



CITY OF NEWARK CITY COUNCIL

37101 Newark Boulevard, Newark, CA 94560-3796 • 510-578-4266 • E-mail: city.clerk@Newark.org

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

AGENDA

Thursday, December 8, 2016

CITY COUNCIL:

Alan L. Nagy, Mayor
Luis L. Freitas, Vice Mayor
Sucy Collazo
Michael K. Hannon
Mike Bucci

CITY STAFF:

John Becker
City Manager

Terrence Grindall
Assistant City Manager

Susie Woodstock
Administrative Services Director

Sandy Abe
Human Resources Director

Soren Fajeau
Public Works Director

Jim Leal
Police Chief

David Zehnder
Recreation and Community Services Director

David J. Benoun
City Attorney

Sheila Harrington
City Clerk

Welcome to the Newark City Council meeting. The following information will help you understand the City Council Agenda and what occurs during a City Council meeting. Your participation in your City government is encouraged, and we hope this information will enable you to become more involved. The Order of Business for Council meetings is as follows:

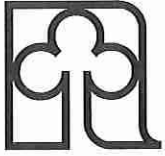
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|--|--------------------------------|
| A. ROLL CALL | I. COUNCIL MATTERS |
| B. MINUTES | J. SUCCESSOR AGENCY |
| C. PRESENTATIONS AND PROCLAMATIONS | TO REDEVELOPMENT AGENCY |
| D. WRITTEN COMMUNICATIONS | K. ORAL COMMUNICATIONS |
| E. PUBLIC HEARINGS | L. APPROPRIATIONS |
| F. CITY MANAGER REPORTS | M. CLOSED SESSION |
| G. CITY ATTORNEY REPORTS | N. ADJOURNMENT |
| H. ECONOMIC DEVELOPMENT CORPORATION | |

Items listed on the agenda may be approved, disapproved, or continued to a future meeting. Many items require an action by motion or the adoption of a resolution or an ordinance. When this is required, the words **MOTION**, **RESOLUTION**, or **ORDINANCE** appear in parenthesis at the end of the item. If one of these words does not appear, the item is an informational item.

The attached *Agenda* gives the *Background/Discussion* of agenda items. Following this section is the word *Attachment*. Unless "none" follows *Attachment*, there is more documentation which is available for public review at the Newark Library, the City Clerk's office or at www.newark.org. Those items on the Agenda which are coming from the Planning Commission will also include a section entitled *Update*, which will state what the Planning Commission's action was on that particular item. *Action* indicates what staff's recommendation is and what action(s) the Council may take.

Addressing the City Council: You may speak once and submit written materials on any listed item at the appropriate time. You may speak once and submit written materials on any item **not** on the agenda during **Oral Communications**. To address the Council, please seek the recognition of the Mayor by raising your hand. Once recognized, come forward to the lectern and you may, but you are not required to, state your name and address for the record. Public comments are limited to five (5) minutes per speaker, subject to adjustment by the Mayor. Matters brought before the Council which require an action may be either referred to staff or placed on a future Council agenda.

No question shall be asked of a council member, city staff, or an audience member except through the presiding officer. No person shall use vulgar, profane, loud or boisterous language that interrupts a meeting. Any person who refuses to carry out instructions given by the presiding officer for the purpose of maintaining order may be guilty of an infraction and may result in removal from the meeting.



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AGENDA

Thursday, December 8, 2016

A. ROLL CALL

B. MINUTES

- B.1 Approval of Minutes of the regular City Council meeting of Thursday, November 10, 2016. (MOTION)

C. PRESENTATIONS AND PROCLAMATIONS

- C.1 Declaring the results of the General Municipal Election of November 8, 2016 – from City Clerk Harrington. (RESOLUTION)(MOTION)(ORDINANCE)

Background/Discussion – The official canvas of votes for the General Municipal Election held on Tuesday, November 8, 2016, for the purpose of filling the office of the Mayor, two Council Member seats, and Measure GG has been completed by the Alameda County Registrar of Voters office. Alan L. Nagy was elected as Mayor for a two year term. Luis Freitas and Sucy Collazo were each elected as a member of the City Council for a four year term. Measure GG was approved, enacting a one-half cent sales tax.

