

AGENDA
NEWMAN CITY COUNCIL/REDEVELOPMENT AGENCY
REGULAR MEETING OF JULY 22, 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 July 8, 2008 Regular Meeting.
9. Public Hearings
10. Regular Business
 - a. Report On Recreation Program Fee Increases.
 - b. Report On Sidewalk Infill Project And Bid Award.
 - c. Report On Handicapped Parking Request In Front Of 1248 Main Street.
 - d. Consider For Approval The Newman Family Apartments Environmental Assessment And Finding Of No Significant Impact.
11. Items From The City Manager And Staff.
12. Items From City Council Members.
13. Adjournment.

Calendar of Events

July 14 - The First Day To Secure And File Election Nomination Papers - 8:00 A.M. To 5:00 P.M.

July 17 - Planning Commission - 7:00 P.M.

July 21 - Orestimba Flood Control - 2:00 P.M.

July 22 - Downtown Plaza Committee Meeting - 3:00 P.M.

July 22 - City Council - 7:00 P.M.

July 26 - Veterans Administration Meeting - 10:00 A.M. To 2:00 P.M.

August 8 - The Last Day To Secure And File Election Nomination Papers - 8:00 A.M. To 5:00 P.M.

August 11 - NCLUSD Board Meeting - 7:15 P.M.

August 12 - City Council - 7:00 P.M..

August 13 - The Last Day To Secure And File Election Nomination Papers In The Event The
Current Officeholder Did Not File Nomination Papers - 8:00 A.M. To 5:00 P.M.

August 13 - Baseball Board Meeting - 7:00 P.M.

August 14 - Recreation Commission - 7:00 P.M.

August 21 - Planning Commission - 7:00 P.M.

August 26 - City Council - 7:00 P.M.

Date.: 16, 2008
Time.: 12:46 pm
Run by: EMILY M. FARIA

CITY OF NEWMAN
CASH DISBURSEMENTS REPORT

0/30/08 Invoices

Page.: 1
List.: NEW1
Group: FYCPDF

Ck #	Check Date	CK Amount	Vendor Name	Description
034333	07/18/08	.00	VOIDED CHECK	
034334	07/18/08	.00	VOIDED CHECK	
034335	07/18/08	1318.75	AIR CALL COMMUNICATIONS	PO #08-92
034336	07/18/08	65.00	AMERICAN PLANNING ASSOC	APA MEMBERSHIP/CATEGORY K/OCASIO
034337	07/18/08	142.42	ARROWHEAD MOUNTAIN SPRING	BOTTLED WATER/JUNE 2008
034338	07/18/08	55.60	AT&T/MCI	TELEPHONE SERVICE/JUNE 2008/JUNE 2008
034339	07/18/08	7940.83	W.H. BRESHEARS, INC.	GAS AND DIESEL PURCHASES/JUNE 2008
034340	07/18/08	39.95	BUSINESS CARD	1 YEAR INTERNET SECURITY/TEEN CENTER
034340	07/18/08	764.88	BUSINESS CARD	PO #08-100
034340	07/18/08	1271.74	BUSINESS CARD	SHELVING UNITS/LODGING/T-SHIRTS/DOSC & EVB SET
034341	07/18/08	852.15	CDW GOVERNMENT, INC	PO #08-098
034342	07/18/08	630.51	CENTRAL SANITARY SUPPLY	PAPER TOWELS/SEATCOVERS/GLOVES/TISSUE/TP
034343	07/18/08	288.94	DIVERSIFIED RISK/HUB INTERNATI	LIABILITY INV PREMIUM/TRIGUEROS/HURST
034344	07/18/08	436.62	E&M ELECTRIC, INC.	CHECD MCC BUCKET/HOFFMAN A4AXFN/WWTP
034345	07/18/08	910.00	ENERPOWER	ELECTRIC ENERGY SERVICES 05/07/08 TO 06/10/08
034346	07/18/08	6393.00	FGL ENVIRONMENTAL, INC	BACTI/INORGANIC/SUB CONTR ANALYSES/WWTP
034347	07/18/08	3850.00	GDR ENGINEERING, INC.	PROJECT 02127/IMPROVEMENT PLANS DRISKELL & KERN
034348	07/18/08	2975.95	GEOANALYTICAL LAB, INC.	WEEKLY BACTI'S/BOD/TSS/NITRATES/QUARTLEY WELL TEST
034349	07/18/08	210.00	JOSE GONZALEZ	REFUND MEMORIA BLDG DEPOSIT/CANCELLED USE/GONZALEZ
034350	07/18/08	630.00	HARRITY CONSULTING	CONSULTING FOR DOWNTOWN PLAZA/JUNE 2008
034351	07/18/08	340.51	IKON OFFICE SOLUTIONS	COPIER LEASE 4/25/08 TO 5/24/08/PD
034352	07/18/08	1458.20	INFOSEND, INC	LATE NOTICE AND UTILITY BILL MAILING/JUNE 2008
034352	07/18/08	1088.37	INFOSEND, INC	PRINTING OF NEWSLETTERS/INSERTION FEE

Date.: J 5, 2008
Time.: 1: pm
Run by: EMILY M. FARIA

CITY OF NEWMAN
CASH DISBURSEMENTS REPORT

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Group: PYCPDP

Ck #	Check Date	CK Amount	Vendor Name	Description
034353	07/18/08	520.00	JOE'S LANDSCAPING &	REPAIRED FENCE @ 2230 CANYON BROOK/MATERIALS
034354	07/18/08	1748.80	KLEINFELDER, INC.	COMPACTION TESTING/TULARE & FRESNO ST
034355	07/18/08	1868.00	MALLORY COMPANY, INC	SCBA FUNCTIONAL TEST/FACEPIECE REPAIR/FIRE DEPT
034356	07/18/08	1623.65	MARTIN CARVER, AICP	NEWMAN PLAZA NEPA
034357	07/18/08	110.00	RITA MARTINA	REFUND 2 VOLLEYBALL CAMP REGISTRATIONS/1 SOCCER CA
034358	07/18/08	.00	VOIDED CHECK	
034359	07/18/08	300.97	CITY OF NEWMAN-PETTY CASH	POSTAGE/COFFEE/CREAMER/CAR WASHES
034360	07/18/08	36620.00	NEWMAN FIREFIGHTERS, INC.	301 TRAINING HOURS/3161 CITY CALLS/MEALS/FD
034361	07/18/08	136.00	NEWMAN DAIRY SUPPLY	SERVICE CHECK COOLER/MEM BLDG/SWITCH REFRIGERATOR
034362	07/18/08	104.90	CRYSTAL GARCIA	SMOG CHECKS/FIRE DEPT
034363	07/18/08	160.22	NEWMAN G&G AUTO PARTS	BRUSH/BRAKE FLUID/WRENCH/IGNITION CYL/GAS CAP/OIL
034364	07/18/08	.00	VOIDED CHECK	
034365	07/18/08	738.06	NEWMAN ACE HARDWARE/JACT, INC	LUBRICANT/BULBS/HOSE/MISC PVC/CORD/BUVKETS/STIHL
034366	07/18/08	1172.50	NEXTEL COMMUNICATIONS	CELL PHONE USE/JUNE 2008
034367	07/18/08	1340.25	PIONEER PRODUCTS, INC.	12 GALS WASH & WAX/2 CASES HYGIEN CITRA WATERLESS
034368	07/18/08	59.31	PITNEY WORKS	DM1001 RED INK CARTRIDGE/POSTAGE METER
034369	07/18/08	202.50	PRECISION INSPECTION, INC	HOURLY PUBLIC WORKS INSPECTS/MUSEUM
034369	07/18/08	5513.92	PRECISION INSPECTION, INC	Bldg Reg Inspec BLDG REGU
034370	07/18/08	47.28	RICHARD & CHAMBERS	CALCULATOR INK/EPSON CARTRIDGE RIBBON
034371	07/18/08	200.00	OLGA ROMO	REFUND MEM BLDG DEPOSIT/OLGA ROMO
034372	07/18/08	195.95	SPORTS SUPPLY GROUP	SUPPLIES FOR SUMMER YOUTH PROGRAM
034373	07/18/08	5160.94	STANISLAUS COUNTY	ANIMAL CONTROL SERVICES/4TH QRTR ENDING 0608
034373	07/18/08	10119.72	STANISLAUS COUNTY	2ND QUARTER IMPACT FEES APR-JUNE 2008

