



Community-Based Approach to **PREVENTION**

**Stanislaus County
Behavioral Health & Recovery Service
Education & Prevention Services**



“No single policy or program measure will be effective. Rather, a broad mix of initiatives is required, with the interventions varying according to the circumstances of each community.” -WHO (1999). What in the World Works? International Consultation on Tobacco and Youth.

Policy Development

- > Newman passed the Social Host Ordinance

Enforcement

- > Coordinate with local and County media campaign
- > Joint press Release on enforcement efforts
- > Coordinate efforts with county-wide Party Patrol

Education and Media

- > Youth/Parent Education
- > School-Based Media Campaign
- > Business Owner Education

Skill Development

- > Integrate ATOD Resistance and Skill Building Into youth development initiatives.
- > What's the community doing?



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Behavioral Health & Recovery Service
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- > What's the community doing?

www.crowdproject.org

AGENDA
NEWMAN CITY COUNCIL/REDEVELOPMENT AGENCY
REGULAR MEETING OF FEBRUARY 26, 2008
CITY COUNCIL CHAMBERS, 7:00 P.M., 1200 MAIN STREET

1. Call To Order.
2. Pledge Of Allegiance.
3. Invocation.
4. Roll Call.
5. Declaration Of Conflicts Of Interest.
6. Ceremonial Matters.
7. Items from the Public - Non-Agenda Items.
8. Consent Calendar
 - a. Waive All Readings Of Ordinances And Resolutions Except By Title.
 - b. Approval Of Warrants.
 - c. Approval Of Minutes Of The February 12, 2008 Regular Meeting.
9. Public Hearings
 - a. Adopt Resolution No. 2008- , A Resolution Declaring The Existence Of A Public Nuisance Under Ordinance No. 95-4.
10. Regular Business
 - a. Report On Joint Fire Agencies Injury Illness Protection Plan And Related Policies.
 - b. Review And Approve Agreement With Central Valley Soccer League Real Olympico And Authorize The City Manager To Sign On Behalf Of The City Of Newman.
 - c. Report On Appointments To Fill Vacancies On The Planning Commission, Recreation Commission, And Architectural Review Committee.
 - d. Report On The Storm Drain System Master Plan.
 - e. Report On The Wastewater Collection System Master Plan.
 - f. Introduction Of Ordinance No. 2008- , An Ordinance Amending Title 11 To Allow The City Council Of The City Of Newman To Set Rates For Water And Sewer Service(s) By Resolution.
 - g. Review Of Enterprise Zone 40 Map.

11. Items From The City Manager And Staff.

12. Items From City Council Members.

13. Adjournment.

Calendar of Events

- February 4 - NCLUSD Board Meeting - 7:15 p.m.
- February 6 - Baseball Board Meeting - 7:00 p.m.
- February 7 - West Side Healthcare Taskforce - Gustine
- February 13 - Baseball Board Meeting - 7:00 p.m.
- February 14 - Recreation Commission - Canceled
- February 21 - Fire Study Meeting - Patterson - 6:00 p.m.
- February 21 - Planning Commission - Canceled
- February 25 - Two On Two Meeting With The School Board 4:30 p.m.
- February 26 - City Council - 7:00 p.m..
- February 28 - Stanislaus County/West Park Land Use Meeting - 5:30 - 7:00 p.m.

- March 10 - NCLUSD Board Meeting - 7:15 p.m.
- March 11 - City Council - 7:00 p.m..
- March 12 - Baseball Board Meeting - 7:00 p.m.
- March 13 - Recreation Commission - Canceled
- March 13 - West Side Healthcare Taskforce - 7:00 p.m. - Newman
- March 17 - Two On Two Meeting With The City Of Patterson - 6:00 p.m.
- March 20 - Planning Commission - 7:00 p.m.
- March 25- City Council - 7:00 p.m..

Date.: Feb 22, 2008
 Time.: 11:21 am
 Run by: EMILY M. FARIA

CITY OF NEWMAN
 CASH DISBURSEMENTS REPORT

Page.: 1
 List.: NEW1
 Group: PYCPDP

CK #	Check Date	CK Amount	Vendor Name	Description
033599	02/07/08	1430.00	IVAN O. MENDEZ	CONSTRUCTION SERVICES ON FIRE BAY/PD
033600	02/12/08	826.42	GYP SUM DRYWALL SUPPLY CO	ACOUSTICAL CEILING BOARDS AND SUPPLIES/PD
033602	02/22/08	.00	VOIDED CHECK	
033603	02/22/08	.00	VOIDED CHECK	
033604	02/22/08	114.48	ARROWHEAD MOUNTAIN SPRING	BOTTLED WATER/JAN 2008
033605	02/22/08	1600.00	ASI ADMINISTRATIVE SOLUT	SECTION 125 ANNUAL ADMINISTRATION FEE/2008
033606	02/22/08	959.05	AT&T MOBILITY	WIRELESS ACCESS/10/3/07 THRU 01/02/08
033607	02/22/08	55.94	AT&T/MCI	TELEPHONE SERVICE/SENIOR CENTER
033608	02/22/08	200.00	JAMES BELL (NT)	PER DIEM/2008 CAPE CONF/JIM BELL
033609	02/22/08	4824.70	BERTOLOTTI DISPOSAL	GARBAGE SERVICE/JAN 2008
033610	02/22/08	14886.00	BLUE CROSS OF CA	HEALTH INSURANCE/MARCH 2008
033611	02/22/08	515.00	BORGE'S GLASS & MIRROR	REPLACED 3 DUAL PANE GLASS UNITS AT TEEN CENTER
033612	02/22/08	5780.85	W.H. BRESHEARS, INC.	GAS AND DIESEL/JAN 2008
033613	02/22/08	1750.00	BUSH, ACKLEY, MILICH, HALLIN	LEGAL FEE RETAINER/FEB 2008
033614	02/22/08	.00	VOIDED CHECK	
033615	02/22/08	5445.32	BUSINESS CARD	SUPPLIES/EMPLOYEE DINNER/SUPP STORAGE SHED/TRAVEL
033615	02/22/08	640.33	BUSINESS CARD	4 NICAD BATTERIES/INSULATION/LOCKER ROOM/PD
033616	02/22/08	680.00	CALIFORNIA RURAL WATER	CALIF RURAL WATER ASSOC DUES/2008
033617	02/22/08	41.81	NICK CANDEA	MILEAGE REBURSEMENT PLNG WORKSHOP/CANDEA
033618	02/22/08	149.34	CENTRAL SANITARY SUPPLY	AIR SANITIZER/GLOVES/TOILET PAPER
033619	02/22/08	89.79	CHEVRON	GASOLINE PURCHASES/JAN 2008/PD
033620	02/22/08	425.35	CONNELL STATIONARY	STOOL TASK CHAIR/DATA BINDERS
033621	02/22/08	719.95	DELTA WIRELESS, INC	NEW RADIO INSTALLED/FIRE DEPT

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CITY OF NEUMAN
 CASH DISBURSEMENTS REPORT

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Chk #	Check Date	CK Amount	Vendor Name	Description
033622	02/22/08	1191.50	DELL MARKETING, L.P.	PO #08-62
033623	02/22/08	55.00	DEPART OF HEALTH SERVICES	WATER TREATMENT PLANT CERTIFICATE/MILLAN
033624	02/22/08	3925.05	E&M ELECTRIC, INC.	REPLCD BALLAST/OUTLET REPAIRS/LIFT STATION REPAIRS
033625	02/22/08	133.74	ECONOMIC IIRE SHOP	MISC IIRE REPAIRS
033626	02/22/08	8659.84	ECO-LOGIC, INC	MONITORING WELL INSTALLATION/WATER & SEWER RATE ST
033627	02/22/08	6150.55	EMC PLANNING GROUP, INC	PROFESSIONAL FEES/SOUZA INDUSTRIAL SUB CEQA
033628	02/22/08	936.00	EMPLOYMENT DEV DEPT/SUI	UNEMPLOYMENT INSURANCE/10/1/07-12/31/07
033629	02/22/08	300.00	JOHN FANTAZIA (NT)	PER DIEM/MAYOR'S WASHINGTON DC TRIP/FANTAZIA
033629	02/22/08	400.00	JOHN FANTAZIA (NT)	REIMBURSEMENT FOR MAYOR'S MEETING/FANTAZIA
033630	02/22/08	376.32	FOUR POINTS-SHERATON	LODGING/PAIROL RIFLE INSTRUCTOR COURSE/SHORT
033631	02/22/08	50.00	ALFONSO GARCIA	REFUND ADDITIONAL DEPOSIT/ALFONSO GARCIA
033632	02/22/08	2003.65	GEONANALYTICAL LAB, INC.	WEEKLY BACTI'S/QURTLTY WELL/BOD/SUSPENDED SOLIDS
033633	02/22/08	645.47	GRANDELOW	ACCOUNTS PAYABLE AND PAYROLL CHECKS
033634	02/22/08	190.14	GRAINGER	1 TON HOIST CHAIN
033635	02/22/08	1267.50	HALCYON CREEK	MONTHLY IT SERVICES/MARCH 2008
033636	02/22/08	.00	VOIDED CHECK	
033637	02/22/08	1543.72	HEWLETT-PACKARD COMPANY	PO #08-63
033637	02/22/08	374.00	HEWLETT-PACKARD COMPANY	PO #08-63
033638	02/22/08	88.50	H06E, FENTON, JONES & APPEL, I	PROFESSIONAL SERVICES/JAN 2008
033639	02/22/08	418.20	HYATT REGENCY MONTEREY	LODGING/CAPE CONF/MAR 3RD-7TH/JIM BELL
033640	02/22/08	324.64	IKON OFFICE SOLUTIONS	COPIER LEASE/PD/1/29/08-2/28/08
033641	02/22/08	856.85	IMAGE UNIFORMS	SECOND CHANCE VEST/R. ALCANTAR
033642	02/22/08	6580.00	JOE'S LANDSCAPING &	LIGHTING & LANDSCAPE DISTRICT LANDSCAPING/JAN 2008

