



CITY OF NEWARK CITY COUNCIL

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**Various Virtual
Teleconference Locations
7:30 p.m.**

AGENDA

Revised 7/20/2020

Thursday, July 23, 2020

THIS IS A MEETING BY TELECONFERENCE ONLY. THE CITY COUNCIL CHAMBERS WILL NOT BE OPEN. REFER TO THE END OF THE AGENDA TO REVIEW OPTIONS FOR PARTICIPATING IN THE MEETING REMOTELY OR TO SUBMIT PUBLIC COMMENTS VIA EMAIL.

A. ROLL CALL

B. MINUTES

- B.1 Approval of Minutes of the City Council meeting of July 9, 2020. (MOTION)**

C. PRESENTATIONS AND PROCLAMATIONS

- C.1 Proclamation for 30th Anniversary of the Americans with Disabilities Act (ADA). (PROCLAMATION)**

Background/Discussion – On July 26, 1990, President George H.W. Bush signed into law the Americans with Disabilities Act (ADA) to ensure the civil rights of people with disabilities. This legislation established a national mandate for the elimination of discrimination against individuals with disabilities. A proclamation in honor of the 30th Anniversary will be presented at the City Council meeting.

- C.2 Presentation of the South Bay Connect project by the Capitol Corridor Joint Powers Authority. (PRESENTATION)**

Background/Discussion – The Capitol Corridor Joint Powers Authority (CCJPA), managing agency of the Capitol Corridor intercity passenger rail service, issued a Notice of Preparation of an Environmental Impact Report for the South Bay Connect project on June 29, 2020. This opens a 45-day Public Scoping Period that will close on August 13, 2020. The Draft Environmental Impact Report is expected to be completed by the end of calendar year 2020, with the Final Environmental Impact Report expected at the end of 2021.

As part of the Public Scoping Period, CCJPA staff and consultants will be presenting a project briefing to several City Councils in the project area. Ms. Shirley Qian (CCJPA Project Manager and Senior Planner) and Mr. Ben Tripousis (Senior Project Manager and Associate Vice President, HNTB) will provide a presentation to the City Council, which will include an overview of the South Bay Connect project purpose, scope, status, and anticipated schedule.

Attachment – Presentation

D. WRITTEN COMMUNICATIONS

E. PUBLIC HEARINGS

E.1 Hearing to consider property owners' objections and confirmation of the Superintendent of Streets' Report concerning weed abatement assessments – from Assistant Maintenance Superintendent Hornbeck. (MOTION)(RESOLUTION)

Background/Discussion – The Superintendent of Streets' report on the 2020 Weed Abatement Program is submitted pursuant to Resolution No. 11041 adopted by the City Council on April 23, 2020. The report showing the assessments for the fall 2019 and the spring 2020 weed abatement has been posted as required. Owners whose properties are subject to an assessment may protest at this meeting or submit their objections prior to the hearing. As of July 16, 2020, no written objections have been received.

On May 28, 2020, the City Council directed the Superintendent of Streets to abate weeds on 123 parcels of land. Subsequent to notification, private property owners cleared 110 parcels and the City's contractor cleared 13 parcels. This year, the assessments ranged from \$96 to \$2,340, inclusive of the 20% administrative fee required by the City of Newark Master Fee Schedule. The lowest cost is for a vacant property that required minimal work. The highest cost was for a property that required tractor work. There were no additional supplemental lot clearings for the 2019 fall abatement work included in this year's assessments. The combined total for all assessments, including administrative charges, was \$6,984.

Attachments – Resolution; Superintendent of Streets' Report

Action – Staff recommends that the City Council, by motion, act upon any objections by property owners for assessments on their parcels for the 2020 Weed Abatement Program and, by resolution, confirm the Superintendent of Streets' Report concerning weed abatement assessments.