Section 15374 of the California Elections Code states that, upon the completion of the canvas and before installing the new officers, the legislative body shall adopt a resolution reciting the facts of the election, the total number of ballots cast in the City, the names and offices of each person voted for, and the number of votes cast at each precinct for each candidate.

Attachment

Action - It is recommended that the City Council, by resolution, declare the results of the General Municipal Election of November 8, 2016 and by motion, authorize the Mayor to sign the initiative ordinance of the voters of the City of Newark to levy a local transactions and use (sales) tax to be administered by the State Board of Equalization.

- C.2 Presentation of election certificates and administration of Oath of Office – from City Clerk Harrington.

Background/Discussion – California Elections Code requires the City Clerk to sign and deliver to each person elected a Certificate of Election after the City Council has declared the results of the Consolidated General Municipal Election of November 8, 2016. The

Oath of Office shall also be administered to each person elected as prescribed in the California Constitution.

**C.3 Commending Police Commander Renny Lawson on his retirement.
(COMMENDATION)**

Background/Discussion – After 29 years of distinguished service, Commander Renny Lawson is retiring from the Police Department. Commander Lawson will accept a commendation at the City Council meeting.

**C.4 Commending Deputy Fire Marshall Holly Guier on her retirement.
(COMMENDATION)**

Background/Discussion – After 16 years of distinguished service, Deputy Fire Marshall Holly Guier is retiring from the Alameda County Fire Department. Deputy Fire Marshall Guier will accept a commendation at the City Council meeting.

D. WRITTEN COMMUNICATIONS

E. PUBLIC HEARINGS

**E.1 Hearing to consider a Conditional Use Permit (U-16-16) to allow DeVry University to operate in an existing building located at 8000 Jarvis Avenue (APN: 537-853-38) – from Assistant Planner Bowab.
(RESOLUTION)**

Background/Discussion – DeVry University has made an application for a college at 8000 Jarvis Avenue. The subject site is located on the southwest corner of Jarvis Avenue and Kiote Drive. The college is proposing to use a portion of the 2nd floor (10,217 square feet) of an existing 48,236 square foot research and development building. This building is located in the Newark Technology Center which has a reciprocal easement recorded for parking between the two buildings.

The 3.12 acre site is zoned MT-1 (High Technology Park District) and has a SI (Special Industrial) General Plan Land Use designation. Schools and colleges are conditionally allowed in the MT-1 zone. A conditional use permit approval is required. The center was approved under an Architectural and Site Plan Review (ASR-00-8) in July, 2000.

DeVry University plans to operate from 9:00 a.m. to 10:30 p.m., Monday through Friday, and 8:00 a.m. to 1:00 p.m. Saturday. Class times are spread throughout the day with a majority of the courses offered in the evenings and Saturday. The courses include general education, computer programming, electronics engineering, business, and network systems. There will be approximately 20-50 students per session with about 23 staff/faculty members. Interior improvements are proposed for the floor plan that include: classrooms, computer labs, common/study areas, offices, and a reception area. The only change

proposed to the building exterior is a wall sign and a sign on the existing monument sign that would be submitted for staff review for compliance with our sign ordinance.

The staggered class schedule, with a majority of the courses offered in the evenings and Saturday, means parking or on-site circulation issues are not anticipated. 187 parking spaces are provided for this building. As a precaution, a recommended condition of approval stipulates that if a complaint regarding parking, on-site circulation and/or traffic is received; a parking, on-site circulation and/or traffic analysis shall be prepared at the discretion of the Community Development Director and at the cost of the property owner. The property owner would be required to mitigate any problems identified by the parking, on-site circulation and/or traffic study.

Staff recommends approval of DeVry University's request subject to the conditions in the attached resolution.