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CITY OF NEWMAN
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Chk #	Check Date	CK Amount	Vendor Name	Description
033643	02/22/08	104.03	ED KATEN (NT)	MILEAGE REIMBURSEMENT FOR LCC CONF JAN 16TH/KATEN
033644	02/22/08	6755.00	KOFF & ASSOCIATES, INC	PDQ REVIEW/EMPLOYEE INTERVIEWS/CLASS DESCRIPTION
033645	02/22/08	506.93	MALLARD EXPRESS AUTO	BRAKE PADS/SERVICE ENGINGE/OIL CHANGE
033646	02/22/08	922.50	MARTIN CARVER, AICP	NEWMAN PLAZA NEPA
033647	02/22/08	1599.00	ASHOK R. MEHTA	GRANT-FACADE IMPROVEMENT QUICKFIX/MEHTA
033648	02/22/08	200.00	PERFECTO MILLAN I (NT)	REFUND MEMORIAL BLDG DEPOSIT/MILLAN
033649	02/22/08	51.74	MITCHELL INSTRUMENTS	PH CAL KIT/WATER DEPT
033650	02/22/08	200.00	MONICA MOLINA	REFUND MEM BLDG DEPOSIT/CANCELLED USE/MOLINA
033651	02/22/08	547.00	NATIONAL TRAINING CONCEPTS	REGISTRATION/PATROL RIFLE INSTRUCTOR/BRETT SHORT
033652	02/22/08	75.00	NEWMAN HISTORICAL SOCIETY	REFUND MEMORIAL BLDG DEPOSIT/NEWMAN HISTORICAL SOC
033653	02/22/08	310.10	NEWMAN 686 AUTO PARTS	OIL FILTERS/BRAKE FLUID/BEARINGS/ALTERNATOR
033654	02/22/08	12450.00	NTOSTICHLER ARCHITECTURE	SCHEMATIC DESIGN PHASE/AQUATIC CENTER
033655	02/22/08	101.37	STEPHANIE OCASIO	MILEAGE REIMBURSE/10-23/07 TO 12/13/07/OCASIO
033656	02/22/08	660.00	CITY OF PATTERSON	VIDEO REIMBURSEMENT/FEB 2008
033657	02/22/08	327.31	P G & E	NATURAL GAS/ELECTRIC 1/11/08-2/11/08.
033658	02/22/08	251.90	PIONEER PRODUCTS, INC.	HAND SANITIZER/PO
033659	02/22/08	3285.13	PRECISION INSPECTION, INC	Bldg Reg Inspec BLDG REGU
033660	02/22/08	1550.00	R&S ERECTION TRI COUNTY	INSTALLED NEW BELT DRIVER/GATE/PD
033661	02/22/08	21.45	RELIABLE	OLEFIN CARPET MATS/MWTP
033662	02/22/08	172.28	RICHARD & CHAMBERS	CALENDAR/CREDIT CARD TAPE/PRITER RIBBONS
033663	02/22/08	200.00	BRETT SHORT (NT)	PER DIEM/RIFLE INSTRUCTOR COURSE/SHORT
033664	02/22/08	15.72	GORDON B. FORD	WESTSIDE HEALTHCARE DISTRICT ASSESSMENT/128-02-32
033665	02/22/08	7254.40	STANISLAUS COUNTY	ANIMAL CONTROL SERVICES/2ND QUARTER

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ck #	Check Date	ck Amount	Vendor Name	Description
033666	02/22/08	179.00	STANISLAUS CNTY SHERIFF'S	DOJ LIVSCAN FEES/DEC 07/PD
033667	02/22/08	128.85	TESCO CONTROL, INC.	120V GREEN LAMPS/WELL #8
033668	02/22/08	5750.00	RANDAL M. ULIBARRI	CONTRACT SERVICES/INTERIM POLICE CHIEF/TO 2/15/08
033669	02/22/08	552.33	UNIFIRST CORPORATION	UNIFORM CLEANING/MAT RENTALS/TOWELS/MOP HEADS
033670	02/22/08	44.06	USA MOBILITY WIRELESS, INC	TEXT MESSAGING 2/8/08-3/07/08/PW
033671	02/22/08	908.00	MATTOS NEWSPAPERS, INC.	CLASSIED AD/LEGAL ADS/NOTICE OF VACANCIES/MSS RATE
033672	02/22/08	2234.87	WESTERN FARM SERVICE, INC.	GRAMOXONE/AMINE-NEEDAR/HERBICIDE ACTIVATOR/WMTP
033673	02/22/08	.00	VOIDED CHECK	
033674	02/22/08	6790.97	YANCEY LUMBER COMPANY	LUMBER/FASCIA/HOUSEWRAP/NAILS/TURBINE/DOOR/DRYWALL
033674	02/22/08	972.58	YANCEY LUMBER COMPANY	TIRE FOAM/DRYWALL/WHEELBARROW/FAUCET/FLAG POLES

Sub-Total: 175732.53

Grn-Total: 175732.53
 Count: 79

MINUTES
NEWMAN CITY COUNCIL, SPECIAL MEETING
FEBRUARY 12, 2008
6:30 P.M.
CITY HALL CONFERENCE ROOM
1162 MAIN STREET

1. **Call To Order** - Mayor Fantazia 6:30 P.M.
2. **Roll Call. PRESENT:** Katen, Kelly, Crinklaw, Martina and Mayor Fantazia
ABSENT: None
3. **Items From The Public** - None
4. **Adjourn To Closed Session** 6:35 P.M.
 - a. Public Employment - Police Chief - G.C. 54957.
 - b. Return To Regular Session 7:00 P.M.
5. **Adjournment.**

ACTION: On Motion By Martina Seconded By Kelly And Unanimously Carried, The Meeting Was Adjourned At 7:02 p.m.

MINUTES
NEWMAN CITY COUNCIL/REDEVELOPMENT AGENCY
REGULAR MEETING OF FEBRUARY 12, 2008
CITY COUNCIL CHAMBERS, 7:00 P.M., 1200 MAIN STREET

1. **Call To Order** – Mayor Fantazia 7:08 p.m.
2. **Pledge Of Allegiance.**
3. **Invocation** – Council Member Fantazia
4. **Roll Call PRESENT:** Katen, Kelly, Crinklaw, Martina and Mayor Fantazia
ABSENT: None
5. **Declaration Of Conflicts Of Interest**–None
6. **Special Presentations And Ceremonial Matters**
 - a. Presentation Of The Stanislaus County Police K9 Program.

Chief Ulibarri Informed The Council That The Newman Police Dept Would Like To Institute A Police K9 Program. The Stanislaus County Sherriff Department Provided K9 Sniff & Bite Demonstrations.

- b. Presentation Of The One-Hundred Year Landfill Study.

Supervisor De Martini Introduced Stanislaus County Employees Stan Risen, Assistant Chief Executive Officer And Sonya Harrigfeld, Director Of The Department Of Environmental Resources. Risen And Harrigfeld Presented A Power Point Presentation Regarding The 100 Year Landfill Study And The County's Plans For Future. Risen And Harrigfeld Also Reiterated The County's Commitment To Keep The Community Informed.

7. Items from the Public - Non-Agenda Items

Elva Vye, 136 Rosetta Drive, Explained To The Council That Her Son Had Previously Asked The Council To Change The Parking Signs Along The North Side Of Hills Ferry Road. She Told The Council They Would Like Signs Removed; There By Giving Residents Of The Villas An Opportunity To Park On Hills Ferry Road. Vye Went On To State That She Thought That No Truck Parking Signs Would Make More Sense Than The Current Signs.

8. Consent Calendar

- a. Waive All Readings Of Ordinances And Resolutions Except By Title.
- b. Approval Of Warrants.
- c. Approval Of Minutes Of The January 22, 2008 Regular Meeting.
- d. Adopt Resolution No. 2008-5, Rejecting The Claim Of Rebecca Hodson
- e. Review And Approval Of The Annual Inflation Adjustment For Capital Facility And Impact Fees.

ACTION: On Motion By Crinklaw Seconded By Martina And Unanimously Carried, The Consent Calendar Was Approved.

9. Public Hearings

- a. Second Reading And Adoption Of Ordinance No. 2008-1, Amending Title 7, Of The Newman City Code - Fire Code - Incorporating The 2007 California Fire Code.

Mayor Fantazia Opened The Public Hearing At 8:18 P.M.

There Being No Public Comment The Hearing Was Declared Closed At 8:19 P.M.

ACTION: Ordinance # 2008-1, Had Its Second Reading By Title Only. A Motion By Katen Seconded By Kelly Dispensed With Further Reading Of Said Ordinance. Ordinance Was Unanimously Carried.

- b. Adopt Resolution No. 2008-6 , A Resolution Of The City Council Of The City Of Newman, California, Declaring The Results Of A Noticed Protest Proceeding And Approving Certain Actions For Rates, Fees And Charges For Water And Sewer Service(s).

Mayor Fantazia Opened The Public Hearing At 8:22 P.M.

Theresa Anderson, 1660 Stoneglen Drive, Explained To The Council That The Residents Of Newman Cannot Afford A Rate Increase. She Asked The Council To Consider The Elderly, Single Families, And Those On Fixed Incomes While Making This Decision. Anderson Also Asked For More Time To Collect Additional Protests.

Julia Valdez, 1517 Lochbrea Place, Also Asked The Council For An Extension To Gather For Additional Protests. She Stated That She Is An Only Child Living With Her Parents And They Are Low Income, And Cannot Afford The Rate Increases. Valdez Expressed Concern About How The Rate Increases Will Affect Her Family And Many Other Low Income Families In Newman.

Manuel Salazar, 637 Rane Court, Asked The Council What Benefits Or Results Residents Will Receive As A Result Of The Rate Increases. Salazar Stated That If A Rate Increase Is Necessary That He Would Like To See A Smaller Increase.

There Being No Public Further Comment The Hearing Was Declared Closed At 8:28 P.M.

ACTION: On Motion By Katen Seconded Kelly By And Unanimously Carried, Resolution No. 2008-6 A Resolution Of The City Council Of The City Of Newman, California, Declaring The Results Of A Noticed Protest Proceeding And Approving Certain Actions For Rates, Fees And Charges For Water And Sewer Service(s) Was Adopted.

- c. Second Reading And Adoption Of Ordinance No. 2008-2, Approving Zone Change No. 2007-02.

Mayor Fantazia Opened The Public Hearing At 8:37 P.M.

