



**AGENDA**  
**NEWMAN CITY COUNCIL/REDEVELOPMENT AGENCY**  
**REGULAR MEETING OF AUGUST 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 August 12, 2008 Special Meeting And The August 12, 2008 Regular Meeting.
  - d. Adopt Resolution No. 2008- , Approving Pioneer Park Restroom Project And Authorizing John Fantazia As Mayor, And Michael E. Holland, As City Clerk To Record A Notice Of Completion.
9. Public Hearings
10. Regular Business
  - a. Adopt Resolution No. 2008- , A Resolution Approving Plaza Project Funding Allocation.

- b. Consider Approval Of The Consolidated Annual Performance And Evaluation Report (CAPER) Relating To Its FY 2007-2008 Past Activity And Open Public Comment Period.
- c. Adopt Resolution No. 2008- , A Resolution Approving Housing Element Proposal And Authorizing The City Manager To Execute A Contract For Services.
- d. Adopt Resolution No. 2008- , A Resolution Adopting The Re-Defined, Combined City/County Disaster Council And The Decision Making Process, And Appointing One Elected Official From The Newman City Council To Serve On The Revised, Newly Combined County/City Disaster Council And Appointing The Emergency Manager For The City (City Manager Or His Designee) To Serve On The Operational Area Council.
- e. Adopt Resolution No. 2008- , A Resolution Approving Task D For The Downtown Plaza Project And Authorizing The City Manager To Execute A Contract For Services.

**11. Items From The City Manager And Staff.**

**12. Items From City Council Members.**

**13. Adjourn To Closed Session**

- a. Conference With Labor Negotiator - Operating Engineers Local No. 3 Miscellaneous Employees- G.C. 54957.6
- b. Return To Regular Session.

**14. Adjournment.**

## Calendar of Events

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

August 29-31 - Fall Festival

September 1 - Labor Day

September 8 - NCLUSD Board Meeting - 7:15 P.M.

September 9 - City Council - 7:00 P.M..

September 10 - Baseball Board Meeting - 7:00 P.M.

September 11 - Recreation Commission - 7:00 P.M.

September 15 - Two On Two Meeting With The School Board - 4:30 p.m.

September 17 - Orestimba Flood Control Meeting - 1:00 P.M.

September 18 - Planning Commission - 7:00 P.M.

September 23 - City Council - 7:00 P.M.

September 24-27 - League of California Cities Annual Conference - Sacramento

October 3 - NCLUSD Homecoming

October 8 - Baseball Board Meeting - 7:00 P.M.

October 9 - Recreation Commission - 7:00 P.M.

October 13 - Columbus Day

October 13 - NCLUSD Board Meeting - 7:15 P.M.

October 14 - City Council - 7:00 P.M..

October 16 - Planning Commission - 7:00 P.M.

October 23 - West Side Healthcare Taskforce - 7:00 p.m. - Patterson

October 28 - City Council - 7:00 P.M.

June 2008

Date.: Aug 21, 2008  
Time.: 2:22 pm  
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
034591	08/21/08	3655.20	ECO:LOGIC, INC	2ND QUARTER 2008 GROUNDWATER MONITORING
034592	08/21/08	1014.00	ENERPOWER	ELECTRIC ENERGY SERVICES 6/8/08 TO 7/8/08
034593	08/21/08	6.43	NOB HILL	SUPPLIES FOR SENIOR AWARENESS DAY
034594	08/21/08	358.54	STANISLAUS CNTY SHERIFF'S	REIMB AT&T/MCI/MAY 2007/RE-ISSUE/CK#32524 LOST
Sub-Total:		5034.17		
Grn-Total:		5034.17		
Count:		4		

Date.: Aug 20, 2008  
Time.: 4:06 pm  
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
032524	08/19/08	-358.54	STANISLAUS CNTY SHERIFF'S	Ck# 032524 Reversed
034547	08/21/08	98.12	ARROWHEAD MOUNTAIN SPRING	BOTTLED WATER/JULY 2008
034548	08/21/08	284.22	AT&T MOBILITY	WIRELESS ACCESS/7/3/08 TO 8/02/08/PD
034549	08/21/08	143.96	AT&T	EMERGENCY LINE/PD/8/7/08 TO 9/06/08
034550	08/21/08	29.02	AT&T LONG DISTANCE	LONG DISTANCE CHARGES/JULY 2008
034551	08/21/08	137.12	BIG DAN'S CUSTOM POWDER COATIN I	UNIROYAL TIRE MOUNTED & BALANCED
034552	08/21/08	16351.00	BLUE CROSS OF CA	HEALTH INSURANCE PREMIUM/SEPT 2008
034553	08/21/08	907.83	BUSINESS CARD	ENVELOPES/SOCCER CONES/SLIDE/T-SHIRTS/SUPPLIES
034553	08/21/08	19.00	BUSINESS CARD	SHIPPING/PRE-STAMPED ENVELOPES
034553	08/21/08	61.50	BUSINESS CARD	LODGING/EMERGENCY RESPONSE MTG/GARZA
034553	08/21/08	30.83	BUSINESS CARD	MEALS/FIRE DEPT
034553	08/21/08	2203.00	BUSINESS CARD	CAMERA/SD CARD/NEIGHBORHOOD WATCH/GAS/TIRES
034554	08/21/08	4722.66	CDW GOVERNMENT, INC	PO #09-14
034554	08/21/08	652.84	CDW GOVERNMENT, INC	PO #09-15
034554	08/21/08	428.17	CDW GOVERNMENT, INC	BLACKBERRY/BELKIN FIBER OPTIC
034555	08/21/08	1267.50	CONCINNITY, INC	MONTHLY IT SERVICES/SEPT 2008
034556	08/21/08	506.56	CRESCENT SUPPLY CO. #1	UNIFORM SUPPLIES/HUTCHINS/EXPLORERS/SEW PATCHES
034557	08/21/08	737.76	GARY WHITE	HAY HAULING/GRASS & ALFALFA/WWTP
034558	08/21/08	200.00	ELAINE DeLASH	REFUND MEMORIAL BLDG DEPOSIT/DELASH
034559	08/21/08	962.75	E&M ELECTRIC, INC.	INSTALLED PUMP & MOTOR/WWTP/PUMP REPAIR
034560	08/21/08	518.63	ECONOMIC TIRE SHOP	4 NEW TIRES/I TIRE REPAIR/1 TIRE PLUG
034561	08/21/08	640.00	FUTURE STARS 2000'S, INC	TENNIS LESSONS SESSION #1/6/27/08 TO 7/25/08
034562	08/21/08	242.50	GDR ENGINEERING, INC.	PROFESSIONAL SERVICES 7/1/08 TO 7/31/0/
034562	08/21/08	2170.00	GDR ENGINEERING, INC.	PROFESSIONAL SERVICES JULY 2008

Date.: Aug 20, 2008  
Time.: 4:06 pm  
Run by: EMILY M. FARIA

CITY OF NEWMAN  
CASH DISBURSEMENTS REPORT

Page.: 2  
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Group: PYCPDP

Ck #	Check Date	CK Amount	Vendor Name	Description
034564	08/21/08	31.14	TERRY HEIBERGER (NT)	REIMBURSE T. HEIBERGER SUPPLIES FOR MIXER
034565	08/21/08	1750.00	DON HUTCHINS	CONTRACT INTERIM LT/8/16/08 TO 8/31/08/HUTCHINS
034566	08/21/08	325.36	IKON OFFICE SOLUTIONS	COPIER LEASE 7/25/08 TO 8/24/08/PD
034567	08/21/08	69.10	MALLARD EXPRESS AUTO	MOTOR OIL CHANGE/TIRE ROTATION
034568	08/21/08	793.31	MARTIN CARVER, AICP	PROFESSIONAL SERVICES.JULY 2008
034569	08/21/08	513.22	LANA MAYS	REIM LODGING/GAS/TIEBAR/GEARBAGS/EXPLORER ACAD
034570	08/21/08	61.36	MCDONOUGH, HOLLAND, ALLEN	PROFESSIONAL SERVICES/JULY 2008
034571	08/21/08	1530.00	MENEZES SALES	STEEL TOE WORK BOOTS/PW
034572	08/21/08	262.50	NICOLE MOORE	VOLLEYBALL CAMP INSTRUCTOR/N. MOORE
034573	08/21/08	199.00	NATIONAL SEMINARS GROUP	REGISTRATION FOR ACCOUNTS PAYABLE TRNG/FARIA
034574	08/21/08	679.10	NEWMAN ACE HARDWARE/JACT, INC	EARPLUGS/KWIKSET/HOLE DIGGER/FILTERS/WIRE
034575	08/21/08	75.00	NEWMAN S.E.S #21	REFUND MEMORIAL BLDG DEPOSIT/NEWMAN SES
034576	08/21/08	82.51	NORTH EAST SCIENTIFIC	1 L6903AM DPD CHLORINE TABLET/WATER DEPT
034577	08/21/08	21216.00	NTDSTICHLER ARCHITECTURE	PROFESSIONAL SERVICES/JULY 2008
034578	08/21/08	660.00	CITY OF PATTERSON	VIDEO REIMBURSEMENT/AUG 2008
034579	08/21/08	53210.71	P G & E	GAS AND ELECTRIC 06/05/08 TO 07/17/08
034579	08/21/08	271.75	P G & E	NATURAL GAS/07/09/08 TO 08/06/08
034580	08/21/08	165.00	PITNEY BOWES CREDIT CORP.	POSTAGE METER RENTAL 5/30/08 TO 8/30/08
034581	08/21/08	43.51	R-SAFE SPECIALTY	2 SAFETY VESTS/PW
034582	08/21/08	375.00	JOCELYN ROLAND, Ph.D.	PRE-EMPLOYMENT PHYSICAL
034583	08/21/08	19.29	BRETT SHORT (NT)	REIMBURSE FOR SD CARD/B. SHORT
034584	08/21/08	22.66	USA MOBILITY WIRELESS, INC	TEXT MESSAGING 8/8/08 TO 9/07/08/PW
034585	08/21/08	85.00	UNITED STATES POSTMASTER	200 STAMPS/PD
034586	08/21/08	1568.41	MATTOS NEWSPAPERS, INC.	LEGAL ADS/CLASSIFIED ADS/SUPPLIES/JULY 2008

Sub-Total: 119275.21

Date.: Aug 20, 2008  
Time.: 4:06 pm  
Run by: EMILY M. FARIA

CITY OF NEWMAN  
CASH DISBURSEMENTS REPORT

Page.: 3  
List.: NEW1  
Group: PYCPDP

Ck #	Check Date	CK Amount	Vendor Name	Description
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Grn-Total:		118275.31		
Count:	49			

**MINUTES**  
**NEWMAN CITY COUNCIL, SPECIAL MEETING**  
**AUGUST 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, Martina and Mayor Fantazia  
**ABSENT:** Crinklaw (Excused)
3. **Items From The Public** - None
4. **Adjourn To Closed Session**
  - a. Conference With Labor Negotiator - Operating Engineers Local No. 3 Miscellaneous Employees- G.C. 54957.6
  - b. Conference With Legal Council - Potential Litigation - One Case - G.C. 54956.9.
  - c. Public Employment - Director Of Public Works - G.C. 54957.
  - d. Return To Regular Session.

No Reportable Action Was Taken.
5. **Adjournment.**

**ACTION:** On Motion By Kelly Seconded By Martina And Unanimously Carried, The Meeting Was Adjourned At 7:05 P.M.

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

1. **Call To Order** – Mayor Fantazia 7:10 P.M.
2. **Pledge Of Allegiance.**
3. **Invocation**– Council Member Martina
4. **Roll Call PRESENT:** Katen, Kelly, Martina and Mayor Fantazia  
**ABSENT:** Crinklaw (Excused)

5. **Declaration Of Conflicts Of Interest** – None

6. **Ceremonial Matters.**

- a. Introduction Of New Code Enforcement Officer William Davis.

Chief McGill introduced New Police Code Enforcement Officer William Davis.

Tom Applegate, 1301 Blue Teal Way, Commented That Bill Is Doing A Fine Job.

7. **Items from the Public - Non-Agenda Items** – None.

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 22, 2008 Regular Meeting.
- d. Adopt Resolution No. 2008-47, Approving The Plaza Waterline Replacement Project And Authorizing John Fantazia As Mayor, And Michael E. Holland, As City Clerk To Record A Notice Of Completion

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

## 9. Public Hearings - None

## 10. Regular Business

- a. Adopt Resolution No. 2008-48, Declaring Certain Personal Property Surplus Property And Authorizing Disposal, Or Sale Of Property.

**ACTION:** On Motion By Katen Seconded By Kelly And Unanimously Carried, Resolution No. 2008-48, A Resolution Declaring Certain Personal Property Surplus Property And Authorizing Disposal, or Sale Of Property Was Adopted.

- b. Report On The Fall Festival.

**ACTION:** On Motion By Kelly Seconded By Katen And Unanimously Carried, Council Approved Requests As Submitted By The Festival Committee.

- c. Adopt Resolution No. 2008-49, Approving A Three (3) Year Lease Agreement With Newman Co-Op Nursery School And Authorizing The City Manager To Execute Said Lease For The Property Located At 1147 "R" Street.

Crescencia Maurer, 1205 P Street, Proposed The Nursery School Pay A Total Of \$150.00 For The Summer Due To Their Limited Use Of The Building During That Time Of Year And She Reminded The Council That The Nursery School Operates On A Razor Thin Margin.

Sharon Andrade, 1045 Yolo Street, Explained That They Do Have A Cleanup Day In August But That Registration And Classes Do Not Begin Until September. Andrade Also Stated That The Only Other Time They Use The Building In August Is When They Drop Of Supplies And Update The Bulletin Boards. Andrade Reminded The Council That They Have Additional Expenses That They Were Not Responsible For Previously.

**ACTION:** On Motion By Katen Seconded By Martina And Unanimously Carried, Resolution No. 2008-49, A Resolution Approving A Three (3) Year Lease Agreement With Newman Co-Op Nursery School And Authorized The City Manager To Execute Said Lease For The Property Located At 1147 "R" Street Was Adopted With The Following Change; The Month Of August Was Omitted From Section 2 (Rent) Thereby Reducing The Rent From One Hundred Dollars \$100.00 To \$0.00 For The Month Of August, Due To Limited Use Of The Building During That Month.

- d. Report On The Wastewater Treatment Plant Expansion And Disposal Master Plan And Open Comment Period.

**ACTION:** No Action Was Taken.

- e. Report On Orestimba Creek Flood Control Feasibility Study.

**ACTION:** No Action Was Taken.

f. Report On Yancey Building Design Options.

Councilmember Katen Mentioned That He Thinks The Building Should Be Showcased On The Highway Regardless Of How The Building Is Utilized.

Councilmember Kelly Stated That He Was Willing To Accept Either Plan But Preserving History Is Most Important.

Councilmember Martina Explained That The Original Thrust Of The Plaza Project Was To Include The Yancey Building And Mentioned That He Did Not Like That The Plan Was Changed.

**ACTION:** On Motion By Martina Seconded By Katen And Unanimously Carried, The Council Recommended That The Yancey Building Be Placed At The Plaza And Approved The Plan As Submitted.

g. Adopt Resolution No. 2008-50, Approving The Expansion Of The Stanislaus County Enterprise Zone.