F. CITY MANAGER REPORTS

(It is recommended that Items F.1 through F.3 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 Second reading and adoption of an Ordinance Amending the Requirements Related To Holding City Council Meetings and Agendas in the Municipal Code – from City Manager Benoun, City Clerk Harrington and Interim City Attorney Kokotaylo. (ORDINANCE)

Background/Discussion – Newark Municipal Code (the “Code”) Sections 2.08.010, “Regular meetings,” 2.08.030 “Agenda,” and 2.08.070 “Order of business,” establish the set meeting time, date, and location of the regular City Council meetings and the agenda topics and order for City Council consideration at each meeting.

Establishing these procedures in the Code pursuant to an ordinance makes it difficult for the City Council and staff to be flexible in response to changing conditions and circumstances. Any adjustments to the Code requires two readings and thirty days after adoption to become effective. By removing these requirements from the Code, the City Council can make adjustments by resolution, which take effect immediately, and can shift or modify the date, time and location for regular meetings as circumstances necessitate.

At the July 9, 2020 City Council meeting, an ordinance was introduced Amending Sections 2.08.010, and 2.08.030 and Removing Section 2.08.070 of the Newark Municipal Code Relating to The Requirements Related To Holding City Council Meetings. A second reading of the ordinance is required before it may be adopted.

Attachment – Ordinance

Action – Staff recommends that the City Council waive further reading and adopt by title only an ordinance Amending Sections 2.08.010, and 2.08.030 and Removing Section 2.08.070 of the Newark Municipal Code Relating to The Requirements Related To Holding City Council Meetings.

F.2 Authorization for the Mayor to execute the Fifth Amendment to the Lease Agreement with County of Alameda for continued reimbursement of janitorial and pest control services – from Maintenance Superintendent Connolly and Interim City Attorney Kokotaylo. (RESOLUTION)

Background/Discussion – In 2015, the City Council authorized the Mayor to sign a lease with County of Alameda for lease of the Newark library facility that is owned by the City.

The lease obligates the City to provide janitorial services for the building, subject to reimbursement from the County.

The City's existing janitorial rates continue to remain the same from July 1, 2020 through June 30, 2021. The janitorial company services the Library and the County reimburses City for said services.

City staff has consulted with County staff and the County has agreed to continue reimbursing the City at the current rate through June 30, 2021 unless terminated earlier due to occupying the new library building upon which the City and the County will execute a new and separate lease agreement.

The attached Fifth Amendment memorializes this understanding.

Attachments – Resolution, Fifth Amendment to Lease Agreement

Action – Staff recommends that the City Council, by resolution, authorize the Mayor to execute the Fifth Amendment to the Lease Agreement with the County of Alameda for continued reimbursement of janitorial and pest control services.

F.3 Authorization for the City Manager to sign Task Order No.1 with Mission Critical Partners, LLC in the not-to-exceed amount of \$140,622 for additional consultant services under the original Contractual Services Agreement to coordinate the procurement, installation, testing and migration of the Public Safety Answering Point in the new Police Department building for the New Civic Center, Project 1188 – from Chief Building Official/City Architect Collier. (RESOLUTION)

Background/Discussion - On September 12, 2019, the City Council authorized the City Manager to negotiate and enter into an agreement with Mission Critical Partners, LLC to provide a Public Safety Answering Point (PSAP) Technology Needs Assessment, Cost Estimate and Detailed Migration Plan for the New Civic Center, Project 1188. PSAP includes all emergency communications, including 911, police dispatch, and related communications. That agreement was executed and the work is nearing completion. The PSAP is critical to the Newark Police Department and involves many different agencies and vendors to ensure a smooth and timely technical and operational migration. During the Needs Assessment and development of the Detailed Migration Plan, it became clear that additional expertise would be needed to coordinate the procurement, installation, testing and migration of equipment.

Mission Critical Partners, LLC provided a proposal to coordinate the procurement, installation, testing and migration of all required equipment for the new PSAP. A copy of the proposal is attached to the staff report. Staff is recommending that City Council authorize the City Manager to sign Task Order No. 1 with Mission Critical Partners, LLC to provide these additional essential consultant services. The not-to-exceed amount for the Task Order change is \$140,622. Funds from the previously approved project budget can be utilized to fund this Task Order change.