There Being No Public Comment The Hearing Was Declared Closed At 8:38 P.M.

ACTION: Ordinance # 2008-2, had its second reading by title only. A motion by Kelly seconded by Martina dispensed with further reading of said ordinance. Ordinance was unanimously adopted upon roll call vote.

- d. Adopt Resolution No. 2008-7, A Resolution Establishing The Fee For A Site Plan Review Application.\$340.00

Mayor Fantazia Opened The Public Hearing At 8:41 P.M.

There Being No Public Comment The Hearing Was Declared Closed At 8:42 P.M.

ACTION: On Motion By Martina Seconded Crinklaw By And Unanimously Carried, Resolution No. 2008-7, A Resolution Establishing The Fee For A Site Plan Review Application Was Adopted.

10. Regular Business

- a. Adopt Resolution No. 2008-08, A Resolution Approving A Reimbursement And Settlement Agreement Between The City Of Newman and SCM Hearthstone LLC.

Steve Mothersell, President Of SCM Homes, 1920 Standiford Ave Ste # 1, Told The Council That He Thinks The Settlement Agreement Is Fair And Has Been A Long Time Coming. Mothersell Stated That He Would Like To Reimburse The City For Reasonable And Fair Costs. He Went To Say That He Was Happy With The Agreement . He Asked The City Council To Move Ahead And Approve The Agreement.

ACTION: On Motion By Seconded Martina Crinklaw By And Unanimously Carried, Resolution No. 2008-08, A Resolution Approving A Reimbursement And Settlement Agreement Between The City Of Newman Can SCM Hearthstone LLC Was Adopted.

- b. Adopt Resolution No. 2008-09, A Resolution Urging The California Air Resources Board To Increase The District's Share Of Proposition 1B Funding.

ACTION: On Motion By Kelly Seconded Crinklaw By And Unanimously Carried, Resolution No. 2008-09, A Resolution Urging The California Air Resources Board To Increase The District's Share Of Proposition 1B Funding Was Adopted.

- c. Adopt Resolution No. 2008-10, A Resolution Approving In Concept A Countywide Transportation Financial Expenditure Plan.

ACTION: On Motion By Katen Seconded Kelly By And Unanimously Carried, Resolution No. 2008-10, A Resolution Approving In Concept A Countywide Transportation Financial Expenditure Plan Was Adopted.

- d. Consider For Approval The Stanislaus County Annual Action Plan (FY 08-09) And Open 30 Day Public Comment Period.

ACTION: On Motion By Katen Seconded Martina By And Unanimously Carried, The Council Opened The Thirty Day Public Comment Period For The Stanislaus County Annual Action Plan (FY 08-09).

- e. Award Bid For Outsourcing Utility Bill Printing.

ACTION: On Motion By Katen Seconded By Kelly And Unanimously Carried, The Council Awarded The Bid For Outsourcing Utility Bill Printing To InfoSend Not To Exceed \$0.49 Each But Making Allowances For Postal Increase.

- f. Review And Approve The Comparator Cities For The Classification And Compensation Study.

ACTION: On Motion By Kelly Seconded Crinklaw By And Unanimously Carried, The Council Approved The Comparator Cities For The Classification And Compensation Study.

11. Items From The City Manager And Staff.

Supervisor DeMartini Mentioned That The West Side Health Care Taskforce Recently Met In Gustine On February 7th And That The Taskforce Had Been Collecting Healthcare Statistics. DeMartini Reminded The Council That The Next Taskforce Meeting Would Be Held In Newman On March 13th. DeMartini Informed That Council That He And The Mayor Had Recently Attended A Productive Meeting In Sacramento, Regarding The Orestimba Creek Flood Control Project.

City Manager Holland Updated The Council As To The Status Of The Wastewater Collection, Water, And Storm Drain Master Plans Which Were Scheduled To Be Presented To The Council On Feb 26th. Holland Reminded The Council That The Next Plaza Meeting Will Be On February 19 At 3:30 P.M. He Reminded The Council About The Upcoming Two On Two, And Citygate Meetings In Patterson. Holland Informed The Council That The City Received An Additional \$20,000 Of CDBG Money Beyond The Anticipated Amount.

Chief Ulibarri Told The Council That He Appreciated Their Support Of K9 Program. Ulibarri Informed The Council That The Police Department Had Recently Conducted A Successful Probation/Parole Audit; Consisting Of 51 Visits And Resulting In 9 Arrests And The Recovery Of More Than 100 Stolen Items. Ulibarri Stated That The Open Detective Position Has Been Filled By Officer Short. Ulibarri Also Updated The Council As To The Progress Of The Police Department Remodel.

Public Works Director Garza Presented The Council With Pictures Of The New Storage Building, The New Building Housing The Regional 911 Equipment, And The New Restrooms At Pioneer Park.

Garza Mentioned That The City Would Be Purchasing New C&G Vehicles, That Some Problem Sewer Line Replacements Would Be Beginning, And That He Had Recently Met With GDR Engineer To Resolve PG&E Gas Line Issues.

Recreation Supervisor Heiberger Explained That Both Adult And Youth Basket Ball Programs Are Well Underway And That She Was Working With The Baseball Board On A New Agreement. Heiberger Also Informed The Council That The City Would Be Starting A New Self Defense Class, With An All Volunteer Staff.

12. Items From City Council Members.

Council Member Kelly Complimented Public Works Director Garza For His Work On The Gutter Replacement Along Sandy Creek Drive.

13. Adjournment.

ACTION: On Motion By Katen Seconded By Crinklaw And Unanimously Carried, The Meeting Was Adjourned At 9:37 P.M.

Honorable Mayor and Members
of the Newman City Council

Agenda Item: **9. a.**
City Council Meeting
of February 26, 2008

REPORT ON NUISANCE ABATEMENT

RECOMMENDATION:

Adopt Resolution No. 2008-XX, Declaring The Existence Of A Public Nuisance Under Ordinance No. 95-4.

BACKGROUND:

Abatement notices for property maintenance were sent to several properties in accordance with Ordinance 95-4, Chapter 2, Title 8-2-3.

ANALYSIS:

This notice informs property owners of all nuisance abatement procedures, option and their right to object at a public hearing. It is anticipated that many property owners will comply with the abatement notices prior to the hearing date. A final compliance survey will be done on Tuesday, February 26, 2008. A list of properties that have not complied with the abatement notice will be handed out at the council meeting prior to the public hearing.

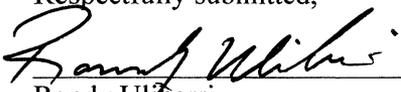
FISCAL IMPACT:

None

CONCLUSION:

This staff report is submitted for City Council consideration and possible future action.

Respectfully submitted,


Randy Ujbarri
Chief of Police

REVIEWED/CONCUR:


Michael E. Holland
City Manager

RESOLUTION NO. 2008

**A RESOLUTION DECLARING THE EXISTENCE OF A PUBLIC NUISANCE UNDER
ORDINANCE NO. 95-4**

WHEREAS, the Chief of Police has reported a nuisance as outlined in Section 8-2-2 of the Newman Municipal Code located and existing upon property in the City of Newman in violation of Ordinance No. 95-4 of the City of Newman, a description of said property being attached hereto and made a part of this resolution by this reference; and,

WHEREAS, the Chief of Police caused notice to be mailed to the respective owners of the subject properties as in said Ordinance provided, said notice giving notice to abate said nuisance and setting a time and place for hearing objections to the proposed abatement; and,

WHEREAS, said hearing was held on February 26, 2008 at 7:00 p.m., as in said notice provided; and,

WHEREAS, no objections to the proposed abatement were received at said hearing.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newman that said City Council of the City of Newman finds that a condition exists with regard to the properties in said City which is dangerous to life, limb and property, and to the public health, safety and morals, in that weeds, rubbish, dirt and rank growth are growing, located and existing upon said property in violation of the provisions of Ordinance No. 95-4 of the City of Newman, which endangers and may injure neighboring property and endangers and injures the welfare of residents in the vicinity of said property, and which is a fire hazard; that a description of said properties is attached hereto and made a part of this resolution by this reference.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 26th day of February 2008 by _____, who moved its adoption, which motion was duly seconded and it was upon roll call vote adopted.

AYES:
NOES:
ABSENT:

ATTEST:

APPROVED:

Deputy City Clerk

Mayor

**City of Newman
February 26, 2008 Abatement List**

Location	APN	Owner Information	Mailing Address	Violation	Notice Sent
1041 Grackle Court	026-055-046	Elizardo & Juanita Gutierrez	1041 Grackle Court, Newman, CA 95360	BBQ grills, an ice chest, ladder, and debris located in front of property. Bags full of cans and bottles throughout backyard.	1/17/2008
1029 Grackle Court	026-055-048	Wachovia Mortgage	P.O. Box 659558, San Antonio, TX 78265	A wood chipper and debris located on property driveway. An excessive amount of tires, furniture, wood, and metal scraps, junk, debris and other misc. items throughout backyard.	2/8/2008
1932 Leslie Avenue	128-050-011	Steven & Jeanette Michener	1932 Leslie Avenue, Newman, CA 95360	Trailer, junk and debris on side yard. Boxes full of misc. items in carport. Vehicles, excessive amount of wood, metals, car parts, tires, appliances, bottles, trash, junk, debris and other misc. items throughout backyard of property.	1/23/2008
1104 Scooter Court	049-046-041	Joe A. & Maria H. Oliveira	1104 Scooter Court, Newman, CA 95360	Stack of "Ranchwood Homes" signs, and stakes located behind boat on side yard of property.	1/30/2008
1251 Duck Blind Circle	049-049-054	David P. Bell	271 East 21st Street, Merced, CA 95340	Part of the side yard fence has fallen over. Truck full of misc. items, tires, furniture, and junk throughout backyard of property.	1/30/2008