**ACTION:** On Motion By Kelly Seconded By Martina And Unanimously Carried, Resolution No. 2008-50, A Resolution Approving The Expansion Of The Stanislaus County Enterprise Zone Was Adopted.

h. Report On Funding Request From "Ready, Set, Learn Campaign.

**ACTION:** On Motion By Kelly Seconded By Martina And Unanimously Carried The Council Donated \$400.00 To The "Ready, Set, Learn" Campaign.

**11. Items From The City Manager And Staff.**

Supervisor DeMartini Reported That The Primary Obstacles Of The Orestimba Creek Flood Control Project Revolve Around The Rare Sycamore Grove. He Stated That The Detention Dam Is The Best Option But That The Sycamore Grove Would Need To Be Managed And Maintained. DeMartini Mentioned That The Last West Side Health Care Task Force Meeting Had Been Productive, And Thanked The City For The Pizza They Provided. DeMartini Reminded The Council That The Next Westside Health Care Task Force Meeting Will Be Held On October 23, 2008 In Patterson And That The South Corridor The Joint Powers Association Meeting Regarding The Transportation Sales Tax Measure Would Be On August 22<sup>nd</sup> 2008 In The County Administration Building.

City Manager Holland Reminded The Council That The City Is Hosting The Chamber Mixer On Thursday And That August 13<sup>th</sup> Is The Last Day To Submit Nomination Papers For City Council And That The Citywide Neighborhood Watch Meeting Will Be Held On The August 19<sup>th</sup>. Holland Informed The Council That The Interviews For The Maintenance Worker Position Created By Bill Davis' Transfer To The Police Department Had Been Held Earlier In The Day.

Chief McGill Informed The Council That Graffiti Has Been More Of A Problem In The Last Three Weeks And That Both K9s Are Out On Patrol. Chief Mcgill Explained That The Police Department Has Undergone Cosmetic Changes Which Include; New Uniforms, New Badges, New Patches, And A Change In The Color Of The Patrol Vehicles From White To Black And White.

Public Works Director Garza Informed The Council That The New Restrooms At Pioneer Park Are Open And Functional. Garza Reviewed Two Possible Alternatives For Repairing Canal School Road That Were Prepared By City's Engineer. Garza Explained That Alternative One Would Completely Rebuild The Road With A 20 To 25 Year Life Costing About \$127,000.00 , And That Alternative Two Would Repave The Road Without Total Reconstruction And Only Cost \$59,000.00 But Would Only Have A Life Of 5 To 10 Years. Garza Mentioned That This Project Could Potentially Be Funded With Proposition 1B Monies.

## **12. Items From City Council Members.**

Council Member Kelly Thanked Staff For Providing The Pizza At The Last West Side Healthcare Meeting And Congratulated The Three Local Boys That Were Playing In The Babe Ruth Championship.

Council Member Katen Thanked The Chamber Of Commerce For Hosting The Annual Dinner Dance. Katen Informed The Council That He Attended A Recent School Board Meeting Where They Discussed The Plans For The New Elementary Campus. Katen Also Complemented Chief McGill On The Changes He Has Made At The Police Department And Thanked Him For His Efforts.

Mayor Fantazia Reminded Everyone That The Chamber Mix Is On Thursday August 14<sup>th</sup>.

## **13. Adjournment.**

**ACTION:** On Motion By Katen Seconded By Martina And Unanimously Carried, The Meeting Was Adjourned At 8:54 P.M.

Honorable Mayor and Members  
of the Newman City Council

Agenda Item: **8.d.**  
City Council Meeting  
of August 26, 2008

**ADOPT RESOLUTION NO. 2008-XX, APPROVING THE PIONEER PARK  
REHABILITATION PROJECT AND AUTHORIZING JOHN FANTAZIA AS  
MAYOR, AND MICHAEL E. HOLLAND, AS CITY CLERK TO RECORD A  
NOTICE OF COMPLETION**

**RECOMMENDATION:**

It is recommended that the Newman City Council approve Resolution No. 2008-XX.

**BACKGROUND:**

States participating in the CDBG Program award grants to units of general local government that carry out development activities. The City of Newman is continuing to take advantage of the Community Development Block Grant monies that are being made available for rehabilitation and restoration projects. One of our most recent grants was used to construct the new restrooms at Pioneer Park.

**ANALYSIS:**

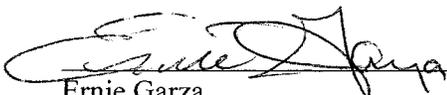
A final walk-thru inspection of the project was completed by public works and planning staff members. Everything was completed and in compliance with plans and specifications. Staff recommendation is that the project be accepted and that a Notice of Completion be executed and filed.

**FISCAL IMPACT:**

Total cost of project \$66,637.00

**CONCLUSION:**

It is recommended that the city council approve the Pioneer Park Rehabilitation Project resolution.



Ernie Garza  
Director of Public Works

**REVIEWED/CONCUR:**



Michael E. Holland  
City Manager

**RESOLUTION NO. 2008-**

**A RESOLUTION APPROVING THE PIONEER PARK REHABILITATION PROJECT AND AUTHORIZING JOHN FANTAZIA AS MAYOR, AND MICHAEL E. HOLLAND, AS CITY CLERK TO RECORD A NOTICE OF COMPLETION**

WHEREAS, on the 2<sup>nd</sup> day of July, 2007, agreements were entered into between the CITY OF NEWMAN, hereinafter referred to as "CITY", and PERMA-GREEN HYDROSEEDING, INC., hereinafter referred to as "CONTRACTOR" for the making of certain improvements in the City of Newman, County of Stanislaus, State of California, known as the PIONEER PARK REHABILITATION PROJECT; and

WHEREAS, the improvement security referred to in said agreement was duly executed and filed by Contractor;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newman as follows:

1. That the improvements referred to in said agreement and the maps and other matters referred to therein be, and the same hereby are, approved and accepted.

2. That John Fantazia, as Mayor and Michael E. Holland as City Clerk, are hereby authorized and directed to execute and record a Notice Of Completion of said improvements.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 26th day of August, 2008 by Council Member \_\_\_\_\_, who moved its adoption, which motion was duly seconded and it was upon roll call carried and the resolution adopted by the following roll call vote:

AYES:  
NOES:  
ABSENT:

APPROVED:

\_\_\_\_\_  
John G. Fantazia, Mayor

ATTEST:

\_\_\_\_\_  
Michael E. Holland, City Clerk

I hereby certify that the foregoing resolution is a full, correct and true copy of a resolution passed by the City Council of the City of Newman, a municipal corporation of the County of Stanislaus, State of California, at a regular meeting held on August 26, 2008 and I further certify that said resolution is in full force and effect and has never been rescinded or modified.

DATED:

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City Clerk

**NOTICE OF COMPLETION**

NOTICE IS HEREBY GIVEN that the City of Newman, a Municipal Corporation of the County of Stanislaus, State of California, entered into an Agreement dated July 2, 2007 with Perma-Green Hydroseeding, Inc., 8881 Muraoka Drive, Gilroy, CA 95020 for the installation and construction of restrooms for the Pioneer Park Rehabilitation Project in the City of Newman.

Construction of the above improvements was actually completed by the contractor, Perma-Green Hydroseeding, Inc. on August 6, 2008 and accepted by the City Council of the City of Newman at their regular meeting held on the 26th day of August, 2008.

DATED:

CITY OF NEWMAN

By \_\_\_\_\_  
John G. Fantazia, Mayor

STATE OF CALIFORNIA )  
                                  )  
COUNTY OF STANISLAUS)

I, JOHN G. FANTAZIA being the first duly sworn, deposes and says:

That he is the Mayor of the City of Newman, a Municipal Corporation, that contracted for the performance of the project mentioned in the foregoing Notice; that he has read the same and knows the contents thereof, and that the facts stated therein are true.

\_\_\_\_\_  
John G. Fantazia, Mayor

Subscribed and sworn to before me  
this \_\_\_\_\_ day of \_\_\_\_\_ 2008.

\_\_\_\_\_  
Notary Public

Honorable Mayor and Members  
of the Newman City Council

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

**ADOPT RESOLUTION NO. 2008-XX, APPROVING THE SUBMITTAL OF  
APPLICATIONS, ACCEPTANCE OF AN ALLOCATION OF FUNDS, AND  
EXECUTION OF A GRANT AGREEMENT WITH THE STATE OF  
CALIFORNIA FOR FUNDING OF TRANSPORTATION ENHANCEMENT  
ACTIVITIES (TEA) PROJECTS**

**RECOMMENDATION:**

It is recommended that the Newman City Council approve Resolution No. 2008-XX.

**BACKGROUND:**

At their regular council meeting of November 23, 2004, the Newman City Council adopted Resolution No. 2004-55 which authorized staff to submit an application and enter into a grant agreement with Caltrans to obtain funding for the Plaza Project. The City was required to provide match monies in the amount of \$129,136.

**ANALYSIS:**

As we continue moving forward with the project application, required documentation and the signing of the grant agreement, the State of California is now requiring a new Resolution that reflects the assurance of monies for the completion of the project. The local matching fund amount required is \$1,524,685.

**FISCAL IMPACT:**

\$1,524,685.00 in Redevelopment Agency Fund

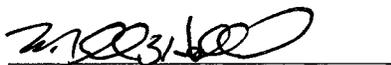
**CONCLUSION:**

This item is submitted for possible city council action.



Ernie Garza  
Director of Public Works

**REVIEWED/CONCUR:**



Michael E. Holland  
City Manager

**RESOLUTION NO. 2008-**

**A RESOLUTION APPROVING THE SUBMITTAL OF APPLICATIONS, ACCEPTANCE OF AN ALLOCATION OF FUNDS, AND EXECUTION OF A GRANT AGREEMENT WITH THE STATE OF CALIFORNIA FOR FUNDING OF TRANSPORTATION ENHANCEMENT ACTIVITIES (TEA) PROJECTS**

WHEREAS, the City of Newman has a desire to submit applications for the funding under Transportation Enhancement Activities (TEA) program; and

WHEREAS, the Department of Transportation (Caltrans) requires certain documents, assurances and statements signed in a timely manner by an Administering Agency Representative to receive funding; and

WHEREAS, the amount of local matching funds in the amount of \$1,524,685 are available in the Redevelopment Agency Fund.

NOW, THEREFORE, BE IT RESOLVED THAT THE City Council of the City of Newman does hereby:

1. Authorize filing the application for Transportation Enhancement Activities (TEA) program; and
2. Authorize accepting the allocation of funds for the subject grant program; and
3. Authorize the execution of the Grant Agreements.

BE IT FURTHER RESOLVED, that the City Manager or his representative is hereby authorized to sign all documents, assurances and statements in connection therewith for and on behalf of the City of Newman.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Newman this 26<sup>th</sup> day of August, 2008, by the following vote:

AYES:  
NOES:  
ABSENT:

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Deputy City Clerk

Honorable Mayor and Members  
of the Newman City Council

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

**CONSIDER APPROVAL OF THE CONSOLIDATED ANNUAL PERFORMANCE AND  
EVALUATION REPORT (CAPER) RELATING TO ITS FY 2007-2008 PAST ACTIVITY  
AND OPEN PUBLIC COMMENT PERIOD**

**RECOMMENDATION:**

1. Approval of the Draft Consolidated Annual Performance Evaluation report (CAPER) for the Community Development Block Grant (CDBG) Program.
2. Release draft plan for the required 14 day public comment period
3. Set public hearing for September 9, 2008 at 7:00 pm or thereafter to close public comment period and consider approval of the Draft Consolidated Annual Performance Evaluation report (CAPER).

**BACKGROUND:**

Whenever a jurisdiction participates in the Community Development Block Grant (CDBG) Entitlement program, a Consolidated Annual Performance Evaluation Report (CAPER), must be prepared, made available for a fourteen day review period and submitted to the Department of Housing and Urban Development (HUD). This guideline also requires a public hearing. The public hearing will be held to solicit comments relative to the implementation and performance of the jurisdiction's Consolidated Plan and Annual Action Plans.

The CAPER consists of a number of discussion points which describe the outcomes of the Block Grant program for the previous fiscal year. The first part concerns the accomplishments of the jurisdictions participating in the Stanislaus County Community Development Block Grant Program Consortium for FY 2007-2008. The second part of the narrative is the assessment of the five-year objectives of the Stanislaus County 2007-2011 Consolidated Plan and the activities for FY 2007-2008. The third part of the narrative consists of general HUD reporting requirements.

The City of Newman is part of a six-member CDBG/ESG consortium with Stanislaus County as the lead agency. Of the \$2,545,900.00 that the consortium received in FY 2007/2008, the City of Newman was allocated \$286,148.00. All remaining funds are carried forward to FY 2008-2009 to be budgeted for similar activities.

The CAPER assesses the progress of the consortium and its members in its implementation of projects and programs listed and described in the Consolidated Plan. An excerpted copy of the CAPER is attached for your review.

**ANALYSIS:**

Consider adoption of the Consolidated Annual Performance and Evaluation Report (CAPER) relating to its FY 2007/2008 past activity; \$2.545 million Community Development Block Grant and \$109,700.00 Emergency Shelter Grant and Open Public Comment period.

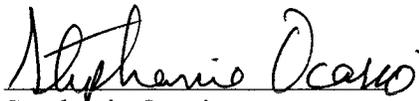
**FISCAL IMPACT:**

Positive, the City of Newman was allocated \$286,148.00 in fiscal year 2007-2008.

**CONCLUSION:**

Staff recommends the Council consider approval of the Stanislaus County Draft Consolidated Annual Performance Evaluation report (CAPER)

Respectfully submitted,



Stephanie Ocasio  
Assistant Planner

**REVIEWED/CONCUR**



Michael Holland  
City Manager

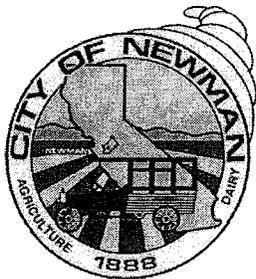
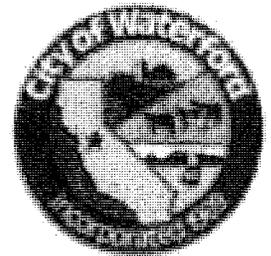
# Community Development Block Grant Consortium



## Consolidated Annual Performance Evaluation Report Fiscal Year 2007-2008

Prepared by the Stanislaus County Planning and Community Development Department 1010 10<sup>th</sup>

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Modesto CA, 95354  
209.525.6330



AUGUST 2008

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## First Program Year CAPER

The CPMP First Consolidated Annual Performance and Evaluation Report includes Narrative Responses to CAPER questions that CDBG, HOME, HOPWA, and ESG grantees must respond to each year in order to be compliant with the Consolidated Planning Regulations.

The grantee must submit an updated Financial Summary Report (PR26).

### **GENERAL Executive Summary**

Stanislaus County annually receives Community Development Block Grant (CDBG) funds from the U.S. Department of Housing and Urban Development (HUD). In 2002, Stanislaus County formed the Stanislaus County Community Development Block Grant Program Consortium, which now includes the Cities of Ceres, Newman, Oakdale, Patterson, and Waterford. HUD requires Stanislaus County to prepare and submit either a three or five-year Consolidated Plan and Annual Action Plans as applications for these funds. The County also prepares this Consolidated Annual Performance and Evaluation Report (CAPER) annually to present the progress made in accomplishing goals set forth in the Consolidated Plan and Annual Action Plan for the Community Development Block Grant (CDBG) Program, and the Emergency Shelter Grant (ESG) Program. This report is for the Fiscal Year beginning July 1, 2007, and ending June 30, 2008.