Date.: J 16, 2008
Time.: 1 : pm
Run by: ENLLY M. FARIA

CITY OF NEWMAN
CASH DISBURSEMENTS REPORT

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Ck #	Check Date	CK Amount	Vendor Name	Description
034374	07/18/08	195.00	STANISLAUS COUNTY DEPT	BUS TICKET SALES THRU 6/30/08
034375	07/18/08	85.00	T&R ENTERPRISES	REPAIRED 1 SIGN
034376	07/18/08	165.00	BARBARA J. TOSTA	YOUNG AT HEART INSTRUCTOR/JUNE 2008
034377	07/18/08	603.96	UNIFIRST CORPORATION	MAT RENTALS/UNIFORM CLEANING/TOWELS/JUNE 2008
034378	07/18/08	1367.14	MATTOS NEWSPAPERS, INC.	CONFIDENCE REPORTS/BUS CARDS/OT REQUEST/LEGAL ADS
034379	07/18/08	16.00	WEST SIDE PUBLIC SCALE	WEIGHT TAGS/WWTP
034380	07/18/08	80.53	Y-NOT NEWMAN FLORAL	ULIBARRI SYMPATHY PLANT
034381	07/18/08	591.49	YANCEY LUMBER COMPANY	SHOWER ROD/PAINT/LOCKSET/RATCHET/CONCRETE/FLAG POL
Sub-Total:		102710.51		
Grn-Total:		102710.51		
Count: 54				

Date: 07/17/2008
 Time: 3:41 pm
 Run by: EMILY M. FARIA

CITY OF NEWMAN
 CASH DISBURSEMENTS REPORT

July 2008 Invoices
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Ck #	Check Date	CK Amount	Vendor Name	Description
034382	07/16/08	1750.00	DON HUTCHINS	CONTRACT SERVICES/INTERIM LT/DON HUTCHINS
034383	07/18/08	.00	VOIDED CHECK	
034384	07/18/08	.00	VOIDED CHECK	
034385	07/18/08	1826.69	ADAMSON POLICE PRODUCTS	AMMUNITION/PD
034386	07/18/08	2493.00	ALLIANCE	STRENGTHENING STAN CNTY ANNUAL INVESTMENT 06/07
034387	07/18/08	322.00	AMERICAN WATER WORKS	CALIF--NEVEDA SECTION DUES/GARZA/10/1/08-9-30-09
034388	07/18/08	16351.00	BLUE CROSS OF CA	HEALTH INSURANCE PREMIUM/AUGUST 2008
034389	07/18/08	950.00	BUSINESS CARD	REGISTRATION 2008 LCC CONFERENCE/FANTAZIA/KELLY
034390	07/18/08	220.00	CALIFORNIA POLICE	ANNUAL 2008/2009 DUES/MCGILL
034391	07/18/08	100.00	JEFF CARTER	PARKING LOT RENT/JULY 2008
034392	07/18/08	8500.00	DBA (CALIFORNIA BENEFITS)	PRE-PAID DENTAL-VISION DEPOSIT
034393	07/18/08	247.00	DBA (ADMIN FEES)	DENTAL-VISION ADMIN FEES/JULY 2008
034394	07/18/08	256.80	CENTRAL SANITARY SUPPLY	CANLINERS/PAPER TOWEL/DISINFECT/SANITIZER
034395	07/18/08	50.00	CARL J. COELHO (CHUCK)	Van Operation FIRE/JULY 2008
034396	07/18/08	.00	VOIDED CHECK	
034397	07/18/08	1234.82	CONCINITY, INC	GG FOR WINDOWS 5 CONNECTION LICENSES/MAINTENANCE
034397	07/18/08	2535.00	CONCINITY, INC	JULY & AUGUST 2008 IT CONTRACT SERVICES
034398	07/18/08	408.88	CRESCENT SUPPLY CO. #1	ACADEMY UNIFORM/E. LOPEZ
034399	07/18/08	200.00	MIKE CRINKLAW	REFUND MEMORIAL BLDG DEPOSIT/DRINKLAW
034400	07/18/08	44.95	FIREWIRE, INC	EMAIL FOR LIFE/874708-874709/WEB HOSTING JUL-AUG
034401	07/18/08	490.00	HARRITY CONSULTING	CONSULTING FEE FOR DOWNTOWN PLAZA
034402	07/18/08	581.00	KAISER PERMANENTE	HEALTH INSURANCE PREMIUM/LEMAS/AUG 2008
034403	07/18/08	501.47	PALLARD EXPRESS AUTO	RADIATOR/ANTI-FREEZE/COIL PACK

CITY OF NEWMAN
 CASH DISBURSEMENTS REPORT

Clk #	Check Date	CR Amount	Vendor Name	Description
034404	07/18/08	354.83	MODESTO BEE	LEGAL AD/SIDEWALK INFILL
034405	07/18/08	1439.00	OPERATING ENGINEERS/	HEALTH INSURANCE PREMIUM/AUG 2008
034406	07/18/08	1422.60	PHILATELIC FULFILLMENT SE	PRE-STAMPED PRINTED ENVELOPES
034407	07/18/08	170.00	TONY ROSAS	RETRAURSE STEEL TOE SHOES/ROSAS
034408	07/18/08	3477.01	STANISLAUS COUNTY	CITY'S CONTRIBUTION TO LAFCD 2008/2009
034409	07/18/08	546.24	STOCKTON BLUE	BID PLANS FOR SIDEWALK INFILL PROJECT/25 SETS
034410	07/18/08	311.46	TRAVIS BORRELLI	PORTABLE RESTROOM RENTAL/SERVICE/JULY 2008
034411	07/18/08	575.00	TRAINING INNOVATIONS, INC	TMS SOFTWARE SUPPORT JULY 2008-JUNE 2009/PD
034412	07/18/08	1066.00	UNITED WAY	UNITED WAY OF STAN CNTY 2-1-1 HELP LINE/08/09
034413	07/18/08	12.31	USA MOBILITY WIRELESS, INC	TEXT MESSAGING/778/08 TO 8707705/PW
034414	07/18/08	50.00	GEORGE VARGAS	MONTHLY GAS ALLOWANCE/VARGAS/FD
034415	07/18/08	25.00	MATTOS NEWSPAPERS, INC.	NEWSPAPER SUBSCRIPTION RENEWAL/PD
034416	07/18/08	171.80	WEST-MARK	ELECTROLYSIS ROD/FIRE DEPT
034417	07/18/08	53.62	COLDWELL BANKER,	MO CUSTOMER REFUND FOR COL0052
034418	07/18/08	23.68	RAMIREZ, FELIPE RUELAS	MO CUSTOMER REFUND FOR RAN0060
Sub-Total:		48781.16		
Gross-Total:		48781.16		
Count:		38		

MINUTES
NEWMAN CITY COUNCIL, SPECIAL MEETING
JULY 8, 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**
 - a. Conference With Labor Negotiator - Management And Confidential Employees - G.C. 54957.6

 - b. Public Employee Personnel Evaluation (City Manager) G.C. 54957.