**City of Newman
February 26, 2008 Abatement List**

Location	APN	Owner Information	Mailing Address	Violation	Notice Sent
1133 T Street	128-001-008	Luis G. Martinez	1133 T Street, Newman, CA 95360	Stoves, refrigerator, cabinets, broken chairs, sofa, a desk and other furniture, A stack of old doors and windows, bicycles, car parts, gym equipment, metal scraps, junk, debris, and other misc. objects all located in backyard of property.	2/8/2008
1222 Q Street	128-007-022	Daniel F. Perry Jr.	1222 Q Street, Newman, CA 95360	Trash, junk, and debris on front lawn. A box full of toys, tires, car rims, piles of wood, water heater, junk, debris, and other misc. objects throughout backyard of property.	2/14/2008
1555 Sandy Creek Drive	026-046-006	Gary A. Johnson	1555 Sandy Creek Drive, Newman, CA 95360	Tires, lawnmower, shopping cart, wood and plastic skateboard ramps, junk, debris, trash, and other misc. objects throughout driveway of property.	2/14/2008
1328 Stephens Avenue	026-044-017	Eva M. Mendonca	1328 Stephens Avenue, Newman, CA 95360	A pile of wood and metal on driveway, located on R St. side. A white International Harvest flatbed truck, tall grass and weeds, stack of wooden pallets, car parts, junk, debris and other misc. objects throughout backyard.	2/14/2008

Honorable Mayor and Members
of the Newman City Council

Agenda Item: **10. a.**
City Council Meeting
of February 26, 2008

**REPORT ON JOINT FIRE AGENCIES INJURY ILLNESS
PROTECTION PLAN AND RELATED POLICIES**

RECOMMENDATION:

Adopt Joint Fire Agencies Injury Illness Protection Plan and Related Policies

BACKGROUND:

Historically the City of Newman Fire Department and the West Stanislaus Fire District have had separate documents relating to safety. These included the Injury Illness Protection Plan and related materials. In an attempt to provide one document and simplify the process for the Firefighters, the District crafted a comprehensive Injury Illness Protection Plan for the Newman Fire Department, City of Patterson Fire Department, and the District. The City recently hosted a joint meeting with City Staff, Newman Fire Department Staff and District Staff. The meeting concluded with all parties in agreement that this plan would be mutually beneficial.

ANALYSIS:

This plan will now become the safety plan for all three agencies and will meet the requirements of the Occupational Safety and Health Administration. Both the District and the City of Patterson have already adopted this plan. This plan will be reviewed monthly at the joint safety meetings and we will have input on updates and changes. A copy of the manual can be reviewed at City Hall. Attached is a list of the documents included in the manual.

FISCAL IMPACT:

N/A

CONCLUSION:

This plan will provide our volunteers, who serve both the City and the District one document to follow; eliminating possible discrepancies of two different plans and simplify the process. Staff recommends Adoption Joint Fire Agencies Injury Illness Protection Plan and Related Policies.

Respectfully submitted,



Michael Holland
City Manager

Injury Illness Prevention Program

TABLE OF CONTENTS

SECTION	TITLE
A.	INJURY & ILLNESS PREVENTION PLAN
B.	RESPONSIBILITY
C.	DISCIPLINARY PROCEDURES
D.	IDENTIFYING JOB HAZARDS
E.	TRAINING
F.	CAL/OSHA INSPECTIONS, CITATIONS AND ENFORCEMENT
G.	REPORTING & RECORD KEEPING - OCCUPATIONAL INJURY/ILLNESS
H.	(Future Program)
I.	ACCIDENT INVESTIGATION
J.	SAFETY COMMITTEES OR SAFETY COMMUNICATION VEHICLE
K.	OCCUPATIONAL NOISE
L.	RESPIRATORY PROTECTION PROGRAM
M.	BLOODBORNE PATHOGENS
N.	HAZARD COMMUNICATION/RIGHT TO KNOW
O.	LOCK OUT/TAG OUT
P.	PERSONAL PROTECTIVE EQUIPMENT
Q.	BACK INJURY PREVENTION
R.	(Future Program)
S.	REPETITIVE MOTION INJURIES
T.	HARASSMENT
U.	OFFICE SAFETY
V.	POSTING REQUIREMENTS
W.	CONFINED SPACE REGULATIONS
X.	SELF INSPECTION CHECKLIST - No Policy Required
Y.	CODE 3 DRIVING - No Policy Required
Z.	JOB SAFETY ANALYSIS STEPS - No Policy Required

Honorable Mayor and Members
of the Newman City Council

REPORT ON CENTRAL VALLEY SOCCER LEAGUE – REAL OLYMPICO

RECOMMENDATION:

Staff recommends the City Council to continue agreement with Central Valley Soccer League – Real Olympico.

BACKGROUND:

The City has had an agreement with the Central Valley Soccer league since 2001. At that time they used Densmore Park. Approximately three and a half years ago the league moved to Alfred “Bush” Rose Park at the Council’s request.

ANALYSIS:

The Central Valley Soccer league has been utilizing our fields for seven years. During this time, they have always been respectful to the park neighbors and City staff. They clean up after their games, and have paid to reseed the grass at Densmore Park. They have the proper insurance certificate and always comply to the contract agreement.

ATTACHMENTS:

Current agreement with Central Valley Soccer League – Real Olympico and current certificate of liability insurance.

FISCAL IMPACT:

None

CONCLUSION:

Staff recommends the City Council to continue its contract with the Central Valley Soccer League – Real Olympico.

Respectfully submitted,



Terri Heiberger
Recreation Supervisor

REVIEWED/CONCUR:



Michael E. Holland
City Manager

**AGREEMENT FOR USE OF CITY FACILITIES BETWEEN
CITY OF NEWMAN AND CENTRAL VALLEY SOCCER LEAGUE –
REAL OLYMPICO**

The City of Newman (“City”) agrees to allow Central Valley Soccer League (“League”) to use the facility known as Alfred “Bush” Rose (Ranchwood) Park for Soccer Games on Sundays from March 9, 2008 to January 1, 2009. If the City needs use of these facilities during these allotted times the City will give the League 48 hours notice. Facilities used will include all turf areas.

The City will be responsible for normal field maintenance. The League will be responsible for any increased maintenance as a result of their activities. In addition, the League shall repair or pay the cost to the City for repair of any damages occurring as a result of or during the time they are using the facility.

The League shall pickup and dispose of any trash, litter and debris in the park area.

The City reserves the right to cancel this contract at any time because of inappropriate conduct or behavior by spectators or players, as well as excessive property damage to surrounding areas.

Private properties bordering the park should not be trespassed on without specific permission from the owner. This includes retrieving of soccer balls under all circumstances.

All problems, possible hazardous situations and other suggestions to improve the facility should be brought to the City’s attention, immediately (in writing, signed and dated by a League Official).

If at any time during the term of this Agreement, the City finds the provisions agreed upon not being fulfilled, the City reserves the right to revoke use of said field with 30 days notice.

The League shall indemnify, defend, and hold harmless the City, its officers, officials, employees and volunteers from and against all claims, damages, losses and expenses including attorney fees arising out of the performance of the work described herein, caused in whole or in part by any negligent act or omission of the League or anyone directly or indirectly employed by the League whose acts any of them may be liable, except where caused by the active negligence, sole negligence, or willful misconduct of the City.

The League shall provide General Liability Insurance for no less than \$1,000,000 and name the City as additionally insured, as evidenced by an insurance certificate provided to the City.

Michael Holland, City Manager

Date

Daniel Acevedo,
Central Valley Soccer League

Date

CENTVAL-03 ACRO

ACORD™ CERTIFICATE OF LIABILITY INSURANCE		DATE (MM/DD/YYYY) 2/28/2007
PRODUCER Gagliardi Insurance Services, Inc. Digital Drive San Hill, CA 95037		THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.
INSURED Central Valley Soccer League 2138 Drake Avenue Merced, CA 95348	INSURERS AFFORDING COVERAGE	
	INSURER A. Philadelphia Indemnity Insurance	NAIC #
	INSURER B.	
	INSURER C.	
	INSURER D.	
		INSURER E.

COVERAGES

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

INSR LTR	ADD'L INSR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A		GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR	PHPK218608	3/1/2007	3/1/2008	EACH OCCURRENCE \$ 1,000,000
		DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000				
		MED EXP (Any one person) \$ EXCLUDED				
		PERSONAL & ADY INJURY \$ 1,000,000				
		GENERAL AGGREGATE \$ 3,000,000				
		PRODUCTS - COMP/OP AGG \$ 3,000,000				
		Participant Legal Liab EXCLUDED				
		AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
		GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN EA ACC \$ AUTO ONLY: AGG \$
		EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE DEDUCTIBLE RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$ \$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				<input type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
		OTHER				

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS
CITY OF NEWMAN IS AN ADDITIONAL NAMED INSURED, BUT ONLY WITH RESPECT TO LIABILITY ARISING OUT OF OPERATIONS OF THE NAMED INSURED. ALL POLICY TERMS AND CONDITIONS APPLY.

CERTIFICATE HOLDER City of Newman 1162 Main Street Newman, CA 95360-	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE
--	---

Honorable Mayor and Members
of the Newman City Council

Agenda Item: **10. c.**
City Council Meeting
February 26, 2008

**REPORT ON APPOINTMENTS TO FILL VACANCIES ON THE PLANNING
COMMISSION, RECREATION COMMISSION, AND ARCHITECTURAL
REVIEW COMMITTEE**

RECOMMENDATION:

Interview and consider appointment or reappointment of Planning Commission, Recreation Commission and Architectural Review Committee members.

BACKGROUND:

The terms of two Planning Commissioners, two Recreation Commissioners, and two Architectural Review Committee members have expired or are due to expire. This results in two vacancies on each commission/committee. A notice was published in the West Side Index and two applications were received for the Planning Commission vacancies, two applications for Recreation Commission vacancies and as well as two applications for Architectural Review Committee vacancies. Applications for Planning Commission from Paul Wallace and Tom Applegate, applications for Recreation Commission from Richard Gaytan, and Chuck Messer, as well as applications for Architectural Review Committee from Kent Madenwald and David Reed are attached for your review. Potential questions for the candidates will be provided to the Council at the meeting.

The appointments to Planning Commission and Recreation Commission would be effective immediately; all terms are four years in length and will expire in 2012.

The appointments to the Architectural Review Committee would be effective April 2008; all terms for Architectural Review Committee are two years in length and will expire in April of 2010.