The CAPER consists of a narrative and a number of statistical references. The narrative is divided into the following parts: accomplishments of the jurisdictions in the Stanislaus County Community Development Block Grant Program Consortium for the FY 2007-08; a summary of accomplishments for the non-profit agencies that were awarded a grant under the Stanislaus County Public Service Grant program during FY 2007-08; assessment of the five-year objectives of the Stanislaus County Consolidated Plan 2007-2011 and the activities for FY 2007-08; finally, the narrative consists of general reporting requirements, which includes a CDBG and ESG Financial Summary.

Stanislaus County is a partner in the City of Turlock/Stanislaus County HOME Consortium, which includes the Cities of Oakdale, Patterson, Ceres, Newman, and Waterford. As the lead agency, the City of Turlock administers the HOME program for the County and reports the partnering jurisdictions' activities in the HOME Consortium's CAPER.

## General Questions

1. Assessment of the one-year goals and objectives:
  - a. Describe the accomplishments in attaining the goals and objectives for the reporting period.
  - b. Provide a breakdown of the CPD formula grant funds spent on grant activities for each goal and objective.
  - c. If applicable, explain why progress was not made towards meeting the goals and objectives.

## SUMMARY OF CDBG PROGRAM ACCOMPLISHMENTS

A summary of the accomplishments per jurisdiction for the Community Development Block Grant Consortium is contained in this section of the CAPER. All projects included in the 2007-08 Annual Plan were scheduled for implementation during that fiscal year. However, there were some projects (e.g. extensive infrastructure) that require funding from multiple years in order for completion. Preliminary work was begun in the year that the projects were initially funded.

### A. STANISLAUS COUNTY

#### Fair Housing Program

**\$40,000.00**      *Funds Budgeted*  
**\$39,235.61**      *Funds Expended*

**Project # SC-07-02**



Stanislaus County contracted with Project Sentinel to provide fair housing services that enabled and empowered members of the community to have open and informed housing opportunities and to overcome housing discrimination. This is accomplished by in-depth conciliation/mediation, and when necessary, litigation. The main objective of the agency is to raise the level of awareness of fair housing rights and responsibilities among home seekers, owners, managers, and the general public.

During the fiscal year, Project Sentinel provided information and referral services to 225 individuals. The agency provided fair housing investigation services to 24 documented, valid housing complaints/audits. These services included testing, canvassing, statistical analysis, witness interviews and counseling. Of the 24 cases that were opened, twelve were handicap/disability; three were national origin; two were race; two were familial status; one was age; one was sexual harassment; one was gender; one was source of income; and one was arbitrary.

Additional activity included consultation and education to 83 landlord/tenant dispute cases. In addition, 36 Fair Housing presentations were conducted to client groups or other agencies. Tester training and recruitment was conducted throughout the year as needed. Also, throughout the year, the agency attended and participated in numerous community activities, meetings, and presentations where 6,510 educational materials, fair housing literature, agency flyers, or business cards were distributed to the attendees or left at sites for public display.

**Planning and Project Administration**

***\$339,520.00 Funds Budgeted***  
***\$226,972.06 Funds Expended***

**Project # SC-07-01**

CDBG funds were used to pay for administration costs for staff involved with the program. Time that is devoted to the implementation or project planning by the jurisdictions and public agencies on behalf of the CDBG program are eligible for reimbursement. Any remaining funds will be used for the pre-development of Empire's Infrastructure project.

**Empire Infrastructure Project**

***\$488,135.00 Funds Budgeted***  
***\$461,528.27 Funds Expended***

**Project # SC-06-03**

Design phase for Empire Infrastructure (Storm Drainage) generally bounded by "A" Street to the West, McCoy Avenue to the North, North & South Avenue to the East, and South Avenue to the South.

**Stanislaus County Workforce Development Program**

***\$20,000.00 Funds Budgeted***  
***\$20,000.00 Funds Expended***

**Project # SC-07-03**

This program provided job and career development opportunities to the under-served in the community. The Targeted Technology Training Program (T3) conducted training sessions 2-3 times weekly throughout the low-income areas of the community, such as the Santa Fe and Redwood Family Center low-income project areas. Last fiscal year the program

served 227 individuals. This benchmark was surpassed during this fiscal year by serving a total of 484 individuals.

## **B. CITY OF OAKDALE**

### **Gilbert Infrastructure Project**

**\$244,410.00 Funds Budgeted**

**Project # OA-06-02**

**\$389,690.18 Funds Expended (includes previous FY funds)**

The CDBG funds for this project were used for infrastructure improvements in low and moderate-income neighborhoods of Oakdale. The 2006-07 allocation was carried over and used to help fund the replacement of sewer and water lines, replace curb and gutter, and repave streets on East H Street between Gilbert and Church Avenue. City staffing shortages caused delays in project progression, but the project was completed this fiscal year. County Staff's direct assistance to the city expedited project progression and completion.



### **Housing Rehabilitation Program**

**No FY 2007-2008 Funds Budgeted**

**Project # OA-05-02**

**\$429,440.46**

**Funds Expended (previous FY funds)**

Housing rehabilitation funds were awarded to the Housing Authority as a loan to assist the 26-unit Housing Authority complex on the corners of 9<sup>th</sup> and 10<sup>th</sup> Streets to assist with interior repairs. These units are 50 years old and have had little if any interior repairs since they were originally constructed. The repairs are to include replacement of deteriorated flooring, lighting, windows, and some kitchen improvements and asbestos testing. Building permits were issued in November and the contractor is currently working on the second set of four units. Asbestos abatement has also been addressed to meet environmental requirements.

**First Time Homebuyer Program**

**No FY 2007-2008 Funds Budgeted                      Project # OA-06  
\$100,000.00 Funds Expended (CDBG reimbursement- RDA)**

The City of Oakdale was required to reimburse HUD for funds that were used for Oakdale High gymnasium improvements that were later determined to be ineligible. These funds were then utilized for eligible first time homebuyer (FTHB) down payment assistance. During this FY the city was able to assist two (2) families to become FTHB's.

**Project Administration**

**\$21,253.00              Funds Budgeted                      Project # OA-07-01  
\$21,253.00              Funds Expended**

City staff tracks the time spent for project administration. The City maintains records of time spent by staff in the implementation of its identified projects and programs. The staff involved is the Community Development Director, Associate Planner, Executive Secretary and Administrative Clerk.

**C. CITY OF PATTERSON**

**Third Street Infrastructure Project                      Project # PA-06-02**

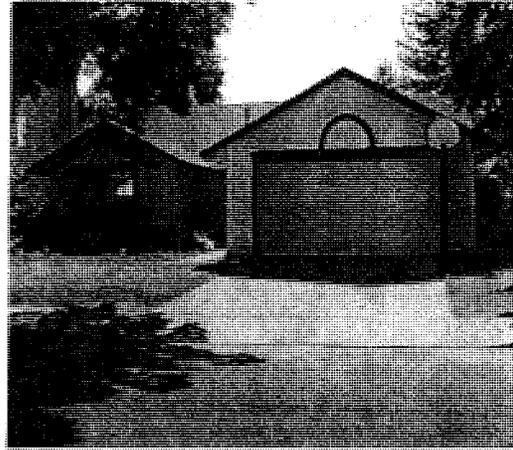
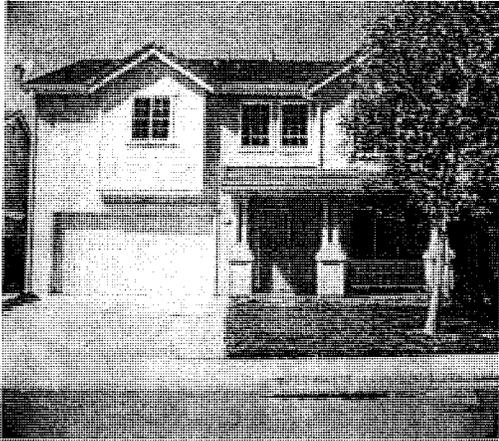
**\$240,210.00              Funds Budgeted  
No FY 2007-2008 Funds Expended**

The City will undertake construction of the second phase of the infrastructure project, which consists of the replacement of 6 and 8-inch sewer lines in a low-income area. This project will be conducted in several phases. Phase one has been completed and the second phase will begin prior to the rainy season.

**First Time Home Buyer Program**

**No FY 2007-2008 Funds Budgeted                      Project # PA-06  
\$42,711.00              Funds Expended (from previous FY funds)**

These funds were utilized for eligible first time homebuyer (FTHB) down payment assistance. During this FY the city was able to assist two families become FTHB's. Two families were successfully assisted in the purchase of their first home.



**Project Administration**

**\$26,690.00 Funds Budgeted**  
**\$21,929.95 Funds Expended**

**Project # PA-07-01**

This expenditure includes costs associated with general management, oversight, and coordination of the CDBG and HOME program. City staff track the time spent for project administration. Remaining funds will be rolled over into Patterson's FY 2008-2009 Infrastructure project.

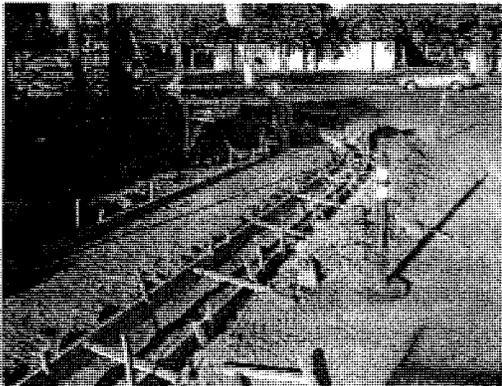
**D. CITY OF CERES**

**Richland/Richard Infrastructure Project**

**\$282,713.00 Funds Budgeted**  
**\$246,696.32 Funds Expended**

**Project # CE-06-02**

The CDBG funds were used for infrastructure improvements in the eligible area of Richland Avenue and Richard Way, which included work on the sidewalk and ADA ramps in the low-moderate income eligible area. During FY 2007-2008 County Staff was able to directly assist the city to expedite project progression and completion. This project will ultimately serve approximately 3,900 individuals.



**Project Administration**

**\$31,376.00 Funds Budgeted**  
**\$ 5,519.25 Funds Expended**

**Project # CE-07-01**

This expenditure includes costs associated with general management, oversight, and coordination of the CDBG and HOME program. City staff track the time spent for project administration. Remaining funds will be rolled over into Ceres' FY 2008-2009 Infrastructure project.

**E. CITY OF NEWMAN**

**Project Administration**

**\$28,582.00 Funds Budgeted**  
**\$ 9,525.23 Funds Expended**

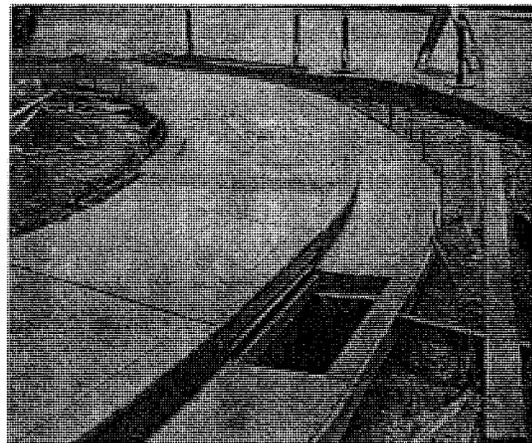
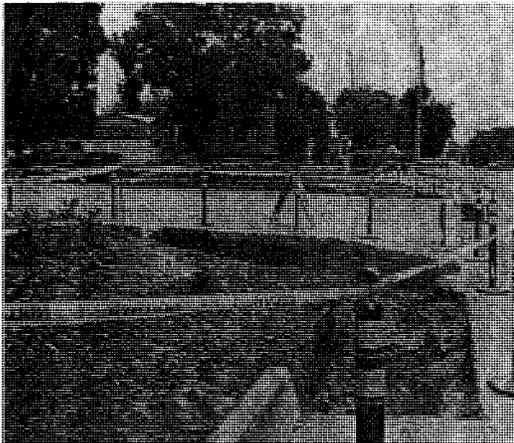
**Project # NE-07-01**

This expenditure includes costs associated with general management, oversight, and coordination of the CDBG and HOME program. City staff track the time spent for project administration. Remaining funds will be rolled over into Newman's FY 2008-2009 Infrastructure project.

**Water/Sewer Line Infrastructure Project Project # NE-06-02**

**\$257,566.00 Funds Budgeted**  
**\$ 85,693.12 Funds Expended**

Newman has completed the engineering and design portion of the second phase of the project.



**F. CITY OF WATERFORD**

**Project Administration**

**Project # WA-07-01**

**\$21,608.00 Funds Budgeted**  
**\$21,608.00 Funds Expended**

This expenditure includes costs associated with general management, oversight, and coordination of the CDBG and HOME program. City staff track the time spent for project administration. Staff also utilized time to provide verification of project eligibility for the Skyline Park Project.

**Skyline Infrastructure Project**

**Project # WA-07-02**

**\$248,496.00 Funds Budgeted**  
**\$ 0.00 Funds Expended**

Since, the City of Waterford no longer has any complete census tracts that contain enough low/moderate individuals to automatically qualify for CDBG funded projects, the City contracted with a consultant firm to perform income and housing surveys to document City areas that will qualify for this assistance. An initial survey was completed, and it was determined that the Skyline Infrastructure project will meet the eligibility criteria. Based upon this response this project will be completed during fiscal year 2008-2009.

**City of Waterford Infrastructure Project** **Project # WA-06**

**No FY 2007-2008 Funds Budgeted**  
**\$408,580.73 Funds Expended (from previous FY funds)**

The City of Waterford completed this infrastructure projected during last rainy season. Delays related to items such as utility relocation were addressed. The CDBG funds for this project were used for infrastructure improvements in low and moderate-income neighborhoods of Oakdale. The 2005-07 allocation was carried over and used to help fund the replacement of curb and gutter, and repave streets in the area bounded by Yosemite Blvd., Tim Bell Rd., Bonnie Brae Ave., Oden Dr., Summers St., and Kadota Avenue. City staffing shortages caused delays in project progression, but the project was completed this fiscal year. County Staff's direct assistance to the city expedited project progression and completion.

**Salvation Army**  
**Winter Shelter Roof Repair**

**Project # ESG-07-06**

**\$27,210.00**      ***Funds Budgeted***  
**\$19,603.00**      ***Funds Expended***

The Salvation Army utilized ESG funds to help leverage the rehabilitation of the 9<sup>th</sup> Street Winter Homeless Shelter in Modesto. Salvation Army served a total of 780 unduplicated individuals in FY 2007-2008.

***COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM***

Stanislaus County completed its sixth year as a U.S. Department of Housing and Urban Development (HUD) entitlement community in FY 2007-08. The County is classified as an Urban County jurisdiction and is comprised of the unincorporated County and the Cities of Ceres, Hughson, Newman, Oakdale, Patterson, Riverbank, and Waterford. However, only the County and the Cities of Ceres, Newman, Oakdale, Patterson, and Waterford are currently participating in the Community Development Block Grant Program (CDBG) and Emergency Shelter Grant (ESG) Program entitlement funding. Each year the Urban County jurisdictions receive a formula-based allocation of HUD program resources. These resources are then internally allocated to each of the participating Urban County jurisdictions to use within their communities to address community development needs identified in the Consortium's Consolidated Plan.