 - c. Return To Regular Session.

ACTION: Resolution No. 2008-42, Was Introduced By Martina Who Moved Its Adoption, Which Motion Was Seconded By Crinklaw And Was Unanimously Adopted Upon Roll Call Vote. Said Resolution Is A Resolution Adopting A Salary Schedule For Management, Supervisory And Confidential Positions For The City Of Newman.

5. **Adjournment.**

ACTION: On Motion By Martina Seconded By Kelly And Unanimously Carried, The Meeting Was Adjourned At 7:10 P.M.

MINUTES
NEWMAN CITY COUNCIL/REDEVELOPMENT AGENCY
REGULAR MEETING OF JULY 8, 2008
CITY COUNCIL CHAMBERS, 7:00 P.M., 1200 MAIN STREET

1. Call To Order - Mayor Fantazia 7:13 P.M.
2. Pledge Of Allegiance.
3. Invocation Council Member Katen
4. Roll Call **PRESENT:** Katen, Kelly, Crinklaw, Martina and Mayor Fantazia
ABSENT: None
5. Declaration Of Conflicts Of Interest None.
6. Ceremonial Matters.
 - a. Update On The Blueprint Process By Vince Harris Of StanCOG.

Vince Harris, Senior Planner With StanCOG, Gave A Brief Review Of The Blueprint Process And Asked The Council For Their Input.

Councilmember Crinklaw Stated That Water Is The Paramount Issue And Asked Harris To Keep Water Supply Issues In Mind While Going Through This Process.

7. Items from the Public - Non-Agenda Items.

Rick Nagle, West Side Theatre Foundation, Briefed The Council On The Progress Of The Radio Station Licensee Acquisition. He Mentioned The Application Is Still In Process And That They Now Have Some Strong Competitors But They Still Believe They Will Eventually Prevail.

8. Consent Calendar

- a. Waive All Readings Of Ordinances And Resolutions Except By Title.
- b. Approval Of Warrants.
- c. Approval Of Minutes Of The June 24, 2008 Regular Meeting.

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

9. Public Hearings

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

ACTION: No Action Was Taken; All The Nuisances Were Abated Prior To The Council Meeting.

10. Regular Business

- a. Adopt Resolution No. 2008- 43 A Resolution Approving A Joint Powers Agreement For Stanislaus Drug Enforcement Agency.

ACTION: On Motion By Katen Seconded By Kelly And Unanimously Carried, Resolution No. 2008-43, A Resolution Approving A Joint Powers Agreement For Stanislaus Drug Enforcement Agency Was Adopted.

- b. Adopt Resolution No. 2008-44, A Resolution Approving Increases To Existing Police Department Service Fees.

ACTION: On Motion By Katen Seconded By Kelly And Unanimously Carried, Resolution No. 2008-44, A Resolution Approving Increases To Existing Police Department Service Fees Was Adopted.

- c. Designation Of Voting Delegate And Alternate Voting Delegate For League Of California Cities Annual Conference.

ACTION: On Motion By Katen Seconded By Kelly And Unanimously Carried Fantazia Was Designated The Voting Delegate And Ted Kelly Was Designated The Alternate Voting Delegate For League Of California Cities Conference.

- d. Report On Agreement With The Westside Niners.

ACTION: On Motion By Katen Seconded By Crinklaw And Carried By The Following Roll Call Vote Resolution No. 2008-45, A Resolution Authorizing The City Manager To Execute A Contract With The Westside Niners For Use Of Barrington Park As A Practice Facility And Purchase A New Goal Post Was Adopted.. AYES: Katen, Crinklaw, Martina And Fantazia; NOES: Kelly; ABSENT: None; NOT PARTICIPATING: None.

- e. Report On Assembly Bill 2716.

ACTION: On Motion By Kelly Seconded By Katen And Unanimously Carried, The Council Directed Staff To Prepare And Send A Letter In Opposition To Assembly Bill 2716.

- f. Adopt Resolution No. 2008-46, A Resolution Approving Task G For The Downtown Plaza Project And Authorize The City Manager To Execute A Contract For Services.

ACTION: On Motion By Martina Seconded By Crinklaw And Unanimously Carried, Resolution No. 2008-46, A Resolution Approving Task G For The Downtown Plaza Project And Authorize The City Manager To Execute A Contract For Services Was Adopted.

11. Items From The City Manager And Staff.

City Manager Holland Reminded The Council That The Filing Period For The November 4th Elections Will Be From July 14th Thru August 8th 2008. Holland Also Mentioned That If An Incumbent Does Not File By The August 8th Deadline That The Filing Deadline Would Be Extended To August 13th. He Also Informed The Council That The School Board Will Now Be Holding Their Meetings At The New Adult Education Center On Patchett Drive. Holland Commented That The CDBG Sponsored Computer Classes Will Also Be Held At The Adult Education Center On Patchett Drive. He Notified The Council That The City Code Has Been Updated Through 2007 And Is Now Available On-Line. Holland Mentioned That The Next Plaza Meeting Would Take Place On July 22nd At 3:00 P.M. In The Council Chambers. He Reminded The Council That The Blueprint Process Meeting Would Be July 10th, And The Flood Control Meeting On 21st Of July. He Reported That The Waste Water Treatment Master Plan Is Still Being Worked On And Will Be Brought Back Council To Open The 30 Day Comment Period.

Chief McGill Informed The Council That Live Scan Services Are Still Not Operational But Will Be Very Soon. He Reported That Both Dogs Should Be Certified Within The Next Couple Of Weeks And The Plan Is To Have Them Deployed As Soon As Possible. McGill Mentioned That Delivery Some Of The K9 Program Equipment Has Been Delayed Do To Flooding Back East. McGill Also Mentioned That One Of The Officers Broke His Foot Off Duty Creating A Staffing Minor Problem.

Recreation Supervisor Heiberger Informed The Council That There Are Still Openings For Youth Soccer. She Expressed That The Tennis Lessons And The Fit Kids Program Have Been Huge Successes. Heiberger Mentioned That The Fit Kids Program Currently Has 160 Children Enrolled.

12. Items From City Council Members.

Council Member Kelly Inquired About The Status On The Banner For The Orestimba Girls High School Softball Team And Thanked The Staff For Removing The Graffiti In The Ranchwood/Stephens Ranch Subdivision.

Council Member Katen Asked Staff To Clean The Exterior Of The City's Building That Is The Former Location Of Newman Smog And Lube. Katen Asked Staff For An Update On The Placement Of A Handicapped Parking Space In Front Of Dr. Canga's Office And Requested That This Matter Placed On The Agenda.

Mayor Fantazia Reminded Everyone That The Chamber Dinner Dance Will Be Held On August 9th At The Louis J. Memorial Newman Building.

13. Adjournment.

ACTION: On Motion By Katen Seconded By Crinklaw And Unanimously Carried, The Meeting Was Adjourned At 8:06 P.M.