Attachment – Resolution; Task Order No.1

Action – Staff recommends that the City Council, by resolution, authorize the City Manager to sign Task Order No. 1 with Mission Critical Partners, LLC in the not-to-exceed amount of \$140,622 for additional consultant services under the original Contractual Services Agreement to coordinate the procurement, installation, testing and migration of the Public Safety Answering Point in the new Police Department building for the New Civic Center, Project 1188.

NONCONSENT**F.4 Update on the progress of the New Civic Center, Project 1188 – from Chief Building Official/City Architect Collier. (INFORMATIONAL)**

Background/Discussion – The new Civic Center is now ten months into a 24-month construction schedule. Because of a Shelter in Place Order issued by the Alameda County Public Health Officer, construction was shut down for about 6 weeks. Prior to reengaging in construction activities, Webcor developed a detailed Site-Specific Health and Safety Plan to address COVID-19 related issues. Despite the shutdown, the project remains on schedule.

The City Hall building is fully framed. The rough mechanical, electrical and plumbing is almost complete and the exterior cladding (which is mostly stucco) is underway. Roofing has started and some interior drywall has been installed.

The Police Department building is almost fully framed. The rough mechanical, electrical, and plumbing is about 25 percent complete and the exterior cladding is well underway. Roofing has begun. The foundation for the microwave tower is in and the installation of the tower will begin in August.

The Library building's structural frame is complete. Most of the exterior cladding substrate has been installed. The rough mechanical, electrical, and plumbing installation has started.

It is anticipated that City Hall and Police staff will move into their new quarters by the end of March 2021. County Library staff will begin to occupy the new Library by the end of April 2021. Once County staff gains possession of the new building it will take them about one month to set up their operation and be ready for the public by the end of May 2021. After County staff has moved out of their existing building, demolition of the existing City Administration Building will begin. It will take approximately four months to perform the demolition, build a new parking lot, and finish the site work. The new Civic Center project should be fully completed in August 2021.

The City Council meeting presentation will include “fly through” videos of all three buildings. Each fly through will provide three-dimensional videos of the interior of the buildings showing what they will look like once completed.

Attachments – Power Point presentation

Action – None, this item is informational only.

F.5 Authorization for the City Clerk to waive business license penalties from March 16, 2020, the proclamation date of the local emergency due to COVID-19, through the end of the calendar year – from Finance Director Lee and Interim City Attorney Kokotaylo. (RESOLUTION)

Background – The California Governor and the Alameda County Health Officer both declared public health emergencies in response to the COVID-19 pandemic. The City Manager proclaimed a local emergency on March 16, 2020, and it was ratified by the City Council on March 17.

The Alameda County Health Officer issued an executive order directing all residents of the County to shelter at home beginning March 17, 2020. The order limited activity, travel, and business functions to only the most essential needs. That order has been extended in Alameda County, although some restrictions have been lifted. The reopening process has been gradual but many business activities such as indoor dining, barbershops, and gyms, are still prohibited.

As a result of shelter in place and other social distancing requirements, many businesses are experiencing substantial declines in business income as a result of business closures or the loss of capacity and hours, which threatens their ability to pay rent, maintain payroll, and continue operating. Additionally, some businesses have had difficulty paying the City’s business license tax on time. As a result, the City has received inquiries about possibly paying on a deferred basis, entering into a payment plan with the City, or waiving penalties.

Discussion – Chapter 5.04, Business Licenses, of the Newark Municipal Code (the “Ordinance”) imposes a business license tax on businesses operating within the City and includes a provision that imposes penalties for failure to pay business license taxes on time. The Business License Taxes are based upon the calendar year with a due date of January 31. Payments received after January 31 are assessed the following penalties: 20% as of February 1, 40% as of March 1, and 50% as of April 1. Most businesses renew by January 31.