Title I of the National Affordable Housing ACT (NAHA) of 1990 established the requirement that states and local governments that apply for direct assistance under certain HUD programs have a Consolidated Plan that has been approved by HUD. The federal requirements call for a three to five-year Consolidated Plan with annual updates. Pursuant to these requirements, the County of Stanislaus adopted a Consolidated Plan for program years 2007-2011.

During the preparation of the Five-Year Consolidated Plan, the County and its participating jurisdictions identified local housing and community development needs. These needs were then prioritized with the intention that programs would be designed and funded to address these identified needs.

**Available Resources/Use of Funds**

During FY 2007-08 the County administered its CDBG entitlement grant of \$2,655,600.00. The total expenditure of the CDBG program for FY 2007-08 program, including carryover from previous years, was \$2,960,126.88 (See Table 1, below). The total expenditure for the CDBG and ESG program is in the last section of the CAPER.

CDBG funds for the FY 2007-08 that were not expended will be carried over into the next fiscal year and remain within their respective project. Unexpended funds from the County Public Service Grant program and the Program Administration will be re-allocated into the existing Empire Infrastructure Project, for FY 2008-09. The City of Ceres, Newman, Oakdale, Patterson, and Waterford will also re-allocate any program administration funds into their respective CDBG Infrastructure projects for the next fiscal year.

### CDBG & ESG Allocations

The following chart provides information on the FY 2007-08 annual allocations and carry-over amounts per jurisdiction:

Table 1- HUD Entitlement Allocations

<b>Jurisdiction</b>	<b>CDBG</b>	<b>Carry-Over*</b>	<b>Funds Expended</b>	<b>Total Balance**</b>
Stanislaus County	\$827,655.00	\$341,715.74	-\$688,500.33	\$480,870.41
City of Oakdale	\$265,663.00	\$1,060,535.40	-\$940,383.64	\$385,814.76
City of Patterson	\$266,901.00	\$278,183.81	-\$64,640.95	\$609,725.76
CDBG Public Services	\$255,340.00	\$0.00	-\$230,161.52	\$25,177.47***
City of Ceres	\$314,089.00	\$335,009.06	-\$252,215.57	\$396,882.49
City of Newman	\$286,148.00	\$291,381.64	-\$185,928.32	\$391,601.32
City of Waterford	\$270,104.00	\$408,581.73	-\$430,188.73	\$248,497.00
Special Programs	Allocation	Carry-Over*	Funds Expended	Total Balance**
Workforce Development	\$20,000.00	\$20,000.00	-\$40,000.00	\$0.00
Fair Housing	\$40,000.00	\$0.00	-\$39,235.61	\$764.39***
ESG Public Services	\$109,700.00	\$5,894.47	-\$88,872.21	\$26,722.26
<b>TOTAL</b>	<b>\$2,655,600.00</b>	<b>\$2,741,291.85</b>	<b>-\$2,960,126.88</b>	<b>\$2,566,055.80</b>

\*Carry over from previous years, \*\* Carry over for FY 2007-2008 \*\*\* Carry over to Empire Infrastructure Project

The carry-over for the HOME program is determined by the Integrated Disbursement Information System (IDIS) reports that are generated by the City of Turlock, which is the County's HOME Consortium lead agency.

The third column indicates the carry over from years prior to FY 2007-08 that was re-allocated into eligible 2007-08 fiscal year projects. Funds expended by all jurisdictions and the public services grant program during the FY 2007-08 are noted in the fourth column. The fifth column presents the balance for the CDBG and ESG programs that will be carried over into eligible FY 2008-09 projects.

Stanislaus County and the Cities of Ceres, Newman, Oakdale, Patterson, and Waterford programmed their CDBG funds according to the priorities, needs, goals and objectives of the Consolidated Plan. Various infrastructure projects and a housing rehabilitation program have contributed to the revitalization of low-income neighborhoods. Stanislaus County has had another successful year with its Public Service Grant program, and the Fair Housing program with Project Sentinel.

**2. Describe the manner in which the recipient would change its program as a result of its experiences.**

The major obstacle for the CDBG program this fiscal year was a shortage of staff. As a result, Stanislaus County is in the process of recruiting to fill a vacant position that will enable the program to run more efficiently in the coming fiscal year. Staff also recommends reducing monitoring requirements for certain public service (non-profit) providers that have traditionally been funded and continue to score as "high-performers" during the grant monitoring process, down to bi-annual monitoring visits as opposed to quarterly monitoring visits.

**3. Affirmatively Furthering Fair Housing:**

**A. Provide a summary of impediments to fair housing choice.**

The following are affordable housing barriers that have been identified:

**Availability of Land:** The amount of land zoned for residential development is minimal within Stanislaus County. There are some areas that are vacant, but lack the sewer and water infrastructure that is necessary for any type of dense development to occur. Affordable housing development is encouraged to occur within the cities of Stanislaus County as they have the infrastructure available to support the development of housing.

**Wages:** There is a jobs and housing imbalance in Stanislaus County. The average wage earned in Stanislaus County by a resident of Stanislaus County is not sufficient to afford a home in Stanislaus County. According to a study by the Center for Housing Policy released on January 2008, homebuyers must earn approximately \$98,000 to afford an average priced home in Stanislaus County, based on 2007 third quarter home sales and wage data.

Efforts are being made by the Economic Development Action Committee (EDAC) to update the Comprehensive Economic Development Strategy (CEDS) through the efforts of staff and the partnering cities. Now that this document has been approved by the state, the Economic Development Agency (EDA) is hopefully to fund a number of projects that will cause economic stimulus to occur through the development of livable wage jobs to offset the current worker to available jobs imbalance.

**Limited Resources:** Although there is an array of funding resources available to agencies and individuals, the need outweighs the actual funding available. In Stanislaus County there are first time homebuyer assistance programs available in cities and unincorporated areas of the county. One challenge with the existing program is that the income limits for these programs do not relate realistically to the economy of the area. This combined with the foreclosure crisis and the devaluation of available housing stock has outstripped the funds we have available, causing the Planning Department to begin a waitlist.

**NIMBY (Not In My Back Yard):** NIMBY is the most complex of all the affordable housing barriers because it is based on human judgment. NIMBY is a philosophy that is adopted by those neighboring a proposed affordable housing development and their refusal to accept the development. Education and outreach are the main tools for combating these obstacles.

## **B. Fair Housing**

Stanislaus County has a consistent Fair Housing program that is administered by Project Sentinel. The objectives of this program are to increase the level of public awareness concerning fair housing laws and to provide services to help residents resolve housing discrimination problems. This is accomplished through in-depth investigations, networking, outreach, education, conciliation/mediation and when necessary, litigation. In hopes that this will help further fair housing awareness and education, the County has an agreement with Project Sentinel to provide services for the unincorporated areas of the County and the Cities of Ceres, Newman, Oakdale, Patterson and Waterford.

During FY 2007-08, \$39,235.61 was expended to provide fair housing services to the above-mentioned areas. The following activities were conducted by Project Sentinel in the area of Fair Housing:

1. Project Sentinel has helped to strengthen and establish new relationships with multiple local non-profit agencies and to further expand the availability of fair housing services for hard-to-reach residents.
2. Project Sentinel has met their goal of expanding their services throughout Stanislaus County, which has been previously limited to only two cities in the County. The agency conducted several owner/manager-training sessions on educating housing providers in their responsibilities and rights in establishing fair access to housing in Ceres, Newman, Oakdale, Patterson, and Waterford and the unincorporated areas of Stanislaus County. Fair housing literature, such as brochures and flyers on housing discrimination and fair housing rights, was also distributed throughout the County.
3. Project Sentinel conducted mobile home park testing throughout the unincorporated areas of the county to examine the quality of the existing structures.
4. Project Sentinel also provided Fair Housing information in Ceres, Newman, Oakdale, Patterson, and Waterford and the unincorporated areas in both English and Spanish at community forums, collaborative meetings and in partnership with other non-profits and city and county departments.
5. In addition, the agency conducted an education/outreach campaign that included the use of mass media; radio, TV Public Service Announcements, newspaper ads, transit posters and billboards. An agency website is maintained at [www.housing.org](http://www.housing.org) that provides fair housing education.

In 2005, an Analysis of Impediments to Fair Housing (AI) was completed. This analysis reviewed a broad array of public and private practices and policies. These included land use, zoning, lending, complaint referrals, advertising, and housing affordability. Local fair housing case activity was evaluated for capacity and impact. Demographic information such as income, housing stock and the geographic concentration of ethnic groups was reviewed.

The report identified affordability and the need to educate program and managerial staff at social service and government offices how to identify a fair housing complaint and how to make appropriate referrals to combat the primary impediments to fair housing. Through the services provided by Project Sentinel, the County has taken steps to educate not only the public, but also staff on fair housing laws, procedures and regulations.

income eligible and the home be located in the unincorporated area of the County. The County was able to assist five (5) households during the last fiscal year.

5. The County partners with the cities in new housing projects by deferring the collection of its Public Facilities Fees.
6. The City of Oakdale funds a down payment assistance program for income eligible households. The City provides up to \$50,000 in assistance to first time homebuyers for homes in the City of Oakdale. The program consists of a 3% loan that is due after 30 years or when the property is first sold or the deed is transferred. This program was able to assist two (2) families during the fiscal year.
7. The City of Oakdale also offers a Housing Rehabilitation Program to income eligible residents. A loan of \$45,000-60,000 is available for qualifying seniors. Very low-income households are offered a loan at 0%, and low and moderate income households can qualify for a deferred payment loan at 3% that is due and payable after 20 years.
8. During the last fiscal year, the City of Patterson began a Down Payment Assistance program for income eligible households. The City will provide up to \$100,000 in loan assistance to residents that qualify to purchase a home within the city limits. The program assisted two (2) eligible families.

**4. Describe Other Actions in Strategic Plan or Action Plan taken to address obstacles to meeting underserved needs.**

**Under-Served Needs**

***Community Development Block Grant (CDBG) funds***

During FY 2007-08, the Consortium set-aside approximately 10% of its CDBG funds for the Public Service Grant program which funded fifteen (15) grantees to serve the very low and low-income residents of Stanislaus County. This funding assisted in expanding services to the under served in Stanislaus County. The County CDBG grantees were able to expand their services into the unincorporated areas and Ceres, Newman, Oakdale, Patterson, and Waterford. These areas had been previously neglected due to a lack of funding. Through the Public Service Grant program, the County was able to fund the Disability Resource Agency for Independent Living (DRAIL), a non-profit dedicated to serve the needs of adults and youth with disabilities to expand its Assistive Technology program. County was also able to fund the Westside Food Pantry and Inter-Faith Ministries that both provide emergency food assistance to needy families throughout the west side of the County. For more information on other grantees and their accomplishments with CDBG funding see Section II of the CAPER.

- Track grantee's progress in fulfilling its goals and objectives set forth in The Plan measured with established guidelines to assure that the program remains on task. Additionally, with data collected by the grantee during monitoring visits and ultimately entered into the IDIS system, this program is capable of presenting the data to defend its progression towards accomplishment of its goals and objectives set forth in The Plan. On a semi-annual basis this information is compiled and compared with the goals and objectives in The Plan. If this information reflects the accomplishments set forth in The Plan, the programs will proceed as planned. If this information falls short of the goals set forth, appropriate adjustments will be made and notification sent to the respective sub-recipients to be cognizant of their need to meet certain milestones and timeliness requirements to assure receipt of expected funds for their respective programs.

The coordinated monitoring process has been established to verify and confirm that grant funds have been used in an eligible and appropriate manner for each and every program funded with CDBG, HOME, and ESG funds.

## **Citizen Participation**

### **1. Provide a summary of citizen comments.**

In order to elicit public participation in the preparation of the Draft CAPER, public notices were published defining the process and how persons, agencies and interested groups could participate. This year the County was able to post announcements regarding the CDBG program on the Planning and Community Development internet homepage, which facilitated the receipt of citizen input online. A series of public meetings were held in August 2008 to discuss the preparation of the Draft CAPER. These included:

<u>JURISDICTION</u>	<u>DATE</u>	<u>TIME</u>	<u>LOCATION</u>
		<u>County/Cities</u>	
City of Newman	July 29, 2008	5:15 pm	1200 Main St, Newman
City of Waterford	August 5, 2008	5:30 pm	540 C St, Waterford
City of Ceres	August 6, 2008	6:00 pm	2210 Magnolia St, Ceres
City of Oakdale	August 12, 2008	5:30 pm	122 S. 2 <sup>nd</sup> Ave, Oakdale
City of Patterson	August 12, 2008	6:00 pm	118 N. 2 <sup>nd</sup> St, Patterson
Stanislaus County	August 18, 2008	10am/6:00pm	1010 Tenth St Place, Modesto
		<u>Municipal Advisory Councils</u>	
Denair	August 5, 2008	7:00 pm	3756 Alameda, Denair
Hickman	August 7, 2008	7:00 pm	13306 4 <sup>th</sup> St, Hickman
Empire	August 11, 2008	7:00 pm	18 S. Abbie, Empire
South Modesto	August 14, 2008	6:00 pm	3800 Cornucopia Way, Modesto
Keyes	August 21, 2008	7:00 pm	5463 7 <sup>th</sup> St. Keyes
Salida	August 26, 2008	7:00 pm	4835 Sisk Rd, Salida

Public meetings were held in each of the participating Urban County jurisdictions.

The availability of the Draft CAPER for public review and comment was noticed through newspaper announcements. The Draft CAPER was released for its official public review and comment on August 26, 2008.

Copies of the Draft CAPER were made available for review at the County Planning and Community Development Department, the Planning Departments of the Cities of Ceres, Newman, Oakdale, Patterson, and Waterford and the Stanislaus County Main Library. The Draft CAPER was also taken to the city councils of Ceres, Oakdale, Newman, Patterson, and Waterford for review. A final public hearing will be held September 23, 2008 before the Stanislaus County Board of Supervisors.

The Planning and Community Development Department considered any oral and written public comments received in preparing and revising the Draft CAPER. A summary of responses to public comments on the review of the Draft CAPER is included herein and entitled Summary of Citizen Comments. Opportunities were facilitated and or to the extent it was received, Testimony given during public meetings and hearings from interested persons and agencies was considered during the Draft CAPER revision process.

## **SUMMARY OF CITIZEN COMMENTS**

### **Stanislaus County**

On August 18, 2008 the County held a morning and evening meeting for the public regarding the content of the Draft CAPER.

No comments were received

### **City of Ceres**

A community meeting was held on August 5, 2008.

No comments were received.

### **City of Newman**

A community meeting was held on July 29, 2008

No Comments were received.

### **City of Oakdale**

A community meeting was held on August 12, 2008

No Comments were received.

### **City of Patterson**

A community meeting was held on August 12, 2008

No comments were received.

### **City of Waterford**

A community meeting was held on August 5, 2008

No Comments were received.

facility was able to serve approximately sixty (60) people per night at the homeless shelter. An interest to create a permanent shelter for the homeless in the City of Turlock has been on-going and will continue to be one of the goals supported by the County. There are efforts currently underway by the Turlock Community Collaborative to establish a homeless shelter for that community utilizing Redevelopment, HOME, CDBG, and ESG funds.

