032-00	2	$194.06
901 -0200-033-00	2	$194.06
901 -0200-034-00	2	$194.06
901 -0200-035-00	2	$194.06
901 -0200-036-00	2	$194.06
901 -0200-037-00	2	$194.06
901 -0200-038-00	2	$194.06
901 -0200-039-00	2	$194.06
901 -0200-040-00	2	$194.06
901 -0200-041-00	2	$194.06
901 -0200-042-00	2	$194.06
901 -0200-043-00	2	$194.06
901 -0200-044-00	2	$194.06
901 -0200-045-00	2	$194.06
901 -0200-046-00	2	$194.06
901 -0200-047-00	2	$194.06
901 -0200-048-00	2	$194.06
901 -0200-049-00	2	$194.06
901 -0200-050-00	2	$194.06
901 -0200-051-00	2	$194.06
901 -0200-052-00	2	$194.06
901 -0200-053-00	2	$194.06
901 -0200-054-00	2	$194.06
901 -0200-055-00	2	$194.06
901 -0200-056-00	2	$194.06
901 -0200-057-00	2	$194.06
901 -0200-058-00	2	$194.06
901 -0200-059-00	2	$194.06
901 -0200-060-00	2	$194.06
901 -0200-061-00	2	$194.06
901 -0200-062-00	2	$194.06
901 -0200-063-00	2	$194.06
901 -0200-064-00	2	$194.06
901 -0200-065-00	2	$194.06
901 -0200-066-00	2	$194.06
901 -0200-067-00	2	$194.06
901 -0200-068-00	2	$194.06
901 -0200-069-00	2	$194.06
901 -0200-070-00	2	$194.06
901 -0200-071-00	2	$194.06
901 -0200-072-00	2	$194.06
901 -0200-073-00	2	$194.06
901 -0200-074-00	2	$194.06
901 -0200-075-00	2	$194.06
901 -0200-076-00	2	$194.06
901 -0200-077-00	2	$194.06
901 -0200-078-00	2	$194.06
901 -0200-079-00	2	$194.06
901 -0200-080-00	2	$194.06
901 -0200-081-00	2	$194.06
901 -0200-082-00	2	$194.06
901 -0200-083-00	2	$194.06
901 -0200-084-00	2	$194.06
901 -0200-085-00	2	$194.06
901 -0200-086-00	2	$194.06
901 -0200-087-00	2	$194.06
901 -0200-088-00	2	$194.06
901 -0200-089-00	2	$194.06
901 -0200-090-00	2	$194.06
901 -0200-091-00	2	$194.06
901 -0200-092-00	2	$194.06
901 -0200-093-00	2	$194.06
901 -0200-094-00	2	$194.06
901 -0200-095-00	2	$194.06
901 -0200-096-00	2	$194.06
901 -0200-097-00	2	$194.06
901 -0200-098-00	2	$194.06
901 -0200-099-00	2	$194.06
901 -0200-100-00	2	$194.06
901 -0200-101-00	2	$194.06
901 -0200-102-00	2	$194.06
901 -0200-103-00	2	$194.06
901 -0200-104-00	2	$194.06
901 -0200-105-00	2	$194.06
901 -0200-106-00	2	$194.06
901 -0200-107-00	2	$194.06
901 -0200-108-00	2	$194.06
901 -0200-109-00	2	$194.06
901 -0200-110-00	2	$194.06
901 -0200-111-00	2	$194.06
901 -0200-112-00	2	$194.06
901 -0200-113-00	2	$194.06
901 -0200-114-00	2	$194.06
901 -0200-115-00	2	$194.06
901 -0200-116-00	2	$194.06
901 -0200-117-00	2	$194.06
901 -0200-118-00	2	$194.06
901 -0200-119-00	2	$194.06
901 -0200-120-00	2	$194.06
901 -0200-121-00	2	$194.06
901 -0200-122-00	2	$194.06
901 -0200-123-00	2	$194.06
901 -0200-124-00	2	$194.06
901 -0200-125-00	2	$194.06
901 -0200-126-00	2	$194.06
901 -0200-127-00	2	$194.06
901 -0200-128-00	2	$194.06
901 -0200-129-00	2	$194.06
901 -0200-130-00	2	$194.06
901 -0200-131-00	2	$194.06
901 -0200-132-00	2	$194.06
901 -0200-133-00	2	$194.06
901 -0200-134-00	2	$194.06
901 -0200-135-00	2	$194.06
901 -0201-016-00	2	$194.06
901 -0201-017-00	2	$194.06
901 -0201-018-00	2	$194.06
901 -0201-019-00	2	$194.06
901 -0201-020-00	2	$194.06
901 -0201-021-00	2	$194.06
901 -0201-022-00	2	$194.06
901 -0201-023-00	2	$194.06
901 -0201-024-00	2	$194.06
901 -0201-025-00	2	$194.06
901 -0201-026-00	2	$194.06
901 -0201-027-00	2	$194.06
901 -0201-028-00	2	$194.06
901 -0201-029-00	2	$194.06
901 -0201-030-00	2	$194.06
901 -0201-031-00	2	$194.06
901 -0201-032-00	2	$194.06
901 -0201-033-00	2	$194.06
901 -0201-034-00	2	$194.06
901 -0201-035-00	2	$194.06
901 -0201-036-00	2	$194.06
901 -0201-037-00	2	$194.06
901 -0201-038-00	2	$194.06
901 -0201-039-00	2	$194.06
901 -0201-040-00	2	$194.06
901 -0201-041-00	2	$194.06
901 -0201-042-00	2	$194.06

CITY OF NEWARK
LANDSCAPING & LIGHTING DISTRICT No. 4
ASSESSMENT ROLL
FISCAL YEAR 2024-25

Assessor's Parcel Number	Zone	Assessment Amount
901 -0201-043-00	2	$194.06
901 -0201-044-00	2	$194.06
901 -0201-045-00	2	$194.06
901 -0201-046-00	2	$194.06
901 -0201-047-00	2	$194.06
901 -0201-048-00	2	$194.06
901 -0201-049-00	2	$194.06
901 -0201-050-00	2	$194.06
901 -0201-051-00	2	$194.06
901 -0201-052-00	2	$194.06
901 -0201-053-00	2	$194.06
901 -0201-054-01	2	$194.06
901 -0201-055-03	2	$194.06
901 -0201-056-00	2	$194.06
901 -0201-057-00	2	$194.06
901 -0201-058-00	2	$194.06
901 -0201-059-00	2	$194.06
901 -0201-060-02	2	$194.06
901 -0201-061-00	2	$194.06
901 -0201-062-00	2	$194.06
901 -0201-063-00	2	$194.06
901 -0201-064-00	2	$194.06
901 -0201-065-00	2	$194.06
901 -0201-066-00	2	$194.06
901 -0201-067-00	2	$194.06
901 -0201-068-00	2	$194.06
901 -0201-069-00	2	$194.06
901 -0201-070-00	2	$194.06
901 -0201-071-00	2	$194.06
901 -0201-072-00	2	$194.06
901 -0201-073-00	2	$194.06
901 -0201-074-00	2	$194.06
901 -0201-075-00	2	$194.06
901 -0201-076-00	2	$194.06
901 -0201-077-00	2	$194.06
901 -0201-078-00	2	$194.06
901 -0201-079-00	2	$194.06
901 -0201-080-00	2	$194.06
901 -0201-081-00	2	$194.06
901 -0201-082-00	2	$194.06
901 -0201-083-00	2	$194.06
901 -0201-084-00	2	$194.06
901 -0201-085-00	2	$194.06
901 -0201-086-00	2	$194.06
901 -0201-087-00	2	$194.06
901 -0201-088-00	2	$194.06
901 -0201-089-00	2	$194.06
901 -0201-090-00	2	$194.06
901 -0201-091-00	2	$194.06
901 -0201-092-00	2	$194.06
901 -0201-093-00	2	$194.06
901 -0201-094-00	2	$194.06
901 -0201-095-00	2	$194.06
901 -0201-096-00	2	$194.06
901 -0201-097-00	2	$194.06
901 -0201-098-00	2	$194.06
901 -0201-099-00	2	$194.06
901 -0201-100-00	2	$194.06
901 -0201-101-00	2	$194.06
901 -0201-102-00	2	$194.06
901 -0201-103-00	2	$194.06
901 -0201-104-00	2	$194.06
901 -0201-105-00	2	$194.06
901 -0201-106-00	2	$194.06
901 -0201-107-00	2	$194.06
901 -0201-108-00	2	$194.06
901 -0201-109-00	2	$194.06
901 -0201-110-00	2	$194.06
901 -0201-111-00	2	$194.06
901 -0202-007-00	2	$194.06
901 -0202-008-00	2	$194.06
901 -0202-009-00	2	$194.06
901 -0202-010-00	2	$194.06
901 -0202-011-00	2	$194.06
901 -0202-012-00	2	$194.06
901 -0202-013-00	2	$194.06
901 -0202-014-00	2	$194.06
901 -0202-015-00	2	$194.06
901 -0202-016-00	2	$194.06
901 -0202-017-00	2	$194.06
901 -0202-018-00	2	$194.06
901 -0202-019-00	2	$194.06
901 -0202-020-00	2	$194.06
901 -0202-021-00	2	$194.06
901 -0202-022-00	2	$194.06
901 -0202-023-00	2	$194.06
901 -0202-024-00	2	$194.06
901 -0202-025-00	2	$194.06
901 -0202-026-00	2	$194.06
901 -0202-027-00	2	$194.06
901 -0202-028-00	2	$194.06
901 -0202-029-00	2	$194.06
901 -0202-030-00	2	$194.06
901 -0202-031-00	2	$194.06
901 -0202-032-00	2	$194.06
901 -0202-033-00	2	$194.06
901 -0202-034-00	2	$194.06
901 -0202-035-00	2	$194.06
901 -0202-036-00	2	$194.06
901 -0202-037-00	2	$194.06
901 -0202-038-00	2	$194.06
901 -0202-039-00	2	$194.06
901 -0202-040-00	2	$194.06
901 -0202-041-00	2	$194.06
901 -0202-042-00	2	$194.06
901 -0202-043-00	2	$194.06
901 -0202-044-00	2	$194.06
901 -0202-045-00	2	$194.06
901 -0202-046-00	2	$194.06
901 -0202-047-00	2	$194.06
901 -0202-048-00	2	$194.06
901 -0202-049-00	2	$194.06
901 -0202-050-00	2	$194.06
901 -0202-051-00	2	$194.06
901 -0202-052-00	2	$194.06
901 -0202-053-00	2	$194.06
901 -0202-054-00	2	$194.06
901 -0202-055-00	2	$194.06
901 -0202-056-00	2	$194.06
901 -0202-057-00	2	$194.06
901 -0202-058-00	2	$194.06
901 -0202-059-00	2	$194.06
901 -0202-060-00	2	$194.06
901 -0202-061-00	2	$194.06
901 -0202-062-00	2	$194.06
901 -0202-063-00	2	$194.06
901 -0202-064-00	2	$194.06
901 -0202-065-00	2	$194.06
901 -0202-066-00	2	$194.06
901 -0202-067-00	2	$194.06
901 -0202-068-00	2	$194.06
901 -0202-069-00	2	$194.06
901 -0202-070-00	2	$194.06
901 -0202-071-00	2	$194.06
901 -0202-072-00	2	$194.06
901 -0202-073-00	2	$194.06
901 -0202-074-00	2	$194.06
901 -0202-075-00	2	$194.06
901 -0202-076-00	2	$194.06
901 -0202-077-00	2	$194.06
901 -0202-078-00	2	$194.06
901 -0202-079-00	2	$194.06
901 -0202-080-00	2	$194.06
901 -0202-081-00	2	$194.06
901 -0202-082-00	2	$194.06
901 -0202-083-00	2	$194.06
901 -0202-084-00	2	$194.06
901 -0202-085-00	2	$194.06
901 -0202-086-00	2	$194.06
901 -0202-087-00	2	$194.06
901 -0202-088-00	2	$194.06
901 -0202-089-00	2	$194.06
901 -0202-090-00	2	$194.06
901 -0202-091-00	2	$194.06
901 -0203-005-00	2	$194.06
901 -0203-006-00	2	$194.06

CITY OF NEWARK
LANDSCAPING & LIGHTING DISTRICT No. 4
ASSESSMENT ROLL
FISCAL YEAR 2024-25

Assessor's Parcel Number	Zone	Assessment Amount
901 -0203-007-00	2	$194.06
901 -0203-008-00	2	$194.06
901 -0203-009-00	2	$194.06
901 -0203-010-00	2	$194.06
901 -0203-011-00	2	$194.06
901 -0203-012-00	2	$194.06
901 -0203-013-00	2	$194.06
901 -0203-014-00	2	$194.06
901 -0203-015-00	2	$194.06
901 -0203-016-00	2	$194.06
901 -0203-017-00	2	$194.06
901 -0203-018-00	2	$194.06
901 -0203-019-00	2	$194.06
901 -0203-020-00	2	$194.06
901 -0203-021-00	2	$194.06
901 -0203-022-00	2	$194.06
901 -0203-023-00	2	$194.06
901 -0203-024-00	2	$194.06
901 -0203-025-00	2	$194.06
901 -0203-026-00	2	$194.06
901 -0203-027-00	2	$194.06
901 -0203-028-00	2	$194.06
901 -0203-029-00	2	$194.06
901 -0203-030-00	2	$194.06
901 -0203-031-00	2	$194.06
901 -0203-032-00	2	$194.06
901 -0203-033-00	2	$194.06
901 -0203-034-00	2	$194.06
901 -0203-035-00	2	$194.06
901 -0203-036-00	2	$194.06
901 -0203-037-00	2	$194.06
901 -0203-038-00	2	$194.06
901 -0203-039-00	2	$194.06
901 -0203-040-00	2	$194.06
901 -0203-041-00	2	$194.06
901 -0203-042-00	2	$194.06
901 -0203-043-00	2	$194.06
901 -0203-044-00	2	$194.06
901 -0203-045-00	2	$194.06
901 -0203-046-00	2	$194.06
901 -0203-047-00	2	$194.06
901 -0203-048-00	2	$194.06
901 -0203-049-00	2	$194.06
901 -0203-050-00	2	$194.06
901 -0203-051-00	2	$194.06
901 -0203-052-00	2	$194.06
901 -0203-053-00	2	$194.06
901 -0203-054-00	2	$194.06
901 -0203-055-00	2	$194.06
901 -0203-056-00	2	$194.06
901 -0203-057-00	2	$194.06
901 -0203-058-00	2	$194.06
901 -0203-059-00	2	$194.06
901 -0203-060-00	2	$194.06
901 -0203-061-00	2	$194.06
901 -0203-062-00	2	$194.06
901 -0203-063-00	2	$194.06
901 -0203-064-00	2	$194.06
901 -0203-065-00	2	$194.06
901 -0203-066-00	2	$194.06
901 -0203-067-00	2	$194.06
901 -0203-068-00	2	$194.06
901 -0203-069-00	2	$194.06
901 -0203-070-00	2	$194.06
901 -0203-071-00	2	$194.06
901 -0203-072-00	2	$194.06
901 -0203-073-00	2	$194.06
901 -0203-074-00	2	$194.06
901 -0203-075-00	2	$194.06
901 -0203-076-00	2	$194.06
901 -0203-077-00	2	$194.06
901 -0203-078-00	2	$194.06
901 -0203-079-00	2	$194.06
901 -0203-080-00	2	$194.06
901 -0203-081-00	2	$194.06
901 -0203-082-00	2	$194.06
901 -0203-083-00	2	$194.06
901 -0203-084-00	2	$194.06
901 -0203-085-00	2	$194.06
901 -0203-086-00	2	$194.06
901 -0203-087-00	2	$194.06
901 -0203-088-00	2	$194.06
901 -0203-089-00	2	$194.06
901 -0203-090-00	2	$194.06
901 -0203-091-00	2	$194.06
901 -0203-092-00	2	$194.06
901 -0203-093-00	2	$194.06
901 -0203-094-00	2	$194.06
901 -0203-095-00	2	$194.06
901 -0203-096-00	2	$194.06
901 -0203-097-00	2	$194.06
901 -0203-098-00	2	$194.06
901 -0203-099-00	2	$194.06
901 -0203-100-00	2	$194.06
901 -0203-101-00	2	$194.06
Total Parcels:		407
Total Assessment:		$111,988.92

NEWARK
california

Landscaping and Lighting District No. 7

Fiscal Year 2024-25
Preliminary Engineer's Report

June 13, 2024

Prepared by

FRANCISCO AND ASSOCIATES
Where Innovative Strategies Fund Tomorrow's Communities

Table of Contents

Page No.

Certificate ii

Section I - Introduction 1

Section II – Engineer's Report 3

Part A – Plans and Specifications 5

Part B – Estimate of Cost 8

Part C – Assessment District Diagram 10

Part D – Method of Apportionment of Assessments 12

Part E - Assessment Roll 15

ENGINEER'S REPORT
CITY OF NEWARK
LANDSCAPING AND LIGHTING DISTRICT NO. 7
FISCAL YEAR 2024-25

The undersigned, acting on behalf of Francisco & Associates respectfully submits the enclosed Engineer's Report as directed by the Newark City Council pursuant to the provisions of Article XIIID, Section 4 of the California Constitution, and the Landscape and Lighting Act of 1972 being Section 22500 et al of the California Streets and Highways Code (the "1972 Act"). The undersigned certifies that he is a Professional Engineer, registered in the State of California.

Dated: May 14, 2024

By: _____
Eduardo Espinoza, P.E.
RCE # 83709

SECTION I

INTRODUCTION

The City of Newark ("City") levies and collects special assessments on parcels within the City of Newark Landscaping and Lighting District No. 7 ("District") to maintain public improvements. The District was formed to provide a dedicated source of funding for the ongoing maintenance of streetlights and landscaping improvements within the public right-of-way benefiting parcels within the boundaries of the District.

The assessments and method of apportionment described in this Report utilize commonly accepted assessment engineering practices and have been calculated and proportionately spread to each parcel based on the special benefits received as approved by the City Council at the time the District was formed.

The District generally consists of those properties along and adjacent to Newark Boulevard between Jarvis Avenue and Cedar Boulevard. A reduced copy of the Assessment Diagram showing the exterior boundaries of the District is provided in Part C of this Report.

Compliance with the California Constitution

Assessments are levied annually within the District pursuant to the 1972 Act. All assessments described in this Report and approved by the City Council are prepared in accordance with the 1972 Act and are compliant with the provisions of the California Constitution Article XIIID ("Article XIIID"), which was enacted with the passage of Proposition 218 in November 1996. Pursuant to Article XIIID Section 5, certain existing assessments are exempt from the substantive and procedural requirements of Article XIIID Section 4. Specifically, Article XIIID Section 5(a) exempted:

> *"Any assessment imposed exclusively to finance the capital costs or maintenance and operation expenses for sidewalks, streets, sewers, water, flood control, drainage systems or vector control. Subsequent increases in such assessments shall be subject to the procedures and approval process set forth in Section 4."*

The City determined that the annual assessments originally established for the District were for the maintenance and operation of landscape and medians within the public street rights-of-way. As such, pursuant to Article XIIID Section 5(a), the pre–existing assessment amount has been exempted from the procedural requirements of Article XIIID Section 4 since the amount of the assessment has not increased since the passage of Proposition 218.

Any future increase in the assessment rate or substantial changes in the services provided would require that the District be brought into compliance with all the requirements of Article XIIID and would require the approval of the property owners subject to the assessment based upon a mailed ballot which would be sent to each property owner.

Current Annual Administration

As required by the 1972 Act, the Engineer's Report includes: (1) a description of the improvements to be operated, maintained, and serviced by the District, (2) a cost estimate for the District, and (3) a listing of the proposed Fiscal Year 2024-25 assessments to be levied upon each assessable lot or parcel within the District.

The City will hold a Public Hearing on July 11, 2024, regarding this District which will provide an opportunity for any interested person to be heard. At the conclusion of the Public Hearing, the City Council may adopt a resolution confirming the assessment rates as originally proposed or as modified.

Payment of these annual assessments for each parcel will be made in the same manner and at the same time as payments are made for their annual property taxes. All funds collected through the assessments must be placed in a special fund and can only be used for the purposes stated within this Report.

SECTION II

ENGINEER'S REPORT PREPARED FOR THE CITY OF NEWARK LANDSCAPING AND LIGHTING DISTRICT NO. 7 FISCAL YEAR 2024-25

Pursuant to the Landscaping and Lighting Act of 1972 (Part 2 of Division 15 of the Streets and Highways Code of the State of California), and in accordance with the Resolution of Initiation, being Resolution No. 11631, which directs the preparation and filing of the Engineer's Report, adopted by the City Council of the City of Newark, on April 11, 2024, the following Report was prepared consisting of Section I (Introduction), and this, Section II, which consists of five (5) parts as follows:

PART A: PLANS AND SPECIFICATIONS

This part describes the improvements maintained by the District. Plans and specifications for the improvements are on file in the Office of the Director of Public Works of the City of Newark and are incorporated herein by reference.

PART B: ESTIMATE OF COST

This part contains an estimate of the cost of the proposed improvements to be maintained for Fiscal Year 2024-25, including incidental costs and expenses in connection therewith. The estimate is attached hereto and is on file in the Office of the Director of Public Works of the City of Newark.

PART C: ASSESSMENT DISTRICT DIAGRAM

This part incorporates a Diagram of the District showing the exterior boundaries of the District, the boundaries of any zones within the District and the lines and dimensions of each lot or parcel of land within the District. This Diagram has been prepared by the Engineer of Work and is on file in the Office of the Director of Public Works of the City of Newark.

The lines and dimensions of each lot or parcel within the District are those lines and dimensions shown on the maps of the Alameda County Assessor for the year when this Report was prepared. The Assessor's maps and records are incorporated by reference herein and made a part of this Report.

PART D: METHOD OF APPORTIONMENT OF ASSESSMENTS

This part describes the method of apportionment of assessments, based upon each parcel's classification within the District in proportion to the estimated special benefits to be received.

PART E: ASSESSMENT ROLL

This part contains an assessment of the estimated cost of the improvements apportioned to each benefited parcel of land within the District. The Assessment Roll is filed in the Office of the City Clerk of the City of Newark and is incorporated in this Report. The list is keyed to the records of the Alameda County Assessor, which are incorporated herein by reference.

PART A

PLANS AND SPECIFICATIONS

IMPROVEMENTS AND SERVICES PURSUANT TO THE 1972 ACT

The improvements and services authorized by the provisions of the Landscape and Lighting Act of 1972, being Part 2 of Division 15 of the Streets and Highways Code, commencing with Section 22500 (hereafter referred to as the "1972 Act"), that may be applicable to this District and associated assessments may include one or more of the following definitions:

- "Improvement" means one or any combination of the following:
    - The installation or planting of landscaping.
    - The installation or construction of statuary, fountains, and other ornamental structures and facilities.
    - The installation or construction of public lighting facilities, including, but not limited to, traffic signals.
    - The installation or construction of any facilities which are appurtenant to any of the forgoing, or which are necessary or convenient for the maintenance or servicing thereof, including, but not limited to, grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks, or paving, or water, irrigation, drainage, or electrical facilities.
    - The installation of park or recreational improvements, including, but not limited to all the following:
        - Land preparation, such as grading, leveling, cutting and filling, sod, landscaping, irrigation systems, sidewalks, and drainage.
        - Lights, playground equipment, play courts, and public restrooms.
    - The maintenance or servicing, or both, of any of the forgoing, and of any improvements authorized below.
    - The acquisition of land for park, recreational, or open space purposes.
    - The acquisition of any existing improvement otherwise authorized herein.
    - The acquisition or construction of any community center, municipal auditorium or hall, or similar public facility for the indoor presentation of performances, shows, stage productions, fairs, conventions, exhibitions, pageants, meetings, parties, or other group events, activities, or functions, whether those events, activities, or functions are public or private.

- "Incidental expenses" include all the following:
    - The costs of preparation of the report, including plans, specifications, estimates, diagram, and assessment.
    - The costs of printing, advertising, and giving of published, posted, and mailed notices.
    - Compensation payable to the county for collection of assessments.
    - Compensation of any engineer or attorney employed to render services in proceedings pursuant to this part.
    - Any other expenses incidental to the construction, installation, or maintenance and servicing of improvements.
    - Any expenses incidental to the construction, installation, or maintenance and servicing of the improvements.
    - Any expenses incidental to the issuance of bonds or notes.
    - Costs associated with any elections held for the approval of a new or increased assessment.

- "Landscaping" means trees, shrubs, grass, or other ornamental vegetation.

- "Maintain" or "maintenance" means the furnishing of services and materials for the ordinary and usual maintenance, operation, and services of any improvement, including:
    - Repair, removal or replacement of all or any part of any improvement.
    - Providing for the life, growth, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury.
    - The removal of trimmings, rubbish, debris, and other solid waste.
    - The cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

- "Public lighting facilities" means all works or improvements used or useful for the lighting of any public places, including ornamental standards, luminaries, poles, supports, tunnels, manholes, vaults, conduits, pipes, wires, conductors, guys, stubs, platforms, braces, transformers, insulators, contacts, switches, capacitors, meters, communication circuits, appliances, attachments, and appurtenances.

- "Service" or "servicing" means the furnishing of:
    - Electric current or energy, gas, or other illuminating agent for any public lighting facilities or for the lighting or operation of any other improvements.
    - Water for the irrigation of any landscaping, the operation of any fountains, or the maintenance of any other improvements.

DESCRIPTION OF DISTRICT IMPROVEMENTS

The improvements, which have been constructed within the City, and those which may be subsequently constructed, operated, maintained, and serviced with District assessments are generally described as follows:

> The maintenance of buffer landscaping and the irrigation system within the public right-of-way and easement areas along Jarvis Avenue, Newark Boulevard, and the Cedar Boulevard frontages of the Rosemont Shopping Center.

Improvement diagrams have been prepared identifying all improvements and areas that are to be maintained by the District. A copy of this diagram is on file with the City's Public Works Department.

PART B

ESTIMATE OF COSTS

The 1972 Act requires that a special fund be set up for the collection of revenues and expenditures of the District. The Act provides that the total cost of construction, operation, and maintenance and servicing of the public improvements specified in Part A of this Report can be recovered by the District. Incidental expenses including administration of the District, engineering fees, legal fees and all other costs associated with the construction, operation and maintenance and servicing of the Districts can also be included.

The 1972 Act also requires that a special fund be set up for the revenues and expenditures of the District. Funds raised from the assessments shall be used only for the expenditures represented above. A contribution to the District by the City may be made to reduce assessments as the City deems appropriate. Any balance remaining on July 1 at the end of the fiscal year must be carried over to the next fiscal year unless the funds are being accumulated for future capital replacement projects or operating reserves.

The following table provides a summary of the estimated District revenues and cost estimates for Fiscal Year 2024-25.

Landscaping and Lighting District No. 7 Fiscal Year 2024-25 Cost Estimate	
Projected Revenues	
Assessment Revenue	$25,592
Non-Assessment Revenues[1]	$221
Total Projected Revenues	**$25,813**
Projected Expenses	
Contract Services	$7,149
Utilities	$20,617
Administration and Incidentals	$7,246
County Collection Fees	$435
Unforeseen Maintenance and Repairs[2]	$1,772
Total Projected Expenses	**$37,220**
Projected Fund Balance	
Beginning Fund Balance - July 1, 2024	$14,763
Reserve Fund Collection Increase/(Decrease)	($11,407)
Ending Fund Balance - June 30, 2025	$3,356
Recommended Operating Reserves	$17,724
Available Operating Reserves	$3,356
Available Capital Reserves	$0

[1]Non-Assessment Revenue includes interest earnings estimated at 1.5% of Projected Beginning Fund Balance and any other non-assessment revenue sources.

[2]Unforeseen Maintenance and Repairs are assumed to be 5% of the Projected Expenses.

The purpose of the various reserves is to ensure the District will have funds available for cashflow purposes and to repair or reconstruct the improvements that are the responsibility of the District.

The Recommended Operating Reserve target is fifty percent (50%) of the projected expenditures. Maintaining a fully funded Operating Reserve eliminates the need for the City to transfer funds from non-District accounts to pay for operational expenses during the first half of the fiscal year and provides the District with sufficient funds to address any unforeseen or unusual expenditures that may occur during the year.

The purpose of collecting and holding funds in a Capital Reserve is so that when improvements need to be replaced or expenditures that are greater than can be conveniently raised from a single year's assessment, funds are available so that the District can respond and address the need promptly.

PART C

ASSESSMENT DISTRICT DIAGRAM

The boundaries of the District are shown herein. The Diagram is on file in the Public Works Department of the City and shown on the following page of this Engineer's Report. The lines and dimensions of each parcel within the District are those lines and dimensions shown on the maps of the Alameda County Assessor for the year in which this Report was prepared and are incorporated by reference herein and made part of this Report.

A reduced copy of the Assessment Diagram is shown on the following page.

LANDSCAPING AND LIGHTING DISTRICT NO. 7
(NEWARK BOULEVARD AT JARVIS AVENUE)
ASSESSMENT DIAGRAM



PART D

METHOD OF APPORTIONMENT OF ASSESSMENTS

This section explains the benefits to be derived from the improvements and the methodology used to apportion the total costs of the improvements to properties within the District.

The method used for apportioning the assessment is based upon the relative special benefits to be derived by the properties in the District and any established benefit zones. The assessment is apportioned to each parcel in proportion to the relative cost of the special benefits from the improvements.

General

The 1972 Act permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements which include the construction, maintenance, and servicing of public lights, landscaping, and appurtenant facilities. The 1972 Act further requires the cost of these improvements be levied according to benefit rather than assessed value:

> *"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."*

The formula used for calculating assessments in the District therefore reflects the composition of the parcels, and the improvements and services provided, to fairly apportion the costs based on estimated benefit to each parcel.

In addition, the 1972 Act permits the designation of zones of benefit within any individual assessment district if "by reasons or variations in the nature, location, and extent of the improvements, the various areas will receive different degrees of benefit from the improvement." Thus, the 1972 Act requires the levy of a true "assessment" rather than a "special tax".

Discussion of Benefit

Each of the improvements have been carefully reviewed by the City and the corresponding assessments have been proportionately spread to each parcel based on the special benefits conferred to property from the improvements as determined at the time the District was established. The District consists of all Assessor Parcels within the boundaries of the District. The method of apportioning costs and assessing properties is based upon the proportional special benefits to be conferred by the improvements and services to the properties within the boundaries of the District. The apportioning of special benefit is a two-step process: the first step is to identify the types of special benefits arising from the improvements and services, and the second step is to allocate the costs and assign assessments to property based on the estimates of the special benefit being conferred to each property.

In summary, the assessments can only be levied based on the special benefit to property conferred from the installation, maintenance, and servicing of the improvements funded by the District. These special benefits are not dependent on any one property owner's use of the District's improvements or their specific demographic status. The basis for these special benefits comes from statutes approved by the California Legislature and other studies that describe the types of benefits received by property from such improvements. The identified special benefits conferred to property from the improvements can be summarized as follows:

- Improved aesthetics:
  - Well-maintained and attractive landscaping enhances the overall appearance and desirability of the area, making it visually appealing to property owners and visitors.

- Increased property values:
  - Attractive and well-maintained landscaping can increase the desirability of nearby properties, potentially leading to higher property values.

- Safety:
  - Landscaping helps calm traffic and reduce speeds, creating a safer environment for people traveling to and from properties within the District. It also acts as a physical buffer between roadways and properties within the District.

- Noise reduction:
  - Trees and plants help absorb traffic noise and create a buffer between the road and nearby properties, reducing noise levels and creating a more peaceful environment.

- Reduced pollution:
  - Trees and plants aid in filtering pollutants from the air, improving air quality and creating a healthier environment for properties in proximity to the landscape.

These benefits, when applied to property in the District, specifically increase the utility of the property within the District. For example, the assessments provide funding to maintain the landscaping that improves safety and access to the property and provides visual and environmental benefits to the properties within the District. Such improved and well-maintained public facilities enhance the overall usability, quality, desirability, and safety of the properties.

Method of Assessment

This process of apportioning assessments to each property involves determining the relative special benefit received by each property from the improvements and services. Therefore, the City and Engineer at the time of formation determined the costs of maintaining landscaping was to be spread proportionately based on each property's gross square footage of the buildings, or on a building square footage basis. Costs will be apportioned to any undeveloped or vacant parcels based on the maximum building size permitted by the City on the parcel. This methodology distributes assessments in proportion to the estimated special benefit conferred to property and is generally recognized as providing the basis for a fair and appropriate distribution of assessments.

In Fiscal Year 2024-25, the City proposes to collect the maximum assessment revenue from the assessable parcels located in the District, which amounts to $0.187 per building square foot to be levied. A listing of each assessable parcel and their proposed Fiscal Year 2024-25 assessment is on the Assessment Roll in Part E of this Report.

Exempted from the assessment would be the areas of public streets, public avenues, public lanes, public roads, public drives, public courts, public alleys, public easements and rights-of-ways, public greenbelts, and public parkways (all of which are typically not assigned an Assessor's Parcel Number (APN) by the County). Also exempted from the assessment would be public agency owned property, utility rights-of-ways, common areas (such as in condominium complexes or those that are owned by a Homeowner's or Property Owner's Association), and any other property that is deemed to be unable to develop by the City. These types of parcels do not benefit from the improvements.

Appeals and Interpretations

Any property owner who feels that the assessment levied on the subject property is in error because of incorrect information being used to apply the foregoing method of assessment, may file a written appeal with City Engineer or his or her designee. Any such appeal is limited to correction of an assessment during the then current or, if before July 1, the upcoming fiscal year. Upon the filing of any such appeal, the City Engineer or his or her designee will promptly review the appeal and any information provided by the property owner. If the City Engineer or his or her designee finds that the assessment should be modified, the appropriate changes shall be made to the assessment roll. If any such changes are approved after the assessment roll has been filed with the County for collection, the City Engineer or his or her designee is authorized to refund to the property owner the amount of any approved reduction. Any property owner who disagrees with the decision of the City Engineer or her or his designee may refer their appeal to the City Council and the decision of the City Council shall be final.

PART E

ASSESSMENT ROLL

A list of names and addresses of the owners of all parcels, and the description of each parcel within the District is shown on the last equalized Secured Property Tax Roll of the Alameda County Assessor, which by reference is hereby made a part of this Report.

This list is keyed to the Assessor's Parcel Numbers as shown on the Assessment Roll, which includes the proposed amount of assessments for Fiscal Year 2024-25 apportioned to each parcel. The Assessment Roll is on file in the Public Works Department of the City and is included in this Report beginning on the next page.

The total proposed assessment for Fiscal Year 2024-25 is $25,591.66.

CITY OF NEWARK
LANDSCAPING & LIGHTING DISTRICT No. 7
ASSESSMENT ROLL
FISCAL YEAR 2024-25

Assessor's Parcel Number	Assessment Amount
092A-0720-007-00	$7,192.02
092A-0720-009-00	$4,527.64
092A-0720-010-00	$673.94
092A-0720-012-00	$1,069.64
092A-0720-013-00	$1,825.12
092A-0720-014-00	$1,870.00
092A-0720-018-00	$943.22
092A-0720-019-00	$2,315.80
092A-0720-020-00	$391.02
092A-0720-021-00	$391.02
092A-0720-024-00	$1,400.26
092A-0720-025-00	$1,647.46
092A-0720-026-00	$1,344.52
Total Parcels:	13
Total Assessment:	$25,591.66

NEWARK
california

Landscaping and Lighting District No. 11

Fiscal Year 2024-25
Preliminary Engineer's Report

June 13, 2024

Prepared by

FRANCISCO AND ASSOCIATES
Where Innovative Strategies Fund Tomorrow's Communities

Table of Contents

Page No.

Certificate ii

Section I - Introduction 1

Section II – Engineer's Report 3

Part A – Plans and Specifications 5

Part B – Estimate of Cost 8

Part C – Assessment District Diagram 10

Part D – Method of Apportionment of Assessments 12

Part E - Assessment Roll 15

ENGINEER'S REPORT
CITY OF NEWARK
LANDSCAPING AND LIGHTING DISTRICT NO. 11
FISCAL YEAR 2024-25

The undersigned, acting on behalf of Francisco & Associates respectfully submits the enclosed Engineer's Report as directed by the Newark City Council pursuant to the provisions of Article XIIID, Section 4 of the California Constitution, and the Landscape and Lighting Act of 1972 being Section 22500 et al of the California Streets and Highways Code (the "1972 Act"). The undersigned certifies that he is a Professional Engineer, registered in the State of California.

Dated: May 14, 2024

By: _____
Eduardo Espinoza, P.E.
RCE # 83709

SECTION I

INTRODUCTION

The City of Newark ("City") levies and collects special assessments on parcels within the City of Newark Landscaping and Lighting District No. 11 ("District") to maintain public improvements. The District was formed to provide a dedicated source of funding for the ongoing maintenance of median-landscape improvements within and adjacent to the boundaries of the District.

The assessments and method of apportionment described in this Report utilize commonly accepted assessment engineering practices and have been calculated and proportionately spread to each parcel based on the special benefits received as approved by the City Council at the time the District was formed.

The District generally consists of those properties south of Interstate 880, west of Elmwood Avenue and Blackwood Drive, north of Cedar Boulevard and those properties along and north of Lake Boulevard, and east of State Route 84. A reduced copy of the Assessment Diagram showing the exterior boundaries of the District is provided in Part C of this Report.

Compliance with the California Constitution

Assessments are levied annually within the District pursuant to the 1972 Act. All assessments described in this Report and approved by the City Council are prepared in accordance with the 1972 Act and are compliant with the provisions of the California Constitution Article XIIID ("Article XIIID"), which was enacted with the passage of Proposition 218 in November 1996. Pursuant to Article XIIID Section 5, certain existing assessments are exempt from the substantive and procedural requirements of Article XIIID Section 4. Specifically, Article XIIID Section 5(a) exempted:

> *"Any assessment imposed exclusively to finance the capital costs or maintenance and operation expenses for sidewalks, streets, sewers, water, flood control, drainage systems or vector control. Subsequent increases in such assessments shall be subject to the procedures and approval process set forth in Section 4."*

The City determined the annual assessments originally established for the District were for the maintenance and operation of landscape and medians within the public street rights-of-way. As such, pursuant to Article XIIID Section 5(a), the pre–existing assessment amount has been exempted from the procedural requirements of Article XIIID Section 4 since the amount of the assessment has not increased since the passage of Proposition 218.

Any future increase in the assessment rate or substantial changes in the services provided would require that the District be brought into compliance with all the requirements of Article XIIID and would require the approval of the property owners subject to the assessment based upon a mailed ballot which would be sent to each property owner.

Current Annual Administration

As required by the 1972 Act, the Engineer's Report includes: (1) a description of the improvements to be operated, maintained, and serviced by the District, (2) a cost estimate for the District, and (3) a listing of the proposed Fiscal Year 2024-25 assessments to be levied upon each assessable lot or parcel within the District.

The City will hold a Public Hearing on July 11, 2024, regarding this District which will provide an opportunity for any interested person to be heard. At the conclusion of the Public Hearing, the City Council may adopt a resolution confirming the assessment rates as originally proposed or as modified.

Payment of these annual assessments for each parcel will be made in the same manner and at the same time as payments are made for their annual property taxes. All funds collected through the assessments must be placed in a special fund and can only be used for the purposes stated within this Report.

SECTION II

ENGINEER'S REPORT PREPARED FOR THE CITY OF NEWARK LANDSCAPING AND LIGHTING DISTRICT NO. 11 FISCAL YEAR 2024-25

Pursuant to the Landscaping and Lighting Act of 1972 (Part 2 of Division 15 of the Streets and Highways Code of the State of California), and in accordance with the Resolution of Initiation, being Resolution No. 11631, which directs the preparation and filing of the Engineer's Report, adopted by the City Council of the City of Newark, on April 11, 2024, the following Report was prepared consisting of Section I (Introduction), and this, Section II, which consists of five (5) parts as follows:

PART A: PLANS AND SPECIFICATIONS

This part describes the improvements maintained by the District. Plans and specifications for the improvements are on file in the Office of the Director of Public Works of the City of Newark and are incorporated herein by reference.

PART B: ESTIMATE OF COST

This part contains an estimate of the cost of the proposed improvements to be maintained for Fiscal Year 2024-25, including incidental costs and expenses in connection therewith. The estimate is attached hereto and is on file in the Office of the Director of Public Works of the City of Newark.

PART C: ASSESSMENT DISTRICT DIAGRAM

This part incorporates a Diagram of the District showing the exterior boundaries of the District, the boundaries of any zones within the District and the lines and dimensions of each lot or parcel of land within the District. This Diagram has been prepared by the Engineer of Work and is on file in the Office of the Director of Public Works of the City of Newark.

The lines and dimensions of each lot or parcel within the District are those lines and dimensions shown on the maps of the Alameda County Assessor for the year when this Report was prepared. The Assessor's maps and records are incorporated by reference herein and made a part of this Report.

PART D: METHOD OF APPORTIONMENT OF ASSESSMENTS

This part describes the method of apportionment of assessments, based upon each parcel's classification within the District in proportion to the estimated special benefits to be received.

PART E: ASSESSMENT ROLL

This part contains an assessment of the estimated cost of the improvements apportioned to each benefited parcel of land within the District. The Assessment Roll is filed in the Office of the City Clerk of the City of Newark and is incorporated in this Report. The list is keyed to the records of the Alameda County Assessor, which are incorporated herein by reference.

PART A

PLANS AND SPECIFICATIONS

IMPROVEMENTS AND SERVICES PURSUANT TO THE 1972 ACT

The improvements and services authorized by the provisions of the Landscape and Lighting Act of 1972, being Part 2 of Division 15 of the Streets and Highways Code, commencing with Section 22500 (hereafter referred to as the "1972 Act"), that may be applicable to this District and associated assessments may include one or more of the following definitions:

- "Improvement" means one or any combination of the following:
    - The installation or planting of landscaping.
    - The installation or construction of statuary, fountains, and other ornamental structures and facilities.
    - The installation or construction of public lighting facilities, including, but not limited to, traffic signals.
    - The installation or construction of any facilities which are appurtenant to any of the forgoing, or which are necessary or convenient for the maintenance or servicing thereof, including, but not limited to, grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks, or paving, or water, irrigation, drainage, or electrical facilities.
    - The installation of park or recreational improvements, including, but not limited to all the following:
        - Land preparation, such as grading, leveling, cutting and filling, sod, landscaping, irrigation systems, sidewalks, and drainage.
        - Lights, playground equipment, play courts, and public restrooms.
    - The maintenance or servicing, or both, of any of the forgoing, and of any improvements authorized below.
    - The acquisition of land for park, recreational, or open space purposes.
    - The acquisition of any existing improvement otherwise authorized herein.
    - The acquisition or construction of any community center, municipal auditorium or hall, or similar public facility for the indoor presentation of performances, shows, stage productions, fairs, conventions, exhibitions, pageants, meetings, parties, or other group events, activities, or functions, whether those events, activities, or functions are public or private.

- "Incidental expenses" include all the following:
    - The costs of preparation of the report, including plans, specifications, estimates, diagram, and assessment.
    - The costs of printing, advertising, and giving of published, posted, and mailed notices.
    - Compensation payable to the county for collection of assessments.
    - Compensation of any engineer or attorney employed to render services in proceedings pursuant to this part.
    - Any other expenses incidental to the construction, installation, or maintenance and servicing of improvements.
    - Any expenses incidental to the construction, installation, or maintenance and servicing of the improvements.
    - Any expenses incidental to the issuance of bonds or notes.
    - Costs associated with any elections held for the approval of a new or increased assessment.

- "Landscaping" means trees, shrubs, grass, or other ornamental vegetation.

- "Maintain" or "maintenance" means the furnishing of services and materials for the ordinary and usual maintenance, operation, and services of any improvement, including:
    - Repair, removal or replacement of all or any part of any improvement.
    - Providing for the life, growth, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury.
    - The removal of trimmings, rubbish, debris, and other solid waste.
    - The cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

- "Public lighting facilities" means all works or improvements used or useful for the lighting of any public places, including ornamental standards, luminaries, poles, supports, tunnels, manholes, vaults, conduits, pipes, wires, conductors, guys, stubs, platforms, braces, transformers, insulators, contacts, switches, capacitors, meters, communication circuits, appliances, attachments, and appurtenances.

- "Service" or "servicing" means the furnishing of:
    - Electric current or energy, gas, or other illuminating agent for any public lighting facilities or for the lighting or operation of any other improvements.
    - Water for the irrigation of any landscaping, the operation of any fountains, or the maintenance of any other improvements.

DESCRIPTION OF DISTRICT IMPROVEMENTS

The improvements, which have been constructed within the City, and those which may be subsequently constructed, operated, maintained, and serviced with District assessments are generally described as follows:

> The maintenance and operation of medians on Edgewater Drive, Lake Boulevard, and Parkshore Drive. Costs include all maintenance and operational costs including normal upkeep, operating expenses, management expenses, replacement, and replanting costs.

Improvement diagrams have been prepared identifying all improvements and areas that are to be maintained by the District. A copy of this diagram is on file with the City's Public Works Department.

PART B

ESTIMATE OF COSTS

The 1972 Act requires that a special fund be set up for the collection of revenues and expenditures of the District. The Act provides that the total cost of construction, operation, and maintenance and servicing of the public improvements specified in Part A of this Report can be recovered by the District. Incidental expenses including administration of the District, engineering fees, legal fees and all other costs associated with the construction, operation and maintenance and servicing of the Districts can also be included.

The 1972 Act also requires that a special fund be set up for the revenues and expenditures of the District. Funds raised from the assessments shall be used only for the expenditures represented above. A contribution to the District by the City may be made to reduce assessments as the City deems appropriate. Any balance remaining on July 1 at the end of the fiscal year must be carried over to the next fiscal year unless the funds are being accumulated for future capital replacement projects or operating reserves.

The following table provides a summary of the estimated District revenues and cost estimates for Fiscal Year 2024-25.

Landscaping and Lighting District No. 11 Fiscal Year 2024-25 Cost Estimate	
Projected Revenues	
Assessment Revenue	$28,175
Non-Assessment Revenues[1]	$1,173
Total Projected Revenues	**$29,348**
Projected Expenses	
Contract Services[2]	$56,064
Utilities	$500
Administration and Incidentals	$11,827
County Collection Fees	$479
Unforeseen Maintenance and Repairs[3]	$3,443
Total Projected Expenses	**$72,313**
Projected Fund Balance	
Beginning Fund Balance - July 1, 2024	$78,189
Reserve Fund Collection Increase/(Decrease)	($42,965)
Ending Fund Balance - June 30, 2025	$35,224
Recommended Operating Reserves	$34,435
Available Operating Reserves	$34,435
Available Capital Reserves	$789

[1]Non-Assessment Revenue includes interest earnings estimated at 1.5% of Projected Beginning Fund Balance and any other non-assessment revenue sources.

[2]Includes $37,000 for Plant & Tree Replacement, Grading, Irrigation & Pop-Up Replacement, Irrigation Retrofit, and Re-mulch projects.

[2]Unforeseen Maintenance and Repairs are assumed to be 5% of the Projected Expenses.

The purpose of the various reserves is to ensure the District will have funds available for cashflow purposes and to repair or reconstruct the improvements that are the responsibility of the District.

The Recommended Operating Reserve target is fifty percent (50%) of the projected expenditures. Maintaining a fully funded Operating Reserve eliminates the need for the City to transfer funds from non-District accounts to pay for operational expenses during the first half of the fiscal year and provides the District with sufficient funds to address any unforeseen or unusual expenditures that may occur during the year.

The purpose of collecting and holding funds in a Capital Reserve is so that when improvements need to be replaced or expenditures are greater than can be conveniently raised from a single year's assessment, funds are available so that the District can respond and address the need promptly.

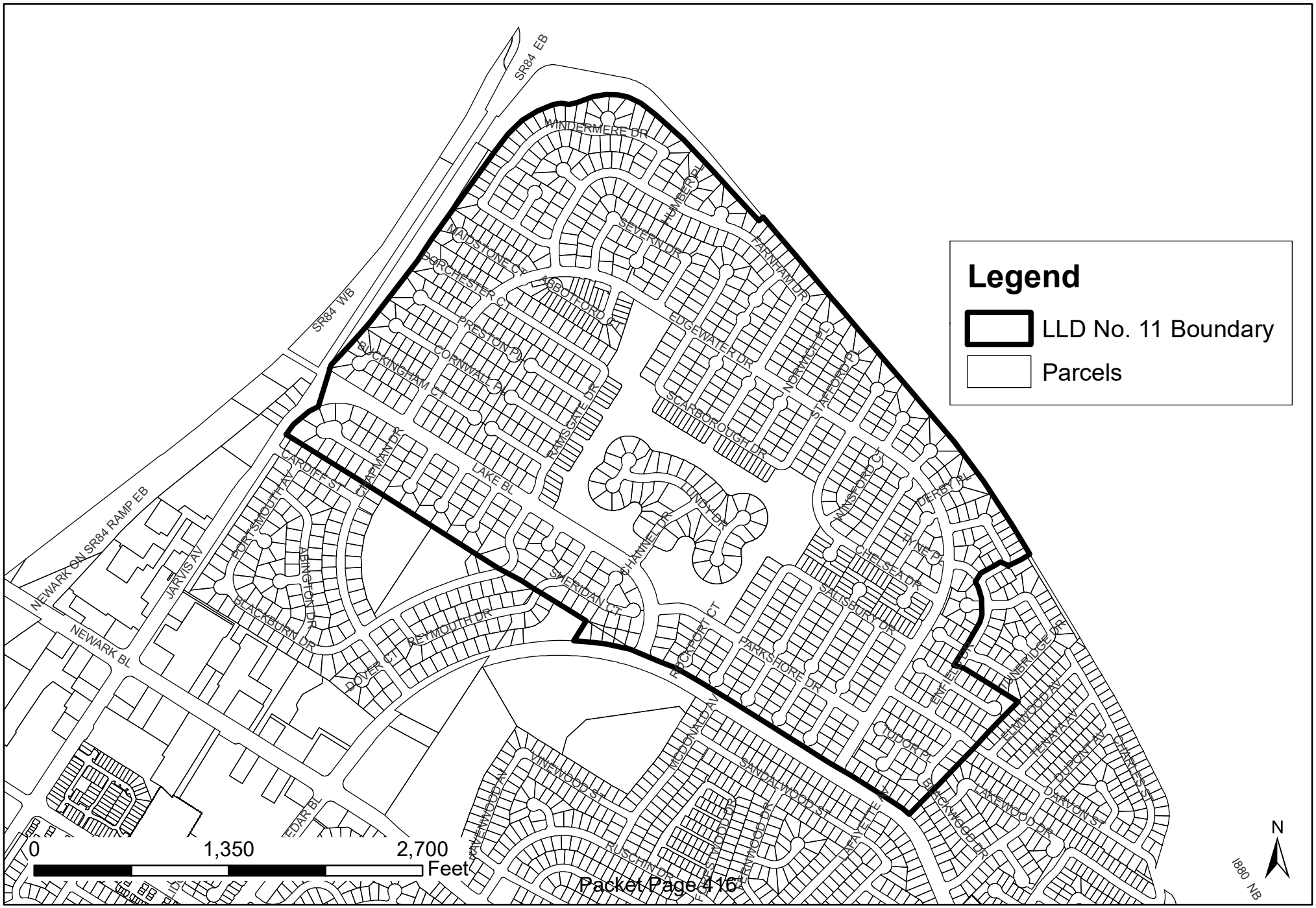
PART C

ASSESSMENT DISTRICT DIAGRAM

The boundaries of the District are shown herein. The Diagram is on file in the Public Works Department of the City and shown on the following page of this Engineer's Report. The lines and dimensions of each parcel within the District are those lines and dimensions shown on the maps of the Alameda County Assessor for the year in which this Report was prepared and are incorporated by reference herein and made part of this Report.

A reduced copy of the Assessment Diagram is shown on the following page.

LANDSCAPING AND LIGHTING DISTRICT NO. 11
(EDGEWATER DRIVE/LAKE AREA)
ASSESSMENT DIAGRAM



PART D

METHOD OF APPORTIONMENT OF ASSESSMENTS

This section explains the benefits to be derived from the improvements and the methodology used to apportion the total costs of the improvements to properties within the District.

The method used for apportioning the assessment is based upon the relative special benefits to be derived by the properties in the District and any established benefit zones. The assessment is apportioned to each parcel in proportion to the relative cost of the special benefits from the improvements.

General

The 1972 Act permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements which include the construction, maintenance and servicing of public lights, landscaping, and appurtenant facilities. The 1972 Act further requires that the cost of these improvements be levied according to benefit rather than assessed value:

> *"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."*

The formula used for calculating assessments in the District therefore reflects the composition of the parcels, and the improvements and services provided, to fairly apportion the costs based on estimated benefit to each parcel.

In addition, the 1972 Act permits the designation of zones of benefit within any individual assessment district if "by reasons or variations in the nature, location, and extent of the improvements, the various areas will receive different degrees of benefit from the improvement." Thus, the 1972 Act requires the levy of a true "assessment" rather than a "special tax".

Discussion of Benefit

Each of the improvements have been carefully reviewed by the City and the corresponding assessments have been proportionately spread to each parcel based on the special benefits conferred to property from the improvements as determined at the time the District was established.

The District consists of all Assessor Parcels within the boundaries of the District. The method of apportioning costs and assessing properties is based upon the proportional special benefits to be conferred by the improvements and services to the properties within the boundaries of the District. The apportioning of special benefit is a two-step process: the first step is to identify the types of special benefits arising from the improvements and services, and the second step is to allocate the costs and assign assessments to property based on the estimates of the special benefit being conferred to each property.

In summary, the assessments can only be levied based on the special benefit to property conferred from the installation, maintenance, and servicing of the improvements funded by the District. These special benefits are not dependent on any one property owner's use of the District's improvements or their specific demographic status. The basis for these special benefits comes from statutes approved by the California Legislature and other studies that describe the types of benefits received by property from such improvements. The identified special benefits conferred to property from the median landscape improvements can be summarized as follows:

- Improved aesthetics:
    - Well-maintained and attractive median landscaping enhances the overall appearance and desirability of the area, making it visually appealing to property owners and visitors.

- Increased property values:
    - Attractive and well-maintained median landscaping can increase the desirability of nearby properties, potentially leading to higher property values.

- Safety:
    - Median landscaping helps calm traffic and reduce speeds, creating a safer environment for people traveling to and from properties in the District. It also acts as a physical buffer between roadways and properties within the District.

- Noise reduction:
    - Trees and plants help absorb traffic noise and create a buffer between the road and nearby properties, reducing noise levels and creating a more peaceful environment.

- Reduced pollution:
    - Trees and plants aid in filtering pollutants from the air, improving air quality and creating a healthier environment for properties in proximity to the landscape.

These benefits, when applied to property in the District, specifically increase the utility of the property within the District. For example, the assessments provide funding to maintain the median landscaping that improves safety and provides visual and environmental benefits to the properties within the District. Such improved and well-maintained public facilities enhance the overall usability, quality, desirability, and safety of the properties.

Method of Assessment

This process of apportioning assessments to each property involves determining the relative special benefit received by each property from the improvements and services. Therefore, the City and Engineer of Work at the time of formation determined that each parcel within the boundaries of the District receives a similar benefit from the improvements. Therefore, the most appropriate method of apportioning costs was determined to be spreading all District costs equally to each parcel in the District. This methodology is commonly used to distribute assessments in proportion to estimated special benefit and is generally recognized as providing the basis for a fair and appropriate distribution of assessments.

In Fiscal Year 2024-25, the City proposes to collect the maximum assessment revenue from the assessable parcels located in the District, which amounts to $25.00 per parcel to be levied. A listing of each assessable parcel and their proposed Fiscal Year 2024-25 assessment is on the Assessment Roll in Part E of this Report.

Exempted from the assessment would be the areas of public streets, public avenues, public lanes, public roads, public drives, public courts, public alleys, public easements and rights-of-ways, public greenbelts, and public parkways (all of which are typically not assigned an Assessor's Parcel Number (APN) by the County). Also exempted from the assessment would be public agency owned property, utility rights-of-ways, common areas (such as in condominium complexes or those that are owned by a Homeowner's or Property Owner's Association), and any other property that is deemed to be unable to develop by the City. These types of parcels do not benefit from the improvements.

Appeals and Interpretations

Any property owner who feels that the assessment levied on the subject property is in error because of incorrect information being used to apply the foregoing method of assessment, may file a written appeal with City Engineer or his or her designee. Any such appeal is limited to correction of an assessment during the then current or, if before July 1, the upcoming fiscal year. Upon the filing of any such appeal, the City Engineer or his or her designee will promptly review the appeal and any information provided by the property owner. If the City Engineer or his or her designee finds that the assessment should be modified, the appropriate changes shall be made to the assessment roll. If any such changes are approved after the assessment roll has been filed with the County for collection, the City Engineer or his or her designee is authorized to refund to the property owner the amount of any approved reduction. Any property owner who disagrees with the decision of the City Engineer or her or his designee may refer their appeal to the City Council and the decision of the City Council shall be final.

PART E

ASSESSMENT ROLL

A list of names and addresses of the owners of all parcels, and the description of each parcel within the District is shown on the last equalized Secured Property Tax Roll of the Alameda County Assessor, which by reference is hereby made a part of this Report.

This list is keyed to the Assessor's Parcel Numbers as shown on the Assessment Roll, which includes the proposed amount of assessments for Fiscal Year 2024-25 apportioned to each parcel. The Assessment Roll is on file in the Public Works Department of the City and is included in this Report beginning on the next page.

The total proposed assessment for Fiscal Year 2024-25 is $28,175.00.

CITY OF NEWARK
LANDSCAPING & LIGHTING DISTRICT No. 11
ASSESSMENT ROLL
FISCAL YEAR 2024-25

Assessor's Parcel Number	Assessment Amount
092A-0712-002-00	$25.00
092A-0712-003-00	$25.00
092A-0712-004-00	$25.00
092A-0712-005-00	$25.00
092A-0712-006-00	$25.00
092A-0712-007-00	$25.00
092A-0712-008-00	$25.00
092A-0712-009-00	$25.00
092A-0712-010-00	$25.00
092A-0712-011-00	$25.00
092A-0712-012-00	$25.00
092A-0712-013-00	$25.00
092A-0712-014-00	$25.00
092A-0712-015-00	$25.00
092A-0712-016-00	$25.00
092A-0712-017-00	$25.00
092A-0712-018-00	$25.00
092A-0712-019-00	$25.00
092A-0712-020-00	$25.00
092A-0712-021-00	$25.00
092A-0712-022-00	$25.00
092A-0712-023-00	$25.00
092A-0712-024-00	$25.00
092A-0712-025-00	$25.00
092A-0712-026-00	$25.00
092A-0712-027-00	$25.00
092A-0712-028-00	$25.00
092A-0712-029-00	$25.00
092A-0712-030-00	$25.00
092A-0712-031-00	$25.00
092A-0712-032-00	$25.00
092A-0712-033-00	$25.00
092A-0712-034-00	$25.00
092A-0712-035-00	$25.00
092A-0712-036-00	$25.00
092A-0712-037-00	$25.00
092A-0712-038-00	$25.00
092A-0712-039-00	$25.00
092A-0712-040-00	$25.00
092A-0712-041-00	$25.00
092A-0712-042-00	$25.00
092A-0712-043-00	$25.00
092A-0712-044-00	$25.00
092A-0712-045-00	$25.00
092A-0712-046-00	$25.00
092A-0712-047-00	$25.00
092A-0712-048-00	$25.00
092A-0712-049-00	$25.00
092A-0712-050-00	$25.00
092A-0712-051-00	$25.00
092A-0712-052-00	$25.00
092A-0712-053-00	$25.00
092A-0712-054-00	$25.00
092A-0712-055-00	$25.00
092A-0712-056-00	$25.00
092A-0712-057-00	$25.00
092A-0712-058-00	$25.00
092A-0712-059-00	$25.00
092A-0712-060-00	$25.00
092A-0712-061-00	$25.00
092A-0712-062-00	$25.00
092A-0712-063-00	$25.00
092A-0712-064-00	$25.00
092A-0712-065-00	$25.00
092A-0712-066-00	$25.00
092A-0712-067-00	$25.00
092A-0712-068-00	$25.00
092A-0712-069-00	$25.00
092A-0712-070-00	$25.00
092A-0712-071-00	$25.00
092A-0712-072-00	$25.00
092A-0712-073-00	$25.00
092A-0712-074-00	$25.00
092A-0712-075-00	$25.00
092A-0712-076-00	$25.00
092A-0712-077-00	$25.00
092A-0712-078-00	$25.00
092A-0712-079-00	$25.00
092A-0713-001-00	$25.00
092A-0713-002-00	$25.00
092A-0713-003-00	$25.00
092A-0713-004-00	$25.00
092A-0713-005-00	$25.00
092A-0713-006-00	$25.00
092A-0713-007-00	$25.00
092A-0713-008-00	$25.00
092A-0713-009-00	$25.00
092A-0713-010-00	$25.00
092A-0713-011-00	$25.00
092A-0713-012-00	$25.00
092A-0713-013-00	$25.00
092A-0713-014-00	$25.00
092A-0713-015-00	$25.00
092A-0713-016-00	$25.00
092A-0713-017-00	$25.00
092A-0713-018-00	$25.00
092A-0713-019-00	$25.00
092A-0713-020-00	$25.00
092A-0713-021-00	$25.00
092A-0713-022-00	$25.00
092A-0713-023-00	$25.00
092A-0713-024-00	$25.00
092A-0713-025-00	$25.00
092A-0713-026-00	$25.00
092A-0713-027-00	$25.00
092A-0713-028-00	$25.00
092A-0713-029-00	$25.00
092A-0713-030-00	$25.00
092A-0713-031-00	$25.00
092A-0713-032-00	$25.00
092A-0713-033-00	$25.00
092A-0713-034-00	$25.00
092A-0713-035-00	$25.00
092A-0713-036-00	$25.00
092A-0713-037-00	$25.00
092A-0713-038-00	$25.00
092A-0713-039-00	$25.00
092A-0713-040-00	$25.00
092A-0713-041-00	$25.00
092A-0713-042-00	$25.00
092A-0713-043-00	$25.00
092A-0713-044-00	$25.00
092A-0713-045-00	$25.00
092A-0713-046-00	$25.00
092A-0713-047-00	$25.00
092A-0713-048-00	$25.00
092A-0713-049-00	$25.00
092A-0713-050-00	$25.00
092A-0713-051-00	$25.00
092A-0713-052-00	$25.00
092A-0713-053-00	$25.00
092A-0715-001-00	$25.00
092A-0715-002-00	$25.00
092A-0715-003-00	$25.00
092A-0715-004-00	$25.00
092A-0715-005-00	$25.00
092A-0715-006-00	$25.00
092A-0715-007-00	$25.00
092A-0715-008-00	$25.00
092A-0715-009-00	$25.00
092A-0715-010-00	$25.00
092A-0715-011-00	$25.00
092A-0715-012-00	$25.00
092A-0715-013-00	$25.00
092A-0715-014-00	$25.00
092A-0715-015-00	$25.00
092A-0715-016-00	$25.00
092A-0715-017-01	$25.00
092A-0715-018-02	$25.00
092A-0715-019-00	$25.00
092A-0715-020-00	$25.00
092A-0715-021-00	$25.00
092A-0715-022-00	$25.00
092A-0715-023-00	$25.00
092A-0715-024-00	$25.00
092A-0715-025-00	$25.00

CITY OF NEWARK
LANDSCAPING & LIGHTING DISTRICT No. 11
ASSESSMENT ROLL
FISCAL YEAR 2024-25

Assessor's Parcel Number	Assessment Amount
092A-0715-026-00	$25.00
092A-0715-027-00	$25.00
092A-0715-028-00	$25.00
092A-0715-029-00	$25.00
092A-0715-030-00	$25.00
092A-0715-031-00	$25.00
092A-0715-032-00	$25.00
092A-0715-033-00	$25.00
092A-0715-034-00	$25.00
092A-0715-035-00	$25.00
092A-0715-036-00	$25.00
092A-0715-037-00	$25.00
092A-0715-038-00	$25.00
092A-0715-040-00	$25.00
092A-0715-041-00	$25.00
092A-0715-042-00	$25.00
092A-0715-043-00	$25.00
092A-0715-044-00	$25.00
092A-0715-045-00	$25.00
092A-0715-046-00	$25.00
092A-0715-047-00	$25.00
092A-0715-048-00	$25.00
092A-0715-049-00	$25.00
092A-0715-050-00	$25.00
092A-0715-051-00	$25.00
092A-0715-052-00	$25.00
092A-0715-053-00	$25.00
092A-0715-054-00	$25.00
092A-0715-055-00	$25.00
092A-0715-056-00	$25.00
092A-0715-057-00	$25.00
092A-0715-058-00	$25.00
092A-0715-059-00	$25.00
092A-0715-060-00	$25.00
092A-0715-061-00	$25.00
092A-0715-062-00	$25.00
092A-0715-063-00	$25.00
092A-0715-065-00	$25.00
092A-0715-066-00	$25.00
092A-0715-067-00	$25.00
092A-0715-068-00	$25.00
092A-0715-069-00	$25.00
092A-0715-070-00	$25.00
092A-0715-071-00	$25.00
092A-0715-072-00	$25.00
092A-0715-073-00	$25.00
092A-0715-074-00	$25.00
092A-0715-075-00	$25.00
092A-0715-076-00	$25.00
092A-0715-077-00	$25.00
092A-0715-078-00	$25.00
092A-0715-079-00	$25.00
092A-0715-080-00	$25.00
092A-0715-081-00	$25.00
092A-0715-082-00	$25.00
092A-0715-083-00	$25.00
092A-0715-084-00	$25.00
092A-0715-085-00	$25.00
092A-0715-086-00	$25.00
092A-0715-087-00	$25.00
092A-0715-088-00	$25.00
092A-0715-089-00	$25.00
092A-0715-090-00	$25.00
092A-0715-091-00	$25.00
092A-0715-092-00	$25.00
092A-0715-093-00	$25.00
092A-0715-094-00	$25.00
092A-0715-095-00	$25.00
092A-0715-096-00	$25.00
092A-0715-097-00	$25.00
092A-0715-098-00	$25.00
092A-0715-099-00	$25.00
092A-0715-100-00	$25.00
092A-0715-101-00	$25.00
092A-0715-102-00	$25.00
092A-0715-103-00	$25.00
092A-0715-104-00	$25.00
092A-0715-105-00	$25.00
092A-0715-106-00	$25.00
092A-0715-107-00	$25.00
092A-0715-108-00	$25.00
092A-0716-001-00	$25.00
092A-0716-002-00	$25.00
092A-0716-003-00	$25.00
092A-0716-004-00	$25.00
092A-0716-005-00	$25.00
092A-0716-006-00	$25.00
092A-0716-007-00	$25.00
092A-0716-008-00	$25.00
092A-0716-009-00	$25.00
092A-0716-010-00	$25.00
092A-0716-011-00	$25.00
092A-0716-012-00	$25.00
092A-0716-013-00	$25.00
092A-0716-014-00	$25.00
092A-0716-015-00	$25.00
092A-0716-016-00	$25.00
092A-0716-017-00	$25.00
092A-0716-018-00	$25.00
092A-0716-019-00	$25.00
092A-0716-020-00	$25.00
092A-0716-021-00	$25.00
092A-0716-022-00	$25.00
092A-0716-024-00	$25.00
092A-0716-025-00	$25.00
092A-0716-026-00	$25.00
092A-0716-028-00	$25.00
092A-0716-029-00	$25.00
092A-0716-030-00	$25.00
092A-0716-031-00	$25.00
092A-0716-032-00	$25.00
092A-0716-033-00	$25.00
092A-0716-034-00	$25.00
092A-0716-035-00	$25.00
092A-0716-036-00	$25.00
092A-0716-037-00	$25.00
092A-0716-038-00	$25.00
092A-0716-039-00	$25.00
092A-0716-040-00	$25.00
092A-0716-041-00	$25.00
092A-0716-042-00	$25.00
092A-0716-043-00	$25.00
092A-0716-044-00	$25.00
092A-0716-045-00	$25.00
092A-0716-046-00	$25.00
092A-0716-047-00	$25.00
092A-0716-048-00	$25.00
092A-0716-049-00	$25.00
092A-0716-050-00	$25.00
092A-0716-051-00	$25.00
092A-0716-052-00	$25.00
092A-0716-053-00	$25.00
092A-0716-054-00	$25.00
092A-0716-055-00	$25.00
092A-0716-056-00	$25.00
092A-0716-057-00	$25.00
092A-0716-058-00	$25.00
092A-0716-059-00	$25.00
092A-0716-060-00	$25.00
092A-0716-061-00	$25.00
092A-0716-062-00	$25.00
092A-0716-063-02	$25.00
092A-0716-064-01	$25.00
092A-0716-065-00	$25.00
092A-0716-066-00	$25.00
092A-0716-067-00	$25.00
092A-0716-068-00	$25.00
092A-0716-069-00	$25.00
092A-0716-071-00	$25.00
092A-0716-072-00	$25.00
092A-0716-073-00	$25.00
092A-0716-074-00	$25.00
092A-0716-075-00	$25.00
092A-0716-076-00	$25.00
092A-0716-077-00	$25.00
092A-0716-078-00	$25.00

