



# CITY OF NEWARK CITY COUNCIL

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

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

## AGENDA

Thursday, September 13, 2018

### CITY COUNCIL:

Alan L. Nagy, Mayor  
Michael K. Hannon, Vice Mayor  
Luis L. Freitas  
Sucy Collazo  
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  
  
Michael Carroll  
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:

- |                                     |                         |
|-------------------------------------|-------------------------|
| 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](http://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, September 13, 2018

**A. ROLL CALL**

**B. MINUTES**

- B.1 Approval of Minutes of the City Council meetings of July 26 and August 20, 2018. (MOTION)**

**C. PRESENTATIONS AND PROCLAMATIONS**

**C.1 Introduction of employees.**

**Background/Discussion** – Public Safety Dispatcher Chelsea Pedranti and Finance Manager Krysten Lee will be at the meeting to be introduced to the City Council.

**C.2 Proclaiming September 20-23, 2018, as Newark Days. (PROCLAMATION)**

**Background/Discussion** – Newark Days, celebrating Newark's 63rd birthday, will be held September 20-23, 2018. A proclamation has been prepared and members of the Newark Days Committee will accept it at the City Council meeting.

**C.3 Proclaiming September 15 to October 15 as Hispanic and Latino Heritage Month. (PROCLAMATION)**

**Background/Discussion** – Each year, Americans observe National Hispanic and Latino Heritage Month from September 15 to October 15, by celebrating the contributions of American citizens whose ancestors came from Spain, Mexico, the Caribbean, Central America, and South America.

Community Preservation Specialist Patricia Montejano will accept the proclamation on behalf of the Hispanic and Latino community.

**D. WRITTEN COMMUNICATIONS**

**E. PUBLIC HEARINGS**

**F. CITY MANAGER REPORTS**

**(It is recommended that Items F.1 through F.5 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 to use the Contra Costa County P25 subscriber radio contract to purchase East Bay Regional Communication System Authority (EBRCSA) compliant radios and authorization for the City Manager to sign a lease to own agreement with Motorola Solutions, Inc. (Red Cloud, Inc.) – from Police Chief Carroll. (RESOLUTION)**

**Background/Discussion** – The East Bay Regional Communications System Authority (EBRCSA) was created as a Joint Powers Authority (JPA) in 2007 with the goal of developing and operating a state-of-the-art radio communications system that would provide regional interoperability. The City of Newark is an original member of the JPA.

The EBRCSA is authorized to acquire, plan, design, finance, construct, operate, and maintain a P-25 compliant communications system serving Alameda and Contra Costa counties currently covering 43 jurisdictions. With the recent addition of two larger entities, Oakland and Hayward, the existing Motorola infrastructure is nearing its capacity.

The City of Newark currently maintains an inventory of 155 radios on the EBRCSA network. Our current XTS2500 portable and XTL2500 mobile radios are no longer being manufactured by Motorola. At the end of 2018, Motorola factory repair shops will stop servicing these radios, so accessories and replacement parts will soon be unavailable. In July 2019, the EBRCSA Southwest cell, which includes Newark, will be the first area moved to Phase II Time Division Multiple Access (TDMA) technology making Phase I radios on the EBRCSA network in this zone obsolete.

Of the 155 radios, 124 need replacement and 31 will need a software upgrade to make them compatible with the Phase II (TDMA) system. A staff audit found there were an insufficient number of radios to equip all emergency vehicles and responders, including trained volunteers. This project would increase the City's radio inventory by 11, from 155 to 166.

This purchase will be procured through an existing agreement with Motorola Solutions, Inc. utilizing the local Motorola Solutions distributor, Red Cloud, Inc. All prices are based on the discounts incorporated in the current competitive bid covered by the 2009 Contra Costa County P25 Subscriber radio contract #0904-018. The Contra Costa County bid process is in compliance with the City of Newark's competitive bid process. This quote reflects the 2018 EBRCSA TDMA Upgrade

Special Incentive Pricing, discounting further below the Contra Costa County Contract. The attached proposals are valid through September 21, 2018. Prices quoted include removal and replacement of mobile radios arranged through Red Cloud, Inc. Alameda County's IT Department will provide the reprogramming and redesign of the code plug at a standard per radio rate.

This project is included in the 2018-2020 Biennial Budget. There is \$900,000 budgeted under account number 034-1032-7000. The total cost of this five-year lease to own agreement, including reprogramming, is estimated to be \$585,766.