FISCAL IMPACT:

N/A

Respectfully submitted,

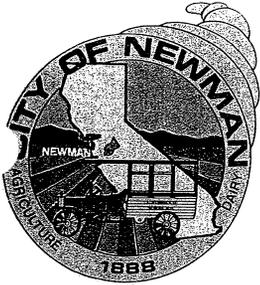


Mike Maier
Deputy City Clerk
City of Newman

REVIEWED/CONCUR:

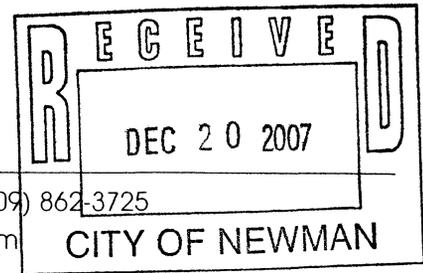


Michael E. Holland
City Manager



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APPLICATION FOR CITIZEN SERVICE

POSITION DESIRED: Planning Commission Parks & Recreation Commission _____
Architectural Review Committee _____ Other _____

NAME: Tom Applegate

ADDRESS: 1301 Blue Teal Way, Newman, CA 95360

HOME PHONE: 862-0700 BUSINESS PHONE: —

OCCUPATION: Retired

EDUCATION: (List highest year completed and all degrees)

Two years College

Are there any workday evenings you could not meet?

Yes () No () If so please list: _____

Why are you interested in this position? To continue working in the public arena and developing and planning the future of Newman at the direction of the city council.

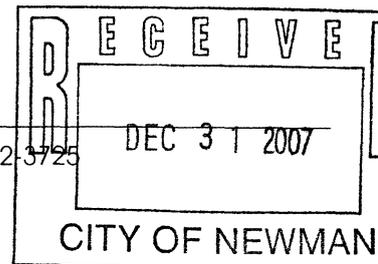
What do you consider to be your major qualifications? 37 years in banking, covering real estate, consumer, public finance & agriculture. Nine years planning commission and three years city council. Also several years architectural review committee.

Please attach a written statement containing any additional information you feel would be helpful to the City Council.



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APPLICATION FOR CITIZEN SERVICE

POSITION DESIRED: Planning Commission Parks & Recreation Commission _____
Architectural Review Committee _____ Other _____

NAME: Paul Wallace

ADDRESS: 2025 N street Newman CA 95360

HOME PHONE: 209 613-2690 BUSINESS PHONE: 862-2688

OCCUPATION: Veterinary Practice Manager

EDUCATION: (List highest year completed and all degrees)

BS - UC Davis - Ag Science & Management

MS - CSU Fresno - Plant Science

Are there any workday evenings you could not meet?

Yes () No (X) If so please list: _____

Why are you interested in this position? I Believe The planning

commission shapes the city for

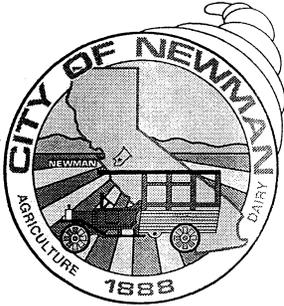
decades to come. I want to see Newman grow well.

What do you consider to be your major qualifications? _____

Wide ranging background in many Business &
industries.

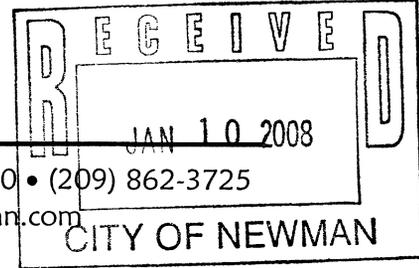
Experience & training as a Commissioner

Please attach a written statement containing any additional information you feel would be helpful to the City Council.



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APPLICATION FOR CITIZEN SERVICE

POSITION DESIRED: Planning Commission _____ Parks & Recreation Commission X
Architectural Review Committee _____ Other _____

NAME: Richard Gaytan

ADDRESS: 733 SAN FEE DR

HOME PHONE: 862-3755 BUSINESS PHONE: (209) 324-5971

OCCUPATION: RETIRED

EDUCATION: (List highest year completed and all degrees)

Paralegal certificate

Are there any workday evenings you could not meet?

Yes No If so please list: _____

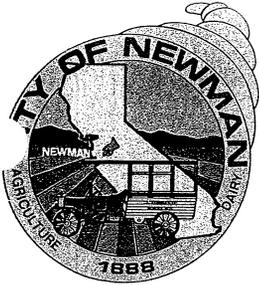
Why are you interested in this position? I have been on the

Parks & Rec board the past 11 years and still enjoy
working with the community.

What do you consider to be your major qualifications? Experience

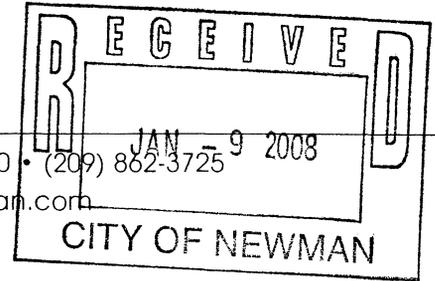
Also served as Commissioner for the City of
Modesto Equal Rights / Disability and Fair Housing Commission.

Please attach a written statement containing any additional information you feel would be helpful to the City Council.



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APPLICATION FOR CITIZEN SERVICE

POSITION DESIRED: Planning Commission _____ Parks & Recreation Commission
Architectural Review Committee _____ Other _____

NAME: HUCK MESSER

ADDRESS: 604 FOXGLOVE AVENUE

HOME PHONE: 209 614 2538 BUSINESS PHONE: _____

OCCUPATION: RETAIL STORE MANAGER

EDUCATION: (List highest year completed and all degrees)

H.S. , SOME COLLEGE

Are there any workday evenings you could not meet?

Yes () No If so please list: _____

Why are you interested in this position? _____

BE INVOLVED IN THE COMMUNITY IN AN AREA WHERE
I FEEL I HAVE THE MOST KNOWLEDGE AND COULD PROVIDE
THE MOST CONTRIBUTION.

What do you consider to be your major qualifications? _____

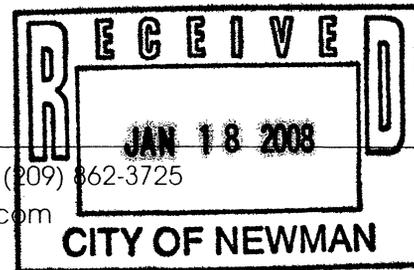
* LEADERSHIP AND RECREATION BACKGROUND.
* COACH CITY LEAGUE , RUN SUMMER BASKETBALL CAMP , FMI TOUR.
* I USE CITY PARKS ON A REGULAR BASIS.

Please attach a written statement containing any additional information you feel would be helpful to the City Council.



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APPLICATION FOR CITIZEN SERVICE

POSITION DESIRED: Planning Commission _____ Parks & Recreation Commission _____
Architectural Review Committee Other _____

NAME: KENT MADENWALD

ADDRESS: 612 WAXWING LN

HOME PHONE: 209-862-4477 BUSINESS PHONE: SAME

OCCUPATION: RETIRED ENGINEER / GEOLOGIST

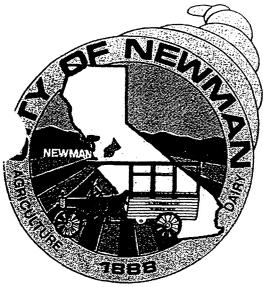
EDUCATION: (List highest year completed and all degrees)
BS, MS, PHD COURSES COMPLETED.
GEOLOGY.

Are there any workday evenings you could not meet?
Yes () No (X) If so please list: _____

Why are you interested in this position? INCUMBENT

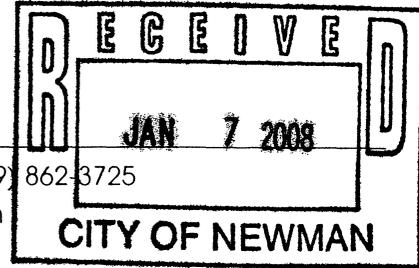
What do you consider to be your major qualifications? EXPERIENCE
AND WILLINGNESS TO ASSIST CITY OF
NEWMAN

Please attach a written statement containing any additional information you feel would be helpful to the City Council.



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APPLICATION FOR CITIZEN SERVICE

POSITION DESIRED: Planning Commission _____ Parks & Recreation Commission _____
Architectural Review Committee Other _____

NAME: DAVID W. REED

ADDRESS: 1541 KERN ST

HOME PHONE: 862 0729 BUSINESS PHONE: _____

OCCUPATION: SEMI-RETIRED

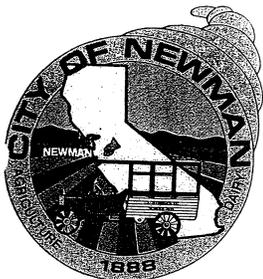
EDUCATION: (List highest year completed and all degrees)
12

Are there any workday evenings you could not meet?
Yes () No () If so please list: _____

Why are you interested in this position? THE A.R.C. HAS WORKED WELL WITH EACH OTHER TO MAKE NEWMAN A MORE ATTRACTIVE PLACE TO LIVE AND I ENJOY BEING PART OF THE PROCESS

What do you consider to be your major qualifications? EXPERIENCE, TIME AVAILABLE, DESIRE TO SEE NEWMAN REMAIN AESTHETICLY CONSISTANT THROUGHOUT THE CITY AND DOWNTOWN.

Please attach a written statement containing any additional information you feel would be helpful to the City Council.



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February 15, 2008

Tom Applegate
1301 Blue Teal Way
Newman, CA 95360

Re: Planning Commission Interview/Appointment

Dear Tom:

Pursuant to the city's policy for filling commission vacancies, the City Council will hold brief interviews with each candidate at their Regular Meeting on February 26, 2008 at 7:00 p.m. in the Council Chambers, 1200 Main Street. Following the interviews the Mayor and Council will appoint and confirm the new commissioner.

Please plan on attending the February 26th meeting. Should you have any questions regarding this process please feel free to contact me. Thank you for your interest in serving as a member of the City of Newman Planning Commission.

Sincerely,

Michael E. Holland
City Manager



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February 15, 2008

Paul Wallace
2025 N Street
Newman, CA 95360

Re: Planning Commission Interview/Appointment

Dear Paul:

Pursuant to the city's policy for filling commission vacancies, the City Council will hold brief interviews with each candidate at their Regular Meeting on February 26, 2008 at 7:00 p.m. in the Council Chambers, 1200 Main Street. Following the interviews the Mayor and Council will appoint and confirm the new commissioner.