Honorable Mayor and Members
of the Newman City Council

Agenda Item: **10.a.**
City Council Meeting
of July 22, 2008

REPORT ON RECREATION PROGRAM FEE INCREASES

RECOMMENDATION:

Staff recommends the City Council to approve a fee increase for the youth basketball, youth soccer, martial arts and our summer program.

BACKGROUND:

Program fees have not been increased since September 23, 2003. Staff is recommending an increase of \$10.00 for our youth basketball and our youth soccer programs. This would put each of these program costs at \$50.00 per participant. Staff also recommends implementing a multi-sibling discount of \$5.00 off for each subsequent sibling. Staff also recommends changing the late registration fee from \$5.00 to \$10.00. Another additional change would be a \$30.00 fee for our Fit Kids Program. This program is currently offered free of charge. This change would help offset supply and labor costs. Staff recommends a \$10.00 annual fee for our martial arts program instead of a \$10.00 one time fee. We are proposing no changes to the additional assessment of \$10.00 for these programs for participants not residing within the boundaries of the Newman Crows Landing Unified School District.

ANALYSIS:

In five years, the costs of running our programs have greatly increased. The most significant cost increase is labor. The costs of uniforms and equipment have also skyrocketed.

FISCAL IMPACT:

New fees will assist in offsetting city contribution to the programs listed.

CONCLUSION:

Staff recommends the City Council to approve program fee increases as listed above.

Respectfully submitted,



Terri Heiberger
Recreation Supervisor

REVIEWED/CONCUR:



Michael E. Holland
City Manager

RECREATION PROGRAM FEES
As of July 2008

<u>Programs</u>	<u>Current Fee</u>	<u>City 15% Fee</u>	<u>Actual Cost</u>	<u>Recommended Fee</u>
Soccer	\$40.00	\$6.17	\$41.10/\$47.27	\$50.00
Basketball	\$40.00	\$6.31	\$42.09/\$48.40	\$50.00
Fit Kids	\$0	\$3.47	\$23.13/\$26.60	\$30.00
Soccer Camp	\$30.00	\$3.75	\$25.00/\$28.75	No Increase
Basketball Camp	\$30.00	\$3.75	\$25.00/\$28.75	No Increase
Volleyball Camp	\$30.00	\$3.75	\$25.00/\$28.75	No Increase

Soccer and Basketball program fees include uniform and medal.
Camp fees include T-shirt and certificate.

Currently we charge a \$5.00 fee for late registrations. Staff recommends increasing this fee to \$10.00 to encourage timely registration.

Currently we charge a \$10.00 fee for participants not residing in the Newman Crows Landing Unified School District. Staff recommends no change to this fee.

Honorable Mayor and Members
of the Newman City Council

Agenda Item: **10.b.**
City Council Meeting
of July 22, 2008

AWARD BID FOR KERN/DRISKELL SIDEWALK INFILL PROJECT TO BDS CONSTRUCTION

RECOMMENDATION:

It is recommended that the Newman City Council:
Award the Kern/Driskell Sidewalk Infill Project bid to BDS Construction of Chowchilla for \$81,562.50.

BACKGROUND:

The public works department applied for and has been approved for the use of funds from the Congestion Mitigation and Air Quality Improvement Program programming cycle fiscal year 07/08 to continue with our City-wide sidewalk infill projects. This project is intended to enhance and encourage pedestrian movement to the downtown area by providing access to pedestrians and individuals with disabilities. The project limits are the south side of Kern Street, from M Street to Amy Drive, and the south side of Driskell from Amy Drive to Eucalyptus Avenue.

ANALYSIS:

Sealed bids were solicited for the referenced work that resulted with seven bidders responding. All bid documents were reviewed by former city engineer Gary Davis. Attached to this report is the bid summary submitted by GDR Engineering that prepared the plans and specifications for this project.

FISCAL IMPACT:

\$102,086.00 budgeted

CONCLUSION:

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

Respectfully submitted,



Ernie Garza
Director of Public Works

REVIEWED/CONCUR:



Michael E. Holland
City Manager

**BID RESULTS
NEWMAN SIDEWALK INFILL PROJECT - KERN / DRISKELL
15-Jul-08**

ITEM NO.	DESCRIPTION	UNIT OF MEASURE	ESTIMATED QUANTITY	BDS CONSTRUCTION		HARLEY ENTERPRISES		VIKING GENERAL CONTRACTORS		BC CONSTRUCTION		TEICHERT CONSTRUCTION		SIERRA NEVADA CONSTRUCTION		HENSLEY'S PAVING	
				UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL	UNIT PRICE	ITEM TOTAL
1	TRAFFIC CONTROL SYSTEM	LS	1	\$3,126.00	\$3,126.00	\$1,550.00	\$1,550.00	\$2,900.00	\$2,900.00	\$3,332.96	\$3,332.96	\$5,250.00	\$5,250.00	\$3,107.00	\$3,107.00	\$4,900.00	\$4,900.00
2	RESET ROADSIDE SIGNS	EA	4	\$163.00	\$652.00	\$130.00	\$520.00	\$200.00	\$800.00	\$122.57	\$490.28	\$250.00	\$1,000.00	\$300.00	\$1,200.00	\$162.00	\$648.00
3	RELOCATE STREET NAME SIGN ONTO ROADSIDE SIGN	EA	2	\$109.00	\$218.00	\$130.00	\$260.00	\$150.00	\$300.00	\$439.42	\$878.84	\$150.00	\$300.00	\$300.00	\$600.00	\$110.00	\$220.00
4	SALVAGE ROADSIDE SIGNS AND DELIVER TO CITY CORP YARD	EA	2	\$54.00	\$108.00	\$130.00	\$260.00	\$150.00	\$300.00	\$157.96	\$315.92	\$200.00	\$400.00	\$100.00	\$200.00	\$110.00	\$220.00
5	REMOVE AND DISPOSE DRAIN INLET	EA	1	\$588.00	\$588.00	\$390.00	\$390.00	\$200.00	\$200.00	\$421.34	\$421.34	\$500.00	\$500.00	\$1,000.00	\$1,000.00	\$400.00	\$400.00
6	CLEARING AND GRUBBING	LS	1	\$3,333.00	\$3,333.00	\$9,180.00	\$9,180.00	\$6,000.00	\$6,000.00	\$13,074.18	\$13,074.18	\$9,630.00	\$9,630.00	\$20,000.00	\$20,000.00	\$41,724.00	\$41,724.00
7	MESCELLANEOUS PAVING REPAIR	SF	530	\$15.60	\$8,268.00	\$5.50	\$2,915.00	\$10.00	\$5,300.00	\$5.26	\$2,787.80	\$10.00	\$5,300.00	\$15.00	\$7,950.00	\$27.20	\$14,416.00
8	MINOR CONCRETE (VALLEY GUTTER)	SF	60	\$18.20	\$1,092.00	\$12.60	\$756.00	\$15.00	\$900.00	\$27.06	\$1,623.60	\$50.00	\$3,000.00	\$23.00	\$1,380.00	\$8.64	\$518.40
9	MINOR CONCRETE (6" VERTICAL CURB AND GUTTER)	LF	170	\$40.50	\$6,885.00	\$27.91	\$4,744.70	\$30.00	\$5,100.00	\$40.74	\$6,925.80	\$70.00	\$11,900.00	\$31.00	\$5,270.00	\$27.00	\$4,590.00
10	MINOR CONCRETE (DRIVEWAY - RESIDENTIAL)	SF	275	\$8.50	\$2,337.50	\$8.00	\$2,200.00	\$12.00	\$3,300.00	\$13.30	\$3,657.50	\$21.00	\$5,775.00	\$12.00	\$3,300.00	\$7.02	\$1,930.50
11	MINOR CONCRETE (SIDEWALK)	SF	4,000	\$9.10	\$36,400.00	\$8.26	\$33,040.00	\$8.00	\$32,000.00	\$6.64	\$26,560.00	\$9.00	\$36,000.00	\$7.00	\$28,000.00	\$4.70	\$18,800.00
12	CURB RAMPS (LABOR ONLY)	EA	7	\$337.00	\$2,359.00	\$1,430.00	\$10,010.00	\$2,000.00	\$14,000.00	\$1,824.32	\$12,770.24	\$500.00	\$3,500.00	\$1,000.00	\$7,000.00	\$783.00	\$5,481.00
13	RELOCATE FIRE HYDRANT	EA	2	\$1,363.00	\$2,726.00	\$2,600.00	\$5,200.00	\$1,500.00	\$3,000.00	\$1,769.46	\$3,538.92	\$1,750.00	\$3,500.00	\$3,000.00	\$6,000.00	\$1,750.00	\$3,500.00
14	MODIFY IRRIGATION SYSTEM	LS	1	\$720.00	\$720.00	\$780.00	\$780.00	\$800.00	\$800.00	\$2,758.16	\$2,758.16	\$2,000.00	\$2,000.00	\$4,000.00	\$4,000.00	\$2,800.00	\$2,800.00
15	ADJUST VALVE BOX TO GRADE	EA	2	\$172.00	\$344.00	\$580.00	\$1,160.00	\$350.00	\$700.00	\$164.36	\$328.72	\$300.00	\$600.00	\$500.00	\$1,000.00	\$250.00	\$500.00
16	RELOCATE DRAIN INLET W/ FLUSHING INLET FRAME (INCLUDES PIPE RUNS)	EA	2	\$5,388.00	\$10,776.00	\$5,200.00	\$10,400.00	\$4,000.00	\$8,000.00	\$2,243.65	\$4,487.30	\$2,400.00	\$4,800.00	\$3,000.00	\$6,000.00	\$1,275.00	\$2,550.00
17	FILL MANHOLE W/ SAND AND CONSTRUCT 6" SIDEWALK OVER MANHOLE	EA	1	\$1,630.00	\$1,630.00	\$520.00	\$520.00	\$500.00	\$500.00	\$1,737.04	\$1,737.04	\$900.00	\$900.00	\$1,000.00	\$1,000.00	\$900.00	\$900.00
GRAND TOTAL					\$81,562.50		\$83,885.70		\$84,100.00		\$85,688.60		\$94,355.00		\$97,007.00		\$104,097.90