### **Attachment**

**Action** - It is recommended that the City Council, by resolution, approve the use of the Contra Costa County P25 subscriber radio contract to purchase East Bay Regional Communication System Authority (EBRCSA) compliant radios and authorize the City Manager to sign a lease to own agreement with Motorola, Inc. (Red Cloud, Inc.).

## **F.2 Authorization for the purchase of replacement vehicle rescue tools for Fire Station No. 27, and declaration of L.N. Curtis & Sons as the single source vendor – from Maintenance Supervisor Connolly. (RESOLUTION)**

**Background/Discussion** - The 2018-2020 Biennial Budget and Capital Improvement Plan includes Equipment Replacement funding in Fiscal Year 2018-2019 in the amount of \$24,500 for the replacement of cutter and spreader vehicle rescue tools for Fire Station No. 27 (Cherry Street). The existing cutter and spreader tools were purchased in early 1990's and have reached the end of their useful lives. Properly functioning tools allow firefighters to provide quick and efficient rescues, including rescues on modern vehicles that are constructed with high strength steel alloys, such as titanium and boron. The Alameda County Fire Department has identified the Hurst S 788E2 eDraulic Cutter Package and the Hurst SP555E2 eDraulic 28" Spreader Package as the ideal replacement vehicle rescue tools for Fire Station No. 27.

L.N. Curtis & Sons is the exclusive representative for the purchase of Hurst tools in the State of California. In accordance with the City's Purchasing Ordinance and Resolution No. 9816 which revised the Single Source Exemption in the Purchasing Rules and Regulations, formal bidding procedures are not required in the event the City Council makes certain findings and declarations that:

1. Formal bids would work in incongruity and would be unavailing in affecting the final results; and
2. Formal bids would not produce any advantage to the City; or,
3. It is practically impossible to obtain what is required through the formal bidding process; or,

4. The product sought or a significant portion thereof is the subject of a patent and cannot be purchased from any source other than the holder of the patent.

The single source exemption is appropriate for this recommended purchase under paragraphs 1., 2., and 3. There is only one vendor (L.N. Curtis & Sons is an exclusive representative in this area) to provide the necessary Hurst cutter and spreader vehicle rescue tools. Since that is the case, it is incongruous, or not appropriate, to require a formal bid since only one bidder could provide a bid and it would be useless (unavailing), failing to achieve the desired result (i.e. competitive, multiple bids assuring the best use of public funds). Formal bids would not produce an advantage to the City; rather it would result in an extraneous use of public funds to lead to the same result.

The City has received a proposal from L. N. Curtis & Sons to purchase the desired replacement cutter and spreader vehicle rescue tools for \$24,035. There is sufficient funding for this purchase in the Fiscal Year 2018-2019 Equipment Replacement fund.

#### **Attachment**

**Action** – It is recommended that the City Council, by resolution, authorize the purchase of replacement vehicle rescue tools for Fire Station No. 27, and declare L.N. Curtis & Sons as the single source vendor.

### **F.3 Declaration of certain vehicles and equipment as surplus and authorization for the sale or disposal thereof – from Maintenance Supervisor Connolly. (RESOLUTION)**

**Background/Discussion** - The City's Vehicle Replacement Policy and Procedures, Administrative Regulation 0208, provides procedures for the disposal of surplus vehicles and equipment that no longer have a useful purpose as part of the City's fleet. The Maintenance Superintendent and Maintenance Supervisor, in consultation with the Public Works Maintenance Division – Equipment Maintenance Section, have evaluated the vehicles and equipment identified on Attachment A and recommend that all items be declared as surplus and disposed of pursuant to the Vehicle Replacement Policy and Procedures. This evaluation was based on individual vehicle/equipment characteristics such as mileage, service hours, age, and/or general condition, among other factors, as well as the needs of each City department. Vehicles and equipment designated as surplus are to be sold at auction through an auction house under an Annual Purchase Agreement with all proceeds to be deposited in the City's Equipment Replacement Fund.

#### **Attachment**

**Action** - It is recommended that the City Council, by resolution, declare certain vehicles and equipment as surplus and authorization for the sale or disposal thereof.

**F.4 Approval of plans and specifications, acceptance of bid, and award of contract to Chrisp Company for 2018-2019 Citywide Thermoplastic Street Striping, Project 1222 – from Assistant City Engineer Imai. (MOTION)(RESOLUTION)**

**Background/Discussion** – On August 28, 2018, bids were opened for 2018-2019 Citywide Thermoplastic Street Striping, Project 1222, an on-call project to install thermoplastic striping and markings, and replace missing or damaged pavement markers throughout the City.