Please plan on attending the February 26th meeting. Should you have any questions regarding this process please feel free to contact me. Thank you for your interest in serving as a member of the City of Newman Planning Commission.

Sincerely,

A handwritten signature in black ink, appearing to be "MEH", written in a cursive style.

Michael E. Holland
City Manager



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February 15, 2008

Richard Gaytan
733 Banff Drive
Newman, CA 95360

Re: Recreation Commission Interview/Appointment

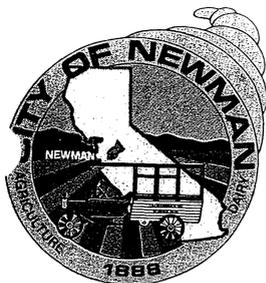
Dear Richard:

Pursuant to the city's policy for filling commission vacancies, the City Council will hold brief interviews with each candidate at their Regular Meeting on February 26, 2008 at 7:00 p.m. in the Council Chambers, 1200 Main Street. Following the interviews the Mayor and Council will appoint and confirm the new commissioners.

Please plan on attending the February 26th meeting. Should you have any questions regarding this process please feel free to contact me. Thank you for your interest in serving as a member of the City of Recreation Commission.

Sincerely,

Michael E. Holland
City Manager



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February 15, 2008

Chuck Messer
604 Foxglove Avenue
Newman, CA 95360

Re: Recreation Commission Interview/Appointment

Dear Chuck:

Pursuant to the city's policy for filling commission vacancies, the City Council will hold brief interviews with each candidate at their Regular Meeting on February 26, 2008 at 7:00 p.m. in the Council Chambers, 1200 Main Street. Following the interviews the Mayor and Council will appoint and confirm the new commissioners.

Please plan on attending the February 26th meeting. Should you have any questions regarding this process please feel free to contact me. Thank you for your interest in serving as a member of the City of Recreation Commission.

Sincerely,

Michael E. Holland
City Manager



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February 15, 2008

Kent Madenwald
612 Waxwing Lane
Newman, CA 95360

Re: Architectural Review Committee Interview/Appointment

Dear Kent:

Pursuant to the city's policy for filling committee vacancies, the City Council will hold brief interviews with each candidate at their Regular Meeting on February 26, 2008 at 7:00 p.m. in the Council Chambers, 1200 Main Street. Following the interviews the Mayor and Council will appoint and confirm the new committee members.

Please plan on attending the February 26th meeting. Should you have any questions regarding this process please feel free to contact me. Thank you for your interest in serving as a member of the City of Newman Architectural Review Committee.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Holland'.

Michael E. Holland
City Manager



City of Newman

1162 Main Street • P.O. Box 787 • Newman, CA 95360 • (209) 862-3725 • Fax (209) 862-3199
www.cityofnewman.com • E-mail info@cityofnewman.com

February 15, 2008

David Reed
1541 Kern Street
Newman, CA 95360

Re: Architectural Review Committee Interview/Appointment

Dear David:

Pursuant to the city's policy for filling committee vacancies, the City Council will hold brief interviews with each candidate at their Regular Meeting on February 26, 2008 at 7:00 p.m. in the Council Chambers, 1200 Main Street. Following the interviews the Mayor and Council will appoint and confirm the new committee members.

Please plan on attending the February 26th meeting. Should you have any questions regarding this process please feel free to contact me. Thank you for your interest in serving as a member of the City of Newman Architectural Review Committee.

Sincerely,

Michael E. Holland
City Manager

PUBLIC NOTICE

NOTICE OF COMMISSION VACANCIES

NOTICE IS HEREBY GIVEN that the City of Newman encourages residents to apply for positions on city commissions and committees that will have vacancies in 2008.

At the end of each year, the city publishes a list of expiring appointed terms for the coming year, names of incumbents, and the dates of their appointment.

Following is a complete list for 2008.

Recreation Commission - four year terms

Commissioner Richard Gayton	appointed Feb. 2004	term expires Jan. 2008
Commissioner Jeffery Ogden	appointed Sept. 2006	term expires Jan. 2008

Planning Commission - four year terms

Commissioner Paul Wallace	reappointed Feb. 2004	term expires Feb. 2008
Commissioner Tom Applegate	appointed Feb. 2004	term expires Feb. 2008

Architectural Review Committee - two year terms

Committee Member Kent Madenwald	appointed Sept. 2006	term expires April 2008
Committee Member David Reed	appointed Sept. 2006	term expires April 2008

The City of Newman is seeking interested candidates to fill terms on the following City of Newman Commissions/Committees:

**Parks and Recreation Commission - two seats
Planning Commission Committee - two seats
Architectural Review Committee - two seats**

Applications For Citizen Service are available at City Hall, 1162 Main Street, Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m. Applications will be accepted until January 16, 2008.

Michael E. Holland
City Clerk

Dated: November 28, 2007

PUBLISH: December 6, 2007 and January 3, 2008

PUBLIC NOTICE

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Michael E. Holland
City Clerk

Dated: January 16, 2008

PUBLISH January 24, 2008

Honorable Mayor and Members
of the Newman City Council

Agenda Item: **10. d.**
City Council Meeting
of February 26, 2008

REPORT ON THE STORM DRAIN SYSTEM MASTER PLAN

RECOMMENDATION:

No action is required.

BACKGROUND:

The scope of work proposal and fee estimate for the Storm Drain Master Plan Study by Boyle Engineering is one of the infrastructure Studies that was accepted by the Newman City Council sometime ago. The Storm Drain Master Plan study that concentrates mostly on the on the portion of the defined growth area set forth in the Newman General Plan is now complete.

ANALYSIS:

Robert Stoddard of Boyle Engineering will provide an oral presentation on the Storm Drain Master Plan Study findings. The plan will be available for public review and comment until March 31, 2008. It will be rescheduled for adoption by the City Council in April 2008.

FISCAL IMPACT:

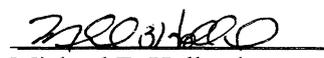
None. This item is an oral presentation only.

CONCLUSION:

Boyle Engineering staff will be on-hand to provide the Council with an oral presentation of the Storm Drain System Master Plan and answer any questions the Council and/or Public may have. Copies of this document are available for review at City Hall.


Ernie Garza
Director of Public Works

REVIEWED/CONCUR:


Michael E. Holland
City Manager

Honorable Mayor and Members
of the Newman City Council

Agenda Item: **10. e.**
City Council Meeting
of February 26, 2008

REPORT ON THE WASTEWATER COLLECTION SYSTEM MASTER PLAN

RECOMMENDATION:

No action is required.

BACKGROUND:

The Wastewater Collection System Master Plan consists of an evaluation of the condition of the existing sewer collection system and includes a preparation of a list of capital improvements to correct identified deficiencies. It addresses the need to expand capacity to accommodate future development identified in the updated General Plan. New State regulations for sewer systems require cities to document system capacities and maintenance procedures to minimize overflows and failures. Every collection system owner is required to develop and implement a Sanitary Sewer Management Plan to comply with the (WDR) waste discharge requirement. This plan was adopted by the Newman City Council at their regular meeting of October 23, 2007.

An optional task that was approved in this Plan by the Council was the development of a GIS database. This task will compile an electronic file database of existing collection system component details (i.e. material, size, slope, capacity, condition, location, etc.) and operating data (i.e.) flows, inspection history, etc.) using geographic information system (GIS) software. The database will be useful as an on-going maintenance management tool.

ANALYSIS:

ECO:LOGIC will provide the Council an oral presentation of the Wastewater Collection System Master Plan. It will be available for public review and public comment until March 31, 2008. This Master Plan will be rescheduled for City Council adoption in April 2008.

FISCAL IMPACT:

None. This item is an oral presentation only.

CONCLUSION:

ECO:LOGIC will be on-hand to provide the Council with an oral presentation of the Wastewater Collection System Master Plan and answer any questions the Council and/or Public may have. Copies of this document are available for review at Newman City Hall.



Ernie Garza
Director of Public Works

REVIEWED/CONCUR:


Michael E. Holland
City Manager

Honorable Mayor and Members
of the Newman City Council

Agenda Item: **10. f.**
City Council Meeting
of February 26, 2008

REPORT ON AMENDMENTS TO THE NEWMAN MUNICIPAL CODE

RECOMMENDATION:

1. Receive comments from the public. Public Hearing will be held on March 11th.
2. Introduce Ordinance #2008-xx approving amendments to the Newman Municipal Code.

BACKGROUND:

As part of the water and sewer rate analysis, staff found that the Newman Municipal Code required all rate increases to be codified through an Ordinance Amendment process. Staff is recommending that the City adopt the proposed amendments allowing the City to pass rate increases by Resolution. However, the City will still be required to complete a Proposition 218 vote as part of the process.

ANALYSIS:

During the review of the current Municipal Code and adoption of the Water and Sewer Rate Study, staff discovered a few items which should need modified. Staff is recommending the following changes to the Newman Municipal Code (NMC) are proposed:

Newman Municipal Code Section 11.05.040 is hereby amended to read as follows:

Periodically, the Newman City Council shall review rates, fees and charges established in this Chapter and Section and if it is determined that an increased is needed and the City has completed all steps required by State and Local laws, the City Council shall adopt such rates, fees and charges for Water Services by resolution.

The City reserves the right and power to contract separately with any person for the sale and delivery of water within or outside the incorporated limits of the City, at wholesale, at times, places and prices to be fixed and agreed upon by resolution of the City Council.

Newman Municipal Code Section 11.06.080.2.a is hereby amended to read as follows:

Rates to be charged and collected and terms, provisions and conditions to be effective respecting such rates for sewer service supplied by the City shall be fixed and established by Resolution of the Newman City Council, from time to time, and the service rate schedule shall become part of this chapter as if fully set out at length herein. This provision is in addition to and not be way of derogation of any other remedies or procedures available to the City pursuant to any law or regulation or by any of the provisions of this chapter.

A formal Public Hearing on this matter will be conducted at the March 11th meeting.

FISCAL IMPACT:

Neutral. The adoption of these codes will not result in future revenues.