CITY OF NEWARK
LANDSCAPING & LIGHTING DISTRICT No. 11
ASSESSMENT ROLL
FISCAL YEAR 2024-25

Assessor's Parcel Number	Assessment Amount
092A-0716-079-00	$25.00
092A-0716-080-00	$25.00
092A-0716-081-00	$25.00
092A-0716-082-00	$25.00
092A-0716-083-00	$25.00
092A-0716-084-00	$25.00
092A-0716-085-00	$25.00
092A-0716-086-00	$25.00
092A-0716-087-00	$25.00
092A-0716-088-00	$25.00
092A-0716-089-00	$25.00
092A-0716-090-00	$25.00
092A-0716-091-00	$25.00
092A-0716-092-00	$25.00
092A-0716-093-00	$25.00
092A-0716-094-00	$25.00
092A-0716-095-00	$25.00
092A-0716-096-00	$25.00
092A-0716-097-00	$25.00
092A-0716-098-00	$25.00
092A-0716-099-00	$25.00
092A-0716-100-00	$25.00
092A-0716-101-00	$25.00
092A-0716-102-00	$25.00
092A-0716-103-00	$25.00
092A-0716-104-00	$25.00
092A-0716-105-00	$25.00
092A-0716-106-00	$25.00
092A-0716-107-00	$25.00
092A-0716-108-00	$25.00
092A-0716-109-00	$25.00
092A-0716-110-00	$25.00
092A-0716-111-00	$25.00
092A-0716-112-00	$25.00
092A-0716-113-00	$25.00
092A-0716-114-00	$25.00
092A-0716-115-00	$25.00
092A-0716-116-00	$25.00
092A-0716-117-00	$25.00
092A-0716-118-00	$25.00
092A-0716-119-00	$25.00
092A-0716-120-00	$25.00
092A-0716-121-00	$25.00
092A-0716-122-00	$25.00
092A-0716-123-00	$25.00
092A-0716-124-00	$25.00
092A-0716-125-00	$25.00
092A-0716-126-00	$25.00
092A-0716-127-00	$25.00
092A-0716-128-00	$25.00
092A-0716-129-00	$25.00
092A-0716-130-00	$25.00
092A-0716-131-00	$25.00
092A-0716-132-00	$25.00
092A-0716-133-00	$25.00
092A-0716-134-00	$25.00
092A-0716-135-00	$25.00
092A-0717-001-00	$25.00
092A-0717-002-00	$25.00
092A-0717-003-00	$25.00
092A-0717-004-00	$25.00
092A-0717-005-00	$25.00
092A-0717-006-00	$25.00
092A-0717-007-00	$25.00
092A-0717-008-00	$25.00
092A-0717-009-00	$25.00
092A-0717-010-00	$25.00
092A-0717-011-00	$25.00
092A-0717-013-00	$25.00
092A-0717-014-00	$25.00
092A-0717-015-00	$25.00
092A-0717-016-00	$25.00
092A-0718-001-00	$25.00
092A-0718-002-00	$25.00
092A-0718-003-00	$25.00
092A-0718-004-00	$25.00
092A-0718-005-00	$25.00
092A-0718-006-00	$25.00
092A-0718-007-00	$25.00
092A-0718-008-00	$25.00
092A-0718-009-00	$25.00
092A-0718-010-00	$25.00
092A-0718-011-00	$25.00
092A-0718-012-00	$25.00
092A-0718-013-00	$25.00
092A-0718-014-00	$25.00
092A-0718-015-00	$25.00
092A-0718-016-00	$25.00
092A-0718-017-00	$25.00
092A-0718-018-00	$25.00
092A-0718-019-00	$25.00
092A-0718-020-00	$25.00
092A-0718-021-00	$25.00
092A-0718-022-00	$25.00
092A-0718-023-00	$25.00
092A-0718-024-00	$25.00
092A-0718-025-00	$25.00
092A-0718-026-00	$25.00
092A-0718-027-00	$25.00
092A-0718-028-00	$25.00
092A-0718-029-00	$25.00
092A-0718-030-00	$25.00
092A-0718-031-00	$25.00
092A-0718-032-00	$25.00
092A-0718-033-00	$25.00
092A-0718-034-00	$25.00
092A-0718-035-00	$25.00
092A-0718-036-00	$25.00
092A-0718-037-00	$25.00
092A-0718-038-00	$25.00
092A-0718-039-00	$25.00
092A-0718-040-00	$25.00
092A-0718-041-00	$25.00
092A-0718-042-00	$25.00
092A-0718-043-00	$25.00
092A-0718-044-00	$25.00
092A-0718-045-00	$25.00
092A-0718-046-00	$25.00
092A-0718-047-00	$25.00
092A-0718-048-00	$25.00
092A-0718-049-00	$25.00
092A-0718-050-00	$25.00
092A-0718-051-00	$25.00
092A-0718-052-00	$25.00
092A-0718-053-00	$25.00
092A-0718-054-00	$25.00
092A-0718-055-00	$25.00
092A-0718-056-00	$25.00
092A-0718-057-00	$25.00
092A-0718-059-00	$25.00
092A-0718-060-00	$25.00
092A-0718-061-00	$25.00
092A-0718-062-00	$25.00
092A-0718-063-00	$25.00
092A-0718-064-00	$25.00
092A-0718-065-00	$25.00
092A-0718-066-00	$25.00
092A-0718-067-00	$25.00
092A-0718-068-00	$25.00
092A-0718-069-00	$25.00
092A-0718-070-00	$25.00
092A-0718-071-00	$25.00
092A-0718-072-00	$25.00
092A-0718-073-00	$25.00
092A-0718-074-00	$25.00
092A-0718-075-00	$25.00
092A-0718-076-00	$25.00
092A-0718-077-00	$25.00
092A-0718-078-00	$25.00
092A-0718-079-00	$25.00
092A-0718-080-00	$25.00
092A-0724-007-00	$25.00
092A-0724-008-00	$25.00
092A-0724-009-00	$25.00
092A-0724-010-00	$25.00
092A-0724-011-00	$25.00

CITY OF NEWARK
LANDSCAPING & LIGHTING DISTRICT No. 11
ASSESSMENT ROLL
FISCAL YEAR 2024-25

Assessor's Parcel Number	Assessment Amount
092A-0724-012-00	$25.00
092A-0724-013-00	$25.00
092A-0724-014-00	$25.00
092A-0724-015-00	$25.00
092A-0724-016-00	$25.00
092A-0724-017-00	$25.00
092A-0724-018-00	$25.00
092A-0724-019-00	$25.00
092A-0724-020-00	$25.00
092A-0724-021-00	$25.00
092A-0724-022-00	$25.00
092A-0724-023-00	$25.00
092A-0724-024-00	$25.00
092A-0724-025-00	$25.00
092A-0724-026-00	$25.00
092A-0724-027-00	$25.00
092A-0724-028-00	$25.00
092A-0724-029-00	$25.00
092A-0724-030-00	$25.00
092A-0724-031-00	$25.00
092A-0724-032-00	$25.00
092A-0724-033-00	$25.00
092A-0724-034-00	$25.00
092A-0724-035-00	$25.00
092A-0724-036-00	$25.00
092A-0724-037-00	$25.00
092A-0724-038-00	$25.00
092A-0724-039-00	$25.00
092A-0724-040-00	$25.00
092A-0724-041-00	$25.00
092A-0724-042-00	$25.00
092A-0724-043-00	$25.00
092A-0724-044-00	$25.00
092A-0724-045-00	$25.00
092A-0724-046-00	$25.00
092A-0724-047-00	$25.00
092A-0724-048-00	$25.00
092A-0724-049-00	$25.00
092A-0724-050-00	$25.00
092A-0724-051-00	$25.00
092A-0724-052-00	$25.00
092A-0724-053-00	$25.00
092A-0724-054-00	$25.00
092A-0724-055-00	$25.00
092A-0724-056-00	$25.00
092A-0724-057-00	$25.00
092A-0724-058-00	$25.00
092A-0724-059-00	$25.00
092A-0724-060-00	$25.00
092A-0724-061-00	$25.00
092A-0724-062-00	$25.00
092A-0724-063-00	$25.00
092A-0724-064-00	$25.00
092A-0724-066-00	$25.00
092A-0724-067-00	$25.00
092A-0724-068-00	$25.00
092A-0724-069-00	$25.00
092A-0724-070-00	$25.00
092A-0724-071-00	$25.00
092A-0724-072-00	$25.00
092A-0724-073-00	$25.00
092A-0724-074-00	$25.00
092A-0724-075-00	$25.00
092A-0724-076-00	$25.00
092A-0724-077-00	$25.00
092A-0724-078-00	$25.00
092A-0724-079-00	$25.00
092A-0724-080-00	$25.00
092A-0724-081-00	$25.00
092A-0724-082-00	$25.00
092A-0724-083-00	$25.00
092A-0724-084-00	$25.00
092A-0724-085-00	$25.00
092A-0724-086-00	$25.00
092A-0724-087-00	$25.00
092A-0724-088-00	$25.00
092A-0724-089-00	$25.00
092A-0724-090-00	$25.00
092A-0724-091-00	$25.00
092A-0724-092-00	$25.00
092A-0724-093-00	$25.00
092A-0724-094-00	$25.00
092A-0725-005-00	$25.00
092A-0725-006-00	$25.00
092A-0725-007-00	$25.00
092A-0725-008-00	$25.00
092A-0725-009-00	$25.00
092A-0725-010-00	$25.00
092A-0725-011-00	$25.00
092A-0725-012-00	$25.00
092A-0725-013-00	$25.00
092A-0725-014-00	$25.00
092A-0725-015-00	$25.00
092A-0725-016-00	$25.00
092A-0725-017-00	$25.00
092A-0725-018-00	$25.00
092A-0725-019-00	$25.00
092A-0725-020-00	$25.00
092A-0725-021-00	$25.00
092A-0725-022-00	$25.00
092A-0725-023-00	$25.00
092A-0725-024-00	$25.00
092A-0725-025-00	$25.00
092A-0725-026-00	$25.00
092A-0725-027-00	$25.00
092A-0725-028-00	$25.00
092A-0725-029-00	$25.00
092A-0725-030-00	$25.00
092A-0725-031-00	$25.00
092A-0725-032-00	$25.00
092A-0725-034-00	$25.00
092A-0725-035-00	$25.00
092A-0725-036-00	$25.00
092A-0725-038-00	$25.00
092A-0725-039-00	$25.00
092A-0725-040-00	$25.00
092A-0725-041-00	$25.00
092A-0725-042-00	$25.00
092A-0725-043-00	$25.00
092A-0725-044-00	$25.00
092A-0725-045-00	$25.00
092A-0725-046-00	$25.00
092A-0725-047-00	$25.00
092A-0725-048-00	$25.00
092A-0725-049-00	$25.00
092A-0725-050-00	$25.00
092A-0725-051-00	$25.00
092A-0725-052-00	$25.00
092A-0725-059-00	$25.00
092A-0725-060-00	$25.00
092A-0725-063-00	$25.00
092A-0725-065-00	$25.00
092A-0725-066-00	$25.00
092A-0726-003-00	$25.00
092A-0726-004-00	$25.00
092A-0726-005-00	$25.00
092A-0726-006-00	$25.00
092A-0726-007-00	$25.00
092A-0726-008-00	$25.00
092A-0726-009-00	$25.00
092A-0726-010-00	$25.00
092A-0726-011-00	$25.00
092A-0726-012-00	$25.00
092A-0726-013-00	$25.00
092A-0726-014-00	$25.00
092A-0726-015-00	$25.00
092A-0726-016-00	$25.00
092A-0726-017-00	$25.00
092A-0726-018-00	$25.00
092A-0726-019-00	$25.00
092A-0726-020-00	$25.00
092A-0726-021-00	$25.00
092A-0726-022-00	$25.00
092A-0726-023-00	$25.00
092A-0726-024-00	$25.00
092A-0726-025-00	$25.00

CITY OF NEWARK
LANDSCAPING & LIGHTING DISTRICT No. 11
ASSESSMENT ROLL
FISCAL YEAR 2024-25

Assessor's Parcel Number	Assessment Amount
092A-0726-026-00	$25.00
092A-0726-027-00	$25.00
092A-0726-028-00	$25.00
092A-0726-029-00	$25.00
092A-0726-030-00	$25.00
092A-0726-031-00	$25.00
092A-0726-032-00	$25.00
092A-0726-033-00	$25.00
092A-0726-034-00	$25.00
092A-0726-035-00	$25.00
092A-0726-036-00	$25.00
092A-0726-037-00	$25.00
092A-0726-038-00	$25.00
092A-0726-039-00	$25.00
092A-0726-040-00	$25.00
092A-0726-041-00	$25.00
092A-0726-042-00	$25.00
092A-0726-043-00	$25.00
092A-0726-044-00	$25.00
092A-0726-045-00	$25.00
092A-0726-046-00	$25.00
092A-0726-047-00	$25.00
092A-0726-048-00	$25.00
092A-0726-049-00	$25.00
092A-0726-050-00	$25.00
092A-0726-051-00	$25.00
092A-0726-052-00	$25.00
092A-0726-053-00	$25.00
092A-0726-054-00	$25.00
092A-0726-055-00	$25.00
092A-0726-056-00	$25.00
092A-0726-057-00	$25.00
092A-0726-058-00	$25.00
092A-0726-059-00	$25.00
092A-0726-060-00	$25.00
092A-0726-061-00	$25.00
092A-0726-062-00	$25.00
092A-0726-063-00	$25.00
092A-0726-064-00	$25.00
092A-0726-065-00	$25.00
092A-0726-066-00	$25.00
092A-0726-067-00	$25.00
092A-0726-068-00	$25.00
092A-0726-069-00	$25.00
092A-0726-070-00	$25.00
092A-0726-071-00	$25.00
092A-0726-072-00	$25.00
092A-0726-073-00	$25.00
092A-0726-074-00	$25.00
092A-0726-075-00	$25.00
092A-0726-076-00	$25.00
092A-0726-077-00	$25.00
092A-0726-078-00	$25.00
092A-0726-079-00	$25.00
092A-0726-080-00	$25.00
092A-0726-081-00	$25.00
092A-0726-082-00	$25.00
092A-0726-083-00	$25.00
092A-0726-084-00	$25.00
092A-0726-085-00	$25.00
092A-0726-086-00	$25.00
092A-0726-087-00	$25.00
092A-0726-088-00	$25.00
092A-0726-089-00	$25.00
092A-0726-090-00	$25.00
092A-0726-091-00	$25.00
092A-0726-092-00	$25.00
092A-0727-003-00	$25.00
092A-0727-004-00	$25.00
092A-0727-005-00	$25.00
092A-0727-006-00	$25.00
092A-0727-007-00	$25.00
092A-0727-008-00	$25.00
092A-0727-009-00	$25.00
092A-0727-010-00	$25.00
092A-0727-011-00	$25.00
092A-0727-012-00	$25.00
092A-0727-013-00	$25.00
092A-0727-014-00	$25.00
092A-0727-015-00	$25.00
092A-0727-016-00	$25.00
092A-0727-017-00	$25.00
092A-0727-018-00	$25.00
092A-0727-019-00	$25.00
092A-0727-020-00	$25.00
092A-0727-021-00	$25.00
092A-0727-022-00	$25.00
092A-0727-023-00	$25.00
092A-0727-024-00	$25.00
092A-0727-025-00	$25.00
092A-0727-026-00	$25.00
092A-0727-027-00	$25.00
092A-0727-029-00	$25.00
092A-0727-030-00	$25.00
092A-0727-031-00	$25.00
092A-0727-032-00	$25.00
092A-0727-033-00	$25.00
092A-0727-034-00	$25.00
092A-0727-035-00	$25.00
092A-0727-036-00	$25.00
092A-0727-037-00	$25.00
092A-0727-038-00	$25.00
092A-0727-039-00	$25.00
092A-0727-040-00	$25.00
092A-0727-041-00	$25.00
092A-0727-042-00	$25.00
092A-0727-043-00	$25.00
092A-0727-044-00	$25.00
092A-0727-045-00	$25.00
092A-0727-046-00	$25.00
092A-0727-047-00	$25.00
092A-0727-048-00	$25.00
092A-0727-049-00	$25.00
092A-0727-050-00	$25.00
092A-0727-051-00	$25.00
092A-0727-052-00	$25.00
092A-0727-053-00	$25.00
092A-0727-054-00	$25.00
092A-0727-056-00	$25.00
092A-0727-057-00	$25.00
092A-0727-058-00	$25.00
092A-0727-059-00	$25.00
092A-0727-060-00	$25.00
092A-0727-061-00	$25.00
092A-0727-062-00	$25.00
092A-0727-063-00	$25.00
092A-0727-064-00	$25.00
092A-0727-065-00	$25.00
092A-0727-066-00	$25.00
092A-0727-067-00	$25.00
092A-0727-068-00	$25.00
092A-0727-069-00	$25.00
092A-0727-070-00	$25.00
092A-0727-071-00	$25.00
092A-0727-072-00	$25.00
092A-0727-073-00	$25.00
092A-0727-074-00	$25.00
092A-0727-075-00	$25.00
092A-0727-076-00	$25.00
092A-0727-077-00	$25.00
092A-0727-078-00	$25.00
092A-0727-079-00	$25.00
092A-0727-080-00	$25.00
092A-0727-081-00	$25.00
092A-0727-083-00	$25.00
092A-0727-084-00	$25.00
092A-0727-085-00	$25.00
092A-0727-086-00	$25.00
092A-0727-087-00	$25.00
092A-0727-088-00	$25.00
092A-0727-089-00	$25.00
092A-0727-090-00	$25.00
092A-0727-091-00	$25.00
092A-0727-092-00	$25.00
092A-0727-093-00	$25.00
092A-0727-094-00	$25.00

CITY OF NEWARK
LANDSCAPING & LIGHTING DISTRICT No. 11
ASSESSMENT ROLL
FISCAL YEAR 2024-25

Assessor's Parcel Number	Assessment Amount
092A-0727-095-00	$25.00
092A-0727-096-00	$25.00
092A-0727-097-00	$25.00
092A-0727-098-00	$25.00
092A-0727-099-00	$25.00
092A-0727-100-00	$25.00
092A-0727-101-00	$25.00
092A-0727-102-00	$25.00
092A-0727-103-00	$25.00
092A-0727-104-00	$25.00
092A-0727-105-00	$25.00
092A-0727-106-00	$25.00
092A-0727-107-00	$25.00
092A-0727-108-00	$25.00
092A-0727-110-00	$25.00
092A-0727-111-00	$25.00
092A-0727-112-00	$25.00
092A-0727-113-00	$25.00
092A-0727-114-00	$25.00
092A-0727-115-00	$25.00
092A-0727-116-00	$25.00
092A-0727-117-00	$25.00
092A-0727-118-00	$25.00
092A-0727-119-00	$25.00
092A-0727-120-00	$25.00
092A-0727-121-00	$25.00
092A-0727-122-00	$25.00
092A-0727-123-00	$25.00
092A-0727-124-00	$25.00
092A-0727-125-00	$25.00
092A-0727-126-00	$25.00
092A-0727-127-00	$25.00
092A-0727-128-00	$25.00
092A-0727-129-00	$25.00
092A-0727-130-00	$25.00
092A-0727-131-00	$25.00
092A-0727-132-00	$25.00
092A-0727-133-00	$25.00
092A-0727-134-00	$25.00
092A-0727-135-00	$25.00
092A-0727-136-00	$25.00
092A-0727-137-00	$25.00
092A-0727-138-00	$25.00
092A-0727-139-00	$25.00
092A-0727-140-00	$25.00
092A-0727-141-00	$25.00
092A-0727-142-00	$25.00
092A-0727-143-00	$25.00
092A-0727-144-00	$25.00
092A-0727-145-00	$25.00
092A-0727-146-00	$25.00
092A-0727-147-00	$25.00
092A-0727-148-00	$25.00
092A-0727-149-00	$25.00
092A-0727-150-00	$25.00
092A-0727-151-00	$25.00
092A-0727-152-00	$25.00
092A-0727-153-00	$25.00
092A-0727-154-00	$25.00
092A-0727-155-00	$25.00
092A-0727-156-00	$25.00
092A-0727-157-00	$25.00
092A-0727-158-00	$25.00
092A-0727-159-00	$25.00
092A-0727-160-00	$25.00
092A-0727-161-00	$25.00
092A-0728-001-00	$25.00
092A-0728-002-00	$25.00
092A-0728-003-00	$25.00
092A-0728-004-00	$25.00
092A-0728-005-00	$25.00
092A-0728-006-00	$25.00
092A-0728-007-00	$25.00
092A-0728-008-00	$25.00
092A-0728-009-00	$25.00
092A-0728-010-00	$25.00
092A-0728-011-00	$25.00
092A-0728-012-00	$25.00
092A-0728-013-00	$25.00
092A-0728-014-00	$25.00
092A-0728-015-00	$25.00
092A-0728-016-00	$25.00
092A-0728-017-00	$25.00
092A-0728-018-00	$25.00
092A-0728-019-00	$25.00
092A-0728-020-00	$25.00
092A-0728-021-00	$25.00
092A-0728-022-00	$25.00
092A-0728-023-00	$25.00
092A-0728-024-00	$25.00
092A-0728-025-00	$25.00
092A-0728-026-00	$25.00
092A-0728-027-00	$25.00
092A-0728-028-00	$25.00
092A-0728-029-00	$25.00
092A-0728-030-00	$25.00
092A-0728-031-00	$25.00
092A-0728-032-00	$25.00
092A-0728-033-00	$25.00
092A-0728-034-00	$25.00
092A-0728-035-00	$25.00
092A-0728-036-00	$25.00
092A-0728-037-00	$25.00
092A-0728-038-00	$25.00
092A-0728-039-00	$25.00
092A-0728-040-00	$25.00
092A-0728-041-00	$25.00
092A-0728-042-00	$25.00
092A-0728-043-00	$25.00
092A-0728-044-00	$25.00
092A-0728-045-00	$25.00
092A-0728-046-00	$25.00
092A-0728-047-00	$25.00
092A-0728-048-00	$25.00
092A-0728-049-00	$25.00
092A-0728-050-00	$25.00
092A-0728-051-00	$25.00
092A-0728-052-00	$25.00
092A-0728-053-00	$25.00
092A-0728-054-00	$25.00
092A-0728-055-00	$25.00
092A-0728-056-00	$25.00
092A-0728-057-00	$25.00
092A-0728-058-00	$25.00
092A-0728-059-00	$25.00
092A-0728-060-00	$25.00
092A-0728-061-00	$25.00
092A-0728-062-00	$25.00
092A-0728-063-00	$25.00
092A-0728-064-00	$25.00
092A-0728-065-00	$25.00
092A-0728-066-00	$25.00
092A-0728-067-00	$25.00
092A-0728-068-00	$25.00
092A-0728-069-00	$25.00
092A-0728-070-00	$25.00
092A-0728-071-00	$25.00
092A-0728-072-00	$25.00
092A-0728-074-00	$25.00
092A-0728-075-00	$25.00
092A-0728-076-00	$25.00
092A-0728-077-00	$25.00
092A-0728-078-00	$25.00
092A-0728-079-00	$25.00
092A-0728-080-00	$25.00
092A-0728-081-00	$25.00
092A-0728-082-00	$25.00
092A-0728-083-00	$25.00
092A-0728-084-00	$25.00
092A-0728-085-00	$25.00
092A-0728-086-00	$25.00
092A-0728-087-00	$25.00
092A-0728-088-00	$25.00
092A-0728-089-00	$25.00
092A-0728-090-00	$25.00
092A-0728-091-00	$25.00

CITY OF NEWARK
LANDSCAPING & LIGHTING DISTRICT No. 11
ASSESSMENT ROLL
FISCAL YEAR 2024-25

Assessor's Parcel Number	Assessment Amount
092A-0728-092-00	$25.00
092A-0728-093-00	$25.00
092A-0728-094-00	$25.00
092A-0728-095-00	$25.00
092A-0728-096-00	$25.00
092A-0728-097-00	$25.00
092A-0728-098-00	$25.00
092A-0728-099-00	$25.00
092A-0728-100-00	$25.00
092A-0728-101-00	$25.00
092A-0728-102-00	$25.00
092A-0728-103-00	$25.00
092A-0728-104-00	$25.00
092A-0728-105-00	$25.00
092A-0728-106-00	$25.00
092A-0728-107-00	$25.00
092A-0728-108-00	$25.00
092A-0728-109-00	$25.00
092A-0728-110-01	$25.00
092A-0728-111-01	$25.00
092A-0728-112-00	$25.00
092A-0728-113-00	$25.00
092A-0728-114-00	$25.00
092A-0728-115-00	$25.00
092A-0728-116-00	$25.00
092A-0728-117-00	$25.00
092A-0728-118-00	$25.00
092A-0728-119-00	$25.00
092A-0728-120-00	$25.00
092A-0728-121-00	$25.00
092A-0728-122-00	$25.00
092A-0728-123-00	$25.00
092A-0728-124-00	$25.00
092A-0728-125-00	$25.00
092A-0728-126-00	$25.00
092A-0728-127-00	$25.00
092A-0728-128-00	$25.00
092A-0728-129-00	$25.00
092A-0729-001-00	$25.00
092A-0729-002-00	$25.00
092A-0729-003-00	$25.00
092A-0729-004-00	$25.00
092A-0729-005-00	$25.00
092A-0729-006-00	$25.00
092A-0729-007-00	$25.00
092A-0729-008-00	$25.00
092A-0729-009-00	$25.00
092A-0729-010-00	$25.00
092A-0729-011-00	$25.00
092A-0729-012-00	$25.00
092A-0729-013-00	$25.00
092A-0729-014-00	$25.00
092A-0729-015-00	$25.00
092A-0729-016-00	$25.00
092A-0729-017-00	$25.00
092A-0729-018-00	$25.00
092A-0729-019-00	$25.00
092A-0729-020-00	$25.00
092A-0729-021-00	$25.00
092A-0729-022-00	$25.00
092A-0729-023-00	$25.00
092A-0729-024-00	$25.00
092A-0729-025-00	$25.00
092A-0729-026-00	$25.00
092A-0729-027-00	$25.00
092A-0729-028-00	$25.00
092A-0729-029-00	$25.00
092A-0729-030-00	$25.00
092A-0729-031-00	$25.00
092A-0729-032-00	$25.00
092A-0729-033-00	$25.00
092A-0729-034-00	$25.00
092A-0729-035-00	$25.00
092A-0729-036-00	$25.00
092A-0729-037-00	$25.00
092A-0729-038-00	$25.00
092A-0729-039-00	$25.00
092A-0729-040-00	$25.00
092A-0729-041-00	$25.00
092A-0729-042-00	$25.00
092A-0729-043-00	$25.00
092A-0729-044-00	$25.00
092A-0729-045-00	$25.00
092A-0729-046-00	$25.00
092A-0729-047-00	$25.00
092A-0729-048-00	$25.00
092A-0729-049-00	$25.00
092A-0729-050-00	$25.00
092A-0729-051-00	$25.00
092A-0729-052-00	$25.00
092A-0729-053-00	$25.00
092A-0729-054-00	$25.00
092A-0729-055-00	$25.00
092A-0729-056-00	$25.00
092A-0729-057-00	$25.00
092A-0729-058-00	$25.00
092A-0729-059-00	$25.00
092A-0729-060-00	$25.00
092A-0729-061-00	$25.00
092A-0729-062-00	$25.00
092A-0729-063-00	$25.00
092A-0729-064-00	$25.00
092A-0729-065-00	$25.00
092A-0729-066-00	$25.00
092A-0729-067-00	$25.00
092A-0729-068-00	$25.00
092A-0729-069-00	$25.00
092A-0729-070-00	$25.00
092A-0729-071-00	$25.00
092A-0729-072-00	$25.00
092A-0729-073-00	$25.00
092A-0729-074-00	$25.00
092A-0729-075-01	$25.00
092A-0729-076-01	$25.00
092A-0729-077-00	$25.00
092A-0729-078-00	$25.00
092A-0729-079-00	$25.00
092A-0729-080-00	$25.00
092A-0729-081-00	$25.00
092A-0729-082-00	$25.00
092A-0729-083-00	$25.00
092A-0729-084-00	$25.00
092A-0729-085-00	$25.00
092A-0729-086-00	$25.00
092A-0729-087-00	$25.00
092A-0729-088-00	$25.00
092A-0729-089-00	$25.00
092A-0729-090-00	$25.00
092A-0729-091-00	$25.00
092A-0729-092-00	$25.00
092A-0729-093-00	$25.00
092A-0729-094-00	$25.00
092A-0729-095-00	$25.00
092A-0729-096-00	$25.00
092A-0729-097-00	$25.00
092A-0729-098-00	$25.00
092A-0729-099-00	$25.00
092A-0729-100-00	$25.00
092A-0729-101-00	$25.00
092A-0729-102-00	$25.00
092A-0729-103-00	$25.00
092A-0729-104-00	$25.00
092A-0729-105-00	$25.00
092A-0729-106-00	$25.00
092A-0729-107-00	$25.00
092A-2590-001-00	$25.00
092A-2590-002-00	$25.00
092A-2590-003-00	$25.00
092A-2590-005-00	$25.00
092A-2590-006-00	$25.00
092A-2590-007-00	$25.00
092A-2590-008-00	$25.00
092A-2590-009-00	$25.00
092A-2590-010-00	$25.00
092A-2590-011-00	$25.00
092A-2590-012-00	$25.00

CITY OF NEWARK
LANDSCAPING & LIGHTING DISTRICT No. 11
ASSESSMENT ROLL
FISCAL YEAR 2024-25

Assessor's Parcel Number	Assessment Amount
092A-2590-013-00	$25.00
092A-2590-014-00	$25.00
092A-2590-015-00	$25.00
092A-2590-016-00	$25.00
092A-2590-017-00	$25.00
092A-2590-018-00	$25.00
092A-2590-019-00	$25.00
092A-2590-020-00	$25.00
092A-2590-021-00	$25.00
092A-2590-022-00	$25.00
092A-2590-023-00	$25.00
092A-2590-024-00	$25.00
092A-2590-025-00	$25.00
092A-2590-026-00	$25.00
092A-2590-027-00	$25.00
092A-2590-028-00	$25.00
092A-2590-029-00	$25.00
092A-2590-030-00	$25.00
092A-2590-031-00	$25.00
092A-2590-032-00	$25.00
092A-2590-033-00	$25.00
092A-2590-034-00	$25.00
092A-2590-035-00	$25.00
092A-2590-036-00	$25.00
092A-2590-037-00	$25.00
092A-2590-038-00	$25.00
092A-2590-039-00	$25.00
092A-2590-040-00	$25.00
092A-2590-041-00	$25.00
092A-2590-042-00	$25.00
092A-2590-043-00	$25.00
092A-2590-044-00	$25.00
092A-2590-045-00	$25.00
092A-2590-046-00	$25.00
092A-2590-047-00	$25.00
Total Parcels:	1,127
Total Assessment:	$28,175.00

NEWARK
california

Landscaping and Lighting District No. 15

Fiscal Year 2024-25
Preliminary Engineer's Report

June 13, 2024

Prepared by

FRANCISCO AND ASSOCIATES
Where Innovative Strategies Fund Tomorrow's Communities

Table of Contents

Page No.

Certificate ii

Section I - Introduction 1

Section II – Engineer's Report 3

Part A – Plans and Specifications 5

Part B – Estimate of Cost 8

Part C – Assessment District Diagram 10

Part D – Method of Apportionment of Assessments 12

Part E - Assessment Roll 15

ENGINEER'S REPORT
CITY OF NEWARK
LANDSCAPING AND LIGHTING DISTRICT NO. 15
FISCAL YEAR 2024-25

The undersigned, acting on behalf of Francisco & Associates respectfully submits the enclosed Engineer's Report as directed by the Newark City Council pursuant to the provisions of Article XIIID, Section 4 of the California Constitution, and the Landscape and Lighting Act of 1972 being Section 22500 et al of the California Streets and Highways Code (the "1972 Act"). The undersigned certifies that he is a Professional Engineer, registered in the State of California.

Dated: May 14, 2024

By: _____
Eduardo Espinoza, P.E.
RCE # 83709

SECTION I

INTRODUCTION

The City of Newark ("City") levies and collects special assessments on parcels within the City of Newark Landscaping and Lighting District No. 15 ("District") to maintain public improvements. The District was formed to provide a dedicated source of funding for the ongoing maintenance of median-landscape improvements benefiting parcels within the boundaries of the District.

The assessments and method of apportionment described in this Report utilize commonly accepted assessment engineering practices and have been calculated and proportionately spread to each parcel based on the special benefits received as approved by the City Council at the time the District was formed.

The District generally consists of those properties along and fronting Iris Court. A reduced copy of the Assessment Diagram showing the exterior boundaries of the District is provided in Part C of this Report.

Compliance with the California Constitution

Assessments are levied annually within the District pursuant to the 1972 Act. All assessments described in this Report and approved by the City Council are prepared in accordance with the 1972 Act and are compliant with the provisions of the California Constitution Article XIIID ("Article XIIID"), which was enacted with the passage of Proposition 218 in November 1996. Pursuant to Article XIIID Section 5, certain existing assessments are exempt from the substantive and procedural requirements of Article XIIID Section 4. Specifically, Article XIIID Section 5(b) exempted:

> *"Any assessment imposed pursuant to a petition signed by the persons owning all of the parcels subject to the assessment at the time the assessment is initially imposed. Subsequent increases in such assessment shall be subject to the procedures and approval process set forth in Section 4."*

The City determined that the annual assessments originally established for the District were established by a petition signed by the persons owning all the parcels subject to the assessment at the time the assessment was originally proposed. As such, pursuant to Article XIIID Section 5(b), the pre–existing assessment amount has been exempted from the procedural requirements of Article XIIID Section 4 since the amount of the assessment has not increased since the passage of Proposition 218.

Any future increase in the assessment rate or substantial changes in the services provided would require that the District be brought into compliance with all the requirements of Article XIIID and would require the approval of the property owners subject to the assessment based upon a mailed ballot which would be sent to each property owner.

Current Annual Administration

As required by the 1972 Act, the Engineer's Report includes: (1) a description of the improvements to be operated, maintained, and serviced by the District, (2) a cost estimate for the District, and (3) a listing of the proposed Fiscal Year 2024-25 assessments to be levied upon each assessable lot or parcel within the District.

The City will hold a Public Hearing on July 11, 2024, regarding this District which will provide an opportunity for any interested person to be heard. At the conclusion of the Public Hearing, the City Council may adopt a resolution confirming the assessment rates as originally proposed or as modified.

Payment of these annual assessments for each parcel will be made in the same manner and at the same time as payments are made for their annual property taxes. All funds collected through the assessments must be placed in a special fund and can only be used for the purposes stated within this Report.

SECTION II

ENGINEER'S REPORT PREPARED FOR THE CITY OF NEWARK LANDSCAPING AND LIGHTING DISTRICT NO. 15 FISCAL YEAR 2024-25

Pursuant to the Landscaping and Lighting Act of 1972 (Part 2 of Division 15 of the Streets and Highways Code of the State of California), and in accordance with the Resolution of Initiation, being Resolution No. 11631, which directs the preparation and filing of the Engineer's Report, adopted by the City Council of the City of Newark, on April 11, 2024, the following Report was prepared consisting of Section I (Introduction), and this, Section II, which consists of five (5) parts as follows:

PART A: PLANS AND SPECIFICATIONS

This part describes the improvements maintained by the District. Plans and specifications for the improvements are on file in the Office of the Director of Public Works of the City of Newark and are incorporated herein by reference.

PART B: ESTIMATE OF COST

This part contains an estimate of the cost of the proposed improvements to be maintained for Fiscal Year 2024-25, including incidental costs and expenses in connection therewith. The estimate is attached hereto and is on file in the Office of the Director of Public Works of the City of Newark.

PART C: ASSESSMENT DISTRICT DIAGRAM

This part incorporates a Diagram of the District showing the exterior boundaries of the District, the boundaries of any zones within the District and the lines and dimensions of each lot or parcel of land within the District. This Diagram has been prepared by the Engineer of Work and is on file in the Office of the Director of Public Works of the City of Newark.

The lines and dimensions of each lot or parcel within the District are those lines and dimensions shown on the maps of the Alameda County Assessor for the year when this Report was prepared. The Assessor's maps and records are incorporated by reference herein and made a part of this Report.

PART D: METHOD OF APPORTIONMENT OF ASSESSMENTS

This part describes the method of apportionment of assessments, based upon each parcel's classification within the District in proportion to the estimated special benefits to be received.

PART E: ASSESSMENT ROLL

This part contains an assessment of the estimated cost of the improvements apportioned to each benefited parcel of land within the District. The Assessment Roll is filed in the Office of the City Clerk of the City of Newark and is incorporated in this Report. The list is keyed to the records of the Alameda County Assessor, which are incorporated herein by reference.

PART A

PLANS AND SPECIFICATIONS

IMPROVEMENTS AND SERVICES PURSUANT TO THE 1972 ACT

The improvements and services authorized by the provisions of the Landscape and Lighting Act of 1972, being Part 2 of Division 15 of the Streets and Highways Code, commencing with Section 22500 (hereafter referred to as the "1972 Act"), that may be applicable to this District and associated assessments may include one or more of the following definitions:

- "Improvement" means one or any combination of the following:
    - The installation or planting of landscaping.
    - The installation or construction of statuary, fountains, and other ornamental structures and facilities.
    - The installation or construction of public lighting facilities, including, but not limited to, traffic signals.
    - The installation or construction of any facilities which are appurtenant to any of the forgoing, or which are necessary or convenient for the maintenance or servicing thereof, including, but not limited to, grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks, or paving, or water, irrigation, drainage, or electrical facilities.
    - The installation of park or recreational improvements, including, but not limited to all the following:
        - Land preparation, such as grading, leveling, cutting and filling, sod, landscaping, irrigation systems, sidewalks, and drainage.
        - Lights, playground equipment, play courts, and public restrooms.
    - The maintenance or servicing, or both, of any of the forgoing, and of any improvements authorized below.
    - The acquisition of land for park, recreational, or open space purposes.
    - The acquisition of any existing improvement otherwise authorized herein.
    - The acquisition or construction of any community center, municipal auditorium or hall, or similar public facility for the indoor presentation of performances, shows, stage productions, fairs, conventions, exhibitions, pageants, meetings, parties, or other group events, activities, or functions, whether those events, activities, or functions are public or private.

- "Incidental expenses" include all the following:
    - The costs of preparation of the report, including plans, specifications, estimates, diagram, and assessment.
    - The costs of printing, advertising, and giving of published, posted, and mailed notices.
    - Compensation payable to the county for collection of assessments.
    - Compensation of any engineer or attorney employed to render services in proceedings pursuant to this part.
    - Any other expenses incidental to the construction, installation, or maintenance and servicing of improvements.
    - Any expenses incidental to the construction, installation, or maintenance and servicing of the improvements.
    - Any expenses incidental to the issuance of bonds or notes.
    - Costs associated with any elections held for the approval of a new or increased assessment.

- "Landscaping" means trees, shrubs, grass, or other ornamental vegetation.

- "Maintain" or "maintenance" means the furnishing of services and materials for the ordinary and usual maintenance, operation, and services of any improvement, including:
    - Repair, removal or replacement of all or any part of any improvement.
    - Providing for the life, growth, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury.
    - The removal of trimmings, rubbish, debris, and other solid waste.
    - The cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

- "Public lighting facilities" means all works or improvements used or useful for the lighting of any public places, including ornamental standards, luminaries, poles, supports, tunnels, manholes, vaults, conduits, pipes, wires, conductors, guys, stubs, platforms, braces, transformers, insulators, contacts, switches, capacitors, meters, communication circuits, appliances, attachments, and appurtenances.

- "Service" or "servicing" means the furnishing of:
    - Electric current or energy, gas, or other illuminating agent for any public lighting facilities or for the lighting or operation of any other improvements.
    - Water for the irrigation of any landscaping, the operation of any fountains, or the maintenance of any other improvements.

DESCRIPTION OF DISTRICT IMPROVEMENTS

The improvements, which have been constructed within the City, and those which may be subsequently constructed, operated, maintained, and serviced with District assessments are generally described as follows:

The maintenance and operation of landscaping within the easement areas and the public right-of-way along Robertson Avenue fronting the District.

Improvement diagrams have been prepared identifying all improvements and areas that are to be maintained by the District. A copy of this diagram is on file with the City's Public Works Department.

PART B

ESTIMATE OF COSTS

The 1972 Act requires that a special fund be set up for the collection of revenues and expenditures of the District. The Act provides that the total cost of construction, operation, and maintenance and servicing of the public improvements specified in Part A of this Report can be recovered by the District. Incidental expenses including administration of the District, engineering fees, legal fees and all other costs associated with the construction, operation and maintenance and servicing of the Districts can also be included.

The 1972 Act also requires that a special fund be set up for the revenues and expenditures of the District. Funds raised from the assessments shall be used only for the expenditures represented above. A contribution to the District by the City may be made to reduce assessments as the City deems appropriate. Any balance remaining on July 1 at the end of the fiscal year must be carried over to the next fiscal year unless the funds are being accumulated for future capital replacement projects or operating reserves.

The following table provides a summary of the estimated District revenues and cost estimates for Fiscal Year 2024-25.

Landscaping and Lighting District No. 15 Fiscal Year 2024-25 Cost Estimate	
Projected Revenues	
Assessment Revenue	$5,046
Non-Assessment Revenues[1]	$575
Total Projected Revenues	**$5,621**
Projected Expenses	
Contract Services	$1,333
Utilities	$900
Administration and Incidentals	$2,497
County Collection Fees	$86
Unforeseen Maintenance and Repairs[2]	$241
Total Projected Expenses	**$5,057**
Projected Fund Balance	
Beginning Fund Balance - July 1, 2024	$38,357
Reserve Fund Collection Increase/(Decrease)	$564
Ending Fund Balance - June 30, 2025	$38,921
Recommended Operating Reserves	$2,408
Available Operating Reserves	$2,408
Available Capital Reserves	$36,513

[1]Non-Assessment Revenue includes interest earnings estimated at 1.5% of Projected Beginning Fund Balance and any other non-assessment revenue sources.

[2]Unforeseen Maintenance and Repairs are assumed to be 5% of the Projected Expenses.

The purpose of the various reserves is to ensure the District will have funds available for cashflow purposes and to repair or reconstruct the improvements that are the responsibility of the District.

The Recommended Operating Reserve target is fifty percent (50%) of the projected expenditures. Maintaining a fully funded Operating Reserve eliminates the need for the City to transfer funds from non-District accounts to pay for operational expenses during the first half of the fiscal year and provides the District with sufficient funds to address any unforeseen or unusual expenditures that may occur during the year.

The purpose of collecting and holding funds in a Capital Reserve is so that when improvements need to be replaced or expenditures are greater than can be conveniently raised from a single year's assessment, funds are available so that the District can respond and address the need promptly.

PART C

ASSESSMENT DISTRICT DIAGRAM

The boundaries of the District are shown herein. The Diagram is on file in the Public Works Department of the City and shown on the following page of this Engineer's Report. The lines and dimensions of each parcel within the District are those lines and dimensions shown on the maps of the Alameda County Assessor for the year in which this Report was prepared and are incorporated by reference herein and made part of this Report.

A reduced copy of the Assessment Diagram is shown on the following page.

LANDSCAPING AND LIGHTING DISTRICT NO. 15
(IRIS COURT)
ASSESSMENT DIAGRAM



PART D

METHOD OF APPORTIONMENT OF ASSESSMENTS

This section explains the benefits to be derived from the improvements and the methodology used to apportion the total costs of the improvements to properties within the District.

The method used for apportioning the assessment is based upon the relative special benefits to be derived by the properties in the District and any established benefit zones. The assessment is apportioned to each parcel in proportion to the relative cost of the special benefits from the improvements.

General

The 1972 Act permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements which include the construction, maintenance and servicing of public lights, landscaping, and appurtenant facilities. The 1972 Act further requires that the cost of these improvements be levied according to benefit rather than assessed value:

> *"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."*

The formula used for calculating assessments in the District therefore reflects the composition of the parcels, and the improvements and services provided, to fairly apportion the costs based on estimated benefit to each parcel.

In addition, the 1972 Act permits the designation of zones of benefit within any individual assessment district if "by reasons or variations in the nature, location, and extent of the improvements, the various areas will receive different degrees of benefit from the improvement." Thus, the 1972 Act requires the levy of a true "assessment" rather than a "special tax".

Discussion of Benefit

Each of the improvements have been carefully reviewed by the City and the corresponding assessments have been proportionately spread to each parcel based on the special benefits conferred to property from the improvements as determined at the time the District was established. The District consists of all Assessor Parcels within the boundaries of the District. The method of apportioning costs and assessing properties is based upon the proportional special benefits to be conferred by the improvements and services to the properties within the boundaries of the District. The apportioning of special benefit is a two-step process: the first step is to identify the types of special benefits arising from the improvements and services, and the second step is to allocate the costs and assign assessments to property based on the estimates of the special benefit being conferred to each property.

In summary, the assessments can only be levied based on the special benefit to property conferred from the installation, maintenance, and servicing of the improvements funded by the District. These special benefits are not dependent on any one property owner's use of the District's improvements or their specific demographic status. The basis for these special benefits comes from statutes approved by the California Legislature and other studies that describe the types of benefits received by property from such improvements. The identified special benefits conferred to property from the improvements can be summarized as follows:

- Improved aesthetics:
  - Well-maintained and attractive landscaping enhances the overall appearance and desirability of the area, making it visually appealing to property owners and visitors.

- Increased property values:
  - Attractive and well-maintained landscaping can increase the desirability of nearby properties, potentially leading to higher property values.

- Safety:
  - Landscaping helps calm traffic and reduce speeds, creating a safer environment for people traveling to and from properties within the District. It also acts as a physical buffer between roadways and properties within the District.

- Noise reduction:
  - Trees and plants help absorb traffic noise and create a buffer between the road and nearby properties, reducing noise levels and creating a more peaceful environment.

- Reduced pollution:
  - Trees and plants aid in filtering pollutants from the air, improving air quality and creating a healthier environment for properties in proximity to the landscape.

These benefits, when applied to property in the District, specifically increase the utility of the property within the District. For example, the assessments provide funding to maintain the landscaping that improves safety and provides visual and environmental benefits to the properties within the District. Such improved and well-maintained public facilities enhance the overall usability, quality, desirability, and safety of the properties.

Method of Assessment

This process of apportioning assessments to each property involves determining the relative special benefit received by each property from the improvements and services. Therefore, the City and Engineer at the time of formation determined that each parcel within the boundaries of the District receives a similar benefit from the improvements. Therefore, the most appropriate method of apportioning costs was determined to be spreading all District costs equally to each parcel in the District. This methodology is commonly used to distribute assessments in proportion to estimated special benefit and is generally recognized as providing the basis for a fair and appropriate distribution of assessments.

In Fiscal Year 2024-25, the City proposes to collect the maximum assessment revenue from the assessable parcels located in the District, which amounts to $174.00 per parcel to be levied. A listing of each assessable parcel and their proposed Fiscal Year 2024-25 assessment is on the Assessment Roll in Part E of this Report.

Exempted from the assessment would be the areas of public streets, public avenues, public lanes, public roads, public drives, public courts, public alleys, public easements and rights-of-ways, public greenbelts, and public parkways (all of which are typically not assigned an Assessor's Parcel Number (APN) by the County). Also exempted from the assessment would be public agency owned property, utility rights-of-ways, common areas (such as in condominium complexes or those that are owned by a Homeowner's or Property Owner's Association), and any other property that is deemed to be unable to develop by the City. These types of parcels do not benefit from the improvements.

Appeals and Interpretations

Any property owner who feels that the assessment levied on the subject property is in error because of incorrect information being used to apply the foregoing method of assessment, may file a written appeal with City Engineer or his or her designee. Any such appeal is limited to correction of an assessment during the then current or, if before July 1, the upcoming fiscal year. Upon the filing of any such appeal, the City Engineer or his or her designee will promptly review the appeal and any information provided by the property owner. If the City Engineer or his or her designee finds that the assessment should be modified, the appropriate changes shall be made to the assessment roll. If any such changes are approved after the assessment roll has been filed with the County for collection, the City Engineer or his or her designee is authorized to refund to the property owner the amount of any approved reduction. Any property owner who disagrees with the decision of the City Engineer or her or his designee may refer their appeal to the City Council and the decision of the City Council shall be final.

PART E

ASSESSMENT ROLL

A list of names and addresses of the owners of all parcels, and the description of each parcel within the District is shown on the last equalized Secured Property Tax Roll of the Alameda County Assessor, which by reference is hereby made a part of this Report.

This list is keyed to the Assessor's Parcel Numbers as shown on the Assessment Roll, which includes the proposed amount of assessments for Fiscal Year 2024-25 apportioned to each parcel. The Assessment Roll is on file in the Public Works Department of the City and is included in this Report beginning on the next page.

The total proposed assessment for Fiscal Year 2024-25 is $5,046.00**.**

CITY OF NEWARK
LANDSCAPING & LIGHTING DISTRICT No. 15
ASSESSMENT ROLL
FISCAL YEAR 2024-25

Assessor's Parcel Number	Assessment Amount
092A-2376-031-00	$174.00
092A-2376-032-00	$174.00
092A-2376-033-00	$174.00
092A-2376-034-00	$174.00
092A-2376-035-00	$174.00
092A-2376-036-00	$174.00
092A-2376-037-00	$174.00
092A-2376-038-00	$174.00
092A-2376-039-00	$174.00
092A-2376-040-00	$174.00
092A-2376-041-00	$174.00
092A-2376-042-00	$174.00
092A-2376-043-00	$174.00
092A-2376-044-00	$174.00
092A-2376-045-00	$174.00
092A-2376-046-00	$174.00
092A-2376-047-00	$174.00
092A-2376-048-00	$174.00
092A-2376-049-00	$174.00
092A-2376-050-00	$174.00
092A-2376-051-00	$174.00
092A-2376-052-00	$174.00
092A-2376-053-00	$174.00
092A-2376-054-00	$174.00
092A-2376-055-00	$174.00
092A-2376-056-00	$174.00
092A-2376-057-00	$174.00
092A-2376-058-00	$174.00
092A-2376-059-00	$174.00
Total Parcels:	29
Total Assessment:	$5,046.00

NEWARK
california

Landscaping and Lighting District No. 16

Fiscal Year 2024-25
Preliminary Engineer's Report

June 13, 2024

Prepared by

FRANCISCO AND ASSOCIATES
Where Innovative Strategies Fund Tomorrow's Communities

Table of Contents

Page No.

Certificate ii

Section I - Introduction 1

Section II – Engineer's Report 2

Part A – Plans and Specifications 4

Part B – Estimate of Cost 7

Part C – Assessment District Diagram 9

Part D – Method of Apportionment of Assessments 11

Part E - Assessment Roll 17

ENGINEER'S REPORT
CITY OF NEWARK
LANDSCAPING AND LIGHTING DISTRICT NO. 16
FISCAL YEAR 2024-25

The undersigned, acting on behalf of Francisco & Associates respectfully submits the enclosed Engineer's Report as directed by the Newark City Council pursuant to the provisions of Article XIIID, Section 4 of the California Constitution, and the Landscape and Lighting Act of 1972 being Section 22500 et al of the California Streets and Highways Code (the "1972 Act"). The undersigned certifies that he is a Professional Engineer, registered in the State of California.

Dated: May 14, 2024

By: _____
Eduardo Espinoza, P.E.
RCE # 83709

SECTION I

INTRODUCTION

The City of Newark ("City") levies and collects special assessments on parcels within the City of Newark Landscaping and Lighting District No. 16 ("District") to maintain public improvements. The District was formed in May of 1999 to provide a dedicated source of funding for the ongoing maintenance of landscaping and park improvements benefiting parcels within the boundaries of the District.

The assessments and method of apportionment described in this Report utilize commonly accepted assessment engineering practices and have been calculated and proportionately spread to each parcel based on the special benefits received as approved by the City Council at the time the District was formed.

The District generally consists of those properties within the development east of Kiote Drive, along Rinconada Court, Crystal Springs Court, Tanforan Court, and Silverado Place. A reduced copy of the Assessment Diagram showing the exterior boundaries of the District is provided in Part C of this Report.

Impacts of Proposition 218

On November 5, 1996 California voters approved Proposition 218 entitled "Right to Vote on Taxes Act" which added Articles XIIIC and XIIID to the California Constitution. While its title refers only to taxes, Proposition 218 established new procedural requirements for the formation and administration of assessment districts.

These new procedures stipulate that even if assessments are initially exempt from Proposition 218, future increases in assessments must comply with the provisions of Proposition 218. However, if the increase in assessments were anticipated in the assessment formula (e.g., CPI increase or assessment cap) then the assessment would comply with the intent and provisions of Proposition 218.

Current Annual Administration

As required by the 1972 Act, the Engineer's Report includes: (1) a description of the improvements to be operated, maintained, and serviced by the District, (2) a cost estimate for the District, and (3) a listing of the proposed Fiscal Year 2024-25 assessments to be levied upon each assessable lot or parcel within the District.

The City will hold a Public Hearing on July 11, 2024, regarding this District which will provide an opportunity for any interested person to be heard. At the conclusion of the Public Hearing, the City Council may adopt a resolution confirming the assessment rates as originally proposed or as modified. Payment of annual assessments for each parcel will be made in the same manner and at the same time as payments are made for their annual property taxes. All funds collected through the assessments must be placed in a special fund and can only be used for the purposes stated within this Report.

SECTION II

ENGINEER'S REPORT PREPARED FOR THE CITY OF NEWARK LANDSCAPING AND LIGHTING DISTRICT NO. 16 FISCAL YEAR 2024-25

Pursuant to the Landscaping and Lighting Act of 1972 (Part 2 of Division 15 of the Streets and Highways Code of the State of California), and in accordance with the Resolution of Initiation, being Resolution No. 11631, which directs the preparation and filing of the Engineer's Report, adopted by the City Council of the City of Newark, on April 11, 2024, the following Report was prepared consisting of Section I (Introduction), and this, Section II, which consists of five (5) parts as follows:

PART A: PLANS AND SPECIFICATIONS

This part describes the improvements maintained by the District. Plans and specifications for the improvements are on file in the Office of the Director of Public Works of the City of Newark and are incorporated herein by reference.

PART B: ESTIMATE OF COST

This part contains an estimate of the cost of the proposed improvements to be maintained for Fiscal Year 2024-25, including incidental costs and expenses in connection therewith. The estimate is attached hereto and is on file in the Office of the Director of Public Works of the City of Newark.

PART C: ASSESSMENT DISTRICT DIAGRAM

This part incorporates a Diagram of the District showing the exterior boundaries of the District, the boundaries of any zones within the District and the lines and dimensions of each lot or parcel of land within the District. This Diagram has been prepared by the Engineer of Work and is on file in the Office of the Director of Public Works of the City of Newark.

The lines and dimensions of each lot or parcel within the District are those lines and dimensions shown on the maps of the Alameda County Assessor for the year when this Report was prepared. The Assessor's maps and records are incorporated by reference herein and made a part of this Report.

PART D: METHOD OF APPORTIONMENT OF ASSESSMENTS

This part describes the method of apportionment of assessments, based upon each parcel's classification within the District in proportion to the estimated special benefits to be received.

PART E: ASSESSMENT ROLL

This part contains an assessment of the estimated cost of the improvements apportioned to each benefited parcel of land within the District. The Assessment Roll is filed in the Office of the City Clerk of the City of Newark and is incorporated in this Report. The list is keyed to the records of the Alameda County Assessor, which are incorporated herein by reference.

PART A

PLANS AND SPECIFICATIONS

IMPROVEMENTS AND SERVICES PURSUANT TO THE 1972 ACT

The improvements and services authorized by the provisions of the Landscape and Lighting Act of 1972, being Part 2 of Division 15 of the Streets and Highways Code, commencing with Section 22500 (hereafter referred to as the "1972 Act"), that may be applicable to this District and associated assessments may include one or more of the following definitions:

- "Improvement" means one or any combination of the following:
    - The installation or planting of landscaping.
    - The installation or construction of statuary, fountains, and other ornamental structures and facilities.
    - The installation or construction of public lighting facilities, including, but not limited to, traffic signals.
    - The installation or construction of any facilities which are appurtenant to any of the forgoing, or which are necessary or convenient for the maintenance or servicing thereof, including, but not limited to, grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks, or paving, or water, irrigation, drainage, or electrical facilities.
    - The installation of park or recreational improvements, including, but not limited to all the following:
        - Land preparation, such as grading, leveling, cutting and filling, sod, landscaping, irrigation systems, sidewalks, and drainage.
        - Lights, playground equipment, play courts, and public restrooms.
    - The maintenance or servicing, or both, of any of the forgoing, and of any improvements authorized below.
    - The acquisition of land for park, recreational, or open space purposes.
    - The acquisition of any existing improvement otherwise authorized herein.
    - The acquisition or construction of any community center, municipal auditorium or hall, or similar public facility for the indoor presentation of performances, shows, stage productions, fairs, conventions, exhibitions, pageants, meetings, parties, or other group events, activities, or functions, whether those events, activities, or functions are public or private.

- "Incidental expenses" include all the following:
    - The costs of preparation of the report, including plans, specifications, estimates, diagram, and assessment.
    - The costs of printing, advertising, and giving of published, posted, and mailed notices.
    - Compensation payable to the county for collection of assessments.
    - Compensation of any engineer or attorney employed to render services in proceedings pursuant to this part.
    - Any other expenses incidental to the construction, installation, or maintenance and servicing of improvements.
    - Any expenses incidental to the construction, installation, or maintenance and servicing of the improvements.
    - Any expenses incidental to the issuance of bonds or notes.
    - Costs associated with any elections held for the approval of a new or increased assessment.

- "Landscaping" means trees, shrubs, grass, or other ornamental vegetation.

- "Maintain" or "maintenance" means the furnishing of services and materials for the ordinary and usual maintenance, operation, and services of any improvement, including:
    - Repair, removal or replacement of all or any part of any improvement.
    - Providing for the life, growth, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury.
    - The removal of trimmings, rubbish, debris, and other solid waste.
    - The cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

- "Public lighting facilities" means all works or improvements used or useful for the lighting of any public places, including ornamental standards, luminaries, poles, supports, tunnels, manholes, vaults, conduits, pipes, wires, conductors, guys, stubs, platforms, braces, transformers, insulators, contacts, switches, capacitors, meters, communication circuits, appliances, attachments, and appurtenances.

- "Service" or "servicing" means the furnishing of:
    - Electric current or energy, gas, or other illuminating agent for any public lighting facilities or for the lighting or operation of any other improvements.
    - Water for the irrigation of any landscaping, the operation of any fountains, or the maintenance of any other improvements.

DESCRIPTION OF DISTRICT IMPROVEMENTS

The improvements, which have been constructed within the City, and those which may be subsequently constructed, operated, maintained, and serviced with District assessments are generally described as follows:

- The Landscape Improvements include, but are not limited to landscaping, planting, turf, trees, irrigation systems, and fixtures in public street and sidewalk rights-of-way, including parkways and other easements dedicated to the City within, and adjacent to, the District.
- The Park Improvements include but are not limited to landscaping, planting, shrubbery, trees, irrigation systems, hardscapes and fixtures, trails, and open space areas.

A more detailed description of the facilities which either have or will be constructed, operated, maintained, and serviced are generally described as follows.

> The maintenance of landscaping and the landscape irrigation system within the public right-of-way and adjacent easement along the street frontage of Kiote Drive in Tract 6671 and the landscaping, irrigation system, and recreation facilities related to the mini park common area shown as Parcel A on the Tract Map.

Improvement diagrams have been prepared identifying all improvements and areas that are to be maintained by the District. A copy of these diagrams is on file with the City's Public Works Department.

PART B

ESTIMATE OF COSTS

The 1972 Act requires that a special fund be set up for the collection of revenues and expenditures of the District. The Act provides that the total cost of construction, operation, and maintenance and servicing of the public improvements specified in Part A of this Report can be recovered by the District. Incidental expenses including administration of the District, engineering fees, legal fees and all other costs associated with the construction, operation and maintenance and servicing of the District can also be included.

Funds raised from the assessments shall be used only for the expenditures represented above. A contribution to the District by the City may be made to reduce assessments as the City deems appropriate. Any balance remaining on July 1 at the end of the fiscal year must be carried over to the next fiscal year unless the funds are being accumulated for future capital replacement projects or operating reserves.

The following table provides a summary of the estimated District revenues and cost estimates for Fiscal Year 2024-25.

Landscaping and Lighting District No. 16 Fiscal Year 2024-25 Cost Estimate	
Projected Revenues	
Assessment Revenue	$19,903
Non-Assessment Revenues[1]	$1,388
Total Projected Revenues	**$21,291**
Projected Expenses	
Contract Services	$3,575
Utilities	$10,000
Administration and Incidentals	$7,581
County Collection Fees	$338
Unforeseen Maintenance and Repairs[2]	$1,075
Total Projected Expenses	**$22,569**
Projected Fund Balance	
Beginning Fund Balance - July 1, 2024	$62,442
Reserve Fund Collection Increase/(Decrease)	($1,278)
Ending Fund Balance - June 30, 2025	$61,164
Recommended Operating Reserves	$10,747
Available Operating Reserves	$10,747
Available Capital Reserves	$50,417

[1]Non-Assessment Revenues include interest earnings estimated at 1.5% of Projected Beginning Fund Balance and the City contribution in the amount of $451 for General Benefits conferred to the public at large.

[2]Unforeseen Maintenance and Repairs are assumed to be 5% of the Projected Expenses.

The purpose of the various reserves is to ensure the District will have funds available for cashflow purposes and to repair or reconstruct the improvements that are the responsibility of the District.

The Recommended Operating Reserve target is fifty percent (50%) of the projected expenditures. Maintaining a fully funded Operating Reserve eliminates the need for the City to transfer funds from non-District accounts to pay for operational expenses during the first half of the fiscal year and provides the District with sufficient funds to address any unforeseen or unusual expenditures that may occur during the year.

The purpose of collecting and holding funds in a Capital Reserve is so that when improvements need to be replaced or expenditures are greater than can be conveniently raised from a single year's assessment, funds are available so that the District can respond and address the need promptly.

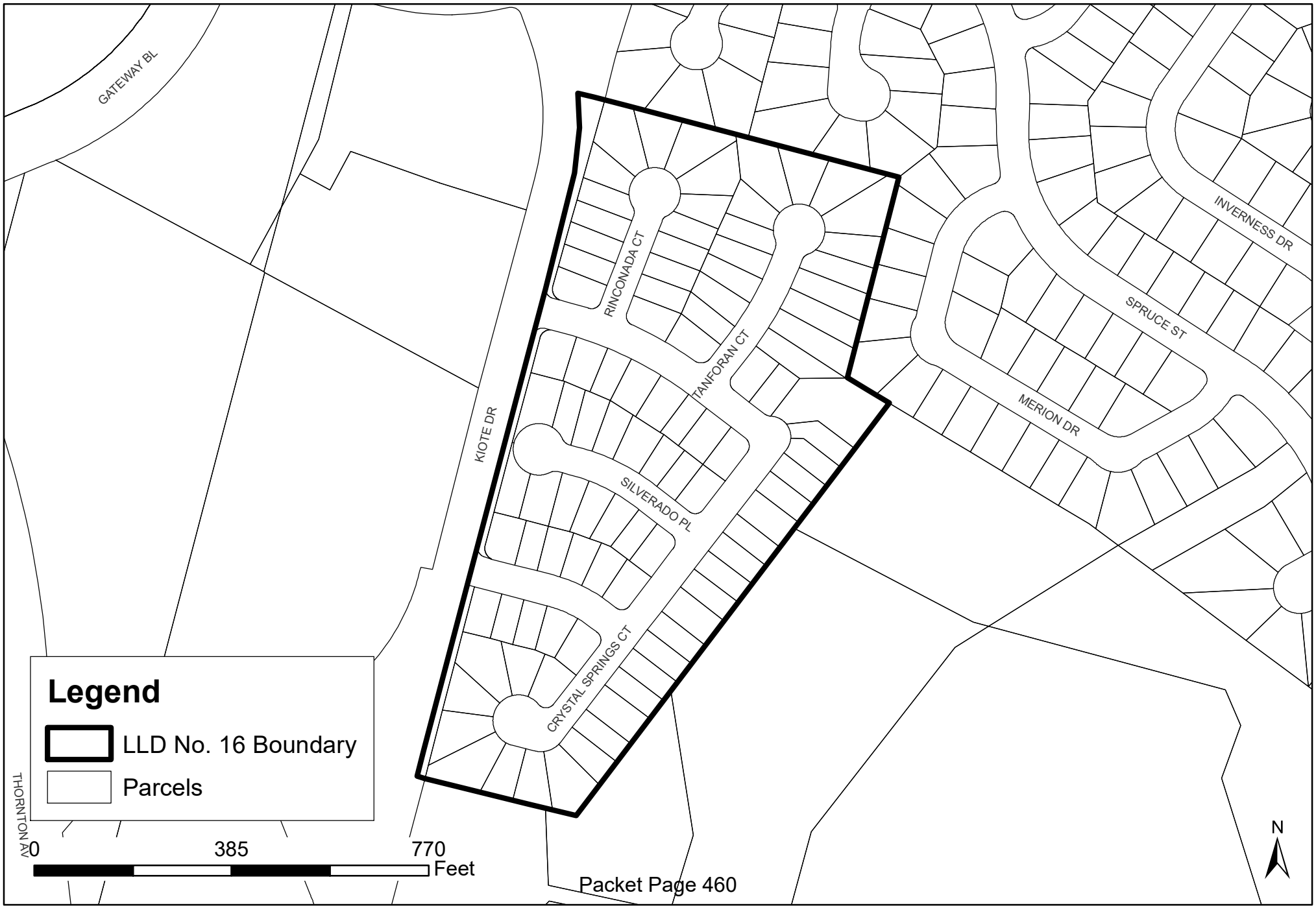
PART C

ASSESSMENT DISTRICT DIAGRAM

The boundaries of the District are shown herein. The Diagram is on file in the Public Works Department of the City and shown on the following page of this Engineer's Report. The lines and dimensions of each parcel within the District are those lines and dimensions shown on the maps of the Alameda County Assessor for the year in which this Report was prepared and are incorporated by reference herein and made part of this Report.

A reduced copy of the Assessment Diagram is shown on the following page.

LANDSCAPING AND LIGHTING DISTRICT NO. 16
(PUITE HOMES/TRACT 6671)
ASSESSMENT DIAGRAM



PART D

METHOD OF APPORTIONMENT OF ASSESSMENTS

This section explains the benefits to be derived from the improvements and the methodology used to apportion the total costs of the improvements to properties within the District.

The method used for apportioning the assessment is based upon the relative special benefits to be derived by the properties in the District and any established benefit zones. The assessment is apportioned to each parcel in proportion to the relative cost of the special benefits from the improvements.

General

The 1972 Act permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements which include the construction, maintenance and servicing of streetlights, landscaping, parks, trails, open space, and appurtenant facilities. The 1972 Act further requires that the cost of these improvements be levied according to benefit rather than assessed value:

> *"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."*

The formula used for calculating assessments in the District therefore needs to reflect the composition of the parcels, and the improvements and services provided, to fairly apportion the costs based on estimated benefit to each parcel.

In addition, Article XIIID, of the California Constitution limits the amount of any assessment to the proportional "special benefit" conferred on the property. Article XIIID provides that only special benefits are assessable, and the City must separate the general benefits from the special benefits conferred on a parcel. There is no widely accepted or statutory formula for determining general and special benefit. However, the constitution states that a special benefit is different from a general benefit in that it is "particular and distinct" and "over and above" general benefits received by other properties.

The 1972 Act permits the designation of zones of benefit within any individual assessment district if "by reasons or variations in the nature, location, and extent of the improvements, the various areas will receive different degrees of benefit from the improvement." Thus, the 1972 Act requires the levy of a true "assessment" rather than a "special tax".