Environmental Review

This project is categorically exempt from the California Environmental Quality Act (CEQA) per section 15301, Class 1, existing facilities.

Attachment

Update – At its meeting of November 8, 2016, the Planning Commission approved Resolution No. 1940 with Exhibit A, pages 1 through 5, for a conditional use permit (U-16-16) to allow for a college (DeVry University) at 8000 Jarvis Avenue (APN: 537-853-38).

Action – It is recommended that the City Council, by resolution, approve a conditional use permit (U-16-16) to allow for a college (DeVry University) to operate in an existing building located at 8000 Jarvis Avenue (APN: 537-853-38).

F. CITY MANAGER REPORTS

(It is recommended that Items F.1 through F.6 be acted on simultaneously unless separate discussion and/or action is requested by a Council Member or a member of the audience.)

CONSENT

- F.1 Approval of the Final Map and Subdivision Improvement Agreement for Tract 8098 - Glass Bay (TH-HW Newark, LLC), a 217-unit residential subdivision at 8400 Enterprise Drive in the Dumbarton Transit-Oriented Development Specific Plan project area – from Associate Civil Engineer Cangco. (RESOLUTION)**

Background/Discussion – On April 23, 2015, the City Council approved Vesting Tentative Tract Map 8098 for a 217-unit residential subdivision at 8400 Enterprise Drive, generally located on the south side of Enterprise Drive and east of Willow Street. The developer, TH-HW Newark, LLC, has submitted the required fees, bonds, and other documents for approval of the Final Map for Tract 8098.

The Final Map dedicates public street rights-of-way for Seawind Way, Bay Crest Road, Bluff Way, Back Bay Road, Blue Anchor Way, and Bay Landing Road. The developer has executed a Subdivision Improvement Agreement and has posted a Performance Bond in the amount of \$7,302,000 and a Materials Bond in the amount of \$3,651,000. The bonds will guarantee construction of the new public street rights-of-way and private streets and improvements on Willow Street and Enterprise Drive.

The Final Map for Tract 8098 has been reviewed and found to be in conformance with Vesting Tentative Tract Map 8098 and the Conditions of Approval, and is now ready for City Council approval. Recording of the Final Map and issuance of subsequent permits and approvals for construction activity will be at the discretion of the City Engineer.

Attachment

Action – It is recommended that the City Council, by resolution, approve the Final Map and Subdivision Improvement Agreement for Tract 8098 - Glass Bay (TH-HW Newark LLC), a 217-unit residential subdivision at 8400 Enterprise Drive in the Dumbarton Transit-Oriented Development Specific Plan project area.

F.2 Approval of the Final Map and Subdivision Improvement Agreement for Tract 8157 - Lighthouse (Lennar Homes of California, Inc.), an 88-unit residential subdivision at 37521 Willow Street in the Dumbarton Transit-Oriented Development Specific Plan project area – from Associate Civil Engineer Cangco. (RESOLUTION)

Background/Discussion – On April 24, 2014, the City Council approved Vesting Tentative Tract Map 8157 for an 88-unit residential subdivision and construction of 75 affordable senior housing units and a 15,000 square foot retail building at 37521 Willow Street, generally located on the south side of Enterprise Drive and west of Willow Street. Since the Vesting Tentative Tract Map approval, the developer applied for and received approvals for Lot Line Adjustments which established the affordable senior housing and retail parcels as shown on the Vesting Tentative Map (Lots 14 and 15, respectively). The required frontage improvements will be constructed with the Tract 8157 improvement plans. The developer, Lennar Homes of California, Inc., has submitted the required fees, bonds, and other documents for approval of the Final Map for Tract 8157.

The Final Map dedicates additional street rights-of-way for Seawind Way and Willow Street. The developer has executed a Subdivision Improvement Agreement and has posted a Performance Bond in the amount of \$2,686,000 and a Materials Bond in the amount of \$1,343,000. The bonds will guarantee construction of the private streets and improvements on Willow Street and Seawind Way.