CONCLUSION:

Recently, California Supreme Court ruled that utility rate increases are subject to Proposition 218 requirements. Cities are now required to hold elections when they are contemplating rate increases for water and sewer service. With this requirement, it is no longer necessary to adopt rate increases using the Ordinance Amendment process. As a result, staff is recommending the above-mentioned code modifications.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "M. Holland", written over a horizontal line.

Michael Holland
City Manager

ORDINANCE NO. 2008-

AN ORDINANCE AMENDING NEWMAN MUNICIPAL CODE SEC. 11.05.040 AND 11.06.080.2.a TO ALLOW FOR THE CITY COUNCIL OF THE CITY OF NEWMAN, CALIFORNIA TO SET RATES FOR WATER AND SEWER SERVICE(S) BY RESOLUTION

The City Council of the City of Newman does ordain as follows:

Section 1.

Newman Municipal Code Section 11.05.040 is hereby amended to read as follows:

Periodically, the Newman City Council shall review rates, fees and charges established in this Chapter and Section and if it is determined that an increased is needed and the City has completed all steps required by State and Local laws, the City Council shall adopt such rates, fees and charges for Water Services by resolution.

The City reserves the right and power to contract separately with any person for the sale and delivery of water within or outside the incorporated limits of the City, at wholesale, at times, places and prices to be fixed and agreed upon by resolution of the City Council.

Newman Municipal Code Section 11.06.080.2.a is hereby amended to read as follows:

Rates to be charged and collected and terms, provisions and conditions to be effective respecting such rates for sewer service supplied by the City shall be fixed and established by Resolution of the Newman City Council, from time to time, and the service rate schedule shall become part of this chapter as if fully set out at length herein. This provision is in addition to and not be way of derogation of any other remedies or procedures available to the City pursuant to any law or regulation or by any of the provisions of this chapter.

Section 2.

All other sections and provisions of Title 11 shall remain in full force and effect.

Section 3.

That a duly noticed public hearing was held by the City Council on March 11, 2008.

Section 4.

This Ordinance shall take effect 30 days after the date of its adoption, and prior to the expiration of 15 days from the passage thereof shall be published at least once in the West Side Index, a newspaper of general circulation, published and circulated in the City of Newman and thenceforth and thereafter the same shall be in full force and effect.

Introduced at a regular meeting of the City Council of the City of Newman held on the 26th day of February, 2008 by Councilmember _____, and adopted at a regular meeting of said City Council held on the 11th day of March, 2008 by the following vote:

AYES:
NOES:
ABSENT:

APPROVED:

ATTEST:

Mayor of the City of Newman

Deputy City Clerk



**City of Newman
City Manager's Office
Memorandum**

Date: February 22, 2008

To: City Council

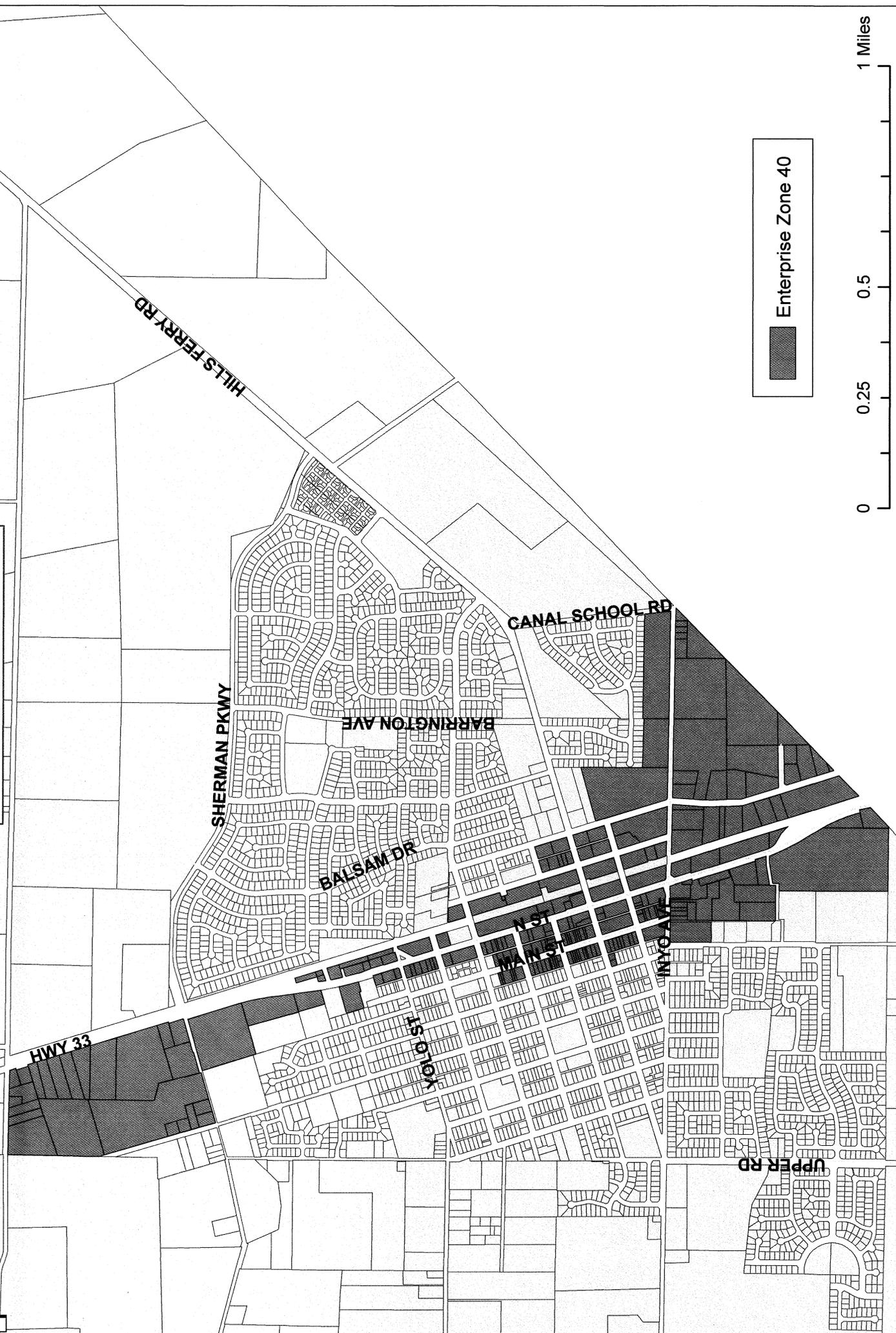
From: Michael E. Holland, City Manager

M.E.H.

Subject: Review of Enterprise Zone 40 map.

During a January Council meeting, Doug Sweetland made a presentation to the Council regarding the benefits of bringing the Enterprise Zone to Newman. Staff has prepared the attached map for Council review. This highlighted areas represent the area in the General Plan identified as potential business/job generators. With Council concurrence on the attached map, City staff will work with the Alliance to prepare the necessary paperwork to move forward with bringing the Enterprise Zone to Newman.

**City of Newman
Enterprise Zone 40**



Enterprise Zone 40

0 0.25 0.5 1 Miles



Honorable Mayor and Members
of the Newman City Council

Agenda Item: **10. a.**
City Council Meeting
of February 26, 2008

**REPORT ON JOINT FIRE AGENCIES INJURY ILLNESS
PROTECTION PLAN AND RELATED POLICIES**

RECOMMENDATION:

Adopt Joint Fire Agencies Injury Illness Protection Plan and Related Policies

BACKGROUND:

Historically the City of Newman Fire Department and the West Stanislaus Fire District have had separate documents relating to safety. These included the Injury Illness Protection Plan and related materials. In an attempt to provide one document and simplify the process for the Firefighters, the District crafted a comprehensive Injury Illness Protection Plan for the Newman Fire Department, City of Patterson Fire Department, and the District. The City recently hosted a joint meeting with City Staff, Newman Fire Department Staff and District Staff. The meeting concluded with all parties in agreement that this plan would be mutually beneficial.

ANALYSIS:

This plan will now become the safety plan for all three agencies and will meet the requirements of the Occupational Safety and Health Administration. Both the District and the City of Patterson have already adopted this plan. This plan will be reviewed monthly at the joint safety meetings and we will have input on updates and changes. A copy of the manual can be reviewed at City Hall. Attached is a list of the documents included in the manual.

FISCAL IMPACT:

N/A

CONCLUSION:

This plan will provide our volunteers, who serve both the City and the District one document to follow; eliminating possible discrepancies of two different plans and simplify the process. Staff recommends Adoption Joint Fire Agencies Injury Illness Protection Plan and Related Policies.

Respectfully submitted,



Michael Holland
City Manager

Injury Illness Prevention Program

TABLE OF CONTENTS

SECTION	TITLE
A.	INJURY & ILLNESS PREVENTION PLAN
B.	RESPONSIBILITY
C.	DISCIPLINARY PROCEDURES
D.	IDENTIFYING JOB HAZARDS
E.	TRAINING
F.	CAL/OSHA INSPECTIONS, CITATIONS AND ENFORCEMENT
G.	REPORTING & RECORD KEEPING - OCCUPATIONAL INJURY/ILLNESS
H.	(Future Program)
I.	ACCIDENT INVESTIGATION
J.	SAFETY COMMITTEES OR SAFETY COMMUNICATION VEHICLE
K.	OCCUPATIONAL NOISE
L.	RESPIRATORY PROTECTION PROGRAM
M.	BLOODBORNE PATHOGENS
N.	HAZARD COMMUNICATION/RIGHT TO KNOW
O.	LOCK OUT/TAG OUT
P.	PERSONAL PROTECTIVE EQUIPMENT
Q.	BACK INJURY PREVENTION
R.	(Future Program)
S.	REPETITIVE MOTION INJURIES
T.	HARASSMENT
U.	OFFICE SAFETY
V.	POSTING REQUIREMENTS
W.	CONFINED SPACE REGULATIONS
X.	SELF INSPECTION CHECKLIST - No Policy Required
Y.	CODE 3 DRIVING - No Policy Required
Z.	JOB SAFETY ANALYSIS STEPS - No Policy Required

Honorable Mayor and Members
of the Newman City Council

Agenda Item: **10. b.**
City Council Meeting
of February 26, 2008

REPORT ON CENTRAL VALLEY SOCCER LEAGUE – REAL OLYMPICO

RECOMMENDATION:

Staff recommends the City Council to continue agreement with Central Valley Soccer League – Real Olympico.