Through the Public Service Grant and Emergency Shelter Grant program, the County was able to fund a transitional housing program and a winter homeless shelter through Inter-Faith Ministries. The Santa Fe Project, a homeless shelter that operates during the winter was able to assist 31 families for a total of 121 individuals during FY 2007-08. Another program, "Redwood Family Center", shelters homeless women and children and assists them with rehabilitation and permanent housing. During Program Year 2007-2008, the program assisted 300 individuals.

Both the City of Modesto and the City of Turlock in collaboration with the County of Stanislaus, plan to have a permanent Homeless Day Facility and Shelter within their communities. Currently Turlock's facility is considered temporary in nature, but Salvation Army now has ownership of their facility and has a permanent day facility and shelter in place.

*Homeless Strategic Plan/HMIS Project:* The project will enter its fourth year of operation. In its initial year the Collaborative used ServicePoint Software on a regional basis with both Fresno and Madera Counties and collected data from all County ESG participants along with the Housing Authority's Shelter Plus Care program. Due to increased software agreement costs the Stanislaus County Housing and Support Services Collaborative applied for assistance through the SuperNOFA-SHP funds and was awarded a two-year contract. Data input began during the 2005-2006 fiscal year for all County ESG Grantees, and Housing Authority Homeless Related Programs (SPC). During this fiscal year City of Modesto ESG participants began to participate in making it a more comprehensive homeless data collection system.

*10 Year Plan to End Homeless- Stanislaus Housing & Supportive Services Collaborative:* The Collaborative has approved the final draft of the 10 Year Plan to End Long-Term Homelessness and it was also presented to the Turlock Collaborative during FY 2005-2006 for review and approval. The review committee made final changes and has taken the document to the Stanislaus County Board of Supervisors, the City Council of Modesto, and all participating Consortia City Councils within the County's CDBG Consortium (Ceres, Newman, Oakdale, Patterson, and Waterford), where it received unanimous approval. The 10 Year Plan to end homelessness would reach completion by fiscal year 2014-2015.

RDA funds. The program provides a maximum of \$100,000 to first time homebuyers. The City has been able to provide homeownership opportunities to two families during FY 2007-08 due to home prices leveling out they hope to assist two (2) more families in the coming FY.

### **City of Ceres**

***Infrastructure:*** To retrofit communities and neighborhoods with public infrastructure.

#### ***Analysis and Actions***

During this fiscal year the City of Ceres completed the final phase of infrastructure improvements to the Richard Way/Richland Avenue Infrastructure project area. Improvements included installation of curb, gutter, sidewalk, and matching pavement in the eligible low-moderate income area of the community. The project will ultimately serve over 3,900 individuals in the project area.

### **City of Newman**

***Infrastructure:*** To retrofit communities and neighborhoods with public infrastructure.

#### ***Analysis and Actions***

The City of Newman began the construction phase on infrastructure improvements to rural residential archaic water and sewer lines and manholes in the eligible residential area east of HWY 33, Inyo Avenue (south), T Street (west), Yolo Street (north), and R Street. The second project that is due for completion in FY 2008/2009 is the Pioneer Park rehabilitation project. To date this project includes completed installation of new hardscape, irrigation, and play equipment for the income eligible service area of the community.

### **City of Waterford**

***Infrastructure:*** To retrofit communities and neighborhoods with public infrastructure.

#### ***Analysis and Actions:***

Finally, the City of Waterford completed construction of its N. Western Infrastructure project that focuses on installation of storm drainage and ultimately served 121 individuals within the eligible project area.

**Education and Outreach:** In order to better serve the homeless population outreach is required by service providers. Most agencies that deal with the homeless population are non-profits and community groups. The County awarded grants to non-profit homeless service providers that among other services, provided education and outreach to the general public, homeless population, and public agencies.

**Partnerships:** Stanislaus County is involved with collaboration, service providers, community groups, and partnerships throughout the county. By creating and retaining partnerships, the county has been better able to provide services to communities and agencies.

Stanislaus County was involved in the development of the Homeless Day Center in partnership with the City of Modesto and the Salvation Army. As part of a sub-committee for the Housing and Supportive Services Collaborative, the County and the City took a lead role in the development of the Homeless Day Center. The goals of Homeless Day Center are to provide legal services, medical treatment, food and education, as well as other supportive services. The County will continue to work with the City of Modesto, as well as other cities, in dealing with homeless issues.

**Prevention and Supportive Services:** The County awarded ESG grants to several service providers such as Community Housing and Shelter Services (CHSS), Inter-Faith Ministries, and Children's Crisis Center, all of which provide prevention and supportive services. The agencies provided services such as permanent housing search, employment training and placement, and mental health referrals.

**Vocational & Employment Training:** Stanislaus County continued to be a partner in the Workforce Development Collaborative which includes non-profit agencies, affordable housing providers, the Community Services Agency, the City of Modesto, and Modesto Junior College. The Collaborative Workforce Development Program offered vocational and employment training to individuals on TANF. The program also offers supportive services to special populations such as ESL classes, writing skills classes, math classes, legal referrals, and housing referrals.

**b. Detail how ESG projects are related to implementation of comprehensive homeless planning strategy, including the number and types of individuals and persons in households served with ESG funds.**

Stanislaus County and the Cities of Ceres, Newman, Oakdale, Patterson, and Waterford are members of the Continuum of Care Housing and Supportive Services Collaborative of Stanislaus County. At the local level, this collaborative provides the most comprehensive analysis of the

homeless population and service availability in Stanislaus County. This collaborative is comprised of the Housing Authority of Stanislaus County, Community Housing and Shelter Services, Behavioral Health and Recovery Services, Center for Human Services, Stanislaus County Redevelopment Agency, the City of Turlock, the City of Modesto, faith-based organizations, and over a dozen service providers.

One of purposes of the Continuum of Care Collaborative is to fund projects that assist homeless persons in self-sufficiency and permanent housing. Funds may be allocated through a competitive process and used for the Supportive Housing Program (SHP) and Shelter Plus Care.

The Continuum of Care System consists of three components. They are:

- 1) Emergency shelter/assessment effort which provides immediate shelter and can identify an individual's needs; or,
- 2) Offering transitional housing and necessary social services. Such services include substance abuse treatment, short-term mental health services, independent living skills, job training; or,
- 3) Providing permanent supportive housing arrangements.

ESG funded Projects are related to the Continuum of Care System as they provided emergency shelter while working on identifying needs of the homeless (We Care Program), offered transitional housing and necessary social services (Santa Fe Project & Redwood Family Center), and provided permanent supportive housing arrangements (Community Housing & Shelter Services – Homeless Prevention Program).

### **3. Matching Resources**

- a. Provide specific sources and amounts of new funding used to meet match as required by 42 USC 11375(a)(1), including cash resources, grants, and staff salaries, as well as in-kind contributions such as the value of a building or lease, donated materials, or volunteer time.**

State:	\$216,596
Local:	<u>\$692,532</u>
<b>Total:</b>	<b>\$909,128</b>

### **4. Activity and Beneficiary Data**

- a. Completion of attached Emergency Shelter Grant Program Performance Chart or other reports showing ESG expenditures by type of activity. Also describe any problems in collecting, reporting, and evaluating the reliability of this information.**

Homeless Housing Act of 1986, in response to the growing issue of homelessness among men, women, and children in the United States. In 1987, the ESG program was incorporated into subtitle B of Title IV of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11371-11378).

ESG is a formula-funded program that uses the CDBG formula as the basis for allocating funds to eligible jurisdictions, including States, territories, and qualified metropolitan cities and urban counties for:

- Rehabilitation/Renovation/Conversion
- Essential Services
- Operational Costs
- Homeless Prevention Activities
- Administrative Costs

The Emergency Shelter Grant (ESG) Program is to supplement State, local and private efforts to improve the quality and number of emergency shelters and transitional facilities for homeless people. The purpose of ESG funds is to help operate these facilities, to provide essential support services to residents, and to help prevent at-risk families or individuals from becoming homeless.

Stanislaus County became eligible for Emergency Shelter Grant (ESG) funds for the first time during the 2004-05 fiscal year. Funds were set aside for this program to allow non-profits and service providers to apply through a competitive process for an Emergency Shelter Grant. The maximum amount that an eligible agency may apply for is outlined in Section III.

#### **Available Resources/Use of Funds**

During the 2007-08 fiscal year the County received \$109,700 in ESG funds. A total of \$26,722.26 will be carried into the upcoming fiscal year. This money was not expended due to a transition of administrative staff of one of the ESG Grantee agencies and costs being less than anticipated in one of the rehabilitation projects. The carry-over amount will be re-allocated into the category from which it originated and be expended during FY 2008-09. A total of four homeless service providers received funds during the fiscal year that provided services throughout the County. During the 2007-08 fiscal year homeless service providers used over \$900,000 in matching funds from other public and private sources to ensure successful programs. Following is a summary of the accomplishments for the ESG program:

#### ***SUMMARY OF EMERGENCY SHELTER GRANT (ESG) PROGRAM ACCOMPLISHMENTS***

Stanislaus County became eligible for Emergency Shelter Grant (ESG) funds for the third time during the 2007-08 fiscal year. Funds were set aside for this program to allow non-profits and service providers to apply

through a competitive process for an ESG program grant. The maximum amount that an eligible agency may apply for is outlined in this section. The public service grant is to provide a service to eligible Stanislaus County Consortia residents. The activities funded must meet the regulations outlined in this section. Applications were released on January 10, 2007 and were due February 9, 2007. Applications were then received by the County Planning and Community Development Department and reviewed and scored by a review team, consisting of a representative from the County Planning & Community Development Department (non-CDBG division), the cities of Ceres, Newman, Oakdale, Patterson, the County Chief Executive Office, and a representative from the Housing and Supportive Services Collaborative of Stanislaus County. The top scoring applications were then presented to the County Board of Supervisors for final approval.

The purpose of ESG funds is to assist agencies operate homeless facilities, to provide essential support services to residents, and to help prevent families or individuals who are immediately at-risk of becoming homeless. HUD has established a list of eligible activities, and allows the local grantee to select activities in accordance with its own community development objectives.

Designed as a first step in a Continuum of Care plan of assistance, the ESG program strives to address the immediate needs of persons residing on the street and needing emergency shelter and transitional housing, as well as assisting their movement to independent living through permanent housing and permanent supportive housing.

While flexible in terms of serving all homeless subpopulations and preventing persons from becoming homeless, the ESG program legislation and implementing regulations do limit the types of activities and amounts of funds that can be spent on different activities.

The following are the five categories of eligible activities and their regulations:

- Renovation, Rehabilitation, Conversion
- Essential Services
- Operational Costs
- Homeless Prevention Activities
- Administrative Costs

### **ESG PUBLIC SERVICE GRANTEES**

The following are the ESG grantees and a project summary for the 2007-08 fiscal year for Stanislaus County:

Through the Emergency Shelter Grant (ESG) Program (FY 2007-08) the County was able to assist over 128 individuals and retrofit one unit with a wall-mounted heater allowing homeless families to have a warm place to live during the winter months. Of those, 68% found permanent housing by the end of their stay.

Both the City of Modesto and the City of Turlock in collaboration with the County of Stanislaus, plan to have a permanent Homeless Day Facility and Shelter within their communities. Currently both are still considered temporary in status, but Salvation Army now has ownership of their facility and has a permanent day facility in place.

*Homeless Strategic Plan/HMIS Project:* The project will enter its third year of operation. In its initial year the Collaborative used ServicePoint Software on a regional basis with both Fresno and Madera Counties and collected data from all County ESG participants along with the Housing Authority's Shelter Plus Care program. Due to increased software agreement costs the Stanislaus County Housing and Support Services Collaborative applied for assistance through the SuperNOFA-SHP funds and was awarded a two-year contract. Data input began during the 2005-2006 fiscal year for all County ESG Grantees, and Housing Authority Homeless Related Programs (SPC). During the coming fiscal year City of Modesto ESG participants plan to participate in making it a more comprehensive homeless data collection system in is in final contract language negotiations.

*10 Year Plan to End Homeless- Stanislaus Housing & Supportive Services Collaborative:* The Collaborative has approved the final draft of the 10 Year Plan to End Long-Term Homelessness and it was also presented to the Turlock Collaborative during FY 2005-2006 for review and approval. The review committee made final changes and has taken the document to the Stanislaus County Board of Supervisors, the City Council of Modesto, and all participating Consortia City Councils within the County's CDBG Consortium (Ceres, Newman, Oakdale, Patterson, and Waterford), where it received unanimous approval. The 10 Year Plan to end homelessness would reach completion by fiscal year 2014-2015.

### **Continuum of Care**

Stanislaus County and the Cities of Ceres, Newman, Oakdale, Patterson, and Waterford are members of the Continuum of Care Housing and Supportive Services Collaborative of Stanislaus County. At the local level, this collaborative provides the most comprehensive analysis of the homeless population and service availability in Stanislaus County. This collaborative is comprised of the Housing Authority of Stanislaus County, Community Housing and Shelter Services, Behavioral Health and Recovery Services, Center for Human Services, Stanislaus County Redevelopment

Agency, the City of Turlock, the City of Modesto, faith-based organizations, and over a dozen service providers.

One of purposes of the Continuum of Care Collaborative is to fund projects that assist homeless persons in self-sufficiency and permanent housing. Funds may be allocated through a competitive process and used for the Supportive Housing Program (SHP) and Shelter Plus Care.

The Continuum of Care System consists of three components. They are:

- 1) Emergency shelter/assessment effort which provides immediate shelter and can identify an individual's needs; or,
- 2) Offering transitional housing and necessary social services. Such services include substance abuse treatment, short-term mental health services, independent living skills, job training; or,
- 3) Providing permanent supportive housing arrangements.

While not all homeless individuals and families in a community will need to access all three components, unless all three are coordinated within a community, none will be successful. A strong homeless prevention strategy is a key to the success of the Continuum of Care.

Collaborative agencies gather information through a Continuum of Care homeless survey that is distributed in early June and tallied at the end of May. The survey results are included in the annual Continuum of Care application prepared by the collaborative.

To obtain demographic data on the homeless and those at risk of becoming homeless, a consumer resource questionnaire is distributed to places where homeless are known to congregate and/or receive services such as meals, shelter, day center facilities. The following are some of the results of the survey conducted on January 28, 2007. The next survey will take place in January 2009.

1,593 of the respondents reported they were homeless at the time they completed the survey.

**Emergency Shelter- 415**

Number of Households w/ dependent children - 56

Number of Persons in Families with children - 166

Number of Households w/o dependent children- 243

Number of Single individuals- persons in Households without Children - 249

**Transitional Shelter- 219**

Number of Households w/ dependent children - 64

Number of Persons in Families with children - 186

Number of Households w/o dependent children- 33

Number of Single individuals- persons in Households without Children - 33

**Unsheltered Interviewed- 959**

Number of Households w/ dependent children -81

Number of Persons in Families with children - 240

Number of Households w/o dependent children- 719

Number of Single individuals- persons in Households without Children-719

**Total- 1593**

Number of Households w/ dependent children - 201

Number of Persons in Families with children - 592

Number of Households w/o dependent children- 944

Number of Single individuals- persons in Households without Children-1001

**COMMUNITY DEVELOPMENT**

\*Please also refer to the Community Development Table in the Needs.xls workbook.