Article XIIID provides that publicly owned properties must be assessed unless there is clear and convincing evidence that those properties receive no special benefit from the assessment. Exempted from the assessment would be the areas of public streets, public avenues, public lanes, public roads, public drives, public courts, public alleys, public easements and rights-of-ways, public greenbelts and public parkways, utility easements, and that portion of public property that is not developed and used for business purposes similar to private residential, commercial, industrial, and institutional activities.

The amount to be assessed may be apportioned by any formula or method which fairly distributes the amount among all assessable lots or parcels. In order for the City to separate out the general and special benefits for each improvement type, an analysis of each improvement was conducted. The analysis reviewed the purpose and users of each improvement, and then identified the properties that benefit from the improvement, and then allocated the costs to maintain, service, and replace each improvement type to each identified property.

Because general benefits are not assessable, any costs associated with general benefits are to be paid for by the City. Only the costs associated with the special benefits conferred on property within District from the authorized improvements are assessable, and therefore assessed herein. A summary of the benefits conferred by the improvements is described below.

Discussion of Benefit

Each of the improvements have been carefully reviewed by the City and the corresponding assessments have been proportionately spread to each parcel based on the special benefits conferred to property from the improvements as determined at the time the District was formed.

The District consists of all Assessor Parcels within the boundaries of the District. The method of apportioning costs and assessing properties is based upon the proportional special benefits to be conferred by the improvements and services within the boundaries of the District. The apportioning of special benefit is a two-step process: the first step is to identify the types of special benefits arising from the improvements and services, and the second step is to allocate the costs and assign assessments to property based on the estimates of the special benefit being conferred to each property.

In determining the proportionate special benefit derived by each identified parcel, the proximity of the parcel to the public improvements detailed in Part A above, and the capital, maintenance, and operating costs of said public improvements, was considered and analyzed. Due to the close proximity of the parcels to the improvements detailed in Part A above, it has been demonstrated and determined that the parcels are uniquely benefited by, and receive a direct advantage from, and are conferred a particular and distinct special benefit over and above general benefits by said public improvements in a way that is particular and distinct from its effect on other parcels, and that real property in general and the public at large do not share.

In summary, the assessments can only be levied based on the special benefit to property conferred from the installation, maintenance, and servicing of the improvements funded by the District. These special benefits are not dependent on any one property owner's use of the improvements or their specific demographic status. The basis for these special benefits comes from statutes approved by the California Legislature and other studies that describe the types of benefits received by property from such improvements. The identified special benefits conferred to property from the improvements are summarized as follows.

Special Benefit from Landscape Maintenance

All parcels within the District receive special benefit from Landscape Maintenance. Trees, landscaping, hardscapes, ornamental structures, and appurtenant facilities, if well maintained, confer a particular and distinct special benefit upon real property within the District by providing beautification, shade and positive enhancement of the community character, attractiveness, and desirability of the surroundings. The landscape surrounding the development also acts as a buffer between nearby properties and the roadways improving the overall safety of properties within the development. In addition, the trees and plantings adjacent to the development help absorb noise and create a buffer between the road and nearby properties, reducing noise levels and creating a more peaceful environment. In addition, all the aforementioned contribute to a specific increase in property desirability and a specific enhancement of the property value of each parcel within the District.

In Parkways and Land Values, written by John Nolan and Henry V. Hubbard in 1937, it is stated:

> " ... there is no lack of opinion, based on general principles and experience and common sense, that parkways do in fact add value to property, even though the amount cannot be determined exactly .... Indeed, in most cases where public money has been spent on parkways the assumption has been made that the proposed parkway will show a provable financial profit to the City. It has been believed that the establishment of parkways causes a rise in real estate values throughout the City, or in parts of the City, ... "

It should be noted that the definition of "parkways" above may include the roadway as well as the landscaping alongside the roadway.

Special Benefit from Park Maintenance

All parcels within District receive special benefit from Park Maintenance. The overall quality of life and desirability of an area is enhanced, when public parks and recreational facilities are in place, improved, operable, safe, clean, and properly maintained. Conversely, property desirability decreases when park and recreational facilities are unsafe or destroyed by the elements or vandalism.

Property desirability in an area also increases when there is an increase in the number of parks, recreation centers and sports facilities. These park and recreational facilities enable property owners to participate in sporting events, leisure activities, picnics, organized social events, and other miscellaneous activities.

Studies in several communities, including counties and cities throughout the United States, have indicated that recreation areas and facilities, if well maintained and wisely administered, have caused a marked increase in the property values of parcels in the community. Consequently, such recreation and park facilities have proved a potent factor in maintaining a sound economic condition and a high standard of livability in the community. These studies confirm the opinion, long held by planning authorities, as to the economic value of parks and recreational facilities in a community.

> *"The recreation value is realized as a rise in the value of land and other property in or near the recreation area, and is of both private interest to the landowner and others, holding an economic stake in the area, and of public interest to the taxpayers, who have a stake ...." (National Recreation and Park Association, June 1985)*
>
> *"Recreation and park amenities are central components in establishing the quality of life in a community. ... [Businesses'] main resource is their employees for whom quality of life is an important issue… The availability and attractiveness of local parks and programs influences some companies' relocation decisions. ... the presence of a park encourages real estate development around it.... ". (California Parks & Recreation, Winter 1997)*

The benefit of parks and other recreational facilities to residential and commercial/industrial properties has been summarized by several studies. The United States Department of the Interior, National Park Service, in a publication from June 1984, concluded that:

- Parks and recreation stimulate business and generate tax revenues
- Parks and recreation help conserve land, energy, and resources
- An investment in parks and recreation helps reduce pollution and noise, makes communities more livable, and increases property values
- Public recreation benefits all residents and employers by providing continuing opportunities to maintain a level of fitness throughout one's working life, and through helping individuals cope with the stress of a fast-paced and demanding life

Proper maintenance and operation of the mini park within the District benefits those properties within the development by providing environmental quality and recreational enhancement.

General Benefit

Since the in-tract streets within the development are designed to have minimal flow through traffic and the mini park within the District was designed for use by the properties within the District, there are few reasons for the public to visit the mini park or vehicles to access the in-tract streets unless their destination is to or from a single-family residential parcel within the development. However, it is reasonable to conclude that members of the public may use the mini park and vehicular traffic may on a rare occasion utilize the in-tract streets due to the need to turn around or a mistaken turn into the development. These rare circumstances where a pedestrian uses the mini park or a vehicle mistakenly uses the in-tract streets, have been determined to be a rare and infrequent circumstance. Even though these are rare and infrequent circumstances, they must be accounted for and cannot be assessed to the properties within the Districts. Therefore, based on low likelihood of the general public visiting the mini park and minimal if any flow-through traffic, it is conservatively estimated that approximately 98% of the annual trips to the mini park or along local in-tract roadways within the development would be a special and direct benefit to the parcels within the District and 2% of the annual trips to the mini park or along local in-tract roadways within the development would be a general benefit.

The share of costs attributable to the general benefits associated with the District improvements cannot be assessed to properties within the District, but are required to be paid by some other source, such as the City's General Fund.

Method of Assessment

This process of apportioning assessments to each property involves determining the relative special benefit received by each property from the improvements and services. Therefore, the City and Engineer at the time of formation determined that each parcel within the boundaries of the District receives a similar benefit from the improvements. Therefore, the most appropriate method of apportioning costs was determined to be spreading all District costs equally to each parcel in the District. This methodology is commonly used to distribute assessments in proportion to estimated special benefit and is generally recognized as providing the basis for a fair and appropriate distribution of assessments.

In Fiscal Year 2024-25, the City proposes to generate the maximum assessment revenue from the assessable parcels located in the District, which amounts to $209.50 per parcel to be levied. A listing of each assessable parcel and their proposed Fiscal Year 2024-25 assessment is on the Assessment Roll in Part E of this Report.

Exempted from the assessment would be the areas of public streets, public avenues, public lanes, public roads, public drives, public courts, public alleys, public easements and rights-of-ways, public greenbelts, and public parkways (all of which are typically not assigned an Assessor's Parcel Number (APN) by the County). Also exempted from the assessment would be public agency owned property, utility rights-of-ways, common areas (such as in condominium complexes or those that are owned by a Homeowner's or Property Owner's Association), and any other property that is deemed to be unable to develop by the City. These types of parcels do not benefit from the improvements.

Appeals and Interpretations

Any property owner who feels that the assessment levied on the subject property is in error because of incorrect information being used to apply the foregoing method of assessment, may file a written appeal with City Engineer or his or her designee. Any such appeal is limited to correction of an assessment during the then current or, if before July 1, the upcoming fiscal year. Upon the filing of any such appeal, the City Engineer or his or her designee will promptly review the appeal and any information provided by the property owner. If the City Engineer or his or her designee finds that the assessment should be modified, the appropriate changes shall be made to the assessment roll. If any such changes are approved after the assessment roll has been filed with the County for collection, the City Engineer or his or her designee is authorized to refund to the property owner the amount of any approved reduction. Any property owner who disagrees with the decision of the City Engineer or her or his designee may refer their appeal to the City Council and the decision of the City Council shall be final.

PART E

ASSESSMENT ROLL

A list of names and addresses of the owners of all parcels, and the description of each parcel within the District is shown on the last equalized Secured Property Tax Roll of the Alameda County Assessor, which by reference is hereby made a part of this Report.

This list is keyed to the Assessor's Parcel Numbers as shown on the Assessment Roll, which includes the proposed amount of assessments for Fiscal Year 2024-25 apportioned to each parcel. The Assessment Roll is on file in the Public Works Department of the City and is included in this Report beginning on the next page.

The total proposed assessment for Fiscal Year 2024-25 is $19,902.50**.**

CITY OF NEWARK
LANDSCAPING & LIGHTING DISTRICT No. 16
ASSESSMENT ROLL
FISCAL YEAR 2024-25

Assessor's Parcel Number	Assessment Amount
092A-2597-001-00	$209.50
092A-2597-002-00	$209.50
092A-2597-003-00	$209.50
092A-2597-004-00	$209.50
092A-2597-005-00	$209.50
092A-2597-006-00	$209.50
092A-2597-007-00	$209.50
092A-2597-008-00	$209.50
092A-2597-009-00	$209.50
092A-2597-010-00	$209.50
092A-2597-011-00	$209.50
092A-2597-012-00	$209.50
092A-2597-013-00	$209.50
092A-2597-014-00	$209.50
092A-2597-015-00	$209.50
092A-2597-016-00	$209.50
092A-2597-017-00	$209.50
092A-2597-018-00	$209.50
092A-2597-019-00	$209.50
092A-2597-020-00	$209.50
092A-2597-021-00	$209.50
092A-2597-022-00	$209.50
092A-2597-023-00	$209.50
092A-2597-024-00	$209.50
092A-2597-025-00	$209.50
092A-2597-026-00	$209.50
092A-2597-027-00	$209.50
092A-2597-028-00	$209.50
092A-2597-029-00	$209.50
092A-2597-030-00	$209.50
092A-2597-031-00	$209.50
092A-2597-032-00	$209.50
092A-2597-033-00	$209.50
092A-2597-034-00	$209.50
092A-2597-035-00	$209.50
092A-2597-036-00	$209.50
092A-2597-037-00	$209.50
092A-2597-038-00	$209.50
092A-2597-039-00	$209.50
092A-2597-040-00	$209.50
092A-2597-041-00	$209.50
092A-2597-042-00	$209.50
092A-2597-043-00	$209.50
092A-2597-044-00	$209.50
092A-2597-045-00	$209.50
092A-2597-046-00	$209.50
092A-2597-047-00	$209.50
092A-2597-048-00	$209.50
092A-2597-049-00	$209.50
092A-2597-050-00	$209.50
092A-2597-051-00	$209.50
092A-2597-052-00	$209.50
092A-2597-053-00	$209.50
092A-2597-054-00	$209.50
092A-2597-055-00	$209.50
092A-2597-056-00	$209.50
092A-2597-057-00	$209.50
092A-2597-058-00	$209.50
092A-2597-059-00	$209.50
092A-2597-060-00	$209.50
092A-2597-061-00	$209.50
092A-2597-062-00	$209.50
092A-2597-063-00	$209.50
092A-2597-064-00	$209.50
092A-2597-065-00	$209.50
092A-2597-066-00	$209.50
092A-2597-067-00	$209.50
092A-2597-068-00	$209.50
092A-2597-069-00	$209.50
092A-2597-070-00	$209.50
092A-2597-071-00	$209.50
092A-2597-072-00	$209.50
092A-2597-073-00	$209.50
092A-2597-074-00	$209.50
092A-2597-075-00	$209.50
092A-2597-076-00	$209.50
092A-2597-077-00	$209.50
092A-2597-078-00	$209.50
092A-2597-079-00	$209.50
092A-2597-080-00	$209.50
092A-2597-081-00	$209.50
092A-2597-082-00	$209.50
092A-2597-083-00	$209.50
092A-2597-084-00	$209.50
092A-2597-085-00	$209.50
092A-2597-086-00	$209.50
092A-2597-087-00	$209.50
092A-2597-088-00	$209.50
092A-2597-089-00	$209.50
092A-2597-090-00	$209.50
092A-2597-091-00	$209.50
092A-2597-092-00	$209.50
092A-2597-093-00	$209.50
092A-2597-094-00	$209.50
092A-2597-095-00	$209.50
Total Parcels:	95
Total Assessment:	$19,902.50

NEWARK
california

Landscaping and Lighting District No. 17

Fiscal Year 2024-25
Preliminary Engineer's Report

June 13, 2024

Prepared by

FRANCISCO AND ASSOCIATES
Where Innovative Strategies Fund Tomorrow's Communities

Table of Contents

Page No.

Certificate ii

Section I - Introduction 1

Section II – Engineer's Report 3

Part A – Plans and Specifications 4

Part B – Estimate of Cost 7

Part C – Assessment District Diagram 9

Part D – Method of Apportionment of Assessments 11

Part E - Assessment Roll 16

ENGINEER'S REPORT
CITY OF NEWARK
LANDSCAPING AND LIGHTING DISTRICT NO. 17
FISCAL YEAR 2024-25

The undersigned, acting on behalf of Francisco & Associates respectfully submits the enclosed Engineer's Report as directed by the Newark City Council pursuant to the provisions of Article XIIID, Section 4 of the California Constitution, and the Landscape and Lighting Act of 1972 being Section 22500 et al of the California Streets and Highways Code (the "1972 Act"). The undersigned certifies that he is a Professional Engineer, registered in the State of California.

Dated: May 14, 2024

By: _____
Eduardo Espinoza, P.E.
RCE # 83709

SECTION I

INTRODUCTION

The City of Newark ("City") levies and collects special assessments on parcels within the City of Newark Landscaping and Lighting District No. 17 ("District") to maintain public improvements. The District was formed in May of 2004 to provide a dedicated source of funding for the ongoing maintenance of landscaping improvements benefiting property within the boundaries of the District.

The assessments and method of apportionment described in this Report utilize commonly accepted assessment engineering practices and have been calculated and proportionately spread to each parcel based on the special benefits received as approved by the City Council at the time the District was formed.

The District generally consists of those properties within the infill development of Tract 7004 north of Mayhews Landing Road, along Dijon Drive, and south of Bellhaven Avenue. A reduced copy of the Assessment Diagram showing the exterior boundaries of the District is provided in Part C of this Report.

Impacts of Proposition 218

On November 5, 1996 California voters approved Proposition 218 entitled "Right to Vote on Taxes Act" which added Articles XIIIC and XIIID to the California Constitution. While its title refers only to taxes, Proposition 218 established new procedural requirements for the formation and administration of assessment districts.

These new procedures stipulate that even if assessments are initially exempt from Proposition 218, future increases in assessments must comply with the provisions of Proposition 218. However, if the increase in assessments were anticipated in the assessment formula (e.g., CPI increase or assessment cap) then the assessment would comply with the intent and provisions of Proposition 218.

Current Annual Administration

As required by the 1972 Act, the Engineer's Report includes: (1) a description of the improvements to be operated, maintained, and serviced by the District, (2) a cost estimate for the District, and (3) a listing of the proposed Fiscal Year 2024-25 assessments to be levied upon each assessable lot or parcel within the District.

The City will hold a Public Hearing on July 11, 2024, regarding this District which will provide an opportunity for any interested person to be heard. At the conclusion of the Public Hearing, the City Council may adopt a resolution confirming the assessment rates as originally proposed or as modified. Payment of annual assessments for each parcel will be made in the same manner and at the same time as payments are made for their annual property taxes. All funds collected through the assessments must be placed in a special fund and can only be used for the purposes stated within this Report.

SECTION II

ENGINEER'S REPORT PREPARED FOR THE CITY OF NEWARK LANDSCAPING AND LIGHTING DISTRICT NO. 17 FISCAL YEAR 2024-25

Pursuant to the Landscaping and Lighting Act of 1972 (Part 2 of Division 15 of the Streets and Highways Code of the State of California), and in accordance with the Resolution of Initiation, being Resolution No. 11631, which directs the preparation and filing of the Engineer's Report, adopted by the City Council of the City of Newark, on April 11, 2024, the following Report was prepared consisting of Section I (Introduction), and this, Section II, which consists of five (5) parts as follows:

PART A: PLANS AND SPECIFICATIONS

This part describes the improvements maintained by the District. Plans and specifications for the improvements are on file in the Office of the Director of Public Works of the City of Newark and are incorporated herein by reference.

PART B: ESTIMATE OF COST

This part contains an estimate of the cost of the proposed improvements to be maintained for Fiscal Year 2024-25, including incidental costs and expenses in connection therewith. The estimate is attached hereto and is on file in the Office of the Director of Public Works of the City of Newark.

PART C: ASSESSMENT DISTRICT DIAGRAM

This part incorporates a Diagram of the District showing the exterior boundaries of the District, the boundaries of any zones within the District and the lines and dimensions of each lot or parcel of land within the District. This Diagram has been prepared by the Engineer of Work and is on file in the Office of the Director of Public Works of the City of Newark.

The lines and dimensions of each lot or parcel within the District are those lines and dimensions shown on the maps of the Alameda County Assessor for the year when this Report was prepared. The Assessor's maps and records are incorporated by reference herein and made a part of this Report.

PART D: METHOD OF APPORTIONMENT OF ASSESSMENTS

This part describes the method of apportionment of assessments, based upon each parcel's classification within the District in proportion to the estimated special benefits to be received.

PART E: ASSESSMENT ROLL

This part contains an assessment of the estimated cost of the improvements apportioned to each benefited parcel of land within the District. The Assessment Roll is filed in the Office of the City Clerk of the City of Newark and is incorporated in this Report. The list is keyed to the records of the Alameda County Assessor, which are incorporated herein by reference.

PART A

PLANS AND SPECIFICATIONS

IMPROVEMENTS AND SERVICES PURSUANT TO THE 1972 ACT

The improvements and services authorized by the provisions of the Landscape and Lighting Act of 1972, being Part 2 of Division 15 of the Streets and Highways Code, commencing with Section 22500 (hereafter referred to as the "1972 Act"), that may be applicable to this District and associated assessments may include one or more of the following definitions:

- "Improvement" means one or any combination of the following:
    - The installation or planting of landscaping.
    - The installation or construction of statuary, fountains, and other ornamental structures and facilities.
    - The installation or construction of public lighting facilities, including, but not limited to, traffic signals.
    - The installation or construction of any facilities which are appurtenant to any of the forgoing, or which are necessary or convenient for the maintenance or servicing thereof, including, but not limited to, grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks, or paving, or water, irrigation, drainage, or electrical facilities.
    - The installation of park or recreational improvements, including, but not limited to all the following:
        - Land preparation, such as grading, leveling, cutting and filling, sod, landscaping, irrigation systems, sidewalks, and drainage.
        - Lights, playground equipment, play courts, and public restrooms.
    - The maintenance or servicing, or both, of any of the forgoing, and of any improvements authorized below.
    - The acquisition of land for park, recreational, or open space purposes.
    - The acquisition of any existing improvement otherwise authorized herein.
    - The acquisition or construction of any community center, municipal auditorium or hall, or similar public facility for the indoor presentation of performances, shows, stage productions, fairs, conventions, exhibitions, pageants, meetings, parties, or other group events, activities, or functions, whether those events, activities, or functions are public or private.

- "Incidental expenses" include all the following:
  - The costs of preparation of the report, including plans, specifications, estimates, diagram, and assessment.
  - The costs of printing, advertising, and giving of published, posted, and mailed notices.
  - Compensation payable to the county for collection of assessments.
  - Compensation of any engineer or attorney employed to render services in proceedings pursuant to this part.
  - Any other expenses incidental to the construction, installation, or maintenance and servicing of improvements.
  - Any expenses incidental to the construction, installation, or maintenance and servicing of the improvements.
  - Any expenses incidental to the issuance of bonds or notes.
  - Costs associated with any elections held for the approval of a new or increased assessment.

- "Landscaping" means trees, shrubs, grass, or other ornamental vegetation.

- "Maintain" or "maintenance" means the furnishing of services and materials for the ordinary and usual maintenance, operation, and services of any improvement, including:
  - Repair, removal or replacement of all or any part of any improvement.
  - Providing for the life, growth, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury.
  - The removal of trimmings, rubbish, debris, and other solid waste.
  - The cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

- "Public lighting facilities" means all works or improvements used or useful for the lighting of any public places, including ornamental standards, luminaries, poles, supports, tunnels, manholes, vaults, conduits, pipes, wires, conductors, guys, stubs, platforms, braces, transformers, insulators, contacts, switches, capacitors, meters, communication circuits, appliances, attachments, and appurtenances.

- "Service" or "servicing" means the furnishing of:
  - Electric current or energy, gas, or other illuminating agent for any public lighting facilities or for the lighting or operation of any other improvements.
  - Water for the irrigation of any landscaping, the operation of any fountains, or the maintenance of any other improvements.

DESCRIPTION OF DISTRICT IMPROVEMENTS

The improvements, which have been constructed within the City, and those which may be subsequently constructed, operated, maintained, and serviced with District assessments are generally described as follows:

- The Landscape Improvements include, but are not limited to landscaping, planting, turf, trees, irrigation systems, and fixtures in public street and sidewalk rights-of-way, including parkways and other easements dedicated to the City within, and adjacent to, the District.

A more detailed description of the facilities which either have or will be constructed, operated, maintained, and serviced are generally described as follows.

> The maintenance of landscaping and the landscape irrigation system within the public right-of-way along the street frontages of Newark Boulevard and Mayhews Landing Road associated with Tract 7004.

Improvement diagrams have been prepared identifying all improvements and areas that are to be maintained by the District. A copy of these diagrams is on file with the City's Public Works Department.

PART B

ESTIMATE OF COSTS

The 1972 Act requires that a special fund be set up for the collection of revenues and expenditures of the District. The Act provides that the total cost of construction, operation, and maintenance and servicing of the public improvements specified in Part A of this Report can be recovered by the District. Incidental expenses including administration of the District, engineering fees, legal fees and all other costs associated with the construction, operation and maintenance and servicing of the District can also be included.

Funds raised from the assessments shall be used only for the expenditures represented above. A contribution to the District by the City may be made to reduce assessments as the City deems appropriate. Any balance remaining on July 1 at the end of the fiscal year must be carried over to the next fiscal year unless the funds are being accumulated for future capital replacement projects or operating reserves.

The following table provides a summary of the estimated District revenues and cost estimates for Fiscal Year 2024-25.

Landscaping and Lighting District No. 17 Fiscal Year 2024-25 Cost Estimate	
Projected Revenues	
Assessment Revenue	$6,237
Non-Assessment Revenues[1]	$310
Total Projected Revenues	**$6,547**
Projected Expenses	
Contract Services	$1,929
Utilities	$3,500
Administration and Incidentals	$2,702
County Collection Fees	$106
Unforeseen Maintenance and Repairs[2]	$412
Total Projected Expenses	**$8,649**
Projected Fund Balance	
Beginning Fund Balance - July 1, 2024	$9,115
Reserve Fund Collection Increase/(Decrease)	($2,102)
Ending Fund Balance - June 30, 2025	$7,013
Recommended Operating Reserves	$4,118
Available Operating Reserves	$4,118
Available Capital Reserves	$2,895

[1]Non-Assessment Revenues include interest earnings estimated at 1.5% of Projected Beginning Fund Balance and the City contribution in the amount of $173 for General Benefits conferred to the public at large.

[2] Unforeseen Maintenance and Repairs are assumed to be 5% of the Projected Expenses.

The purpose of the various reserves is to ensure the District will have funds available for cashflow purposes and to repair or reconstruct the improvements that are the responsibility of the District.

The Recommended Operating Reserve target is fifty percent (50%) of the projected expenditures. Maintaining a fully funded Operating Reserve eliminates the need for the City to transfer funds from non-District accounts to pay for operational expenses during the first half of the fiscal year and provides the District with sufficient funds to address any unforeseen or unusual expenditures that may occur during the year.

The purpose of collecting and holding funds in a Capital Reserve is so that when improvements need to be replaced or expenditures are greater than can be conveniently raised from a single year's assessment, funds are available so that the District can respond and address the need promptly.

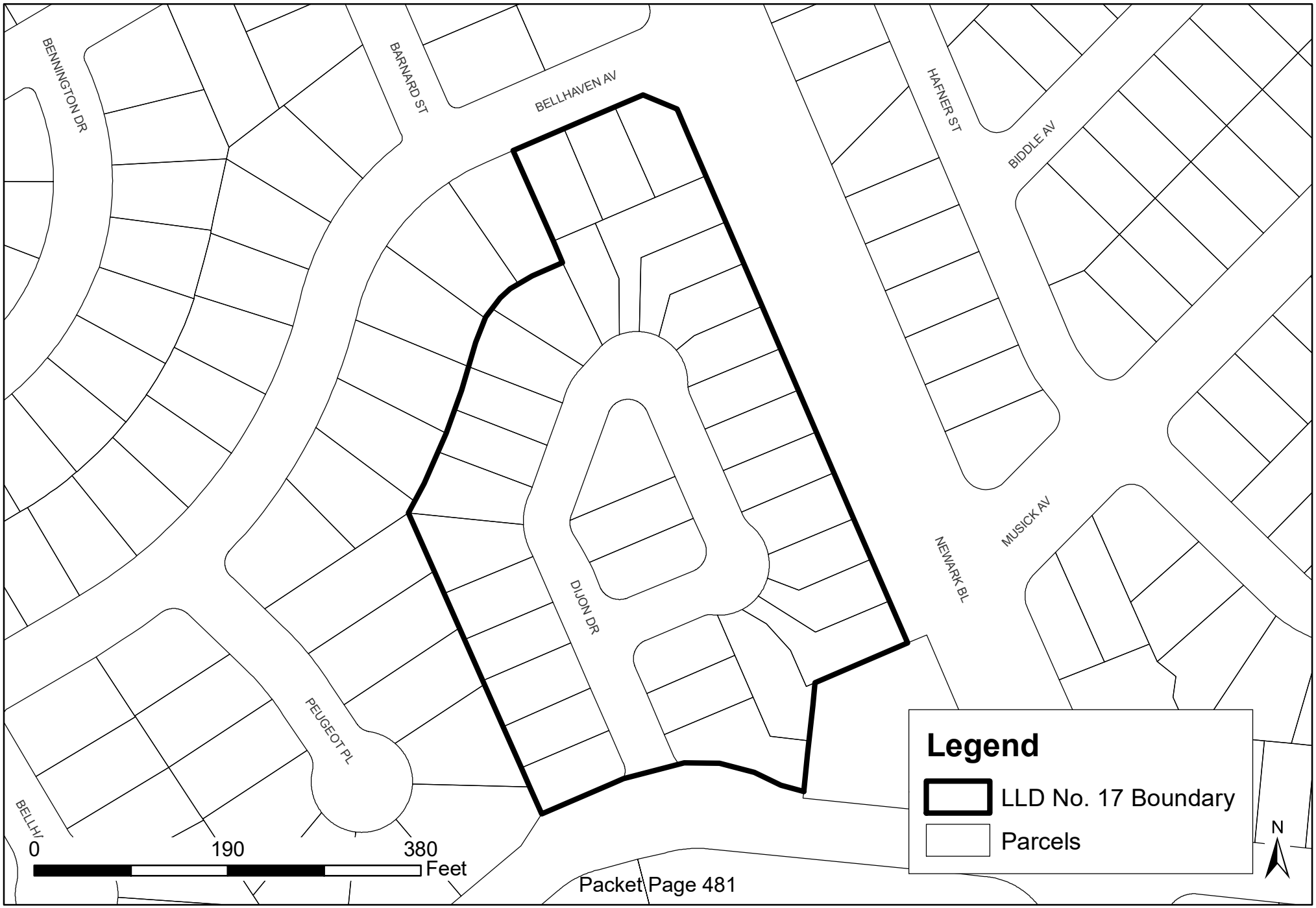
PART C

ASSESSMENT DISTRICT DIAGRAM

The boundaries of the District are shown herein. The Diagram is on file in the Public Works Department of the City and shown on the following page of this Engineer's Report. The lines and dimensions of each parcel within the District are those lines and dimensions shown on the maps of the Alameda County Assessor for the year in which this Report was prepared and are incorporated by reference herein and made part of this Report.

A reduced copy of the Assessment Diagram is shown on the following page.

LANDSCAPING AND LIGHTING DISTRICT NO. 17
(MER SOLIEL/TRACT 7004)
ASSESSMENT DIAGRAM



PART D

METHOD OF APPORTIONMENT OF ASSESSMENTS

This section explains the benefits to be derived from the improvements and the methodology used to apportion the total costs of the improvements to properties within the District.

The method used for apportioning the assessment is based upon the relative special benefits to be derived by the properties in the District and any established benefit zones. The assessment is apportioned to each parcel in proportion to the relative cost of the special benefits from the improvements.

General

The 1972 Act permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements which include the construction, maintenance and servicing of streetlights, landscaping, parks, trails, open space, and appurtenant facilities. The 1972 Act further requires that the cost of these improvements be levied according to benefit rather than assessed value:

> *"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."*

The formula used for calculating assessments in the District therefore needs to reflect the composition of the parcels, and the improvements and services provided, to fairly apportion the costs based on estimated benefit to each parcel.

In addition, Article XIIID, of the California Constitution limits the amount of any assessment to the proportional "special benefit" conferred on the property. Article XIIID provides that only special benefits are assessable, and the City must separate the general benefits from the special benefits conferred on a parcel. There is no widely accepted or statutory formula for determining general and special benefit. However, the constitution states that a special benefit is different from a general benefit in that it is "particular and distinct" and "over and above" general benefits received by other properties.

The 1972 Act permits the designation of zones of benefit within any individual assessment district if "by reasons or variations in the nature, location, and extent of the improvements, the various areas will receive different degrees of benefit from the improvement." Thus, the 1972 Act requires the levy of a true "assessment" rather than a "special tax".

Article XIIID provides that publicly owned properties must be assessed unless there is clear and convincing evidence that those properties receive no special benefit from the assessment. Exempted from the assessment would be the areas of public streets, public avenues, public lanes, public roads, public drives, public courts, public alleys, public easements and rights-of-ways, public greenbelts and public parkways, utility easements, and that portion of public property that is not developed and used for business purposes similar to private residential, commercial, industrial, and institutional activities.

The amount to be assessed may be apportioned by any formula or method which fairly distributes the amount among all assessable lots or parcels. In order for the City to separate out the general and special benefits for each improvement type, an analysis of each improvement was conducted. The analysis reviewed the purpose and users of each improvement, and then identified the properties that benefit from the improvement, and then allocated the costs to maintain, service, and replace each improvement type to each identified property.

Because general benefits are not assessable, any costs associated with general benefits are to be paid for by the City. Only the costs associated with the special benefits conferred on property within the District from the authorized improvements are assessable, and therefore assessed herein. A summary of the benefits conferred by the improvements is described below.

Discussion of Benefit

Each of the improvements have been carefully reviewed by the City and the corresponding assessments have been proportionately spread to each parcel based on the special benefits conferred to property from the improvements as determined at the time the District was formed.

The District consists of all Assessor Parcels within the boundaries of the District. The method of apportioning costs and assessing properties is based upon the proportional special benefits to be conferred by the improvements and services within the boundaries of the District. The apportioning of special benefit is a two-step process: the first step is to identify the types of special benefits arising from the improvements and services, and the second step is to allocate the costs and assign assessments to property based on the estimates of the special benefit being conferred to each property.

In determining the proportionate special benefit derived by each identified parcel, the proximity of the parcel to the public improvements detailed in Part A above, and the capital, maintenance, and operating costs of said public improvements, was considered and analyzed. Due to the close proximity of the parcels to the improvements detailed in Part A above, it has been demonstrated and determined that the parcels are uniquely benefited by, and receive a direct advantage from, and are conferred a particular and distinct special benefit over and above general benefits by said public improvements in a way that is particular and distinct from its effect on other parcels, and that real property in general and the public at large do not share.

In summary, the assessments can only be levied based on the special benefit to property conferred from the installation, maintenance, and servicing of the improvements funded by the District. These special benefits are not dependent on any one property owner's use of the improvements or their specific demographic status. The basis for these special benefits comes from statutes approved by the California Legislature and other studies that describe the types of benefits received by property from such improvements. The identified special benefits conferred to property from the improvements are summarized as follows.

Special Benefit from Landscape Maintenance

All parcels within the District receive special benefit from Landscape Maintenance. Trees, landscaping, hardscapes, ornamental structures, and appurtenant facilities, if well maintained, confer a particular and distinct special benefit upon real property within the District by providing beautification, shade and positive enhancement of the community character, attractiveness, and desirability of the surroundings through association with the improvements. The landscape surrounding the development not only enhances beautification of the adjacent development but also acts as a buffer between nearby properties and the roadways improving the overall safety of properties within the development. In addition, the trees and plantings adjacent to the development help absorb noise and create a buffer between the road and nearby properties, reducing noise levels and creating a more peaceful environment. In addition, all the aforementioned contribute to a specific increase in property desirability and a specific enhancement of the property value of each parcel within the District.

In Parkways and Land Values, written by John Nolan and Henry V. Hubbard in 1937, it is stated:

> " ... there is no lack of opinion, based on general principles and experience and common sense, that parkways do in fact add value to property, even though the amount cannot be determined exactly .... Indeed, in most cases where public money has been spent on parkways the assumption has been made that the proposed parkway will show a provable financial profit to the City. It has been believed that the establishment of parkways causes a rise in real estate values throughout the City, or in parts of the City, ... "

It should be noted that the definition of "parkways" above may include the roadway as well as the landscaping alongside the roadway.

General Benefit

In reviewing each of the District improvements, the proximity of those improvements to both properties within the District and those outside the District, as well as the reasons for installing and constructing such improvements, it is evident that the improvements are solely the result of developing properties within the District, and the ongoing maintenance and operation of these improvements will directly affect the properties within the District. Although the improvements include public areas, easements, rights-of-way, and other amenities available or visible to the public at large, the construction and installation of these improvements were only necessary for the development of properties within the District and were not required, nor necessarily desired by any properties or developments

outside the District boundary and any public access or use of the improvements by others is incidental. Though the landscape was designed as a result of the development of the properties, and for use by the properties within the District, it is reasonable to conclude that pedestrians passing by and the traffic flow along the roadways adjacent to the landscaping receive some incidental benefit from the improvements and such incidental benefits must be accounted for and cannot be assessed to the properties within the District. Therefore, it is conservatively estimated that approximately 98% of the benefit conferred by the landscaping constructed for the development and properties within the District would be a special and direct benefit to the parcels within the District and 2% of the benefit is conservatively conferred to the public at large that may utilize the roadway adjacent to the development would be a general benefit.

The share of costs attributable to the general benefits associated with the District improvements cannot be assessed to properties within the District, but are required to be paid by some other source, such as the City's General Fund.

Method of Assessment

This process of apportioning assessments to each property involves determining the relative special benefit received by each property from the improvements and services. Therefore, the City and Engineer at the time of formation determined that each parcel within the boundaries of the District receives a similar benefit from the improvements. Therefore, the most appropriate method of apportioning costs was determined to be spreading all District costs equally to each parcel in the District. This methodology is commonly used to distribute assessments in proportion to estimated special benefit and is generally recognized as providing the basis for a fair and appropriate distribution of assessments.

In Fiscal Year 2024-25, the City proposes to generate the maximum assessment revenue from the assessable parcels located in the District, which amounts to $189.00 per parcel to be levied. A listing of each assessable parcel and their proposed Fiscal Year 2024-25 assessment is on the Assessment Roll in Part E of this Report.

Exempted from the assessment would be the areas of public streets, public avenues, public lanes, public roads, public drives, public courts, public alleys, public easements and rights-of-ways, public greenbelts, and public parkways (all of which are typically not assigned an Assessor's Parcel Number (APN) by the County). Also exempted from the assessment would be public agency owned property, utility rights-of-ways, common areas (such as in condominium complexes or those that are owned by a Homeowner's or Property Owner's Association), and any other property that is deemed to be unable to develop by the City. These types of parcels do not benefit from the improvements.

Appeals and Interpretations

Any property owner who feels that the assessment levied on the subject property is in error because of incorrect information being used to apply the foregoing method of assessment, may file a written appeal with City Engineer or his or her designee. Any such appeal is limited to correction of an assessment during the then current or, if before July 1, the upcoming fiscal year. Upon the filing of any such appeal, the City Engineer or his or her designee will promptly review the appeal and any information provided by the property owner. If the City Engineer or his or her designee finds that the assessment should be modified, the appropriate changes shall be made to the assessment roll. If any such changes are approved after the assessment roll has been filed with the County for collection, the City Engineer or his or her designee is authorized to refund to the property owner the amount of any approved reduction. Any property owner who disagrees with the decision of the City Engineer or her or his designee may refer their appeal to the City Council and the decision of the City Council shall be final.

PART E

ASSESSMENT ROLL

A list of names and addresses of the owners of all parcels, and the description of each parcel within the District is shown on the last equalized Secured Property Tax Roll of the Alameda County Assessor, which by reference is hereby made a part of this Report.

This list is keyed to the Assessor's Parcel Numbers as shown on the Assessment Roll, which includes the proposed amount of assessments for Fiscal Year 2024-25 apportioned to each parcel. The Assessment Roll is on file in the Public Works Department of the City and is included in this Report beginning on the next page.

The total proposed assessment for Fiscal Year 2024-25 is $6,237.00**.**

CITY OF NEWARK
LANDSCAPING & LIGHTING DISTRICT No. 17
ASSESSMENT ROLL
FISCAL YEAR 2024-25

Assessor's Parcel Number	Assessment Amount
092A-0623-089-00	$189.00
092A-0623-090-00	$189.00
092A-0623-091-00	$189.00
092A-0623-092-00	$189.00
092A-0623-093-00	$189.00
092A-0623-094-00	$189.00
092A-0623-095-00	$189.00
092A-0623-096-00	$189.00
092A-0623-097-00	$189.00
092A-0623-098-00	$189.00
092A-0623-099-00	$189.00
092A-0623-100-00	$189.00
092A-0623-101-00	$189.00
092A-0623-102-00	$189.00
092A-0623-103-00	$189.00
092A-0623-104-00	$189.00
092A-0623-105-00	$189.00
092A-0623-106-00	$189.00
092A-0623-107-00	$189.00
092A-0623-108-00	$189.00
092A-0623-109-00	$189.00
092A-0623-110-00	$189.00
092A-0623-111-00	$189.00
092A-0623-112-00	$189.00
092A-0623-113-00	$189.00
092A-0623-114-00	$189.00
092A-0623-115-00	$189.00
092A-0623-116-00	$189.00
092A-0623-117-00	$189.00
092A-0623-118-00	$189.00
092A-0623-119-00	$189.00
092A-0623-120-00	$189.00
092A-0623-121-00	$189.00
Total Parcels:	33
Total Assessment:	$6,237.00

NEWARK
california

Landscaping and Lighting District No. 18

Fiscal Year 2024-25
Preliminary Engineer's Report

June 13, 2024

Prepared by

FRANCISCO AND ASSOCIATES
Where Innovative Strategies Fund Tomorrow's Communities

Table of Contents

Page No.

Certificate ii

Section I - Introduction 1

Section II – Engineer's Report 3

Part A – Plans and Specifications 5

Part B – Estimate of Cost 8

Part C – Assessment District Diagram 10

Part D – Method of Apportionment of Assessments 12

Part E - Assessment Roll 16

ENGINEER'S REPORT
CITY OF NEWARK
LANDSCAPING AND LIGHTING DISTRICT NO. 18
FISCAL YEAR 2024-25

The undersigned, acting on behalf of Francisco & Associates respectfully submits the enclosed Engineer's Report as directed by the Newark City Council pursuant to the provisions of Article XIIID, Section 4 of the California Constitution, and the Landscape and Lighting Act of 1972 being Section 22500 et al of the California Streets and Highways Code (the "1972 Act"). The undersigned certifies that he is a Professional Engineer, registered in the State of California.

Dated: May 14, 2024

By: _____
Eduardo Espinoza, P.E.
RCE # 83709

SECTION I

INTRODUCTION

The City of Newark ("City") levies and collects special assessments on parcels within the City of Newark Landscaping and Lighting District No. 18 ("District") to maintain public improvements. The District was formed in June of 2015 to provide a dedicated source of funding for the ongoing maintenance of landscaping improvements benefiting parcels within the boundaries of the District.

The assessments and method of apportionment described in this Report utilize commonly accepted assessment engineering practices and have been calculated and proportionately spread to each parcel based on the special benefits received as approved by the City Council at the time the District was formed.

The District generally consists of those properties within the developments of Tract 8130, which is located north of Cedar Boulevard, south of Timber Street and the Nimitz Freeway, west of Central Avenue and the adjacent commercial and industrial structures, and east of the Public Storage property. A reduced copy of the Assessment Diagram showing the exterior boundaries of the District is provided in Part C of this Report.

Impacts of Proposition 218

On November 5, 1996 California voters approved Proposition 218 entitled "Right to Vote on Taxes Act" which added Articles XIIIC and XIIID to the California Constitution. While its title refers only to taxes, Proposition 218 established new procedural requirements for the formation and administration of assessment districts.

These new procedures stipulate that even if assessments are initially exempt from Proposition 218, future increases in assessments must comply with the provisions of Proposition 218. However, if the increase in assessments were anticipated in the assessment formula (e.g., CPI increase or assessment cap) then the assessment would comply with the intent and provisions of Proposition 218.

Current Annual Administration

As required by the 1972 Act, the Engineer's Report includes: (1) a description of the improvements to be operated, maintained, and serviced by the District, (2) a cost estimate for the District, and (3) a listing of the proposed Fiscal Year 2024-25 assessments to be levied upon each assessable lot or parcel within the District.

The City will hold a Public Hearing on July 11, 2024, regarding this District which will provide an opportunity for any interested person to be heard. At the conclusion of the Public Hearing, the City Council may adopt a resolution confirming the assessment rates as originally proposed or as modified.

Payment of annual assessments for each parcel will be made in the same manner and at the same time as payments are made for their annual property taxes. All funds collected through the assessments must be placed in a special fund and can only be used for the purposes stated within this Report.

SECTION II

ENGINEER'S REPORT PREPARED FOR THE CITY OF NEWARK LANDSCAPING AND LIGHTING DISTRICT NO. 18 FISCAL YEAR 2024-25

Pursuant to the Landscaping and Lighting Act of 1972 (Part 2 of Division 15 of the Streets and Highways Code of the State of California), and in accordance with the Resolution of Initiation, being Resolution No. 11631, which directs the preparation and filing of the Engineer's Report, adopted by the City Council of the City of Newark, on April 11, 2024 the following Report was prepared consisting of Section I (Introduction), and this, Section II, which consists of five (5) parts as follows:

PART A: PLANS AND SPECIFICATIONS

This part describes the improvements maintained by the District. Plans and specifications for the improvements are on file in the Office of the Director of Public Works of the City of Newark and are incorporated herein by reference.

PART B: ESTIMATE OF COST

This part contains an estimate of the cost of the proposed improvements to be maintained for Fiscal Year 2024-25, including incidental costs and expenses in connection therewith. The estimate is attached hereto and is on file in the Office of the Director of Public Works of the City of Newark.

PART C: ASSESSMENT DISTRICT DIAGRAM

This part incorporates a Diagram of the District showing the exterior boundaries of the District, the boundaries of any zones within the District and the lines and dimensions of each lot or parcel of land within the District. This Diagram has been prepared by the Engineer of Work and is on file in the Office of the Director of Public Works of the City of Newark.

The lines and dimensions of each lot or parcel within the District are those lines and dimensions shown on the maps of the Alameda County Assessor for the year when this Report was prepared. The Assessor's maps and records are incorporated by reference herein and made a part of this Report.

PART D: METHOD OF APPORTIONMENT OF ASSESSMENTS

This part describes the method of apportionment of assessments, based upon each parcel's classification within the District in proportion to the estimated special benefits to be received.

PART E: ASSESSMENT ROLL

This part contains an assessment of the estimated cost of the improvements apportioned to each benefited parcel of land within the District. The Assessment Roll is filed in the Office of the City Clerk of the City of Newark and is incorporated in this Report. The list is keyed to the records of the Alameda County Assessor, which are incorporated herein by reference.

PART A

PLANS AND SPECIFICATIONS

IMPROVEMENTS AND SERVICES PURSUANT TO THE 1972 ACT

The improvements and services authorized by the provisions of the Landscape and Lighting Act of 1972, being Part 2 of Division 15 of the Streets and Highways Code, commencing with Section 22500 (hereafter referred to as the "1972 Act"), that may be applicable to this District and associated assessments may include one or more of the following definitions:

- "Improvement" means one or any combination of the following:
    - The installation or planting of landscaping.
    - The installation or construction of statuary, fountains, and other ornamental structures and facilities.
    - The installation or construction of public lighting facilities, including, but not limited to, traffic signals.
    - The installation or construction of any facilities which are appurtenant to any of the forgoing, or which are necessary or convenient for the maintenance or servicing thereof, including, but not limited to, grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks, or paving, or water, irrigation, drainage, or electrical facilities.
    - The installation of park or recreational improvements, including, but not limited to all the following:
        - Land preparation, such as grading, leveling, cutting and filling, sod, landscaping, irrigation systems, sidewalks, and drainage.
        - Lights, playground equipment, play courts, and public restrooms.
    - The maintenance or servicing, or both, of any of the forgoing, and of any improvements authorized below.
    - The acquisition of land for park, recreational, or open space purposes.
    - The acquisition of any existing improvement otherwise authorized herein.
    - The acquisition or construction of any community center, municipal auditorium or hall, or similar public facility for the indoor presentation of performances, shows, stage productions, fairs, conventions, exhibitions, pageants, meetings, parties, or other group events, activities, or functions, whether those events, activities, or functions are public or private.

- "Incidental expenses" include all the following:
  - The costs of preparation of the report, including plans, specifications, estimates, diagram, and assessment.
  - The costs of printing, advertising, and giving of published, posted, and mailed notices.
  - Compensation payable to the county for collection of assessments.
  - Compensation of any engineer or attorney employed to render services in proceedings pursuant to this part.
  - Any other expenses incidental to the construction, installation, or maintenance and servicing of improvements.
  - Any expenses incidental to the construction, installation, or maintenance and servicing of the improvements.
  - Any expenses incidental to the issuance of bonds or notes.
  - Costs associated with any elections held for the approval of a new or increased assessment.

- "Landscaping" means trees, shrubs, grass, or other ornamental vegetation.

- "Maintain" or "maintenance" means the furnishing of services and materials for the ordinary and usual maintenance, operation, and services of any improvement, including:
  - Repair, removal or replacement of all or any part of any improvement.
  - Providing for the life, growth, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury.
  - The removal of trimmings, rubbish, debris, and other solid waste.
  - The cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

- "Public lighting facilities" means all works or improvements used or useful for the lighting of any public places, including ornamental standards, luminaries, poles, supports, tunnels, manholes, vaults, conduits, pipes, wires, conductors, guys, stubs, platforms, braces, transformers, insulators, contacts, switches, capacitors, meters, communication circuits, appliances, attachments, and appurtenances.

- "Service" or "servicing" means the furnishing of:
  - Electric current or energy, gas, or other illuminating agent for any public lighting facilities or for the lighting or operation of any other improvements.
  - Water for the irrigation of any landscaping, the operation of any fountains, or the maintenance of any other improvements.

DESCRIPTION OF DISTRICT IMPROVEMENTS

The improvements, which have been constructed within the City, and those which may be subsequently constructed, operated, maintained, and serviced with District assessments are generally described as follows:

- The Landscape Improvements include, but are not limited to landscaping, planting, turf, trees, irrigation systems, and fixtures in medians, public streets, and sidewalk rights-of-way, including parkways and other easements dedicated to the City within, and adjacent to, the District.

A more detailed description of the facilities which either have or will be constructed, operated, maintained, and serviced are generally described as follows.

The maintenance of landscaping and the landscape irrigation system within the Cedar Boulevard street medians along the frontage of Tract 8130.

Improvement diagrams have been prepared identifying all improvements and areas that are to be maintained by the District. A copy of these diagrams is on file with the City's Public Works Department.

PART B

ESTIMATE OF COSTS

The 1972 Act requires that a special fund be set up for the collection of revenues and expenditures of the District. The Act provides that the total cost of construction, operation, and maintenance and servicing of the public improvements specified in Part A of this Report can be recovered by the District. Incidental expenses including administration of the District, engineering fees, legal fees and all other costs associated with the construction, operation and maintenance and servicing of the District can also be included.

Funds raised from the assessments shall be used only for the expenditures represented above. A contribution to the District by the City may be made to reduce assessments as the City deems appropriate. Any balance remaining on July 1 at the end of the fiscal year must be carried over to the next fiscal year unless the funds are being accumulated for future capital replacement projects or operating reserves.

The following table provides a summary of the estimated District revenues and cost estimates for Fiscal Year 2024-25.

Landscaping and Lighting District No. 18 Fiscal Year 2024-25 Cost Estimate	
Projected Revenues	
Assessment Revenue	$10,981
Non-Assessment Revenues[1]	$1,682
Total Projected Revenues	**$12,663**
Projected Expenses	
Contract Services[2]	$25,279
Utilities	$6,000
Administration and Incidentals	$4,880
County Collection Fees	$187
Unforeseen Maintenance and Repairs[2]	$1,817
Total Projected Expenses	**$38,162**
Projected Fund Balance	
Beginning Fund Balance - July 1, 2024	$61,222
Reserve Fund Collection Increase/(Decrease)	($25,499)
Ending Fund Balance - June 30, 2025	$35,722
Recommended Operating Reserves	$18,173
Available Operating Reserves	$18,173
Available Capital Reserves	$17,550

[1]Non-Assessment Revenues include interest earnings estimated at 1.5% of Projected Beginning Fund Balance and the City contribution in the amount of $763 for General Benefits conferred to the public at large.

[2]Includes $15,000 for Plant and Tree Replacement, Grading, and Irrigation repair projects.

[3]Unforeseen Maintenance and Repairs are assumed to be 5% of the Projected Expenses.

The purpose of the various reserves is to ensure the District will have funds available for cashflow purposes and to repair or reconstruct the improvements that are the responsibility of the District.

The Recommended Operating Reserve target is fifty percent (50%) of the projected expenditures. Maintaining a fully funded Operating Reserve eliminates the need for the City to transfer funds from non-District accounts to pay for operational expenses during the first half of the fiscal year and provides the District with sufficient funds to address any unforeseen or unusual expenditures that may occur during the year.

The purpose of collecting and holding funds in a Capital Reserve is so that when improvements need to be replaced or expenditures are greater than can be conveniently raised from a single year's assessment, funds are available so that the District can respond and address the need promptly.

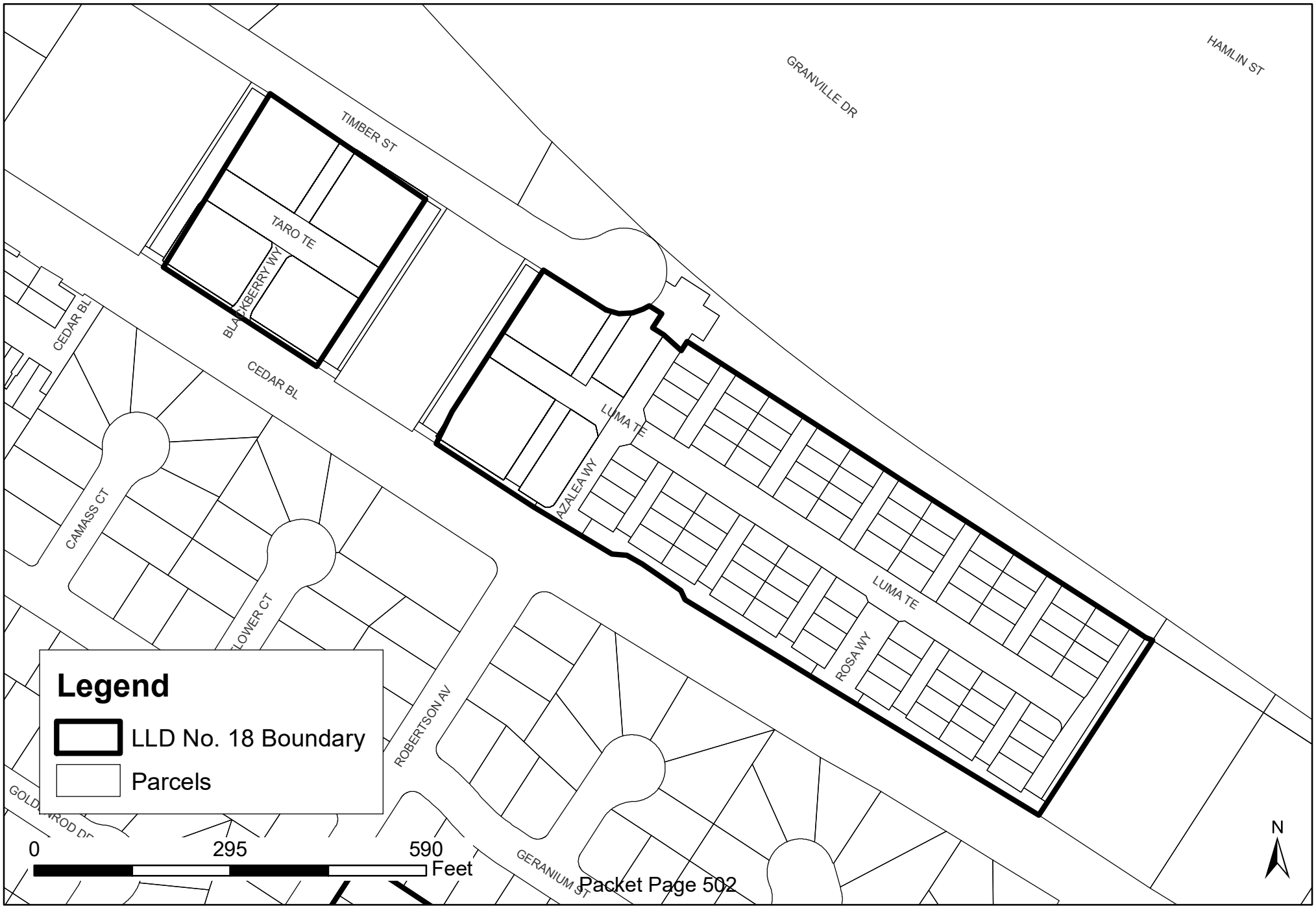
PART C

ASSESSMENT DISTRICT DIAGRAM

The boundaries of the District are shown herein. The Diagram is on file in the Public Works Department of the City and shown on the following page of this Engineer's Report. The lines and dimensions of each parcel within the District are those lines and dimensions shown on the maps of the Alameda County Assessor for the year in which this Report was prepared and are incorporated by reference herein and made part of this Report.

A reduced copy of the Assessment Diagram is shown on the following page.

LANDSCAPING AND LIGHTING DISTRICT NO. 18
(TRACT 8130)
ASSESSMENT DIAGRAM



PART D

METHOD OF APPORTIONMENT OF ASSESSMENTS

This section explains the benefits to be derived from the improvements and the methodology used to apportion the total costs of the improvements to properties within the District.

The method used for apportioning the assessment is based upon the relative special benefits to be derived by the properties in the District and any established benefit zones. The assessment is apportioned to each parcel in proportion to the relative cost of the special benefits from the improvements.

General

The 1972 Act permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements which include the construction, maintenance and servicing of streetlights, landscaping, parks, trails, open space, and appurtenant facilities. The 1972 Act further requires that the cost of these improvements be levied according to benefit rather than assessed value:

> *"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."*

The formula used for calculating assessments in the District therefore needs to reflect the composition of the parcels, and the improvements and services provided, to fairly apportion the costs based on estimated benefit to each parcel.

In addition, Article XIIID, of the California Constitution limits the amount of any assessment to the proportional "special benefit" conferred on the property. Article XIIID provides that only special benefits are assessable, and the City must separate the general benefits from the special benefits conferred on a parcel. There is no widely accepted or statutory formula for determining general and special benefit. However, the constitution states that a special benefit is different from a general benefit in that it is "particular and distinct" and "over and above" general benefits received by other properties.

The 1972 Act permits the designation of zones of benefit within any individual assessment district if "by reasons or variations in the nature, location, and extent of the improvements, the various areas will receive different degrees of benefit from the improvement." Thus, the 1972 Act requires the levy of a true "assessment" rather than a "special tax".

Article XIIID provides that publicly owned properties must be assessed unless there is clear and convincing evidence that those properties receive no special benefit from the assessment. Exempted from the assessment would be the areas of public streets, public avenues, public lanes, public roads, public drives, public courts, public alleys, public easements and rights-of-ways, public greenbelts and public parkways, utility easements,

and that portion of public property that is not developed and used for business purposes similar to private residential, commercial, industrial, and institutional activities.

The amount to be assessed may be apportioned by any formula or method which fairly distributes the amount among all assessable lots or parcels. In order for the City to separate out the general and special benefits for each improvement type, an analysis of each improvement was conducted. The analysis reviewed the purpose and users of each improvement, and then identified the properties that benefit from the improvement, and then allocated the costs to maintain, service, and replace each improvement type to each identified property.

Because general benefits are not assessable, any costs associated with general benefits are to be paid for by the City. Only the costs associated with the special benefits conferred on property within District from the authorized improvements are assessable, and therefore assessed herein. A summary of the benefits conferred by the improvements is described below.

Discussion of Benefit

Each of the improvements have been carefully reviewed by the City and the corresponding assessments have been proportionately spread to each parcel based on the special benefits conferred to property from the improvements as determined at the time the District was formed.

The District consists of all Assessor Parcels within the boundaries of the District. The method of apportioning costs and assessing properties is based upon the proportional special benefits to be conferred by the improvements and services within the boundaries of the District. The apportioning of special benefit is a two-step process: the first step is to identify the types of special benefits arising from the improvements and services, and the second step is to allocate the costs and assign assessments to property based on the estimates of the special benefit being conferred to each property.

In determining the proportionate special benefit derived by each identified parcel, the proximity of the parcel to the public improvements detailed in Part A above, and the capital, maintenance, and operating costs of said public improvements, was considered and analyzed. Due to the close proximity of the parcels to the improvements detailed in Part A above, it has been demonstrated and determined that the parcels are uniquely benefited by, and receive a direct advantage from, and are conferred a particular and distinct special benefit over and above general benefits by said public improvements in a way that is particular and distinct from its effect on other parcels, and that real property in general and the public at large do not share.

In summary, the assessments can only be levied based on the special benefit to property conferred from the installation, maintenance, and servicing of the improvements funded by the District. These special benefits are not dependent on any one property owner's use of the improvements or their specific demographic status. The basis for these special benefits comes from statutes approved by the California Legislature and other studies that describe the types of benefits received by property from such improvements. The identified special benefits conferred to property from the improvements are summarized as follows.

Special Benefit from Landscape Maintenance

All parcels within the District receive special benefit from Landscape Maintenance within the adjacent medians. Trees, landscaping, hardscapes, ornamental structures, and appurtenant facilities, if well maintained, confer a particular and distinct special benefit upon real property within the District by providing beautification, shade and positive enhancement of the community character, attractiveness, and desirability of the surroundings. The medians adjacent to the development help calm traffic and reduce speeds, creating a safer environment for those traveling to and from the properties within the District. The median also acts as a physical buffer between portions of the roadway and properties within the District improving the overall safety of properties within the development. In addition, the trees and plantings within the medians help absorb noise from the road for nearby properties, reducing noise levels and creating a more peaceful environment. In addition, all the aforementioned contribute to a specific increase in property desirability and a specific enhancement of the property value of each parcel within the District.

In Parkways and Land Values, written by John Nolan and Henry V. Hubbard in 1937, it is stated:

> " ... there is no lack of opinion, based on general principles and experience and common sense, that parkways do in fact add value to property, even though the amount cannot be determined exactly .... Indeed, in most cases where public money has been spent on parkways the assumption has been made that the proposed parkway will show a provable financial profit to the City. It has been believed that the establishment of parkways causes a rise in real estate values throughout the City, or in parts of the City, ... "

It should be noted that the definition of "parkways" above may include the roadway as well as the landscaping alongside the roadway.

General Benefit

In reviewing each of the District improvements, the proximity of those improvements to both properties within the District and those outside the District, as well as the reasons for installing and constructing such improvements, it is evident that the improvements are solely the result of developing properties within the District, and the ongoing maintenance and operation of these improvements will directly affect the properties within the District. Although the improvements include public areas, easements, rights-of-way, and other amenities available or visible to the public at large, the construction and installation of these improvements were only necessary for the development of properties within the District and were not required, nor necessarily desired by any properties or developments outside the District boundary. Though the medians were designed as a result of the development of the properties within the District, it is reasonable to conclude that the traffic flow along the roadways adjacent to the median landscaping receive some incidental benefit from the improvements and such incidental benefits must be accounted for and cannot be assessed to the properties within the District. Therefore, it is conservatively estimated that approximately 98% of the benefit conferred by the medians in the roadways constructed for the development and properties within the District would be a special and

direct benefit to the parcels within the District and 2% of the benefit from the medians is conferred to the public at large that may utilize the roadway adjacent to the development would be a general benefit.

The share of costs attributable to the general benefits associated with the District improvements cannot be assessed to properties within the District, but are required to be paid by some other source, such as the City's General Fund.

Method of Assessment

This process of apportioning assessments to each property involves determining the relative special benefit received by each property from the improvements and services. Therefore, the City and Engineer at the time of formation determined that each parcel within the boundaries of the District receives a similar benefit from the improvements. Therefore, the most appropriate method of apportioning costs was determined to be spreading all District costs equally to each dwelling unit in the District. This methodology is commonly used to distribute assessments in proportion to estimated special benefit and is generally recognized as providing the basis for a fair and appropriate distribution of assessments.

In Fiscal Year 2024-25, the City proposes to collect the maximum assessment revenue from the assessable parcels located in the District, which amounts to $66.96 per parcel to be levied. A listing of each assessable parcel and their proposed Fiscal Year 2024-25 assessment is on the Assessment Roll in Part E of this Report.

Exempted from the assessment would be the areas of public streets, public avenues, public lanes, public roads, public drives, public courts, public alleys, public easements and rights-of-ways, public greenbelts, and public parkways (all of which are typically not assigned an Assessor's Parcel Number (APN) by the County). Also exempted from the assessment would be public agency owned property, utility rights-of-ways, common areas (such as in condominium complexes or those that are owned by a Homeowner's or Property Owner's Association), and any other property that is deemed to be unable to develop by the City. These types of parcels do not benefit from the improvements.

Appeals and Interpretations

Any property owner who feels that the assessment levied on the subject property is in error because of incorrect information being used to apply the foregoing method of assessment, may file a written appeal with City Engineer or his or her designee. Any such appeal is limited to correction of an assessment during the then current or, if before July 1, the upcoming fiscal year. Upon the filing of any such appeal, the City Engineer or his or her designee will promptly review the appeal and any information provided by the property owner. If the City Engineer or his or her designee finds that the assessment should be modified, the appropriate changes shall be made to the assessment roll. If any such changes are approved after the assessment roll has been filed with the County for collection, the City Engineer or his or her designee is authorized to refund to the property owner the amount of any approved reduction. Any property owner who disagrees with the decision of the City Engineer or her or his designee may refer their appeal to the City Council and the decision of the City Council shall be final.

PART E

ASSESSMENT ROLL

A list of names and addresses of the owners of all parcels, and the description of each parcel within the District is shown on the last equalized Secured Property Tax Roll of the Alameda County Assessor, which by reference is hereby made a part of this Report.

This list is keyed to the Assessor's Parcel Numbers as shown on the Assessment Roll, which includes the proposed amount of assessments for Fiscal Year 2024-25 apportioned to each parcel. The Assessment Roll is on file in the Public Works Department of the City and is included in this Report beginning on the next page.

The total proposed assessment for Fiscal Year 2024-25 is $10,981.44**.**

CITY OF NEWARK
LANDSCAPING & LIGHTING DISTRICT No. 18
ASSESSMENT ROLL
FISCAL YEAR 2024-25

Assessor's Parcel Number	Assessment Amount
092A-2598-024-00	$66.96
092A-2598-025-00	$66.96
092A-2598-026-00	$66.96
092A-2598-027-00	$66.96
092A-2598-028-00	$66.96
092A-2598-029-00	$66.96
092A-2598-030-00	$66.96
092A-2598-031-00	$66.96
092A-2598-032-00	$66.96
092A-2598-033-00	$66.96
092A-2598-034-00	$66.96
092A-2598-035-00	$66.96
092A-2598-037-00	$66.96
092A-2598-038-00	$66.96
092A-2598-039-00	$66.96
092A-2598-040-00	$66.96
092A-2598-041-00	$66.96
092A-2598-042-00	$66.96
092A-2598-043-00	$66.96
092A-2598-044-00	$66.96
092A-2598-045-00	$66.96
092A-2598-046-00	$66.96
092A-2598-047-00	$66.96
092A-2598-048-00	$66.96
092A-2598-050-00	$66.96
092A-2598-051-00	$66.96
092A-2598-052-00	$66.96
092A-2598-053-00	$66.96
092A-2598-054-00	$66.96
092A-2598-055-00	$66.96
092A-2598-056-00	$66.96
092A-2598-057-00	$66.96
092A-2598-058-00	$66.96
092A-2598-059-00	$66.96
092A-2598-061-00	$66.96
092A-2598-062-00	$66.96
092A-2598-063-00	$66.96
092A-2598-064-00	$66.96
092A-2598-065-00	$66.96
092A-2598-066-00	$66.96
092A-2598-067-00	$66.96
092A-2598-068-00	$66.96
092A-2598-069-00	$66.96
092A-2598-070-00	$66.96
092A-2598-072-00	$66.96
092A-2598-073-00	$66.96
092A-2598-074-00	$66.96
092A-2598-075-00	$66.96
092A-2598-076-00	$66.96
092A-2598-077-00	$66.96
092A-2598-078-00	$66.96
092A-2598-079-00	$66.96
092A-2598-080-00	$66.96
092A-2598-081-00	$66.96
092A-2598-082-00	$66.96
092A-2598-083-00	$66.96
092A-2598-084-00	$66.96
092A-2598-085-00	$66.96
092A-2598-087-00	$66.96
092A-2598-088-00	$66.96
092A-2598-089-00	$66.96
092A-2598-090-00	$66.96
092A-2598-091-00	$66.96
092A-2598-092-00	$66.96
092A-2598-093-00	$66.96
092A-2598-095-00	$66.96
092A-2598-096-00	$66.96
092A-2598-097-00	$66.96
092A-2598-098-00	$66.96
092A-2598-099-00	$66.96
092A-2598-100-00	$66.96
092A-2598-101-00	$66.96
092A-2598-102-00	$66.96
092A-2598-103-00	$66.96
092A-2598-104-00	$66.96
092A-2598-106-00	$66.96
092A-2598-107-00	$66.96
092A-2598-108-00	$66.96
092A-2598-109-00	$66.96
092A-2598-110-00	$66.96
092A-2599-018-00	$66.96
092A-2599-019-00	$66.96
092A-2599-020-00	$66.96
092A-2599-021-00	$66.96
092A-2599-022-00	$66.96
092A-2599-023-00	$66.96
092A-2599-024-00	$66.96
092A-2599-025-00	$66.96
092A-2599-026-00	$66.96
092A-2599-027-00	$66.96
092A-2599-028-00	$66.96
092A-2599-029-00	$66.96
092A-2599-030-00	$66.96
092A-2599-031-00	$66.96
092A-2599-032-00	$66.96
092A-2599-033-00	$66.96
092A-2599-034-00	$66.96
092A-2599-035-00	$66.96
092A-2599-036-00	$66.96
092A-2599-037-00	$66.96
092A-2599-038-00	$66.96
092A-2599-039-00	$66.96
092A-2599-040-00	$66.96
092A-2599-041-00	$66.96
092A-2599-042-00	$66.96
092A-2599-043-00	$66.96
092A-2599-044-00	$66.96
092A-2599-045-00	$66.96
092A-2599-046-00	$66.96
092A-2599-047-00	$66.96
092A-2599-048-00	$66.96
092A-2599-049-00	$66.96
092A-2599-050-00	$66.96
092A-2599-051-00	$66.96
092A-2599-052-00	$66.96
092A-2599-053-00	$66.96
092A-2599-054-00	$66.96
092A-2599-055-00	$66.96
092A-2599-056-00	$66.96
092A-2599-057-00	$66.96
092A-2599-058-00	$66.96
092A-2599-059-00	$66.96
092A-2599-060-00	$66.96
092A-2599-061-00	$66.96
092A-2599-062-00	$66.96
092A-2599-063-00	$66.96
092A-2599-064-00	$66.96
092A-2599-065-00	$66.96
092A-2599-066-00	$66.96
092A-2599-067-00	$66.96
092A-2599-068-00	$66.96
092A-2599-069-00	$66.96
092A-2599-070-00	$66.96
092A-2599-071-00	$66.96
092A-2599-072-00	$66.96
092A-2599-073-00	$66.96
092A-2599-074-00	$66.96
092A-2599-075-00	$66.96
092A-2599-076-00	$66.96
092A-2599-077-00	$66.96
092A-2599-078-00	$66.96
092A-2599-079-00	$66.96
092A-2599-080-00	$66.96
092A-2599-081-00	$66.96
092A-2599-082-00	$66.96
092A-2599-083-00	$66.96
092A-2599-084-00	$66.96
092A-2599-085-00	$66.96
092A-2599-086-00	$66.96
092A-2599-087-00	$66.96
092A-2599-088-00	$66.96
092A-2599-089-00	$66.96
092A-2599-090-00	$66.96
092A-2599-091-00	$66.96
092A-2599-092-00	$66.96
092A-2599-093-00	$66.96

CITY OF NEWARK
LANDSCAPING & LIGHTING DISTRICT No. 18
ASSESSMENT ROLL
FISCAL YEAR 2024-25

Assessor's Parcel Number	Assessment Amount
092A-2599-094-00	$66.96
092A-2599-095-00	$66.96
092A-2599-096-00	$66.96
092A-2599-097-00	$66.96
092A-2599-098-00	$66.96
092A-2599-099-00	$66.96
092A-2599-100-00	$66.96
092A-2599-101-00	$66.96
Total Parcels:	164
Total Assessment:	$10,981.44

NEWARK
california

Landscaping and Lighting District No. 19

Fiscal Year 2024-25
Preliminary Engineer's Report

June 13, 2024

Prepared by

FRANCISCO AND ASSOCIATES
Where Innovative Strategies Fund Tomorrow's Communities

Table of Contents

Page No.