Honorable Mayor and Members
of the Newman City Council

Agenda Item: **10.c.**
City Council Meeting
of July 22, 2008

STAFF REPORT ON HANDICAP PARKING REQUEST FOR 1248 MAIN STREET

BACKGROUND:

This report before you is a request from councilmember Katen, that an on-street handicap parking space be installed in front of the medical office located at 1248 Main Street. Councilmember Katen has expressed his concern regarding the accessibility to the medical office for the disabled and elderly. This request has been brought up and discussed before at council meetings a time or two, but has never been scheduled as an agenda item. There have also been discussions regarding requests for handicap parking at the post office and at the local bank site.

ANALYSIS:

I contacted our city engineer Gary Rogers and asked for his input and assessment regarding this issue. Attached to this report, please find an email from Gary with items of concern. The issues cited are the loss of a parking stall to be used for a loading/landing area and the possible loss of a second stall for a ramp installation. The cross slope of the parking area exceeds 2% requiring a paving transition in order to meet ADA standards.

Another issue to consider is whether the City could be setting a precedent for future requests for handicap parking in similar situations.

An alternative that merits discussion is the possibility of installing a handicap parking stall within the medical parking facilities as pointed out by our city engineer. An asphalt or concrete slab area could be installed somewhere along the south side of the parking lot and an access point could be cut through the fence and brick wall. This would allow disabled patients to access the medical building through the side door.

Pictures on power-point will be shown at the council meeting during the discussion of this item in an effort to clarify this report.

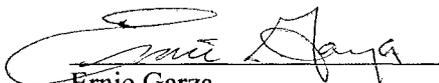
FISCAL IMPACT:

Estimated construction amount of \$5,000 plus engineering fees. None budgeted for 08/09

CONCLUSION:

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

Respectfully submitted,



Ernie Garza
Director of Public Works

REVIEWED/CONCUR:



Michael E. Holland
City Manager

From: Rogers, Gary [grogers@BoyleEngineering.com]
Sent: Tuesday, June 10, 2008 9:24 AM
To: Ernie Garza
Subject: Proposed Handicap Parking Stall on Main Street

Ernie,

As requested following are my thoughts on installing an on-street handicap parking stall in front of the medical office:

1. A stall can be installed, but the following will occur:

a. A minimum of two existing parking stalls will be needed for the handicap stall. One obviously for the stall, and a second for the landing unloading area. The possibility exists that a third might be needed depending on the ramp location. (i.e. Ramp from the street to the sidewalk built in the parking area or cut into the sidewalk area.)

b. Handicap, parking stalls including loading/unloading areas are required to have a slope not exceeding 2% in any direction. I am not sure if the parking area slope exceeds 2%, but if it does, a paving transition area would need to be constructed. (Modifying the A.C. grades to meet the

cross slope would not be difficult; however, the modifications at the gutter may be a different issue.) If you want, the next time, I am I Newman, I can bring a smartlevel and check the slope in the ramp area being considered.

2. Installing a handicap ramp here would be fairly pricey. (I hate to venture a guess, but it would probably be in the vicinity of \$5,000.)

3. If the medical facilities has a separate parking lot, they should provide a handicap parking stall within their parking facilities ever though it would probably

be less convenient for the public.

Let me know if you want to proceed with a design.

Gary W. Rogers, P.E.