The Final Map for Tract 8157 has been reviewed and found to be in conformance with Vesting Tentative Tract Map 8157 and the Conditions of Approval, and is now ready for City Council approval. Recording of the Final Map and issuance of subsequent permits and approvals for construction activity will be at the discretion of the City Engineer.

Attachment

Action – It is recommended that the City Council, by resolution, approve the Final Map and Subdivision Improvement Agreement for Tract 8157 - Lighthouse (Lennar Homes of California, Inc.), an 88-unit residential subdivision at 37521 Willow Street in the Dumbarton Transit-Oriented Development Specific Plan project area.

F.3 Approval of the 2017 Local Appointments List – from City Clerk Harrington. (MOTIONS-3)

Background/Discussion – Section 54970 et. seq. of the Government Code is commonly known as the Maddy Act or Local Appointments List. Section 54972 requires that on or before December 31 of each year, each legislative body in the state shall cause to be prepared and posted a Local Appointments List of all regular and ongoing boards, commissions, and committees, which are appointed by the legislative body of the local agency. The Local Appointments List is to be made available to the public and must contain the following information:

- A list of all appointive terms, which will expire during the calendar year, with the names of the incumbent appointee, the date of the appointment, and the date the term expires.
- A list of all boards, commissions, and committees whose members serve at the pleasure of the legislative body and the necessary qualifications for each position.

Legislation also requires that the City Council designate the public library with the largest service population within its jurisdiction to receive a copy of the list.

Members of the City's Planning Commission and the Senior Citizen Standing Advisory Committee are appointed by the City Council and should be listed on the Local Appointments List. Those terms that expire in 2017 are:

Planning Commission

Bernie Nillo, term expires December 2017

Senior Citizen Standing Advisory Committee

Gloria Wilson, term expires April 2017

Glen Wickizer, term expires April 2017

Kathleen Lemos, term expires April 2017

Tamara Tucker, term expires April 2017

Attachment

Action - It is recommended that the City Council, by motions: (1) approve the 2017 Local Appointments List, (2) designate the Newark Public Library as the library to receive a copy of the list, and (3) direct staff to post the Local Appointments List.

F.4 Acceptance of the Annual Report on Newark Development Impact Fees for Fiscal Year 2015-2016 in accordance with Government Code Section 66006(b) – from Assistant Planner Bowab and Assistant City Manager Grindall. (MOTION)

Background/Discussion – Government Code Section 66006(b) requires that any city that has adopted impact fees provide an annual report on fees collected, interest earned, and the status of planned public improvements to be funded with the fees. The City Council of the City of Newark adopted three development impact fees on July 27, 2000, pursuant to Government Code Section 66001, and updated those fees on January 25, 2007. The City Council adopted a Non-Residential Housing Impact fee on June 10, 2004 and a Community Development Maintenance Fee on May 27, 2010. The City Council also adopted an Affordable Housing Impact fee on April 10, 2014 and a Park Impact fee on June 9, 2016.

Staff has completed an Annual Report on Newark Impact Fees for Fiscal Year 2015-2016. The report contains all information required by Government Code Section 66006(b) and has been noticed and distributed accordingly.

It should be noted that the Public Safety Facilities fee, the Community Service Facilities fee, and the Transportation Facilities fee are being studied and may result in a potential fee increase.

Attachment

Action - It is recommended that the City Council, by motion, accept the Annual Report on Newark Development Impact Fees for Fiscal Year 2015-2016 in accordance with Government Code Section 66006(b).

F.5 Approval of Agreements and Documents Associated with Authoring the State Board of Equalization to administer the Transactions and Use Tax – from Administrative Services Director Woodstock. (RESOLUTIONS – 3)

Background/Discussion – The voters of the City of Newark approved a new one half-cent Transactions and Use Tax at the November 8, 2016 election. The election results were certified earlier in this meeting and the initiative ordinance, adding Chapter 3.14 Transactions and Use (Sales) Tax to the Newark Municipal Code, takes effect immediately. Per Section 3.14.040 the new tax will be administered by the State Board of Equalization (SBOE).