Certificate ii

Section I - Introduction 1

Section II – Engineer's Report 3

Part A – Plans and Specifications 5

Part B – Estimate of Cost 13

Part C – Assessment District Diagram 15

Part D – Method of Apportionment of Assessments 23

Part E - Assessment Roll 31

ENGINEER'S REPORT
CITY OF NEWARK
LANDSCAPING AND LIGHTING DISTRICT NO. 19
FISCAL YEAR 2024-25

The undersigned, acting on behalf of Francisco & Associates respectfully submits the enclosed Engineer's Report as directed by the Newark City Council pursuant to the provisions of Article XIIID, Section 4 of the California Constitution, and the Landscape and Lighting Act of 1972 being Section 22500 et al of the California Streets and Highways Code (the "1972 Act"). The undersigned certifies that he is a Professional Engineer, registered in the State of California.

Dated: May 14, 2024

By: _____
Eduardo Espinoza, P.E.
RCE # 83709

SECTION I

INTRODUCTION

The City of Newark ("City") levies and collects special assessments on parcels within the City of Newark Landscaping and Lighting District No. 19 ("District") to maintain public improvements. The District was formed in December of 2016 to provide a dedicated source of funding for the ongoing maintenance of median and buffer landscape, street lighting, and park improvements benefiting parcels within the boundaries of the District. Since formation, additional properties have been annexed into the District. A historical listing of the date each annexation occurred since formation follows:

- Annexation No. 1 (September 14, 2017)
- Annexation No. 2 (September 14, 2017)
- Annexation No. 3 (September 14, 2017)
- Annexation No. 4 (May 9, 2019)
- Annexation No. 5 (November 12, 2020)
- Annexation No. 6 (January 27, 2022)

Following the approval of the annexations listed above, the District consists of the following seven (7) zones of benefit.

- Zone 1 (Bayshores)
  The Bayshores Tract Map 8085 was comprised of residential lots (detached homes, condominiums, and townhomes), landscape lots, a park area, and private roads. The landscape lots and park around the clubhouse will be maintained by the Homeowners Association and will not be funded by assessments.

- Zone 2 (Lighthouse)
  The Lighthouse Tract Map 8157 was comprised of eighty-eight (88) condominium units and private roads.

- Zone 3 (Newark Senior Housing – USA Properties)
  The Newark Senior Housing – USA Properties project is comprised of one building, containing seventy-five (75) apartment units.

- Zone 4 (Tract 8098 – Glass Bay)
  The Glass Bay Tract Map 8098 was comprised of two hundred and seventeen (217) single-family homes and private roads.

- Zone 5 (Tracts 8099 & 8436 - Bridgeway)
  The Bridgeway Development was comprised of Tract 8099 and 8436 and contains three hundred and six (306) single family lots and two hundred and seventy (270) multi-family units.

- Zone 6 (Tract 8459 – Compass Bay)
  The Compass Bay Development was comprised of Tract 8459 which included fifty-three (53) single family lots and eighty-five (85) multi-family units.

- Zone 7 (Tract 8453 – Harbor Pointe)
  The Harbor Pointe (Bridgeway Parcel C) Development was comprised of Tract 8453 and contains one hundred and ninety two (192) single family lots.

The assessments and method of apportionment described in this Report utilize commonly accepted assessment engineering practices and have been calculated and proportionately spread to each parcel based on the special benefits received as approved by the City Council at the time the District was formed and each subsequent zone of benefit was established.

The District generally consists of those properties in an area known as Bayside Newark, formerly known as the Dumbarton Transit-Oriented Development. The Bayside Newark project is located next to the proposed commuter rail station near the corner of Willow Avenue and Enterprise Drive. A reduced copy of the Assessment Diagram showing the exterior boundaries of the District and each zone of benefit is provided in Part C of this Report.

Impacts of Proposition 218

On November 5, 1996 California voters approved Proposition 218 entitled "Right to Vote on Taxes Act" which added Articles XIIIC and XIIID to the California Constitution. While its title refers only to taxes, Proposition 218 established new procedural requirements for the formation and administration of assessment districts.

These new procedures stipulate that even if assessments are initially exempt from Proposition 218, future increases in assessments must comply with the provisions of Proposition 218. However, if the increase in assessments were anticipated in the assessment formula (e.g., CPI increase or assessment cap) then the assessment would comply with the intent and provisions of Proposition 218.

Current Annual Administration

As required by the 1972 Act, the Engineer's Report includes: (1) a description of the improvements to be operated, maintained, and serviced by the District and each benefit zone, (2) a cost estimate for the District and each benefit zone, and (3) a listing of the proposed Fiscal Year 2024-25 assessments to be levied upon each assessable lot or parcel within the District and each benefit zone.

The City will hold a Public Hearing on July 11, 2024, regarding this District which will provide an opportunity for any interested person to be heard. At the conclusion of the Public Hearing, the City Council may adopt a resolution confirming the assessment rates as originally proposed or as modified. Payment of annual assessments for each parcel will be made in the same manner and at the same time as payments are made for their annual property taxes. All funds collected through the assessments must be placed in a special fund and can only be used for the purposes stated within this Report.

SECTION II

ENGINEER'S REPORT PREPARED FOR THE CITY OF NEWARK LANDSCAPING AND LIGHTING DISTRICT NO. 19 FISCAL YEAR 2024-25

Pursuant to the Landscaping and Lighting Act of 1972 (Part 2 of Division 15 of the Streets and Highways Code of the State of California), and in accordance with the Resolution of Initiation, being Resolution No. 11631, which directs the preparation and filing of the Engineer's Report, adopted by the City Council of the City of Newark, on April 11, 2024, the following Report was prepared consisting of Section I (Introduction), and this, Section II, which consists of five (5) parts as follows:

PART A: PLANS AND SPECIFICATIONS

This part describes the improvements maintained by the District. Plans and specifications for the improvements are on file in the Office of the Director of Public Works of the City of Newark and are incorporated herein by reference.

PART B: ESTIMATE OF COST

This part contains an estimate of the cost of the proposed improvements to be maintained for Fiscal Year 2024-25, including incidental costs and expenses in connection therewith. The estimate is attached hereto and is on file in the Office of the Director of Public Works of the City of Newark.

PART C: ASSESSMENT DISTRICT DIAGRAM

This part incorporates a Diagram of the District showing the exterior boundaries of the District, the boundaries of any zones within the District and the lines and dimensions of each lot or parcel of land within the District. This Diagram has been prepared by the Engineer of Work and is on file in the Office of the Director of Public Works of the City of Newark.

The lines and dimensions of each lot or parcel within the District are those lines and dimensions shown on the maps of the Alameda County Assessor for the year when this Report was prepared. The Assessor's maps and records are incorporated by reference herein and made a part of this Report.

PART D: METHOD OF APPORTIONMENT OF ASSESSMENTS

This part describes the method of apportionment of assessments, based upon each parcel's classification within the District in proportion to the estimated special benefits to be received.

PART E: ASSESSMENT ROLL

This part contains an assessment of the estimated cost of the improvements apportioned to each benefited parcel of land within the District. The Assessment Roll is filed in the Office of the City Clerk of the City of Newark and is incorporated in this Report. The list is keyed to the records of the Alameda County Assessor, which are incorporated herein by reference.

PART A

PLANS AND SPECIFICATIONS

IMPROVEMENTS AND SERVICES PURSUANT TO THE 1972 ACT

The improvements and services authorized by the provisions of the Landscape and Lighting Act of 1972, being Part 2 of Division 15 of the Streets and Highways Code, commencing with Section 22500 (hereafter referred to as the "1972 Act"), that may be applicable to this District and associated assessments may include one or more of the following definitions:

- "Improvement" means one or any combination of the following:
  - The installation or planting of landscaping.
  - The installation or construction of statuary, fountains, and other ornamental structures and facilities.
  - The installation or construction of public lighting facilities, including, but not limited to, traffic signals.
  - The installation or construction of any facilities which are appurtenant to any of the forgoing, or which are necessary or convenient for the maintenance or servicing thereof, including, but not limited to, grading, clearing, removal of debris, the installation or construction of curbs, gutters, walls, sidewalks, or paving, or water, irrigation, drainage, or electrical facilities.
  - The installation of park or recreational improvements, including, but not limited to all the following:
    - Land preparation, such as grading, leveling, cutting and filling, sod, landscaping, irrigation systems, sidewalks, and drainage.
    - Lights, playground equipment, play courts, and public restrooms.
  - The maintenance or servicing, or both, of any of the forgoing, and of any improvements authorized below.
  - The acquisition of land for park, recreational, or open space purposes.
  - The acquisition of any existing improvement otherwise authorized herein.
  - The acquisition or construction of any community center, municipal auditorium or hall, or similar public facility for the indoor presentation of performances, shows, stage productions, fairs, conventions, exhibitions, pageants, meetings, parties, or other group events, activities, or functions, whether those events, activities, or functions are public or private.
- "Incidental expenses" include all the following:
  - The costs of preparation of the report, including plans, specifications, estimates, diagram, and assessment.
  - The costs of printing, advertising, and giving of published, posted, and mailed notices.
  - Compensation payable to the county for collection of assessments.
  - Compensation of any engineer or attorney employed to render services in proceedings pursuant to this part.
  - Any other expenses incidental to the construction, installation, or maintenance and servicing of improvements.

  - Any expenses incidental to the construction, installation, or maintenance and servicing of the improvements.
  - Any expenses incidental to the issuance of bonds or notes.
  - Costs associated with any elections held for the approval of a new or increased assessment.

- "Landscaping" means trees, shrubs, grass, or other ornamental vegetation.

- "Maintain" or "maintenance" means the furnishing of services and materials for the ordinary and usual maintenance, operation, and services of any improvement, including:
  - Repair, removal or replacement of all or any part of any improvement.
  - Providing for the life, growth, health, and beauty of landscaping, including cultivation, irrigation, trimming, spraying, fertilizing, or treating for disease or injury.
  - The removal of trimmings, rubbish, debris, and other solid waste.
  - The cleaning, sandblasting, and painting of walls and other improvements to remove or cover graffiti.

- "Public lighting facilities" means all works or improvements used or useful for the lighting of any public places, including ornamental standards, luminaries, poles, supports, tunnels, manholes, vaults, conduits, pipes, wires, conductors, guys, stubs, platforms, braces, transformers, insulators, contacts, switches, capacitors, meters, communication circuits, appliances, attachments, and appurtenances.

- "Service" or "servicing" means the furnishing of:
  - Electric current or energy, gas, or other illuminating agent for any public lighting facilities or for the lighting or operation of any other improvements.
  - Water for the irrigation of any landscaping, the operation of any fountains, or the maintenance of any other improvements.

DESCRIPTION OF DISTRICT IMPROVEMENTS

The improvements, which have been constructed within the City, and those which may be subsequently constructed, operated, maintained, and serviced with District assessments are generally described as follows:

- The Landscape Improvements include, but are not limited to landscaping, planting, turf, trees, irrigation systems, and fixtures in public street and sidewalk rights-of-way, including medians, traffic circles, parkways and other easements dedicated to the City within, and adjacent to, the zones.

- The Park Improvements include but are not limited to landscaping, planting, shrubbery, trees, irrigation systems, hardscapes and fixtures, trails, and open space areas.

- Street Lighting Improvements include, but are not limited to poles, fixtures, bulbs, conduits, conductors, equipment including guys, anchors, posts and pedestals, metering devices and appurtenant facilities as required to provide lighting in public street and sidewalk rights-of-way and other easements dedicated to the City within, and adjacent to, the zones.

Improvement diagrams have been prepared identifying all improvements and areas that are to be maintained by the District. A copy of these diagrams is on file with the City's Public Works Department.

A more detailed description of the facilities which either have or will be constructed, operated, maintained, and serviced by each of the benefit zones follows.

Zone 1 (Bayshores)

Landscape Improvements

The Landscape Improvements include streetscapes, medians, and traffic circles, specifically:

- The south side of Central Avenue, between Willow Street and Salty Cove Road.
- The south side of Central Avenue, between Salty Cove Road and Hickory Street.
- East side of Willow Street, south of Central Avenue.
- West side of Willow Street, along the eastern border of the tract, including planter strips.
- Medians along Willow Street, between Central Avenue and Seawind Way.
- Traffic Circles at the intersections of Willow Street and Central Avenue, and Willow Street and Seawind Way.
- 47 Trash Capture Devices ("TCD") throughout the project, to keep trash from collecting in the landscaped areas along the southern edge of the project and the wetlands beyond.

Street Lighting Improvements

The Street Lighting Improvements will be located along streets within the zone as shown below:

- 7 streetlights located along Seawind Way at the eastern boundary of the zone.
- 10 streetlights located along Spring Tide Road, through the center of the zone.
- 3 streetlights located along Bayshores Drive.

- 2 streetlights located along Quiet Cove Way.
- 2 streetlights located along Lookout Way.
- 6 streetlights located along Harbor Light Road.
- 7 streetlights located along Central Avenue at the southern boundary of the zone.
- 13 streetlights located along Willow Street at the eastern boundary of the zone.

Zone 2 (Lighthouse)

Landscape Improvements

The Landscape Improvements include streetscapes, medians, and traffic circles, specifically:

- Northwest corner of intersection of Willow Street and Seawind Way.
- West side of Willow Street, along the easterly border of the tract, including planter strips.
- Medians along Willow Street, between Seawind Way and the northerly border of the tract.
- Traffic Circle at the intersection of Willow Street and Seawind Way.
- One TCD on Seawind Way.

Street Lighting Improvements

The Street Lighting Improvements will be located along streets within the zone as shown below:

- 3 streetlights located along Seawind Way.
- 1 streetlight located along Willow Street.
- 4 streetlights located along Willow Street between Seawind Way and Enterprise Drive.

Zone 3 (Newark Senior Housing – USA Properties)

Landscape Improvements

The Landscape Improvements include streetscapes, medians, and traffic circles, specifically:

- West side of Willow Street, along the eastern border of the project, including planter strips.

- Medians along Willow Street, between the northerly and southerly border of the project.

Street Lighting Improvements
The Street Lighting Improvements will be located along streets within the zone as shown below:

- 4 streetlights located along Willow Street between Seawind Way and Enterprise Drive.

Zone 4 (Tract 8098 – Glass Bay)

Landscape Improvements
The Landscape Improvements include streetscapes, medians, and traffic circles, specifically:

- The east side of Willow Street at the southeast and northeast corners of Seawind Way and Willow Street.
- Medians along Enterprise Drive along the northerly border of the tract.
- Traffic Circle at the intersection of Willow Street and Seawind Way.
- Traffic Circle at the intersection of Willow Street and Enterprise Drive.
- 27 Landscape Debris/TCD throughout the tract.

Street Lighting Improvements
The Street Lighting Improvements will be located along streets within the zone as shown below:

- 21 streetlights located throughout the interior of the tract.
- 4 streetlights located along Enterprise Drive at the northerly boundary of the tract.
- 4 streetlights located along Willow Street between Central Avenue and Seawind Way.
- 4 streetlights located along Willow Street between Seawind Way and Enterprise Drive.

Zone 5 (Tracts 8099 & 8436 - Bridgeway)

Landscape Improvements
The Landscape Improvements include streetscapes, medians, and traffic circles, specifically:

- Median islands at Hickory Street and Seawind Way.

- Traffic Circle at the intersection of Hickory Street and Seawind Way.
- Median islands at Seawind Way in Phase 2 of the development.
- 6 TCD on Seawind Way.
- 8 TCD on Bay Breeze Street.
- 2 TCD on Headlands Avenue.
- 17 TCD on Hickory Street.
- 12 TCD on Seawind Way, in Phase 2 of the development.
- The Bay Trail in Phases 1 and 2 of the development.

Street Lighting Improvements
The Street Lighting Improvements will be located along streets within the zone as shown below:

- 2 streetlights located along Headlands Avenue.
- 6 streetlights located along Bay Breeze Street.
- 4 streetlights located along Seawind Way in Phase 1 of the development.
- 4 streetlights located at the intersection of Seawind Way and Hickory Street.
- 15 streetlights located along Hickory Street.
- 8 streetlights located along Seawind Way in Phase 2 of the development.

Zone 6 (Tract 8459 – Compass Bay)

Landscape Improvements
The Landscape Improvements include streetscapes, medians, and traffic circles, specifically:

- Median Islands at Seawind Way and Hickory Street.
- Median Islands at Hickory Street and Enterprise Drive.
- Center Median on Enterprise Drive.
- Traffic Circle at Seawind Way and Hickory Street.

- Traffic Circle at Hickory Street and Enterprise Drive.
- 1 TCD on Seawind Way.
- 3 TCD on Hickory Street.
- 4 TCD on Enterprise Drive.

Park Improvements
Park improvements include but are not limited to landscaping, planting, shrubbery, trees, irrigation systems, hardscapes and fixtures and open space areas within a planned 5.05 acre park that is proposed for the FMC Willow Development to be located northwest of the Compass Bay development near the intersection of Hickory Street and Enterprise Drive.

Street Lighting Improvements
The Street Lighting Improvements will be located along streets within the zone as shown below:

- 1 Streetlight located on Seawind Way.
- 1 Streetlight located at the intersection of Seawind Way and Hickory Street.
- 2 Streetlights located on Hickory Street.
- 2 Streetlights located at the intersection of Hickory Street and Enterprise Drive.
- 6 Streetlights located on Enterprise Drive.

Zone 7 (Tract 8453 – Harbor Pointe)

Landscape Improvements
The Landscape Improvements include streetscapes, medians, and traffic circles, specifically:

- Traffic circle located at Enterprise Drive and Seawind Way.
- Median islands located along Enterprise Drive.
- Traffic circle located at Enterprise Drive and Hickory Street.
- 12 TCD along Enterprise Drive and the Enterprise Drive and Seawind Way traffic circle.
- The Bay Trail located along the exterior of the development.

Park Improvements

Park improvements include but are not limited to landscaping, planting, shrubbery, trees, irrigation systems, hardscapes and fixtures and open space areas within a planned 5.05 acre park that is proposed for the FMC Willow Development to be located northwest of the Compass Bay development near the intersection of Hickory Street and Enterprise Drive.

Street Lighting Improvements

The Street Lighting Improvements will be located along streets within the zone as shown below:

- 11 streetlights located along Enterprise Drive and the Enterprise Drive and Seawind Way traffic circle.

- 2 streetlights located at the traffic circle at Enterprise Drive and Hickory Street.

PART B

ESTIMATE OF COSTS

The 1972 Act requires that a special fund be set up for the collection of revenues and expenditures of the District. The Act provides that the total cost of construction, operation, and maintenance and servicing of the public improvements specified in Part A of this Report can be recovered by the District. Incidental expenses including administration of the District, engineering fees, legal fees and all other costs associated with the construction, operation and maintenance and servicing of the District can also be included.

Funds raised from the assessments shall be used only for the expenditures represented above. A contribution to the District by the City may be made to reduce assessments as the City deems appropriate. Any balance remaining on July 1 at the end of the fiscal year must be carried over to the next fiscal year unless the funds are being accumulated for future capital replacement projects or operating reserves.

The following table provides a summary of the estimated District revenues and cost estimates for Fiscal Year 2024-25.

Landscaping and Lighting District No. 19
Fiscal Year 2024-25 Cost Estimate

	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6	Zone 7	Total Amount
Projected Revenues								
Assessment Revenue	$41,551	$3,923	$2,720	$19,777	$40,200	$12,546	$0	$120,718
Non-Assessment Revenues[1]	$12,758	$3,258	$3,196	$5,004	$6,711	$4,908	$0	$35,836
Total Projected Revenues	**$54,309**	**$7,181**	**$5,916**	**$24,782**	**$46,911**	**$17,454**	**$0**	**$156,554**
Projected Expenses								
Contract Services[2]	$20,966	$5,702	$6,007	$3,663	$5,991	$4,580	$0	$46,908
Utilities	$6,521	$417	$599	$2,178	$3,562	$2,723	$0	$16,000
Administration and Incidentals	$15,310	$980	$1,406	$5,114	$8,364	$6,394	$0	$37,568
County Collection Fees	$706	$67	$46	$336	$683	$213	$0	$2,052
Unforeseen Maintenance and Repairs[3]	$2,175	$358	$403	$565	$930	$695	$0	$5,126
Total Projected Expenses	**$45,678**	**$7,525**	**$8,461**	**$11,855**	**$19,531**	**$14,605**	**$0**	**$107,655**
Projected Fund Balance								
Beginning Fund Balance - July 1, 2024	$272,687	$22,069	$15,302	$111,252	$190,244	$11,763	$0	$623,316
Reserve Fund Collection Increase/(Decrease)	$8,631	($343)	($2,545)	$12,927	$27,380	$2,849	$0	$48,899
Ending Fund Balance - June 30, 2025	$281,317	$21,726	$12,757	$124,178	$217,624	$14,612	$0	$672,215
Recommended Operating Reserves	$21,752	$3,583	$4,029	$5,645	$9,300	$6,955	$0	$51,264
Available Operating Reserves	$21,752	$3,583	$4,029	$5,645	$9,300	$6,955	$0	$51,264
Available Capital Reserves	$259,566	$18,143	$8,728	$118,533	$208,324	$7,657	$0	$620,951

[1]Non-Assessment Revenues include interest earnings estimated at 1.5% of Projected Beginning Fund Balance and the City contribution in the amount of $12,968 for General Benefits and $13,519 for Special Benefits conferred to property not in the District.

[2]Includes $10,000 in Zone 1 and $5,000 in Zones 2 and 3 for mulch and tree replacement projects.

[3]Unforeseen Maintenance and Repairs are assumed to be 5% of the Projected Expenses.

The purpose of the various reserves is to ensure the District will have funds available for cashflow purposes and to repair or reconstruct the improvements that are the responsibility of the District.

The Recommended Operating Reserve target is fifty percent (50%) of the projected expenditures. Maintaining a fully funded Operating Reserve eliminates the need for the City to transfer funds from non-District accounts to pay for operational expenses during the first half of the fiscal year and provides the District with sufficient funds to address any unforeseen or unusual expenditures that may occur during the year.

The purpose of collecting and holding funds in a Capital Reserve is so that when improvements need to be replaced or expenditures are greater than can be conveniently raised from a single year's assessment, funds are available so that the District can respond and address the need promptly.

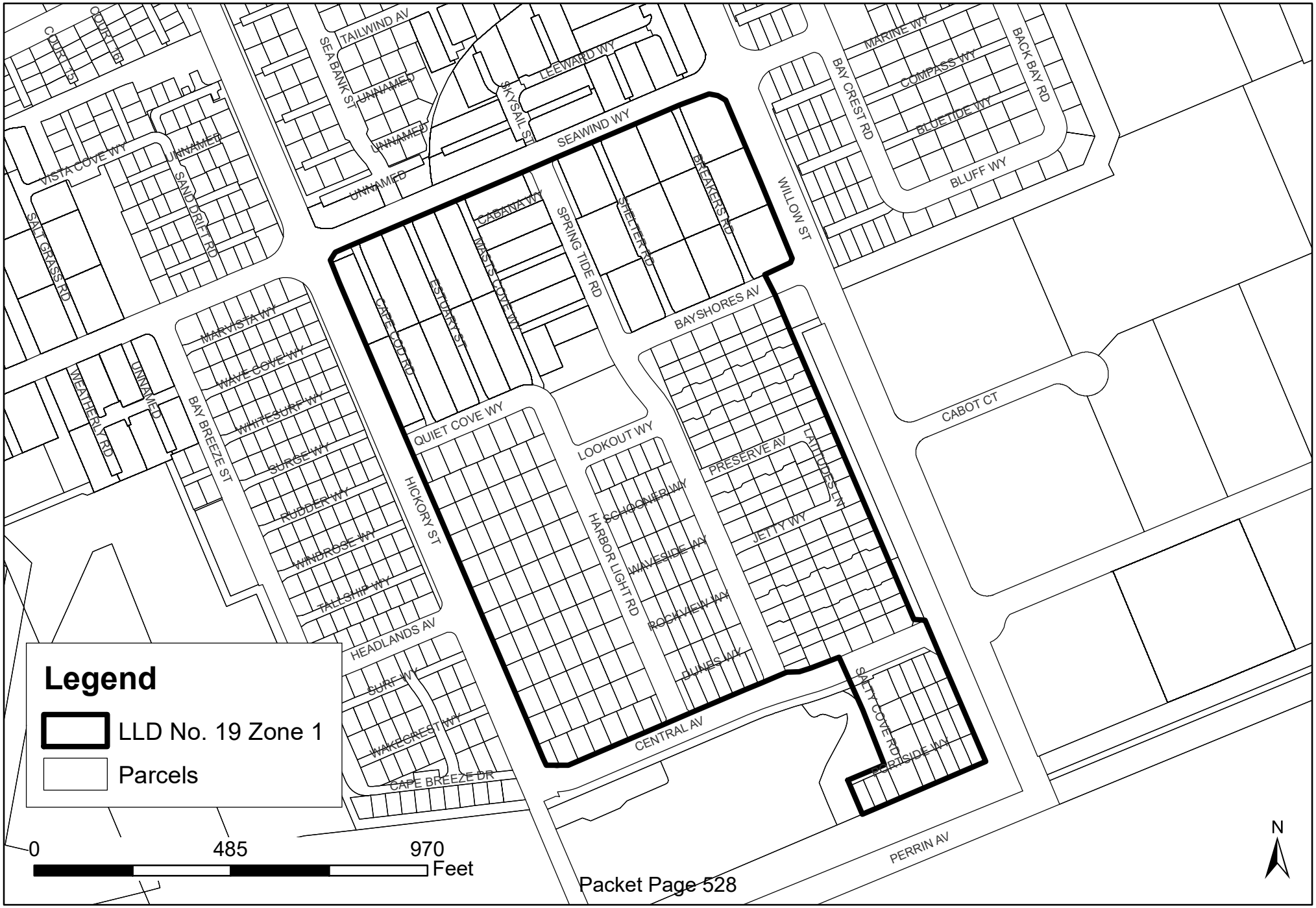
PART C

ASSESSMENT DISTRICT DIAGRAM

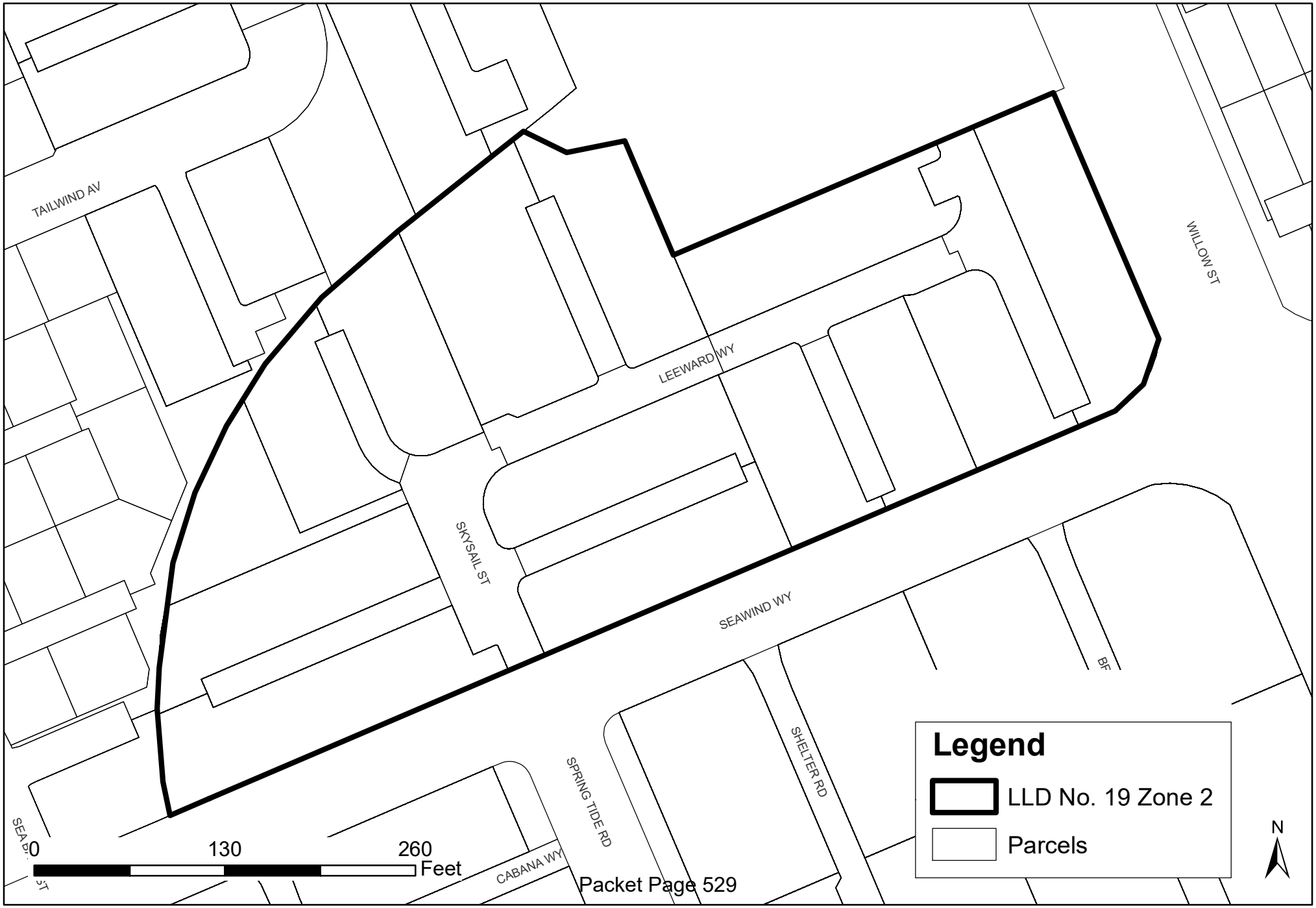
The boundaries of the District and each zone of benefit are shown herein. The Diagram is on file in the Public Works Department of the City and shown on the following page of this Engineer's Report. The lines and dimensions of each parcel within the District are those lines and dimensions shown on the maps of the Alameda County Assessor for the year in which this Report was prepared and are incorporated by reference herein and made part of this Report.

A reduced copy of the Assessment Diagram is shown on the following page.

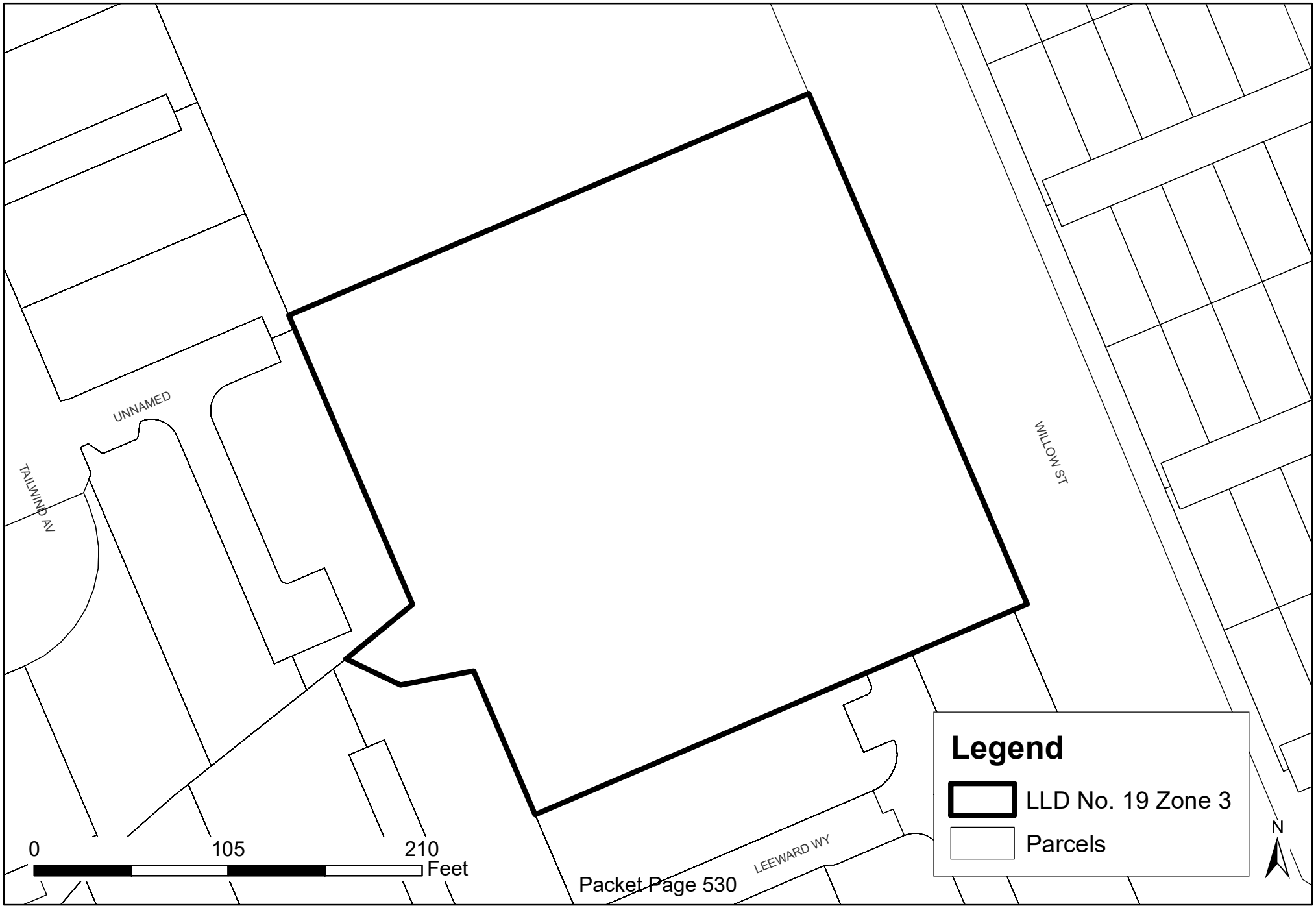
LANDSCAPING AND LIGHTING DISTRICT NO. 19 ZONE 1
(BAYSHORES)
ASSESSMENT DIAGRAM



LANDSCAPING AND LIGHTING DISTRICT NO. 19 ZONE 2
ANNEXATION NO. 1 (LIGHTHOUSE)
ASSESSMENT DIAGRAM



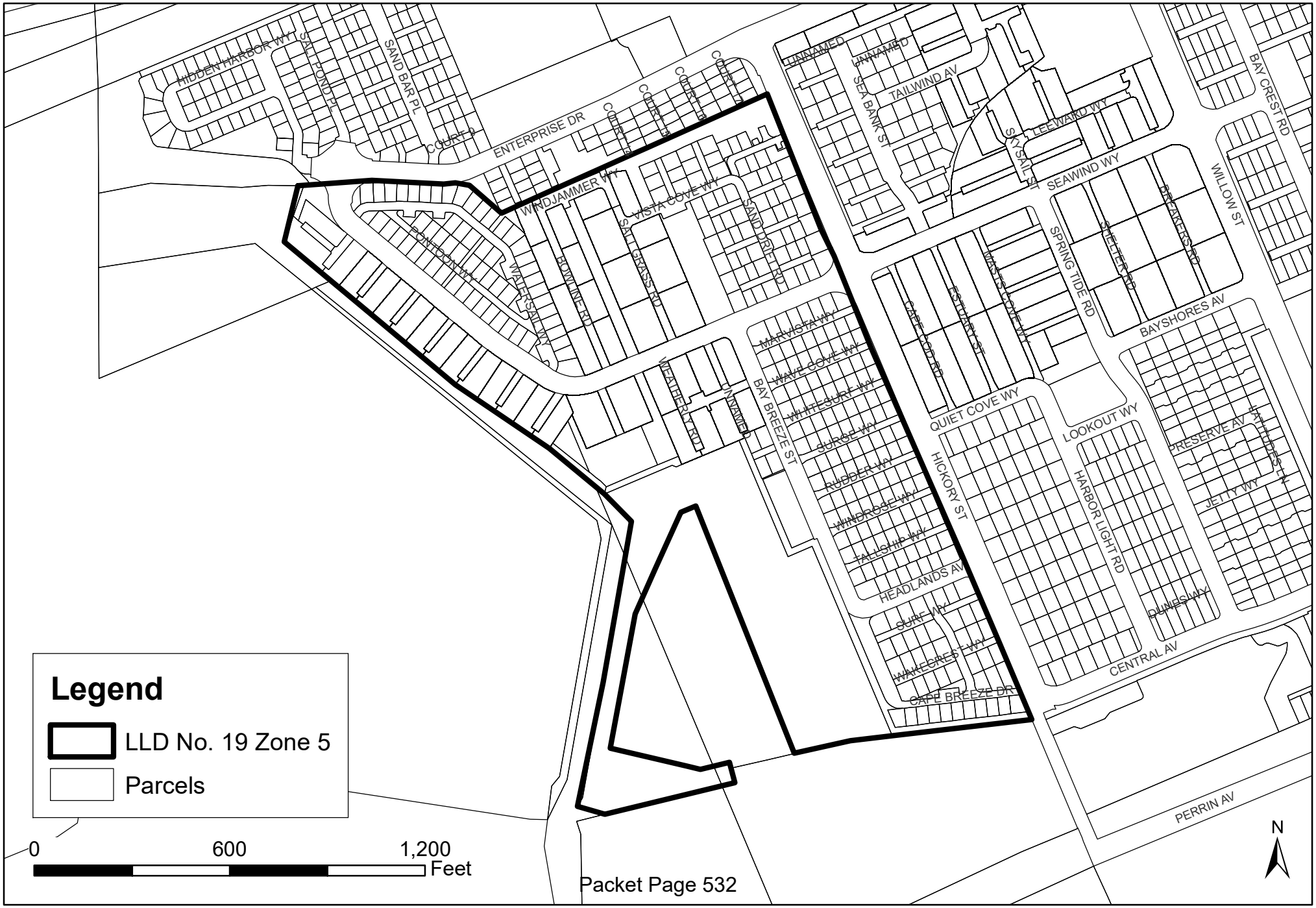
LANDSCAPING AND LIGHTING DISTRICT NO. 19 ZONE 3
ANNEXATION NO. 2 (NEWARK SENIORS HOUSING)
ASSESSMENT DIAGRAM



LANDSCAPING AND LIGHTING DISTRICT NO. 19 ZONE 4
ANNEXATION NO. 3 (GLASS BAY)
ASSESSMENT DIAGRAM



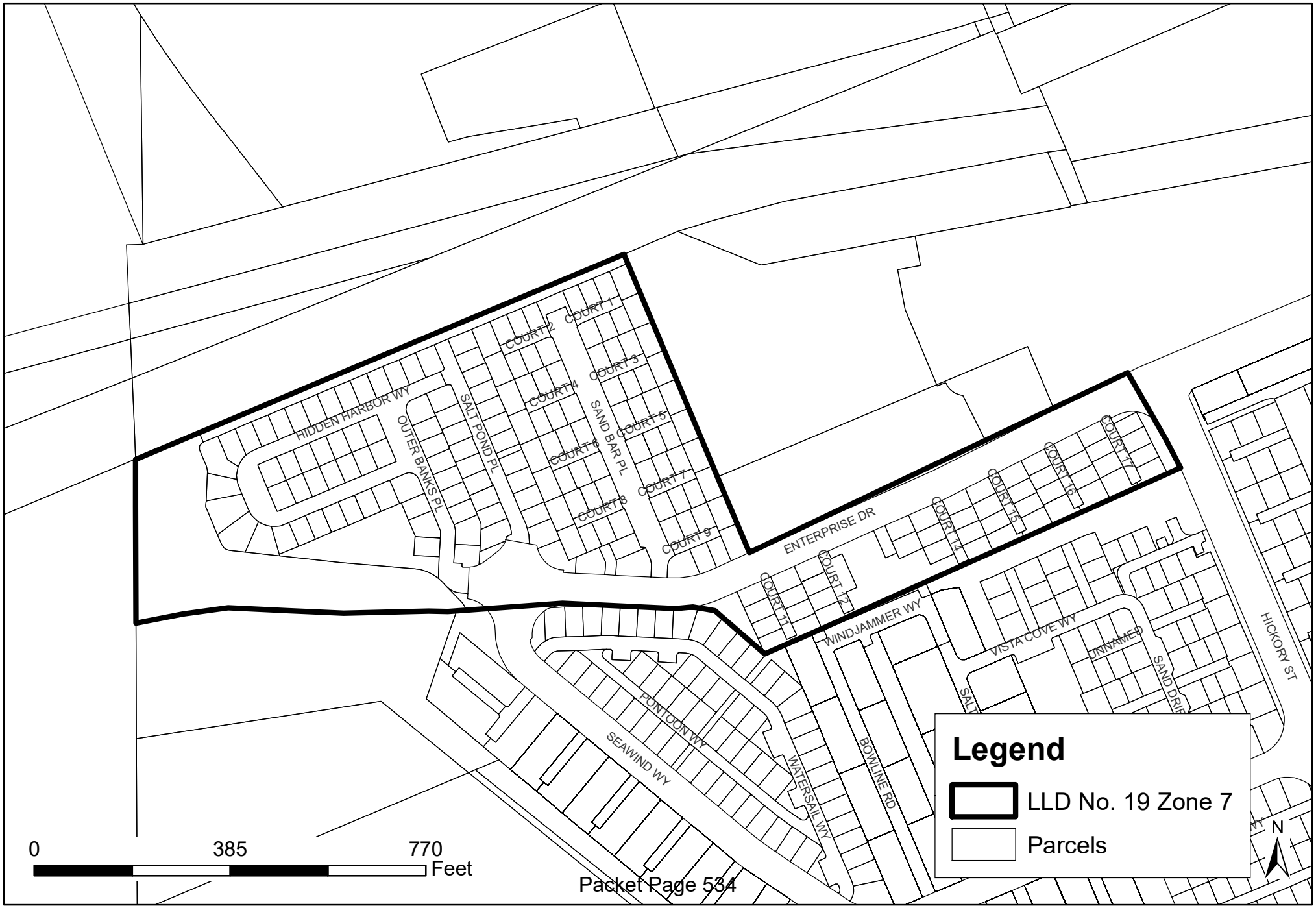
LANDSCAPING AND LIGHTING DISTRICT NO. 19 ZONE 5
ANNEXATION NO. 4 (BRIDGEWAY)
ASSESSMENT DIAGRAM



LANDSCAPING AND LIGHTING DISTRICT NO. 19 ZONE 6
ANNEXATION NO. 5 (COMPASS BAY)
ASSESSMENT DIAGRAM



LANDSCAPING AND LIGHTING DISTRICT NO. 19 ZONE 7
ANNEXATION NO. 6 (HARBOR POINTE)
ASSESSMENT DIAGRAM



PART D

METHOD OF APPORTIONMENT OF ASSESSMENTS

This section explains the benefits to be derived from the improvements and the methodology used to apportion the total costs of the improvements to properties within the District. The method used for apportioning the assessment is based upon the relative special benefits to be derived by the properties in the District and any established benefit zones. The assessment is apportioned to each parcel in proportion to the relative cost of the special benefits from the improvements.

General

The 1972 Act permits the establishment of assessment districts by agencies for the purpose of providing certain public improvements which include the construction, maintenance and servicing of streetlights, landscaping, parks, trails, open space, and appurtenant facilities. The 1972 Act further requires that the cost of these improvements be levied according to benefit rather than assessed value:

> *"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements."*

The formula used for calculating assessments in the District therefore needs to reflect the composition of the parcels, and the improvements and services provided, to fairly apportion the costs based on estimated benefit to each parcel. In addition, Article XIIID, of the California Constitution limits the amount of any assessment to the proportional "special benefit" conferred on the property. Article XIIID provides that only special benefits are assessable, and the City must separate the general benefits from the special benefits conferred on a parcel. There is no widely accepted or statutory formula for determining general and special benefit. However, the constitution states that a special benefit is different from a general benefit in that it is "particular and distinct" and "over and above" general benefits received by other properties. The 1972 Act permits the designation of zones of benefit within any individual assessment district if "by reasons or variations in the nature, location, and extent of the improvements, the various areas will receive different degrees of benefit from the improvement." Thus, the 1972 Act requires the levy of a true "assessment" rather than a "special tax".

Article XIIID provides that publicly owned properties must be assessed unless there is clear and convincing evidence that those properties receive no special benefit from the assessment. Exempted from the assessment would be the areas of public streets, public avenues, public lanes, public roads, public drives, public courts, public alleys, public easements and rights-of-ways, public greenbelts and public parkways, utility easements, and that portion of public property that is not developed and used for business purposes similar to private residential, commercial, industrial, and institutional activities.

The amount to be assessed may be apportioned by any formula or method which fairly distributes the amount among all assessable lots or parcels. In order for the City to separate out the general and special benefits for each improvement type, an analysis of each improvement was conducted. The analysis reviewed the purpose and users of each improvement, and then identified the properties that benefit from the improvement both within and outside the District and each zone of benefit, and then allocated the costs to maintain, service, and replace each improvement type to each identified property.

Because general benefits are not assessable, any costs associated with general benefits or special benefits assigned to properties (both within and outside and the District and each zone of benefit) not in a zone of benefit are to be paid for by the City or by the area receiving special benefits from the improvements. Only the costs associated with the special benefits conferred on property within each zone of benefit from the authorized improvements are assessable, and therefore assessed herein. A full analysis showing the quantification and separation of special and general benefits performed by the City and Assessment Engineer at the time of formation and the establishment of each zone of benefit can be found in the formation and annexation reports for each zone of benefit. A summary of the analysis by improvement type is described below.

Discussion of Benefit

Each of the improvements have been carefully reviewed by the City and the corresponding assessments have been proportionately spread to each parcel based on the special benefits conferred to property from the improvements as determined at the time the District and each subsequent zone of benefit was established.

The District consists of all Assessor Parcels within the boundaries of a zone of benefit. The method of apportioning costs and assessing properties is based upon the proportional special benefits to be conferred by the improvements and services within each zone of benefit to the properties within and outside the boundaries of the District and each zone of benefit. The apportioning of special benefit is a two-step process: the first step is to identify the types of special benefits arising from the improvements and services, and the second step is to allocate the costs and assign assessments to property based on the estimates of the special benefit being conferred to each property.

In determining the proportionate special benefit derived by each identified parcel, the proximity of the parcel to the public improvements detailed in Part A above, and the capital, maintenance, and operating costs of said public improvements, was considered and analyzed. Due to the close proximity of the parcels to the improvements detailed in Part A above, it has been demonstrated and determined that the parcels are uniquely benefited by, and receive a direct advantage from, and are conferred a particular and distinct special benefit over and above general benefits by said public improvements in a way that is particular and distinct from its effect on other parcels, and that real property in general and the public at large do not share.

In summary, the assessments can only be levied based on the special benefit to property conferred from the installation, maintenance, and servicing of the improvements funded by

each zone of benefit within the District. These special benefits are not dependent on any one property owner's use of each zone of benefit's improvements or their specific demographic status. The basis for these special benefits comes from statutes approved by the California Legislature and other studies that describe the types of benefits received by property from such improvements. The identified special benefits conferred to property from the improvements are summarized as follows.

Special Benefit from Landscape Maintenance

All parcels within each zone of benefit of the District receive special benefit from Landscape Maintenance. Trees, landscaping, hardscapes, ornamental structures, and appurtenant facilities, if well maintained, confer a particular and distinct special benefit upon real property within each zone of benefit by providing beautification, shade and positive enhancement of the community character, attractiveness, and desirability of the surroundings. In addition, all the aforementioned contribute to a specific increase in property desirability and a specific enhancement of the property value of each parcel within each zone of benefit of the District.

In Parkways and Land Values, written by John Nolan and Henry V. Hubbard in 1937, it is stated:

> " ... there is no lack of opinion, based on general principles and experience and common sense, that parkways do in fact add value to property, even though the amount cannot be determined exactly .... Indeed, in most cases where public money has been spent on parkways the assumption has been made that the proposed parkway will show a provable financial profit to the City. It has been believed that the establishment of parkways causes a rise in real estate values throughout the City, or in parts of the City, ... "

It should be noted that the definition of "parkways" above may include the roadway as well as the landscaping alongside the roadway.

Special Benefit from Street Lighting Maintenance

All parcels within each applicable zone of benefit of the District receive special benefit from Street Lighting Maintenance. The special benefit from street lighting can be measured by increased safety to people and property, as well as the increased availability of lighting. The safety to people results in a special benefit to parcels because street lighting improves traffic safety during ingress and egress to the property and creates a deterrent to crime against property. The safety to property results in a special benefit to both developed and vacant or undeveloped parcels because street lighting operation, maintenance and servicing provides for the protection of buildings and personal property against crimes such as theft and vandalism.

Additionally, all parcels in the applicable zones of benefit receive a special benefit from the installation, operation, maintenance, and servicing of the street lighting on collector streets. Collector street lighting benefits properties primarily because the properties, and the persons traveling to and from the properties, are provided safe street access.

Special Benefit from Park Maintenance

All parcels within Zones 6 (Tract 8459 – Compass Bay) and 7 (Tract 8453 – Harbor Pointe) receive special benefit from Park Maintenance. The overall quality of life and desirability of an area is enhanced, when public parks and recreational facilities are in place, improved, operable, safe, clean, and properly maintained. Conversely, property desirability decreases when park and recreational facilities are unsafe or destroyed by the elements or vandalism.

Property desirability in an area also increases when there is an increase in the number of parks, recreation centers and sports facilities. These park and recreational facilities enable property owners to participate in sporting events, leisure activities, picnics, organized social events, and other miscellaneous activities.

Studies in several communities, including counties and cities throughout the United States, have indicated that recreation areas and facilities, if well maintained and wisely administered, have caused a marked increase in the property values of parcels in the community. Consequently, such recreation and park facilities have proved a potent factor in maintaining a sound economic condition and a high standard of livability in the community. These studies confirm the opinion, long held by planning authorities, as to the economic value of parks and recreational facilities in a community.

> *"The recreation value is realized as a rise in the value of land and other property in or near the recreation area, and is of both private interest to the landowner and others, holding an economic stake in the area, and of public interest to the taxpayers, who have a stake ...." (National Recreation and Park Association, June 1985)*

> *"Recreation and park amenities are central components in establishing the quality of life in a community. ... [Businesses'] main resource is their employees for whom quality of life is an important issue… The availability and attractiveness of local parks and programs influences some companies' relocation decisions. ... the presence of a park encourages real estate development around it.... ". (California Parks & Recreation, Winter 1997)*

The benefit of parks and other recreational facilities to residential and commercial/industrial properties has been summarized by several studies. The United States Department of the Interior, National Park Service, in a publication from June 1984, concluded that:

- Parks and recreation stimulate business and generate tax revenues
- Parks and recreation help conserve land, energy, and resources
- An investment in parks and recreation helps reduce pollution and noise, makes communities more livable, and increases property values
- Public recreation benefits all residents and employers by providing continuing opportunities to maintain a level of fitness throughout one's working life, and through helping individuals cope with the stress of a fast-paced and demanding life

Proper maintenance and operation of the parks within the City benefits those properties within the service areas of the parks by providing environmental quality and recreational enhancement.

Special Benefit to Parcels Outside of the District

There are parcels outside each zone of benefit that receive special benefit from some of the improvements. Based on the analysis performed at the time of formation and the establishment of each subsequent annexation, a summary of the percentage of annual costs attributable to special benefits to parcels outside the District by zone of benefit is shown below:

LLD No. 19 Benefit Zone	Percentage of Costs Attributed to Special Benefit Outside the Zone
Zone 1 (Bayshore)	4.46%
Zone 2 (Lighthouse)	36.23%
Zone 3 (Newark Senior Housing)	35.06%
Zone 4 (Tract 8098 - Glass Bay)	11.29%
Zone 5 (Tracts 8099 & 8436 - Bridgeway)	3.97%
Zone 6 (Tract 8459 - Compass Bay)	25.17%
Zone 7 (Tract 8453 - Harbor Pointe)	3.83%

The share of costs attributable to special benefits conferred to parcels outside of each zone of benefit cannot be assessed to properties within each specific zone, but are required to be paid by some other source, such as the City's General Fund.

General Benefit

The Assessment Engineer at the time of District formation and at the establishment of each subsequent annexation performed an analysis and determined there are general benefits conferred from the landscape and park improvements to the public at large. Based on these analyses performed by the original Assessment Engineer, a summary of the percentage of annual costs attributable to general benefit are shown below:

LLD No. 19 Benefit Zone	Percentage of Costs Attributed to General Benefit
Zone 1 (Bayshore)	14.52%
Zone 2 (Lighthouse)	2.67%
Zone 3 (Newark Senior Housing)	0.00%
Zone 4 (Tract 8098 - Glass Bay)	16.85%
Zone 5 (Tracts 8099 & 8436 - Bridgeway)	15.78%
Zone 6 (Tract 8459 - Compass Bay)	7.23%
Zone 7 (Tract 8453 - Harbor Pointe)	6.71%

The share of costs attributable to the general benefits of each zone of benefit cannot be assessed to properties within each specific zone, but are required to be paid by some other source, such as the City's General Fund.

Method of Assessment

This process of apportioning assessments to each property involves determining the relative special benefit received by each property from the improvements and services. Since the assessment will be levied against parcels of property as shown on the tax roll, the final charges must be assigned by Assessor's Parcel Number. If assessments were to be spread just by parcel, not considering land use or parcel size, a single family parcel would be paying the same as a 50 unit apartment parcel or a large commercial establishment and this would not be equitable.

Therefore, the City and Engineer at the time of formation and the establishment of each subsequent zone, determined that the most appropriate method of apportioning costs was determined to be spreading each benefit zone costs on an Equivalent Dwelling Unit (EDU) basis. The single family detached residential unit or lot has been selected as the basic unit for calculation of assessments and is defined as one EDU. Each land-use in the District is converted to EDU's. The EDU method is seen as the most appropriate and equitable method of spread of benefit to each parcel from the improvements since it is based on land-use type and parcel size. Property within the District is assigned to one of the following categories.

Single Family Residential. Parcels zoned for single family detached home residential uses are assessed 1 EDU per dwelling unit. Parcels designated as Single Family Residential land-use will be assessed 1 EDU per dwelling unit or lot, including undeveloped subdivided residential lots and vacant land zoned for single family residential uses with a tentative or final tract map.

Multiple Family Residential. Multiple-family residential (including apartments, condominiums, townhomes, and duplexes) land use equivalencies are determined based on the number of dwelling units on each parcel. Due to population density and size of structure relative to the typical single family residence, each dwelling unit defined as multi-family residential, including apartments, condominiums, town homes, and duplexes, are assigned and EDU of 0.75 EDU . The EDU's assigned to a multiple-family residential parcel are calculated by multiplying the number of dwelling units by the EDU Factor of 0.75.

Non-Residential. In converting non-residential properties to EDU's, the EDU Factor used in each zone of benefit was determined using the EDU density of the residential property for each zone. During formation and the establishment of each subsequent zone, the number of planned residential EDU located in the zone were divided by the associated acreage to arrive at an EDU factor per acre for non-residential parcels. All properties that are developed for non-residential uses are therefore assigned an EDU factor per acre by zone of benefit, all of which are shown in the table below. Non-Residential may include but not be limited to commercial, industrial, church, school, institutional, and other non-residential uses.

Undeveloped Parcels. Undeveloped parcels receive a reduced level of benefit as compared to developed parcels. Undeveloped parcels therefore are assessed at 20% of

the non-residential rate per acre for each zone of benefit. This includes all lots designated as undeveloped or vacant without a tentative or final tract map but does not include easements or streets, whether private or public, which are non-assessable.

Exempt Parcels. - Publicly owned properties must be assessed unless there is clear and convincing evidence that those properties receive no special benefit from the improvements. Exempted from the assessment would be the areas of public streets, public avenues, public lanes, public roads, public drives, public courts, public alleys, public easements and rights-of-ways, public greenbelts, public parkways, public property designated open space, and any portion of public property that is not used for business purposes similar to private residential, commercial, industrial, and institutional activities. Also exempted from the assessments are private streets, utility easements, homeowner's or property owner's association common areas (except club houses, community centers, parking lots, etc.) and any other parcels that do not receive a special and direct benefit from the improvements.

The following table summarizes the EDU Factors by zone of benefit for each land use category.

		EDU Factor						
Land Use Classification	**Unit**	**Zone 1**	**Zone 2**	**Zone 3**	**Zone 4**	**Zone 5**	**Zone 6**	**Zone 7**
Single-Family Residential	per Dwelling Unit	1.000	1.000	1.000	1.000	1.000	1.000	1.000
Multi-Family Residential	per Dwelling Unit	0.750	0.750	0.750	0.750	0.750	0.750	0.750
Non-Residential	per Acre	11.250	8.158	27.040	10.150	8.158	7.810	8.158
Vacant Property	per Acre	2.250	1.632	5.410	2.030	1.631	1.562	1.631

Parcels within each zone may be assessed once it is anticipated that improvements will need to be maintained or reserve funds will need to be collected for the ensuing fiscal year.

The table below summarizes both the maximum and applied assessment rates per EDU for Fiscal Year 2024-25.

LLD No. 19 Benefit Zone	Maximum Assessment Rate	Applied Assessment Rate
Zone 1 (Bayshore)	$113.35	$87.34
Zone 2 (Lighthouse)	$77.15	$59.45
Zone 3 (Newark Senior Housing)	$62.76	$48.36
Zone 4 (Tract 8098 - Glass Bay)	$118.28	$91.14
Zone 5 (Tracts 8099 & 8436 - Bridgeway)	$96.83	$80.00
Zone 6 (Tract 8459 - Compass Bay)	$126.28	$107.46
Zone 7 (Tract 8453 - Harbor Pointe)	$143.93	$0.00

Maximum Assessment Rate Increases

The maximum assessment rates for each zone may be adjusted annually by the greater of the annual increase in the Bureau of Labor Statistics, Consumer Price Index for the month of February, All Urban Consumers for the San Francisco/Oakland/San Jose area, or 3%.

Appeals and Interpretations

Any property owner who feels that the assessment levied on the subject property is in error because of incorrect information being used to apply the foregoing method of assessment, may file a written appeal with City Engineer or his or her designee. Any such appeal is limited to correction of an assessment during the then current or, if before July 1, the upcoming fiscal year. Upon the filing of any such appeal, the City Engineer or his or her designee will promptly review the appeal and any information provided by the property owner. If the City Engineer or his or her designee finds that the assessment should be modified, the appropriate changes shall be made to the assessment roll. If any such changes are approved after the assessment roll has been filed with the County for collection, the City Engineer or his or her designee is authorized to refund to the property owner the amount of any approved reduction. Any property owner who disagrees with the decision of the City Engineer or her or his designee may refer their appeal to the City Council and the decision of the City Council shall be final.

PART E

ASSESSMENT ROLL

A list of names and addresses of the owners of all parcels, and the description of each parcel within the District is shown on the last equalized Secured Property Tax Roll of the Alameda County Assessor, which by reference is hereby made a part of this Report.

This list is keyed to the Assessor's Parcel Numbers as shown on the Assessment Roll, which includes the proposed amount of assessments for Fiscal Year 2024-25 apportioned to each parcel. The Assessment Roll is on file in the Public Works Department of the City and is included in this Report beginning on the next page.

