



CITY OF NEWARK CITY COUNCIL

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City Administration Building
6:00 p.m.
City Council Chambers

Minutes

Tuesday, October 3, 2017

A. ROLL CALL

Mayor Nagy called the meeting to order at 6:00 p.m. Present were Council Members Hannon, Collazo, Freitas, and Vice Mayor Bucci.

B. Closed session for conference with City Attorney Benoun and City Clerk Harrington regarding public employee discipline/dismissal/release, pursuant to California Government Code Section 54957.

City Attorney Benoun stated that the employee has requested that this matter be considered in open session. Before the meeting began, the employee verbally reconfirmed, in the presence of his legal counsel, the City Attorney, and the City Clerk, the decision to have the matter considered at a public meeting.

City Clerk Harrington stated that this is an appeal of a fact-finder decision that recommends an employee termination. At the conclusion of public comment, the City Council should affirm, reverse, or modify the fact-finder's recommendation.

Julia Fox, attorney for employee's administrative appeal, presented information that she thought was not included or was glossed over in the fact-finder's decision.

Jeffrey Neithercutt requested that the case be reopened with a neutral investigator.

William Winter requested that the termination order be reversed and a new, impartial investigation be conducted.

Council Member Hannon moved, Vice Mayor Bucci seconded to affirm the fact-finder's determination to terminate the employee. The motion passed, 5 AYES.

Vice Mayor Bucci moved, Council Member Hannon seconded to direct staff to prepare a notice of decision and serve it on the employee and legal counsel. The motion passed, 5 AYES.

C. ADJOURNMENT

Mayor Nagy adjourned the meeting at 6:29 p.m.

SHEILA HARRINGTON
City Clerk