There are two agreements and several administrative documents that must be completed to authorize the SBOE to begin administering the tax. The SBOE will administer the program in a similar method to its administration of the existing local sales tax.

The City must agree to pay up to \$175,000 for the preparatory costs incurred by the SBOE to develop procedures and regulations, programming for data processing, instructions to SBOE staff and for taxpayers and other appropriate preparatory costs. A budget amendment is necessary to add this expenditure into the current year budget. This expenditure will be paid out of the General Fund at this time, but once revenue is received from the new transactions and use tax, the Transactions and Use Tax fund will repay the General Fund. There will be an on-going administrative fee to cover the SBOE's costs of administering the tax that will be deducted from the tax prior to the SBOE remitting to the City.

Attachment

Action - It is recommended that the City Council, by separate resolutions: 1. Authorize the Mayor to execute Agreements with the State Board of Equalization for Implementation of a Local Transactions and Use Tax, 2. Authorize the examination of Transactions (Sales) and Use Tax records, and 3. Amend the 2016-2018 Biennial Budget for Fiscal Year 2016-2017 to add an expenditure item for the Board of Equalization's preparatory costs and approve an Interfund Loan Declaration.

F.6 Authorization for the City to accept the U.S. Department of Homeland Security, California Governor's Office of Emergency Services (Cal OES) 2015 State Homeland Security Grant – from Police Commander Carroll.
(RESOLUTION)

Background/Discussion – The Alameda County Sheriff's Office (ALCO) submitted a grant application through the U.S. Department of Homeland Security, California Governor's Office of Emergency Services (Cal OES) 2015 State Homeland Security Grant Program (SHSGP) on behalf of various agencies within the county. The SHSGP builds on the progress made toward enhancing the capabilities of law enforcement, emergency medical and management services, public works and public health and their abilities to respond to acts of terrorism involving chemical, biological, or nuclear weapons. Funding in the amount of \$100,500 has been allocated to the Newark Police Department to purchase a critical incident communications rescue phone (\$50,500) and a portable surveillance video system, including installation costs (\$50,000).

ALCO will manage and administer approved funding for all sub-recipients and will comply with government cost principles, uniform administrative requirements, and audit requirements for federal grants as required in the Code of Federal Regulations (CFR). As a sub-recipient, we are required to ensure all equipment is maintained in good working order and made available for deployment locally or within the region. In addition, equipment must be physically tracked and marked as being "purchased with funds provided by the U.S. Department of Homeland Security" as well as with the grant award number.

The critical incident communications rescue phone will allow our SWAT and Crisis Negotiation Team (CNT) to communicate and gather intelligence during incidents involving hostages or barricaded suspects, suicidal subjects, and domestic or international terrorism. The phone system allows for the free flow of information between the negotiators and the incident commander and also records and video tapes our interaction. The use of this equipment will enable our staff to see, hear, and evaluate the dangers associated with each incident and minimize potential risk to our teams and the community.

The portable surveillance video system will allow us to gather intelligence, monitor possible terrorist targets, and address concerns of citizens and businesses regarding theft and criminal activity. This video system includes diagnostic sensors with the ability to detect movement, people, and vehicles. Due to the portable nature of this technology, target locations can be adjusted as needed and be safely monitored remotely via cell phone and/or web based applications.

Attachment

Action - It is recommended that the City Council, by resolution, authorize the City to accept the U.S. Department of Homeland Security, California Governor's Office of Emergency Services (Cal OES) 2015 State Homeland Security Grant award.