The City is obligated to impose the fee, but the City Clerk has the authority, for good cause shown, to extend the time of payment by up to thirty days and waive any

penalty. The City Clerk is authorized to further compromise claims with the consent of the City Council.

The Finance Department surveyed how other cities responded to the inability of businesses to timely pay business license taxes. The survey included responses from 26 cities (5 in the Bay Area) and revealed that the majority of cities are offering to waive penalties and/or defer tax payments. Specific actions taken include:

- Defer payments for 30, 60, or 90 days;
- Imposition of penalties up to Feb 29th only;
- Deferment – No penalties for March/April;
- 30-day extension upon written request;
- Waiving penalties until further notice or upon request;
- No penalties until Shelter in Place is lifted; and
- Penalties waived if a Local State of Emergency is declared.

The business owners of Newark are an integral part of this community. To support Newark businesses, staff recommends that the City Council approve a resolution to allow the City Clerk to compromise claims as to the amount of license tax due by waiving penalty fees accrued from March 16 - the date of the proclamation of a local emergency - to the end of the calendar year. Staff projects an estimated \$52,875 in revenue reduction for penalty payments if this action is approved. For businesses that have already paid a penalty, staff recommends notifying them by postcard that they are eligible for a credit towards next year's business license tax.

The City has collected an estimated \$1.3 million from approximately 2,547 businesses from December 1st through June 30th (early renewal is reflected in this total). As of June 30th, there were approximately 279 outstanding business license renewals. The projected tax for those remaining businesses is an estimated \$80,750 in business license taxes and \$40,375 in penalties, which are assessed at 50% of the business license tax.

To date, the City has collected an estimated \$32,500 from approximately 200 businesses in penalties. This \$32,500 in revenue is excluded from the aforementioned fees collected under business license taxes.

The proposed resolution would allow the City Clerk to compromise amounts due for any penalties accrued for failure to pay business license taxes beginning March 16, 2020 through the end of the calendar year. This will not include a waiver of base business license taxes due. Penalties that have accrued or will accrue for failure to timely pay the business license tax will be waived.

Should the City Council grant the City Clerk the authority to further compromise amounts due for any business license tax penalties, staff anticipates \$12,500 in revenue would qualify as credits for the businesses for the period of March 16 through June 30, 2020.

Staff further estimates another potential \$40,375 in continued revenue reduction for the remainder of the calendar year (July 1 through December 31, 2020). This would further be a total of \$52,875 in eligible credits for the Newark business community. While this is not a substantial sum of money, it could assist Newark businesses in their recovery

Attachment – Resolution

Action – Staff recommends that the City Council adopt a resolution that authorizes the City Clerk to compromise the amount of business license taxes and penalties due during the local emergency due to COVID-19.

F.6 Authorization to call an election on November 3, 2020 for voter consideration of an extension of the existing City of Newark Utility Users Tax; establishing related election policies and procedures; requesting consolidation of the election and requesting certain services of the Alameda County Registrar of Voters; and providing for submittal of ballot arguments and rebuttals and authorizing the filing of an impartial analysis – from City Manager Benoun. (RESOLUTION)

Summary – The City has an existing Utility Users Tax (“UUT”) that was approved by Newark voters in 2010. Revenues generated from the UUT allowed the City to maintain and restore critical City services and programs that were eliminated due to recessionary budget cuts. The UUT was reauthorized by Newark voters in 2014 and is set to expire at the end of 2020.

Earlier this year, the City Council commissioned an independent public outreach firm to conduct public opinion research to gauge community interest in a possible ballot measure that would continue to fund City services and programs. The results indicate community interest in a potential UUT extension. On May 28, 2020, the Council received the results and directed City staff to return at a future City Council meeting with the necessary actions to place a UUT extension measure on the ballot for the upcoming General Municipal Election to be held this November.