BOYLE ENGINEERING

1120 West "I" STREET, SUITE C

LOS BANOS, CALIFORNIA 93635

(209) 826-5155

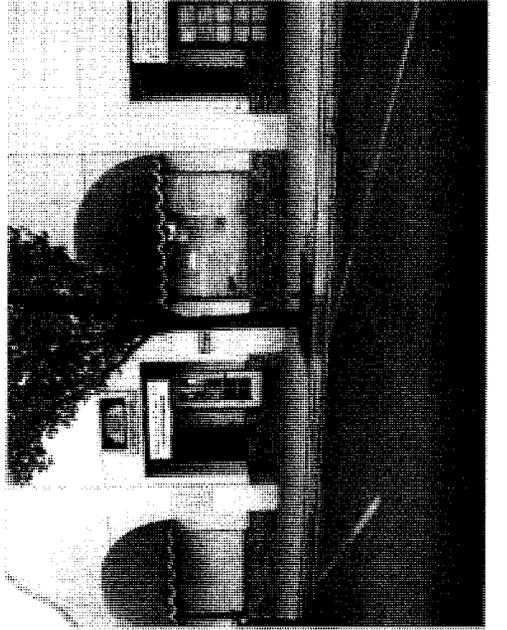
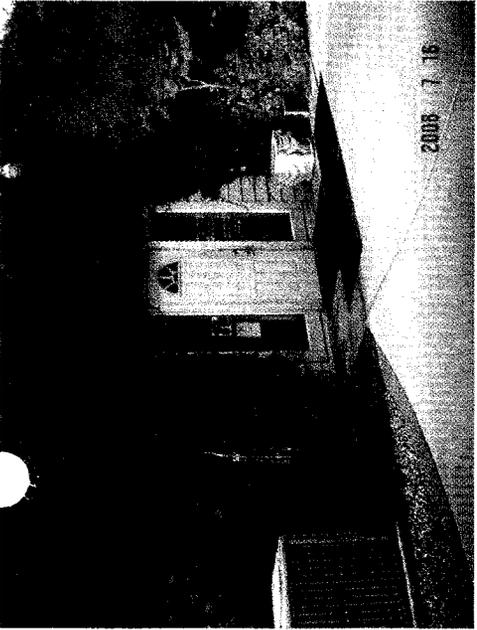
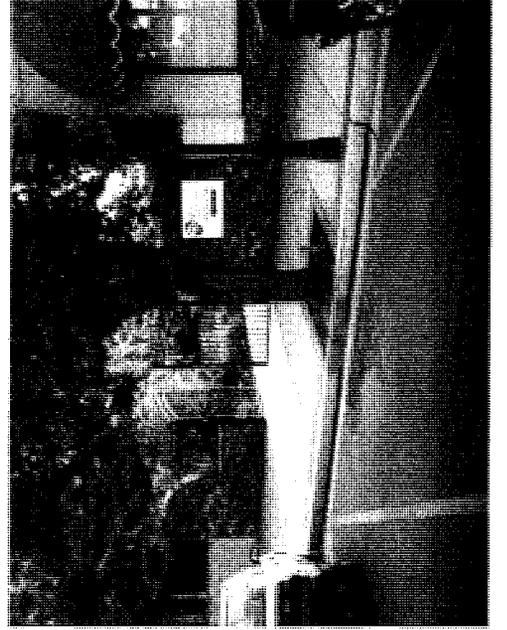
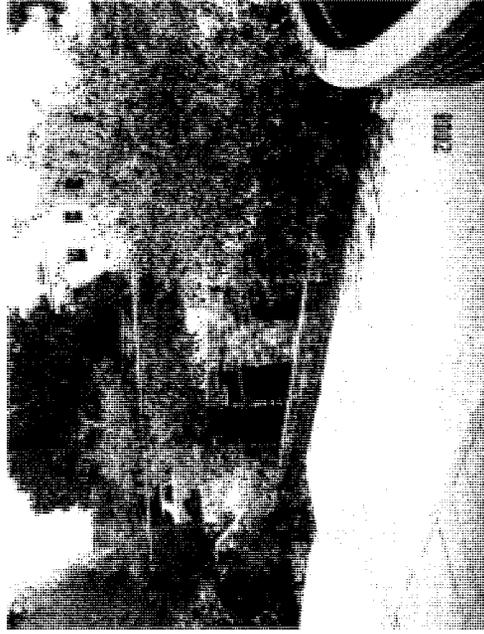
(209) 826-3307 FAX

grogers@boyleengineering.com

No virus found in this incoming message.

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Version: 8.0.100 / Virus Database: 270.2.0/1494 - Release Date: 6/10/2008 7:22 AM



Honorable Mayor and Members
of the Newman City Council

Agenda Item: **10.d.**
City Council Meeting
of July 22, 2008

**APPROVE THE NEWMAN FAMILY APARTMENTS ENVIRONMENTAL
ASSESSMENT AND FINDING OF NO SIGNIFICANT IMPACT**

RECOMMENDATION:

1. Approve the Environmental Assessment
2. Concur with the Finding of No Significant Impact

BACKGROUND:

A Site Plan for the Newman Family Apartments was approved by the Planning Commission (Resolution No. 2008-01) on January 17, 2008. A zone change for the property was approved by the Council on February 12, 2008 (Ordinance No. 2008-02).

Upon review by staff, CEQA attorneys and environmental consultants, the proposed project has been determined to be exempt with no exceptions under Chapter 3, Article 12.5 Sections 15192 (Affordable Housing/Residential Infill) and 15194 (Affordable Housing) of CEQA; the CEQA administrative findings are currently on file for this project.

ANALYSIS:

The Newman Family Apartments project consists of the design and construction of a multi-family apartment complex on a 3.5 acre parcel located north of Kern Street at the M Street terminus at Driskell Avenue; approximately 150 feet north from Kern Street, more specifically described as Assessor's Parcel Numbers 128-020-001, 128-020-002 and 128-020-003. The project site is in our redevelopment project area, currently vacant, zoned R-3 and is designated at High Density by our General Plan.

The project is intended to increase the number of affordable housing units within the City of Newman. The project will assist the City in attaining the housing goals set forth in the adopted Housing Element of City of Newman General Plan for low and moderate income households.

Because the applicant wishes to utilize HOME funds, federal regulation requires that the project undergo an environmental assessment (per the National Environmental Policy Act or NEPA). NEPA requires agencies to integrate environmental values into their decision making processes by considering the environmental impacts of their proposed actions and reasonable alternatives to those actions; this act also applies to local jurisdictions.

The NEPA process consists of an evaluation of the environmental effects of a project, including its alternatives. There are three levels of analysis depending on whether or not an undertaking could significantly affect the environment. These three levels include: categorical exclusion determination; preparation of an environmental assessment/finding of no significant impact (EA/FONSI); and preparation of an environmental impact statement (EIS).

Agenda Item: **10.d.**

This project falls under the second level of analysis. At this level, a jurisdiction (using federal funding) prepares a written environmental assessment (EA) to determine whether or not the proposed project would significantly affect the environment. If the answer is no, the agency issues a finding of no significant impact (FONSI). The FONSI may address measures which an agency will take to reduce (mitigate) potentially significant impacts. Per these federal guidelines, an Environmental Assessment has been prepared and attached for your review.

FISCAL IMPACT:

None

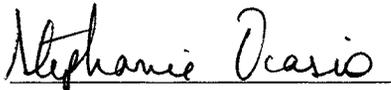
CONCLUSION:

Upon completion of the environmental assessment, it has been concluded that the proposed project will not pose a significant impact on the environment. The assessment provides findings and data/research to support this conclusion. Upon Council approval, a FONSI public notice will be published and the environmental assessment will be distributed to the appropriate parties for review and comment. Staff recommends approval of the environmental assessment (EA) and the finding of no significant impact (FONSI).

ATTACHMENTS:

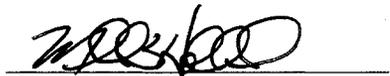
1. Exhibit A – Newman Family Apartments Environmental Assessment

Respectfully submitted,



Stephanie Ocasio
Assistant Planner

REVIEWED/CONCUR



Michael Holland
City Manager

ADMINISTRATIVE REVIEW DRAFT

U.S. Department of Housing
and Urban Development
San Francisco Regional Office
450 Golden Gate Avenue
San Francisco, CA 94102-3448

**Environmental Assessment
for HUD-funded Proposals**
(recommended format per 24 CFR 58.36,
revised February 2005)

Project Identification: Corporation for Better Housing – Newman Family Apartments

Preparer: Stephanie Ocasio, Assistant Planner

Responsible Entity: City of Newman

Month/Year: July 14, 2008

FINDING: [58.40(g)]

Finding of No Significant Impact

(The Project will not result in a significant impact on the quality of the human environment)

Finding of Significant Impact

(The Project may significantly affect the quality of the human environment)

Preparer Signature: _____ **Date:** _____
Title/Agency: Stephanie Ocasio, Assistant Planner
City of Newman

Reviewer Signature: _____ **Date:** _____
Title/Agency: Michael Holland, City Manager
City of Newman

RE Approving Official Signature: _____ **Date:** _____
Title/Agency: Tim Kerr, City Manager
City of Turlock

According to the US Census, there were 7,093 people living in Newman in 2000, which represented a 71 percent increase from 1990, or about 7.1 percent per year. The Department of Finance estimated that Newman continued to experience a fast rate of growth, with 10,114 residents estimated on January 1, 2006, which reflects the same annual growth of approximately 7 percent.