NONCONSENT

F.7 Approval of solid waste collection and recycling services maximum rates for 2017 with an increase of 1.0% over 2016 maximum rates – from Administrative Services Director Woodstock. (RESOLUTION)

Background/Discussion – The City's agreements with Republic Services, Inc., for solid waste collection and recycling and with BLT Enterprises of Fremont for waste transfer services, include provisions for an annual adjustment set by formula based on relevant consumer price indices. The City sets the maximum limits for the rates and the final rates are set by Republic Services.

Each of the relevant indices are applied to different portions of the rate to calculate the annual contractual rate adjustment. These price indices include (1) A CPI for Garbage and Trash Collection which was 1.81% for the period between August 2014 and August 2015; (2) A Compressed Natural Gas Service Index which was -0.46% for the same period; and (3) An increase on the disposal costs at the Fremont Transfer Station (BLT), which will be 0.7% on July 1, 2017. The resulting total rate increase with each index applied to the appropriate part of the rate equates to a rate increase of 1.02% effective January 1, 2017.

The average household that uses a 32-gallon cart will see a \$0.48 per month increase. Approximately 75% of residential households subscribe to the 32-gallon cart size. Commercial customers with the average 3-yard bin with a once-a-week pick-up will see an increase of \$5.13 per month. Approximately 33% of commercial customers use this size bin with varying pick-up frequency.

Attachment

Action - It is recommended that the City Council, by resolution, establish the maximum rates for solid waste collection and recycling services for Calendar Year 2017.

F.8 Approval of Measure D Expenditure Plan and Amendment of the 2016-2018 Biennial Budget and Capital Improvement Plan for Fiscal Year 2016-2017 – from Administrative Services Director Woodstock. (RESOLUTION)

Background/Discussion – The City receives approximately \$115,000 per year from the Alameda County Recycling Fund (Measure D funds). The revenue is generated from an \$8.23 charge per ton of waste disposed of at the landfills and the funds are distributed on a per capita basis to municipalities for the continuation and expansion of municipal recycling programs. As of June 30, 2016 the City of Newark has a balance of \$421,550 of unspent revenue from Measure D which exceeds the threshold for unspent funds. The threshold, established by multiplying eight dollars (\$8) times the population (\$8 x 44,733), is \$357,864.

The Alameda County Waste Management Authority (StopWaste.org) requires an Expenditure Plan for the City to continue to receive Measure D funds when the threshold has been surpassed.

The balance of the City's Measure D funds was purposefully built up with the intent to use the funds to subsidize the implementation of a new commercial organics collection program. Unfortunately, it was recently determined that due to language in the contract, the City's franchise hauler is not eligible to receive the funds for this purpose. A revised Expenditure Plan will consist of procuring a consultant to prepare a long-term diversion plan, assist with the development of the commercial organics collection program and audit the material stream reports from the franchise hauler. A letter of intent indicating the Expenditure Plan has been sent to StopWaste.org. The estimated cost of procuring a consultant is \$65,000, although the final cost will be determined when the proposals are submitted.

Action - It is recommended that the City Council, by resolution, approve the Measure D Expenditure Plan and amend the 2016-2018 Biennial Budget for Fiscal Year 2016-2017.

G. CITY ATTORNEY REPORTS

G.1 Claim of Rajnesh Kumar – from City Clerk Harrington. (MOTION)

Background/Discussion – On November 3, 2016, the City received a claim from Rajnesh Kumar in the amount of \$500 alleging damage to his car when a pine cone from a City tree fell on it.

The claim and all relevant information were forwarded to ABAG Plan, the City’s insurance administrator, who recommends that it be denied.

Attachment – None

Action - It is recommended that the City Council, by motion, deny the claim and authorize staff to inform the claimant of such denial.

H. ECONOMIC DEVELOPMENT CORPORATION

I. CITY COUNCIL MATTERS

I.1 Appointment of Mayor Pro Tempore and authorization for the Mayor Pro Tempore to sign and endorse checks, warrants, and other instruments – from Mayor Nagy. (MOTION)(RESOLUTION)

Background/Discussion – During the latter part of the year, the City Council reorganizes by appointing one of its members to serve as Mayor Pro Tempore. After the Mayor Pro Tempore has been selected, a resolution authorizing the Mayor Pro Tempore to sign and endorse checks, warrants, and other instruments will need to be approved by the City Council.