This report and accompanying resolution implements the Council’s directive. If adopted, the resolution would: (1) place the UUT extension on the November ballot; (2) request certain election services from the Alameda County Registrar of Voters; (3) provide a procedure for the submittal of ballot arguments and rebuttals; and (4) direct the City Attorney to author an impartial analysis.

The Shelter-in-Place orders issued by the California Governor and the Alameda County Public Health Officer in response to the COVID-19 Pandemic have caused significant declines in the City’s revenues. If Newark voters do not approve reauthorization, then the Council would need to consider significant measures in order

to reduce a structural budget deficit. These reductions would be in addition to the lowered service levels already approved by Council in the 2020-2022 Biennial Budget.

Background – In November 2010, Newark voters approved Measure U, a 3.5% Utility User Tax (“UUT”) within the City of Newark. The UUT was applied to electricity, natural gas, telecommunications, and cable television (not satellite or internet) and included exemptions for low income residents and senior citizens over the age of 70.

In early 2011 – and in response to anticipated increased City revenues as a result of the voters passing Measure U – the City Council adopted a Budget Restoration Plan that included the following:

- Reopening the Senior Center;
- Adding 2 Police Officers including a Detective and a School Resource Officer;
- Reinstating the Neighborhood Watch Program and expanding a police volunteer program;
- Increasing park and landscape maintenance throughout the City;
- Increasing street sweeping from once every two months to once per month;
- Reinstating the Ash Street Summer Program, which serves at-risk youth;
- Reinstating the School Crossing Guard Program;
- Adding Community Preservation staffing;
- Funding for Citywide Capital Improvements; and
- Rebuilding the City’s fiscal reserves.

In 2014, the Council held budget work-sessions to review budget projections, which, at that time, indicated that anticipated revenue growth would not keep up with projected expenditures and that without an extension of the UUT, programs and services would have to be reduced or eliminated in order to achieve balanced budgets.

Consequently, the Council directed placement of Measure Y on the ballot, which reauthorized the UUT and extended it until December 31, 2020. Measure Y was overwhelmingly approved by Newark voters with 75% voting to continue this local funding. Measure Y also reduced the UUT rate from 3.5% to 3.25%.

2020-2022 Biennial Budget and COVID-19 Pandemic

On February 13, 2020, the Council began the 2020-2022 Biennial Budget development process by holding a work session. At that time, the Council reviewed four permutations of revenue and expenditure projections that included two projections with a renewal of the UUT at the existing rate and two without the UUT, as well as two projections with a baseline economy (which assumed a steady and slow growth) and two with a downturn in the economy. All four projections show that a renewal of the UUT is necessary if there is a desire to continue funding existing City programs and services and also make recommended reserve contributions.

The following month, various governmental agencies (including the City of Newark) declared emergencies as a result of the COVID-19 Pandemic. Unprecedented “Shelter-in-Place” Orders (“SIP”) were issued by the California Governor and Alameda County Public Health Officer directing all residents to stay at home and only leave their residences to perform essential activities. As a result of the SIP, multiple businesses were required to shut down completely and were prohibited from engaging in business activity. While some businesses are now able to operate, many remained closed and it is unknown when they can re-open.

On April 23, staff presented to the Council a comprehensive analysis outlining the impacts of the SIP’s on City’s revenue streams with particular emphasis on reduced sales tax, transient occupancy tax (commonly known as “hotel tax”), and charges for services. The Council held a budget work session on May 28 in which staff presented recommendations to the Council to reduce the multi-million dollar projected deficits. The Council reviewed a draft 2020-2022 Biennial Budget on June 11 and adopted it on June 25.

The 2020-2022 Biennial Budget includes \$6.3 million in reductions from the 2019-20 adjusted budget. These reductions include not funding non-essential positions, elimination of non-essential travel and training, reduction in contractual services and supplies, and labor concessions (employee bargaining units agreed to eliminate the negotiated general salary increase due July 1, 2020). Despite these measures, a \$14 million budget deficit remains and the budget was balanced by using reserves.