The total proposed assessment for Fiscal Year 2024-25 is $120,717.72**.**

CITY OF NEWARK
LANDSCAPING & LIGHTING DISTRICT No. 19
ASSESSMENT ROLL
FISCAL YEAR 2024-25

Assessor's Parcel Number	Zone	Assessment Amount
092 -0257-033-00	1	$65.50
092 -0257-034-00	1	$65.50
092 -0257-035-00	1	$65.50
092 -0257-036-00	1	$65.50
092 -0257-037-00	1	$65.50
092 -0257-038-00	1	$65.50
092 -0257-039-00	1	$65.50
092 -0257-040-00	1	$65.50
092 -0257-041-00	1	$65.50
092 -0257-042-00	1	$65.50
092 -0257-043-00	1	$65.50
092 -0257-045-00	1	$65.50
092 -0257-046-00	1	$65.50
092 -0257-047-00	1	$65.50
092 -0257-048-00	1	$65.50
092 -0257-049-00	1	$65.50
092 -0257-050-00	1	$65.50
092 -0257-051-00	1	$65.50
092 -0257-052-00	1	$65.50
092 -0257-053-00	1	$65.50
092 -0257-067-00	1	$65.50
092 -0257-068-00	1	$65.50
092 -0257-069-00	1	$65.50
092 -0257-070-00	1	$65.50
092 -0257-071-00	1	$65.50
092 -0257-072-00	1	$65.50
092 -0257-073-00	1	$65.50
092 -0257-074-00	1	$65.50
092 -0257-075-00	1	$65.50
092 -0257-077-00	1	$65.50
092 -0257-078-00	1	$65.50
092 -0257-079-00	1	$65.50
092 -0257-080-00	1	$65.50
092 -0257-081-00	1	$65.50
092 -0257-082-00	1	$65.50
092 -0257-083-00	1	$65.50
092 -0257-084-00	1	$65.50
092 -0257-086-00	1	$65.50
092 -0257-087-00	1	$65.50
092 -0257-088-00	1	$65.50
092 -0257-089-00	1	$65.50
092 -0257-090-00	1	$65.50
092 -0257-091-00	1	$65.50
092 -0257-092-00	1	$65.50
092 -0257-093-00	1	$65.50
092 -0257-095-00	1	$65.50
092 -0257-096-00	1	$65.50
092 -0257-097-00	1	$65.50
092 -0257-098-00	1	$65.50
092 -0257-099-00	1	$65.50
092 -0257-100-00	1	$65.50
092 -0257-101-00	1	$65.50
092 -0257-102-00	1	$65.50
092 -0257-103-00	1	$65.50
092 -0257-104-00	1	$65.50
092 -0257-105-00	1	$65.50
092 -0257-107-00	1	$65.50
092 -0257-108-00	1	$65.50
092 -0257-109-00	1	$65.50
092 -0257-110-00	1	$65.50
092 -0257-111-00	1	$65.50
092 -0257-112-00	1	$65.50
092 -0257-113-00	1	$65.50
092 -0257-114-00	1	$65.50
092 -0257-115-00	1	$65.50
092 -0257-117-00	1	$65.50
092 -0257-118-00	1	$65.50
092 -0257-119-00	1	$65.50
092 -0257-120-00	1	$65.50
092 -0257-121-00	1	$65.50
092 -0257-122-00	1	$65.50
092 -0257-123-00	1	$65.50
092 -0257-124-00	1	$65.50
092 -0257-125-00	1	$65.50
092 -0257-127-00	1	$65.50
092 -0257-128-00	1	$65.50
092 -0257-129-00	1	$65.50
092 -0257-130-00	1	$65.50
092 -0257-131-00	1	$65.50
092 -0257-132-00	1	$65.50
092 -0257-133-00	1	$65.50
092 -0257-134-00	1	$65.50
092 -0257-136-00	1	$65.50
092 -0257-137-00	1	$65.50
092 -0257-138-00	1	$65.50
092 -0257-139-00	1	$65.50
092 -0257-140-00	1	$65.50
092 -0257-141-00	1	$65.50
092 -0257-142-00	1	$65.50
092 -0257-144-00	1	$65.50
092 -0257-145-00	1	$65.50
092 -0257-146-00	1	$65.50
092 -0257-147-00	1	$65.50
092 -0257-148-00	1	$65.50
092 -0257-149-00	1	$65.50
092 -0257-150-00	1	$65.50
092 -0257-151-00	1	$65.50
092 -0257-152-00	1	$65.50
092 -0257-154-00	1	$65.50
092 -0257-155-00	1	$65.50
092 -0257-156-00	1	$65.50
092 -0257-157-00	1	$65.50
092 -0257-158-00	1	$65.50
092 -0257-159-00	1	$65.50
092 -0257-160-00	1	$65.50
092 -0257-161-00	1	$65.50
092 -0257-162-00	1	$65.50
092 -0257-164-00	1	$65.50
092 -0257-165-00	1	$65.50
092 -0257-166-00	1	$65.50
092 -0257-167-00	1	$65.50
092 -0257-168-00	1	$65.50
092 -0257-169-00	1	$65.50
092 -0257-170-00	1	$65.50
092 -0257-171-00	1	$65.50
092 -0257-172-00	1	$65.50
092 -0257-174-00	1	$65.50
092 -0257-175-00	1	$65.50
092 -0257-176-00	1	$65.50
092 -0257-177-00	1	$65.50
092 -0257-178-00	1	$65.50
092 -0257-179-00	1	$65.50
092 -0257-180-00	1	$65.50
092 -0257-181-00	1	$65.50
092 -0257-182-00	1	$65.50
092 -0257-184-00	1	$65.50
092 -0257-185-00	1	$65.50
092 -0257-186-00	1	$65.50
092 -0257-187-00	1	$65.50
092 -0257-188-00	1	$65.50
092 -0257-189-00	1	$65.50
092 -0257-190-00	1	$65.50
092 -0257-191-00	1	$65.50
092 -0257-192-00	1	$65.50
092 -0257-194-00	1	$65.50
092 -0257-195-00	1	$65.50
092 -0257-196-00	1	$65.50
092 -0257-197-00	1	$65.50
092 -0257-198-00	1	$65.50
092 -0257-199-00	1	$65.50
092 -0257-200-00	1	$65.50
092 -0257-201-00	1	$65.50
092 -0257-202-00	1	$65.50
092 -0257-204-00	1	$65.50
092 -0257-205-00	1	$65.50
092 -0257-206-00	1	$65.50
092 -0257-207-00	1	$65.50
092 -0257-208-00	1	$65.50
092 -0257-209-00	1	$65.50
092 -0257-210-00	1	$65.50
092 -0257-211-00	1	$65.50
092 -0257-213-00	1	$65.50
092 -0257-214-00	1	$65.50
092 -0257-215-00	1	$65.50
092 -0257-216-00	1	$65.50
092 -0257-217-00	1	$65.50

CITY OF NEWARK
LANDSCAPING & LIGHTING DISTRICT No. 19
ASSESSMENT ROLL
FISCAL YEAR 2024-25

Assessor's Parcel Number	Zone	Assessment Amount
092 -0257-218-00	1	$65.50
092 -0257-219-00	1	$65.50
092 -0257-220-00	1	$65.50
092 -0257-221-00	1	$65.50
092 -0257-222-00	1	$65.50
092 -0257-223-00	1	$65.50
092 -0257-225-00	1	$65.50
092 -0257-226-00	1	$65.50
092 -0257-227-00	1	$65.50
092 -0257-228-00	1	$65.50
092 -0257-229-00	1	$65.50
092 -0257-230-00	1	$65.50
092 -0257-231-00	1	$65.50
092 -0257-232-00	1	$65.50
092 -0257-233-00	1	$65.50
092 -0257-234-00	1	$65.50
092 -0257-235-00	1	$65.50
092 -0257-237-00	1	$65.50
092 -0257-238-00	1	$65.50
092 -0257-239-00	1	$65.50
092 -0257-240-00	1	$65.50
092 -0257-241-00	1	$65.50
092 -0257-242-00	1	$65.50
092 -0257-243-00	1	$65.50
092 -0257-244-00	1	$65.50
092 -0257-245-00	1	$65.50
092 -0257-246-00	1	$65.50
092 -0257-247-00	1	$65.50
092 -0257-249-00	1	$65.50
092 -0257-250-00	1	$65.50
092 -0257-251-00	1	$65.50
092 -0257-252-00	1	$65.50
092 -0257-253-00	1	$65.50
092 -0257-254-00	1	$65.50
092 -0257-255-00	1	$65.50
092 -0257-256-00	1	$65.50
092 -0257-257-00	1	$65.50
092 -0257-258-00	1	$65.50
092 -0257-259-00	1	$65.50
092 -0257-261-00	1	$65.50
092 -0257-262-00	1	$65.50
092 -0257-263-00	1	$65.50
092 -0257-264-00	1	$65.50
092 -0257-265-00	1	$65.50
092 -0257-266-00	1	$65.50
092 -0257-267-00	1	$65.50
092 -0257-268-00	1	$65.50
092 -0257-269-00	1	$65.50
092 -0257-270-00	1	$65.50
092 -0257-272-00	1	$65.50
092 -0257-273-00	1	$65.50
092 -0257-274-00	1	$65.50
092 -0257-275-00	1	$65.50
092 -0257-276-00	1	$65.50
092 -0257-277-00	1	$65.50
092 -0257-278-00	1	$65.50
092 -0257-279-00	1	$65.50
092 -0257-280-00	1	$65.50
092 -0257-281-00	1	$65.50
092 -0257-282-00	1	$65.50
092 -0257-284-00	1	$65.50
092 -0257-285-00	1	$65.50
092 -0257-286-00	1	$65.50
092 -0257-287-00	1	$65.50
092 -0257-288-00	1	$65.50
092 -0257-289-00	1	$65.50
092 -0257-290-00	1	$65.50
092 -0257-291-00	1	$65.50
092 -0257-292-00	1	$65.50
092 -0257-294-00	1	$65.50
092 -0257-295-00	1	$65.50
092 -0257-296-00	1	$65.50
092 -0257-297-00	1	$65.50
092 -0257-298-00	1	$65.50
092 -0257-299-00	1	$65.50
092 -0257-300-00	1	$65.50
092 -0257-301-00	1	$65.50
092 -0257-302-00	1	$65.50
092 -0257-303-00	1	$65.50
092 -0257-305-00	1	$65.50
092 -0257-306-00	1	$65.50
092 -0257-307-00	1	$65.50
092 -0257-308-00	1	$65.50
092 -0257-309-00	1	$65.50
092 -0257-310-00	1	$65.50
092 -0257-311-00	1	$65.50
092 -0257-312-00	1	$65.50
092 -0257-313-00	1	$65.50
092 -0257-314-00	1	$65.50
092 -0257-315-00	1	$65.50
092 -0257-317-00	1	$65.50
092 -0257-318-00	1	$65.50
092 -0257-319-00	1	$65.50
092 -0257-320-00	1	$65.50
092 -0257-321-00	1	$65.50
092 -0257-322-00	1	$65.50
092 -0257-323-00	1	$65.50
092 -0257-324-00	1	$65.50
092 -0257-325-00	1	$65.50
092 -0257-327-00	1	$65.50
092 -0257-328-00	1	$65.50
092 -0257-329-00	1	$65.50
092 -0257-330-00	1	$65.50
092 -0257-331-00	1	$65.50
092 -0257-333-00	1	$65.50
092 -0257-334-00	1	$65.50
092 -0257-335-00	1	$65.50
092 -0257-336-00	1	$65.50
092 -0257-337-00	1	$65.50
092 -0258-012-00	1	$87.34
092 -0258-013-00	1	$87.34
092 -0258-014-00	1	$87.34
092 -0258-015-00	1	$87.34
092 -0258-016-00	1	$87.34
092 -0258-017-00	1	$87.34
092 -0258-018-00	1	$87.34
092 -0258-019-00	1	$87.34
092 -0258-020-00	1	$87.34
092 -0258-021-00	1	$87.34
092 -0258-022-00	1	$87.34
092 -0258-023-00	1	$87.34
092 -0258-024-00	1	$87.34
092 -0258-025-00	1	$87.34
092 -0258-026-00	1	$87.34
092 -0258-027-00	1	$87.34
092 -0258-028-00	1	$87.34
092 -0258-029-00	1	$87.34
092 -0258-030-00	1	$87.34
092 -0258-031-00	1	$87.34
092 -0258-032-00	1	$87.34
092 -0258-033-00	1	$87.34
092 -0258-034-00	1	$87.34
092 -0258-035-00	1	$87.34
092 -0258-036-00	1	$87.34
092 -0258-037-00	1	$87.34
092 -0258-038-00	1	$87.34
092 -0258-039-00	1	$87.34
092 -0258-040-00	1	$87.34
092 -0258-041-00	1	$87.34
092 -0258-042-00	1	$87.34
092 -0258-043-00	1	$87.34
092 -0258-044-00	1	$87.34
092 -0258-045-00	1	$87.34
092 -0258-046-00	1	$87.34
092 -0258-047-00	1	$87.34
092 -0258-048-00	1	$87.34
092 -0258-049-00	1	$87.34
092 -0258-050-00	1	$87.34
092 -0258-051-00	1	$87.34
092 -0258-052-00	1	$87.34
092 -0258-053-00	1	$87.34
092 -0258-054-00	1	$87.34
092 -0258-055-00	1	$87.34
092 -0258-056-00	1	$87.34
092 -0258-057-00	1	$87.34
092 -0258-058-00	1	$87.34

CITY OF NEWARK
LANDSCAPING & LIGHTING DISTRICT No. 19
ASSESSMENT ROLL
FISCAL YEAR 2024-25

Assessor's Parcel Number	Zone	Assessment Amount
092 -0258-059-00	1	$87.34
092 -0258-060-00	1	$87.34
092 -0258-061-00	1	$87.34
092 -0258-062-00	1	$87.34
092 -0258-063-00	1	$87.34
092 -0258-064-00	1	$87.34
092 -0258-065-00	1	$87.34
092 -0258-066-00	1	$87.34
092 -0258-067-00	1	$87.34
092 -0258-068-00	1	$87.34
092 -0258-069-00	1	$87.34
092 -0258-070-00	1	$87.34
092 -0258-071-00	1	$87.34
092 -0258-072-00	1	$87.34
092 -0258-073-00	1	$87.34
092 -0258-074-00	1	$87.34
092 -0258-075-00	1	$87.34
092 -0258-076-00	1	$87.34
092 -0258-077-00	1	$87.34
092 -0258-078-00	1	$87.34
092 -0258-079-00	1	$87.34
092 -0258-080-00	1	$87.34
092 -0258-081-00	1	$87.34
092 -0258-082-00	1	$87.34
092 -0258-083-00	1	$87.34
092 -0258-084-00	1	$87.34
092 -0258-085-00	1	$87.34
092 -0258-086-00	1	$87.34
092 -0258-087-00	1	$87.34
092 -0258-088-00	1	$87.34
092 -0258-089-00	1	$87.34
092 -0258-090-00	1	$87.34
092 -0258-091-00	1	$87.34
092 -0258-092-00	1	$87.34
092 -0258-093-00	1	$87.34
092 -0258-094-00	1	$87.34
092 -0258-095-00	1	$87.34
092 -0258-096-00	1	$87.34
092 -0258-097-00	1	$87.34
092 -0258-098-00	1	$87.34
092 -0258-099-00	1	$87.34
092 -0258-100-00	1	$87.34
092 -0258-101-00	1	$87.34
092 -0258-102-00	1	$87.34
092 -0258-103-00	1	$87.34
092 -0258-104-00	1	$87.34
092 -0258-105-00	1	$87.34
092 -0258-106-00	1	$87.34
092 -0258-107-00	1	$87.34
092 -0258-108-00	1	$87.34
092 -0258-109-00	1	$87.34
092 -0258-110-00	1	$87.34
092 -0258-111-00	1	$87.34
092 -0258-112-00	1	$87.34
092 -0258-113-00	1	$87.34
092 -0258-114-00	1	$87.34
092 -0258-115-00	1	$87.34
092 -0258-116-00	1	$87.34
092 -0258-117-00	1	$87.34
092 -0258-118-00	1	$87.34
092 -0258-119-00	1	$87.34
092 -0258-120-00	1	$87.34
092 -0258-121-00	1	$87.34
092 -0258-122-00	1	$87.34
092 -0258-123-00	1	$87.34
092 -0258-124-00	1	$87.34
092 -0258-125-00	1	$87.34
092 -0258-126-00	1	$87.34
092 -0258-127-00	1	$87.34
092 -0258-128-00	1	$87.34
092 -0258-129-00	1	$87.34
092 -0258-130-00	1	$87.34
092 -0258-131-00	1	$87.34
092 -0258-132-00	1	$87.34
092 -0258-133-00	1	$87.34
092 -0258-134-00	1	$87.34
092 -0258-135-00	1	$87.34
092 -0258-136-00	1	$87.34
092 -0258-137-00	1	$87.34
092 -0258-138-00	1	$87.34
092 -0258-139-00	1	$87.34
092 -0258-140-00	1	$87.34
092 -0258-141-00	1	$87.34
092 -0258-142-00	1	$87.34
092 -0258-143-00	1	$87.34
092 -0258-144-00	1	$87.34
092 -0258-145-00	1	$87.34
092 -0258-146-00	1	$87.34
092 -0258-147-00	1	$87.34
092 -0258-148-00	1	$87.34
092 -0258-149-00	1	$87.34
092 -0258-150-00	1	$87.34
092 -0258-151-00	1	$87.34
092 -0258-152-00	1	$87.34
092 -0258-153-00	1	$87.34
092 -0258-154-00	1	$87.34
092 -0258-155-00	1	$87.34
092 -0258-156-00	1	$87.34
092 -0258-157-00	1	$87.34
092 -0258-158-00	1	$87.34
092 -0258-159-00	1	$87.34
092 -0258-160-00	1	$87.34
092 -0258-161-00	1	$87.34
092 -0258-162-00	1	$87.34
092 -0258-163-00	1	$87.34
092 -0258-164-00	1	$87.34
092 -0258-165-00	1	$87.34
092 -0258-166-00	1	$87.34
092 -0258-167-00	1	$87.34
092 -0258-168-00	1	$87.34
092 -0258-169-00	1	$87.34
092 -0258-170-00	1	$87.34
092 -0258-171-00	1	$87.34
092 -0258-172-00	1	$87.34
092 -0258-173-00	1	$87.34
092 -0258-174-00	1	$87.34
092 -0258-175-00	1	$87.34
092 -0258-176-00	1	$87.34
092 -0258-177-00	1	$87.34
092 -0258-178-00	1	$87.34
092 -0258-179-00	1	$87.34
092 -0258-180-00	1	$87.34
092 -0258-181-00	1	$87.34
092 -0258-182-00	1	$87.34
092 -0258-183-00	1	$87.34
092 -0258-184-00	1	$87.34
092 -0258-185-00	1	$87.34
092 -0258-186-00	1	$87.34
092 -0258-187-00	1	$87.34
092 -0258-188-00	1	$87.34
092 -0258-189-00	1	$87.34
092 -0258-190-00	1	$87.34
092 -0258-191-00	1	$87.34
092 -0258-192-00	1	$87.34
092 -0258-193-00	1	$87.34
092 -0258-194-00	1	$87.34
092 -0258-195-00	1	$87.34
092 -0258-196-00	1	$87.34
092 -0258-197-00	1	$87.34
092 -0258-198-00	1	$87.34
092 -0258-199-00	1	$87.34
092 -0258-200-00	1	$87.34
092 -0258-201-00	1	$87.34
092 -0258-202-00	1	$87.34
092 -0258-203-00	1	$87.34
092 -0258-204-00	1	$87.34
092 -0258-205-00	1	$87.34
092 -0258-206-00	1	$87.34
092 -0261-005-00	1	$87.34
092 -0261-006-00	1	$87.34
092 -0261-007-00	1	$87.34
092 -0261-008-00	1	$87.34
092 -0261-009-00	1	$87.34
092 -0261-010-00	1	$87.34
092 -0261-011-00	1	$87.34
092 -0261-012-00	1	$87.34

CITY OF NEWARK
LANDSCAPING & LIGHTING DISTRICT No. 19
ASSESSMENT ROLL
FISCAL YEAR 2024-25

Assessor's Parcel Number	Zone	Assessment Amount
092 -0261-013-00	1	$87.34
092 -0261-014-00	1	$87.34
092 -0261-015-00	1	$87.34
092 -0261-016-00	1	$87.34
092 -0261-017-00	1	$87.34
092 -0261-018-00	1	$87.34
092 -0261-019-00	1	$87.34
092 -0261-020-00	1	$87.34
092 -0261-021-00	1	$87.34
092 -0261-022-00	1	$87.34
092 -0261-023-00	1	$87.34
092 -0261-024-00	1	$87.34
092 -0261-025-00	1	$87.34
092 -0261-026-00	1	$87.34
092 -0261-027-00	1	$87.34
092 -0261-028-00	1	$87.34
092 -0261-029-00	1	$87.34
092 -0261-030-00	1	$87.34
092 -0261-031-00	1	$87.34
092 -0261-032-00	1	$87.34
092 -0261-033-00	1	$87.34
092 -0261-034-00	1	$87.34
092 -0261-035-00	1	$87.34
092 -0261-036-00	1	$87.34
092 -0261-037-00	1	$87.34
092 -0261-038-00	1	$87.34
092 -0261-039-00	1	$87.34
092 -0261-040-00	1	$87.34
092 -0261-041-00	1	$87.34
092 -0261-042-00	1	$87.34
092 -0261-043-00	1	$87.34
092 -0261-044-00	1	$87.34
092 -0261-045-00	1	$87.34
092 -0261-046-00	1	$87.34
092 -0261-047-00	1	$87.34
092 -0261-048-00	1	$87.34
092 -0261-049-00	1	$87.34
092 -0261-050-00	1	$87.34
092 -0261-051-00	1	$87.34
092 -0262-003-00	1	$87.34
092 -0262-004-00	1	$87.34
092 -0262-005-00	1	$87.34
092 -0262-006-00	1	$87.34
092 -0262-007-00	1	$87.34
092 -0262-008-00	1	$87.34
092 -0262-009-00	1	$87.34
092 -0262-010-00	1	$87.34
092 -0262-011-00	1	$87.34
092 -0262-012-00	1	$87.34
092 -0262-013-00	1	$87.34
092 -0262-014-00	1	$87.34
092 -0262-015-00	1	$87.34
092 -0262-016-00	1	$87.34
092 -0262-017-00	1	$87.34
092 -0262-018-00	1	$87.34
092 -0262-019-00	1	$87.34
092 -0262-020-00	1	$87.34
092 -0262-021-00	1	$87.34
092 -0262-022-00	1	$87.34
092 -0262-023-00	1	$87.34
092 -0262-024-00	1	$87.34
092 -0262-025-00	1	$87.34
092 -0262-026-00	1	$87.34
092 -0262-027-00	1	$87.34
092 -0262-028-00	1	$87.34
092 -0262-029-00	1	$87.34
092 -0262-030-00	1	$87.34
092 -0262-031-00	1	$87.34
092 -0262-032-00	1	$87.34
092 -0262-033-00	1	$87.34
092 -0262-034-00	1	$87.34
092 -0262-035-00	1	$87.34
092 -0262-036-00	1	$87.34
092 -0262-037-00	1	$87.34
092 -0260-024-00	2	$44.58
092 -0260-025-00	2	$44.58
092 -0260-026-00	2	$44.58
092 -0260-027-00	2	$44.58
092 -0260-028-00	2	$44.58
092 -0260-029-00	2	$44.58
092 -0260-030-00	2	$44.58
092 -0260-031-00	2	$44.58
092 -0260-033-00	2	$44.58
092 -0260-034-00	2	$44.58
092 -0260-035-00	2	$44.58
092 -0260-036-00	2	$44.58
092 -0260-037-00	2	$44.58
092 -0260-038-00	2	$44.58
092 -0260-039-00	2	$44.58
092 -0260-040-00	2	$44.58
092 -0260-042-00	2	$44.58
092 -0260-043-00	2	$44.58
092 -0260-044-00	2	$44.58
092 -0260-045-00	2	$44.58
092 -0260-046-00	2	$44.58
092 -0260-047-00	2	$44.58
092 -0260-048-00	2	$44.58
092 -0260-049-00	2	$44.58
092 -0260-051-00	2	$44.58
092 -0260-052-00	2	$44.58
092 -0260-053-00	2	$44.58
092 -0260-054-00	2	$44.58
092 -0260-055-00	2	$44.58
092 -0260-056-00	2	$44.58
092 -0260-057-00	2	$44.58
092 -0260-058-00	2	$44.58
092 -0260-060-00	2	$44.58
092 -0260-061-00	2	$44.58
092 -0260-062-00	2	$44.58
092 -0260-063-00	2	$44.58
092 -0260-064-00	2	$44.58
092 -0260-065-00	2	$44.58
092 -0260-067-00	2	$44.58
092 -0260-068-00	2	$44.58
092 -0260-069-00	2	$44.58
092 -0260-070-00	2	$44.58
092 -0260-071-00	2	$44.58
092 -0260-072-00	2	$44.58
092 -0260-074-00	2	$44.58
092 -0260-075-00	2	$44.58
092 -0260-076-00	2	$44.58
092 -0260-077-00	2	$44.58
092 -0260-078-00	2	$44.58
092 -0260-080-00	2	$44.58
092 -0260-081-00	2	$44.58
092 -0260-082-00	2	$44.58
092 -0260-083-00	2	$44.58
092 -0260-084-00	2	$44.58
092 -0260-086-00	2	$44.58
092 -0260-087-00	2	$44.58
092 -0260-088-00	2	$44.58
092 -0260-089-00	2	$44.58
092 -0260-090-00	2	$44.58
092 -0260-091-00	2	$44.58
092 -0260-093-00	2	$44.58
092 -0260-094-00	2	$44.58
092 -0260-095-00	2	$44.58
092 -0260-096-00	2	$44.58
092 -0260-097-00	2	$44.58
092 -0260-098-00	2	$44.58
092 -0260-100-00	2	$44.58
092 -0260-101-00	2	$44.58
092 -0260-102-00	2	$44.58
092 -0260-103-00	2	$44.58
092 -0260-104-00	2	$44.58
092 -0260-105-00	2	$44.58
092 -0260-107-00	2	$44.58
092 -0260-108-00	2	$44.58
092 -0260-109-00	2	$44.58
092 -0260-110-00	2	$44.58
092 -0260-111-00	2	$44.58
092 -0260-112-00	2	$44.58
092 -0260-113-00	2	$44.58
092 -0260-114-00	2	$44.58
092 -0260-116-00	2	$44.58
092 -0260-117-00	2	$44.58

CITY OF NEWARK
LANDSCAPING & LIGHTING DISTRICT No. 19
ASSESSMENT ROLL
FISCAL YEAR 2024-25

Assessor's Parcel Number	Zone	Assessment Amount
092 -0260-118-00	2	$44.58
092 -0260-119-00	2	$44.58
092 -0260-120-00	2	$44.58
092 -0260-121-00	2	$44.58
092 -0260-122-00	2	$44.58
092 -0260-123-00	2	$44.58
092 -0115-012-08	3	$2,720.24
092 -0259-024-00	4	$91.14
092 -0259-025-00	4	$91.14
092 -0259-026-00	4	$91.14
092 -0259-027-00	4	$91.14
092 -0259-028-00	4	$91.14
092 -0259-029-00	4	$91.14
092 -0259-030-00	4	$91.14
092 -0259-031-00	4	$91.14
092 -0259-032-00	4	$91.14
092 -0259-033-00	4	$91.14
092 -0259-034-00	4	$91.14
092 -0259-035-00	4	$91.14
092 -0259-036-00	4	$91.14
092 -0259-037-00	4	$91.14
092 -0259-038-00	4	$91.14
092 -0259-039-00	4	$91.14
092 -0259-040-00	4	$91.14
092 -0259-041-00	4	$91.14
092 -0259-042-00	4	$91.14
092 -0259-043-00	4	$91.14
092 -0259-044-00	4	$91.14
092 -0259-045-00	4	$91.14
092 -0259-046-00	4	$91.14
092 -0259-047-00	4	$91.14
092 -0259-048-00	4	$91.14
092 -0259-049-00	4	$91.14
092 -0259-050-00	4	$91.14
092 -0259-051-00	4	$91.14
092 -0259-052-00	4	$91.14
092 -0259-053-00	4	$91.14
092 -0259-054-00	4	$91.14
092 -0259-055-00	4	$91.14
092 -0259-056-00	4	$91.14
092 -0259-057-00	4	$91.14
092 -0259-058-00	4	$91.14
092 -0259-059-00	4	$91.14
092 -0259-060-00	4	$91.14
092 -0259-061-00	4	$91.14
092 -0259-062-00	4	$91.14
092 -0259-063-00	4	$91.14
092 -0259-064-00	4	$91.14
092 -0259-065-00	4	$91.14
092 -0259-066-00	4	$91.14
092 -0259-067-00	4	$91.14
092 -0259-068-00	4	$91.14
092 -0259-069-00	4	$91.14
092 -0259-070-00	4	$91.14
092 -0259-071-00	4	$91.14
092 -0259-072-00	4	$91.14
092 -0259-073-00	4	$91.14
092 -0259-074-00	4	$91.14
092 -0259-075-00	4	$91.14
092 -0259-076-00	4	$91.14
092 -0259-077-00	4	$91.14
092 -0259-078-00	4	$91.14
092 -0259-079-00	4	$91.14
092 -0259-080-00	4	$91.14
092 -0259-081-00	4	$91.14
092 -0259-082-00	4	$91.14
092 -0259-083-00	4	$91.14
092 -0259-084-00	4	$91.14
092 -0259-085-00	4	$91.14
092 -0259-086-00	4	$91.14
092 -0259-087-00	4	$91.14
092 -0259-088-00	4	$91.14
092 -0259-089-00	4	$91.14
092 -0259-090-00	4	$91.14
092 -0259-091-00	4	$91.14
092 -0259-092-00	4	$91.14
092 -0259-093-00	4	$91.14
092 -0259-094-00	4	$91.14
092 -0259-095-00	4	$91.14
092 -0259-096-00	4	$91.14
092 -0259-097-00	4	$91.14
092 -0259-098-00	4	$91.14
092 -0259-099-00	4	$91.14
092 -0259-100-00	4	$91.14
092 -0259-101-00	4	$91.14
092 -0259-102-00	4	$91.14
092 -0259-103-00	4	$91.14
092 -0259-104-00	4	$91.14
092 -0259-105-00	4	$91.14
092 -0259-106-00	4	$91.14
092 -0259-107-00	4	$91.14
092 -0259-108-00	4	$91.14
092 -0259-109-00	4	$91.14
092 -0259-110-00	4	$91.14
092 -0259-111-00	4	$91.14
092 -0259-112-00	4	$91.14
092 -0259-113-00	4	$91.14
092 -0259-114-00	4	$91.14
092 -0259-115-00	4	$91.14
092 -0259-116-00	4	$91.14
092 -0259-117-00	4	$91.14
092 -0259-118-00	4	$91.14
092 -0259-119-00	4	$91.14
092 -0259-120-00	4	$91.14
092 -0259-121-00	4	$91.14
092 -0259-122-00	4	$91.14
092 -0259-123-00	4	$91.14
092 -0259-124-00	4	$91.14
092 -0259-125-00	4	$91.14
092 -0259-126-00	4	$91.14
092 -0259-127-00	4	$91.14
092 -0259-128-00	4	$91.14
092 -0259-129-00	4	$91.14
092 -0259-130-00	4	$91.14
092 -0259-131-00	4	$91.14
092 -0259-132-00	4	$91.14
092 -0259-133-00	4	$91.14
092 -0259-134-00	4	$91.14
092 -0259-135-00	4	$91.14
092 -0259-136-00	4	$91.14
092 -0259-137-00	4	$91.14
092 -0259-138-00	4	$91.14
092 -0259-139-00	4	$91.14
092 -0259-140-00	4	$91.14
092 -0259-141-00	4	$91.14
092 -0259-142-00	4	$91.14
092 -0259-143-00	4	$91.14
092 -0259-144-00	4	$91.14
092 -0259-145-00	4	$91.14
092 -0259-146-00	4	$91.14
092 -0259-147-00	4	$91.14
092 -0259-148-00	4	$91.14
092 -0259-149-00	4	$91.14
092 -0259-150-00	4	$91.14
092 -0259-151-00	4	$91.14
092 -0259-152-00	4	$91.14
092 -0259-153-00	4	$91.14
092 -0259-154-00	4	$91.14
092 -0259-155-00	4	$91.14
092 -0259-156-00	4	$91.14
092 -0259-157-00	4	$91.14
092 -0259-158-00	4	$91.14
092 -0259-159-00	4	$91.14
092 -0259-160-00	4	$91.14
092 -0259-161-00	4	$91.14
092 -0259-162-00	4	$91.14
092 -0259-163-00	4	$91.14
092 -0259-164-00	4	$91.14
092 -0259-165-00	4	$91.14
092 -0259-166-00	4	$91.14
092 -0259-167-00	4	$91.14
092 -0259-168-00	4	$91.14
092 -0259-169-00	4	$91.14
092 -0259-170-00	4	$91.14
092 -0259-171-00	4	$91.14
092 -0259-172-00	4	$91.14

CITY OF NEWARK
LANDSCAPING & LIGHTING DISTRICT No. 19
ASSESSMENT ROLL
FISCAL YEAR 2024-25

Assessor's Parcel Number	Zone	Assessment Amount
092 -0259-173-00	4	$91.14
092 -0259-174-00	4	$91.14
092 -0259-175-00	4	$91.14
092 -0259-176-00	4	$91.14
092 -0259-177-00	4	$91.14
092 -0259-178-00	4	$91.14
092 -0259-179-00	4	$91.14
092 -0259-180-00	4	$91.14
092 -0259-181-00	4	$91.14
092 -0259-182-00	4	$91.14
092 -0259-183-00	4	$91.14
092 -0259-184-00	4	$91.14
092 -0259-185-00	4	$91.14
092 -0259-186-00	4	$91.14
092 -0259-187-00	4	$91.14
092 -0259-188-00	4	$91.14
092 -0259-189-00	4	$91.14
092 -0259-190-00	4	$91.14
092 -0259-191-00	4	$91.14
092 -0259-192-00	4	$91.14
092 -0259-193-00	4	$91.14
092 -0259-194-00	4	$91.14
092 -0259-195-00	4	$91.14
092 -0259-196-00	4	$91.14
092 -0259-197-00	4	$91.14
092 -0259-198-00	4	$91.14
092 -0259-199-00	4	$91.14
092 -0259-200-00	4	$91.14
092 -0259-201-00	4	$91.14
092 -0259-202-00	4	$91.14
092 -0259-203-00	4	$91.14
092 -0259-204-00	4	$91.14
092 -0259-205-00	4	$91.14
092 -0259-206-00	4	$91.14
092 -0259-207-00	4	$91.14
092 -0259-208-00	4	$91.14
092 -0259-209-00	4	$91.14
092 -0259-210-00	4	$91.14
092 -0259-211-00	4	$91.14
092 -0259-212-00	4	$91.14
092 -0259-213-00	4	$91.14
092 -0259-214-00	4	$91.14
092 -0259-215-00	4	$91.14
092 -0259-216-00	4	$91.14
092 -0259-217-00	4	$91.14
092 -0259-218-00	4	$91.14
092 -0259-219-00	4	$91.14
092 -0259-220-00	4	$91.14
092 -0259-221-00	4	$91.14
092 -0259-222-00	4	$91.14
092 -0259-223-00	4	$91.14
092 -0259-224-00	4	$91.14
092 -0259-225-00	4	$91.14
092 -0259-226-00	4	$91.14
092 -0259-227-00	4	$91.14
092 -0259-228-00	4	$91.14
092 -0259-229-00	4	$91.14
092 -0259-230-00	4	$91.14
092 -0259-231-00	4	$91.14
092 -0259-232-00	4	$91.14
092 -0259-233-00	4	$91.14
092 -0259-234-00	4	$91.14
092 -0259-235-00	4	$91.14
092 -0259-236-00	4	$91.14
092 -0259-237-00	4	$91.14
092 -0259-238-00	4	$91.14
092 -0259-239-00	4	$91.14
092 -0259-240-00	4	$91.14
537 -0856-001-00	5	$517.52
537 -0856-014-00	5	$80.00
537 -0856-015-00	5	$80.00
537 -0856-016-00	5	$80.00
537 -0856-017-00	5	$80.00
537 -0856-018-00	5	$80.00
537 -0856-019-00	5	$80.00
537 -0856-020-00	5	$80.00
537 -0856-021-00	5	$80.00
537 -0856-022-00	5	$80.00
537 -0856-023-00	5	$80.00
537 -0856-024-00	5	$80.00
537 -0856-025-00	5	$80.00
537 -0856-026-00	5	$80.00
537 -0856-027-00	5	$80.00
537 -0856-028-00	5	$80.00
537 -0856-029-00	5	$80.00
537 -0856-030-00	5	$80.00
537 -0856-031-00	5	$80.00
537 -0856-032-00	5	$80.00
537 -0856-033-00	5	$80.00
537 -0856-034-00	5	$80.00
537 -0856-035-00	5	$80.00
537 -0856-036-00	5	$80.00
537 -0856-037-00	5	$80.00
537 -0856-038-00	5	$80.00
537 -0856-039-00	5	$80.00
537 -0856-040-00	5	$80.00
537 -0856-041-00	5	$80.00
537 -0856-042-00	5	$80.00
537 -0856-043-00	5	$80.00
537 -0856-044-00	5	$80.00
537 -0856-045-00	5	$80.00
537 -0856-046-00	5	$80.00
537 -0856-047-00	5	$80.00
537 -0856-048-00	5	$80.00
537 -0856-049-00	5	$80.00
537 -0856-050-00	5	$80.00
537 -0856-051-00	5	$80.00
537 -0856-052-00	5	$80.00
537 -0856-053-00	5	$80.00
537 -0856-054-00	5	$80.00
537 -0856-055-00	5	$80.00
537 -0856-056-00	5	$80.00
537 -0856-057-00	5	$80.00
537 -0856-058-00	5	$80.00
537 -0856-059-00	5	$80.00
537 -0856-060-00	5	$80.00
537 -0856-061-00	5	$80.00
537 -0856-062-00	5	$80.00
537 -0856-063-00	5	$80.00
537 -0856-064-00	5	$80.00
537 -0856-065-00	5	$80.00
537 -0856-087-00	5	$80.00
537 -0856-088-00	5	$80.00
537 -0856-089-00	5	$80.00
537 -0856-090-00	5	$80.00
537 -0856-091-00	5	$80.00
537 -0856-092-00	5	$80.00
537 -0856-093-00	5	$80.00
537 -0856-094-00	5	$80.00
537 -0856-095-00	5	$80.00
537 -0856-096-00	5	$80.00
537 -0856-097-00	5	$80.00
537 -0856-098-00	5	$80.00
537 -0856-099-00	5	$80.00
537 -0856-100-00	5	$80.00
537 -0856-101-00	5	$80.00
537 -0856-102-00	5	$60.00
537 -0856-103-00	5	$60.00
537 -0856-104-00	5	$60.00
537 -0856-105-00	5	$60.00
537 -0856-106-00	5	$60.00
537 -0856-107-00	5	$60.00
537 -0856-109-00	5	$60.00
537 -0856-110-00	5	$60.00
537 -0856-111-00	5	$60.00
537 -0856-112-00	5	$60.00
537 -0856-113-00	5	$60.00
537 -0856-114-00	5	$60.00
537 -0856-115-00	5	$60.00
537 -0856-117-00	5	$60.00
537 -0856-118-00	5	$60.00
537 -0856-119-00	5	$60.00
537 -0856-120-00	5	$60.00
537 -0856-121-00	5	$60.00
537 -0856-122-00	5	$60.00
537 -0856-123-00	5	$60.00

CITY OF NEWARK
LANDSCAPING & LIGHTING DISTRICT No. 19
ASSESSMENT ROLL
FISCAL YEAR 2024-25

Assessor's Parcel Number	Zone	Assessment Amount
537 -0856-125-00	5	$60.00
537 -0856-126-00	5	$60.00
537 -0856-127-00	5	$60.00
537 -0856-128-00	5	$60.00
537 -0856-129-00	5	$60.00
537 -0856-130-00	5	$60.00
537 -0856-131-00	5	$60.00
537 -0856-132-00	5	$60.00
537 -0856-133-00	5	$60.00
537 -0856-135-00	5	$60.00
537 -0856-136-00	5	$60.00
537 -0856-137-00	5	$60.00
537 -0856-138-00	5	$60.00
537 -0856-139-00	5	$60.00
537 -0856-140-00	5	$60.00
537 -0856-141-00	5	$60.00
537 -0856-142-00	5	$60.00
537 -0856-143-00	5	$60.00
537 -0856-145-00	5	$60.00
537 -0856-146-00	5	$60.00
537 -0856-147-00	5	$60.00
537 -0856-148-00	5	$60.00
537 -0856-149-00	5	$60.00
537 -0856-150-00	5	$60.00
537 -0856-151-00	5	$60.00
537 -0856-152-00	5	$60.00
537 -0856-153-00	5	$60.00
537 -0856-155-00	5	$60.00
537 -0856-156-00	5	$60.00
537 -0856-157-00	5	$60.00
537 -0856-158-00	5	$60.00
537 -0856-159-00	5	$60.00
537 -0856-160-00	5	$60.00
537 -0856-162-00	5	$60.00
537 -0856-163-00	5	$60.00
537 -0856-164-00	5	$60.00
537 -0856-165-00	5	$60.00
537 -0856-166-00	5	$60.00
537 -0856-167-00	5	$60.00
537 -0856-169-00	5	$60.00
537 -0856-170-00	5	$60.00
537 -0856-171-00	5	$60.00
537 -0856-172-00	5	$60.00
537 -0856-173-00	5	$60.00
537 -0856-174-00	5	$60.00
537 -0856-175-00	5	$60.00
537 -0856-176-00	5	$60.00
537 -0856-177-00	5	$60.00
537 -0856-179-00	5	$60.00
537 -0856-180-00	5	$60.00
537 -0856-181-00	5	$60.00
537 -0856-182-00	5	$60.00
537 -0856-184-00	5	$60.00
537 -0856-185-00	5	$60.00
537 -0856-186-00	5	$60.00
537 -0856-187-00	5	$60.00
537 -0856-188-00	5	$60.00
537 -0856-189-00	5	$60.00
537 -0856-190-00	5	$60.00
537 -0856-191-00	5	$60.00
537 -0856-192-00	5	$60.00
537 -0856-194-00	5	$60.00
537 -0856-195-00	5	$60.00
537 -0856-196-00	5	$60.00
537 -0856-197-00	5	$60.00
537 -0856-198-00	5	$60.00
537 -0856-199-00	5	$60.00
537 -0856-201-00	5	$60.00
537 -0856-202-00	5	$60.00
537 -0856-203-00	5	$60.00
537 -0856-204-00	5	$60.00
537 -0856-205-00	5	$60.00
537 -0856-206-00	5	$60.00
537 -0856-208-00	5	$60.00
537 -0856-209-00	5	$60.00
537 -0856-210-00	5	$60.00
537 -0856-211-00	5	$60.00
537 -0856-212-00	5	$60.00
537 -0856-213-00	5	$60.00
537 -0856-215-00	5	$60.00
537 -0856-216-00	5	$60.00
537 -0856-217-00	5	$60.00
537 -0856-218-00	5	$60.00
537 -0856-219-00	5	$60.00
537 -0856-220-00	5	$60.00
537 -0856-221-00	5	$60.00
537 -0857-020-00	5	$80.00
537 -0857-021-00	5	$80.00
537 -0857-022-00	5	$80.00
537 -0857-023-00	5	$80.00
537 -0857-024-00	5	$80.00
537 -0857-025-00	5	$80.00
537 -0857-026-00	5	$80.00
537 -0857-027-00	5	$80.00
537 -0857-028-00	5	$80.00
537 -0857-029-00	5	$80.00
537 -0857-030-00	5	$80.00
537 -0857-031-00	5	$80.00
537 -0857-032-00	5	$80.00
537 -0857-033-00	5	$80.00
537 -0857-034-00	5	$80.00
537 -0857-035-00	5	$80.00
537 -0857-036-00	5	$80.00
537 -0857-037-00	5	$80.00
537 -0857-038-00	5	$80.00
537 -0857-039-00	5	$80.00
537 -0857-040-00	5	$80.00
537 -0857-041-00	5	$80.00
537 -0857-042-00	5	$80.00
537 -0857-043-00	5	$80.00
537 -0857-044-00	5	$80.00
537 -0857-045-00	5	$80.00
537 -0857-046-00	5	$80.00
537 -0857-047-00	5	$80.00
537 -0857-048-00	5	$80.00
537 -0857-049-00	5	$80.00
537 -0857-050-00	5	$80.00
537 -0857-051-00	5	$80.00
537 -0857-052-00	5	$80.00
537 -0857-053-00	5	$80.00
537 -0857-054-00	5	$80.00
537 -0857-055-00	5	$80.00
537 -0857-056-00	5	$80.00
537 -0857-057-00	5	$80.00
537 -0857-058-00	5	$80.00
537 -0857-059-00	5	$80.00
537 -0857-060-00	5	$80.00
537 -0857-061-00	5	$80.00
537 -0857-062-00	5	$80.00
537 -0857-063-00	5	$80.00
537 -0857-064-00	5	$80.00
537 -0857-065-00	5	$80.00
537 -0857-066-00	5	$80.00
537 -0857-067-00	5	$80.00
537 -0857-068-00	5	$80.00
537 -0857-069-00	5	$80.00
537 -0857-070-00	5	$80.00
537 -0857-071-00	5	$80.00
537 -0857-072-00	5	$80.00
537 -0857-073-00	5	$80.00
537 -0857-074-00	5	$80.00
537 -0857-075-00	5	$80.00
537 -0857-076-00	5	$80.00
537 -0857-077-00	5	$80.00
537 -0857-078-00	5	$80.00
537 -0857-079-00	5	$80.00
537 -0857-080-00	5	$80.00
537 -0857-081-00	5	$80.00
537 -0857-082-00	5	$80.00
537 -0857-083-00	5	$80.00
537 -0857-084-00	5	$80.00
537 -0857-085-00	5	$80.00
537 -0857-086-00	5	$80.00
537 -0857-087-00	5	$80.00
537 -0857-088-00	5	$80.00
537 -0857-089-00	5	$80.00

CITY OF NEWARK
LANDSCAPING & LIGHTING DISTRICT No. 19
ASSESSMENT ROLL
FISCAL YEAR 2024-25

Assessor's Parcel Number	Zone	Assessment Amount
537 -0857-090-00	5	$80.00
537 -0857-091-00	5	$80.00
537 -0857-092-00	5	$80.00
537 -0857-093-00	5	$80.00
537 -0857-094-00	5	$80.00
537 -0857-095-00	5	$80.00
537 -0857-096-00	5	$80.00
537 -0857-097-00	5	$80.00
537 -0857-098-00	5	$80.00
537 -0857-099-00	5	$80.00
537 -0857-100-00	5	$80.00
537 -0857-101-00	5	$80.00
537 -0857-102-00	5	$80.00
537 -0857-103-00	5	$80.00
537 -0857-104-00	5	$80.00
537 -0857-105-00	5	$80.00
537 -0857-106-00	5	$80.00
537 -0857-107-00	5	$80.00
537 -0857-108-00	5	$80.00
537 -0857-109-00	5	$80.00
537 -0857-110-00	5	$80.00
537 -0857-111-00	5	$80.00
537 -0857-112-00	5	$80.00
537 -0857-113-00	5	$80.00
537 -0857-114-00	5	$80.00
537 -0857-115-00	5	$80.00
537 -0857-116-00	5	$80.00
537 -0857-117-00	5	$80.00
537 -0857-118-00	5	$80.00
537 -0857-119-00	5	$80.00
537 -0857-120-00	5	$80.00
537 -0857-121-00	5	$80.00
537 -0857-122-00	5	$80.00
537 -0857-123-00	5	$80.00
537 -0857-124-00	5	$80.00
537 -0857-125-00	5	$80.00
537 -0857-126-00	5	$80.00
537 -0857-127-00	5	$80.00
537 -0857-128-00	5	$80.00
537 -0857-129-00	5	$80.00
537 -0857-130-00	5	$80.00
537 -0857-131-00	5	$80.00
537 -0857-132-00	5	$80.00
537 -0857-133-00	5	$80.00
537 -0857-134-00	5	$80.00
537 -0857-135-00	5	$80.00
537 -0857-136-00	5	$80.00
537 -0857-137-00	5	$80.00
537 -0857-138-00	5	$80.00
537 -0857-139-00	5	$80.00
537 -0857-140-00	5	$80.00
537 -0857-141-00	5	$80.00
537 -0857-142-00	5	$80.00
537 -0857-143-00	5	$80.00
537 -0857-144-00	5	$80.00
537 -0857-145-00	5	$80.00
537 -0857-146-00	5	$80.00
537 -0857-147-00	5	$80.00
537 -0857-148-00	5	$80.00
537 -0857-149-00	5	$80.00
537 -0857-150-00	5	$80.00
537 -0857-151-00	5	$80.00
537 -0857-152-00	5	$80.00
537 -0857-153-00	5	$80.00
537 -0857-154-00	5	$80.00
537 -0857-155-00	5	$80.00
537 -0857-156-00	5	$80.00
537 -0857-157-00	5	$80.00
537 -0857-158-00	5	$80.00
537 -0857-159-00	5	$80.00
537 -0857-160-00	5	$80.00
537 -0857-161-00	5	$80.00
537 -0857-162-00	5	$80.00
537 -0857-163-00	5	$80.00
537 -0857-164-00	5	$80.00
537 -0857-165-00	5	$80.00
537 -0857-166-00	5	$80.00
537 -0857-167-00	5	$80.00
537 -0857-168-00	5	$80.00
537 -0857-169-00	5	$80.00
537 -0857-170-00	5	$80.00
537 -0857-171-00	5	$80.00
537 -0857-172-00	5	$80.00
537 -0857-173-00	5	$80.00
537 -0857-174-00	5	$80.00
537 -0857-175-00	5	$80.00
537 -0857-176-00	5	$80.00
537 -0857-177-00	5	$80.00
537 -0857-178-00	5	$80.00
537 -0857-179-00	5	$80.00
537 -0857-180-00	5	$80.00
537 -0857-181-00	5	$80.00
537 -0857-182-00	5	$80.00
537 -0857-183-00	5	$80.00
537 -0857-184-00	5	$80.00
537 -0857-185-00	5	$80.00
537 -0857-186-00	5	$80.00
537 -0857-187-00	5	$80.00
537 -0857-188-00	5	$80.00
537 -0857-189-00	5	$80.00
537 -0857-190-00	5	$80.00
537 -0857-191-00	5	$80.00
537 -0857-192-00	5	$80.00
537 -0857-193-00	5	$80.00
537 -0858-029-00	5	$60.00
537 -0858-030-00	5	$60.00
537 -0858-031-00	5	$60.00
537 -0858-032-00	5	$60.00
537 -0858-033-00	5	$60.00
537 -0858-034-00	5	$60.00
537 -0858-035-00	5	$60.00
537 -0858-037-00	5	$60.00
537 -0858-038-00	5	$60.00
537 -0858-039-00	5	$60.00
537 -0858-040-00	5	$60.00
537 -0858-041-00	5	$60.00
537 -0858-042-00	5	$60.00
537 -0858-043-00	5	$60.00
537 -0858-045-00	5	$60.00
537 -0858-046-00	5	$60.00
537 -0858-047-00	5	$60.00
537 -0858-048-00	5	$60.00
537 -0858-050-00	5	$60.00
537 -0858-051-00	5	$60.00
537 -0858-052-00	5	$60.00
537 -0858-053-00	5	$60.00
537 -0858-054-00	5	$60.00
537 -0858-055-00	5	$60.00
537 -0858-056-00	5	$60.00
537 -0858-057-00	5	$60.00
537 -0858-058-00	5	$60.00
537 -0858-060-00	5	$60.00
537 -0858-061-00	5	$60.00
537 -0858-062-00	5	$60.00
537 -0858-063-00	5	$60.00
537 -0858-064-00	5	$60.00
537 -0858-065-00	5	$60.00
537 -0858-067-00	5	$60.00
537 -0858-068-00	5	$60.00
537 -0858-069-00	5	$60.00
537 -0858-070-00	5	$60.00
537 -0858-071-00	5	$60.00
537 -0858-072-00	5	$60.00
537 -0858-073-00	5	$60.00
537 -0858-075-00	5	$60.00
537 -0858-076-00	5	$60.00
537 -0858-077-00	5	$60.00
537 -0858-078-00	5	$60.00
537 -0858-079-00	5	$60.00

CITY OF NEWARK
LANDSCAPING & LIGHTING DISTRICT No. 19
ASSESSMENT ROLL
FISCAL YEAR 2024-25

Assessor's Parcel Number	Zone	Assessment Amount
537 -0858-080-00	5	$60.00
537 -0858-081-00	5	$60.00
537 -0858-082-00	5	$60.00
537 -0858-083-00	5	$60.00
537 -0858-085-00	5	$60.00
537 -0858-086-00	5	$60.00
537 -0858-087-00	5	$60.00
537 -0858-088-00	5	$60.00
537 -0858-089-00	5	$60.00
537 -0858-090-00	5	$60.00
537 -0858-092-00	5	$60.00
537 -0858-093-00	5	$60.00
537 -0858-094-00	5	$60.00
537 -0858-095-00	5	$60.00
537 -0858-096-00	5	$60.00
537 -0858-097-00	5	$60.00
537 -0858-099-00	5	$60.00
537 -0858-100-00	5	$60.00
537 -0858-101-00	5	$60.00
537 -0858-102-00	5	$60.00
537 -0858-103-00	5	$60.00
537 -0858-104-00	5	$60.00
537 -0858-106-00	5	$60.00
537 -0858-107-00	5	$60.00
537 -0858-108-00	5	$60.00
537 -0858-109-00	5	$60.00
537 -0858-110-00	5	$60.00
537 -0858-111-00	5	$60.00
537 -0858-112-00	5	$60.00
537 -0860-034-00	5	$24.96
537 -0860-035-00	5	$31.68
537 -0860-036-00	5	$25.84
537 -0860-037-00	5	$80.00
537 -0860-038-00	5	$80.00
537 -0860-039-00	5	$80.00
537 -0860-040-00	5	$80.00
537 -0860-041-00	5	$80.00
537 -0860-042-00	5	$80.00
537 -0860-043-00	5	$80.00
537 -0860-044-00	5	$80.00
537 -0860-045-00	5	$80.00
537 -0860-046-00	5	$80.00
537 -0860-047-00	5	$80.00
537 -0860-048-00	5	$80.00
537 -0860-049-00	5	$80.00
537 -0860-050-00	5	$80.00
537 -0860-051-00	5	$80.00
537 -0860-052-00	5	$80.00
537 -0860-053-00	5	$80.00
537 -0860-054-00	5	$80.00
537 -0860-055-00	5	$80.00
537 -0860-056-00	5	$80.00
537 -0860-057-00	5	$80.00
537 -0860-058-00	5	$80.00
537 -0860-059-00	5	$80.00
537 -0860-060-00	5	$80.00
537 -0860-061-00	5	$80.00
537 -0860-062-00	5	$80.00
537 -0860-063-00	5	$80.00
537 -0860-064-00	5	$80.00
537 -0860-065-00	5	$80.00
537 -0860-066-00	5	$80.00
537 -0860-067-00	5	$80.00
537 -0860-068-00	5	$80.00
537 -0860-069-00	5	$80.00
537 -0860-070-00	5	$80.00
537 -0860-071-00	5	$80.00
537 -0860-072-00	5	$80.00
537 -0860-073-00	5	$80.00
537 -0860-074-00	5	$80.00
537 -0860-075-00	5	$80.00
537 -0860-076-00	5	$80.00
537 -0860-077-00	5	$80.00
537 -0860-078-00	5	$80.00
537 -0860-079-00	5	$80.00
537 -0860-080-00	5	$80.00
537 -0860-081-00	5	$80.00
537 -0860-082-00	5	$80.00
537 -0860-083-00	5	$80.00
537 -0860-084-00	5	$80.00
537 -0860-085-00	5	$80.00
537 -0860-086-00	5	$80.00
537 -0860-087-00	5	$80.00
537 -0860-088-00	5	$80.00
537 -0860-089-00	5	$80.00
537 -0860-090-00	5	$80.00
537 -0860-091-00	5	$80.00
537 -0860-092-00	5	$80.00
537 -0860-093-00	5	$80.00
537 -0860-094-00	5	$80.00
537 -0860-095-00	5	$60.00
537 -0860-096-00	5	$60.00
537 -0860-097-00	5	$60.00
537 -0860-098-00	5	$60.00
537 -0860-099-00	5	$60.00
537 -0860-100-00	5	$60.00
537 -0860-102-00	5	$60.00
537 -0860-103-00	5	$60.00
537 -0860-104-00	5	$60.00
537 -0860-105-00	5	$60.00
537 -0860-106-00	5	$60.00
537 -0860-107-00	5	$60.00
537 -0860-109-00	5	$60.00
537 -0860-110-00	5	$60.00
537 -0860-111-00	5	$60.00
537 -0860-112-00	5	$60.00
537 -0860-113-00	5	$60.00
537 -0860-114-00	5	$60.00
537 -0860-116-00	5	$60.00
537 -0860-117-00	5	$60.00
537 -0860-118-00	5	$60.00
537 -0860-119-00	5	$60.00
537 -0860-120-00	5	$60.00
537 -0860-121-00	5	$60.00
537 -0860-123-00	5	$60.00
537 -0860-124-00	5	$60.00
537 -0860-125-00	5	$60.00
537 -0860-126-00	5	$60.00
537 -0860-127-00	5	$60.00
537 -0860-128-00	5	$60.00
537 -0860-130-00	5	$60.00
537 -0860-131-00	5	$60.00
537 -0860-132-00	5	$60.00
537 -0860-133-00	5	$60.00
537 -0860-134-00	5	$60.00
537 -0860-135-00	5	$60.00
537 -0860-137-00	5	$60.00
537 -0860-138-00	5	$60.00
537 -0860-139-00	5	$60.00
537 -0860-140-00	5	$60.00
537 -0860-141-00	5	$60.00
537 -0860-142-00	5	$60.00
537 -0860-144-00	5	$60.00
537 -0860-145-00	5	$60.00
537 -0860-146-00	5	$60.00
537 -0860-147-00	5	$60.00
537 -0860-148-00	5	$60.00
537 -0860-149-00	5	$60.00
537 -0860-151-00	5	$60.00
537 -0860-152-00	5	$60.00
537 -0860-153-00	5	$60.00
537 -0860-154-00	5	$60.00
537 -0860-155-00	5	$60.00
537 -0860-156-00	5	$60.00
537 -0860-158-00	5	$60.00
537 -0860-159-00	5	$60.00
537 -0860-160-00	5	$60.00
537 -0860-161-00	5	$60.00
537 -0860-162-00	5	$60.00
537 -0860-163-00	5	$60.00
537 -0860-165-00	5	$60.00
537 -0860-166-00	5	$60.00
537 -0860-167-00	5	$60.00
537 -0860-168-00	5	$60.00
537 -0860-169-00	5	$60.00
537 -0860-170-00	5	$60.00

CITY OF NEWARK
LANDSCAPING & LIGHTING DISTRICT No. 19
ASSESSMENT ROLL
FISCAL YEAR 2024-25

Assessor's Parcel Number	Zone	Assessment Amount
537 -0860-172-00	5	$60.00
537 -0860-173-00	5	$60.00
537 -0860-174-00	5	$60.00
537 -0860-175-00	5	$60.00
537 -0860-176-00	5	$60.00
537 -0860-177-00	5	$60.00
092 -0264-011-00	6	$107.46
092 -0264-012-00	6	$107.46
092 -0264-013-00	6	$107.46
092 -0264-014-00	6	$107.46
092 -0264-015-00	6	$107.46
092 -0264-016-00	6	$107.46
092 -0264-017-00	6	$107.46
092 -0264-018-00	6	$107.46
092 -0264-019-00	6	$107.46
092 -0264-020-00	6	$107.46
092 -0264-021-00	6	$107.46
092 -0264-022-00	6	$107.46
092 -0264-023-00	6	$107.46
092 -0264-024-00	6	$107.46
092 -0264-025-00	6	$107.46
092 -0264-026-00	6	$107.46
092 -0264-027-00	6	$107.46
092 -0264-028-00	6	$107.46
092 -0264-029-00	6	$107.46
092 -0264-030-00	6	$107.46
092 -0264-031-00	6	$107.46
092 -0264-032-00	6	$107.46
092 -0264-033-00	6	$107.46
092 -0264-034-00	6	$107.46
092 -0264-035-00	6	$107.46
092 -0264-036-00	6	$107.46
092 -0264-037-00	6	$107.46
092 -0264-038-00	6	$107.46
092 -0264-039-00	6	$107.46
092 -0264-040-00	6	$107.46
092 -0264-041-00	6	$107.46
092 -0264-042-00	6	$107.46
092 -0264-043-00	6	$107.46
092 -0264-044-00	6	$107.46
092 -0264-045-00	6	$107.46
092 -0264-046-00	6	$107.46
092 -0264-047-00	6	$107.46
092 -0264-048-00	6	$107.46
092 -0264-049-00	6	$107.46
092 -0264-050-00	6	$107.46
092 -0264-051-00	6	$107.46
092 -0264-052-00	6	$107.46
092 -0264-053-00	6	$107.46
092 -0264-054-00	6	$107.46
092 -0264-055-00	6	$107.46
092 -0264-056-00	6	$107.46
092 -0264-057-00	6	$107.46
092 -0264-058-00	6	$107.46
092 -0264-059-00	6	$107.46
092 -0264-060-00	6	$107.46
092 -0264-061-00	6	$107.46
092 -0264-062-00	6	$107.46
092 -0264-063-00	6	$107.46
092 -0264-070-00	6	$80.60
092 -0264-071-00	6	$80.60
092 -0264-072-00	6	$80.60
092 -0264-074-00	6	$80.60
092 -0264-075-00	6	$80.60
092 -0264-076-00	6	$80.60
092 -0264-077-00	6	$80.60
092 -0264-078-00	6	$80.60
092 -0264-080-00	6	$80.60
092 -0264-081-00	6	$80.60
092 -0264-082-00	6	$80.60
092 -0264-083-00	6	$80.60
092 -0264-084-00	6	$80.60
092 -0264-085-00	6	$80.60
092 -0264-086-00	6	$80.60
092 -0264-093-00	6	$80.60
092 -0264-094-00	6	$80.60
092 -0264-095-00	6	$80.60
092 -0264-096-00	6	$80.60
092 -0264-097-00	6	$80.60
092 -0264-098-00	6	$80.60
092 -0264-100-00	6	$80.60
092 -0264-101-00	6	$80.60
092 -0264-102-00	6	$80.60
092 -0264-103-00	6	$80.60
092 -0264-104-00	6	$80.60
092 -0264-105-00	6	$80.60
092 -0264-107-00	6	$80.60
092 -0264-108-00	6	$80.60
092 -0264-109-00	6	$80.60
092 -0264-110-00	6	$80.60
092 -0265-015-00	6	$80.60
092 -0265-016-00	6	$80.60
092 -0265-017-00	6	$80.60
092 -0265-018-00	6	$80.60
092 -0265-019-00	6	$80.60
092 -0265-021-00	6	$80.60
092 -0265-022-00	6	$80.60
092 -0265-023-00	6	$80.60
092 -0265-024-00	6	$80.60
092 -0265-025-00	6	$80.60
092 -0265-027-00	6	$80.60
092 -0265-028-00	6	$80.60
092 -0265-029-00	6	$80.60
092 -0265-030-00	6	$80.60
092 -0265-031-00	6	$80.60
092 -0265-033-00	6	$80.60
092 -0265-034-00	6	$80.60
092 -0265-035-00	6	$80.60
092 -0265-036-00	6	$80.60
092 -0265-038-00	6	$80.60
092 -0265-039-00	6	$80.60
092 -0265-040-00	6	$80.60
092 -0265-041-00	6	$80.60
092 -0265-042-00	6	$80.60
092 -0265-043-00	6	$80.60
092 -0265-045-00	6	$80.60
092 -0265-046-00	6	$80.60
092 -0265-047-00	6	$80.60
092 -0265-048-00	6	$80.60
092 -0265-049-00	6	$80.60
092 -0265-050-00	6	$80.60
092 -0265-051-00	6	$80.60
092 -0265-053-00	6	$80.60
092 -0265-054-00	6	$80.60
092 -0265-055-00	6	$80.60
092 -0265-056-00	6	$80.60
092 -0265-057-00	6	$80.60
092 -0265-058-00	6	$80.60
092 -0265-060-00	6	$80.60
092 -0265-061-00	6	$80.60
092 -0265-062-00	6	$80.60
092 -0265-063-00	6	$80.60
092 -0265-064-00	6	$80.60
092 -0265-065-00	6	$80.60
092 -0265-067-00	6	$80.60
092 -0265-068-00	6	$80.60
092 -0265-069-00	6	$80.60
092 -0265-070-00	6	$80.60
092 -0265-071-00	6	$80.60
092 -0265-072-00	6	$80.60
092 -0265-074-00	6	$80.60
092 -0265-075-00	6	$80.60
092 -0265-076-00	6	$80.60
092 -0265-077-00	6	$80.60
Total Parcels:		1,548
Total Assessment:		$120,717.72

STAFF REPORT

Item F. 3.

DATE	06/13/2024
TO	Honorable Mayor and City Council Members
FROM	Soren Fajeau, Public Works Director
SUBJECT	Adopt resolutions approving the 2024-2026 Capital Improvement Plan project lists with funding recommendations; and provide feedback on the draft 2024-2026 Capital Improvement Plan budget document

SUMMARY AND RECOMMENDATION

Since the Capital Improvement Plan (CIP) Overview was presented to the City Council in January 2024, staff has completed an evaluation and ranking of all projects submitted for consideration and available fund balance estimates have been revised based on updated revenue projections. Staff will present to the City Council its 2024-2026 CIP project funding recommendations and a draft of the 2024-2026 Capital Improvement Plan budget document that includes an overview of the project selection process, summary of financing sources and funded projects, revenue estimates, future funding needs and project descriptions.

Staff recommends that the City Council adopt resolutions approving the 2024-2026 Capital Improvement Plan project funding recommendations. There is a need for multiple approvals to account for City Council real property interests (see attached Resolutions 1 - 7, Exhibit 7A). These decisions would be final. The entirety of the final 2024-2026 Capital Improvement Plan budget document will be developed based on City Council and public feedback on tonight's Draft 2024-2026 Capital Improvement Plan budget document (see attached) and brought forth for final adoption with the Biennial Budget on June 27, 2024.

BACKGROUND

As part of the 2024-2026 Biennial Budget and Capital Improvement Plan (CIP) preparation, the Public Works Department is coordinating the development of the CIP budget component. The general purpose of the CIP component of each biennial budget is to identify and prioritize capital improvement projects for potential funding. Projects can include street, park, and building construction as well as specific maintenance projects for existing infrastructure. Feasibility studies and master plans to help identify and quantify future projects are also typically included in the CIP, along with new equipment purchases greater than $10,000.

The CIP development process commenced in November 2023 with a call for projects to all City departments and members of the City Council. An overview of the CIP process, a summary of the majority of the projects submitted for consideration, prioritization criteria for project selection, and available funding sources were presented to the City Council as an informational item in January 2024. Since then, staff has completed a detailed evaluation and ranking of all projects submitted for the City Council's consideration. The following describes the overall process for selecting project funding recommendations.

Critical Issues

Projects submitted for consideration must satisfy at least one of the following five critical issues identified in the City's Strategic Plan:

Public Safety Services - Provide a level of public safety services that will protect our community members, property, and community assets.

Education - Support, encourage and offer opportunities and programs that facilitate quality community education.

Quality of Life - Provide programs, services, and facilities that make Newark a desirable and healthy place to live.

Community Development – Make development decisions that maintain a vibrant, balanced, quality community.

City Government Operations – Operate a City government that enables the organization to meet the service demands of the community.

Priority Levels

Projects were then categorized into three priority levels:

Priority Level 1 (Mandatory): Projects that meet a federal, state, or local legal or regulatory requirement, satisfy a critical risk management issue to ensure public safety, or serve to preserve and protect the City's existing assets and public infrastructure.

Priority Level 2 (Necessary): Projects that are considered necessary but not mandatory as they would not clearly address a critical legal, safety, or asset-protection need. Projects at this level could be funded by a consensus priority opinion of the City Council for the benefit of the community. This can also include projects that would provide a local match for outside funding sources, provide a definitive service level increase, or would complete the final phase of a multi-phased project. Feasibility studies and master plans are also typically categorized as Priority Level 2.

Priority Level 3 (Desirable): All other projects that do not satisfy Level 1 or Level 2 criteria.

Immediate Need

In addition to these primary Priority Levels, projects were also evaluated based on the

extent of the immediate need to help finalize recommendations for funding. For example, there could be projects that are needed to preserve an existing asset and are listed as Priority Level 1, but the need may be three to five years into the future rather than immediate. Within the context of the identified Priority Levels, projects were evaluated for immediate need based on the following criteria:

- Repair or replacement of assets that have reached the end of their useful life and either compromise public safety or experience a high level of public use
- Repair or replacement of assets that would otherwise prevent more expensive repair or replacement in the future
- Projects for which the design has been previously funded and will be ready for construction during the upcoming biennial budget cycle
- Projects which are partially funded by outside grant funds and will be ready for construction during the upcoming biennial budget cycle

Maintenance Impact

Staffing constraints and maintenance impacts are also an important consideration in the selection of projects. Regardless of funding availability, there is a limit to the number of projects which can be designed and/or constructed in a single year due to staffing constraints in the Engineering and Maintenance Divisions of the Public Works Department. Projects must be evaluated based on the resulting long-term maintenance needs following completion.

Project Funding

The availability of funding is the final major factor in establishing project funding recommendations. The City has the following major sources of funding for capital improvement projects:

Gas Taxes. Gas Taxes is a broad category of funding that primarily consists of ongoing direct local distribution of funds through the State of California Highway Users Tax Account, the State Road Maintenance Rehabilitation Account, Measure BB Transportation Sales Tax, and Vehicle Registration funds through the Alameda County Transportation Commission. The City typically utilizes these funds for ongoing street maintenance programs that include pavement resurfacing; curb, gutter and sidewalk replacement; street tree maintenance; traffic calming measures; and other street maintenance needs. The City currently receives approximately $4.3 million per year through these sources.

Capital Funds. Capital Funds can be utilized for any type of project and are typically generated through budget surpluses and transfers from the General Fund or other major fund sources.

Community Development Maintenance Fund. This fund is a resource for conducting feasibility studies, master plans, or other projects that directly support the City's General Plan.

Park Impact Fees. Park Impact Fees can be utilized to acquire new park land and to complete improvement projects at existing parks.

Development Impact Fees. This category of funding includes Public Safety Impact Fees, Community Service Impact Fees, and Traffic Impact Fees. These funds can be utilized when a project-specific nexus has been identified for the respective impact fee category.

Outside Transportation and Other Grant Funding. Staff is regularly pursuing opportunities for discretionary funding from various federal, state and regional resources for transportation, parks and other types of projects. Outside grant funding for larger projects is essential for preserving local funds in each of the categories above.

Master Plans In Progress

The City currently has several master plan studies underway, which, upon completion, will each include extensive recommendations for future project funding needs. These master plans include the following:

- Active Transportation Plan (an update to the Pedestrian and Bicycle Master Plan)
- Broadband Master Plan
- Citywide Parks Master Plan update
- Climate Action Plan update
- Comprehensive Emergency Management Plan update
- Facilities Master Plan
- Local Hazard Mitigation Plan
- Public Art Master Plan update
- Sea Level Rise Assessment and Adaptation Plan
- Technology Master Plan
- Urban Forest Master Plan

All of these plans are either planned or currently in progress and many are scheduled for completion later this calendar year. As these plans are finalized, the Capital Improvement Plan should be revisited to assess funding priorities.

Current Backlog of Projects

There is a significant backlog of funded projects that are not yet completed. While most of these projects are underway and being actively worked on by staff, many projects are still in the planning stage. There is a need for additional project management support for building maintenance projects and parks projects as well as design services. Staff is currently working to obtain additional contractual support services in these areas to deliver these projects and staff will provide funding recommendations for these services during the meeting.

DISCUSSION/ANALYSIS

Staff will provide an overview of its CIP project funding recommendations based on updated fund balance projections. CIP projects have been separated into different categories based on the nature of the projects and recommended funding source. However, this does not preclude other revenue sources from potentially being used to fund projects included in the CIP.

Gas Tax funded projects. Based on updated revenue projections, the anticipated Gas

Tax revenue for the 2024-2026 Biennial Budget cycle is approximately $8.75 million, which reflects a decrease of 6% from the $9.3 million projected during the CIP General Overview presentation to the City Council in January 2024. However, after the reconciliation of completed projects and identifying projects previously approved in the CIP that are no longer required, staff has identified approximately $4.65 million of additional available Gas Tax funds, bringing the available Gas Tax fund balance to approximately $13.4 million for the next two-year period.

In addition, the Alameda County Transportation Commission (ACTC) recently informed staff that the Metropolitan Transportation Commission (MTC) will recommend awarding $15 million of Regional Measure 3 (RM3) funds to the City of Newark for use towards the construction of projects within the Dumbarton corridor, which includes several of the projects that are currently included in the CIP as unfunded projects or were submitted for funding consideration with the 2024-2026 CIP. This formal action is anticipated to take place in June 2024. The projects anticipated to receive this funding are listed in the table below for Transportation and Other Grant Funds projects.

This table also lists the federal funding for several projects, including One Bay Area Grant Program Cycle 3 (OBAG-3) funds in the amount of $5.14 million for the Old Town PDA Streetscape Improvements, the Federal Lands Access Program (FLAP) grant in the amount of $8.9 million for the Thornton Avenue Complete Streets project, and $3.0 million in Community Project Funding as earmarked by Congressman Ro Khanna and Senator Alex Padilla for the Thornton Avenue Pavement Rehabilitation projects, Phases 1 and 2. State earmark funding provided through State Assemblymember Alex Lee is also shown in the amount of $3.0 million total for the Old Town PDA Streetscape Improvements and Quiet Zones Implementation.

Descriptions for the projects listed in the Transportation and Other Grant Funds table below can be found in the attached Draft 2024-2026 Capital Improvement Plan budget document on the page numbers listed.

Transportation and Other Grant Funds	Page No.	Federal	State	RM3
Old Town PDA Streetscape Improvements	251	$5.14M	$1.0M	$5.9M
Quiet Zones Implementation	258		$2.0M	$2.0M
Thornton Avenue Complete Streets (Hickory Street to Gateway Boulevard)	275	$8.9M		$5.1M
Thornton Avenue Pavement Rehabilitation, Phase 1 (I-880 to Olive Street)	276	$2.0M		$1.5M
Thornton Avenue Pavement Rehabilitation, Phase 2 (Ash Street to Spruce Street)	276	$1.0M		$0.5M
	Totals	**$17.04M**	**$3.0M**	**$15.0M**

This additional regional funding would allow the City to minimize the use of Gas Tax funds as matching requirements for larger projects and therefore create more opportunities for the completion of pavement maintenance on local streets and other local standalone projects.