Bid results were as follows:

<b>Bidder</b>	<b>Amount</b>
Chrisp Company	\$120,600.00
Engineer's Estimate	\$178,000.00

The terms of the project specifications allow for the City to increase or decrease the scope of work on an as-needed basis through the remainder of the current fiscal year. Work will be limited to the budgeted amount of \$15,000 annually.

The 2018-2020 Biennial Budget includes sufficient funding for this project in Fiscal Year 2018-2019 using Highway Users Tax funds.

**Attachment**

**Action** - It is recommended that the City Council, by motion, approve the plans and specifications and, by resolution, accept the bid and award the contract to Chrisp Company for 2018-2019 Citywide Thermoplastic Street Striping, Project 1222.

**F.5 Report on administrative actions during August recess – from City Manager Becker. (MOTION)**

**Background/Discussion** – At the April 26, 2018, meeting the City Council adopted Resolution No. 10,777 authorizing the City Manager, or Acting City Manager, to act on certain administrative matters, which should not be deferred until the next regularly scheduled meeting of the City Council. The City Council also directed the City Manager to report to the City Council after the recess on all such actions.

Administrative matters on which action was taken during the recess are noted in Exhibit A.

**Attachment**

**Action** - It is recommended that the City Council, by motion, reaffirm the City Manager's, or Acting City Manager's, action on the matters listed in Exhibit A.

**NONCONSENT****F.6 Second reading and adoption of an ordinance establishing a Planned Development Overlay District at 37093 Locust Street – from Associate Planner Mangalam. (ORDINANCE)**

**Background/Discussion** – On July 26, 2018, the City Council approved a Planned Development Plan to allow construction of a 6-unit apartment project located at 37093 Locust Street (APN 92-125-10). As part of that approval, the City Council introduced an ordinance establishing a Planned Development Overlay District.

**Attachments**

**Action** – It is recommended that the City Council, by ordinance, establish a Planned Development Overlay District at 37093 Locust Street (APN 92-125-10).

**F.7 Approval of Final Conceptual Master Plan for Sportsfield Park Synthetic Turf Fields, Project 1192 - from Assistant City Engineer Imai. (RESOLUTION)**

**Background/Discussion** – The Citywide Parks Master Plan, adopted by the City Council in June 2017, identified the replacement of nearly six acres of grass turf currently utilized as sports fields at the eastern end of Sportsfield Park with all-weather fields constructed from synthetic grass-like material as a high priority project. In June 2018, the City Council approved a Contractual Services Agreement with Verde Design, Inc. for professional design services for the Sportsfield Park Synthetic Turf Fields (Synthetic Turf Fields).

A Preliminary Conceptual Master Plan for the Synthetic Turf Fields was presented at a Community Workshop on August 14, 2018. Residents and members of local sports organizations were given the opportunity to express their opinions and provide feedback on the layout reflected in the preliminary plan.

A significant amount of time at the Community Workshop was spent discussing the different types of synthetic turf available. There are three basic types of synthetic turf infill that are used with synthetic turf fields: Rubber, Plastic, and Natural/Organic. Each type of infill has a number of available products that have their own unique characteristics, offering a variety of solutions to synthetic turf fields and play surfaces. The benefits and disadvantages of the various synthetic turf infill materials are summarized in the table below:

INFILL TYPE	UP-FRONT COST	MAINTENANCE	POTENTIAL BENEFITS & CONCERNS
RUBBER	Higher up-front costs	Lower level of maintenance	<ul style="list-style-type: none"> <li>+ Lower maintenance costs</li> <li>+ Does not require irrigation</li> <li>- Hotter surface temperatures</li> <li>- Limited availability</li> </ul>
PLASTIC	Higher up-front costs	Lower level of maintenance	<ul style="list-style-type: none"> <li>+ Lower maintenance costs</li> <li>+ Does not require irrigation</li> <li>- Material breaks down over time</li> <li>- Different grades of material can cause durability issues</li> </ul>
NATURAL/ORGANIC	Lower up-front costs	Higher level of maintenance	<ul style="list-style-type: none"> <li>+ Cooler surface temperatures</li> <li>+ Looks like natural soil</li> <li>- Some types of natural material (coconut fiber) requires regular irrigation</li> <li>- Higher maintenance costs</li> </ul>

Based on feedback received from the attendees of the Community Workshop and further discussions with the City’s design consultant, staff recommends the use of a cork infill, which is a type of natural/organic infill material used with synthetic turf fields. Unlike other organic infill such as coconut fiber, cork infill typically does not require irrigation. Cork infill also produces a cooler surface temperature of the synthetic turf, which was strongly supported by those in attendance at the Community Workshop.