**1. Assessment of Relationship of CDBG Funds to Goals and Objectives**

- a. Assess use of CDBG funds in relation to the priorities, needs, goals, and specific objectives in the Consolidated Plan, particularly the highest priority activities.**

The priorities for Non-Housing Community Development Needs identified in the Consolidated Plan are Public Infrastructure and Public Services. In many neighborhoods and communities of the planning area, public infrastructure is minimal or non-existent, causing this to be a high priority need. Infrastructure such as sewer, water, curb, gutter, sidewalk, and storm drainage are typical development standards in newer neighborhoods, but are non-existent in older neighborhoods. The cities of Ceres, Newman, Oakdale, Waterford, as well as Stanislaus County utilized CDBG funds for infrastructure improvement related projects. As a result of these improvements, residents of the surrounding project area enjoy an improved quality of life.

Through the Public Services Program, the County sets aside 10% of its annual CDBG allocation for programs that provide services to low to moderate-income families or individuals. In FY 2007-08, a total of fifteen (15) non-profit agencies were awarded \$255,340. Over 30,000 individuals received a form of service through the funded agencies. Funded services ranged from meal and shelter for low income children to emergency food assistance programs. The services provided through the funded programs positively impact the lives of the individuals served.

- b. Evaluate progress made toward meeting goals for providing affordable housing using CDBG funds, including the number and types of households served.**

## **Antipoverty Strategy**

### **1. Describe actions taken during the last year to reduce the number of persons living below the poverty level.**

To reduce the number of persons living under poverty level, Stanislaus County has continued its partnership with the Stanislaus Housing and Support Services collaborative in support of activities such as "point in time counts" as well as assists with application of SuperNOFA funding opportunities to offset the outstanding need for homeless shelter and services within the community. As well as, provide a portion of CDBG and ESG funding to various non-profits that have a proven track record of assisting the homeless on their path towards toward work and full time housing.

### **OTHER NARRATIVE**

Include any CAPER information that was not covered by narratives in any other section.

### **K. Coordination Efforts**

Stanislaus County recognizes that the Stanislaus County Community Development Block Grant Consortium cannot work alone in achieving the goals outlined in the Consolidated Plan. Therefore the Consortium is a member of and participates with various collaboratives throughout the County. The Consortium participates in the following in order to better serve and coordinate the needs of the community.

#### **HUD Telecasts**

Stanislaus County began offering the availability of HUD telecasts at the City-County Administration building. The County believed it would be more convenient and affordable for agencies to view the broadcast locally. The local telecasts also encourage the agencies to discuss any issues and questions that arise from the broadcast.

#### **Turlock Community Collaborative**

Stanislaus County is a member of the Turlock Community Collaborative. This collaborative was begun initially to deal with homeless issues facing Turlock. A group of concerned community members, faith-based groups, and government agencies formed the collaborative to effectively deal with current and future issues concerning the homeless and the community.

#### **Housing and Supportive Services**

Stanislaus County and the cities of Ceres, Newman, Oakdale, Patterson, and Waterford are members of the Housing and Supportive Services Collaborative, which is the governing body of the Continuum of Care plan for the area. The Collaborative consists of service providers, the Sheriffs Department, affordable housing developers, government agencies, and

community advocates. This collaborative has developed a homeless and consumer survey that is distributed by member agencies on an annual basis. The information is then collected and shared among the agencies for efficient service delivery, as well as for purposes of resource identification and development. During FY 2007-08 County staff has played a key role in the functionality of the countywide HMIS system that was implemented in October 2004. The Planning Department, Behavioral Health and Recovery Services Agency (BHRS), and the Housing Authority have worked throughout the fiscal year to ensure the operation of a HMIS system for the Collaborative in order to meet HUD's mandate that all ESG program participants are part of, and actively enter the pertinent universal data elements into the HMIS system. County staff serves on several sub-committees of the Collaborative such as the Homeless Management Information System (HMIS), Special Populations, Grant Review, Funding and Clearinghouse, and the Executive Committee.

### **Housing Authority**

The Housing Authority and Stanislaus County have a strong relationship and continue to work towards furthering decent, safe, and affordable housing throughout the County. The County funds several programs such as the Minor Home Repair and Sewer Lateral Connection program that the Housing Authority administers. The Housing Authority also serves on several housing and community development related committees for the County.

### **Workforce Development**

During fiscal year 2007-2008, Stanislaus County continued to provide technical and monetary support to the Workforce Development Program. This program is a collaborative effort between Stanislaus County, Habitat for Humanity, Modesto Junior College, American G.I. Forum and the City of Modesto. Program participants in the pre-construction training course are low income, and receive vocational training in construction trade practices. They also are provided courses on academic and personal improvement needed to progress in the construction field, including Construction Math, English as a Second Language, and GED preparation. RDA funds were used to develop a new component to the program that offers work experience to current and new program participants.

This year Workforce Development in collaboration with Economic Development staff are part of the Connecting Stanislaus Community wide technology strategy that has developed a targeted technology training model (T3) based upon the notion that while computers have become prevalent for many, gaps in computer experience and training still exist in our workplace. CDBG funds have been used along with Economic Development bank dollars to allow a Computer Tutor staff person the means necessary to training extremely-low and low income people with essential computer skills needed for them to find a stable living wage job within our community.

**Stanislaus County Consortium  
Summary of Specific Annual  
Objectives for 2007-2008**

**Table 3A Summary of Specific Annual Objectives**

Specific Obj. #	Outcome/Objective Specific Objectives	Sources of Funds	Performance Indicators	Year	Expected Number	Actual Number	Percent Completed
<b>SL-1 Availability/Accessibility of Suitable Living Environment</b>							
<b>SL-1.1 City of Ceres Richland Avenue Infrastructure Project</b>	Address the need for infrastructure improvements in the Richland Avenue residential area through the installation of curb, gutter, sidewalk, and matching pavement.	<b>CDBG</b>	Number of residents of the Richland Avenue income eligible area that will benefit from infrastructure improvements.	2007	500	3900	100%
				2008			
				2009			
				2010			
				2011			
<b>GOAL</b>							
<b>SL-1 Availability/Accessibility of Suitable Living Environment</b>							
<b>SL-1.1 City of Newman Water &amp; Sewer Line Infrastructure</b>	Address the need for infrastructure improvements to rural residential archaic water and sewer lines and manholes in the eligible residential area east of HWY 33, Inyo Avenue (south) and T Street (west), Yolo Street (north), and R Street.	<b>CDBG</b>	Number residents benefiting from infrastructure improvements in the eligible residential area.	2007	0	0	0%
				2008	1019		
				2009			
				2010			
				2011			
<b>GOAL</b>							
<b>SL-1 Availability/Accessibility of Suitable Living Environment</b>							
<b>SL-1.2 City of Oakdale Gilbert Street Infrastructure Project</b>	Address the need for infrastructure improvements in the Gilbert Street eligible residential area through predevelopment activities for infrastructure improvements.	<b>CDBG</b>	Number of residents benefiting from infrastructure improvements in the income eligible area.	2007	0	1830	100%
				2008			
				2009			
				2010			
				2011			
<b>GOAL</b>							

Honorable Mayor and Members  
of the Newman City Council

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

**RESOLUTION APPROVING HOUSING ELEMENT PROPOSAL AND AUTHORIZING  
THE CITY MANAGER TO EXECUTE A CONTRACT FOR SERVICES**

**RECOMMENDATION:**

Adopt Resolution #2008-XX approving the Housing Element proposal from Coastplans and authorize the City Manager to execute a contract for services.

**BACKGROUND:**

State law requires each city and county to adopt a general plan containing at least seven elements including housing. Housing elements have been mandatory portions of general plans since 1969. In December 2003, the City of Newman adopted an updated Housing Element and in April 2007 the City adopted its updated general plan. Unlike the other mandatory general plan elements, the housing element is required to be updated every five years.

**ANALYSIS:**

The City's most recent housing element update was completed by Martin Carver, a sub-consultant of EMC Planning Group. Mr. Carver is the owner and principal of Coastplans. Given his experience with and thorough knowledge of the City of Newman, staff has solicited a housing element update proposal from Coastplans and has attached it to this report for your review.

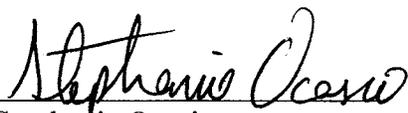
**FISCAL IMPACT:**

\$29,920.00, this is a budgeted item.

**CONCLUSION:**

In order to comply with California law, the City must update its housing element every five years. Each eligible city in Stanislaus County must have an updated housing element adopted by August 31, 2009. Staff recommends approval of the housing element proposal.

Respectfully submitted,



Stephanie Ocasio  
Assistant Planner

**REVIEWED/CONCUR**



Michael Holland  
City Manager

RESOLUTION NO. 2008-

A RESOLUTION APPROVING THE HOUSING ELEMENT UPDATE PROPOSAL AND  
AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR SERVICES WITH  
COASTPLANS

WHEREAS, California law requires that housing elements must be updated every five years; and

WHEREAS, the City of Newman must adopt an updated housing element by August 31, 2009; and

WHEREAS, the City Council is desirous of complying with California law; and

WHEREAS, Martin Carver, principal and owner of Coastplans completed the City's most recent Housing Element; and

WHEREAS, Coastplans has assisted the City with other projects such as the Downtown Plaza; and

WHEREAS, the proposal submitted by Coastplans is significantly less than the budgeted amount; and

WHEREAS, the City Council of the City of Newman has determined it would be in the best interest to enter into a contract with Coastplans; and

NOW, THEREFORE, Be It Resolved that the City Council of the City of Newman that the Newman City Council hereby authorizes the City Manager to enter into a contract with Coastplans to update the City of Newman Housing Element.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 26<sup>th</sup> day of August, 2008 by Councilmember \_\_\_\_\_, who moved its adoption, which motion was duly seconded and it was upon roll call carried and the resolution adopted by the following roll call vote:

AYES:

NOES:

ABSENT:

APPROVED:

\_\_\_\_\_  
Mayor of the City of Newman

ATTEST:

\_\_\_\_\_  
Deputy City Clerk



City of Newman  
Housing Element  
Proposal

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August 19, 2008

Prepared for:  
City of Newman

Prepared by:  
Coastplans

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## **Scope of Services**

The consultant's approach to preparing housing elements is two fold. First, a background study is undertaken to compile information about the City of Newman that will be the basis for future housing policies and programs. Then, a policy document is prepared that addresses housing needs for the city. The final Housing Element will consist of a single two-part document, with policies and programs presented in a separate section. The City does not have a recently completed housing conditions survey (i.e., within the last five years), so this proposal includes validation and update of existing housing conditions. The Housing Element Background Study and Policy Document are discussed in detail below.

### ***Task 1: Background Study***

The Background Study work program consists of 10 subtasks that when completed will result in a thorough report that describes existing conditions and future trends. Each is described below.

#### Subtask 1.1: Population, Employment and Income

The consultant will undertake an analysis of population, employment and income trends for Newman based on data from Census 2000, the California Department of Finance, and the City of Newman. Information to be developed includes: historic population growth, projected population, population age structure, ethnicity, household composition, employment, jobs/housing balance, and family and household income.

#### Subtask 1.2: Housing Stock and Household Characteristics

The consultant will analyze and document housing stock and household characteristics based on data from Census 2000, the California Department of Finance, the California Department of Housing and Community Development, and the local board of realtors. Information to be developed includes: housing stock growth and composition, age of housing, housing tenure and vacancy rate, overcrowding, housing costs, housing affordability, and overpayment for housing. The consultant will also conduct a validation and update of the previous housing conditions using the "CDBG housing condition survey" form and a windshield survey to document housing conditions in the city.

## SCOPE OF SERVICES

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### Subtask 1.3: Housing Needs

The consultant will quantify the City's existing and projected housing needs for all income levels based on the City's share of the regional housing need in accordance with Section 65584 of the Government Code. The consultant will also analyze special housing needs based on data from Census 2000 and interviews with social service agencies in the area. Special housing needs will be evaluated for the disabled, elderly, large families, farmworkers, families with female heads of households, and families and persons in need of emergency shelter.

### Subtask 1.4: Availability of Land and Services

The consultant will summarize land suitable for residential development, including vacant sites and sites having potential for redevelopment, based on inventory data from the City of Newman. Information to be developed includes: the size and location of vacant residential lots, zoning, development potential, and the availability public facilities and services.

### Subtask 1.5: Land Use Controls and Governmental Constraints

The consultant will analyze potential and actual governmental constraints upon the maintenance, improvement, and development of housing for all income levels, based on data from the City of Newman. Information to be developed includes: land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures.

### Subtask 1.6: Non-Governmental Constraints

The consultant will analyze potential and actual non-governmental constraints upon the maintenance, improvement, and development of housing for all income levels, based on data from local realtors, the financial community, local developers. Information to be developed includes: the availability and cost of financing, the price of land, and the cost of construction.

### Subtask 1.7: Conservation of Existing Affordable Housing

The consultant will analyze existing assisted housing developments that are eligible to change to non-low-income housing uses during the next 10 years due to termination of subsidy contracts, mortgage prepayment, or expiration of use restrictions. The analysis

## SCOPE OF SERVICES

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shall include a listing of each development by project name and address, the type of governmental assistance received, the earliest possible date of change from low income use and the total number of elderly and non-elderly/ units that could be lost from the City's low-income housing stock in each year during the 10-year period.

### Subtask 1.8: Current and Past Housing Programs in Newman

The consultant will identify current and past housing programs in Newman based on data from the county housing authority and the City of Newman. Information to be developed includes an account of county housing programs and an analysis of the previous Housing Element.

### Subtask 1.9: Opportunities for Energy Conservation

The consultant will analyze opportunities for energy conservation in residential development based on data from Census 2000 and applicable utility companies. Information to be developed includes: types and proportions of fuels used for house heating and a general characterization of neighborhood design, including the use of street trees and other livable community design elements.

### Subtask 1.10: Document Preparation

The consultant will prepare an administrative draft background report and provide one (1) electronic file in Adobe Acrobat format and one (1) reproducible copy to facilitate internal review.

## ***Task 2: Goals, Policies, Programs, and Objectives***

The Goals, Policies, Programs, and Objectives work program consists of four subtasks that when completed will result in a set of goals, policies, programs, and objectives designed to meet the housing needs of Newman. Each is described below.

### Subtask 2.1: Housing Goals and Policies

The consultant will prepare a statement of the community's goals and policies for housing based on consultation with city staff, policy makers, and community members. Goals and policies will address: adequate sites and new construction, conservation of existing

## SCOPE OF SERVICES

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affordable housing, regulatory relief, rental and homeowner assistance, equal access, and energy conservation.

### Subtask 2.2: Quantified Objectives

The consultant will develop a consolidated set of quantified objectives based on Newman' fair share housing allocation and consultation with city staff, policy makers, and community members. Quantified objectives will include an account of units produced since adoption of the fair share housing allocation, housing units to be produced through housing programs, and housing to be produced by the private market.

### Subtask 2.3: Implementation Program

The consultant will prepare an implementation program that sets forth a five-year schedule of actions the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the Housing Element. Development of the implementation program will be based on consultation with city staff, policy makers, and community members. The consultant will identify the responsible agency and timeframe for implementing each program.

### Subtask 2.4: Policy Memorandum

The consultant will prepare an administrative draft policy memorandum and provide one (1) electronic file in Adobe Acrobat format and one (1) reproducible copy to facilitate internal review.