Staff is recommending $9.8 million for the City's street pavement maintenance,

concrete repair, street tree maintenance, and other ongoing citywide street maintenance programs that are funded with outside gas tax resources. This includes a recommended increase in the City's annual pavement maintenance program from approximately $2.5 million per year to $4.0 million per year. The remaining $900,000 is for ongoing citywide work as needed for:

- Curb, Gutter and Sidewalk Replacement
- Street Tree Maintenance
- Traffic Calming Measures
- Citywide Accessible Pedestrian Ramps
- Thermoplastic Street Striping

Newark's current overall Pavement Condition Index (PCI) is 72 on a scale of 0-100. This reflects a one-point drop from a PCI of 73 in 2022. The latest Citywide Pavement Management Report estimates that at the current annual funding level of $2.5 million per year, the City's overall PCI will drop to 69 in five years. The Report further estimates that an estimated annual pavement maintenance budget of $4.0 million will be required over the next 5 years to maintain the City's overall PCI at its current level of 72 and approximately $5.5 million per year over the next five years to return the City's overall PCI to a desired level of 75.

With the Old Town PDA Streetscape Improvements and Thornton Avenue Pavement Rehabilitation (Phases 1 and 2) projects taking place over the next few years, Newark can expect an additional overall increase to the Citywide PCI of approximately two points. Again, these projects are being funded with outside federal, state and regional grants which allow for increased expenditures of Gas Tax revenue on local streets.

In addition to annual street maintenance projects, staff is recommending $1.2 million to fund the construction of standalone street improvement projects which were previously funded through the initial design phase only. These projects include additional funding for the Cherry Street and Mowry Avenue Median Modifications, and the Pedestrian Hybrid Beacon Installations on Newark Boulevard (at Brittany Avenue/Ruschin Drive) and on Cedar Boulevard (at Milani Avenue).

Descriptions for the projects listed in the Gas Tax Funds table below can be found in the attached Draft 2024-2026 Capital Improvement Plan budget document on the page numbers listed. The total list of projects recommended for Gas Tax funding is as follows:

Projects Recommended for Gas Tax Funds	Page No.	Priority Level	FY 2025	FY 2026
Annual Street Asphalt Concrete Overlay Program	221	1	$4,000,000	$4,000,000
Annual Curb, Gutter and Sidewalk Replacement	214	1	$400,000	$400,000
Annual Street Tree Maintenance	215	1	$300,000	$300,000
Annual Traffic Calming Measures	215	3	$100,000	$100,000
Annual Citywide Accessible Pedestrian Ramps	213	1	$75,000	$75,000
Annual Thermoplastic Street Striping	215	1	$25,000	$25,000
Annual Street Maintenance Project Totals ($9,800,000)			**$4,900,000**	**$4,900,000**
Cherry Street & Mowry Avenue Median Modifications (Construction)	224	3	$400,000	$0
Pedestrian Hybrid Beacon Installation – Newark Blvd. at Brittany Ave. and Cedar Blvd. at Milani Ave. (Construction)	259	1	$800,000	$0
Standalone Street Improvement Project Totals ($1,200,000)			**$1,200,000**	**$0**
Totals by FY			**$6,100,000**	**$4,900,000**
TOTAL			**$11,000,000**	

Anticipated Gas Tax Fund Balance	**$13,450,000**

The recommended list of gas tax-funded projects totals $11,000,000. With the total Gas Tax Fund Balance of $13,450,000, this would leave a Gas Tax fund balance of $2,450,000 at the end of the 2024-2026 budget cycle. Staff recommends reserving this remaining fund balance for unanticipated expenses, matching funds for additional outside funding resources, or for other potentially important Gas Tax projects that may emerge.

Descriptions for Gas Tax projects not recommended for funding listed in the Gas Tax Funds table below can be found in the attached Draft 2024-2026 Capital Improvement Plan budget document on the page numbers listed. The following gas tax-funded projects submitted for consideration are not recommended for additional or full funding at this time:

Projects Not Recommended for Gas Tax Funding	Page No.	Priority Level	Estimated Cost
Central Ave Median & Sidewalk Improvements (Design)	223	3	$250,000
Central Ave Median & Sidewalk Improvements (Construction)	222	3	$1,200,000
Quiet Zones Implementation	258	3	*$4,000,000
Traffic Signal Interconnect Implementation	278	3	$7,500,000

*Shortfall amount only. Further discussion on Quiet Zones Implementation is below along with explanation of other possible funding sources to address the shortfall amount.

Staff recommends deferring design development and construction of sidewalk and median landscape improvements on Central Avenue until the construction of the Central Avenue Railroad Overpass project is well underway. This area will be congested with detoured traffic during the construction phase of the overpass project and additional projects under construction simultaneously should be limited. In addition, funding for the implementation of the complete Traffic Signal Interconnect project should be deferred until a full assessment of the equipment needs and adaptive traffic control systems scope has been identified along with sufficient coordination with the

Broadband Master Plan findings and infrastructure recommendations.

A Railroad Quiet Zones Study was previously completed and confirmed that implementation of Quiet Zones at all City at-grade railroad crossings is feasible. Staff is continuing to pursue additional sources of funding to fully fund a Quiet Zones Implementation project while the complete design for all crossings is underway. It is possible that the Quiet Zones Implementation project could be completed in phases if only partial funding is available. The total cost of the project is currently estimated at $8.0 million. With the pending RM3 funding, $4.0 million is anticipated to be secured, leaving a $4.0 million shortfall. Upon completion of the detailed design, the cost estimate may be able to be reduced. The project could be separated into two implementation phases depending on available funding at the time the design has been completed.

The Lindsay Tract Street and Storm Drainage Improvements project is currently on hold and remains in the Capital Improvement Plan as a partially funded project in the amount of $2.7 million. Staff recommends retaining the project at this amount until a future re-evaluation of the scope and cost associated with the related Area Improvement District (AID) can be completed and further analyzing what improvements can potentially be completed without reinitiating the AID.

Capital Fund projects. After final reconciliation of the Newark Civic Center project and the identification of projects previously approved in the CIP that are now completed or are no longer required, the estimated available Capital Fund balance for the 2024-2026 Biennial Budget is $5.25 million. Staff recommends funding projects totaling approximately $4.4 million, which would leave a remaining unallocated fund balance of approximately $850,000. Staff recommends that this balance be maintained for contractual services for project management support to deliver the backlog of building maintenance and landscape projects. The new project submissions recommended for funding utilizing Capital Funds are as follows (project descriptions for individual projects can be found in the attached Draft 2024-2026 Capital Improvement Plan budget document on the page numbers listed):

Capital Fund Projects Recommended for Funding	Page No.	Priority Level	Estimated Cost
Building/Facility Maintenance			
Senior Center Repainting	263	1	$100,000
Silliman Center Door Closers Replacement	267	1	$100,000
Silliman Center Gym & Dance Floor Refinishing	267	1	$130,000
Silliman Center Locker Room Flooring Replacement	268	1	$150,000
Silliman Center Partial Roof and Skylight Replacement	269	1	$250,000
Silliman Center Shower Tile Replacement	269	1	$100,000
Silliman Center Water Slide Replacement	272	1	$350,000
Softball Fields Retrofit – Scoreboards and Bleachers	273	3	$150,000
New Vehicles and Equipment			
Community Preservation Vehicle	231	3	$50,000
Information Technology Vehicle	239	3	$80,000
Police Department Patrol Vehicles (2)	253	2	$200,000
Police Department Unmarked Vehicles (2)	254	2	$135,000
Public Works Department Street Sweeper	257	2	$500,000
Public Works Maintenance Supervisor Vehicles (2)	258	2	$160,000
Operations			
Emergency Breaching Tools and Training	233	2	$46,000
Firearms Training System	234	3	$20,000
Fire Station Nos. 27 and 29 Fencing	236	3	$500,000
Mel Nunes Sportsfield Park Storage Unit	245	3	$60,000
Senior Center Driveway Relocation (Design)	262	3	$60,000
Service Center Vacuum Truck Shelter	266	1	$100,000
Vehicle Pursuit Intervention Devices	282	3	$45,000
Virtual Reality Police Tactics Training System	283	3	$100,000
		TOTAL	**$3,386,000**

In addition, staff recommends funding the following previously unfunded Capital Fund projects that departments resubmitted for consideration (project descriptions for individual projects can be found in the attached Draft 2024-2026 Capital Improvement Plan budget document on the page numbers listed):

Previously Unfunded Capital Fund Projects Now Recommended for Funding	Page No.	Priority Level	Estimated Cost
Public Works Maintenance Water Tank Spray Truck	258	2	$250,000
Second Chance Shelter Repairs	261	3	$100,000
Silliman Aquatic Center Pool Sanitation System Retrofit	271	3	$260,000
Storage Facility at Service Center	274	3	$400,000
		TOTAL	**$1,010,000**

The recommended Capital Fund project total is $4,396,000 in estimated costs for the two-year cycle.

The following new submitted projects and projects previously unfunded and re-submitted for consideration during this two-year cycle are not recommended for funding at this time (project descriptions for individual projects can be found in the attached Draft 2024-2026 Capital Improvement Plan budget document on the page numbers listed):

Proposed Capital Fund Projects Not Recommended for Funding	Page No.	Priority Level	Estimated Cost
Arterial Landscape Median Upgrades	216	3	$300,000
Articulated Aerial Lift Truck	216	3	$600,000
Birch Grove Park Tennis Court Area Re-Landscaping	219	3	$200,000
Citywide Bus Shelters	226	3	$2,400,000
Citywide Information Kiosks – Phase 1 Old Town	228	3	$75,000
Public Works Maintenance Mini Excavator	256	2	$120,000
Public Works Maintenance Robotic Mower	256	2	$25,000
Second Chance Roof Replacement	261	3	$120,000
Senior Center HVAC Replacement	262	3	$50,000
Simulated Impaired Driving Experience	272	3	$50,000
Silliman Center Energy Conservation Measures	267	2	$200,000
Silliman Center Pool Deck Replacement	271	3	$300,000
		TOTAL	**$4,440,000**

Community Development Maintenance Fund projects. Community Development Maintenance Funds may be used to pay for feasibility studies or master plans. The estimated fund balance for Community Development Maintenance Funds beginning July 1, 2024 is approximately $3.7 million.

The following studies are recommended for funding with Community Development Maintenance Funds (project descriptions for individual projects can be found in the attached Draft 2024-2026 Capital Improvement Plan budget document on the page numbers listed):

Community Development Maintenance Fund Projects	Page No.	Priority Level	Estimated Cost
ADA Transition Plan Update	213	1	$250,000
Four Corners Area Plan	237	2	$350,000
Housing Programs – Implementation of Adopted Housing Element	239	2	$450,000
NewPark Place Specific Plan Enhancement and Expansion	250	2	$300,000
Rental Housing Inspection Program Assessment	259	2	$150,000
Title 17 (Zoning) Housing-related Assessment and Update	277	2	$400,000
Urban Forest Master Plan	281	2	$300,000
		TOTAL	**$2,200,000**

The proposed projects totaling $2.2 million would leave $1.5 million remaining in the Community Development Maintenance Fee Fund.

Park Impact Fee projects. The current unappropriated fund balance is approximately $5.8 million. There are no additional park projects recommended for funding at this time. Staff recommends that the City Council receive and consider the findings associated with the Citywide Parks Master Plan Update prior to making any decisions on funding future projects. This study is anticipated to be completed in the fall of 2024.

Segmentation.
As a number of Councilmembers have real property interests within proximity of various CIP projects for consideration, those particular projects will be segmented and considered first without participation by the Councilmembers that have the real property interest with a final decision made by the remaining Councilmembers. Staff has randomly selected the order in which those projects will be considered first. Once

consideration and final approval of those items has concluded, the full City Council will consider the balance of the CIP projects and will not reopen discussion of the previously approved items.

After approval of all project lists, staff will solicit feedback on the Draft 2024-2026 Capital Improvement Plan that includes an overview of the project selection process, summary of financing sources and funded projects, revenue estimates, future funding needs and project descriptions. A final 2024-2026 Capital Improvement Plan will be developed and included in the 2024-2026 Biennial Budget for City Council approval in June.

FISCAL IMPACT

There is no direct fiscal impact related to approving the CIP project funding recommendations lists, which show allocations of funds already received or funds the City anticipates to receive. All approved projects and funding allocations will be incorporated into the final 2024-2026 Capital Improvement Plan for City Council consideration with approval of the 2024-2026 Biennial Budget on June 27, 2024.

REVIEW AND APPROVAL

Prepared by - Soren Fajeau, Public Works Director
Reviewed by - Krysten Lee, Finance Director
Reviewed by - Kristopher J. Kokotaylo, City Attorney
Approved by - Lenka Hovorka, Assistant City Manager

Attachments

2024-2026 CIP Presentation
Resolution 1 - CIP Project List A
Resolution 2 - CIP Project List B
Resolution 3 - CIP Project List C
Resolution 4 - CIP Project List D
Resolution 5 - CIP Project List E
Resolution 6 - CIP Project List F
Resolution 7 - Remaining CIP Projects
Resolution 7 Exhibit A - Remaining CIP Projects lists
Draft 2024-2026 Capital Improvement Plan budget document



NEWARK
california

2024-2026
Capital Improvement Plan
Project Funding Recommendations

City Council: June 13, 2024

2024-2026 Capital Improvement Plan

Agenda

1. CIP Schedule for Adoption
2. CIP Funding Summary
3. CIP Projects Recommended for Funding
4. Next Steps

Capital Improvement Plan

PROCESS OVERVIEW

CIP Schedule for Approval and Adoption

1. Call for Projects
2. Staff Evaluation of Projects Submitted
3. City Council Overview of Submitted Projects (January)
4. Staff Review/Ranking of Projects (March)
5. CIP Review with Planning Commission (June 11th)
6. ***City Council Review of Draft CIP and Approval of CIP Project Lists***
7. Recommended City Council Adoption of CIP with the Biennial Budget (expected June 27th)

NEWARK california

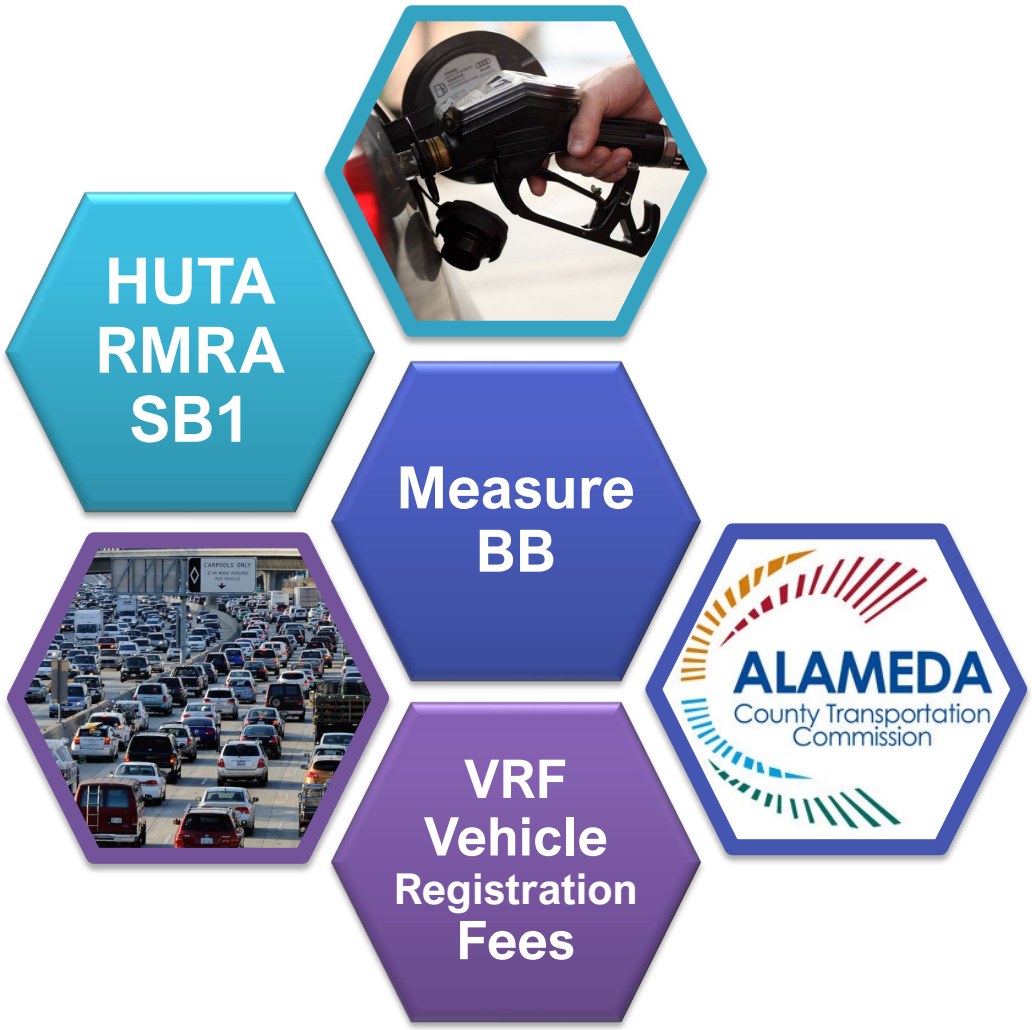
CIP Project Funding

FUNDING SOURCES FOR THE 2024-2026 CIP

Gas Tax Funds	Capital Funds	Community Development Maintenance Fund	Impact Fees	Outside Funding
$8.75M new revenue for two-year period $13.4M available	$5.25M Projected Balance	$3.7M Current Balance	Park Impact Fees $5.8M Other Development Impact Fees $15.3M	Transportation and Other Grant Funds $35M

Gas Tax

Major Funding Sources for the Capital Improvement Plan



- Highway Users Tax Account (HUTA)
- Road Maintenance Rehabilitation Account/ Senate Bill 1 (RMRA/SB1)
  - ➢ $2.61M per year
- Measure BB Direct Distributions
  - ➢ $1.54M per year
- Vehicle Registration Fee (VRF) Direct Distributions
  - ➢ $220,000 per year

Total $4.37M per year

Capital Funds

Major Funding Sources for the Capital Improvement Plan

$5.25M Available Balance





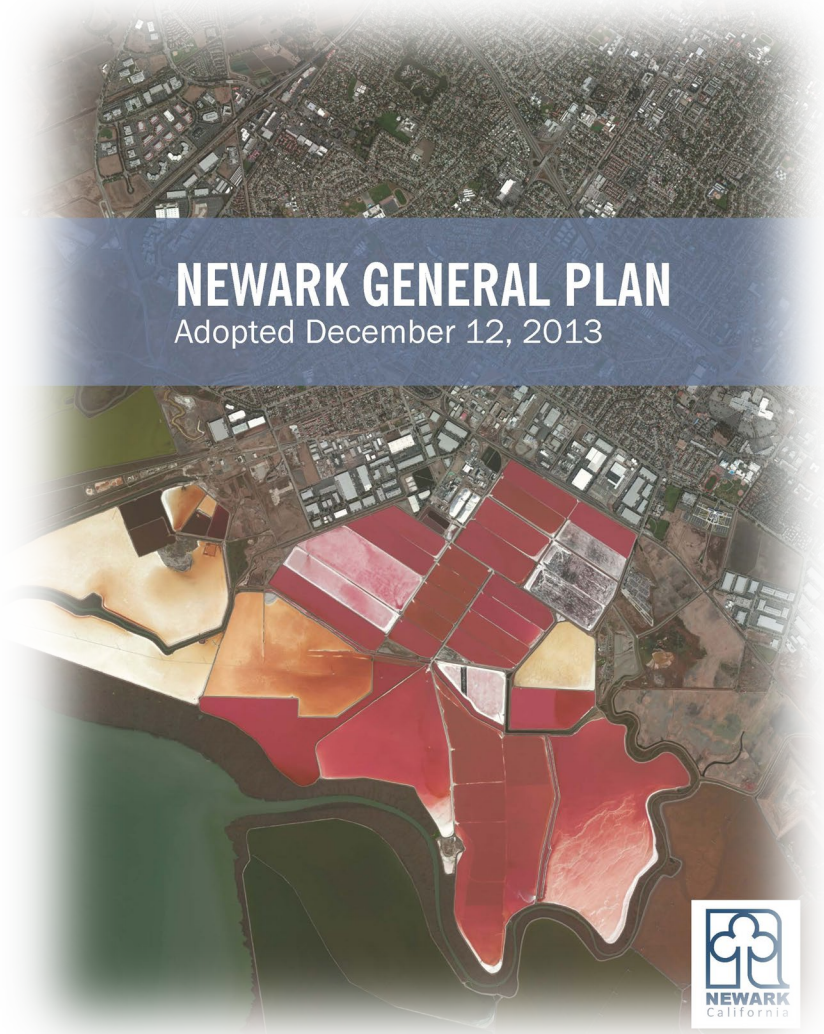
Potential Use of Unallocated Funds



Budget Surpluses From Completed Projects

Community Development Maintenance Fund

Major Funding Sources for the Capital Improvement Plan



Community Development Maintenance Funds

- Feasibility Studies or Master Plans
- Maintaining or Updating General Plan

$3.7M Available Balance

Park Impact Fees; Development Impact Fees



Park Impact Fees (Currently $5.8M)

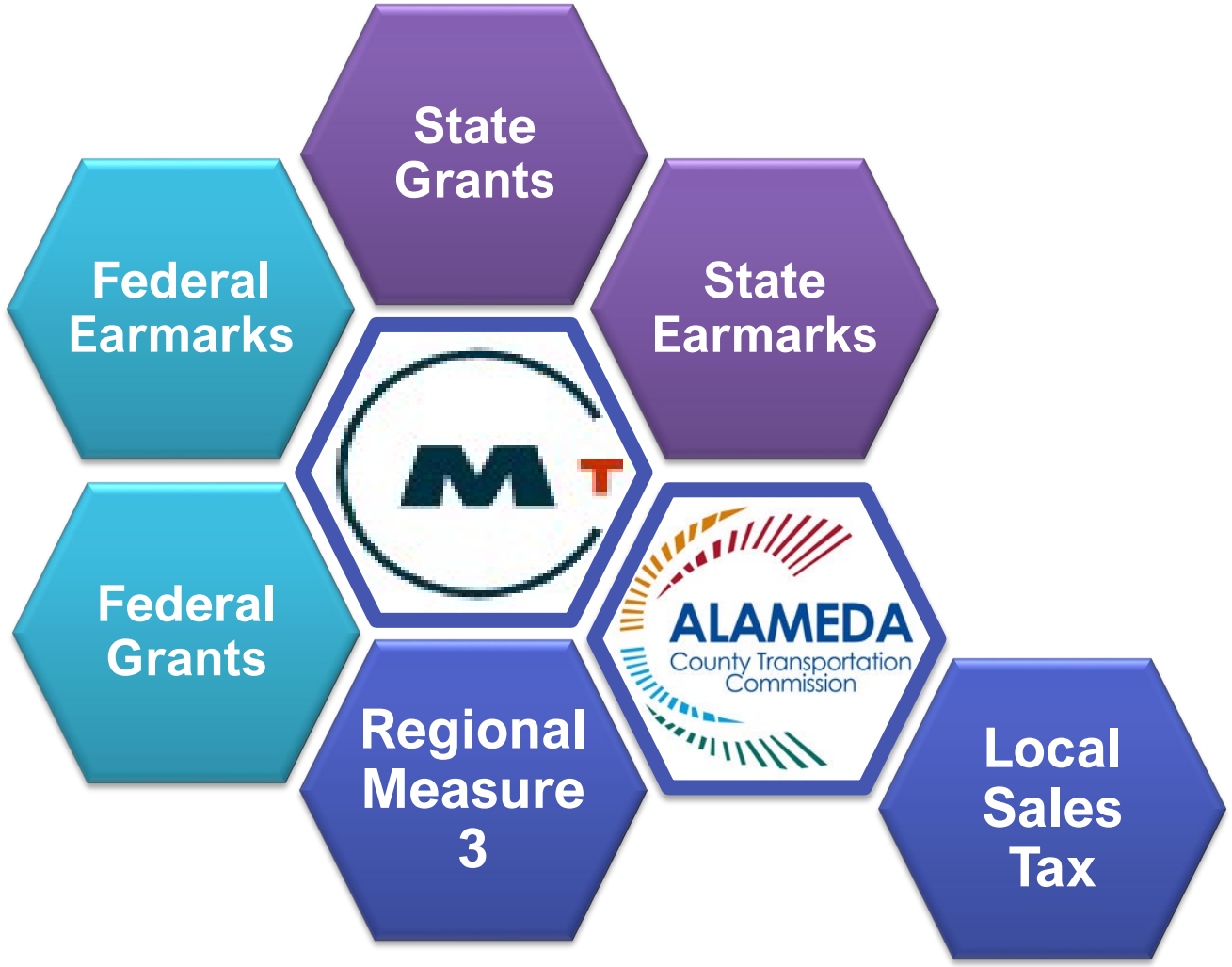
- Fund new parks projects
- Citywide Parks Master Plan Recommendations

Development Impact Fees (Currently $15.3M)

- Traffic Impact Fees
- Public Safety Impact Fees
- Community Service Impact Fees
- Facilities Master Plan Recommendations

Outside Funding

Major Transportation and Other Grant Projects



- Federal Earmarks, Congressman Khanna and Senator Padilla; $3.0M
- Federal Grants, FLAP $8.9M; OBAG3 $5.14M; ARPA $250,000;
- State Earmarks, Assemblymember Alex Lee; $5.8M
- State Grants, $173,000
- Regional Measure 3; $15M
- Local Transportation Sales Tax Discretionary Grants

2024-2026 Capital Improvement Plan

Project Lists



2024-2026
Capital Improvement Plan

Project List ‘A’

- Lindsay Tract Street & Storm Drainage Improvements
- Citywide Information Kiosks, Phase 1 – Old Town

Lindsay Tract Street & Storm Drainage Improvements

Lindsay Tract Street & Storm Drainage Improvements

- Partially funded: $2.7M
- Currently on hold

Citywide Information Kiosks, Phase 1 Historic Newark

Citywide Information Kiosks, Phase 1

Old Town

- $75,000 Estimated Cost
- Priority Level 3
- CIP Unfunded List

2024-2026 Capital Improvement Plan
Project List 'A' Recommendations

Lindsay Tract Street & Storm Drainage Improvements

- Remain in CIP as a partially funded project
- No additional funding at this time while on hold

Citywide Information Kiosks, Phase 1 Old Town

- Include in CIP as an unfunded project
- $75,000 estimated cost

2024-2026
Capital Improvement Plan

Project List ‘B’

- Cedar Boulevard Linear Park Areas 1, 3 and 4
- Cedar Boulevard Linear Park Area 2

Cedar Boulevard Linear Park

Cedar Blvd Linear Park – Areas 1, 3 and 4

- Priority Level 3
- $3,200,000 estimated cost, unfunded

Cedar Blvd Linear Park – Area 2

- Priority Level 3
- Currently funded for $850,000 estimated cost
- Cost may increase with full design and community outreach

$5.8 M Current Park Impact Fee Balance

2024-2026 Capital Improvement Plan
Project List 'B' Recommendations

Cedar Boulevard Linear Park Area 2

- Maintain in CIP as funded project
- Cost estimate $850,000
- Cost may increase with final design

Cedar Boulevard Linear Park Areas 1, 3 and 4

- Maintain in CIP as unfunded project

2024-2026
Capital Improvement Plan

Project List ‘C’

- Old Town PDA Streetscape Improvements (Construction)
- Old Town PDA Streetscape Improvements (Design)

Old Town PDA Streetscape Improvements

Design Phase

- Final design underway
- Funded for $1.0M

Construction Phase

- Construction start in 2025
- $12.0M estimated cost
- $5.14M OBAG 3 (Federal funds)
- $1.0M State Earmark (Assemblymember Lee)
- $5.9M Regional Measure 3 (pending)

2024-2026 Capital Improvement Plan
Project List 'C' Recommendations

Old Town PDA Streetscape Improvements (Design)

- Maintain in CIP as funded project, $1.0M

Old Town PDA Streetscape Improvements (Construction)

- Add to CIP as a partially funded project, $12.0M in cost
- Pending final action on Regional Measure 3 by MTC

2024-2026
Capital Improvement Plan

Project List ‘D’

- Thornton Avenue Pavement Rehabilitation, Phase 1

  I-880 or Olive Street

Thornton Avenue Pavement Rehabilitation, Phase 1 - I-880 to Olive Street

Design Phase

- Final design underway

Construction Phase

- Construction start in 2026
- $3.5M estimated cost
- $2.0M Federal funds

  (Rep. Khanna; Sen. Padilla)
- $1.5M Regional Measure 3 (pending)

2024-2026 Capital Improvement Plan
Project List 'D' Recommendations

Thornton Avenue Pavement Rehabilitation, Phase 1 - I-880 to Olive Street

- Add to CIP as a partially funded project for $3.5M
- Pending final action on Regional Measure 3 by MTC

2024-2026
Capital Improvement Plan

Project List ‘E’

- Quiet Zones Implementation
- Thornton Avenue Pavement Rehabilitation, Phase 2 – Ash Street to Spruce Street
- Thornton Avenue Streetscape Improvements (Elm Street to Willow Street)

Quiet Zones Implementation

Quiet Zones Implementation

- Railroad Quiet Zones Study completed
- Design currently underway; Up to $8.0M
- Partially funded with $2.0M State Earmark (Assemblymember Lee)
- Regional Measure 3 pending, $2.0M

Thornton Avenue Pavement Rehabilitation, Phase 2 – Ash St. to Spruce St.

Thornton Avenue Pavement Rehabilitation, Phase 2 – Ash Street to Spruce Street

- Recently partially funded - $1.0M in Federal funding (Rep. Khanna and Sen. Padilla)
- Regional Measure 3 pending, $500,000

Thornton Avenue Streetscape (Elm St to Willow St)

Thornton Ave Streetscape (Elm St to Willow St)

- Unfunded List; Priority Level 3
- Median placement and landscaping
- $1,200,000 Estimated Cost

2024-2026 Capital Improvement Plan
Project List 'E' Recommendations

Quiet Zones Implementation

- Add to CIP as partially funded project, estimated at $8.0M

Thornton Avenue Pavement Rehabilitation – Phase 2

- Add to CIP as partially funded project, estimated at $1.5M

Thornton Ave Streetscape Improvements (Elm St to Willow St)

- Maintain in CIP as unfunded project

2024-2026
Capital Improvement Plan

Project List ‘F’

- Traffic Signal Interconnect (Preliminary Design)
- Traffic Signal Interconnect (Implementation)

Traffic Signal Interconnect

Traffic Signal Interconnect

- Includes three corridors:
  - Cherry Street (Thornton Ave. to Stevenson Blvd.)
  - Newark Boulevard (SR-84 to Civic Terrace Ave.)
  - Thornton Avenue (Cedar Blvd. to Sycamore Ave.)
- Preliminary design funded and underway
- Implementation phase estimate: $7.5M
- Implementation phase on hold pending full scope analysis with preliminary design, available funding, and coordination with Broadband Master Plan effort

2024-2026 Capital Improvement Plan
Project List ‘F’ Recommendations

Traffic Signal Interconnect (Preliminary Design)

- Maintain in CIP as a funded project for $475,000

Traffic Signal Interconnect (Implementation)

- Add to CIP as an unfunded project estimated at $7.5M

2024-2026 Capital Improvement Plan

Project Lists By Funding Source



Gas Tax Projects RECOMMENDED FOR FUNDING

Projected **$8.75 M** of Gas Tax Revenue

10 Projects Recommended for Funding

- 6 - Annual Street Maintenance Projects
- 2 - Standalone Street Improvement Projects
- **$11.0 M** Total Estimated Costs
- Focus on Pavement Condition Index

3 Projects Not Recommended for Funding

Project Funding Recommendations
Gas Tax

Annual Street Maintenance Projects	Priority Level	FY 2024-25	FY 2025-26
Street Asphalt Concrete Overlay Program	1	$ 4,000,000	$ 4,000,000
Curb, Gutter and Sidewalk Replacement	1	$ 400,000	$ 400,000
Street Tree Maintenance	1	$ 300,000	$ 300,000
Traffic Calming Measures	3	$ 100,000	$ 100,000
Citywide Accessible Pedestrian Ramps	1	$ 75,000	$ 75,000
Thermoplastic Street Striping	1	$ 25,000	$ 25,000
TOTALS		**$4,900,000**	**$ 4,900,000**

Project Funding Recommendations
Gas Tax

Standalone Street Improvement Projects	Priority Level	FY 2024-25	FY 2025-26
Cherry Street and Mowry Avenue Median Turn Pocket Modifications (Construction)	3	$ 400,000	$ 0
Pedestrian Hybrid Beacon Installation – Newark Blvd. and Cedar Blvd.	1	$ 800,000	$ 0
TOTALS		**$1,200,000**	**$ 0**

Projects Not Recommended for Funding
Gas Tax

Projects Not Recommended for Funding	Priority Level	Estimated Cost
Central Ave Median and Sidewalk Improvements (Design)	3	$ 250,000
Central Ave Median and Sidewalk Improvements (Construction)	3	$ 1,200,000
Other Projects		$ 11,500,000
TOTAL		**$ 12,950,000**

Gas Tax

PROJECTS RECOMMENDED FOR FUNDING

Summary	FY 2024-25	FY 2025-26
Street Maintenance Projects	$ 4,900,000	$ 4,900,000
Street Improvement Projects	$ 1,200,000	$ 0
FY Subtotals	**$ 6,100,000**	**$ 4,900,000**
TOTAL	**$11,000,000**	

Total Projected Gas Tax Funds

$ 13,400,000

Capital Fund Projects RECOMMENDED FOR FUNDING

Anticipated **$5.25 M** Capital Fund Balance

26 Projects Recommended for Funding

- 8 - Maintenance Projects
- 6 – New Vehicle Purchases
- 8 – Operations Projects
- 4 – Previously Unfunded Projects
- **$4.40 M** Total Estimated Costs

12 Total Submitted Projects Not Recommended for Funding

Recommended Capital Fund Projects

MAINTENANCE PROJECTS

	Priority Level	Estimated Cost
Senior Center Repainting	1	$ 100,000
Silliman Center Door Closers - Replacement	1	$ 100,000
Silliman Center Gym & Dance Floor Refinishing	1	$ 130,000
Silliman Center Locker Room Flooring Replacement	1	$ 150,000
Silliman Center Partial Roof and Skylight Replacement	1	$ 250,000
Silliman Center Shower Tile Replacement	1	$ 100,000
Silliman Center Water Slide Replacement	1	$ 350,000
Softball Fields Retrofit – Scoreboard and Bleachers at Mel Nunes Sportsfield Park and Birch Grove Park	3	$ 150,000
TOTAL		**$ 1,330,000**

Recommended Capital Fund Projects

NEW VEHICLES AND EQUIPMENT

	Priority Level	Estimated Cost
Community Preservation Vehicle	3	$ 50,000
Information Technology Vehicle	3	$ 80,000
Police Department Patrol Vehicles (2)	2	$ 200,000
Police Department Unmarked Vehicles (2)	2	$ 135,000
Public Works Maintenance Street Sweeper	2	$ 500,000
Public Works Maintenance Supervisor Vehicles (2)	2	$ 160,000
TOTAL Packet Page 602		**$ 1,125,000**

Recommended Capital Fund Projects

OPERATIONS

	Priority Level	Estimated Cost
Emergency Breaching Tools and Training	2	$ 46,000
Firearms Training System	3	$ 20,000
Fire Station Nos. 27 and 29 Fencing	3	$ 500,000
Mel Nunes Sportsfield Park Storage Unit	3	$ 60,000
Senior Center Driveway Relocation	3	$ 60,000
Service Center Vacuum Truck Shelter	1	$ 100,000
Vehicle Pursuit Intervention Devices	3	$ 45,000
Virtual Reality Police Tactics Training System	3	$ 100,000
TOTAL		**$ 931,000**

Recommended Capital Fund Projects

Previously Requested Unfunded Projects	Priority Level	Estimated Cost
Public Works Maintenance Water Tank Spray Truck	2	$ 250,000
Second Chance Shelter Repairs	3	$ 100,000
Silliman Center Pool Sanitation System Retrofit	3	$ 260,000
Storage Facility at Service Center	3	$ 400,000
TOTAL		**$ 1,010,000**

Capital Fund Projects
Not Recommended for Funding

New Projects Not Recommended for Funding	Priority Level	Estimated Cost
Public Works Maintenance Mini Excavator	2	$ 120,000
Public Works Maintenance Robotic Mower	2	$ 25,000
Second Chance Roof - Replacement	3	$ 120,000
Simulated Impaired Driving Experience	3	$ 50,000
Other Projects	3	$ 75,000
TOTAL		**$ 390,000**

Capital Fund Projects
Not Recommended for Funding

Previously Unfunded Projects Still Not Recommended for Funding	Priority Level	Estimated Cost
Articulated Aerial Lift Truck	3	$ 300,000
Arterial Landscape Median Upgrades	3	$ 600,000
Citywide Bus Shelters	3	$ 2,400,000
Birch Grove Park Tennis Court Area Re-landscaping	3	$ 200,000
Senior Center HVAC Replacement	3	$ 50,000
Silliman Center Energy Conservation Measures	2	$ 200,000
Silliman Center Pool Deck Replacement	3	$ 300,000
TOTAL		**$ 4,050,000**

Capital Fund

PROJECTS RECOMMENDED FOR FUNDING

Summary	Estimated Cost
Maintenance	$ 1,330,000
New Vehicles	$ 1,125,000
Operations	$ 931,000
Previously Unfunded	$ 1,010,000
TOTAL	**$ 4,396,000**

Projected Capital Fund Balance

$ 5,250,000

Community Development Maintenance Fund

PROJECTS RECOMMENDED FOR FUNDING

May be used for Feasibility Studies or Master Plans related to maintaining or updating General Plan or Zoning Ordinance

---

$3.7 M Current Balance

---

6 Projects Recommended for Funding

- **$2,200,000** Total Estimated Costs

Community Development Maintenance Fund

Projects Recommended for Funding	Priority Level	Estimated Cost
ADA Transition Plan Update	1	$ 250,000
Four Corners Area Plan	2	$ 350,000
Housing Programs – Implementation of Adopted Housing Element	2	$ 450,000
NewPark Place Specific Plan Enhancement and Expansion	2	$ 300,000
Rental Housing Inspection Program Assessment	2	$ 150,000
Title 17 (Zoning) Housing-related Assessment and Update	1	$ 400,000
Urban Forest Master Plan	2	$ 300,000
TOTAL		**$ 2,200,000**

Park Impact Fee Projects

$5.8 M Current Park Impact Fee Balance

No additional projects recommended for funding at this time, pending final results of the Citywide Parks Master Plan update

Capital Improvement Plan

NEXT STEP

Recommended City Council Adoption with Biennial Budget (June 27th)

2024-2026 Capital Improvement Plan Recommendation

1) Approve the remaining 2024-2026 Capital Improvement Plan Project Lists in Resolution 7, Exhibit A, including:

- **New and Previously Unfunded Projects Recommended for Funding**
- **Unfunded Projects**
- **Funded But Not Yet Completed Projects**

2) Provide feedback on the DRAFT 2024-2026 Capital Improvement Plan budget document

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWARK APPROVING PROJECT LIST 'A' IN THE CAPITAL IMPROVEMENT PLAN FOR THE CITY OF NEWARK FOR FISCAL YEARS 2025 AND 2026 FOR FINAL ADOPTION WITH THE BIENNIAL BUDGET

WHEREAS, the City Council of the City of Newark desires to establish a Capital Improvement Plan of the City of Newark for Fiscal Years 2025 and 2026 (the "Capital Improvement Plan"); and

WHEREAS, the City Council has reviewed and considered the proposed Project List 'A,' as presented below; and

Project List 'A'

Lindsay Tract Street and Storm Drainage Improvements
Citywide Information Kiosks, Phase 1 – Old Town

WHEREAS, the Lindsay Tract Street and Storm Drain Improvements project is currently included in the Capital Improvement Plan with an approved funded amount of $2,700,000; and

WHEREAS, the City Council has determined that the Lindsay Tract Street and Storm Drain Improvements project should remain in the Capital Improvement Plan as a partially funded project; and

WHEREAS, the City Council desires to include Citywide Information Kiosks, Phase 1 – Old Town in the Capital Improvement Plan as an unfunded project; and

WHEREAS, the City Council desires to make a final decision to include the Lindsay Tract Street and Storm Drain Improvements in the Capital Improvement Plan as a partially funded project that has not been completed for final adoption with the Biennial Budget; and

WHEREAS, the City Council desires to make a final decision to include Citywide Information Kiosks, Phase 1 – Old Town in the Capital Improvement Plan as an unfunded project for final adoption with the Biennial Budget.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Newark hereby approves the inclusion of the Lindsay Tract Street and Storm Drain Improvements in the Capital Improvement Plan of the City of Newark for Fiscal Years 2025 and 2026 as a partially funded project that had been previously funded but has not yet been completed.

BE IT FURTHER RESOLVED that the City Council of the City of Newark hereby approves the inclusion of Citywide Information Kiosks, Phase 1 – Old Town in the Capital Improvement Plan of the City of Newark for Fiscal Years 2025 and 2026 as an unfunded project.

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWARK APPROVING PROJECT LIST 'B' IN THE CAPITAL IMPROVEMENT PLAN FOR THE CITY OF NEWARK FOR FISCAL YEARS 2025 AND 2026 FOR FINAL ADOPTION WITH THE BIENNIAL BUDGET

WHEREAS, the City Council of the City of Newark desires to establish a Capital Improvement Plan of the City of Newark for Fiscal Years 2025 and 2026 (the "Capital Improvement Plan"); and

WHEREAS, the City Council has reviewed and considered the proposed Project List 'B,' as presented below; and

Project List 'B'

Cedar Boulevard Linear Park Areas 1, 3 and 4
Cedar Boulevard Linear Park Area 2

WHEREAS, the City Council has determined that Cedar Boulevard Linear Park Areas 1, 3 and 4 should remain in the Capital Improvement Plan as an unfunded project; and

WHEREAS, the City Council has determined that the Cedar Boulevard Linear Park Area 2 project should remain in the Capital Improvement Plan as a project that had been previously funded but has not yet been completed; and

WHEREAS, the City Council desires to make a final decision to include Cedar Boulevard Linear Park Areas 1, 3 and 4 in the Capital Improvement Plan as an unfunded project for final adoption with the Biennial Budget.

WHEREAS, the City Council desires to make a final decision to include Cedar Boulevard Linear Park Area 2 in the Capital Improvement Plan as a project that had been previously funded but has not been completed for final adoption with the Biennial Budget; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Newark hereby approves the inclusion of Cedar Boulevard Linear Park Areas 1, 3 and 4 in the Capital Improvement Plan of the City of Newark for Fiscal Years 2025 and 2026 as an unfunded project.

BE IT FURTHER RESOLVED that the City Council of the City of Newark hereby approves the inclusion of Cedar Boulevard Linear Park Area 2 in the Capital Improvement Plan of the City of Newark for Fiscal Years 2025 and 2026 as a project that had been previously funded but has not yet been completed.

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWARK APPROVING PROJECT LIST 'C' IN THE CAPITAL IMPROVEMENT PLAN FOR THE CITY OF NEWARK FOR FISCAL YEARS 2025 AND 2026 FOR FINAL ADOPTION WITH THE BIENNIAL BUDGET

WHEREAS, the City Council of the City of Newark desires to establish a Capital Improvement Plan of the City of Newark for Fiscal Years 2025 and 2026 (the "Capital Improvement Plan"); and

WHEREAS, the City Council has reviewed and considered the proposed Project List 'C,' as presented below; and

Project List 'C'

Old Town PDA Streetscape Improvements (Construction)
Old Town PDA Streetscape Improvements (Design)

WHEREAS, the City Council desires to include the Old Town PDA Streetscape Improvements (Construction) in the Capital Improvement Plan as a partially funded project; and

WHEREAS, the City Council has determined that Old Town PDA Streetscape Improvements (Design) should remain in the Capital Improvement Plan as a project that had been previously funded but has not yet been completed; and

WHEREAS, the City Council desires to make a final decision to include Old Town PDA Streetscape Improvements (Construction) in the Capital Improvement Plan as a partially funded project for final adoption with the Biennial Budget; and

WHEREAS, the City Council desires to make a final decision to include Old Town PDA Streetscape Improvements (Design) in the Capital Improvement Plan as a project that had been previously funded but has not yet been completed for final adoption with the Biennial Budget.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Newark hereby approves the inclusion of Old Town PDA Streetscape Improvements (Construction) in the Capital Improvement Plan of the City of Newark for Fiscal Years 2025 and 2026 as a partially funded project.

BE IT FURTHER RESOLVED that the City Council of the City of Newark hereby approves the inclusion of Old Town PDA Streetscape Improvements (Design) in the Capital Improvement Plan of the City of Newark for Fiscal Years 2025 and 2026 as a project that had been previously funded but has not yet been completed.

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWARK APPROVING PROJECT LIST 'D' IN THE CAPITAL IMPROVEMENT PLAN FOR THE CITY OF NEWARK FOR FISCAL YEARS 2025 AND 2026 FOR FINAL ADOPTION WITH THE BIENNIAL BUDGET

WHEREAS, the City Council of the City of Newark desires to establish a Capital Improvement Plan of the City of Newark for Fiscal Years 2025 and 2026 (the "Capital Improvement Plan"); and

WHEREAS, the City Council has reviewed and considered the proposed Project List 'D,' as presented below; and

Project List 'D'

Thornton Avenue Pavement Rehabilitation, Phase 1 – Interstate 880 to Olive Street

WHEREAS, the City Council desires to include Thornton Avenue Pavement Rehabilitation, Phase 1 – Interstate 880 to Olive Street in the Capital Improvement Plan as a partially funded project; and

WHEREAS, the City Council desires to make a final decision to include Thornton Avenue Pavement Rehabilitation, Phase1 – Interstate 880 to Olive Street in the Capital Improvement Plan as a partially funded project for final adoption with the Biennial Budget; and

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Newark hereby approves the inclusion of Thornton Avenue Pavement Rehabilitation, Phase 1 – Interstate 880 to Olive Street in the Capital Improvement Plan of the City of Newark for Fiscal Years 2025 and 2026 as a partially funded project.

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWARK APPROVING PROJECT LIST 'E' IN THE CAPITAL IMPROVEMENT PLAN FOR THE CITY OF NEWARK FOR FISCAL YEARS 2025 AND 2026 FOR FINAL ADOPTION WITH THE BIENNIAL BUDGET

WHEREAS, the City Council of the City of Newark desires to establish a Capital Improvement Plan of the City of Newark for Fiscal Years 2025 and 2026 (the "Capital Improvement Plan"); and

WHEREAS, the City Council has reviewed and considered the proposed Project List 'E,' as presented below; and

Project List 'E'

Quiet Zones Implementation
Thornton Avenue Pavement Rehabilitation, Phase 2 – Ash Street to Spruce Street
Thornton Avenue Streetscape Improvements (Elm Street to Willow Street)

WHEREAS, the City Council desires to include Quiet Zones Implementation in the Capital Improvement Plan as a partially funded project; and

WHEREAS, the City Council desires to include Thornton Avenue Pavement Rehabilitation, Phase 2 – Ash Street to Spruce Street in the Capital Improvement Plan as a partially funded project; and

WHEREAS, the City Council has determined that Thornton Avenue Streetscape Improvements (Elm Street to Willow Street) should remain in the Capital Improvement Plan as an unfunded project; and

WHEREAS, the City Council desires to make a final decision to include Quiet Zones Implementation in the Capital Improvement Plan as a partially funded project for final adoption with the Biennial Budget; and

WHEREAS, the City Council desires to make a final decision to include Thornton Avenue Pavement Rehabilitation, Phase 2 – Ash Street to Spruce Street in the Capital Improvement Plan as a partially funded project for final adoption with the Biennial Budget; and

WHEREAS, the City Council desires to make a final decision to include Thornton Avenue Streetscape Improvements (Elm Street to Willow Street) in the Capital Improvement Plan as an unfunded project for final adoption with the Biennial Budget.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Newark hereby approves the inclusion of Quiet Zones Implementation in the Capital Improvement Plan of the City of Newark for Fiscal Years 2025 and 2026 as a partially funded project.

BE IT FURTHER RESOLVED that the City Council of the City of Newark hereby approves the inclusion of Thornton Avenue Pavement Rehabilitation, Phase 2 – Ash Street to Spruce Street in the Capital Improvement Plan of the City of Newark for Fiscal Years 2025 and 2026 as a partially funded project.

BE IT FURTHER RESOLVED that the City Council of the City of Newark hereby approves the inclusion of Thornton Avenue Streetscape Improvements (Elm Street to Willow Street) in the Capital Improvement Plan of the City of Newark for Fiscal Years 2025 and 2026 as an unfunded project.

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWARK APPROVING PROJECT LIST 'F' IN THE CAPITAL IMPROVEMENT PLAN FOR THE CITY OF NEWARK FOR FISCAL YEARS 2025 AND 2026 FOR FINAL ADOPTION WITH THE BIENNIAL BUDGET

WHEREAS, the City Council of the City of Newark desires to establish a Capital Improvement Plan of the City of Newark for Fiscal Years 2025 and 2026 (the "Capital Improvement Plan"); and

WHEREAS, the City Council has reviewed and considered the proposed Project List 'F,' as presented below; and

Project List 'F

Traffic Signal Interconnect (Implementation)

WHEREAS, the City Council desires to include Traffic Singal Interconnect (Implementation) in the Capital Improvement Plan as an unfunded project; and

WHEREAS, the City Council desires to make a final decision to include Traffic Signal Interconnect (Implementation) in the Capital Improvement Plan as an unfunded project for final adoption with the Biennial Budget.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Newark hereby approves the inclusion of Traffic Signal Interconnect (Implementation) in the Capital Improvement Plan of the City of Newark for Fiscal Years 2025 and 2026 as an unfunded project.

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWARK APPROVING INCLUSION OF PROJECTS IN THE CAPITAL IMPROVEMENT PLAN FOR THE CITY OF NEWARK FOR FISCAL YEARS 2025 AND 2026 FOR FINAL ADOPTION WITH THE BIENNIAL BUDGET

WHEREAS, the City Council of the City of Newark desires to establish a Capital Improvement Plan of the City of Newark for Fiscal Years 2025 and 2026 (the "Capital Improvement Plan"); and

WHEREAS, the City Council has reviewed and considered the proposed Projects attached hereto as Exhibit "A", which includes (1) the list of New and Previously Unfunded Projects Now Recommended for Funding, (2) the list of Unfunded Projects with revised cost estimates, and (3) the list of Funded But Not Yet Completed Projects with remaining budgeted funding amounts; and

WHEREAS, the City Council desires to include Projects in the Capital Improvement Plan; and

WHEREAS, the City Council desires to make a final decision to include Projects in the Capital Improvement Plan for final adoption with the Biennial Budget.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Newark hereby approves the inclusion of Projects, as identified in Exhibit "A", attached hereto and incorporated herein by reference, in the Capital Improvement Plan of the City of Newark for Fiscal Years 2025 and 2026.

EXHIBIT A

2024-2026 Capital Improvement Plan

List of New and Previously Unfunded Projects Recommended for Funding

Project Description	Priority Level	Estimated Cost
ADA Transition Plan	1	$250,000
Annual Citywide Accessible Pedestrian Ramps (FY25, FY26)	1	$150,000
Annual Curb, Gutter & Sidewalk Program (FY25, FY26)	1	$800,000
Annual Thermoplastic Street Striping (FY25, FY26)	1	$50,000
Annual Street Asphalt Concrete Overlay Program (FY25,FY26)	1	$8,000,000
Annual Street Tree Maintenance Program (FY25, FY26)	1	$600,000
Annual Traffic Calming Program (FY25, FY26)	3	$200,000
Cherry Street Median Modifications	3	$400,000
Community Preservation Vehicle	3	$50,000
Emergency Breaching Tools and Training	2	$46,000
Firearms Training System	3	$20,000
Fire Stations Nos. 27 and 29 Fencing	3	$500,000
Four Corners Area Plan	2	$350,000
Housing Programs - Implementation of Adopted Housing Element	2	$450,000
Information Technology Vehicle	3	$80,000
Mel Nunes Sportsfield Park Storage Unit	3	$60,000
Public Works Maintenance Water Tank Spray Truck	2	$250,000
NewPark Place Specific Plan Enhancement and Expansion	2	$300,000
Pedestrian Hybrid Beacon Installaions	1	$800,000
Police Department Patrol Vehicles (2)	2	$200,000
Police Department Unmarked Vehicles (2)	2	$135,000
Public Works Maintenance Street Sweeper	2	$500,000
Public Works Maintenance Supervisor Vehicles (2)	2	$160,000
Rental Housing Inspection Program Assessment	2	$150,000
Second Chance Shelter Repairs	3	$100,000
Senior Center Driveway Relocation	3	$60,000
Senior Center Repainting	1	$100,000
Service Center Vacuum Truck Shelter	1	$100,000
Silliman Aquatic Center Pool Sanitation System Retrofit	3	$260,000
Silliman Center Door Closers Replacement	1	$100,000
Silliman Center Gym and Dance Floor Refinishing	1	$130,000
Silliman Center Locker Room Flooring Replacement	1	$150,000
Silliman Center Partial Roof and Skylight Replacement	1	$250,000
Silliman Center Shower Tile Replacement	1	$100,000
Silliman Center Water Slide Replacement	1	$350,000
Softball Fields Retrofit Scoreboards and Bleachers	3	$150,000
Storage Facility at Service Center	3	$400,000
Title 17 (Zoning) Housing-related Assessment and Update	1	$400,000
Urban Forest Master Plan	2	$300,000
Vehicle Pursuit Intervention Devices	3	$45,000
Virtual Reality Pollice Tactics Training System	3	$100,000
	Total	**$17,596,000**

2024-2026 Capital Improvement Plan
List of All Unfunded Projects (Exhibit A continued)
(Both New and Previously Listed

Project Description	Priority Level	Estimated Cost	Funding Source
Arterial Landscape Median Upgrades	3	$600,000	Gas Taxes
Articulated Aerial Lift Truck (35')	3	$300,000	Capital Funds
Aquatic Center NinjaCross Obstacle Course System	3	$500,000	Capital Funds
Bayside TOD Transit Station and Overcrossing (Construction)	3	$11,500,000	Impact Fees
Bayside TOD Transit Station and Overcrossing (Design)	3	$700,000	Capital Funds
Birch Grove Park Completion	3	$3,380,000	Park Impact Fees
Birch Grove Park Softball Field Night Lighting	3	$300,000	Capital Funds
Birch Grove Park Tennis Court Area Re-Landscaping	3	$200,000	Park Impact Fees
Byington Park Completion	3	$950,000	Park Impact Fees
Cedar Boulevard Complete Streets	3	$2,800,000	Gas Taxes
Cedar Boulevard Linear Parks 1, 3, 4	3	$2,870,000	Park Impact Fees
Central Avenue Median and Sidewalk Improvements (Construction)	3	$1,200,000	Gas Taxes
Central Avenue Median and Sidewalk Improvements (Design)	3	$250,000	Gas Taxes
Citywide Bus Shelters	3	$2,400,000	Capital Funds
Citywide Document Scanning Services	3	$150,000	Capital Funds
Citywide Information Kiosks – Phase 1 Old Town	3	$75,000	Capital Funds
Civic Center Park Completion and Updates	3	$1,160,000	Park Impact Fees
Cultural Arts Center	3	$40,000,000	Capital Funds
Fire Station No. 27 Energy Efficient Windows	3	$30,000	Capital Funds
Fire Station No. 27 Training Tower - New Construction	3	$2,000,000	Capital Funds
History Museum - Phase 2b (Restoration and Construction)	3	$3,000,000	Capital Funds
History Museum - Phase 3 (Exhibits)	3	$750,000	Capital Funds
Jerry Raber Ash Street Park Completion	3	$915,000	Park Impact Fees
Lakeshore Park Completion	3	$1,750,000	Park Impact Fees
Lakeshore Park Restroom	3	$350,000	Park Impact Fees
Mayhews Landing Park Completion	3	$1,090,000	Park Impact Fees
Mel Nunes Sportsfield Park Splash Pad	3	$550,000	Park Impact Fees
Mirabeau Park Completion	3	$680,000	Park Impact Fees
Mowry Avenue Backup Wall and Landscape Improvements	3	$900,000	Gas Taxes
Musick Park Completion	3	$720,000	Park Impact Fees
Newark Boulevard Complete Streets and Undergrounding	3	$6,800,000	Gas Taxes
Newark Community Park Completion	3	$3,860,000	Park Impact Fees
Public Works Maintenance Mini Excavator	2	$120,000	Capital Funds
Public Works Maintenance Robotic Mower	2	$25,000	Capital Funds
Second Chance Roof Replacement	3	$120,000	Capital Funds
Senior Center - New Construction	3	$8,000,000	Capital Funds
Senior Center HVAC Replacement	3	$50,000	Potential CDBG Project
SIDNE (Simulated Impaired Driving Experience)	3	$50,000	Capital Funds
Silliman Activity Center Energy Conservation Measures	3	$200,000	Capital Funds
Silliman Aquatic Center - Hot Tub Replacement	3	$300,000	Capital Funds
Silliman Aquatic Center - Pool Deck Replacement	3	$300,000	Capital Funds
St. Isabel Avenue Street Improvements Completion	3	$285,000	Gas Taxes
Stevenson Gateway Feature Renovation	3	$90,000	Capital Funds
Susan Johnson Bridgepointe Park Completion	3	$920,000	Park Impact Fees
Thornton Avenue Streetscape Improvements (Elm St. to Willow St.)	3	$1,200,000	Gas Taxes

2024-2026 Capital Improvement Plan
List of All Unfunded Projects (Exhibit A continued)
(Both New and Previously Listed

Project Description	Priority Level	Estimated Cost	Funding Source
Traffic Signal at Cherry Street and Robertson Avenue	3	$400,000	Gas Taxes
Traffic Signal at Jarvis Avenue and Haley Street	3	$350,000	Gas Taxes
Traffic Signal at Jarvis Avenue and Spruce Street	3	$350,000	Gas Taxes
Traffic Signal Interconnect (Implementation)	3	$7,500,000	Gas Taxes/Outside Funds
Traffic Signal Preemption - Phase 2	3	$300,000	Capital Funds
	Total	**$113,290,000**	

2024-2026 Capital Improvement Plan
List of Projects Funded But Not Yet Completed
(Exhibit A continued)

Project Description	Remaining Funding	Funding Source
Active Transportation Plan	$195,000	Comm Dev Maint
BMX Park Location Study and Conceptual Design	$150,000	Comm Dev Maint
Cast Iron Storm Water Inlet Grate Replacement Program	$15,000	Gas Taxes
Central Avenue Railroad Overpass Project Development - Phase I	$860,595	Gas Taxes
City Hall Security Upgrades	$120,000	Capital Funds
Citywide Building Painting	$77,600	Capital Funds
Citywide Building Roof Repairs	$121,100	Capital Funds
Citywide Building Upgrades	$11,100	Capital Funds
Citywide Crosswalk Evaluation and Modification - Phase 2	$150,000	Gas Taxes
Citywide Facilities Master Plan	$100,000	Comm Dev Maint
Citywide GIS Phase 2	$150,000	Capital Funds
Citywide Parks Irrigation Systems Upgrade/Modification	$170,000	Capital Funds
Citywide Parks Signage	$80,000	Park Impact Fees
Citywide Rail Station Alternative Study	$80,000	Comm Dev Maint
Citywide Trash Capture Devices (Phase 3)	$160,000	Capital Funds
Clean-Up of CalTrans ROW and Landscaping (Thornton Ave/I-880)	$200,000	Capital Funds
Climate Action Plan Update	$197,000	Com Dev Maint
Document Conversion	$75,006	Capital Funds
ERP Program Updates	$100,000	Capital Funds
Finance System Replacement (Part 2)	$685,305	Capital Funds
Fire Station No. 27 - Fencing	$8,000	Capital Funds
Fire Station No. 27 Painting	$32,000	Capital Funds
Fire Station No. 27 Roofing	$55,000	Capital Funds
Fire Station No. 29 - Fencing	$20,000	Capital Funds
Fire Station No. 29 Painting	$23,000	Capital Funds
Fuel Management System Replacement	$75,000	Capital Funds
Inflatable Outdoor Movie Screen	$8,000	Capital Funds
Irrigation Main Line Partial Replacement at Community Park	$198,100	Capital Funds
Jerry Raber Ash Street Park Sports Facilities	$95,600	Park Impact Fees
Lakeshore Park Lake Water Quality Analysis	$25,000	Capital Funds
Lakeshore Park Landscape Restoration	$300,564	Capital Funds
MacGregor Fields Cricket Pitch	$100,000	Park Impact Fees
Mel Nunes Sportsfield Park Completion	$1,483,000	Park Impact Fees
Mel Nunes Sportsfield Park Synthetic Turf Fields Additional Netting	$50,000	Park Impact Fees
Mowry Avenue Median Landscaping	$260,000	Gas Taxes
Newark Civic Center Technology	$37,355	Capital Funds
Newark Community Park Restroom Restoration	$60,000	Capital Funds
Newark Community Park Well and Pump Replacement	$165,000	Capital Funds
Newark Resource Center	$1,800,000	Outside Grants
PD Barn Car Patrol Vehicle	$84,000	Capital Funds
PD Patrol Vehicle	$84,000	Capital Funds
PD Replacement Scheduling and Workforce Management Software	$78,867	Capital Funds
PD Utility Vehicle	$12,500	Capital Funds
PD Volunteer Radios	$20,000	Capital Funds
Portable Outdoor Stage	$20,000	Capital Funds
Public Works Maintenance Dump Truck	$80,000	Capital Funds
Public Works Maintenance Mini Sweeper	$260,000	Capital Funds
Public Works Maintenance Vehicle	$60,000	Capital Funds
Public Works Maintenance Vehicle	$60,000	Capital Funds
Recreation & Community Services Mobile Recreation Van	$70,000	Capital Funds
Revisions to City Truck Routes	$73,370	Com Dev Maint
Sanctuary Park Conceptual Design	$150,000	Com Dev Maint
Sea Level Rise Vulnerability Assessment and Adaptation Strategy	$275,000	Com Dev Maint
Security Cameras and Building Access Management Project	$1,352,000	Capital Funds
Senior Center Room Divider	$50,000	Capital Funds
Service Center Brick Wall	$120,000	Capital Funds
Service Center Buildings, Painting	$80,000	Capital Funds
Service Center Clean Water Requirements	$95,000	Capital Funds
Service Center Fuel Island Replacement	$1,000,000	Capital Funds
Service Center Fuel Pump Island Drainage System	$80,000	Capital Funds

2024-2026 Capital Improvement Plan
List of Projects Funded But Not Yet Completed
(Exhibit A continued)

Project Description	Remaining Funding	Funding Source
Service Center Fuel Tank Canopy	$140,000	Capital Funds
Service Center Rear Garage Repairs	$75,000	Capital Funds
Service Center Skylights	$100,000	Capital Funds
Service Center Waste Disposal Upgrades	$275,000	Capital Funds
Silliman Activity Center Air Handler #2 Replacement	$350,000	Capital Funds
Silliman Activity Center Carpet Replacement	$15,842	Capital Funds
Silliman Activity Center Light Control Board	$50,000	Capital Funds
Silliman Activity Center Partial Roof Replacement	$325,000	Capital Funds
Silliman Activity Center Preschool Playground Renovation	$300,000	Capital Funds
Silliman Actvity Center Water Heater/Tanks Replacement	$100,000	Capital Funds
Mel Nunes Sportsfield Park Outfield Net Replacement	$30,000	Park Impact Fees
Surplus Property Disposal - Old FS No. 1	$16,800	Capital Funds
Thornton Avenue Complete Streets - Design	$700,000	Gas Taxes
Transition to Paperless Documents	$8,100	Capital Funds
Vehicle Miles Traveled Policy	$15,270	Com Dev Maint
Virtual History Museum	$60,000	Capital Funds
Web Site Upgrade	$77,660	Capital Funds
Work Area and Cubical Upgrades	$70,000	Capital Funds
Total	**$ 15,306,734**	

CAPITAL IMPROVEMENT PLAN

OVERVIEW

The City of Newark's two-year budget is comprised of the Biennial Budget, the Capital Improvement Plan (CIP), and the Five-Year Forecast. In preparing the CIP, the Five-Year Forecast provides significant guidance by establishing priorities for the City, identifying special needs, and establishing the future direction of the City.

The purpose of the Biennial Capital Improvement Plan is to identify and prioritize capital improvement projects for funding. Capital improvement projects include street and park construction and rehabilitation projects, construction and/or repairs to City facilities, acquisitions of new equipment that are not part of a department's operating budget, feasibility studies to identify and quantify future projects, and major equipment purchases. By their nature, capital improvement projects generally tend to be special, one-time "events" designed to address a significant community need. Major capital projects can often take several years to complete, with both funding and construction planned in several specific phases.

Some CIP projects result in additional operating and maintenance costs after completion of the project, while others may result in reduced maintenance costs. For example, a street improvement project can reduce future street maintenance costs for a period of time after completion of the project. On the other hand, construction of a new recreational facility will likely result in additional maintenance and operating costs; however, some of those costs may be offset by new revenues from the facility. All these factors must be carefully considered when prioritizing projects for funding.

CIP PROJECTS

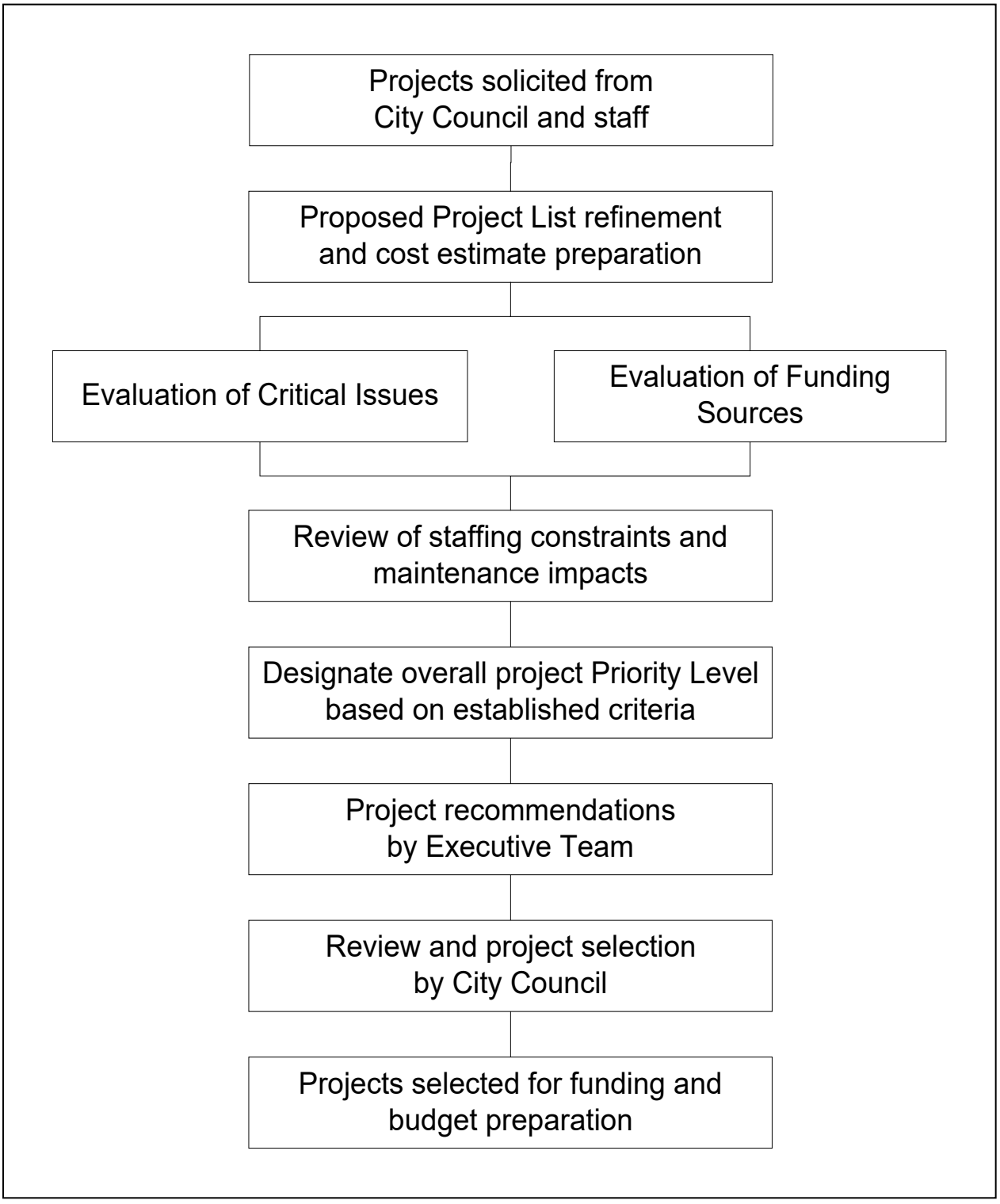
Generally, all projects which involve expenditures of $10,000 or more, are included in the CIP. There are some special types of projects or purchases costing more than $10,000 that are not included in the CIP. Such projects include equipment normally replaced through the Equipment Replacement fund, such as the routine vehicle replacement program, and leasing of property or vehicles.