Based on the input received during the Community Workshop and further discussions with staff, Verde Design developed a Final Conceptual Master Plan for the Sportsfield Park Synthetic Turf Fields for City Council review and approval. The Conceptual Master Plan includes two full-size (120 yards x 73 yards) soccer fields, an eight-foot tall perimeter fence, and practice backstops for softball or baseball. As illustrated on the Conceptual Master Plan, there will also be the option to provide field striping for up to four smaller soccer fields, lacrosse, and a cricket pitch. The layout also allows for the potential future construction of a full baseball backstop, dugouts and bullpens.

Based on the layout and features reflected in the Final Conceptual Master Plan, Verde Design has developed a preliminary cost estimate of \$4,936,000 for construction of the Synthetic Turf Fields. The 2018-2020 Biennial Budget and Capital Improvement Plan includes \$4,791,000 for Phase 2 (Construction) of the Sportsfield Park All-Weather Turf Fields. However, it should be noted that the preliminary cost estimate includes over \$840,000 in contingencies, which is typical for a project of this size during the conceptual design phase. During design development, staff will continue to work with Verde Design to refine the layout and design and resultant estimated cost of the Synthetic Turf Fields.

In addition, in an effort to better keep preliminary costs in line with the project budget, staff has worked with Verde Design to identify various features that could be included as add alternate bid items. These include field lighting, 25-foot tall netting in the area of the



soccer goals, additional sports field striping, and perimeter landscape enhancements. The add alternate bid items could be added to the project if the project budget allows based on actual construction bids received.

Development of construction documents for the Turf Fields is anticipated to begin shortly after the Final Conceptual Master Plan is approved. Staff plans to advertise, bid, administer and construct both the Sportsfield Park Synthetic Turf Fields and the Skate Park Project 1193 under a single construction contract and anticipates returning to City Council for the award of contract in early Spring of 2019.

#### **Attachments**

**Action** – It is recommended that the City Council, by resolution approve the Final Conceptual Master Plan for the Sportsfield Park Synthetic Turf Fields, Project 1192.

#### **F.8 Approval of Final Conceptual Master Plan for Newark Skate Park at Sportsfield Park, Project 1193 - from Assistant City Engineer Imai.**

**(RESOLUTION)**

**Background/Discussion** – The Citywide Parks Master Plan, adopted by the City Council in June 2017, identifies the construction of a new skate park at Sportsfield Park as a high priority project. In June 2018, the City Council approved a Contractual Services Agreement with Verde Design, Inc. for professional design services for the Newark Skate Park at Sportsfield Park (Skate Park).

The first of two Community Workshops for the Skate Park took place on July 18, 2018. Residents and members of the local skateboarding community were given the opportunity to share their ideas and preferences on the type of features and elements they would like to see in the new skate park.

Based on the input received during the initial Community Workshop, Verde Design and their skate park design subconsultant, Wormhoudt, Inc. developed a Preliminary Conceptual Master Plan for the Skate Park. The Preliminary Conceptual Master Plan was presented at the second of two Community Workshops held on August 16, 2018. Attendees of the second workshop continued to show their support of the Skate Park and were given the opportunity to express their opinions and provide feedback on the layout and features included in the Preliminary Conceptual Master Plan.

Based on the input received during Community Workshop #2 and further discussions with staff, Verde Design and Wormhoudt, Inc. developed a Final Conceptual Master Plan for the Skate Park for City Council review and approval. The Conceptual Master Plan includes both “street course” and “bowl” elements, a shaded seating area, perimeter landscaping and a low 42-inch high fence around the perimeter. The Citywide Parks Master Plan indicated that the new skate park would be open during standard park hours, dawn to dusk; however, based on input received during both Community Workshops and discussions between staff and the City’s consultants, the decision was made to include the installation of lighting as an alternate bid item. The addition of lighting at the Skate Park would allow it to remain open beyond daylight hours.