## ***Task 3: Housing Element***

The Housing Element work program consists of three subtasks. Each is described below.

### Subtask 3.1: Public Review Draft Housing Element

The consultant will revise both the background report and policy memorandum based on comments received on the administrative drafts and consolidate them into a public review draft Housing Element. The consultant will provide one (1) electronic file in Adobe Acrobat format and one (1) reproducible copy to facilitate distribution to the Planning Commission, City Council, and members of the public.

## SCOPE OF SERVICES

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### Subtask 3.2: Review by HCD

The consultant will coordinate with HCD to resolve issues related to certification of the document. The Consultants will prepare a response to all HCD comments.

### Subtask 3.3: Final Housing Element

The consultant will revise the public review draft Housing Element based on comments from the California Department of Housing and Community Development (HCD), comments from members of the public, and direction from policy makers. The consultant will produce a final document for adoption and provide two (2) bound copies, one (1) electronic file in Adobe Acrobat format, plus one (1) reproducible copy for reproduction.

## ***Task 4: Environmental Documentation***

The environmental documentation work program consists of six subtasks that when completed will constitute an environmental review consistent with the California Environmental Quality Act. Each is described below.

### Subtask 4.1: Site Investigation

The consultant will conduct a site investigation of any areas of the City that may be particularly affected by the Housing Element to document the existing conditions on the project site and in the project area. This task now includes a consultation with Native American representatives.

### Subtask 4.2: Data Collection

The consultant will collect and review existing information regarding the project site and project area. The initial study will make maximum use of existing information relevant to the project area, including previously prepared environmental documents in the project area. It is assumed that the City will provide a copy of the General Plan, General Plan EIR and any other relevant documentation.

### Subtask 4.3: Administrative Draft Initial Study and Negative Declaration

The consultant will prepare an administrative draft initial study and negative declaration for the Housing Element and provide ten (10) bound copies for review and comment. At a

## SCOPE OF SERVICES

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minimum, the following environmental issue may need to be addressed through the Initial Study and Environmental Checklist:

- ✓ Agriculture
- ✓ Air Quality
- ✓ Drainage: (including flood control)
- ✓ Water/Natural Resources Energy Impacts
- ✓ Population & Housing
- ✓ Traffic/Circulation
- ✓ Recreation
- ✓ Public Services/Utilities (apply recently updated City Utilities Master Plan)
- ✓ Sewage/Solid Waste Disposal
- ✓ Cumulative Impacts
- ✓ Growth inducing Impacts

This work program assumes that no special studies are required, including for example: traffic, biology, hazardous materials, and air quality.

### Subtask 4.4: Public Review Draft Initial Study and Negative Declaration

Upon completion of the City's review and comment on the administrative draft initial study and negative declaration, the consultant will prepare the initial study, negative declaration, notice of intent, notice of completion, and Clearinghouse document transmittal form. Thirty (30) copies of the negative declaration/initial study will be printed; ten (10) copies will be sent to the State Clearinghouse and twenty (20) to the City for further distribution.

### Subtask 4.5: Response to Comment

Upon receipt of any public comments during the public review period, the consultant will prepare responses for review and comment by the City, to include in the staff report. This scope assumes that no more than five comment letters would be received and that responses to the comment letters would not require additional analysis. CEQA does not require that response to comments be distributed to commenting parties. Responses, although not even required by CEQA, are typically prepared for the decision makers.

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### Subtask 4.6: Final Initial Study and Negative Declaration

Upon adoption of the Housing Element, the consultant will prepare the notice of determination and provide one (1) camera-ready copy to the City, plus one electronic file in Adobe Acrobat format.

### ***Task 5: Meetings and Public Participation***

The consultants will attend up to six (6) meetings to facilitate completion of the work program. The cost and number of meetings the consultant anticipates attending are summarized in the next section. Payment for meetings will be based upon the actual number of meetings; additional meetings will be charged at the rate listed below.

#### Subtask 5.1: Meetings w/ City Staff

The consultant will meet with City Staff six (6) times to coordinate the Housing Element update process. Except for the project initiation meeting, meetings will be scheduled on days when scheduled public workshops or hearings are to be held. In addition to these six meetings, the consultant will schedule meetings to coincide with field reconnaissance visits (up to three (3) visits).

#### Subtask 5.2: Public Workshops

The Consultant will conduct one (1) public workshop to promote the Housing Element process. The workshop will be held early in the process and will focus on issue identification and public education. The consultant will also facilitate public involvement by providing electronic files of work products for posting on the internet.

#### Subtask 5.3: Planning Commission Public Hearings

The Consultant will attend two (2) Planning Commission hearings on recommendations to the City Council regarding the Housing Element.

#### Subtask 5.4: City Council Public Hearings and Final Action

The Consultant will attend two (2) City Council hearings on adoption of the Housing Element, plus one (1) City Council meeting to take any final action on the Housing Element after HCD review.

**SCOPE OF SERVICES**

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**Budget**

The consultant proposes to complete the Scope of Services for a not-to-exceed cost of \$29,920. This budget is detailed in the table below. A separate meeting budget is included, but the costs are included in the \$29,920.

Project Budget

<b>Task Description</b>	<b>Hours</b>	<b>Rate</b>	<b>Total</b>
<b>TASK 1: BACKGROUND STUDY</b>			
Subtask 1.1: Population, Employment and Income	4	\$110	\$440
Subtask 1.2: Housing Stock and Household Characteristics	24	\$110	\$2,640
Subtask 1.3: Housing Needs	32	\$110	\$3,520
Subtask 1.4: Availability of Land and Services	16	\$110	\$1,760
Subtask 1.5: Land Use Controls and Governmental Constraints	2	\$110	\$220
Subtask 1.6: Non-Governmental Constraints	4	\$110	\$440
Subtask 1.7: Conservation of Existing Affordable Housing	4	\$110	\$440
Subtask 1.8: Current and Past Housing Programs in Newman	8	\$110	\$880
Subtask 1.9: Opportunities for Energy Conservation	4	\$110	\$440
Subtask 1.10: Document Preparation	6	\$110	\$660
<b>TASK 2: POLICY MEMORANDUM</b>			
Subtask 2.1: Housing Goals and Policies	16	\$110	\$1,760
Subtask 2.2: Quantified Objectives	4	\$110	\$440
Subtask 2.3: Implementation Program	8	\$110	\$880
Subtask 2.4: Policy Memorandum	6	\$110	\$660
<b>TASK 3: HOUSING ELEMENT</b>			
Subtask 3.1: Public Review Draft Housing Element	12	\$110	\$1,320
Subtask 3.2: Review by HCD	8	\$110	\$880
Subtask 3.3: Final Housing Element	12	\$110	\$1,320
<b>TASK 4: ENVIRONMENTAL DOCUMENTATION</b>			
<b>TASK 5: MEETINGS AND PUBLIC PARTICIPATION</b>			
See separate meeting budget			\$7,200
<b>EXPENSES</b>			\$500
<b>TOTAL</b>		<b>202</b>	<b>\$29,920</b>

## SCOPE OF SERVICES

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### Meeting Budget

TASK 5: MEETINGS AND PUBLIC PARTICIPATION	Coastplans		
	Mtgs	Rate	Total
Subtask 5.1: Project Initiation*	1	\$0	\$0
Subtask 5.2: Public Workshop	1	\$1,200	\$1,200
Subtask 5.3: Planning Commission Public Hearings	2	\$1,200	\$2,400
Subtask 5.3: City Council Public Hearings	2	\$1,200	\$2,400
Subtask 5.3: Final Action	1	\$1,200	\$1,200
<b>TOTAL</b>	<b>6</b>		<b>\$7,200</b>

Note: \*Consultant will meet with City staff once as part of project initiation. The consultant will also attend five staff-level meetings that are scheduled on days when public workshops or hearings are also being held. In addition, the consultant will schedule up to three (3) meetings with staff to coincide with field reconnaissance visits. There is no additional charge for these latter meetings.

## Schedule

The consultant will conclude the Housing Element and supporting environmental documentation, including having a Housing Element to HCD, by June 2009. A detailed schedule for completing the scope of services is shown in the table below.

### Project Schedule

Task	Completion Date
Task 1: Background Study	October 15, 2008
Task 2: Policy Document	December 1, 2008
Task 3: Housing Element	January 1, 2009
HE to HCD for 90-day review	March 1, 2009
Task 4: Environmental Documentation	April 15, 2009
Task 5: Workshop	October 15, 2008
Task 5: Public Hearings	January and February 2009
Task 5: Final Action by CC	June 2009

## Statement of Qualifications

Martin Carver, the owner and principal at Coastplans.com, will be the primary preparer of the Housing Element Update. Mr. Carver has years of experience preparing housing elements in California. Most recently he completed the Housing Element for the City of Soledad. In the early 1990s, Mr. Carver worked with J. Laurence Mintier & Associates and was responsible for preparing Housing Elements for the City of Eureka, the City of Clayton, the City of Menlo Park, and the City of Benicia. Mr. Carver opened Coastplans.com in February 2000, which is a small consulting firm specializing in land use, transportation, and environmental planning for California's Central Coast Region. Mr. Carver (under subcontract with EMC Planning Group, Inc) completed the City of Newman's Housing Element Update in 2003.

Mr. Carver's résumé is attached below.

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## Résumé

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### **Martin L. Carver • Coastplans**

244 Plateau Avenue  
Santa Cruz, California 95060  
Phone: (831) 426-4557 Facsimile: (831) 458-5368  
mcarver@coastplans.com

### ***Education***

Cornell University, Ithaca, New York (9/87 to 8/89). Master of Regional Planning  
University of California, Santa Cruz (9/80 to 8/83). B.A. Environmental Studies and Politics (Honors in both Majors)

### ***Land Use Planning and Project Management:***

General Plans and Area Plans  
Housing Elements  
Coastal Long Range Development Plans  
Local Coastal Programs  
Downtown and Transit-Oriented Development  
Environmental Documentation  
Public Participation, including Urban Design Charrettes

### ***Recent Project Experience***

City of Gonzales General Plan Update – October 2006 to present: Project management, land use and circulation planning, public facilitation

University of California Long Marine Laboratory Coastal Long Range Development Plan -- October 2000 to present: Issue identification, development of site constraints analysis, and ongoing project management

City of Soledad Housing Element – June 2002 to present: Development of a General Plan Housing Element Update

Pajaro Valley Unified School District New Millennium High School Project – June 1997 to May 2000: Preparation of Watsonville Local Coastal Program Amendments for new high school; project management

City of Eureka General Plan – June 1992 to February 1994: project management; consultant liaison; document preparation; land use, demographic, and economic analysis (J. Laurence Mintier & Associates)

City of Eureka Redevelopment Agency Westside Industrial Area Study – September 1992 to September 1993: Project management; consultant liaison; document preparation; land use, demographic, and economic analysis (J. Laurence Mintier & Associates)

City of Stockton Special Planning Area Study and General Plan Revision – March 1990 to May 1993: Project management; consultant liaison; document preparation; land use, demographic, and economic analysis (J. Laurence Mintier & Associates)

City of Clayton General Plan Housing Element – March 1992 to November 1993: Project management; consultant liaison; document preparation; land use, demographic, and economic analysis (J. Laurence Mintier & Associates)

City of Eureka General Plan Housing Element – June 1992 to May 1993: Project management; consultant liaison; document preparation; land use, demographic, and economic analysis (J. Laurence Mintier & Associates)

City of Menlo Park General Plan Housing Element – September 1991 to November 1992: Project management; consultant liaison; document preparation; land use, demographic, and economic analysis (Mintier & Associates)

City of Benecia General Plan Housing Element – June 1990 to October 1991: Project management; consultant liaison; document preparation; land use, demographic, and economic analysis (J. Laurence Mintier & Associates)

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## *References for Mr. Carver*

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Santa Cruz, CA 95064  
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Honorable Mayor and Members  
of the Newman City Council

**REPORT ON REESTABLISHING AND REDEFINING THE  
DISASTER COUNCIL OF STANISLAUS COUNTY**

**RECOMMENDATION:**

Staff recommends the City Council:

Adopt the redefined, combined City/County Disaster Council and the Decision Making Process, and appoint one elected official from the Newman City Council to serve on the revised, newly combined County/City Disaster Council and appoint the Emergency Manager for the City (City Manager or his designee) to serve on the Operational Area Council.

**BACKGROUND:**

The Stanislaus County Board of Supervisors adopted a resolution in December, 1946, to begin the process of developing a County Disaster Council and seek accreditation by the California State Disaster Council. Accreditation was subsequently granted by the state and the Stanislaus County Disaster Council was formally established by County Ordinance No. 305 in 1950. The purpose of the Disaster Council was to oversee the disaster preparedness activities of the various County departments and other jurisdictions in the County, including the preparation of emergency and disaster plans, policies and procedures.

Since its inception, membership of the Disaster Council has consisted of: the Chairman of the Board of Supervisors, the Director of Emergency Services, such chiefs of emergency services as are provided for in a current emergency plan of this County, and representatives of civic, business, labor, veterans, professions, or other organizations having an official emergency responsibility, as may be appointed by the Board of Supervisors.

In 1993, Stanislaus County replaced Ordinance Code CS 539 with Chapter 2.52 "Civil Defense and Disaster Council." Since this time, seven cities within the County have adopted ordinances creating Disaster Councils. Pursuant to the State of California Government Code 8610, all Disaster Councils are required to develop plans for meeting any condition constituting a local emergency or state of emergency.

Government Code 8610 also allows for Disaster Councils to be created that can be a combination of cities and counties for the entire operational area (OA). Government Code 8559 defines an operational area as an intermediate level of the state emergency services organization, consisting of a county and all political subdivisions within the county area.

Operational Area Council:

In June, 1998, the Stanislaus County Board of Supervisors adopted the agreement for the establishment and participation in the Stanislaus Operational Area Agreement as required by SB 1871 for the purposes of enhancing large-scale emergency management concepts and plans. The County and all nine cities adopted the agreement that brings all participants together as an "Operational Area Council (OAC)" to more efficiently and effectively plan for future emergencies and/or disasters.

Stanislaus Operational Area Decision Process for Emergency Planning:

To clarify membership, purpose, roles, and responsibilities of the Disaster Council and Operational Area Council, it was recommended that Chapter 2.52 of the County Code be amended to reflect the Emergency Planning Decision Process. This process is based upon the FIRESCOPE Decision Process that is the model used by the Federal Government when developing the National Incident Management System (NIMS), adopted by the Stanislaus County Board of Supervisors in September, 2006. It is also based on the Standardized Emergency Management System (SEMS) and the Incident Command System (ICS) adopted by the Board of Supervisors in December, 1995.

Benefits of amending the County Code to re-establish and re-define the Disaster Council and adopt the Stanislaus Area Decision Process for Emergency Planning Include:

**Agenda Item: 10.d.**

Effective use of resources by establishing one Disaster Council instead of 10 or more. Maintaining compliance for grant funding and recovery funding after an emergency event/incident. Maintaining local control by membership on the single Disaster Council with ultimate approval remaining with City Councils, Board of Directors and Board of Supervisors. Maximum use of resources in planning, preparedness, response and recovery to emergencies in the Operational Area. Providing access to the public for input, inclusion, collaboration, coordination, and communication.