- **Specific Environmental Setting**

The project site contains approximately 3.5 acres. A majority of the property is vacant. Various abandoned structures, including a house, shed, barn and outbuildings are located on the property. The site is generally flat and contains native vegetation. Driskell Avenue is adjacent to the south, Highway 33 and the railroad right of way are to the west, and Foxglove Avenue is to the north. A single family development, zoned R-1, is located immediately north of the project site. Property to the west is zoned C-2 and contains commercial uses. Land to the east of the project site is designated PD and developed with apartments. Commercial and residential developments, zoned I and R-3, are located south of the project site.

- **Toxic Hazard**

A Phase I Environmental Site Assessment (dated November 5, 2007) was conducted by Krazan & Associates for the subject property. Krazan's findings of this Phase I ESA revealed no evidence of recognized environmental conditions (RECs) in connection with the Project site.

- **Soils/Geologic Hazards**

As identified in the Natural Resources Conservation Service, *Soil Survey of Stanislaus County, CA, Western Part, 1996*, the soil types found at the project site are Vernalis Loam and Pedcat, with moderate erosion potential and low/moderate and moderate/high expansion potential, respectively. Given the flat slopes in the community, there is limited potential for erosion. The expansive soil characteristics will be addressed by proper engineering and reviewed at the time of building construction. The project site is not within the boundaries of an Agricultural Preserve, nor does it have a Williamson Act contract.

The City of Newman is in an area characterized by a low earthquake hazard. The closest fault is the San Joaquin Fault which lies to the west of the City.

- **Biological Resources**

Located in a portion of the SE ¼ of Section 18, T7S, R8E, Mount Diablo Baseline & Meridian, the Project site is not located within the boundaries of an adopted Habitat Conservation Plan. The project site is within an urbanized area and consists of property previously and currently developed. The habitat for wildlife and native plant species is considered low and the habitat for special plant species is non-existent. Biological resource surveys previously conducted as a part of the City's General Plan update, *Newman 2030 General Plan EIR, October 4, 2006*, concluded that the Sphere of Influence, which contains the developed parts of Newman, no longer maintain a wildland habitat for migratory fish or wildlife species nor is it a corridor or a nursery site.

- **Floodplain**

The project site is designated as Zone X and is not located within a 500 Year Floodplain (Flood Insurance Rate Map # 060388-0001 B, map revision date January 3, 1990). The Eight (8) Step Decision Making Process per Executive Order 11988 is not required and therefore the Project requires no flood insurance.

Statutory Checklist

[24 CFR §58.5]

For each listed statute, executive order or regulation, record the determinations made. Note reviews and consultations completed as well as any applicable permits or approvals obtained. Attach evidence that all required actions have been taken. Record any conditions or mitigation measures required. Then, make a determination of compliance or consistency.

Factors	Determinations and Compliance Documentation
Historic Preservation [36 CFR 800]	<p>A Cultural Resource Survey and report has been conducted by L. Kyle Napton dated May, 2008. The field survey, conducted May 21, 2008, identified no archaeological resources within the Area of Potential Effect, and no further archaeological work is recommended. However, if archaeological, paleontological, historical, or cultural resources are discovered during construction, all work shall halt in the area of the find and the developer shall provide a qualified cultural resources specialist to evaluate the findings and make appropriate mitigation recommendations. These requirements shall be incorporated into the project agreement with the developer and the construction plan and specification documents.</p> <p>In a letter dated July 14, 2008, the <u>State Historic Preservation Officer (SHPO)</u> was asked to concur with the City's determination that the Project will have no effect on cultural resources.</p>
Floodplain Management [24 CFR 55, Executive Order 11988]	<p>The project site is not located within a 500-Year Floodplain (<u>Flood Insurance Rate Map (FIRM) Panel Number 060388-0001 B, revised January 3, 1990</u>). The 8-Step Decision-Making Process is required only for Projects located within the 100-Year Floodplain; therefore, no further review of floodplain impacts for this Project is necessary</p>
Wetlands Protection [Executive Order 11990]	<p>Wetlands generally include swamps, marshes, bogs, and similar areas. Pursuant to the definition of wetlands at 33 CFR Part 328, Section 328.3(b), there are no wetland areas in the vicinity of the project site (<u>U.S. Department of the Interior - Wetland Inventory Map, Newman 2030 General Plan EIR, October 4, 2006, page 4.4-9</u>).</p>
Costal Zone Management Act [Sections 307(c),(d)]	<p>The project site is located in the City of Newman which is located in south central Stanislaus County. No portion of Stanislaus County is located in a Coastal Zone.</p>
Sole Source Aquifers [40 CFR 149]	<p>The EPA has not designated any existing aquifers in Stanislaus County to be a sole source aquifer. (<u>Region IX Sole Source Aquifers Map and List by EPA</u>). Region IX consists of Arizona, California, Guam, Hawaii and Nevada.</p>
Endangered Species Act [50 CFR 402]	<p>The project site is not located within the boundaries of an adopted Habitat Conservation Plan. The project site has been developed and is surrounded by urban uses. Biological resource surveys previously conducted as a part of the City's General Plan update, <u>Newman 2030 General Plan EIR, October 4, 2006</u>, concluded that the Sphere of Influence, which contains the developed parts of Newman, no longer maintain a wildland habitat for migratory fish or wildlife species nor is it a corridor or a nursery site.</p>
Wild and Scenic Rivers Act [Sections 7 (b), (c)]	<p>Per the National Wild and Scenic River System (www.rivers.gov), there are no wild and scenic rivers designated in Stanislaus County.</p>