BACKGROUND:

The City has had an agreement with the Central Valley Soccer league since 2001. At that time they used Densmore Park. Approximately three and a half years ago the league moved to Alfred “Bush” Rose Park at the Council’s request.

ANALYSIS:

The Central Valley Soccer league has been utilizing our fields for seven years. During this time, they have always been respectful to the park neighbors and City staff. They clean up after their games, and have paid to reseed the grass at Densmore Park. They have the proper insurance certificate and always comply to the contract agreement.

ATTACHMENTS:

Current agreement with Central Valley Soccer League – Real Olympico and current certificate of liability insurance.

FISCAL IMPACT:

None

CONCLUSION:

Staff recommends the City Council to continue its contract with the Central Valley Soccer League – Real Olympico.

Respectfully submitted,



Terri Heiberger
Recreation Supervisor

REVIEWED/CONCUR:



Michael E. Holland
City Manager

**AGREEMENT FOR USE OF CITY FACILITIES BETWEEN
CITY OF NEWMAN AND CENTRAL VALLEY SOCCER LEAGUE –
REAL OLYMPICO**

The City of Newman (“City”) agrees to allow Central Valley Soccer League (“League”) to use the facility known as Alfred “Bush” Rose (Ranchwood) Park for Soccer Games on Sundays from March 9, 2008 to January 1, 2009. If the City needs use of these facilities during these allotted times the City will give the League 48 hours notice. Facilities used will include all turf areas.

The City will be responsible for normal field maintenance. The League will be responsible for any increased maintenance as a result of their activities. In addition, the League shall repair or pay the cost to the City for repair of any damages occurring as a result of or during the time they are using the facility.

The League shall pickup and dispose of any trash, litter and debris in the park area.

The City reserves the right to cancel this contract at any time because of inappropriate conduct or behavior by spectators or players, as well as excessive property damage to surrounding areas.

Private properties bordering the park should not be trespassed on without specific permission from the owner. This includes retrieving of soccer balls under all circumstances.

All problems, possible hazardous situations and other suggestions to improve the facility should be brought to the City’s attention, immediately (in writing, signed and dated by a League Official).

If at any time during the term of this Agreement, the City finds the provisions agreed upon not being fulfilled, the City reserves the right to revoke use of said field with 30 days notice.

The League shall indemnify, defend, and hold harmless the City, its officers, officials, employees and volunteers from and against all claims, damages, losses and expenses including attorney fees arising out of the performance of the work described herein, caused in whole or in part by any negligent act or omission of the League or anyone directly or indirectly employed by the League whose acts any of them may be liable, except where caused by the active negligence, sole negligence, or willful misconduct of the City.

The League shall provide General Liability Insurance for no less than \$1,000,000 and name the City as additionally insured, as evidenced by an insurance certificate provided to the City.

Michael Holland, City Manager

Date

Daniel Acevedo,
Central Valley Soccer League

Date

CENTVAL-03 ACRO

ACORD™ CERTIFICATE OF LIABILITY INSURANCE		DATE (MM/DD/YYYY) 2/28/2007
PRODUCER Gagliardi Insurance Services, Inc. 284 Digital Drive Morgan Hill, CA 95037	THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.	
INSURED Central Valley Soccer League 2138 Drake Avenue Merced, CA 95348	INSURERS AFFORDING COVERAGE INSURER A: Philadelphia Indemnity Insurance INSURER B: INSURER C: INSURER D: INSURER E:	NAIC #

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

INSR	ADD'L LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A		GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-SUBJECT <input type="checkbox"/> LOC	PHPK218808	3/1/2007	3/1/2008	EACH OCCURRENCE \$ 1,000,000
		DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ EXCLUDED PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 3,000,000 PRODUCTS - COMP/OP AGG \$ 3,000,000 Participant Legal Liab EXCLUDED				
		AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS				COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
		GARAGE LIABILITY <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN: EA ACC \$ AUTO ONLY: AGG \$
		EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE <input type="checkbox"/> RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below				<input type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
		OTHER				

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS
CITY OF NEWMAN IS AN ADDITIONAL NAMED INSURED, BUT ONLY WITH RESPECT TO LIABILITY ARISING OUT OF OPERATIONS OF THE NAMED INSURED. ALL POLICY TERMS AND CONDITIONS APPLY.

CERTIFICATE HOLDER City of Newman 1162 Main Street Newman, CA 95360-	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES. AUTHORIZED REPRESENTATIVE
--	---

Honorable Mayor and Members
of the Newman City Council

Agenda Item: **9. a.**
City Council Meeting
of February 26, 2008

REPORT ON NUISANCE ABATEMENT

RECOMMENDATION:

Adopt Resolution No. 2008-XX, Declaring The Existence Of A Public Nuisance Under Ordinance No. 95-4.

BACKGROUND:

Abatement notices for property maintenance were sent to several properties in accordance with Ordinance 95-4, Chapter 2, Title 8-2-3.

ANALYSIS:

This notice informs property owners of all nuisance abatement procedures, option and their right to object at a public hearing. It is anticipated that many property owners will comply with the abatement notices prior to the hearing date. A final compliance survey will be done on Tuesday, February 26, 2008. A list of properties that have not complied with the abatement notice will be handed out at the council meeting prior to the public hearing.

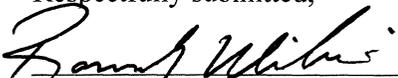
FISCAL IMPACT:

None

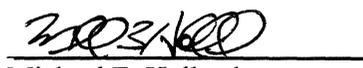
CONCLUSION:

This staff report is submitted for City Council consideration and possible future action.

Respectfully submitted,


Randy Ulbarri
Chief of Police

REVIEWED/CONCUR:


Michael E. Holland
City Manager

RESOLUTION NO. 2008

**A RESOLUTION DECLARING THE EXISTENCE OF A PUBLIC NUISANCE UNDER
ORDINANCE NO. 95-4**

WHEREAS, the Chief of Police has reported a nuisance as outlined in Section 8-2-2 of the Newman Municipal Code located and existing upon property in the City of Newman in violation of Ordinance No. 95-4 of the City of Newman, a description of said property being attached hereto and made a part of this resolution by this reference; and,

WHEREAS, the Chief of Police caused notice to be mailed to the respective owners of the subject properties as in said Ordinance provided, said notice giving notice to abate said nuisance and setting a time and place for hearing objections to the proposed abatement; and,

WHEREAS, said hearing was held on February 26, 2008 at 7:00 p.m., as in said notice provided; and,

WHEREAS, no objections to the proposed abatement were received at said hearing.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newman that said City Council of the City of Newman finds that a condition exists with regard to the properties in said City which is dangerous to life, limb and property, and to the public health, safety and morals, in that weeds, rubbish, dirt and rank growth are growing, located and existing upon said property in violation of the provisions of Ordinance No. 95-4 of the City of Newman, which endangers and may injure neighboring property and endangers and injures the welfare of residents in the vicinity of said property, and which is a fire hazard; that a description of said properties is attached hereto and made a part of this resolution by this reference.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 26th day of February 2008 by _____, who moved its adoption, which motion was duly seconded and it was upon roll call vote adopted.

AYES:
NOES:
ABSENT:

ATTEST:

APPROVED:

Deputy City Clerk

Mayor

**City of Newman
February 26, 2008 Abatement List**

Location	APN	Owner Information	Mailing Address	Violation	Notice Sent
1041 Grackle Court	026-055-046	Elizardo & Juanita Gutierrez	1041 Grackle Court, Newman, CA 95360	BBQ grills, an ice chest, ladder, and debris located in front of property. Bags full of cans and bottles throughout backyard.	1/17/2008
1029 Grackle Court	026-055-048	Wachovia Mortgage	P.O. Box 659558, San Antonio, TX 78265	A wood chipper and debris located on property driveway. An excessive amount of tires, furniture, wood, and metal scraps, junk, debris and other misc. items throughout backyard.	2/8/2008
1932 Leslie Avenue	128-050-011	Steven & Jeanette Michener	1932 Leslie Avenue, Newman, CA 95360	Trailer, junk and debris on side yard. Boxes full of misc. items in carport. Vehicles, excessive amount of wood, metals, car parts, tires, appliances, bottles, trash, junk, debris and other misc. items throughout backyard of property.	1/23/2008
1104 Scooter Court	049-046-041	Joe A. & Maria H. Oliveira	1104 Scooter Court, Newman, CA 95360	Stack of "Ranchwood Homes" signs, and stakes located behind boat on side yard of property.	1/30/2008
1251 Duck Blind Circle	049-049-054	David P. Bell	271 East 21st Street, Merced, CA 95340	Part of the side yard fence has fallen over. Truck full of misc. items, tires, furniture, and junk throughout backyard of property.	1/30/2008

**City of Newman
February 26, 2008 Abatement List**

Location	APN	Owner Information	Mailing Address	Violation	Notice Sent
1133 T Street	128-001-008	Luis G. Martinez	1133 T Street, Newman, CA 95360	Stoves, refrigerator, cabinets, broken chairs, sofa, a desk and other furniture, A stack of old doors and windows, bicycles, car parts, gym equipment, metal scraps, junk, debris, and other misc. objects all located in backyard of property.	2/8/2008
1222 Q Street	128-007-022	Daniel F. Perry Jr.	1222 Q Street, Newman, CA 95360	Trash, junk, and debris on front lawn. A box full of toys, tires, car rims, piles of wood, water heater, junk, debris, and other misc. objects throughout backyard of property.	2/14/2008
1555 Sandy Creek Drive	026-046-006	Gary A. Johnson	1555 Sandy Creek Drive, Newman, CA 95360	Tires, lawnmower, shopping cart, wood and plastic skateboard ramps, junk, debris, trash, and other misc. objects throughout driveway of property.	2/14/2008
1328 Stephens Avenue	026-044-017	Eva M. Mendonca	1328 Stephens Avenue, Newman, CA 95360	A pile of wood and metal on driveway, located on R St. side. A white International Harvest flatbed truck, tall grass and weeds, stack of wooden pallets, car parts, junk, debris and other misc. objects throughout backyard.	2/14/2008