Attachment

Action - It is recommended that the City Council: (1) by motion, appoint one of its members as Mayor Pro Tempore; and (2) by resolution, authorize the new Mayor Pro Tempore to sign and endorse checks, warrants, and other instruments.

I.2 Appointments of City Council Members to agencies, boards, commissions, and committees – from Mayor Nagy. (RESOLUTION)

Background/Discussion – On a yearly basis, the Mayor appoints City Council Members to various agencies, boards, commissions, and committees. The current appointments are listed for reference. The City Council should review the assignments and decide if they would like to make any changes for the upcoming year.

Alameda County Fire Advisory Commission	Council Members Bucci and Collazo – delegate and alternate
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Alameda County Library Advisory Commission	Council Members Collazo and Mayor Nagy – delegate and alternate
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Alameda-Contra Costa Transit District Policy Advisory Committee	Council Members Bucci and Hannon – delegates
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Alameda County Transportation Commission	Council Members Freitas and Collazo – delegate and alternate
Alameda County Waste Management Authority Board/Stopwaste.org	Council Members Hannon and Freitas – delegate and alternate
Association of Bay Area Governments (ABAG)	Council Member Bucci and Mayor Nagy – delegate and alternate
Community Development Advisory Committee	Mayor Nagy and Council Member Freitas – delegates
Dumbarton Rail Policy Advisory Committee	Mayor Nagy and Council Member Bucci – delegate and alternate
Newark City Council – Board of Education Liaison Committee	Council Members Hannon and Collazo – delegates
Tri-City Elder Coalition	Mayor Nagy - delegate
Senior Citizen Standing Advisory Committee	Mayor Nagy delegate and chairperson
Southern Alameda County Geographic Information System Authority	Mayor Nagy - delegate Council Member Bucci - alternate
Tri-City Waste Facility Financing	Mayor Nagy and Council Member Hannon – Authority delegates

In addition to these assignments, Council Member Hannon is the City’s representative to the Housing Authority of Alameda County. This multi-year appointment, made by the Alameda County Board of Supervisors, expires in 2021 and is not included on the annual list.

Attachment

Action - It is recommended that the City Council, by resolution, approve the appointments to the various agencies, boards, commissions, and committees.

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

K. ORAL COMMUNICATIONS

L. APPROPRIATIONS

Approval of Audited Demands for the City Council meeting of December 8, 2016. (MOTION)

M. CLOSED SESSION

M.1 Closed session for conference with Labor Negotiators pursuant to California Government Code Section 54957.6. Agency designated representatives: Human Resources Director Abe and Assistant City Manager Grindall, Employee Group: the Newark Police Association – from City Attorney Benoun and Human Resources Director Abe.

Background/Discussion – The City Attorney has requested a closed session to discuss labor negotiations.

M.2 Closed session for conference with Legal Counsel pursuant to Government Code Section 54956.9(d)(2), Anticipated Litigation: One case – from Human Resources Director Abe and City Attorney Benoun.

Background/Discussion – City Attorney Benoun has requested that the City Council convene in closed session pursuant to Government Code Section 54956.9(b), Anticipated Litigation: one case.

M.3 Closed Session for Conference with Legal Counsel pursuant to Government Code Section 54956.9(d)(1), Existing Litigation, Thimon v. City of Newark et al.; Alameda County Superior Court Case No. HG15756417– from City Attorney Benoun.

Background/Discussion – The City Attorney has requested a closed session to discuss existing litigation: Thimon v. City of Newark et al.; Alameda County Superior Court Case No. HG15756417.

N. ADJOURNMENT

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 at the City Clerk’s Office located at 37101 Newark Boulevard, 5th Floor, during normal business hours. 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 requiring hearing assistance, please make your request to the City Clerk two days prior to the meeting.