These budget reduction measures will result in a number of impacts to services including, but not limited to: reduced park landscaping; decreased pot-hole repairs and roadside cleanups; slower plan review times; and delayed engineering services. In addition, the budget includes a suspension of child care services and most recreation programs, as well as elimination of additional Sunday library hours.

Discussion – Despite the City’s continued conservative budget balancing measures, revenue growth is not projected to keep up with projected expenditures. Moreover, the SIP orders that were issued to combat the COVID-19 pandemic have caused substantial declines in the City’s revenue sources (particularly sales tax, transient occupancy tax, and charges for services) – the extent and duration of which remains to be seen.

The UUT generates approximately \$2.75 million per year in locally-controlled funding and represents 5% of the City’s general fund revenue. Further, the UUT supports a number of critical programs and services in the City including adequate public safety staffing, park landscaping and maintenance, street repairs, community preservation, and school crossing guards. If the UUT is not authorized, then it is anticipated that the Council will need to revisit the 2020-2022 Biennial Budget to address the significant structural budget deficit by considering further budget reduction measures in addition to what was previously authorized.

Public Opinion Research

Earlier this year, the City Council directed staff to facilitate public opinion research to evaluate possible public interest for an extension of the existing UUT to address the projected operating budget deficit and maintain essential services.

The City retained the services of Godbe Research, an independent public outreach firm, to prepare and conduct public opinion sampling and evaluation of possible public interest in an extension of the existing UUT.

Godbe Research completed its work and presented the survey results to the City Council on May 28. In summary, the results indicate community support for a 9-year extension of the UUT at the current rate. This support is tied to maintaining existing critical City services that are currently being supported by UUT revenue and maintaining the current exemptions for seniors 70 years of age and older and low income residents. The results also indicate that a majority of those polled have a favorable opinion of the job the City of Newark is doing in providing City services and in managing taxpayer dollars.

At the end of the presentation, the City Council directed staff to return at a future City Council meeting with the necessary actions to place a measure on the November 3, 2020 ballot that would extend the UUT beyond the current sunset date.

Summary of Election Actions

In order to place a proposed UUT Extension Ordinance on the ballot for the November 3, 2020 General Election, staff has prepared a resolution that accompanies this staff report and generally does the following:

- Calls for an election and places the UUT extension on the November ballot for voter consideration.
- Requests the services of the Alameda County Registrar of Voters to place the UUT extension on the November ballot.
- Provides the procedure for the submittal of ballot arguments and rebuttals.
- Directs the City Attorney to prepare and submit an impartial analysis showing the effect of the measure on existing law.

Ballot Question

The State Elections Code requires the ballot measure to be printed in the ballot pamphlet in the form of a “yes or no” ballot question of no more than 75 words. The ballot question must include a true and impartial statement of the nature of the ballot measure. The ballot question for City Council consideration, which has been reviewed by the City Attorney, is as follows:

“To maintain critical City services, including 911 emergency response/fire protection/public safety; streets/pothole repair; parks/recreation; neighborhood police patrols, crime prevention, drug/gang-prevention programs; and other city services; shall the measure extending the City of Newark’s existing voter-approved utility users tax 9 years at the current 3.25% rate, providing \$2,750,000 annually, exempting seniors and low-income residents, requiring audits, with no increase in tax rate and no money for Sacramento, be adopted?”

Ballot Arguments & Rebuttal Arguments

The State Elections Code allows the City Council to determine its interest in authoring an argument in favor of the ballot measure. Arguments of no more than 300 words each for and against the ballot measure can then be included in the voter information guide. The arguments must be submitted to the City Clerk, as the Elections Official, by 4:00 p.m. on August 6, 2020.

The State Elections Code also allows the City Council to determine its interest in allowing rebuttals. Any rebuttals, of no more than 250 words, must be submitted to the City Clerk no later than ten days after arguments are due. The rebuttals must be submitted to the City Clerk by 4:00 p.m. on August 17, 2020. If there is no argument put forward in opposition to the ballot measure, then there will be no rebuttal.