Based on the layout and features reflected in the Final Conceptual Master Plan, Verde Design has developed a preliminary cost estimate of \$1,127,000 for construction of the Skate Park. As discussed above, an add alternate bid item for site lighting has been identified which could possibly bring the total cost to \$1,612,000.

The 2018-2020 Biennial Budget and Capital Improvement Plan includes \$1,141,000 for Phase 2 (Construction) of the Skate Park at Sportsfield Park. A recommendation on whether to include the installation of site lighting to the construction contract for the Skate Park will be made based on actual bids received.

Development of construction documents for the Skate Park is anticipated to begin shortly after the Final Conceptual Master Plan is approved. Staff plans to advertise, bid, administer and construct both the Skate Park and Sportsfield Park Synthetic Turf Fields, Project 1192 under a single construction contract and anticipates returning to City Council for the award of contract in early Spring of 2019.

#### **Attachments**

**Action** – It is recommended that the City Council, by resolution approve the Final Conceptual Master Plan for the Skate Park at Sportsfield Park, Project 1193.

**F.9 Introduction of an Ordinance repealing and replacing Chapter 2.09 of the Newark Municipal Code (“City Councilmembers—Salaries”) to increase the salaries of City Councilmembers and Mayor by ten percent (10%) and to increase the health and welfare benefits of City Councilmembers and Mayor to be equivalent with benefits offered to City employees under the Compensation and Benefit Plan for City Officials and the Management, Supervisory, and Professional Employee Group – from City Manager Becker. (INTRODUCTION OF ORDINANCE)**

**Background/Discussion** – The monthly salary and benefits for the Mayor and City Council are set by City ordinance. The Mayor’s salary is currently set at \$2,479 per month and City Councilmembers salaries are set at \$1,134 per month. Additionally, Councilmembers, excluding the Mayor, may elect to participate in a City-approved health and welfare benefit plan. The City makes a total payment of \$540 towards any such premiums. These salaries and benefits have not changed since December 1, 2007.

At the Newark City Council meeting held on July 12, 2018, City staff presented to the Council a survey of Mayoral and City Councilmember salary and benefits for all cities in Alameda County (excluding Oakland) as well as three additional Bay Area cities comparable in size to Newark. The results found that the combined salary and benefits for Newark’s Mayor and City Councilmembers was significantly lower than the average of the cities that were surveyed.

At that meeting, City staff requested the Council provide direction on whether there should be any adjustment of compensation and benefits for City Councilmembers and the Mayor.

After some discussion, the Council directed staff to draft an ordinance that would reflect a ten percent (10%) salary increase and to have Councilmembers and Mayor receive the same level of health and welfare benefits received by City staff.

The Council further directed staff to include in the draft ordinance a section that would require automatic compensation review with each budget cycle, including consideration of a potential salary increase equal to the Consumer Price Index or salary increase awarded to City staff, subject to the five percent (5%) per calendar year increase limitation imposed by State law.

A draft ordinance has been prepared and is attached to this staff report. If enacted, the ordinance would, starting January 1, 2019, increase the salary of Councilmembers from \$1,134 per month to \$1,247 per month. The Mayor's salary would increase from \$2,479 per month to \$2,727 per month.

Additionally, all members of the Council, including the Mayor, would, starting January 1, 2019, receive the same health and welfare benefits offered by the City under the Compensation and Benefit Plan for City Officials and the Management, Supervisory, and Professional Employee Group. As of January 1, 2019, the City's contribution is \$821 per month per participant.

This salary and benefits adjustment, if adopted, would increase the City's liability to \$25,260 per year.

#### **Attachment**

**Action** – Staff recommends that the City Council introduce an ordinance repealing and replacing Chapter 2.09 of the Newark Municipal Code (“City Councilmembers—Salaries”) to increase the salaries of City Councilmembers and Mayor by ten percent (10%) and to increase the health and welfare benefits of City Councilmembers and Mayor to be equivalent with benefits offered to City employees under the Compensation and Benefit Plan for City Officials and the Management, Supervisory, and Professional Employee Group

#### **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**

- M.1 Closed Session for conference with legal counsel on existing litigation pursuant to Government Code Section 54956.9(d)(1) *Conrad Rodgers v. City of Newark, et. al* Workers Compensation Appeals Board, Case Numbers: ADJ10840163 – from Human Resources Director Abe.**

**Background/Discussion** – City staff has requested a closed session to discuss existing litigation pursuant to Government Code Section 54956.9(d)(1).

**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, 5<sup>th</sup> 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.