THE CIP PROCESS

As part of the 2024-2026 Biennial Budget and Capital Improvement Plan preparation, the Public Works Department coordinates the development of the CIP budget component. The process of developing the CIP begins with the preparation of a list of potential projects. These projects are generally submitted by the City Council and staff in response to a call for projects request. In some instances, residents have also made requests for desired projects.

After an initial review by the Executive Team, detailed descriptions and cost estimates are prepared for each project chosen for further consideration. Possible funding sources are also identified. This information is then synthesized into an initial comprehensive listing of all projects – new proposed projects, previously approved and funded projects, and unfunded projects. After this information has been quantified, all projects are reviewed and prioritized by staff and then provided as recommendations to the City Council.

PROJECT SELECTION PROCESS



Several major factors were considered while selecting projects for the 2024-2025 and 2025-2026 budget years: (1) evaluation of Critical Issues; (2) available funding sources and the need for maintaining sufficient unallocated reserves; (3) staffing constraints and maintenance impacts; (4) project priority level criteria; and (5) immediacy of project need.

(1) Evaluation of Critical Issues previously identified by the Executive Team
Critical Issues are used to help guide the selection of projects - Public Safety Services, Education, Quality of Life, Community Development and City Government Operations. These Critical Issues are summarized below:

Critical Issues

Public Safety Services - Provide a level of public safety services that will protect our community members, property, and community assets.

Education - Support, encourage, and offer opportunities and programs that facilitate quality community education.

Quality of Life - Provide programs, services, and facilities that make Newark a desirable and healthy place to live.

Community Development - Make development decisions that maintain a vibrant, balanced, quality community.

City Government Operations - Operate a City government that enables the organization to meet service demands of the community.

(2) Available funding sources and the need for maintaining sufficient unallocated reserves
All potential projects were evaluated based on the availability of funding sources. Gas tax revenues are the primary source of funds for street maintenance and improvement projects. The major source for most other capital projects is the Capital Improvement Fund. Development Impact Fees, which are assessed to new private developments, are a component of Capital Funds but can only be used on specific projects where a nexus is established between development and the individual project. The majority of the funds for capital projects are derived from unallocated General Funds. These are discretionary funds that may be used on any project. A complete list of funding sources is provided on the following pages and a revenue estimate summary is provided on page 211.

(3) Staffing constraints and maintenance impacts
Regardless of funding availability, there is a limit to the number of projects which can be designed and/or constructed in a single year due to staffing constraints. Projects also must be evaluated based on the resulting long-term maintenance needs following completion. A project should not be built (or equipment purchased) if there are inadequate resources for operations and maintenance.

(4) Priority Level Criteria
Three priority levels are defined to assist with project prioritization and include Level One, Level Two, and Level Three.

Priority Level One projects are of the highest priority and are considered mandatory. Level One projects are those being driven by a legal or regulatory requirement, are needed to meet a safety obligation or minimize a liability risk, or serve to preserve the City's existing assets and infrastructure.

Priority Level Two projects are considered necessary projects, but do not satisfy Level One criteria. A project could be ranked at Level Two if there is a consensus by the City Council that it should be funded. Other Level Two criteria includes: projects that demand local funding in order to obtain an outside funding source; projects that provide a needed service level increase; projects for completion of a feasibility study or master plan that would assist with defining and prioritizing one or more projects or other community needs; and projects that are needed to complete a final phase of a multi-phased project.

Priority Level Three projects are those that are considered desirable, but do not fully satisfy Level One or Level Two criteria at the time of evaluation.

(5) Immediacy of Project Needs
In addition to these primary Priority Levels, projects were also evaluated based on the extent of the immediate need to help finalize recommendations for funding. For example, there could be projects that are needed to preserve an existing asset and are listed as Priority Level One, but the need may be three to five years into the future rather than immediate.

PLANNING COMMISSION REVIEW
State law requires that the Planning Commission review the CIP projects for conformance with the General Plan. This review is completed prior to formal City Council adoption of the CIP.

MULTI-YEAR PROJECT FUNDING
Unlike some communities, Newark does not normally budget funds over multiple years toward the future construction of specific projects. Instead, unbudgeted Capital Funds are held in reserve and applied toward a project upon accumulation of sufficient funds to complete a project or phase. Still, there are projects which are phased over a number of years to accommodate design and construction requirements and other factors.

FINANCING SOURCES AND ALTERNATIVES
Capital funds, Gas Tax funds, and Park Impact funds all represent "pay-as-you-go" financing. Generally, this type of financing is used to minimize interest and financing costs. However, for some projects, long-term financing is either necessary or preferred.

SUMMARY OF FINANCING SOURCES

ACCUMULATED FEES	Accumulated Fees can only be used for the specific purpose provided for in the Fee Schedule.
CAPITAL FUNDS	Capital funds can be used to fund any capital project. However, since Capital funds are derived from the General Fund, their use is discouraged if other fund sources are available.
DEVELOPMENT IMPACT FEES	Development Impact Fees can only be used for specific capital projects. There is a maximum allocation per project based on the type of capital project.
GAS TAX FUNDS	Gas Tax funds can only be used for expenses related to street construction, maintenance, or design. This funding category includes state gas tax subventions, Measure B and Measure BB revenues, Traffic Congestion Relief Funds (Proposition 42), Alameda County Vehicle Registration Fee funds, and Road Maintenance and Rehabilitation Account (RMRA/SB1) Funds.
GRANTS	
CDBG*	Community Development Block Grants (CDBG) funds can only be used for projects within the designated CDBG Target Area. They can be used for street construction, community centers, etc.
Federal Transportation Act*	Funding from the Federal Transportation Act reauthorization (previously the Safe, Accountable, Flexible, Efficient Transportation Equity Act: a Legacy for Users, "SAFETEA-LU," and the Transportation Efficiency Act for the 21st Century, "TEA 21") can only be used for construction projects on eligible streets.
HSIP*	The Federally funded Highway Safety Improvement Program (HSIP) is for specific traffic safety projects.
HWY-RR Grade Separation Program*	State Highway-Railroad Grade Separation Program funds can be used for grade separation projects.
SRTS/SR2S*	State (SRTS) and Federal (SR2S) Safe Routes to School funds can be used to correct identified safety hazards on school routes to promote walking/biking to schools.
Stimulus Programs*	Federal economic stimulus funds have uses and constraints specific to each individual program. Transportation-related stimulus funding typically has constraints similar to the current Federal Transportation Act.
STIP*	State Transportation Improvement Program (STIP) funds can be used for capital projects that improve transportation. Funding is split 75%/25% between the Interregional Transportation Improvement Program (ITIP) and Regional Transportation Improvement Program (RTIP).
TDA*	Transportation Development Act (TDA), Article 3 funds can only be used to construct bike and pedestrian projects.

SUMMARY OF FINANCING SOURCES (continued)

PARK IMPROVEMENTS	
Park Impact Fees	Park Impact Fees are collected with each new residential single- or multi-family development. Local Park Impact Fee funds can be used for park construction projects for a neighborhood park within the area where the development responsible for the funds is located or for community parks.
Regional Open Space, Wildlife, Shoreline, and Parks Bond Extension*	Funding through the Regional Open Space, Wildlife, Shoreline, and Parks Bond Extension (Measure WW) must be used on park construction projects.

**Allocated to agencies on a competitive process or on the basis of population.*

ORGANIZATION OF INFORMATION

An alphabetical arrangement by project title has been used as the organizational basis for project lists and descriptions in the CIP. Project descriptions include important data, including:

Critical Issue – Each CIP project has been evaluated against the Critical Issues previously identified by the Executive Team. The Critical Issue addressed by a project is listed.

Funding Source – This entry indicates the general funding source which can or will be used to fund this particular project.

Estimated Cost – This figure is the estimated cost for completing the project or this phase of the project, including contingencies. In some cases, design costs are included in this figure if outside consultants will be used for preparing plans and specifications. This estimate does not include ongoing maintenance and/or operating expenses. Cost estimates are adjusted over time to reflect inflation when required. If the project scope changes after adoption of the CIP, the project budget may also need to be adjusted.

Operating Impact – Certain projects can result in an operational savings over time, while other projects may result in additional operating costs, such as additional staffing and/or maintenance. This section provides a general indication of the range of additional anticipated operating costs. Possible entries for this field include: *Cost Savings; No Significant Impact; Minor Impact; Moderate Impact; Significant Permanent Impact;* and *To be Determined*. A "Moderate Impact" may involve additional maintenance or operational costs, while a "Significant Permanent Impact" normally involves additional staffing, together with increased maintenance/operational costs.

Priority Level – This entry indicates Level One (Mandatory), Level Two (Necessary), or Level Three (Desirable) priority level as defined previously.

Implementing Department – This entry indicates the department responsible for implementing the project once funded.

Contact – This entry lists the individual responsible for implementing the project once funded.

Year First Proposed – This entry will indicate the year each project first appeared in the CIP.

Year Funded – This entry will indicate which year, if any, funding was approved.

PROJECT LISTS FOR 2024-2025 AND 2025-2026

As noted in the Estimate of Future Funding Needs beginning on Page 205, there are 50 unfunded projects with a combined estimate cost of $113,290,000. It should be noted that the estimated costs of some unfunded projects have not yet been determined due to undefined project constraints.

Based on the major factors and constraints listed above, 47 projects were selected for funding this biennial budget cycle at a total estimated cost of $17,596,000.

2024-2025 SUMMARY OF FUNDED PROJECTS

PROJECT TITLE	FUNDING SOURCE	PROJECT COST
Annual Street Asphalt Concrete Overlay Program	Gas Tax	$4,000,000
Annual Curb, Gutter and Sidewalk Replacement	Gas Tax	$400,000
Annual Street Tree Maintenance	Gas Tax	$300,000
Annual Traffic Calming Measures	Gas Tax	$100,000
Annual Citywide Accessible Pedestrian Ramps	Gas Tax	$75,000
Annual Thermoplastic Street Striping	Gas Tax	$25,000
Cherry Street & Mowry Avenue Median Modifications (Construction)	Gas Tax	$400,000
Pedestrian Hybrid Beacon Installation – Newark Blvd. and Cedar Blvd (Construction)	Gas Tax	$800,000
Senior Center Repainting	Capital Funds	$100,000
Silliman Center Door Closers Replacement	Capital Funds	$100,000
Silliman Center Gym & Dance Floor Refinishing	Capital Funds	$130,000
Silliman Center Locker Room Flooring Replacement	Capital Funds	$150,000
Silliman Center Partial Roof and Skylight Replacement	Capital Funds	$250,000
Silliman Center Shower Tile Replacement	Capital Funds	$100,000
Silliman Center Water Slide Replacement	Capital Funds	$350,000
Softball Fields Retrofit Scoreboards and Bleachers	Capital Funds	$150,000
Community Preservation Vehicle	Capital Funds	$50,000
Information Technology Vehicle	Capital Funds	$80,000
Police Department Patrol Vehicles (2)	Capital Funds	$200,000
Police Department Unmarked Vehicles (2)	Capital Funds	$135,000
Public Works Maintenance Street Sweeper	Capital Funds	$500,000
Public Works Maintenance Vehicles (2)	Capital Funds	$160,000
Emergency Breaching Tools and Training	Capital Funds	$46,000
Fire Station Nos. 27 and 29 – Additional Fencing	Capital Funds	$500,000
Firearms Training System	Capital Funds	$20,000
Mel Nunes Sportsfield Park Storage Unit	Capital Funds	$60,000
Senior Center Driveway Relocation	Capital Funds	$60,000
Public Works Maintenance Water Tank Spray Truck	Capital Funds	$250,000
Service Center Vacuum Truck Shelter	Capital Funds	$100,000
Vehicle Pursuit Intervention Devices	Capital Funds	$45,000
Virtual Reality Police Tactics Training System	Capital Funds	$100,000

PROJECT TITLE	FUNDING SOURCE	PROJECT COST
Second Chance Shelter Repairs	Capital Funds	$100,000
Silliman Aquatic Center Pool Sanitation System Retrofit	Capital Funds	$260,000
Storage Facility at Service Center	Capital Funds	$400,000
ADA Transition Plan Update	Community Development Maintenance Fund	$250,000
Four Corners Area Plan	Community Development Maintenance Fund	$350,000
Housing Programs – Implementation of Adopted Housing Element	Community Development Maintenance Fund	$450,000
NewPark Place Specific Plan Enhancement and Expansion	Community Development Maintenance Fund	$300,000
Rental Housing Inspection Program Assessment	Community Development Maintenance Fund	$150,000
Title 17 (Zoning) Housing-related Assessment and Update	Community Development Maintenance Fund	$400,000
Urban Forest Master Plan	Community Development Maintenance Fund	$300,000
2024-2025 TOTAL		**$12,696,000**

2025-2026 SUMMARY OF FUNDED PROJECTS

PROJECT TITLE	FUNDING SOURCE	PROJECT COST
Annual Street Asphalt Concrete Overlay Program	Gas Tax	$4,000,000
Annual Curb, Gutter and Sidewalk Replacement	Gas Tax	$400,000
Annual Street Tree Maintenance	Gas Tax	$300,000
Annual Traffic Calming Measures	Gas Tax	$100,000
Annual Citywide Accessible Pedestrian Ramps	Gas Tax	$75,000
Annual Thermoplastic Street Striping	Gas Tax	$25,000
2025-2026 TOTAL		**$4,900,000**

A LOOK FORWARD

Forecasting future funding availability and needs is an inexact science at best. The conservative approach to forecasting future funding availability assumes modest growth to projected gas tax revenues and no significant changes to projected Capital Fund revenue and other sources. Staff is continuously monitoring evolving projections for State and local gas tax revenues. These projections are reflected in the table entitled *Revenue Estimate Summary* on the following page.

Although future funding needs can be predicted by roughly prioritizing unfunded projects already in the CIP, such forecasting is often later upset by changing priorities and unexpected needs. The cost of certain identified projects is often unknown prior to the completion of a needs study or preliminary design. Even so, it is still important to develop a general plan for implementing major capital projects.

In order to continue to prioritize future funding of the City's project needs, the following prioritization factors should be considered:

Need Driven – The target date for some projects is driven by an identified need. For example, the replacement of the City Administration Building was driven by the need to replace an aging facility to accommodate employees and related City activities. A specific target date might be set based on anticipated future space needs or elimination of increasing and excessive building maintenance costs.

Regulation/Law Driven – Some projects, such as wheelchair ramp modifications, are required as a result of changes in standards or regulations or as the result of new Federal or State laws.

Opportunity Driven – The target date for the construction of some projects is driven by an associated opportunity. The availability of a State park grant might allow completion of desired park improvements.

Funding Driven – The target date for construction of other projects may be governed by available funding or funding factors. For example, the target date for construction of a particular project might be tied to accumulation of the capital costs or the ability to fund future operating costs.

Funding Source Driven – The construction of specific projects which are eligible for grant funds will be dictated by the availability of those grant funds. For example, Community Development Block Grant (CDBG) funds can be used for capital projects in the Target Area. The timing for their use will be governed by the availability of those funds.

Relationship Driven – There are certain types of projects which are dependent on the timing of other related projects. For example, the construction of a new community center could allow for the Senior Center to be moved into that amenity, freeing use of the Senior Center for other purposes.

Community Driven – Certain projects are desired to improve the quality of life of Newark residents and are not necessarily tied to external factors. An example is the Newark Skate Park. The target for construction of such projects is thus driven by a desire to improve the quality of life of our residents and the City Council's priorities rather than outside influences.

Phasing Opportunities – Certain projects, such as street maintenance projects, can sometimes be completed in phases.

REVENUE ESTIMATE SUMMARY						
Funding Source	*Dollars*					
	2025	2026	2027	2028	2029	Total
Capital Funds (1)	0	0	TBD	TBD	TBD	TBD
Gas Tax Funds	4,300,000	4,300,000	4,400,000	4,500,000	4,600,000	16,120,000
CDBG (2)	117,000	117,000	117,000	117,000	117,000	585,000
TDA	40,000	40,000	40,000	40,000	40,000	200,000
Federal Grants	As Avail.	As Avail.	As Avail.	As Avail.	As Avail.	As Avail.
Park Impact (3)	4,700,000	3,500,000	450,000	TBD	TBD	8,650,000

Notes:

1. This entry indicates allocations in surplus General Funds towards Capital projects each year. Future year allocations are To Be Determined.
2. This entry assumes that the Federal government does not cut or reduce funding for this program.
3. Park Impact Fee funds are dependent on the level of residential development which takes place.

ESTIMATE OF FUTURE FUNDING NEEDS
(Unfunded projects)

UNFUNDED PROJECTS (Projects in bold are new for 2024-2026)	**ESTIMATE**
Arterial Landscape Median Upgrades	460,000
Articulated Aerial Lift Truck (35')	140,000
Aquatic Center NinjaCross Obstacle Course System	500,000
Bayside TOD Transit Station and Overcrossing (Construction)	11,500,000
Bayside TOD Transit Station and Overcrossing (Design)	700,000
Birch Grove Park Completion	3,380,000
Birch Grove Park Softball Field Night Lighting	300,000
Birch Grove Park Tennis Court Area Re-landscaping	125,000
Byington Park Completion	950,000
Cedar Boulevard Complete Streets	**2,800,000**
Cedar Boulevard Linear Parks 1, 3, 4	2,870,000
Central Avenue Median & Sidewalk Improvements (Design)	**250,000**
Central Avenue Median & Sidewalk Improvements (Construction)	**1,200,000**
Citywide Bus Shelters	2,400,000
Citywide Document Scanning Services	150,000
Citywide Information Kiosks – Phase 1 Historic Newark	75,000
Civic Center Park Completion	1,160,000
Cultural Arts Center	40,000,000
Fire Station No. 27 Energy Efficient Windows	30,000
Fire Station No. 27 Training Tower – New	2,000,000
History Museum – Phase 2B (Restoration and Construction)	3,000,000
History Museum – Phase 3 (Exhibits)	750,000
Jerry Raber Ash Street Park Completion	915,000
Lakeshore Park Completion	1,750,000
Lakeshore Park Restroom	350,000
Mayhews Landing Park Completion	1,090,000
Mel Nunes Sportsfield Park Splash Pad	550,000
Mirabeau Park Completion	680,000
Mowry Avenue Backup Wall and Landscape Improvements	900,000
Musick Park Completion	720,000
Newark Boulevard Complete Streets and Undergrounding	**6,800,000**
Newark Community Park Completion	3,860,000
Public Works Maintenance – Mini Excavator	**120,000**
Public Works Maintenance – Robotic Mower	**25,000**
Second Chance Roof Replacement	120,000
Senior Center HVAC Replacement	50,000
Senior Center – New Construction	8,000,000
SIDNE (Simulated Impaired Driving Experience)	**50,000**
Silliman Activity Center Energy Conservation Measures	200,000
Silliman Aquatic Center – Hot Tub Replacement	**300,000**
Silliman Aquatic Center – Pool Deck Replacement	300,000
St. Isabel Avenue Street Improvements Completion	285,000
Stevenson Gateway Feature Renovation	90,000

ESTIMATE OF FUTURE FUNDING NEEDS *continued*

UNFUNDED PROJECTS (projects in **bold** are new for 2024-2026)	**ESTIMATE**
Susan Johnson Bridgepoint Park Completion	920,000
Thornton Avenue Streetscape Improvements (Elm Street to Willow Street)	1,200,000
Traffic Signal at Cherry Street and Robertson Avenue	400,000
Traffic Signal at Jarvis Avenue and Haley Street	350,000
Traffic Signal at Jarvis Avenue and Spruce Street	350,000
Traffic Signal Interconnect (Implementation)	7,500,000
Traffic Signal Preemption – Phase 2	300,000
TOTAL	**$ 113,290,000**



CAPITAL IMPROVEMENT PLAN

PROJECT DESCRIPTIONS

PROJECT **PAGE**

*(projects in **bold** are new for 2024 – 2026; shaded projects are funded in 2024-2026)*

Active Transportation Plan	213
ADA Transition Plan	213
Annual Citywide Accessible Pedestrian Ramps (Ongoing)	213
Annual Curb, Gutter and Sidewalk Replacement (Ongoing)	214
Annual Gas Tax Project Administration (Ongoing)	214
Annual Street Asphalt Concrete Overlay Program (Ongoing)	214
Annual Street Tree Maintenance (Ongoing)	215
Annual Thermoplastic Street Striping (Ongoing)	215
Annual Traffic Calming Measures (Ongoing)	215
Arterial Landscape Median Upgrades	216
Articulated Aerial Lift Truck (35')	216
Bayside TOD Transit Station and Overcrossing, Design	217
Bayside TOD Transit Station and Overcrossing, Construction	217
Birch Grove Park Completion	218
Birch Grove Park Softball Field Night Lighting	218
Birch Grove Park Tennis Court Area Re-landscaping	219
BMX Park Location Study and Conceptual Design	219
Byington Park Completion	220
Cast Iron Stormwater Inlet Grate Replacement Program Phase I	220
Cedar Boulevard Complete Streets Project	221
Cedar Boulevard Linear Park 1, 3, 4	221
Cedar Boulevard Linear Park 2	222
Central Avenue Median and Sidewalk Improvements (Construction)	222
Central Avenue Median and Sidewalk Improvements (Design)	223
Central Avenue Overpass Phase 1 - Project Development	223
Central Avenue Overpass Phase 2 – R/W and Construction	224
Cherry Street Median Modifications	224
City Hall Security Upgrades	225
Citywide Building Painting	225
Citywide Building Roof Repairs	225
Citywide Building Upgrades	226
Citywide Bus Shelters	226
Citywide Crosswalk Evaluation and Modifications	227
Citywide Document Scanning Services	227
Citywide Geographic Information Systems (GIS) – Phase 2	227
Citywide Information Kiosks – Phase 1 Old Town	228
Citywide Parks Signage Program – Phase 1	228
Citywide Parks Irrigation System Upgrade/Modification	228
Citywide Rail Station Alternatives Study	229
Citywide Trash Capture Devices (Phase 3)	229
Civic Center Building Modifications	230
Civic Center Park Completion	230
Clean-Up of CalTrans Right-of-Way and Landscaping (Thornton Ave/I-880)	231
Climate Action Plan Update	231
Community Preservation Vehicle	231

PROJECT **PAGE**

*(projects in **bold** are new for 2024 – 2026; shaded projects are funded in 2024-2026)*

Cultural Arts Center	232
Document Conversion	232
Emergency Breaching Tools and Training	233
Facilities Master Plan	233
Finance (ERP) System Program Upgrades	234
Finance System Replacement	234
Firearms Training System	234
Fire Station No. 27 Cherry Street - Energy Efficient Windows	235
Fire Station No. 27 Cherry Street – Painting	235
Fire Station No. 27 Cherry Street – Roofing	235
Fire Station No. 27 Cherry Street Training Tower – New Construction	236
Fire Station No. 29 Ruschin Drive – Painting	236
Fire Station Nos. 27 and 29 Fencing	236
Four Corners Area Plan	237
Fuel Management System Replacement	237
History Museum – Phase 2B (Restoration and Construction)	238
History Museum – Phase 3 (Exhibits)	238
Housing Programs – Implementation of Adopted Housing Element	239
Information Technology Vehicle	239
Irrigation Main Line Partial Replacement at Community Park	239
Jerry Raber Ash Street Park Completion	240
Jerry Raber Ash Street Park Sports Facilities	240
Lakeshore Park Completion	241
Lakeshore Park Lake Water Quality Analysis	241
Lakeshore Park Landscape Restoration	242
Lakeshore Park Restrooms	242
Lakeshore Park Tree Project	242
Lindsay Tract Street and Storm Drainage Improvements	243
MacGregor Fields Cricket Pitch	243
Mayhews Landing Park Completion	244
Mel Nunes Sportsfield Park Completion	244
Mel Nunes Sportsfield Park Softball Outfield Net Replacement	244
Mel Nunes Sportsfield Park Splash Pad	245
Mel Nunes Sportsfield Park Storage Unit	245
Mel Nunes Sportsfield Park Synthetic Turf Fields – Additional Netting	245
Mirabeau Park Completion	246
Mowry Avenue Backup Wall and Landscape Improvements	246
Musick Park Completion	247
Newark Boulevard Backup Wall and Landscape Improvements	247
Newark Boulevard Complete Streets and Undergrounding Project	248
Newark Civic Center Technology	248
Newark Community Park Completion	249
Newark Community Park Restroom Restoration	249
Newark Community Park Well and Pump Replacement	250
NewPark Place Specific Plan Enhancement and Expansion	250

PROJECT **PAGE**

*(projects in **bold** are new for 2024 – 2026; shaded projects are funded in 2024-2026)*

Newark Resource Center	250
Old Town PDA Streetscape Improvements (Design)	251
Old Town PDA Streetscape Improvements (Construction)	251
Park Grid Tree Work Project	252
Pedestrian Hybrid Beacon Installations	252
Police Department Barn Car Patrol Vehicle	252
Police Department Crime and Collision Scene Investigation Scanner	253
Police Department Patrol Vehicle	253
Police Department Patrol Vehicles (2)	253
Police Department Replacement Scheduling and Workforce Management Software	254
Police Department Unmarked Vehicles (2)	254
Police Department Utility Vehicle	254
Police Department Volunteer Radios	255
Portable Outdoor Stage	255
Public Works Maintenance Dump Truck	255
Public Works Maintenance Mini Excavator	256
Public Works Maintenance Mini Street Sweeper	256
Public Works Maintenance Robotic Mower	256
Public Works Maintenance Street Sweeper	257
Public Works Maintenance Supervisor Vehicles (2)	257
Public Works Maintenance Vehicles (2)	257
Public Works Maintenance Water Tank Spray Truck	258
Quiet Zones Implementation	258
Recreation and Community Services Mobile Recreation Van	259
Rental Housing Inspection Program Assessment	259
Revisions to City Truck Routes	260
Sanctuary Park Conceptual Design	260
Sea Level Rise Vulnerability Assessment and Adaptation Strategies	261
Second Chance Shelter Repairs	261
Security Cameras and Building Access Management	261
Senior Center Driveway Relocation	262
Senior Center HVAC Replacement	262
Senior Center – New Construction	262
Senior Center Repainting	263
Senior Center Room Divider	263
Service Center Perimeter Wall	263
Service Center Buildings – Painting	264
Service Center Clean Water Requirements	264
Service Center Fuel Island Replacement	264
Service Center Fuel Pump Island Drainage System	265
Service Center Fuel Tank Canopy	265
Service Center - Rear Garage Overhang Repairs	265
Service Center Skylights	266
Service Center Vacuum Truck Shelter	266
Service Center Waste Disposal Upgrades	266

PROJECT **PAGE**

*(projects in **bold** are new for 2024 – 2026; shaded projects are funded in 2024-2026)*

Silliman Activity Center – Door Closers Replacement	267
Silliman Activity Center - Energy Conservation Measures	267
Silliman Activity Center – Gym and Dance Floor Refinishing	267
Silliman Activity Center – Light Control Board Replacement	268
Silliman Activity Center – Locker Room Flooring Replacement	268
Silliman Activity Center – Partial Roof Replacement	268
Silliman Activity Center – Partial Roof and Skylight Replacement	269
Silliman Activity Center – Preschool Playground Renovation	269
Silliman Activity Center – Shower Tile Replacement	269
Silliman Aquatic Center – Air Handler #2 Replacement	270
Silliman Aquatic Center – Hot Tub Replacement	270
Silliman Aquatic Center – NinjaCross Obstacle Course System	270
Silliman Aquatic Center – Pool Deck Replacement	271
Silliman Aquatic Center – Pool Sanitation System Retrofit	271
Silliman Aquatic Center – Water Slide Replacement	272
Silliman Aquatic Center – Water Tanks/Heater Replacement	272
Simulated Impaired Driving Experience	272
Softball Fields Retrofit – Scoreboards and Bleachers	273
St. Isabel Avenue Street Improvements Completion	273
Stevenson Boulevard Gateway Feature Renovation	273
Storage Facility at Service Center	274
Surplus Property Disposal – Old Fire Station No. 1	274
Susan Johnson Bridgepointe Park Completion	274
Thornton Avenue Complete Streets (Design)	275
Thornton Avenue Complete Streets (Construction)	275
Thornton Avenue Pavement Overlay, Phase 1 (I-880 to Olive Street)	276
Thornton Avenue Pavement Overlay, Phase 2 (Ash Street to Spruce Street)	276
Thornton Avenue Streetscape Improvements (Elm Street to Willow Street)	277
Title 17 (Zoning) Housing-related Assessment and Update	277
Traffic Signal at Cherry Street and Robertson Avenue	278
Traffic Signal at Jarvis Avenue and Haley Street	278
Traffic Signal at Jarvis Avenue and Spruce Street	278
Traffic Signal Interconnect – Design	279
Traffic Signal Interconnect – Implementation	279
Traffic Signal Preemption – Phase 2	280
Transition to Paperless Documents	280
Urban Forest Master Plan	281
Vehicle Miles Traveled Policy	281
Vehicle Pursuit Intervention Devices	282
Virtual History Museum	282
Virtual Reality Police Tactics Training System	283
Website Upgrades	283
Work Area and Cubicle Upgrades	283

ADA Transition Plan — NEW

Critical Issue	Quality of Life
Funding Source	Community Development Maintenance Funds
Estimated Cost	$250,000
Operating Impact	Moderate Impact
Priority Level	Level One – Legal/Regulatory Requirement; Safety Obligation
Implementing Department	Public Works
Contact	Farrell
Year First Proposed	2024
Year Funded	2025

This project will provide the City with a comprehensive update of the Americans with Disabilities Act (ADA) Transition Plan. This document provides a complete inventory of accessibility needs for City buildings, properties and right-of-way areas. Information acquired through the Facilities Master Plan will help inform this document.

Active Transportation Plan

Critical Issue	Quality of Life
Funding Source	Community Development Maintenance Funds
Estimated Cost	$195,000
Operating Impact	Significant Permanent Impact
Priority Level	Level One – Legal/Regulatory Requirement
Implementing Department	Public Works – Engineering
Contact	Jung
Year First Proposed	2021
Year Funded	2023

This project will develop an Active Transportation Plan for the City, an update to the current Pedestrian and Bicycle Master Plan. The updated study will evaluate and recommend updates to active transportation policies, prioritized projects, project funding sources and other key plan elements to improve walking and biking conditions for all community members.

Annual Citywide Accessible Pedestrian Ramps (Ongoing)

Critical Issue	Quality of Life
Funding Source	Gas Tax / TDA Grant Funds
Estimated Cost	$75,000/year
Operating Impact	No Significant Impact
Priority Level	Level One – Legal/Regulatory Requirement; Safety Obligation
Implementing Department	Public Works – Engineering
Contact	Tat
Year First Proposed	Annual
Year Funded	2024 and 2025

These projects will be part of an ongoing effort to retrofit existing handicap ramps at street intersections with detectable warning surfaces for conformance with current ADA requirements.

Annual Curb, Gutter, and Sidewalk Replacement (Ongoing)

Critical Issue	Public Safety Services
Funding Source	Gas Tax
Estimated Cost	$400,000 (2024); $400,000 (2025)
Operating Impact	No Significant Impact
Priority Level	Level One – Preservations of Existing Assets/Safety Obligations
Implementing Department	Public Works – Engineering
Contact	Tat
Year First Proposed	Annual
Year Funded	2024 and 2025

These projects provide for Citywide curb, gutter, and sidewalk replacement, as well as needed sidewalk grinding. Sites are prioritized and selected based on safety issues and functionality.

Annual Gas Tax Project Administration (Ongoing)

Critical Issue	City Government Operations
Funding Source	Gas Tax
Estimated Cost	$24,000/year
Operating Impact	No Significant Impact
Priority Level	Level One – Preserve Existing Assets
Implementing Department	Public Works – Engineering
Contact	Cangco
Year First Proposed	Annual
Year Funded	2025 and 2026

This project provides funding for fees and costs associated with administering street and transportation related projects funded by gas taxes.

Annual Street Asphalt Concrete Overlay Program (Ongoing)

Critical Issue	Quality of Life
Funding Source	Gas Tax
Estimated Cost	$4,000,000/year
Operating Impact	No significant impact
Priority Level	Level One – Preservation of Existing Assets
Implementing Department	Public Works – Engineering
Contact	Carmen
Year First Proposed	Annual
Year Funded	2024 and 2025

These projects provide for annual patch paving, slurry seal applications, and asphalt concrete overlays for City streets. The current overall Pavement Condition Index (PCI) for Newark is 72. This current level of investment is targeted to maintain that PCI level over the next 5 years.

Annual Street Tree Maintenance (Ongoing)

Critical Issue	Public Safety Services
Funding Source	Gas Tax
Estimated Cost	$300,000/year
Operating Impact	No Significant Impact
Priority Level	Level One – Safety Obligations
Implementing Department	Public Works – Landscape Parks Maintenance
Contact	Cianciarulo
Year First Proposed	Annual
Year Funded	2024 and 2025

This project provides for ongoing street tree pruning, removal, and replacement. T

Annual Thermoplastic Street Striping (Ongoing)

Critical Issue	Quality of Life
Funding Source	Gas Tax
Estimated Cost	$25,000/year
Operating Impact	No Significant Impact
Priority Level	Level One – Preservation of Existing Assets/Safety Obligations
Implementing Department	Public Works – Engineering
Contact	Carmen
Year First Proposed	Annual
Year Funded	2024 and 2025

This project would continue the installation of thermoplastic striping and other paving markings at various locations as needed.

Annual Traffic Calming Measures (Ongoing)

Critical Issue	Quality of Life
Funding Source	Gas Tax
Estimated Cost	$100,000/year
Operating Impact	No Significant Impact
Implementing Department	Public Works – Engineering
Contact	Carmen
Year First Proposed	Annual
Year Funded	2025 and 2026

This project provides funding for traffic investigations, traffic counts and design and construction of possible traffic calming measures in residential neighborhoods. While specific locations are not identified, this funding allows City staff to address traffic calming requests as they arise.

Arterial Landscape Median Upgrades

Critical Issue	Quality of Life
Funding Source	Capital Funds
Estimated Cost	$460,000
Operating Impact	Moderate Impact
Implementing Department	Public Works – Engineering
Priority Level	Level Three
Contact	Cangco
Year First Proposed	2022
Year Funded	Not Funded

This project would install new median landscaping along Newark's various arterials in accordance with previously adopted median landscaping standards and Bay Friendly Landscaping practices. This project replaces the following previously unfunded projects – Cherry Street Median Landscape Upgrade, between Thornton Avenue and the railroad crossing; Mowry Avenue Median Landscaping, between I-880 and Cherry Street; and Cedar Boulevard Median Renovation – Phase 3, between Dupont Avenue and the Home Depot driveway.

Articulated Aerial Lift Truck (35')

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$140,000
Operating Impact	Moderate Impact
Priority Level	Level Three
Implementing Department	Public Works – Landscape Parks Maintenance
Contact	Icasiano
Year First Proposed	1997
Year Funded	Not Funded

The City is responsible for the maintenance of approximately 18,000 trees, including approximately 13,000 street trees. The majority of street trees (9,600) are nearing maturity and are over 15 feet tall. This proposed capital purchase includes a truck equipped with utility boxes and a hydraulically-actuated aerial lift. This equipment will enable the City to respond to residents in a more timely manner and save money by removing unsafe hanging branches within one working day, removing unsafe trees, pruning street trees to facilitate street maintenance activities such as street sweeping and respond to other pruning requests such as street light, traffic signal and/or sign clearances. Other uses for this equipment could include low-level park lighting maintenance, installation of Christmas lights and, if appropriate, emergency traffic signal maintenance. Currently, the City is spending in excess of $20,000 for emergency contract services. The life expectancy for this equipment is 15-20 years.

Bayside TOD Transit Station and Overcrossing – Design

Critical Issue	Community Development
Funding Source	Impact Fees
Estimated Cost	$700,000
Operating Impact	No Significant Impact
Implementing Department	Public Works – Engineering
Priority Level	Level Three
Contact	Cangco
Year First Proposed	Prior to 1995
Year Funded	Not funded

The Dumbarton (now known as "Bayside") Transit Oriented Development (TOD) Specific Plan identified the location for a transit station. This project would be the eventual Train Station for Dumbarton Rail; until the rail line is operational it would serve as a hub for bus transit, including Dumbarton Express, AC Transit, and private employer shuttles. The Transit Station, under its present preliminary scope, would include 500 parking spaces, shelters, bus bays and a train platform including a grade separated Pedestrian overcrossing of the train tracks. The ultimate design, however, will be significantly influenced by the needs of the Dumbarton Rail Corridor as defined by the studies under way by Cross Bay Transit Partners (SAMTrans and Facebook) as part of the current public-private partnership exploration. This project will fund the design portion of the transit station and overcrossing.

Bayside TOD Transit Station and Overcrossing – Construction

Critical Issue	Community Development
Funding Source	Measure BB Discretionary Funds/Other Transportation Grant Funds
Estimated Cost	$11,500,000
Operating Impact	Significant Permanent Impact
Implementing Department	Public Works – Engineering
Priority Level	Level Three
Contact	Cangco
Year First Proposed	Prior to 1995
Year Funded	Not Funded

The Dumbarton (now known as "Bayside") Transit Oriented Development (TOD) Specific Plan identified the location for a transit station. This project would be the eventual Train Station for Dumbarton Rail; until the rail line is operational it would serve as a hub for bus transit, including Dumbarton Express, AC Transit, and private employer shuttles. The Transit Station would include 500 parking spaces, shelters, bus bays and a train platform including a grade separated Pedestrian overcrossing of the train tracks. The ultimate design, however, will be significantly influenced by the needs of the Dumbarton Rail Corridor as defined by the studies under way by Cross Bay Transit Partners (SAMTrans and Facebook) as part of the current public-private partnership exploration. This project would fund the construction phase of the transit station and overcrossing.

Birch Grove Park Completion

Critical Issue	Quality of Life
Funding Source	Park Impact Fees
Estimated Cost	$3,380,000
Operating Impact	Significant Permanent Impact
Implementing Department	Public Works – Engineering
Priority Level	Level Three
Contact	Cangco
Year First Proposed	2017
Year Funded	Not Funded

Birch Grove Park is a community park in eastern Newark with a variety of existing amenities including grass fields, pedestrian pathways, playgrounds, restroom, group picnic areas, half-court basketball, softball field, and tennis courts. The *Newark Citywide Parks Master Plan* envisions Birch Grove Park to remain a community recreation facility while enhancing the site's capacity to meet the identified recreational needs of the Newark community. The *Master Plan* proposes Birch Grove Park to have a community dog park, dedicated bike skills park, and two turf multi-sport fields as major community-serving projects. Additionally, the *Master Plan* proposes the creation of a reservable group picnic area and associated amenities such as volleyball and bocce ball courts. The site's existing playgrounds and water play feature should additionally be updated to best meet the City's recreation standards.

Birch Grove Park Softball Field Night Lighting

Critical Issue	Quality of Life
Funding Source	Capital Funds
Estimated Cost	$300,000
Operating Impact	No Significant Impact
Priority Level	Level Three
Implementing Department	Public Works – Engineering
Contact	Cangco
Year First Proposed	2002
Year Funded	Not Funded

The softball field at Birch Grove Park is currently night-lighted via relatively short floodlights. This project would replace those lights with new, taller and more efficient lighting standards.

Birch Grove Park Tennis Court Area Re-landscaping

Critical Issue	Quality of Life
Funding Source	Park Impact Fees
Estimated Cost	$125,000
Operating Impact	Minor Impact
Priority Level	Level Three
Implementing Department	Public Works – Maintenance
Contact	Connolly
Year First Proposed	2004
Year Funded	Not Funded

The planned greenbelt area includes the non-turf planting areas adjacent to the tennis courts, and the tennis courts' parking lot's adjacent planters and median. This project would identify and correct soil and irrigation deficiencies, and install new landscape plantings that will enhance the aesthetic appearance of the southern edge of the park.

BMX Park Location Study and Conceptual Design

Critical Issue	Quality of Life
Funding Source	Community Development Maintenance Fund
Estimated Cost	$150,000
Operating Impact	Significant Permanent Impact
Priority Level	Level Three
Implementing Department	Public Works – Engineering
Contact	Cangco
Year First Proposed	2022
Year Funded	2023

The Citywide Parks Master Plan identifies a future Bike Skills Park at Birch Grove Park but also clarifies that "a [final] location for a bicycle/BMX park would need to be determined through future study." This project will further develop a conceptual plan for a future BMX bike park and perform a location study to determine a preferred location for the facility.

Byington Park Completion

Critical Issue	Quality of Life
Funding Source	Park Impact Fees
Estimated Cost	$950,000
Operating Impact	Significant Permanent Impact
Priority Level	Public Works – Engineering
Implementing Department	Level Three
Contact	Cangco
Year First Proposed	2017
Year Funded	Not Funded

Byington Park is a designated neighborhood park that was planned as a component of the adjacent housing development. The site contains existing park amenities including a group picnic area, grass field, half-court basketball, school-age play area, and splash pad. To enhance the site as a component of Newark's park system, the *Newark Citywide Parks Master Plan* proposes the update of Byington Park's existing playground and adjacent water play area. An additional project was previously identified to add minimum energy efficient security lighting at the park.

Cast Iron Stormwater Inlet Grate Replacement Program Phase I

Critical Issue	Quality of Life
Funding Source	Gas Tax
Estimated Cost	$15,000
Operating Impact	No Significant Impact
Priority Level	Level Three
Implementing Department	Public Works – Streets Maintenance
Contact	Icasiano
Year First Proposed	1998
Year Funded	2009

The current standard for storm water inlets (or catch basins) includes a fabricated steel grate design to allow as much water as possible into the inlet and yet prevent bike tires from dropping through. Older inlets in the City typically have a cast iron grate, which have smaller openings and tend to clog. Also, removal of these heavy cast iron grates for both routine and emergency cleaning generally requires at least two maintenance workers. The City has a total of 91 cast iron inlet grates.

This project is part of the phased program to replace the cast iron grates with the steel grates. This first phase will replace approximately 15-25 catch basins.

Cedar Boulevard Complete Streets Project

Critical Issue	Quality of Life
Funding Source	Outside Funding/Gas Tax
Estimated Cost	$2,800,000
Operating Impact	Permanent Significant Impact
Priority Level	Level Three
Implementing Department	Public Works – Engineering
Contact	Cangco
Year First Proposed	2024
Year Funded	Not Funded

This project would provide for pavement resurfacing, buffered bicycle lanes, and upgraded pedestrian and transit user facilities on Cedar Boulevard between Central Avenue and Stevenson Boulevard. The project would fill pavement resurfacing gaps through this segment following other improvements to be completed by upcoming development projects. This project is a candidate for Federal funding opportunities.

Cedar Boulevard Linear Park – Areas 1, 3, 4

Critical Issue	Quality of Life
Funding Source	Park Impact Fee
Estimated Cost	$2,870,000
Operating Impact	Significant Permanent Impact
Priority Level	Level Three
Implementing Department	Public Works – Engineering
Contact	Cangco
Year First Proposed	2017
Year Funded	Not Funded

The *Citywide Parks Master Plan* identifies a total of 4 linear parks to be developed on the unimproved portion of Cedar Boulevard between Haley Street and Willow Street. A phased approach to development of the complete area is one possible approach.

The *Newark Citywide Parks Master Plan* sees the development of the Cedar Boulevard Linear Park as an opportunity to provide additional park facilities to the City. The *Master Plan* envisions Cedar Boulevard Linear Park to be a neighborhood-serving community park, divided into four segments of recreational open space connected through continuous pedestrian circulation. Amid the four segments of the linear park, the *Master Plan* proposes that Cedar Boulevard Linear Park include
a community garden, dedicated bicycle and pedestrian pathways, and outdoor fitness areas as major community-serving features. Additionally, the *Master Plan* proposes three play areas to serve adjacent neighborhoods, and two decorative gardens for unique and local planting opportunities. A bike and pedestrian bridge over the Union Pacific Railroad will be necessary to complete the extension between Willow Street and Haley Street.

Cedar Boulevard Linear Park – Area 2

Critical Issue	Quality of Life
Funding Source	Park Impact Fee
Estimated Cost	$850,000
Operating Impact	Significant Permanent Impact
Priority Level	Level Three
Implementing Department	Public Works – Engineering
Contact	Cangco
Year First Proposed	2017
Year Funded	2023

The *Citywide Parks Master Plan* identifies a total of 4 linear parks to be developed on the unimproved portion of Cedar Boulevard between Haley Street and Willow Street. A phased approach to development of the complete area is one possible approach. Linear Park 2 is the section of Cedar Boulevard between Bettencourt Street and Spruce Street. Improvements in this segment as identified in the *Master Plan* could include pedestrian and bicycle paths, a tot-age play area, a decorative garden and outdoor fitness equipment.

Central Avenue Median and Sidewalk Improvements (Construction)

Critical Issue	Quality of Life
Funding Source	Gas Tax
Estimated Cost	$250,000
Operating Impact	Moderate Impact
Priority Level	Level Three
Implementing Department	Public Works – Engineering
Contact	Tat
Year First Proposed	2022
Year Funded	Not Funded

This project would fund the construction phase of the installation of median landscape improvements and completion of sidewalk improvements on Thornton Avenue between the western terminus of the Central Avenue Overcrossing Project and Willow Street. The project would also seek to install landscape improvements and edge treatment along the fence line in the area adjacent to the Alameda County Flood Control Channel near Filbert Street.

Central Avenue Median and Sidewalk Improvements (Design)

Critical Issue	Quality of Life
Funding Source	Gas Tax
Estimated Cost	$1,200,000
Operating Impact	Moderate Impact
Priority Level	Level Three
Implementing Department	Public Works – Engineering
Contact	Tat
Year First Proposed	2022
Year Funded	Not Funded

This project would fund the design phase of the installation of median landscape improvements and completion of sidewalk improvements on Thornton Avenue between the western terminus of the Central Avenue Overcrossing Project and Willow Street. The project would also seek to install landscape improvements and edge treatment along the fence line in the area adjacent to the Alameda County Flood Control Channel near Filbert Street.

Central Avenue Overpass Phase 1 - Project Development

Critical Issue	Quality of Life/Public Safety Services
Funding Source	2000 Measure B Funds
Estimated Cost	$2,765,000
Operating Impact	No Significant Impact
Priority Level	Level Two – Service Level Increase
Implementing Department	Public Works – Engineering
Contact	Cangco
Year First Proposed	1999
Year Funded	2013

This project will fund the project development phases of a four-lane grade separation structure (bridge overpass) at the railroad crossing on Central Avenue, between Sycamore Street and Filbert Street. Completion of the design will allow the City to compete for funding for subsequent phases. The overpass will result in relief of traffic congestion at the tracks, providing enhanced vehicular, bicycle and pedestrian safety, and improved emergency response times.

Central Avenue Overpass Phase 2 – R/W and Construction

Critical Issue	Quality of Life/Public Safety Services
Funding Source	2000 Measure B/Discretionary Measure BB Funds/Impact Fees
Estimated Cost	$35,000,000
Operating Impact	Significant Permanent Impact
Priority Level	Level Two – Service Level Increase
Implementing Department	Public Works – Engineering
Contact	Cangco
Year First Proposed	1999
Year Funded	TBD

This project will fund the right of way and construction of a four lane grade separation structure (bridge overpass) at the railroad crossing on Central Avenue, between Sycamore Street and Filbert Street. The overpass will result in relief of traffic congestion at the tracks, providing enhanced vehicular, bicycle and pedestrian safety, improved emergency response times, and elimination of the potential for at-grade accidents. The project will involve significant utility relocations.

This project is a listed Transportation project in the Impact Fee nexus analysis (19.3% maximum funding).

Cherry Street Median Modifications NEW

Critical Issue	Quality of Life
Funding Source	Capital Funds
Estimated Cost	$400,000
Operating Impact	Moderate Impact
Implementing Department	Public Works
Priority Level	Level Three
Contact	Cangco
Year First Proposed	2024
Year Funded	2025

This project would result in an extension of the southbound left turn lane pocket on Cherry Street approaching the Mowry Avenue intersection in order to provide improved traffic flow at this busy intersection. Following a request from the public, an initial traffic engineering analysis confirmed that the proposed modification would provide a benefit. Significant median modifications including irrigation and landscaping alterations, street paving and traffic signal detection loop modifications are required.

City Hall Security Upgrades

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$120,000
Operating Impact	Moderate Impact
Priority Level	Level Two – Service Level Increase
Implementing Department	Public Works Maintenance
Contact	Oeverndiek
Year First Proposed	2023
Year Funded	2024

This project would complete the installation of additional safety features in the City Hall public lobby areas as a follow-up to the security camera and building access management project. The scope of work includes the addition of full height glass at the first floor lobby counter, modification of doors for improved security and other physical modifications for increased employee and customer safety in public areas. Original funding from the Newark Civic Center project was retained for these improvements.

Citywide Building Painting

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$77,600
Operating Impact	No Significant Impact
Priority Level	Level One – Preservation of Existing Assets
Implementing Department	Public Works – Building Maintenance
Contact	Perez
Year First Proposed	Annual
Year Funded	2017 and 2018

These projects provide for routine building painting as part of normal building maintenance. These projects have been phased out of the CIP budget and added to operating budget, but some project funding remains.

Citywide Building Roof Repairs

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$121,000
Operating Impact	No Significant Impact
Priority Level	Level One – Preservation of Existing Assets
Implementing Department	Public Works – Building Maintenance
Contact	Perez
Year First Proposed	Annual
Year Funded	2017 and 2018

These projects will provide for the routine repair of building roofing as part of normal maintenance work. These projects have been phased out of the CIP budget and added to operating budget, but some project funding remains.

Citywide Building Upgrades

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$11,000
Operating Impact	No Significant Impact
Priority Level	Level One – Preservation of Existing Assets
Implementing Department	Public Works – Building Maintenance
Contact	Perez
Year First Proposed	Annual
Year Funded	2017 and 2018

These projects will provide for routine repair or replacement of miscellaneous building items as part of normal maintenance work. These projects have been phased out of the CIP budget and added to operating budget, but some project funding remains.

Citywide Bus Shelters

Critical Issue	Quality of Life
Funding Source	Capital Funds
Estimated Cost	$2,400,000
Operating Impact	Significant Permanent Impact
Priority Level	Level Three
Implementing Department	Community Development/Public Works
Contact	Turner/Cangco
Year First Proposed	2018
Year Funded	Not Funded

This project would install additional bus shelters within the public right-of-way along AC Transit bus routes. Identification of priority locations and potential outside funding sources needs to be coordinated with AC Transit. There are currently only 13 bus shelters in the City that were installed with a prior advertising contract through AC Transit. There are approximately an additional 100 bus stops without shelters or benches in the City. A phased installation program is a potential option. However, given the uncertainty of current and future AC Transit services, this project is unfunded.

Citywide Crosswalk Evaluation and Modifications

Critical Issue	Quality of Life
Funding Source	Community Development Maintenance Funds
Estimated Cost	$150,000 (2022)
Operating Impact	Moderate Impact
Priority Level	Level Two – Assessment Study
Implementing Department	Public Works
Contact	Jung
Year First Proposed	2020
Year Funded	2021 and 2022

This project will evaluate specific crosswalk locations in the City for potential safety enhancements and install recommended modifications. These locations would be those with a known or elevated pedestrian incident history. Modifications could include bulb-outs, enhanced crosswalk striping, signing or rapid-fire flashing beacons.

Citywide Document Scanning Services

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$150,000
Operating Impact	No Significant Impact
Priority Level	Level Three
Implementing Department	City Manager's Office
Contact	Hovorka
Year First Proposed	2020
Year Funded	Not Funded

This project would provide funding to scan and assign meta-tag data to paper documents into a searchable, electronic database. This service need is an important task in preparation for relocating city functions to the new civic center.

Citywide Geographic Information System (GIS) – Phase 2

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$150,000
Operating Impact	Cost Savings
Priority Level	Level Two – Service Level Increase
Implementing Department	Information Technology
Contact	Miranda
Year First Proposed	2002
Year Funded	2023

A GIS system is a computerized graphical mapping system which allows geographic information to be tied to a digital map and retrieved via specialized software. This geographic information can include site addresses, ownership information, City-owned utilities, zoning boundaries, aerial photography, etc. This project would provide for necessary hardware and software upgrades, specialized training for employees, expanded software licensing, and other data additions to the GIS to meet current needs.

Citywide Information Kiosks – Phase 1 Old Town

Critical Issue	Quality of Life
Funding Source	Capital Funds
Estimated Cost	$75,000
Operating Impact	Moderate Impact
Priority Level	Level Three
Implementing Department	Community Development
Contact	Turner
Year First Proposed	2024
Year Funded	Not Funded

This project includes design/planning and installation of kiosks in high-traffic areas such as shopping areas, civic areas, and parks to improve economic viability and communication with residents and business owners. The design of the kiosks can also contribute to building Newark's identity as a city. Maps, public projects, surveys, guides, events, classes, and other announcements could be posted on the kiosks. Phase 1 in Old Town would install kiosks in all three plaza areas.

Citywide Park Signage Program – Phase 1

Critical Issue	Quality of Life
Funding Source	Park Impact Fees
Estimated Cost	$80,000
Operating Impact	Moderate Impact
Priority Level	Level Three
Implementing Department	Public Works - Engineering
Contact	Reyes
Year First Proposed	2020
Year Funded	2021

Phase 1 of the program would develop a new standard design for all park identification signs throughout the City. The project could also potentially fund the installation of a first phase of new signs at parks with an identified need.

Citywide Parks Irrigation Systems Upgrade/Modification

Critical Issue	Quality of Life
Funding Source	Capital Funds
Estimated Cost	$170,000
Operating Impact	Cost Savings
Priority Level	Level One – Preservation of Existing Assets
Implementing Department	Public Works – Landscape Parks Maintenance
Contact	Connolly
Year First Proposed	Annual
Year Funded	2017 and 2018

The irrigation systems and components in nine of the City parks are over 30 years old and three others were built in the 1980s. This project will take advantage of new technologies that will enable the City to better manage labor, parts, and material costs by renovating the existing irrigation systems and its components. These projects have been phased out of the CIP budget and incorporated as part of the operating budget, but some project funding remains.

Citywide Rail Station Alternatives Study

Critical Issue	Quality of Life
Funding Source	Community Development Maintenance Funds
Estimated Cost	$80,000
Operating Impact	No Significant Impact
Priority Level	Level Two – Alternatives Study
Implementing Department	Public Works - Engineering
Contact	Cangco
Year First Proposed	2020
Year Funded	2021

This study will evaluate the desire and need for potential passenger rail transfer stations within the City. Although the General Plan is silent on potential for rail stations within the City, several passenger rail lines pass through Newark, including Capital Corridor, Amtrak, ACE and the potential Dumbarton Rail line. The study will analyze alternatives for potential locations and configurations of passenger rail transfer stations and will be performed in conjunction with Alameda County Transportation Commission's Southern Alameda County Rail Study and the Dumbarton Rail Corridor Study by the San Mateo County Transit District and Cross Bay Transit Partners.

Citywide Trash Capture Devices – Phase 3

Critical Issue	Quality of Life
Funding Source	Capital Funds
Estimated Cost	$230,000
Operating Impact	Moderate Impact
Priority Level	Level One – Legal/Regulatory Requirement
Implementing Department	Public Works – Engineering
Contact	Scanlin
Year First Proposed	2018
Year Funded	2019

This project involves the installation of additional full trash capture devices in storm drain inlets for the purpose of reducing trash in the municipal separate storm sewer system. Regulatory: Installation of these devices will contribute to meeting trash reduction requirements under the Municipal Regional Storm Water Permit issued to the City by the Regional Water Quality Control Board.

Civic Center Building Modifications

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$870,000
Operating Impact	Moderate Impact
Priority Level	Level Two – Service Level Increase
Implementing Department	Public Works Maintenance
Contact	Connolly
Year First Proposed	2023
Year Funded	2024

This here are several smaller projects located at the new Civic Center buildings that were not part of the original project and are needed to enhance service levels. Projects include exterior and interior door modifications, window tinting, equipment additions, floor modifications, exterior building modifications, glass modifications and other improvements. Funds were reserved from the original project to complete these remaining items.

Civic Center Park Completion

Critical Issue	Quality of Life
Funding Source	Park Impact Fees
Estimated Cost	$1,160,000
Operating Impact	Permanent Significant Impact
Priority Level	Level Three
Implementing Department	Public Works – Engineering
Contact	Cangco
Year First Proposed	2017
Year Funded	Not Funded

Civic Center Park is a 5-acre neighborhood park in central Newark, adjacent to the City's administration building and public library. The park currently has grass lawn, a perimeter path, two group picnic areas, a full court basketball, and a playground. The Newark *Citywide Parks Master Plan* envisions Civic Center Park to remain neighborhood oriented while improving the site as a civic destination through the addition of additional public gathering space. The *Master Plan* proposes Civic Center Park to include a small turf multi-sport field and a sheltered group picnic area as major community-serving projects. As amenities associated with the group picnic area, the *Master Plan* also proposes the addition of a volleyball court and an updated school-age play area. If the Newark Library is to be moved per future planning, Civic Center Park may also have a restroom added.

Clean-Up of CalTrans ROW and Landscaping (Thornton Ave/I-880)

Critical Issue	Quality of Life
Funding Source	Capital Funds
Estimated Cost	$200,000
Operating Impact	Moderate Impact
Priority Level	Level Three
Implementing Department	Public Works – Maintenance
Contact	Connolly
Year First Proposed	2022
Year Funded	2023

This project would perform maintenance and install landscape improvements at areas within State right-of-way adjacent to the Interstate 880 interchange at Thornton Avenue within Newark city limits.

Climate Action Plan Update

Critical Issue	Quality of Life
Funding Source	Community Development Maintenance Fund
Estimated Cost	$197,000
Operating Impact	Moderate Impact
Priority Level	Level Two – Plan Update
Implementing Department	Public Works – Environmental Services
Contact	Scanlin
Year First Proposed	2023
Year Funded	2024

This project will utilize the services of an experienced consultant to develop an update to the City's existing Climate Action Plan Framework. The resulting document will be provide an analysis of future greenhouse gas reduction targets and recommend detailed polices and actions necessary to satisfy those future targets. The project will include significant community engagement.

Community Preservation Vehicle NEW

Critical Issue	Government Operations
Funding Source	Capital Funds
Estimated Cost	$50,000
Operating Impact	Minor Impact
Implementing Department	Public Works/Community Development
Priority Level	Level Three
Contact	Icasiano
Year First Proposed	2024
Year Funded	2025

The Community Preservation Manager oversees the Division, and part of those duties include work in the field, such as inspections or site assessments. The Community Preservation Manager does not currently have an assigned vehicle.

Cultural Arts Center

Critical Issue	Quality of Life
Funding Source	Capital Funds
Estimated Cost	$40,000,000
Operating Impact	Significant Permanent Impact
Priority Level	Level Three
Implementing Department	Public Works – Engineering
Contact	Cangco
Year First Proposed	Prior to 1995
Year Funded	Not Funded

This project would provide for land acquisition and construction of a 25,000 square-foot cultural arts center with seating for 600. The overall concept is based on the cultural arts center in Rohnert Park. Elements to be included are a main stage, supplemental stage, box office, control booth, dressing room, lobby/lounge, scenery workshop, office space and storage. There is no location currently identified for this future facility. This project is a listed Community Service and Facilities project in the Impact Fee nexus analysis (17.7% maximum funding). This project will be deferred until the Facilities Master Plan study has been completed.

Document Conversion

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$45,000
Operating Impact	No Significant Impact
Priority Level	Level Three
Implementing Department	City Manager's Office
Contact	Harrington
Year First Proposed	2014
Year Funded	Not Funded

This project would continue the ongoing effort to convert paper documents into electronic format.

Emergency Breaching Tools and Training — NEW

Critical Issue	Public Safety Services
Funding Source	Capital Funds
Estimated Cost	$46,000
Operating Impact	Minor Impact
Implementing Department	Police
Priority Level	Level Two
Contact	Arguello
Year First Proposed	2024
Year Funded	2025

The Police Department has not conducted formalized training in the area of deployment of forcible entry – breaching tools for officers that have not worked as part of the Department's SWAT team during recent years.

Department staff believes that in order to improve response times for needed use of forcible entry - breaching tools, such as door rams, Halligan tools and bolt cutters at rapidly evolving emergency scenes (such as active shooters and other emergency rescue situations that may not be safe for other first responders) it would be beneficial for the Department to acquire and deploy additional breaching tools in the field at a fleet-wide level.

Although the use of such breaching tools may seem intuitive, further ensuring formalized training of officers who have not formally experienced the breaching training received by SWAT officers would ensure all officers are familiar with the appropriate deployment of breaching tools. Hence improving overall safety during resolution of incidents and reducing the incidence of injury.

In order to best accomplish the formalized training for both tenured and incoming personnel, staff also recommends the acquisition of a breaching - forcible entry training door.

Facilities Master Plan

Critical Issue	City Government Operations
Funding Source	Community Development Maintenance Funds
Estimated Cost	$248,000
Operating Impact	No Significant Impact
Priority Level	Level Two – Assessment Study
Implementing Department	Public Works
Contact	Hovorka/Gonzalez
Year First Proposed	2020
Year Funded	2021

The purpose of this assessment study would be to identify the long term needs of the community regarding programs and the facilities needed to house those program; assess the feasibility and capacity of all existing City buildings to serve those functions long term; and evaluate what could potentially be the best use for each of the City's existing buildings. The project will also focus on long-term maintenance needs.

Finance (ERP) System Program Upgrades

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$100,000
Operating Impact	Cost Savings – Increased Efficiency
Implementing Department	Finance
Contact	Lee
Year First Proposed	2022
Year Funded	2023

This project will provide additional modules (such as payment receipts, parks and recreation class registrations, etc.) for our current ERP system which would allow for direct interfacing to the core financial system.

Finance System Replacement

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$1,250,000
Operating Impact	Cost Savings – Increased Efficiency
Implementing Department	Finance
Contact	Lee
Year First Proposed	2004
Year Funded	2015 ($200,000) and 2016 ($1,050,000)

This project provides for the purchase of hardware, software and professional services to replace the City's existing financial system and companion modules.

Firearms Training System NEW

Critical Issue	Public Safety Services
Funding Source	Capital Funds
Estimated Cost	$20,000
Operating Impact	Minor Impact
Implementing Department	Police
Priority Level	Level Three
Contact	Arguello
Year First Proposed	2024
Year Funded	2025

This Firearms Training System is a robotic moving target that is a tool for delivering range training programs with realistic use of force and de-escalation scenarios

Fire Station No. 27 Cherry Street - Energy Efficient Windows

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$30,000
Operating Impact	Cost Savings
Priority Level	Level Three
Implementing Department	Public Works – Building Maintenance
Contact	Perez
Year First Proposed	2004
Year Funded	Not Funded

This project provides for the replacement of single pane and low-performing dual pane windows at Fire Station No. 27. This would improve energy efficiency and also reduce traffic noise in the building from trucks on Cherry Street.

Fire Station No. 27 Cherry Street – Painting

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$32,000
Operating Impact	No Significant Impact
Priority Level	Level One – Preservation of Existing Assets
Implementing Department	Public Works – Building Maintenance
Contact	Perez
Year First Proposed	2018
Year Funded	2020

Fire Station No. 27 has not been painted in over 15 years and is in need of new paint (pricing includes tower).

Fire Station No. 27 Cherry Street – Roofing

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$55,000
Operating Impact	No Significant Impact
Priority Level	Level One – Preservation of Existing Assets
Implementing Department	Public Works – Building Maintenance
Contact	Perez
Year First Proposed	2018
Year Funded	2019-20

Fire Station No. 27's roof replacement (spray foam) has several leaks over the living quarters and equipment bay. The two roofs currently have different applications of roofing (spray foam and shingle). This project proposes spraying over all roofing for consistency. Pricing includes permanent ladders (one from ground to roof and one from roof 1 to roof 2).

Fire Station No. 27 Cherry St. Training Tower – New Construction

Critical Issue	Public Safety Services
Funding Source	Capital Funds
Estimated Cost	$2,000,000
Operating Impact	Moderate Impact
Priority Level	Level Three
Implementing Department	Public Works - Engineering
Contact	Cangco
Year First Proposed	2008
Year Funded	Not Funded

While a training tower currently exists at Fire Station No. 27, this tower is not usable for live fire training. This long-term project would provide the improvements necessary to allow live fire training.

Fire Station No. 29 Ruschin Drive – Painting

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$23,000
Operating Impact	No Significant Impact
Priority Level	Level One – Preservation of Existing Assets
Implementing Department	Public Works – Building Maintenance
Contact	Perez
Year First Proposed	2018
Year Funded	2019-20

Fire Station No. 29 has not been painted in over 15 years and is in need of new paint.

Fire Station Nos. 27 and 29 Additional Fencing NEW

Critical Issue	Public Safety Services
Funding Source	Capital Funds
Estimated Cost	$500,000
Operating Impact	Moderate Impact
Implementing Department	Public Works
Priority Level	Level Three
Contact	Connolly
Year First Proposed	2024
Year Funded	2025

Following a detailed evaluation of the need for fencing at Fire Station No. 27 and at Fire Station No. 29, an increase in scope is needed in order to provide the desired security at these locations. Fencing is needed to deter both vehicular and pedestrian access through each property. Wrought iron fencing with gate access points are recommended to ensure both security and visibility The project will need to be evaluated in terms of timing with other potential Fire Station improvement projects. An architectural design is needed.

Four Corners Area Plan NEW

Critical Issue	Community Development
Funding Source	Community Development Maintenance Funds
Estimated Cost	$350,000
Operating Impact	No Impact
Implementing Department	Community Development
Priority Level	Level Two
Contact	Turner
Year First Proposed	2024
Year Funded	2025

The City adopted a Four Corners Area Plan in 1990. The 2023-2031 Housing Element Program H2.3 describes the creation of a community-driven land use plan to bring housing and retail to the For Corners area. The land use plan would be represented through an update to the Four Corners Area Plan (Plan). The Plan would consist of community engagement, with the objective of developing community-led decision-making around housing, commercial space and public infrastructure improvements. As a key element of the community-guided Four Corners Area Plan, the city will incorporate the Transit Oriented Communities (TOC) development policies and requirements as a portion of the Four Corners area is within a transit priority area.

Fuel Management System Replacement

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$75,000
Operating Impact	Cost Savings
Priority Level	Level Two
Implementing Department	Public Works – Equipment Maintenance
Contact	Connolly
Year First Proposed	2014
Year Funded	2023

The fuel management system is used to control access and track usage of fuel supplied by the Service Center pump station for City vehicles. The current system is over 15 years old and no longer supported by the manufacturer.

History Museum – Phase 2B (Restoration and Construction)

Critical Issue	Quality of Life
Funding Source	Capital Funds
Estimated Cost	$3,000,000
Operating Impact	Significant Permanent Impact
Priority Level	Level Three
Implementing Department	Public Works – Engineering
Contact	Cangco
Year First Proposed	2000
Year Funded	Not Funded

This project includes the restoration of Watkins Hall, construction of a support structure and site improvements. Development of displays for the museum would be a separate phase of this project. This does not include the ongoing operation and maintenance of the facility.

This project is a listed Community Service and Facility project in the Impact Fee nexus analysis (17.7% maximum funding). This project should be deferred until the Facilities Master Plan study has been completed.

History Museum – Phase 3 (Exhibits)

Critical Issue	Quality of Life
Funding Source	Capital Funds
Estimated Cost	$750,000
Operating Impact	Significant Permanent Impact
Priority Level	Level Three
Implementing Department	Public Works – Engineering
Contact	Cangco
Year First Proposed	2000
Year Funded	Not Funded

This project would develop the exhibits and displays for the museum. This project includes displays in the main exhibit hall, entry area and second floor. The work includes preparing an acquisition policy, research, interpretation, cataloging the collection and developing a database of the acquisitions, building the exhibit cases and preparing the artifacts for exhibition. This does not include the ongoing operation and maintenance of the exhibits.