The newly developed Stanislaus Area Decision Process for Emergency Planning is seeking one elected official from each City to sit as a member on the Disaster Council to review, comment on, approve, or reject plans and policies that emanate through the subject-matter-experts within the Operational Area Council (see attached organizational chart). Additionally, the plan is requesting the designation of one subject-matter-expert with a day-to-day working knowledge, experience, and certification in emergency management to serve on the Operational Area Council.

**ANALYSIS:**

Adoption of this resolution would provide the most efficient use of resources for preparedness, mitigation and management of emergency events and disasters.

Since the attacks on America on September 11, 2001 and subsequent hurricane, flood and fire disasters, emergency preparedness and disaster management has risen to higher levels of awareness. Collaboration and cooperation among surrounding agencies and communities have been the only logical and economic means of addressing these pressing issues and concerns. Historically, the City of Newman, County and the surrounding cities have worked well together and there is no reason to suspect that will change, but adopting this resolution will formalize the City's vision and commitment to the community, County, State and Federal government.

**FISCAL IMPACT:**

There is no fiscal impact associated with this recommendation.

**ATTACHMENTS:**

Operational Area Decision Process for Emergency Planning Organizational Chart

**CONCLUSION:**

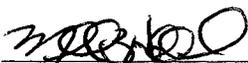
This staff report is submitted for City Council consideration and action. Staff recommends adoption of Resolution No. 2008- \_\_\_\_\_, a resolution adopting the re-defined, combined City/County Disaster Council and the Decision Making Process, and appointing one elected official from the Newman City Council to serve on the revised, newly combined County/City Disaster Council and appointing the Emergency Manager for the City (City Manager or his designee) to serve on the Operational Area Council

Respectfully submitted,



Adam McGill  
Chief of Police

**REVIEWED/CONCUR:**



Michael Holland  
City Manager

**RESOLUTION NO. 2008-**

**A RESOLUTION APPROVING THE REDEFINING OF THE DISASTER COUNCIL,  
APPOINTING ONE MEMBER OF THE CITY COUNCIL TO SERVE ON THE DISASTER  
COUNCIL AND APPOINTING THE CITY MANAGER OR HIS DESIGNEE TO REPRESENT  
THE CITY ON THE OPERATIONAL AREA COUNCIL**

WHEREAS, Stanislaus County and the City of Newman have, in the past, each had separate Disaster Councils, and

WHEREAS, the purpose of the Disaster Council was to oversee the disaster preparedness activities including the preparation of emergency and disaster plans, policies and procedures, and

WHEREAS, Government Code 8610 also allows for Disaster Councils to be created are a combination of Cities and Counties for the entire operational area, and

WHEREAS, Government Code 8559 defines an operational area as an intermediate level of the state emergency services organization, consisting of a County and all political subdivisions within the County area, and

WHEREAS, the Stanislaus County Board of Supervisors adopted the Stanislaus Operational Area Decision Process for Emergency Planning in April, 2008, for the purpose of clarifying memberships, purpose, roles and responsibilities of the Disaster Council and Operational Area Council, and

WHEREAS, this Emergency Planning Decision Process is based upon the FIRESCOPE Decision Process, the model used by the Federal Government when developing the National Incident Management System (NIMS), and is also based on the Standardized Emergency Management System (SEMS) and the Incident Command System (ICS), and

WHEREAS, the benefits of re-establishing and re-defining the Disaster Council include: effective use of resources by establishing one Disaster Council instead of 10, maintaining compliance for grant funding and recovery funding after an emergency event/incident, maintaining local control by membership on the single Disaster Council with ultimate approval for City plans remaining with the Newman City Council, maximum use of resources in planning, preparedness, response and recovery to emergencies in the Operational Area. and access to the public for input, inclusion, collaboration, coordination, and communication;

NOW, THEREFORE, BE IT RESOLVED, that the Newman City Council hereby authorizes the City Manager to enter into an agreement with the County of Stanislaus supporting a combined City/County Disaster Council and the Decision Making Process, and appointing one elected official from the Newman City Council to serve on the revised and newly combined County/City Disaster Council and appointing the City Manager or his designee, for the City to serve on the Operational Area Council.

AYES:

NOES:

ABSENT:

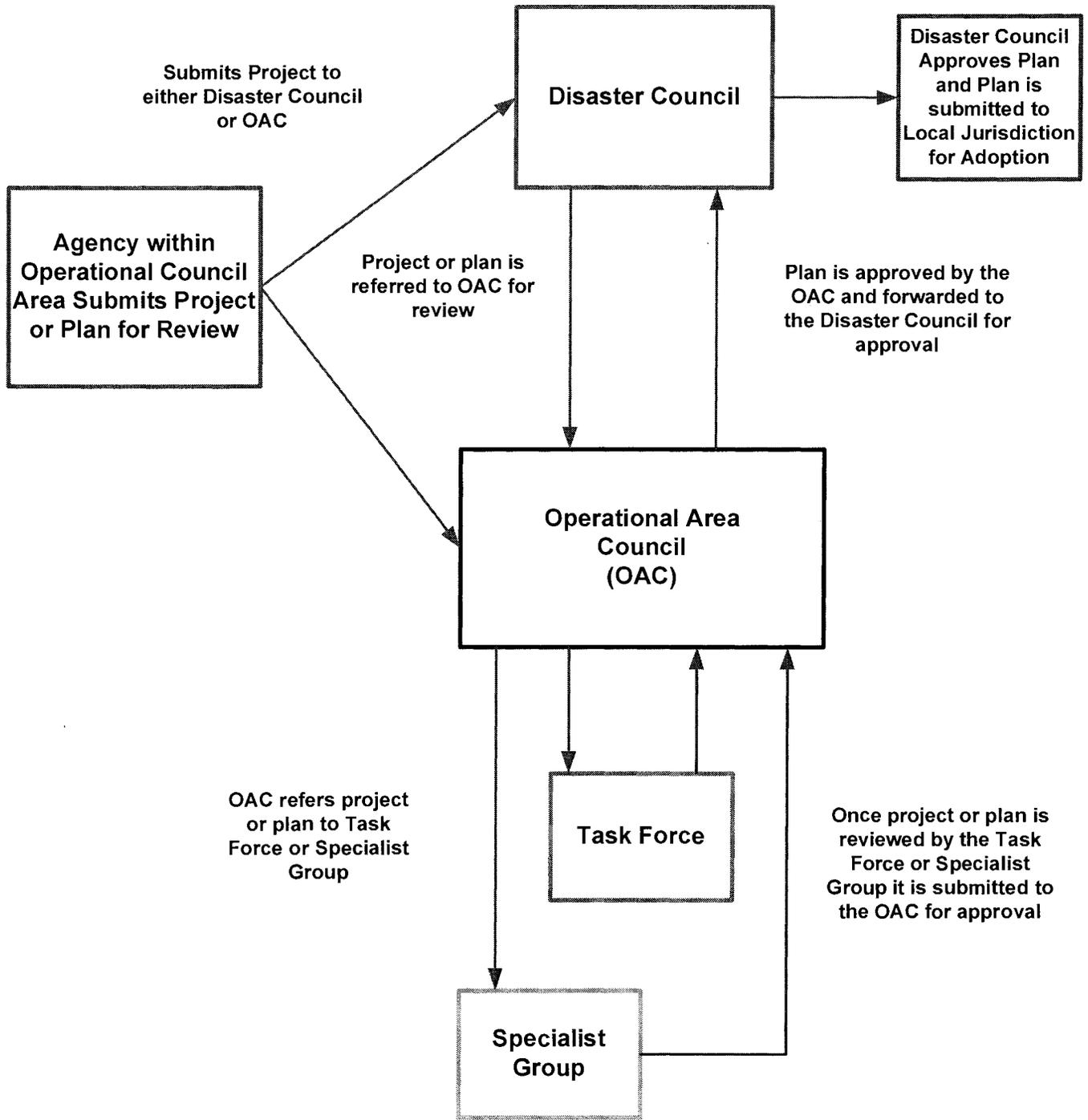
APPROVED:

ATTEST:

\_\_\_\_\_  
Mayor of the City of Newman

\_\_\_\_\_  
Deputy City Clerk

# DECISION PROCESS FLOW CHART



**Stanislaus  
Operational Area  
Decision Process  
for Emergency  
Management**

**Stanislaus County  
Board of Supervisors**

**Chief Executive Office  
Director of Emergency Services**

**Disaster Council** Gov. Code 8610-8614

- |  |  |
|--|--|
| Stanislaus County Board of Supervisors Chairperson | City of Oakdale Elected Official                         |
| Stanislaus County CEO                              | City of Patterson Elected Official                       |
| City of Ceres Elected Official                     | City of Riverbank Elected Official                       |
| City of Hughson Elected Official                   | City of Turlock Elected Official                         |
| City of Modesto Elected Official                   | City of Waterford Elected Official                       |
| City of Newman Elected Official                    | Stanislaus County Assist. Director of Emergency Services |

**Operational Area Council** Gov. Code 8605

**Operational Area Council JPA Partner Agencies**

- |  |                                     |
|--|-------------------------------------|
| Stanislaus County Office of Emergency Services | City of Oakdale Emergency Manager   |
| City of Ceres Emergency Manager                | City of Patterson Emergency Manager |
| City of Hughson Emergency Manager              | City of Riverbank Emergency Manager |
| City of Modesto Emergency Manager              | City of Turlock Emergency Manager   |
| City of Newman Emergency Manager               | City of Waterford Emergency Manager |

**Operational Area Participants**

*O.A. Participants will be comprised of any government, public, or private individual or organization that has an interest in emergency management.*

- |                               |                                 |
|-------------------------------|---------------------------------|
| United Way                    | Public Health                   |
| American Red Cross            | Schools                         |
| Stanislaus County Departments | Private Industry                |
| Mountain Valley EMSA          | Faith-based Organizations       |
| Special Districts             | Community-based Organizations   |
| Fire Districts                | Non-Governmental Organizations  |
| Law Enforcement               | Hospitals                       |
| Utilities                     | Broadcast Industry              |
| Regional and State OES        | NOAA's National Weather Service |

**Technical Review Committee**

**Task Force**

**Specialist Groups (Standing)**

Honorable Mayor and Members  
of the Newman City Council

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

**RESOLUTION APPROVING TASK D FOR THE DOWNTOWN PLAZA PROJECT AND  
AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR  
SERVICES**

**RECOMMENDATION:**

Adopt Resolution #2008-XX approving Task D for the Downtown Plaza project and authorize the City manager to execute a contract for services.

**BACKGROUND:**

In 2003, the Newman City Council approved a Master Plan for development of the Downtown Plaza. The City has been approved to receive a federal TE grant for the 2008/09 fiscal year. As part of the grant approval, the City must have a complete set of plans during the fiscal year.

**ANALYSIS:**

As the original designer of the Downtown Plaza Master Plan, the City approached RRM for Development Design services. The attached Task defines the work necessary to construct phase I of the Plaza project.

**FISCAL IMPACT:**

Up to \$214,200. Staff is still negotiating some of the costs. The 2008/09 budget has \$200,000 earmarked for this project and aquatic center project. A budget adjustment will be required at mid-year.

**CONCLUSION:**

In the City's continual effort to enhance the downtown, utilize grant funding and deliver projects to the community on-time, the City requests the attached Task order be approved to allow access to approved federal funds allocated to the project.

Respectfully submitted,



Michael Holland  
City Manager

Newman Downtown Plaza

Contract Amendment #2

August 20, 2008

THIS DOCUMENT AMENDS THE CONSULTANT AGREEMENT DATED May 14, 2007, by and between the CITY OF NEWMAN, a municipal corporation, hereinafter CITY, and RRM Design Group a California corporation, (hereinafter RRM).

This amendment is to amend the Agreement to establish the scope and fee for preparation of construction documents for Phase 1A of the plaza. The City and RRM agree to amend the Agreement as follows:

1. Exhibit A, Scope of Services, of the Agreement: Add the following paragraphs to Task D:

*RRM will provide final design services and prepare construction documents for "on-site" improvements for Phase One of the Plaza (Phase 1A), which is generally within the area defined in the attached Exhibit A to this Amendment #2. These improvements will generally be based on the Design Development Submittal dated February 2008 and consisting of Sheets L-1 through L-9; however, the water feature and statue identified in that set of drawings is excluded from the scope of services. Final Design and construction documents for "off site" improvements (Phase 1B) are included in previously approved Task G.*

*Based on the Design Development submittal, the construction budget for Phase 1A is approximately \$2,000,000, which will be refined and finalized during final design.*

2. Exhibit A, Scope of Services, of the Agreement: Add the following new task:

*Task H Meetings and Coordination Construction Document Phase*

*This task will include all meetings, phone conferences, and coordination with the City, utility companies, reviewing agencies, adjacent property owners, design steering committee, consultants to the City that are not directly under contract with RRM, and others during the course of executing Task D. Further, it will include preparation of special exhibits and documents that are not part of the construction document package. RRM's internal coordination and project management is included in Task D.*

3. Exhibit B, Compensation, of the Agreement: Modify Task D to read as follows:

*Task D Construction Documents .....Fixed Fee (A) \$214,200*

4. Exhibit B, Compensation, of the Agreement: Add the following:

*Task H Meetings and Coordination*

*Construction Document Phase ..... Time and Materials (B)*

**BILLING AND PAYMENT**

BILLING PROCESS FOOTNOTES: The following notes apply to the fees quoted above as referenced.

- (A) Fixed fee tasks will be billed as the work progresses until the task is completed and the total amount stated in the contract for the task is invoiced.
- (B) Our estimated fees for tasks shown as "Time and Materials" ("T&M") are provided for informational purposes only. Amounts billed for these tasks, which will reflect actual hours may be more or less than the estimate given.

This Amendment is agreed to by the CITY and RRM

CITY:

-----  
Michael Holland  
City Manager

Date

RRM DESIGN GROUP

-----  
Warren R. McClung  
Principal  
RLA #4382

Date



**RESOLUTION NO. 2008-**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE  
A CONTRACT FOR DOWNTOWN PLAZA TASK D SERVICES WITH RRM DESIGN  
GROUP**

WHEREAS, the City of Newman has put a high priority on the design and development of a new downtown plaza, and

WHEREAS, the City of Newman City has been approved to receive a federal TE grant for the 2008/09 fiscal year, and

WHEREAS, TE grant approval process requires the City to have plans completed during the 2008/09 fiscal year, and

WHEREAS, RRM Design Group served as the original designer of the Downtown Plaza and Streetscape Master Plans, and

WHEREAS, the City has contracted with RRM for Development Design services, and

WHEREAS, RRM Design Group has worked with communities, public agencies and private landowners to design award winning projects where people live, work and play, and

WHEREAS, the City Council is desirous of entering into a contract with RRM Design Group, and

WHEREAS, the City council of the City of Newman has determined it would be in the best interest to enter into a contract with RRM Design Group, and

NOW, THEREFORE, BE IT RESOLVED that the Newman City Council hereby authorizes the City Manager to execute a contract with RRM Design Group for Downtown Plaza Task D Services.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 26<sup>th</sup> day of August, 2008 by Council Member \_\_\_\_\_, which motion was duly seconded and it was upon roll call carried and the resolution adopted by the following roll call vote:

AYES:  
NOES:  
ABSENT:

APPROVED:

\_\_\_\_\_  
Mayor of the City of Newman

ATTEST:

\_\_\_\_\_  
Deputy City Clerk of the City of Newman