State law provides the orderly process by which the City Clerk selects the arguments for and against a ballot measure. Importantly, the City Council or members of the City Council are given priority if they submit an argument related to a ballot measure with varying levels of priority given to other individuals, groups and organizations.

The City Council has options regarding the preparation of ballot arguments and rebuttals, including the Mayor signing on behalf of the Council or the entire Council approving arguments and rebuttals in compliance with the Brown Act. In 2010 and 2014, the City Council authorized the Mayor to prepare and submit the argument and rebuttal for the UUT. Staff recommends that the City Council repeat this process and authorize the Mayor to prepare and submit the argument along with community members.

Summary – Staff recommends that the City Council adopt a resolution submitting a proposed ordinance on the November 3, 2020 ballot for voter consideration extending the existing UUT for a period of nine (9) years. The UUT would include exemptions for other governmental bodies, for low-income residents based on qualification for the PG&E CARE Program, and for seniors age 70 and older. The City Attorney will be directed to prepare the impartial analysis of the measure. The Mayor will be designated to prepare and submit a ballot argument and rebuttal for the measure.

Attachment – Proposed Resolution

Action - Staff recommends that the City Council, by resolution:

1. Call an election placing the UUT extension on the November 3, 2020, ballot for voter consideration and consolidating with the General Election;
2. Requesting the services of the Alameda County Registrar of Voters to place the UUT extension on the ballot;
3. Authorizing the Mayor to prepare and submit arguments; and
4. Directing the City Attorney to prepare the impartial analysis of the measure.

G. CITY ATTORNEY REPORTS

H. ECONOMIC DEVELOPMENT CORPORATION

I. CITY COUNCIL MATTERS

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

K. ORAL COMMUNICATIONS

L. APPROPRIATIONS

Approval of Audited Demands.

(MOTION)

M. CLOSED SESSION

N. ADJOURNMENT

IMPORTANT NOTICE REGARDING CITY COUNCIL MEETING

Due to the COVID-19 pandemic, the City of Newark is making several changes related to City Council meetings to protect the public's health and prevent the disease from spreading locally. As a result of the COVID-19 public health emergency, including the Alameda County Health Officer and Governor's directives for everyone to shelter in place, **the City Council Chambers will be**

closed to the public. Members of the public should attempt to observe and address the Council using the below technological processes.

This meeting is being conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order N-29-20 dated March 17, 2020, regarding the COVID-19 pandemic. In accordance with Executive Order N-29-20, the public may only view the meeting on television and/or online.

Mayor Nagy, Vice Mayor Freitas, and Council Members Collazo, Hannon, and Bucci will be attending this meeting via teleconference. Teleconference locations are not open to the public. All votes conducted during the teleconferencing session will be conducted by roll call vote.

How to view the meeting remotely:

Live television broadcast - Comcast Channel 26

Livestream online at- <https://www.newark.org/departments/city-manager-s-office/agendas-minutes/live-streaming-meetings>

How to participate in the meeting remotely:

Provide live remote public comments, when called upon by the City Clerk:

From a PC, Mac, iPad, iPhone or Android device: <https://zoom.us/j/99511260273>

Webinar ID 995 1126 0273 (to supplement a device without audio, or to just call in, please also join by phone: US: +1 669 900 9128 , same Webinar ID 995 1126 0273.)

Submission of Public Comments:

Public comments received by 4:00 p.m. on the Council meeting date will be provided to the City Council and considered before Council action. Comments may be submitted by email to City.clerk@newark.org. Comments may also be submitted via e-mail to city.clerk@newark.org at any time prior to closure of the public comment portion of the item(s) under consideration.

Reading of Public Comments: The City Clerk will read aloud email comments received during the meeting that include the subject line “FOR THE RECORD” as well as the item number for comment, provided that the reading shall not exceed five (5) minutes, or such other time as the Council may provide, consistent with the time limit for speakers at a Council meeting and consistent with all applicable laws.

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.