This project is a listed Community Service and Facility project in the Impact Fee nexus analysis (17.7% maximum funding). This project should be deferred until the Facilities Master Plan study has been completed.

Housing Programs – Implementation of Adopted Housing Element NEW

Critical Issue	Community Development
Funding Source	Community Development Maintenance Funds
Estimated Cost	$450,000
Operating Impact	No Impact
Implementing Department	Community Development
Priority Level	Level Two
Contact	Turner
Year First Proposed	2024
Year Funded	2025

This project implements other Housing Element programs that are not necessarily related to Title 17 amendments and special land use studies. Examples of programs include renter protection, accessible and developmentally disabled housing programs, housing rehabilitation and repair, universal design ordinance, anti-displacement, just-cause evictions, marketing and community outreach (particularly in multiple languages), shared housing, regional housing assistance, amendments to the building code, training programs, and housing monitoring programs.

Information Technology Vehicle NEW

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$80,000
Operating Impact	Minor Impact
Implementing Department	Public Works/Information Technology
Priority Level	Level Three
Contact	Icasiano
Year First Proposed	2024
Year Funded	2025

The Information Technology Department is in need of a new vehicle for staff use in servicing multiple City sites. The vehicle needs to have sufficient cargo area to transport computer equipment on a regular basis. This vehicle can be used as a pool car by other departments.

Irrigation Mainline Partial Replacement at Community Park

Critical Issue	Quality of Life
Funding Source	Capital Funds
Estimated Cost	$200,000
Operating Impact	Cost Savings
Priority Level	Level One – Preservation of Existing Assets
Implementing Department	Public Works – Landscape Parks Maintenance
Contact	Cangco
Year First Proposed	2008
Year Funded	2015

The main irrigation line at Community Park is over 40 years old and is made of Asbestos Composite Pipe. Repairs are limited to attaching a coupling to seal leaks due to stringent Hazardous Material Safety Guidelines. This project would replace the segment of mainline that runs along the section of the park nearest the tennis courts with a new alignment.

Jerry Raber Ash Street Park Completion

Critical Issue	Quality of Life
Funding Source	Park Impact Fees
Estimated Cost	$1,010,000
Operating Impact	Significant Permanent Impact
Priority Level	Level Three
Implementing Department	Public Works – Engineering
Contact	Cangco
Year First Proposed	2017
Year Funded	Not Funded

Jerry Raber Ash Street Park is a community-serving neighborhood park in western Newark. The park is a well-used and active recreation facility with existing amenities including sheltered group picnic areas, playgrounds, full court basketball, grass lawn, pedestrian paths, two softball fields, and a restroom. The site additionally includes the privately operated Viola Blythe Community Service Center of Newark, a Head Start preschool facility, and a segment of the Hetch Hetchy right-of-way under the jurisdiction of the San Francisco Public Utilities Commission.

The *Newark Citywide Parks Master Plan* envisions Jerry Raber Ash Street Park to remain a neighborhood park while enhancing the site's recreational capacity to meet the active needs of the park's existing users and the community of Newark. The *Newark Parks Master Plan* proposes several projects to strengthen the site's capacity as a recreational facility. These projects include the creation of a natural turf multi-sport field, an additional group picnic site, a volleyball court, and updated playgrounds. Additionally, a decorative garden and several bocce ball courts are proposed.

Jerry Raber Ash Street Park Sports Facilities

Critical Issue	Quality of Life
Funding Source	Park Impact Fees
Estimated Cost	$95,600
Operating Impact	Significant Permanent Impact
Priority Level	Level Three
Implementing Department	Public Works – Engineering
Contact	Cangco
Year First Proposed	2022
Year Funded	2023

The *Newark Citywide Parks Master Plan* proposes several improvements at Jerry Raber Ash Street Park to strengthen the site's recreational capacity to meet the active needs of the park's existing users and the community of Newark. This project would install a volleyball court, bocce ball court and a natural turf multi-sport field.

Lakeshore Park Completion

Critical Issue	Quality of Life
Funding Source	Park Impact Fees
Estimated Cost	$1,750,000
Operating Impact	Permanent Significant Impact
Priority Level	Level Three
Implementing Department	Public Works – Engineering
Contact	Cangco
Year First Proposed	2017
Year Funded	Not Funded

Lakeshore Park is a neighborhood park located in northwest Newark. The park is comprised of a man made body of water surrounded by a perimeter network of pedestrian pathways and grass lawn. The *Newark Citywide Parks Master Plan* envisions the activation of Lakeshore Park through an updated par course fitness trail and improved recreation amenities for community gathering. The *Master Plan* recommends the creation of a new school-age play area, and associated seating, as well as four new outdoor fitness areas to create an active pedestrian and fitness circuit along the perimeter of the park. Additionally, an update to the site's existing boathouse is recommended to better serve user needs.

Lakeshore Park Lake Water Quality Analysis

Critical Issue	Quality of Life
Funding Source	Capital Funds
Estimated Cost	$25,000
Operating Impact	No Significant Impact
Implementing Department	Public Works – Engineering
Contact	Tat
Year First Proposed	2008
Year Funded	2010

The summer months bring an algae bloom to the Lake due to the rise in water temperature. The depth of the water has decreased from sediment deposits which allow the water to more easily heat. The Lake deposits consist mainly of street storm drain runoff sediment, decomposed plant material and waterfowl feces deposits. An updated water quality study of the lake waterbody needs to be completed to develop long-terms strategies for improved water quality conditions.

Lakeshore Park Landscape Restoration

Critical Issue	Quality of Life
Funding Source	Capital Funds
Estimated Cost	$326,000
Operating Impact	Moderate Impact
Priority Level	Level Two – Final Project Phase
Implementing Department	Public Works
Contact	Tat
Year First Proposed	2016
Year Funded	2017

This project provides for the restoration of targeted areas impacted by the Lakeshore Park Seawall Installation project, pending the resolution of current drought conditions. The project would conform to requirements under the California Model Water Efficient Landscape Ordinance and Bay Friendly Landscape Guidelines and was combined with the previously funded Geese Deterrent Landscaping project.

Lakeshore Park Restrooms

Critical Issue	Quality of Life
Funding Source	Park Impact Fees
Estimated Cost	$350,000
Operating Impact	Permanent Significant Impact
Priority Level	Level Three
Implementing Department	Public Works – Engineering
Contact	Cangco
Year First Proposed	2020
Year Funded	Not Funded

The installation of a restroom at Lakeshore Park is included in the *Citywide Parks Master Plan*; however, it was assigned a "Priority Level" of 6, with "Priority Level 1" projects identified as those with the highest priority in the master plan document. Due to concerns regarding vandalism and crime prevention, use of prefabricated single-occupancy restroom units in lieu of more traditional restroom facilities will be evaluated by staff.

Lakeshore Park Tree Project

Critical Issue	Quality of Life
Funding Source	Capital Funds
Estimated Cost	$50,000
Operating Impact	Minor Impact
Priority Level	Level One - Safety
Implementing Department	Public Works – Landscape Parks Maintenance
Contact	Cianciarulo
Year First Proposed	2018
Year Funded	2019

This project will include the removal of several very large Eucalyptus trees, Willow trees, Myoporum trees and Pine trees and installation of at least 15 new trees throughout the park.

Lindsay Tract Street and Storm Drainage Improvements

Critical Issue	Quality of Life
Funding Source	Gas Tax/Area Improvement District
Estimated Cost	$5,000,000
Operating Impact	No Significant Impact
Priority Level	Level Two – Consensus Priority
Implementing Department	Public Works – Engineering
Contact	Cangco
Year First Proposed	2004
Year Funded	2019-20 ($3,500,000), 2022-23 ($500,000), 2023-24 ($1,000,000)

The Lindsay Tract includes streets in the area of George Avenue and Magnolia Street. These streets have sidewalks and full street paving, but do not have vertical curbs and gutters. Due to the lack of adequate slopes on the streets, water ponds along the gutters during the rainy season. This has resulted in significant and ongoing deterioration of the rolled asphalt gutters, driveways and the street paving. A complete reconstruction of the roadway is necessary. Given the extent of front yard encroachments, the effective street width is limited to 42 feet. The project would include the replacement of existing sidewalks with reinforced concrete, replacement of rolled asphalt concrete curbs with rolled concrete curbs slot drains. This project should also include street construction on the segment of Birch Street between Thornton Avenue and Baine Avenue where there is no existing curb, gutter, and sidewalk. An Area Improvement District would be proposed for a portion of the project funding.

MacGregor Fields Cricket Pitch

Critical Issue	Quality of Life
Funding Source	Park Impact Fee
Estimated Cost	$100,000
Operating Impact	Significant Permanent Impact
Priority Level	Level Three
Implementing Department	Public Works – Engineering
Contact	Cangco
Year First Proposed	2022
Year Funded	2023

MacGregor Community Playfields is located adjacent to Newark Community Park on land leased from the Newark Unified School District. The project would install a permanent cricket pitch within a portion of the existing playfields.

Mayhews Landing Park Completion

Critical Issue	Quality of Life
Funding Source	Park Impact Fee
Estimated Cost	$1,090,000
Operating Impact	Significant Permanent Impact
Priority Level	Level Three
Implementing Department	Public Works – Engineering
Contact	Cangco
Year First Proposed	2017
Year Funded	Not Funded

Mayhews Landing Park is a designated neighborhood park near central Newark with existing recreational amenities that include grass lawn, a perimeter path, playgrounds, an un-sheltered group picnic site, and full court basketball. To enhance the site as a part of Newark's park system, the *Newark Citywide Parks Master Plan* proposes the update of the Park's existing playgrounds and the addition of a volleyball court as an amenity associated with the existing group picnic area.

Mel Nunes Sportsfield Park Completion

Critical Issue	Quality of Life
Funding Source	Park Impact Fee
Estimated Cost	$1,483,000
Operating Impact	Permanent Significant Impact
Priority Level	Level Three
Implementing Department	Public Works
Contact	Cangco
Year First Proposed	2017
Year Funded	2023

The *Newark Citywide Parks Master Plan* envisions Mel Nunes Sportsfield Park as a destination sport and recreation facility for the City of Newark. In addition to the recently completed all-weather artificial turf fields and community skate park, the *Master Plan* proposes that the park provide several updated natural turf fields as a major community-serving project. Additional proposed facilities include group picnic areas, a playground, and concession stand with restroom.

Mel Nunes Sportsfield Park Softball Outfield Net Replacement

Critical Issue	Quality of Life
Funding Source	Park Impact Fees
Estimated Cost	$30,000
Operating Impact	Minor Impact
Priority Level	Level One – Preservation of Existing Assets
Implementing Department	Public Works – Parks Maintenance
Contact	Perez
Year First Proposed	2020
Year Funded	2021

This project will replace the safety netting that runs along the softball field outfield fence that protects the Silliman Center parking lot from potential home run balls.

Mel Nunes Sportsfield Park Splash Pad

Critical Issue	Quality of Life
Funding Source	Park Impact Fees
Estimated Cost	$550,000
Operating Impact	Permanent Significant Impact
Priority Level	Level Three
Implementing Department	Public Works
Contact	Cangco
Year First Proposed	2017
Year Funded	Not Funded

The *Newark Citywide Parks Master Plan* proposes the installation of a splash pad and water play features at Mel Nunes Sportsfield Park. These improvements were subsequently removed from the scope and estimated cost of the *'Mel Nunes Sportsfield Park Completion'* project prior to the funding of that project in Fiscal Year 2023.

Mel Nunes Sportsfield Park Storage Unit NEW

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$60,000
Operating Impact	Minor Impact
Implementing Department	Public Works
Priority Level	Level Three
Contact	Connolly
Year First Proposed	2024
Year Funded	2025

The Maintenance Division is in need of a Connex (storage) unit at Mel Nunes Sportsfield Park to store items that utilized in the ongoing maintenance of the all-weather turf fields. Storage of this equipment on-site will improve efficiency of these operations for the Division.

Mel Nunes Sportsfield Park Synthetic Turf Fields - Additional Netting

Critical Issue	Quality of Life
Funding Source	Park Impact Fees
Estimated Cost	$50,000
Operating Impact	Minor Impact
Priority Level	Level Two
Implementing Department	Public Works – Parks Maintenance
Contact	Reyes
Year First Proposed	2022
Year Funded	2023

This project will install additional netting behind the soccer goal areas to help prevent errant balls from entering the neighboring private parcels.

Mirabeau Park Completion

Critical Issue	Quality of Life
Funding Source	Park Impact Fee
Estimated Cost	$680,000
Operating Impact	Significant Permanent Impact
Priority Level	Level Three
Implementing Department	Public Works – Engineering
Contact	Cangco
Year First Proposed	2017
Year Funded	Not Funded

Mirabeau Park is designated a neighborhood park located in northwest Newark. The site's existing recreation amenities include grass lawn, pedestrian paths, and a playground. To enhance the site as a component of Newark's park system, the *Newark Citywide Parks Master Plan* proposes the update of the existing playground and the addition of a volleyball court and half-court basketball to activate the site for enhanced recreational use. A prior identified need was energy-efficient park security lighting for $40,000. This is included in the total estimated cost.

Mowry Avenue Backup Wall and Landscape Improvements

Critical Issue	Quality of Life
Funding Source	Gas Tax
Estimated Cost	$900,000
Operating Impact	Moderate Impact
Priority Level	Level Three
Implementing Department	Public Works – Engineering
Contact	Cangco
Year First Proposed	2004
Year Funded	Not Funded

This project would include installation of a precast concrete backup wall along westbound Mowry Avenue and improve both median and backup landscaping on Mowry Avenue between I-880 and Cherry Street. This would be a future phase of the City's Arterial Beautification Program and could be broken down into two or three smaller projects.

Musick Park Completion

Critical Issue	Quality of Life
Funding Source	Park Impact Fee
Estimated Cost	$720,000
Operating Impact	Significant Permanent Impact
Priority Level	Level Three
Implementing Department	Public Works – Engineering
Contact	Cangco
Year First Proposed	2017
Year Funded	Not Funded

Musick Park is a 1-acre neighborhood park located in northeast Newark. The park's existing amenities include grass lawn, a playground, and a pedestrian path utilized for passive recreation. The *Newark Citywide Parks Master Plan* recommends the update of the existing playground and the addition of seating as well as a perimeter fence. Fencing is recommended due to the high traffic volume on Cedar Boulevard. These features will improve user comfort and safety and enhance the site as a component of the City's larger park network.

Newark Boulevard Backup Wall and Landscape Improvements

Critical Issue	Quality of Life
Funding Source	Gas Tax
Estimated Cost	$1,200,000
Operating Impact	Moderate Impact
Priority Level	Level Three
Implementing Department	Public Works – Engineering
Contact	Cangco
Year First Proposed	2004
Year Funded	Not Funded

This project would include installation of a precast concrete backup wall where needed and improve both median and backup landscaping on Newark Boulevard between Civic Terrace Avenue and Ruschin Drive. This project is identified as phase five of the City's Arterial Beautification Program.

Newark Boulevard Complete Streets and Undergrounding Project

Critical Issue	Quality of Life
Funding Source	Outside Funds/Gas Tax
Estimated Cost	$6,800,000
Operating Impact	Significant Permanent Impact
Priority Level	Level Three
Implementing Department	Public Works – Engineering
Contact	Cangco
Year First Proposed	2024
Year Funded	Not Funded

This project would provide for the undergrounding of existing overhead utility lines, median width reduction, placement of buffered bicycle lanes, pedestrian transit user infrastructure upgrades, landscaping improvements, and pavement resurfacing. The project segment is Cedar Boulevard to Thornton Avenue. Newark Boulevard is on the National Highway System and is a good candidate for Federal funding opportunities.

Newark Civic Center Technology

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$37,000
Operating Impact	Moderate Impact
Priority Level	Level Two – Service Level Increase
Implementing Department	Information Technology
Contact	Miranda
Year First Proposed	2021
Year Funded	2021

This project provides funding for general technology upgrades needed concurrent with the New Civic Center buildings.

Newark Community Park Completion

Critical Issue	Quality of Life
Funding Source	Park Impact Fee
Estimated Cost	$3,860,000
Operating Impact	Significant Permanent Impact
Priority Level	Level Three
Implementing Department	Public Works – Engineering
Contact	Cangco
Year First Proposed	2017
Year Funded	Not Funded

Newark Community Park is one of the City's largest and most active community parks. Located in northern Newark, the park contains grass lawn, pedestrian pathways, playgrounds, picnic areas, full court basketball, wall ball, tennis courts, and a restroom. The park is adjacent to the City's Community Center.

The *Newark Citywide Parks Master Plan* envisions Newark Community Park to be a community open space with destination recreation features that will increase the site's capacity to meet the City's identified recreational needs. The *Master Plan* proposes the park to have a community dog park (see separate "Dog Park at Newark Community Park" project), accessible multi-age playgrounds, and reservable picnic sites. It is also recommended that the proposed picnic sites provide associated recreation features including volleyball courts, basketball, and an updated (replacement) restroom. The addition of the proposed updates and recreation projects will enhance the park's ability to meet the community's current and future recreational needs.

Newark Community Park Restroom Restoration

Critical Issue	Quality of Life
Funding Source	Capital Funds
Estimated Cost	$60,000
Operating Impact	Significant Permanent Impact
Priority Level	Level One – Preservation of Existing Assets
Implementing Department	Public Works – Engineering
Contact	Connolly
Year First Proposed	2017
Year Funded	2019

The Newark Community Park Completion plan includes a component for complete replacement of the existing restroom. A complete replacement is currently unfunded. As an interim measure, the existing restroom can be restored with new fixtures, painting, and other interior and exterior improvements to extend the life of the facility and provide a more pleasant environment for park users.

Newark Community Park Well and Pump Replacement

Critical Issue	Quality of Life
Funding Source	Capital Funds
Estimated Cost	$165,000
Operating Impact	Minor Impact
Priority Level	Level One – Preservation of Existing Assets
Implementing Department	Public Works – Parks Maintenance
Contact	Tat
Year First Proposed	2022
Year Funded	2023

Replacement of well pipe, submersible pump, pump motor, electrical components, and various other equipment required to rehabilitate the well system at Newark Community Park.

NewPark Place Specific Plan Enhancement and Expansion NEW

Critical Issue	Community Development
Funding Source	Community Development Maintenance Funds
Estimated Cost	$300,000
Operating Impact	No Impact
Implementing Department	Community Development
Priority Level	Level Two
Contact	Turner
Year First Proposed	2024
Year Funded	2025

This project would advance the work done to update the NewPark Place Specific Plan in 2021, which focused mainly on the Mixed Use I area that re-envisioned the NewPark Mall. This new effort would focus on the Mixed-Use II area in terms of refining the streetscape, refinement of uses and focus on massing of buildings for dense projects. In addition, staff would look for opportunities to expand the boundaries of the Specific Plan and ensure that those areas are internally consistent with the rest of the project but also identify future development opportunities for retail, office, hotel, and housing.

Newark Resource Center

Critical Issue	Quality of Life
Funding Source	Outside Grant Funds
Estimated Cost	$1,800,000
Operating Impact	Significant Permanent Impact
Implementing Department	Public Works/City Manager's Office
Priority Level	Level Two – Service Level Increase
Contact	Oeverndiek/Gonzalez
Year First Proposed	2021
Year Funded	2024

This project will convert the existing Head Start Building at Jerry Raber Ash Street Park to the Newark Resource Center, a location for community members to seek assistance related a variety of social program opportunities in the local area.

Old Town PDA Streetscape Improvements (Design)

Critical Issue	Quality of Life
Funding Source	Gas Tax
Estimated Cost	$1,000,000
Operating Impact	No Significant Impact
Priority Level	Level One
Implementing Department	Public Works - Engineering
Contact	Tat
Year First Proposed	2016
Year Funded	2021

This project would fund the design phase of the streetscape improvements within the Old Town Priority Development Area (PDA) as identified in the Old Town PDA Specific Plan. Improvements would include street lights and pedestrian scale lighting, benches, trash receptacles, public art, gateway features and could include sidewalk widening, pedestrian blub-outs, traffic calming, pavement resurfacing, bike lanes and street parking reconfiguration.

Old Town PDA Streetscape Improvements (Construction)

Critical Issue	Quality of Life
Funding Source	Outside Grants – Federal, State and Regional
Estimated Cost	$12,000,000
Operating Impact	Moderate Impact
Priority Level	Level One
Implementing Department	Community Development/Public Works - Engineering
Contact	Tat
Year First Proposed	2016
Year Funded	2025

This project funds the construction phase of the streetscape improvements within the Old Town Priority Development Area as identified in the Old Town PDA Specific Plan. Improvements would include street lights and pedestrian scale lighting, benches, trash receptacles, public art, gateway features and could include sidewalk widening, pedestrian blub-outs, traffic calming, pavement resurfacing, bike lanes and street parking reconfiguration.

Park Grid Tree Work Project

Critical Issue	Quality of Life
Funding Source	Park Impact Fees
Estimated Cost	$250,000
Operating Impact	Moderate Impact
Priority Level	Level One – Preservation of Existing Assets
Implementing Department	Public Works – Landscape Parks Maintenance
Contact	Cianciarulo
Year First Proposed	2020
Year Funded	2023 ($125,000), 2024 ($125,000)

This project would help standardize the level of tree maintenance across all City parks. All City park trees would be placed on a schedule for pruning every four years; hazardous trees and tree species would be identified and removed; and new trees would be planted on an annual basis.

Pedestrian Hybrid Beacon Installations NEW

Critical Issue	Quality of Life
Funding Source	Gas Tax Funds
Estimated Cost	$800,000
Operating Impact	Significant Impact
Implementing Department	Public Works - Engineering
Priority Level	Level One
Contact	Jung
Year First Proposed	2024
Year Funded	2025

As a result of the Citywide Crosswalk Evaluation studies, some intersections have been identified for improvements. The existing crosswalks located on Newark Boulevard at Brittany Drive/Ruschin Drive and on Cedar Boulevard at Milani Avenue have been identified as appropriate locations for the installation of pedestrian hybrid beacons to improve pedestrian traffic safety.

Police Department Barn Car Patrol Vehicle

Critical Issue	Public Safety Services
Funding Source	Capital Funds
Estimated Cost	$80,000
Operating Impact	Minor Impact
Priority Level	Level Two – Service Level Increase
Implementing Department	Public Works
Contact	Icasiano
Year First Proposed	2020
Year Funded	2021

The City had one "barn" (reserve) patrol car that was deployed for the replacement of another patrol unit; upon deployment, another patrol unit was taken out of service. This project would purchase of a second fully equipped barn car to ensure no shortage of patrol units.

Police Department Crime and Collision Scene Investigation Scanner

Critical Issue	Public Safety Services
Funding Source	Capital Funds
Estimated Cost	$84,000
Operating Impact	No Significant Impact
Priority Level	Level Three
Implementing Department	Police
Contact	Arguello
Year First Proposed	2022
Year Funded	2023

Purchase of a laser scanner to document the scene and evidence in crime scene and collision investigations. The technology takes a 3D laser scan of the entire crime scene area as well as photographs.

Police Department Patrol Vehicle

Critical Issue	Public Safety Services
Funding Source	Capital Funds
Estimated Cost	$80,000
Operating Impact	Minor Impact
Priority Level	Level Two – Service Level Increase
Implementing Department	Public Works
Contact	Icasiano
Year First Proposed	2020
Year Funded	2021

This project funds the addition to fleet of one new patrol vehicle build due to overlapping in shifts, during which there is a need for additional units. The addition of one Dodge Charger is proposed to ensure there are sufficient vehicles during those overlap periods.

Police Department Patrol Vehicles (2) NEW

Critical Issue	Public Safety Services
Funding Source	Capital Funds
Estimated Cost	$200,000
Operating Impact	Moderate Impact
Implementing Department	Public Works/Police
Priority Level	Level Two
Contact	Icasiano
Year First Proposed	2024
Year Funded	2025

The Police Department has identified the need for two (2) additional patrol vehicles to add to the existing fleet. The additional vehicles are necessary to align with current staffing levels in the department.

Police Department Replacement Scheduling and Workforce Management Software

Critical Issue	Public Safety Services
Funding Source	Capital Funds
Estimated Cost	$75,000
Operating Impact	Minor Impact
Priority Level	Level Two – Service Level Increase
Implementing Department	Police
Contact	Arguello
Year First Proposed	2020
Year Funded	2021

This project provides for the purchase of software and professional services to replace the Police Department's existing scheduling and workforce management system. The project requires coordination with the Finance Department and the Human Resources Department.

Police Department Unmarked Vehicles (2) NEW

Critical Issue	Public Safety Services
Funding Source	Capital Funds
Estimated Cost	$135,000
Operating Impact	Moderate Impact
Implementing Department	Public Works/Police
Priority Level	Level Two
Contact	Icasiano
Year First Proposed	2024
Year Funded	2025

The Police Department has identified the need for two (2) unmarked vehicles to supplement the existing fleet. Unmarked vehicles serve a variety of essential operational needs for the department.

Police Department Utility Vehicle

Critical Issue	Public Safety Services
Funding Source	Capital Funds
Estimated Cost	$12,500
Operating Impact	Minor Impact
Priority Level	Level Three
Implementing Department	Police
Contact	Arguello
Year First Proposed	2022
Year Funded	2023

Purchase of an all-terrain light weight utility vehicle designed for emergency response versatility. This piece of equipment can provide a quick and efficient method of response for patrol personnel to multiple situations.

Police Department Volunteer Radios

Critical Issue	Public Safety Services
Funding Source	Capital Funds
Estimated Cost	$20,000
Operating Impact	Minor Impact
Priority Level	Level Three
Implementing Department	Police
Contact	Arguello
Year First Proposed	2022
Year Funded	2023

Purchase of four handheld radios for police volunteers. Handheld radios provide the ability to communicate immediately during an emergency and at other times when the speed of communication is paramount. Realtime communication is quick and efficient, and the use of handheld radios keep all staff connected in case of an emergency so resources can respond quickly and efficiently to mitigate the situation.

Portable Outdoor Stage

Critical Issue	Quality of Life
Funding Source	Capital Funds
Estimated Cost	$20,000
Operating Impact	Minor Impact
Priority Level	Level Three
Implementing Department	Recreation and Community Services
Contact	Cuevas
Year First Proposed	2022
Year Funded	2023

Purchase of a portable outdoor stage for City events. Purchase would also include accessible ramp attachment and equipment needed for storage and installation of the equipment.

Public Works Maintenance Dump Truck

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$80,000
Operating Impact	Minor Impact
Priority Level	Level Two – Service Level Increase
Implementing Department	Public Works
Contact	Icasiano
Year First Proposed	2022
Year Funded	2023

The Service Center currently possesses a 10-yard dump truck; however, it is currently out-of-service for day-to-day operations due to California Air Resources Board (CARB) non-compliance. This project will purchase a replacement 3.5-ton dump truck to service the City.

Public Works Maintenance Mini Excavator

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$120,000
Operating Impact	Minor Impact
Priority Level	Level Two – Service Level Increase
Implementing Department	Public Works
Contact	Icasiano
Year First Proposed	2024
Year Funded	Not Funded

A mini excavator would be beneficial to Maintenance Division operations to assist at job sites where significant excavation is required but the work area is too small or partially inaccessible to the full-size backhoe. Significant hand digging is required at such locations which ultimately reduces efficiency.

Public Works Maintenance Mini Sweeper

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$260,000
Operating Impact	Minor Impact
Priority Level	Level Two – Service Level Increase
Implementing Department	Public Works
Contact	Icasiano
Year First Proposed	2022
Year Funded	2023

Purchase of a small-scale street sweeper to clean between curb and gutter and bollards associated with the Class IV separated bike lanes planned throughout the City as recommended in the City's *Pedestrian and Bicycle Master Plan*. The distance between curb and bollards will be between 6-8 feet, thus necessitating the need for a much smaller and more agile street sweeper capable of providing street sweeping services for long distances, along major traffic routes, safely and efficiently.

Public Works Maintenance Robotic Mower

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$25,000
Operating Impact	Minor Impact
Priority Level	Level Two – Service Level Increase
Implementing Department	Public Works
Contact	Icasiano
Year First Proposed	2024
Year Funded	Not Funded

A future purchase of a robotic mower would increase operational efficiency in areas with steep slopes where the use of standard mowers is not viable. This unit would be particularly beneficial at the future Grand Park in the Bayside Newark area once maintenance obligations shift from the developer to the City.

Public Works Maintenance Street Sweeper NEW

Critical Issue	Quality of Life
Funding Source	Capital Funds
Estimated Cost	$500,000
Operating Impact	Moderate Impact
Implementing Department	Public Works
Priority Level	Level Two
Contact	Icasiano
Year First Proposed	2024
Year Funded	2025

An additional street sweeping unit is needed to improve overall street sweeping operations for the City. With recent staffing additions to the Street Maintenance Section of the Maintenance Division, there is now increased capacity to provide a higher level of service with multiple sweepers running concurrently. The additional unit would be equipped with options to provide more flexibility for sweeping operations.

Public Works Maintenance Supervisor Vehicles (2) NEW

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$160,000
Operating Impact	Moderate Impact
Implementing Department	Public Works
Priority Level	Level Two
Contact	Icasiano
Year First Proposed	2024
Year Funded	2025

An The City recently add two supervisory positions in the Maintenance Division of the Public Works Department. These supervisors represent an increase in personnel for the division and there is a need for two additional vehicles for maintenance operations.

Public Works Maintenance Vehicles (2)

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$60,000 (2021); $60,000 (2022)
Operating Impact	Minor Impact
Priority Level	Level Two – Service Level Increase
Implementing Department	Public Works
Contact	Icasiano
Year First Proposed	2020
Year Funded	2021 and 2022

Maintenance staff have historically doubled-up in work vehicles due to a shortage of available maintenance vehicles. This have been impactful during peak work periods. This project provides for the purchase and outfitting of two new Ford F-250s maintenance personnel.

Public Works Maintenance Water Tank Spray Truck NEW

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$250,000
Operating Impact	Moderate Impact
Implementing Department	Public Works
Priority Level	Level Three
Contact	Icasiano
Year First Proposed	2024
Year Funded	2024

A new water tank spray truck is needed for the Maintenance Division to help ensure that new trees located on streets and medians with no irrigation systems can be watered on a regular basis. This investment will help the City with anticipated objectives in the upcoming Climate Action Plan Update and Urban Forest Master Plan

Quiet Zones Implementation

Critical Issue	Quality of Life
Funding Source	Other Grants – State and Regional
Estimated Cost	$8,000,000
Operating Impact	Permanent Significant Impact
Priority Level	Level Three
Implementing Department	Public Works – Engineering
Contact	Cangco
Year First Proposed	2021
Year Funded	Not Fully Funded

For safety, Federal and State laws currently require trains sound their whistles in a certain pattern and loudness as the trains approach crossings with roadways. The law does make provisions for the establishment of Quiet Zones under certain circumstances to either eliminate or modify the hours when train horns will be sounded at these crossings. A study has been completed indicating that all active at-grade crossings in Newark would qualify for the implantation of quiet zones. Designs are currently underway for all crossings and additional outside funding sources are being pursued. State funding through Assemblymember Alex Lee in the amount of $2 million has been received and another $2 million is anticipated through Regional Measure 3 in 2024.

Recreation and Community Services Mobile Recreation Van

Critical Issue	Quality of Life
Funding Source	Capital Funds
Estimated Cost	$70,000
Operating Impact	Minor Impact
Priority Level	Level Two – Service Level Increase
Implementing Department	Recreation and Community Services
Contact	Cuevas/Icasiano
Year First Proposed	2022
Year Funded	2023

Purchase a van to allow expanded access to pop-up style recreation opportunities in the Newark Community. Funds would also include the outfitting of the truck and supplies.

Rental Housing Inspection Program Assessment NEW

Critical Issue	Community Development
Funding Source	Community Development Maintenance Funds
Estimated Cost	$150,000
Operating Impact	Moderate Impact
Implementing Department	Community Development
Priority Level	Level Two
Contact	Turner
Year First Proposed	2024
Year Funded	2024

A feasibility study assessing rental housing stock in the City of Newark and determining the need for a Rental Inspection program. This study will also prescribe funding sources and implementation of the program, which is expected to be a cost-recovery model funded by licensing or permitting costs paid by property owners who are part of the program, assess if current staffing levels will support such a program, and determine the cadence of proactive inspections. The cadence of the inspections may be determined by items such as the age of the building, number of units, permit history, and a history of complaints.

Owners of rental properties are responsible for maintaining their buildings in compliance with minimum housing standards. Newark currently depends on complaints from tenants to investigate allegations of substandard housing. Often, these investigations result in finding violations that impact not only the initial tenant but also the health and safety of all the occupants. Tenants are often hesitant to report substandard housing conditions for fear of retaliation, up to and including eviction.

A proactive inspection program would allow Newark to inspect rental stock to ensure they meet minimum housing standards and that all building maintenance and repairs are done in accordance with current building codes. A proactive inspection program ensures our residents are afforded a clean, safe, and healthy place to live.

Revisions to City Truck Routes

Critical Issue	Quality of Life
Funding Source	Community Development Maintenance Fund
Estimated Cost	$73,370
Operating Impact	Minor Impact
Priority Level	Level Two – Service Level Increase
Implementing Department	Public Works - Engineering
Contact	Jung
Year First Proposed	2023
Year Funded	2023

The City has a relatively high number of designated truck routes. A project is underway with a traffic engineering consultant to evaluate all truck routes in an effort to reduce impacts in areas that have recently transitioned to more residential uses. Such modifications can result in fewer impacts on non-arterial streets, thereby reducing pavement maintenance costs. Public Works Engineering is coordinated this effort with the Police Department and the Community Development Department.

Sanctuary Park Conceptual Design

Critical Issue	Quality of Life
Funding Source	Community Development Maintenance Fund
Estimated Cost	$150,000
Operating Impact	No Significant Impact
Priority Level	Level Two – Master Plan Study
Implementing Department	Public Works – Engineering/Recreation and Community Services
Contact	Cangco
Year First Proposed	2022
Year Funded	2023

Sanctuary Park, located within the Sanctuary Village residential subdivision, was not included in the *Citywide Parks Master Plan*. Therefore, development of a conceptual park improvement plan or ranking of those improvements against other projects in the *Parks Master Plan* never occurred. The project will amend the *Citywide Parks Master Plan* to add Sanctuary Park, develop a conceptual park improvement plan, and perform a prioritization analysis based on recommendations and input from residents and the surrounding communities.

Sea Level Rise Vulnerability Assessment and Adaptation Strategies

Critical Issue	Quality of Life
Funding Source	Community Development Maintenance Fund
Estimated Cost	$275,000
Operating Impact	No Significant Impact
Priority Level	Level Two – Master Plan Study
Implementing Department	Public Works Environmental Services
Contact	Scanlin
Year First Proposed	2023
Year Funded	2024

This project will utilize a consultant with expertise in the field of sea level rise assessment and mitigation to develop a comprehensive planning document. The study will include an assessment and modeling of the local area to assess public and private vulnerabilities for varying scenarios of sea level rise and multiple time horizons. Adaptation strategies will be developed to address long-term needs for the protection of local property and infrastructure. The adaptation component requires coordination with other local and regional efforts. The project will include significant outreach with the local community and regional stakeholders.

.

Second Chance Shelter Repairs NEW

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$100,000
Operating Impact	Minor Impact
Implementing Department	Public Works
Priority Level	Level Three
Contact	Connolly
Year First Proposed	2020
Year Funded	2024

This project would provide much needed repairs to various areas in the Second Chance Homeless Shelter, including retrofit of the foundation and partial replacement and/or repairs to the sewer system. Other repairs include replacement of the flooring in the hallway, kitchen, and pantry.

Security Cameras and Building Access Management

Critical Issue	Quality of Life/Public Safety Services
Funding Source	Capital Funds
Estimated Cost	$1,352,000
Operating Impact	Moderate Impact
Priority Level	Level Two
Implementing Department	Information Technology
Contact	Miranda
Year First Proposed	2006
Year Funded	2024

This project will install exterior and interior security camera systems and update building access management infrastructure at multiple City facilities.

Senior Center Driveway Relocation — NEW

Critical Issue	Quality of Life
Funding Source	Capital Funds
Estimated Cost	$60,000
Operating Impact	Minor Impact
Implementing Department	Public Works
Priority Level	Level Three
Contact	Cangco
Year First Proposed	2024
Year Funded	2024

This initiative aims to evaluate the primary driveway entrance at the Clark W. Redeker Newark Senior Center with a focus on enhancing the safety of guests entering and exiting the facility. Presently, there exists a blind spot for those leaving the center due to oncoming traffic. This project will provide for a full evaluation and some potential interim solutions. A major relocation of the driveway would result in additional costs.

Senior Center HVAC Replacement

Critical Issue	Quality of Life
Funding Source	Potential CDBG Project
Estimated Cost	$50,000
Operating Impact	Cost Savings
Priority Level	Level Three
Implementing Department	Public Works – Maintenance
Contact	Connolly
Year First Proposed	2012
Year Funded	Not Funded

This project would replace the HVAC units that service Phase II of the Senior Center building. These units are 21 years old and no longer function well. The newer system will increase energy efficiency and lower utility costs.

Senior Center – New Construction

Critical Issue	Quality of Life
Funding Source	Capital Funds
Estimated Cost	$8,000,000
Operating Impact	Significant Permanent Impact
Priority Level	Level Three
Implementing Department	Public Works – Engineering
Contact	Cangco
Year First Proposed	2006
Year Funded	Not Funded

Although the Senior Center building on Enterprise Drive was expanded in 2007, a new Senior Center building will eventually need to be built in order to meet future anticipated needs. This project is a listed Community Service and Facility project in the Impact Fee nexus analysis (13.7% maximum funding). This project will be deferred until the Facilities Master Plan has been completed.

Senior Center Repainting NEW

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$100,000
Operating Impact	Minor Impact
Implementing Department	Public Works
Priority Level	Level One
Contact	Perez
Year First Proposed	2024
Year Funded	2024

This project would provide for a repainting of the entire exterior of the Senior Center building utilizing the existing color scheme. The building has not been painted since 2007.

Senior Center Room Divider

Critical Issue	Quality of Life
Funding Source	Capital Funds
Estimated Cost	$60,000
Operating Impact	No Significant Impact
Priority Level	Level Three
Implementing Department	Recreation and Community Services
Contact	Cuevas
Year First Proposed	2006
Year Funded	2023

The current room divider in the Senior Center building dining room is not designed to reduce acoustical noise. This is a significant problem during concurrent use times. A divider with acoustic properties would reduce noise when the room is separated, thereby increasing the programmability of each room.

Service Center Perimeter Wall

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$120,000
Operating Impact	No Significant Impact
Priority Level	Level Three
Implementing Department	Public Works – Building Maintenance
Contact	Connolly
Year First Proposed	2022
Year Funded	2023

The rear of the Service Center borders the railroad tracks. The project will install an 8-10' high block wall along the 550' span to minimize entry points and thefts.

Service Center Buildings – Painting

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$80,000
Operating Impact	No Significant Impact
Priority Level	Level One – Preservation of Existing Assets
Implementing Department	Public Works – Building Maintenance
Contact	Perez
Year First Proposed	2018
Year Funded	2019

Facilities have not been painted for over 15 years, are sun damaged, and are in need of new paint.

Service Center Clean Water Requirements

Critical Issue	Not Applicable
Funding Source	Capital Funds
Estimated Cost	$95,000
Operating Impact	No Significant Impact
Priority Level	Level Three
Implementing Department	Public Works – Maintenance
Contact	Connolly
Year First Proposed	2008
Year Funded	2014

Trash, asphalt, and other waste should be placed on impermeable surfaces. Maintenance operations transport trash and other waste products from parks and the right-of-way in pick-up trucks. The pick-ups are emptied onto the ground and then a loader scoops up the debris and places it in dumpsters to be hauled to the disposal site. The Service Center needs impermeable surfaces installed in the dump areas to ensure liquids from the waste products do not leach into the ground. Street crews use the vac-on unit to remove debris from storm drain inlets. The contents in the vac-on should be placed into a settlement pond where the debris removed from the inlets can settle to the bottom and the water can be drained into a sewer connection. This project is driven by the Clean Water Act.

Service Center Fuel Island Replacement

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$1,000,000
Operating Impact	No Significant Impact
Priority Level	Level One – Regulatory Obligation
Implementing Department	Public Works – Building Maintenance
Contact	Connolly
Year First Proposed	2022
Year Funded	2023

To comply with State Water Resource Control Board regulations, underground single-lined fuel tanks must be replaced or abandoned by December 2025.

Service Center Fuel Pump Island Drainage System

Critical Issue	Not Applicable
Funding Source	Capital Funds
Estimated Cost	$80,000
Operating Impact	No Significant Impact
Priority Level	Level Three
Implementing Department	Public Works – Maintenance
Contact	Connolly
Year First Proposed	2008
Year Funded	2023

This project would install a drainage system that allows any spilled hydrocarbons to be diverted into the existing oil separation tank. The Clean Water Act prohibits any type of hydrocarbons from being introduced into the storm drain system.

Service Center Fuel Tank Canopy

Critical Issue	Not Applicable
Funding Source	Capital Funds
Estimated Cost	$140,000
Operating Impact	No Significant Impact
Priority Level	Level Three
Implementing Department	Public Works – Maintenance
Contact	Connolly
Year First Proposed	2000
Year Funded	2023

This project would construct a canopy over the existing fuel pumps at the Service Center. The primary purpose of the installation is to prevent rain water from washing spilled fuel into the storm drain system. This project is a listed Community Service and Facilities project in the Impact Fee nexus analysis (17.7% maximum funding).

Service Center Rear Garage Overhang Repairs

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$75,000
Operating Impact	No Significant Impact
Priority Level	Level One – Preservation of Existing Assets
Implementing Department	Public Works – Building Maintenance
Contact	Perez
Year First Proposed	2018
Year Funded	2019

The roofing plywood underneath the shingles around the perimeter was incorrectly installed and is rotting along with the fascia; the side wall is deteriorated and needs total replacement. The overall cost estimate includes painting.

Service Center Skylights

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$100,000
Operating Impact	No Significant Impact
Priority Level	Level Three
Implementing Department	Public Works – Building Maintenance
Contact	Perez
Year First Proposed	2022
Year Funded	2023

Multiple skylights at the Service Center are cracked or broken, resulting in several large leaks in the garages. The project would replace all damaged skylights to minimize leaks.

Service Center Vacuum Truck Shelter NEW

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$100,000
Operating Impact	Minor Impact
Implementing Department	Public Works
Priority Level	Level One
Contact	Connolly
Year First Proposed	2024
Year Funded	2024

The City acquired a new vacuum street and requires a separate shelter due to its overall height. A secured modular structure located at the Service Center is needed.

Service Center Waste Disposal Upgrades

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$275,000
Operating Impact	No Significant Impact
Priority Level	Level Three
Implementing Department	Public Works – Maintenance
Contact	Connolly
Year First Proposed	2012
Year Funded	2023

This project includes the construction of truck ramps and placement of containers for dumping of solid and green waste at the Service Center, with connection to the existing sanitary sewer line.

Silliman Activity Center - Door Closers Replacement NEW

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$100,000
Operating Impact	Minor Impact
Implementing Department	Public Works/Recreation and Community Services
Priority Level	Level One
Contact	Perez
Year First Proposed	2024
Year Funded	2024

The door closers at the Silliman Activity Center (Phase 1 portion) are original equipment and replacement parts are difficult to obtain. This project would provide replacement of the original closers at the Childcare area, Pool Room including alarms (3), Gym (2) and the exterior doors (outside of the Childcare area).

Silliman Activity Center - Energy Conservation Measures

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$200,000
Operating Impact	Cost Savings
Priority Level	Level Two – Service Level Increase
Implementing Department	Public Works
Contact	Connolly
Year First Proposed	2016
Year Funded	Not Funded

The Silliman Activity and Family Aquatic Center continues to account for a large portion of the City's energy costs and greenhouse gas emissions. As such, the center is also a source of potential financial savings through energy conservation measures such as lighting retrofits and lighting sensors and controls. Staff will coordinate with Pacific Gas & Electric Company regarding available incentive programs.

Silliman Activity Center - Gym and Dance Floor Refinishing NEW

Critical Issue	Quality of Life
Funding Source	Capital Funds
Estimated Cost	$130,000
Operating Impact	Minor Impact
Implementing Department	Public Works/Recreation and Community Services
Priority Level	Level One
Contact	Perez
Year First Proposed	2024
Year Funded	2024

The Gymnasium and Dance Room floors at the Silliman Activity Center are in need of a complete refinishing, including restriping. This service should be performed every 10 to 15 years depending on the level of use.

Silliman Activity Center - Light Control Board Replacement

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$50,000
Operating Impact	No Significant Impact
Priority Level	Level One – Preservation of Existing Assets
Implementing Department	Public Works
Contact	Connolly
Year First Proposed	2016
Year Funded	2017

The light board, which controls interior and exterior lights at Silliman, is approximately 15 years of age. The unit controls are faded (cannot be seen to easily program the unit) and there is limited control to program the unit for special events or daylight savings time. Replacement of the unit and a link to the controls (Alerton) program is necessary to maximize programming capability and minimize our electrical consumption.

Silliman Activity Center Locker Room Flooring Replacement NEW

Critical Issue	Quality of Life
Funding Source	Capital Funds
Estimated Cost	$150,000
Operating Impact	Minor Impact
Implementing Department	Public Works/Recreation and Community Services
Priority Level	Level One
Contact	Perez
Year First Proposed	2024
Year Funded	2024

The tile flooring in the locker rooms has slowly been deteriorating over time and continues to break down due ongoing chloramine contact. This project would remove the tile and provide a more durable brushed concrete finish in the locker rooms.

Silliman Activity Center - Partial Roof Replacement

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$325,000
Operating Impact	No Significant Impact
Priority Level	Level One – Preservation of Existing Assets
Implementing Department	Public Works
Contact	Connolly
Year First Proposed	2020
Year Funded	2022

The original translucent panel roofing system installed in Phase I at Silliman is currently leaking on the sun facing side of the facility. Given the construction of the roofing with the slate system, several vendors have surmised that it cannot be repaired. This project will install a more robust roofing system with a warranty that will last more than 15 years.

Silliman Activity Center - Partial Roof and Skylight Replacement NEW

Critical Issue	Quality of Life
Funding Source	Capital Funds
Estimated Cost	$250,000
Operating Impact	Minor Impact
Implementing Department	Public Works/Recreation and Community Services
Priority Level	Level One
Contact	Perez
Year First Proposed	2024
Year Funded	2024

The slate roof near the pre-school playground is in need of replacement with composite roofing to ensure durability and safety. In addition, the skylights in the vicinity of the Silliman Center Phase I to Phase II conform area are failing and require replacement.

Silliman Activity Center – Preschool Playground Renovation

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$300,000
Operating Impact	No Significant Impact
Priority Level	Level Three
Implementing Department	Public Works
Contact	Connolly
Year First Proposed	2022
Year Funded	2023

The project will renovate the existing playground structure area at the Silliman Preschool Center. The renovation project would allow for replacing the current play structure, rubberized playground surfacing, and seating areas.

Silliman Activity Center - Shower Tile Replacement NEW

Critical Issue	Quality of Life
Funding Source	Capital Funds
Estimated Cost	$100,000
Operating Impact	Minor Impact
Implementing Department	Public Works/Recreation and Community Services
Priority Level	Level One
Contact	Perez
Year First Proposed	2024
Year Funded	2024

The tiles in the Silliman Center showers are original to the facility and currently in need of replacement of all grout which is a labor intensive effort due to the extremely small size of the tile. This project would provide removal and replacement of the existing shower tiles with a larger tile design equipped with marine-based grout. This would provide a significant functional and aesthetic improvement to the showers.

Silliman Aquatic Center – Air Handler #2 Replacement

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$350,000
Operating Impact	No Significant Impact
Priority Level	Level One – Preservation of Existing Assets
Implementing Department	Public Works
Contact	Connolly
Year First Proposed	2020
Year Funded	2022

Air Handler #2, originally installed in 2004, is showing signs of wear and increased metal fatigue. The nature of repairs and increased maintenance costs indicate that it is nearing the end of its useful life. Based on the replacement of Air Handler #1 in December 2019 it is anticipated that Air Handler 2 will need to be replaced in about a year.

Silliman Aquatic Center – Hot Tub Replacement

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$300,000
Operating Impact	No Significant Impact
Priority Level	Level One – Preservation of Existing Assets
Implementing Department	Public Works
Contact	Connolly
Year First Proposed	2020
Year Funded	Not Funded

Repairs have been made to the hot tub to effectively eliminate water losses. This project would replace the hot tub utilizing the existing plumbing infrastructure between the mechanical room and the spa, and install all new mechanical equipment. The timing of the replacement work is recommended to be concurrent with the Aquatic Center deck replacement at some point in the future.

Silliman Aquatic Center – NinjaCross Obstacle Course System

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$500,000
Operating Impact	Permanent Significant Impact
Priority Level	Level Three
Implementing Department	Public Works/Recreation and Community Services
Contact	Cuevas/Cangco
Year First Proposed	2022
Year Funded	Not Funded

This project would evaluate and, if determined to be feasible, install a NinjaCross-type obstacle course system in the Silliman Aquatic Center natatorium over the existing lap pool. Newark competes with similar local aquatic facilities based on their new amenities. Installation of such an obstacle course system would bring a new element to the aquatic center to boost attendance and new class offerings.

Silliman Aquatic Center – Pool Deck Replacement

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$300,000
Operating Impact	No Significant Impact
Priority Level	Level Three
Implementing Department	Public Works
Contact	Connolly
Year First Proposed	2016
Year Funded	Not Funded

Due to surface irregularities and deterioration in some areas, replacement of the original pool deck from tile to brushed concrete is desirable at some time in the future. Replacement of the hot tub should be considered concurrently with the deck replacement.

Silliman Aquatic Center - Pool Sanitation System Retrofit NEW

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$260,000
Operating Impact	Permanent Significant Impact
Implementing Department	Public Works/Recreation and Community Services
Priority Level	Level Three
Contact	Connolly
Year First Proposed	2024
Year Funded	2024

Upgrading the Lap, Activity, Lazy River, and Spa Pulsar chlorination systems involves integrating UV sanitation for enhanced water disinfection. The existing Pulsar systems have surpassed their anticipated lifespan, leading to higher maintenance expenses and difficulty in obtaining parts due to their status as first-generation products. By incorporating UV sanitation, powerful lamps within the light chambers emit germicidal UV-C light, effectively disinfecting pool and spa water. Implementing these systems reduces chemical consumption, enhancing the efficacy of sanitizers. Specifically, installing a UV system in the Aquatic Center would offer superior control over the elevated chloramine levels found in the natatorium.

Silliman Aquatic Center - Water Slide Replacement NEW

Critical Issue	Quality of Life
Funding Source	Capital Funds
Estimated Cost	$350,000
Operating Impact	Minor Impact
Implementing Department	Public Works/Recreation and Community Services
Priority Level	Level One
Contact	Connolly
Year First Proposed	2024
Year Funded	2024

The purple tube water slide in the lazy river pool in is need of replacement due to age and deterioration. The other slide was replaced approximately five years ago. The new replacement tube slide would utilize the same configuration for ease of installation and to minimize cost.

Silliman Aquatic Center – Water Tanks/Heater Replacement

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$100,000
Operating Impact	No Significant Impact
Priority Level	Level One – Preservation of Existing Assets
Implementing Department	Public Works
Contact	Perez
Year First Proposed	2020
Year Funded	2021

This project will replace water heater and water tanks in Phase I and Phase II of the Silliman Center. One of the two A.O. Smith tanks in Phase II failed in 2018 and due to the positioning and age of the functional tank, it is prudent to replace both tanks simultaneously. Plumbing components will be replaced and bought up to current code requirements. Phase I has dual A.O. Smith tanks and one is currently not functioning and in need of replacement to ensure consistent water temperature.

Simulated Impaired Driving Experience NEW

Critical Issue	Public Safety Services
Funding Source	Capital Funds
Estimated Cost	$50,000
Operating Impact	Minor Impact
Implementing Department	Police
Priority Level	Level Three
Contact	Lee
Year First Proposed	2024
Year Funded	Not Funded

A Simulated Impaired Driving Experience is a versatile teaching tool that delivers an impaired and distracted driving experience guaranteed to help with engagement of teen drivers. Police officials can confidently address the impact of alcohol, marijuana/THC (Tetrahydrocannabinol), drowsiness, and distraction on a person‘s driving abilities with this system.

Softball Fields Retrofit – Scoreboards and Bleachers NEW

Critical Issue	Quality of Life
Funding Source	Capital Funds
Estimated Cost	$150,000
Operating Impact	Minor Impact
Implementing Department	Public Works/Recreation and Community Services
Priority Level	Level Three
Contact	Connolly
Year First Proposed	2024
Year Funded	2024

This project will install two new electronic scoreboards to replace the non-functional ones for efficient scorekeeping and replace four worn-out bleachers to ensure adequate and safe seating arrangements at both City softball fields at Birch Grove Park and Mel Nunes Sportsfield Park .

St. Isabel Avenue Street Improvements Completion

Critical Issue	Quality of Life
Funding Source	Gas Tax
Estimated Cost	$285,000
Operating Impact	Cost Savings
Priority Level	Level Three
Implementing Department	Public Works – Engineering
Contact	Cangco
Year First Proposed	Prior to 1995
Year Funded	Not Funded

Over the past several years, Community Preservation staff has been working actively with property owners of the multifamily apartments backing onto St. Isabel Avenue to correct zoning infractions and clean up these properties. During discussions, these property owners have asked that the City improve St. Isabel Avenue with curb and gutter on the south side of the street (which will require that the existing paving be replaced due to grades), and also install a fence along the south side of St. Isabel Avenue to help control the dumping of trash and other problems associated with open access to the railroad right-of-way.

Stevenson Boulevard Gateway Feature Renovation

Critical Issue	Quality of Life
Funding Source	Capital Funds/Art in Public Places
Estimated Cost	$90,000
Operating Impact	Minor Impact
Priority Level	Level Three
Implementing Department	Community Development
Contact	Turner
Year First Proposed	2014
Year Funded	Not Funded

This project would redesign and/or renovate the existing gateway feature at Stevenson Boulevard and Balentine Drive.

Storage Facility at Service Center NEW

Critical Issue	Government Operations
Funding Source	Capital Funds
Estimated Cost	$400,000
Operating Impact	Moderate Impact
Implementing Department	Public Works
Priority Level	Level Three
Contact	Connolly
Year First Proposed	2024
Year Funded	2024

This project would provide basic new structures to securely store police evidence vehicles in order to maintain a chain of custody and provide a location for police evidence inspection.

Surplus Property Disposal – Old Fire Station No. 1

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$20,000
Operating Impact	Cost Savings
Implementing Department	Public Works – Engineering
Contact	Cangco
Year First Proposed	2006
Year Funded	2007

The old Fire Station No. 1 building on Elm Street requires substantial improvements and modifications to be used. The current identified needs of the City do not include use of a building or site of this size (the building is 4,852 sf and the site is 14,220 sf). This project would include appraisals and professional right of way services in order to dispose of the property, as well as a Phase 1 environmental study. Revenue generated from the sale would offset costs of the project and other Citywide needs.

Susan Johnson Bridgepointe Park Completion

Critical Issue	Quality of Life
Funding Source	Park Impact Fees
Estimated Cost	$920,000
Operating Impact	Permanent Significant Impact
Priority Level	Level Three
Implementing Department	Public Works – Engineering
Contact	Cangco
Year First Proposed	2017
Year Funded	Not Funded

Susan Johnson Bridgepointe Park is a neighborhood park located along the northwest edge of Newark. Currently the park has grass lawn, a playground, and two group picnic areas. To activate the site, while better meeting the identified recreation need in the City, the *Newark Citywide Parks Master Plan* proposes the creation of half-court basketball and a volleyball court as well as an update to the existing playground.

Thornton Avenue Complete Streets Improvements (Design)

Critical Issue	Quality of Life
Funding Source	Gas Tax
Estimated Cost	$700,000
Operating Impact	No Significant Impact
Priority Level	Level Three
Implementing Department	Public Works – Engineering
Contact	Cangco
Year First Proposed	2020
Year Funded	2022

This project would complete the design phase of the installation of bicycle and sidewalk improvements on Thornton Avenue between Gateway Boulevard and Hickory Street, improving bicycle and pedestrian access to the Don Edwards Wildlife Refuge, the Bay Trail and the Dumbarton Bridge. This project has replaced the Thornton Avenue Widening (Environmental and Design) Project previously listed in the CIP.

Thornton Avenue Complete Streets Improvements (Construction)

Critical Issue	Quality of Life
Funding Source	Outside Grants – Federal and Regional
Estimated Cost	$14,000,000
Operating Impact	Moderate Impact
Priority Level	Level Three
Implementing Department	Public Works – Engineering
Contact	Cangco
Year First Proposed	2020
Year Funded	Not Funded

This project would complete the construction phase of the installation of bicycle and sidewalk improvements on Thornton Avenue between Gateway Boulevard and Hickory Street, improving bicycle and pedestrian access to the Don Edwards Wildlife Refuge, the Bay Trail and the Dumbarton Bridge. This project has replaced the Thornton Avenue Widening (R/W and Construction) Project previously listed in the CIP, but unfunded.

Thornton Avenue Pavement Overlay, Phase 1 (I-880 to Olive Street)

Critical Issue	Quality of Life
Funding Source	Other Grants – Federal and Regional
Estimated Cost	$3,500,000
Operating Impact	Minor Impact
Priority Level	Level One- Preservation of Existing Assets
Implementing Department	Public Works – Engineering
Contact	Tat
Year First Proposed	2018
Year Funded	2024

The pavement on Thornton Avenue is in need of repair, with an average Pavement Condition Index (PCI) of 40 on a scale of 1-100. This segment of the Thornton Avenue Overlay Project would include grinding and repaving of the existing roadway surface, localized patch paving, upgrading or installation of new curb ramps, curb and gutter repair and installation of new bike lanes between Interstate 880 and Olive Street. This project has Federal and Regional discretionary funding.

Thornton Avenue Pavement Overlay, Phase 2 (Ash Street to Spruce Street)

Critical Issue	Quality of Life
Funding Source	Other Grants – Federal and Regional
Estimated Cost	$1,500,000
Operating Impact	Minor Impact
Priority Level	Level One- Preservation of Existing Assets
Implementing Department	Public Works – Engineering
Contact	Tat
Year First Proposed	2021
Year Funded	2024

The pavement on Thornton Avenue is in need of repair, with an average Pavement Condition Index (PCI) of 40 on a scale of 1-100. This segment of the Thornton Avenue Overlay Project would include grinding and repaving of the existing roadway surface, localized patch paving, upgrading or installation of new curb ramps, curb and gutter repair and installation of new bike lanes between Ash Street and Spruce Street. This project has Federal and Regional discretionary funding.

Thornton Avenue Streetscape Improvements (Elm Street to Willow Street)

Critical Issue	Quality of Life
Funding Source	Capital Funds/Gas Tax
Estimated Cost	$1,200,000
Operating Impact	Moderate Impact
Priority Level	Level Three
Implementing Department	Public Works – Engineering
Contact	Cangco
Year First Proposed	2008
Year Funded	Not Funded

This project would provide streetscape improvements and a landscaped median installation on Thornton Avenue between Elm Street and Willow Street. This roadway was once the state highway and remains a stark environment. The surrounding residential area is impacted by the wide, unattractive roadway that gives a commercial feel to this primarily residential area. The streetscape improvements will enhance safety by slowing traffic and improve neighborhood quality. The scope for this project would include pavement resurfacing between Elm Street and Spruce Street up to the westerly limit of the Old Town PDA Streetscape Improvements project.

This project is a listed Transportation project in the Impact Fee nexus analysis (19.3% maximum funding).

Title 17 (Zoning) Housing-related Assessment and Update NEW

Critical Issue	Community Development
Funding Source	Community Development Maintenance Funds
Estimated Cost	$400,000
Operating Impact	No Impact
Implementing Department	Community Development
Priority Level	Level One
Contact	Turner
Year First Proposed	2024
Year Funded	2024

2023-2031 Housing Element Programs H2.1 (Increased housing options near services), H2.2 (Accessory Dwelling Units), H2.4(Universal design Ordinance), H2.8 (Zoning for Missing Middle Housing Types), H2.10 (Single Room Occupancy Housing), H3.2 (Objective Design Standards), H3.2 (Mixed Uses in Commercial Zones), H3.5 (Parking Standards), H4.10 (Special Needs Housing), H5.3 (Public Lands for Housing), and H5.4 (Affordable Housing Overlay Zones), among other programs, require amendments to the Title 17 and other titles of the Newark Municipal Code to address housing production constraints and to promote fair and equitable housing for the community. This project would fund various studies and analyses to support staff-recommended changes to the municipal code and the creation of new policies and programs.

Traffic Signal at Cherry Street and Robertson Avenue

Critical Issue	Quality of Life
Funding Source	Gas Tax
Estimated Cost	$200,000
Operating Impact	Moderate Impact
Priority Level	Level Three
Implementing Department	Public Works – Engineering
Contact	Cangco
Year First Proposed	2006
Year Funded	Not Funded

This project is a listed Transportation project in the Impact Fee nexus analysis. The intersection currently does not meet traffic signal warrants.

Traffic Signal at Jarvis Avenue and Haley Street

Critical Issue	Quality of Life
Funding Source	Gas Tax
Estimated Cost	$180,000
Operating Impact	Moderate Impact
Priority Level	Level Three
Implementing Department	Public Works – Engineering
Contact	Cangco
Year First Proposed	2006
Year Funded	Not Funded

This project is a listed Transportation project in the Impact Fee nexus analysis. The intersection currently does not meet traffic signal warrants.

Traffic Signal at Jarvis Avenue and Spruce Street

Critical Issue	Quality of Life
Funding Source	Gas Tax
Estimated Cost	$180,000
Operating Impact	Moderate Impact
Priority Level	Level Three
Implementing Department	Public Works – Engineering
Contact	Cangco
Year First Proposed	2006
Year Funded	Not Funded

This project is a listed Transportation project in the Impact Fee nexus analysis. The intersection currently does not meet traffic signal warrants.

Traffic Signal Interconnect Design

Critical Issue	Quality of Life
Funding Source	Gas Tax
Estimated Cost	$475,000
Operating Impact	Minor Impact
Priority Level	Level Three
Implementing Department	Public Works – Engineering
Contact	Jung
Year First Proposed	2006
Year Funded	2024

Three major corridors have been identified previously for the use of traffic signal interconnect system to improve traffic flow. This includes Newark Boulevard from I-880 to Central Avenue, Thornton Avenue from I-880 to Sycamore Street and Cherry Street from Central Avenue to Stevenson Boulevard. This project will identify the scope of improvements and potential equipment needs for varying degrees of an adaptive traffic control system.

Traffic Signal Interconnect Implementation

Critical Issue	Quality of Life
Funding Source	Gas Tax
Estimated Cost	$7,500,000
Operating Impact	Permanent Significant Impact
Priority Level	Level Three
Implementing Department	Public Works – Engineering
Contact	Jung
Year First Proposed	2006
Year Funded	Not Funded

This project would implement the improvements identified as part of the Traffic Signal Interconnect Design phase to improve traffic movement on the Newark Boulevard, Cherry Street, and Thornton Avenue corridors. The project should be coordinated with the Broadband Master Plan. This project is a listed Transportation project in the Impact Fee nexus analysis.

Traffic Signal Preemption – Phase 2

Critical Issue	Public Safety Services
Funding Source	Capital Funds
Estimated Cost	$200,000
Operating Impact	Minor Impact
Priority Level	Level Three
Implementing Department	Public Works – Engineering
Contact	Cangco
Year First Proposed	2004
Year Funded	Not Funded

This project would complete the installation of signal preemption devices at remaining intersections Citywide to improve emergency response. The use of newer technology on a Citywide basis, including the replacement of existing preemption infrastructure also needs to be evaluated. This project is a listed Public Safety project in the Impact Fees nexus analysis (17.7% maximum funding).

Transition to Paperless Documents

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$13,000
Operating Impact	Minor Impact
Implementing Department	City Manager's Office
Contact	Hovorka
Year First Proposed	2014
Year Funded	2015

Tablets for City Council, City Manager, City Clerk, City Attorney and possibly, Assistant City Manager. Council has indicated the desire to increase efficiency by transitioning to paperless documentation for the Council Agenda Packets. This item would purchase the tablets and other accessories necessary to provide agenda packets to Council Members electronically.

Urban Forest Master Plan — NEW

Critical Issue	Quality of Life
Funding Source	Community Development Maintenance Funds
Estimated Cost	$300,000
Operating Impact	No Impact
Implementing Department	Public Works – Environmental Services
Priority Level	Level Two
Contact	Scanlin
Year First Proposed	2024
Year Funded	2024

An Urban Forest Master Plan is a guiding document that would provide the City with a long-term vision for the continued development and maintenance of its urban forest. No such plan currently exists. Elements of the plan would likely include an update of the exiting Citywide tree inventory, assessment and potential update of City policies, documents and ordinances related to tree care, assessment of tree planting and maintenance programs, assessment of the overall tree canopy (public and private tree resources). This process would involve significant community engagement and coordination among multiple departments and divisions.

Vehicle Miles Traveled Policy — NEW

Critical Issue	Community Development
Funding Source	Community Development Maintenance Funds
Estimated Cost	$15,720
Operating Impact	No Impact
Implementing Department	Community Development/Public Works
Priority Level	Level Two
Contact	Interiano/Jung
Year First Proposed	2023
Year Funded	2023

An This project will address the need for the City to develop its own Vehicle Miles Traveled (VMT) policy to evaluate new development projects for traffic impacts in accordance with California Environmental Law Act (CEQA) requirements.

Vehicle Pursuit Intervention Devices — NEW

Critical Issue	Public Safety Services
Funding Source	Capital Funds
Estimated Cost	$45,000
Operating Impact	Minor Impact
Implementing Department	Police
Priority Level	Level Three
Contact	Arguello
Year First Proposed	2024
Year Funded	2024

Vehicle pursuit intervention devices can help in tracking individuals in vehicles who choose to evade law enforcement. The desired system is a pursuit management technology that contains a miniature GPS tag and a launcher mounted on a police vehicle. A compressed-air launcher, mounted behind the grille of a patrol vehicle, uses a laser system to target the fleeing vehicle. There is also an option for handheld launchers. Both platforms deploy a GPS tag onto a suspect vehicle which allows for real time monitoring. The technology would be installed onto four patrol vehicles and would thus be deployed throughout the City of Newark.

Once the GPS Tag is launched, dispatchers and personnel can view the location and movements of the wanted vehicle in real-time on a secure, web-based mapping portal. In addition to accurate mapping, critical information including travel direction, speed, and traffic activity is transmitted every three to five seconds allowing for knowledge of suspect vehicle movements. The purpose of vehicle pursuit intervention devices is to track and ultimately capture a suspect vehicle (and suspect occupant) when a vehicle fails to yield to police officers.

Virtual History Museum

Critical Issue	Quality of Life
Funding Source	Capital Funds
Estimated Cost	$60,000
Operating Impact	No significant impact
Implementing Department	City Manager's Office
Contact	Gebhard
Year First Proposed	2018
Year Funded	2019

This project would provide for the development of a virtual history museum dedicated to providing access to Newark's rich history through a web-based platform.

Virtual Reality Police Tactics Training System NEW

Critical Issue	Public Safety Services
Funding Source	Capital Funds
Estimated Cost	$100,000
Operating Impact	Minor Impact
Implementing Department	Police
Priority Level	Level Three
Contact	Arguello
Year First Proposed	2024
Year Funded	2025

This system provides Law Enforcement agencies with a unique and integrated Virtual Reality capability that is ultra-portable, easy to use, secure, and delivers highly immersive and interactive scenario-based situations, while using actual in-service weapons and field items.

Website Upgrade

Critical Issue	Quality of Life
Funding Source	Capital Funds
Estimated Cost	$77,600
Operating Impact	No significant impact
Implementing Department	City Manager's Office/Information Technology
Contact	Gebhard
Year First Proposed	2018
Year Funded	2019

This project will provide for ongoing updates to the City's website.

Work Area and Cubicle Upgrades

Critical Issue	City Government Operations
Funding Source	Capital Funds
Estimated Cost	$70,000
Operating Impact	No significant impact
Implementing Department	Public Works/Community Development
Contact	Oeverndiek/Turner
Year First Proposed	2023
Year Funded	2024

Funding was retained from the Newark Civic Center project to complete various work areas on the first floor of City Hall. This project will address the need for the placement of additional furniture in various cubicles, potential modifications of cubicles and finalization of the first floor work area work table needs.