HUD Environmental Standards, Determinations, and Compliance Documentation

<p>Noise Abatement and Control [24 CFR 51 B]</p>	<p>According to the U.S. Department of Housing and Urban Development (HUD) Exterior Noise standards, acceptable exterior noise levels for new housing construction cannot exceed 65 dB(A) (HUD Noise Assessment Guidelines and 24 CFR Part 51, Subpart B, Section 51.103). Potential noise sources which may impact a Project include highways, railroads, and airports.</p> <p>The project site is located adjacent to the Union Pacific Railroad which abuts State Route 33. Due to the low occurrence and moderate speeds of the trains, the 60 dBA Ldn noise contour would be within 100 feet of the railroad tracks. (<u>Newman 2030 General Plan EIR, October 4, 2006, page 4.10-9</u>). In addition, the noise impacts from the Highway 33 traffic at General Plan build out have been modeled. While the 65 dBA Ldn noise contour extends into the northerly portion of the project site, it does not encroach on the outdoor activity areas. Standard construction will provide sufficient attenuation to achieve interior noise levels of 45 dBA Ldn or less. (<u>Newman 2030 General Plan, October 4, 2006, Figure HS-6</u>). Therefore, noise from these sources will not be significant to the residents of this housing development.</p> <p>Development of a multi-family residential complex will result in an increase overall noise levels in the vicinity of the project site; however, this increase is not considered to be significant. Construction of the Project may generate a temporary increase in the levels of noise which could adversely impact residents immediately north and east of the Project site. Therefore, construction shall be kept to day-time working hours, and construction equipment shall be properly maintained in order to minimize noise emissions.</p>
<p>Toxic or Hazardous Substances and Radioactive Materials [HUD Notice 79-33]</p>	<p>In November of 2007, Krazan & Associates completed a <u>Phase I Environmental Site Assessment (ESA)</u>. The conclusion from this assessment is that there is no evidence of Recognized Environmental Conditions - the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, groundwater, or surface water on the property.</p>
<p>Siting of HUD-Assisted Projects near Hazardous Operations [24 CFR 51 C]</p>	<p>The <u>Phase I Environmental Site Assessment</u> prepared by Krazan & Associates determined "that properties within the specified search radius of the subject site which appeared on local, state, or federally published lists of sites that use or have had releases of hazardous materials are of sufficient distance and/or situated hydraulically cross- or downgradient from the subject site such that impact to the subject site is not likely". Table VI of Listed Properties of the ESA (page 17 and 18) indicates that from review of the AST Database (Aboveground Petroleum Storage Tank Facilities - for registered tanks) there are no above-ground storage tanks within a quarter mile radius of the project site. The Project site is therefore considered to be in compliance with the minimum acceptable separation distance (ASD) from flammable and/or explosive hazards, as required by Part 51 Section 3.</p>
<p>Airport Clear Zones and Accident Potential Zones [24 CFR 51 D]</p>	<p>The closest public use airport is the City of Gustine airport approximately 7 miles from the site. Based on a reivew of the <u>Stanislaus County Airport Land Use Commission Plan, as amended May 20, 2004</u> and the <u>Merced County Airport Land Use Compatibility Plan, April 1999</u>, the project site is not within the Runway Clear Zone or Accient Potential Zone (APZ) for any airport.</p>

Air Quality Effects of Ambient Air Quality on Projects and Contribution to Community Pollution Levels	1	See discussion under Air Quality section in the Statutory Checklist for air quality impacts.
Environmental Design Visual Quality – Coherence, Diversity, Compatible Use and Scale	1	The multi-family residential development will be consistent with existing development within the neighborhood. The City of Newman Planning Commission site plan approval and architectural review addresses City development standards including necessary road improvements, on-site parking, landscaping and building requirements .

Socioeconomic Code Source or Documentation

Demographic Character Changes	1	The proposed housing development consists of up to 72 multi-family housing units. According to the 2000 Census, (Demographic Profile) the average household size in the City of Newman is 3.1 persons. Therefore, the development could provide housing to approximately 223 persons . A Market Study has been prepared and provides evidence that the Newman area suffers from a lack of high quality affordable housing.
Displacement	1	The project site is currently unoccupied. There will be no displacement of residents and/or demolition of existing housing units as a result of constructing the multi-family residential development
Employment and Income Patterns	2	The project will provide 72 units of needed affordable housing to families. There may be an increase in employment opportunities for service and retail businesses that will serve the new households that will occupy the project. Conversely, there may be increased demand for employment from the households who move into the Newman Family Apartments project.

Community Facilities and Services

Code Source or Documentation

Educational Facilities	1	The Newman/Crows Landing Unified School District serves the project area. Pursuant to Government Code (Sections 65995, 56996, and 65997), mitigation of this project's impacts on public school facilities will be limited to the collection of statutory fees authorized under Education Code (Section 176209 and Government Code Sections 65995, 65995.6 and 65995.7) at the time that building permits are issued.
Commercial Facilities	1	The proposed housing development is located within one mile of numerous commercial shopping facilities and services, including pharmacies, convenience stores and markets. See discussion in Employment and Income Patterns section under the Socioeconomic heading of this <i>Environmental Assessment Checklist</i> .
Health Care	1	The proposed housing development will increase demand for health services in the Project area; however , the project's impact on health care services is not considered significant. The Newman Medical Clinic and Golden Valley Health Center are both located less than 0.5 mile from the project site and is equipped to provide medical services. Emergency services are provided by hospitals in Los Banos, Turlock and Modesto. Westside Ambulance is the major provider of emergency medical transportation. See next section also.
Social Services	1	The Newman Family Resource Center provides a variety of health, educational and social services along with referral services. It is located at 1300 Patchett Drive, approximately 1 mile southwest of the project site. Along with Central California Child Development Services, Inc., Stanislaus County Child and Infant Care Association, Inc., Central Valley Opportunity Center and others, available services provided to the residents of the area include, but are not limited to: child development & education services/State funded migrant & general child care/immunizations/Home energy assistance program/Senior brown bag program/Mental health services/ and Family counseling services.

Summary of Findings and Conclusions

The project itself does not cause or create environmental impacts that would threaten public health or safety does not place individuals or families in an environment that would threaten their health or safety. Funding and permits for the project should not be disallowed based on environmental impacts.

ALTERNATIVES TO THE PROPOSED ACTION

Alternatives and Project Modifications Considered [24 CFR 58.40(e), Ref. 40 CFR 1508.9] (Identify other reasonable courses of action that were considered and not selected, such as other sites, design modifications, or other uses of the subject site. Describe the benefits and adverse impacts to the human environment of each alternative and the reasons for rejecting it.)

The property is vacant and has received land use approval for the proposed housing development. The site is within close proximity to public transportation services, schools, parks and medical facilities. The selected site at Driskell Avenue. is the only one that has adequate size and clear title with no easements or other restrictions.

No Action Alternative [24 CFR 58.40(e)]

(Discuss the benefits and adverse impacts to the human environment of not implementing the preferred alternative).

There are no apparent foreseeable benefits for not implementing the project at this site and the "No Action" alternative is not considered necessary or appropriate. Adverse impacts of not doing the Project would include:

- a. The property could be left undeveloped and open and could potentially be used by as a dumping site for unwanted items. This would create a blighting influence impacting the adjoining neighborhoods and work against the City's investment of public funds to improve the quality life in this area. The "No Action" alternative would result in 72 fewer multi-family dwelling units considered to be affordable to families with low/moderate incomes in Newman. Since federal funding has been made available for development of this project and environmental impacts resulting from the project are not considered significant, the "No Action" alternative is not viable.
- b. If this Project is not developed, the property could be developed with another use that is not compatible with the existing residential land uses that adjoins the property. This would require a change of zoning and possibly a General Plan Amendment and would provide an opportunity for inconsistent and incompatible land use that would counter the land use standards developed in the City of Newman Plan.

Mitigation Measures Recommended [24 CFR 58.40(d), 40 CFR 1508.20]

(Recommend feasible ways in which the proposal or external factors relating to the proposal should be modified in order to eliminate or minimize adverse environmental impacts.)

The developer shall comply with all conditions of approval pursuant to Site Plan Review #07-01 and Zone Change #07-02 permitting a 72 unit apartment complex in a R-3 (Multiple Residential) District, as approved on January 17, 2008 by the City of Newman Planning Commission (see attached Resolution No. 2008-01 for conditions of approval).

If archaeological, paleontological, historical, or cultural resources are discovered during construction, all work shall halt in the area of the find and the developer shall provide a qualified cultural resources specialist to evaluate the findings and make appropriate mitigation recommendations. These requirements shall be incorporated into the project agreement with the developer and in the construction specification documents and complied with by the contractor.

The developer shall comply with the San Joaquin Valley Unified Air Pollution Control District Rules and Regulations. Any permit requirements should be identified in the construction plans and specifications for the Project.