

AGENDA
NEWMAN CITY COUNCIL/REDEVELOPMENT AGENCY
REGULAR MEETING JULY 27, 2010
CITY COUNCIL CHAMBERS, 7:00 P.M., 1200 MAIN STREET

1. Call To Order.
2. Pledge Of Allegiance.
3. Invocation.
4. Roll Call.
5. Declaration Of Conflicts Of Interest.
6. Ceremonial Matters.
7. Items from the Public - Non-Agenda Items.
8. Consent Calendar
 - a. Waive All Readings Of Ordinances And Resolutions Except By Title.
 - b. Approval Of Warrants.
 - c. Approval Of Minutes Of The July 20, 2010 Special Meeting.
9. Public Hearings
 - a. Consider Proposed Lighting And Landscape Maintenance District Assessment Increases.
 - b. Adopt Resolution No. 2010- , A Resolution Declaring The Existence Of A Public Nuisance Under Ordinance No. 95-4.
10. Regular Business
 - a. Report On The Wastewater Treatment Plant Aeration Basin No. 2 Sludge Removal Project.
 - b. Review Of The Historical Society's Request To Reconsider Location Of The Yancey Building.
 - c. Consider A Ballot Measure For The November 2010 Election.
 - I. Adopt Resolution No. 2010- , A Resolution Of The City Council Of The City Of Newman Submitting To The Electors Of The City Of Newman The Question Of Whether Or Not The Term Of Office Of Mayor Should Be Four (4) Years.

II. Adopt Resolution No. 2010- , A Resolution Of The City Council Of The City Of Newman Establishing The Deadline For Arguments In Favor Of And Arguments Against The Ballot Measure Relating To The Office Of Mayor And Adopt Provisions For Rebuttals And Directing The City Attorney To Prepare An Impartial Analysis For The Ballot Measure For The Municipal Election To Be Held On November 2, 2010

d. Adopt Resolution No. 2010- , A Resolution Declaring The Results Of The Assessment Increase Ballot Tabulation For The City Of Newman Lighting And Landscape Maintenance District And Providing For The Levy Of An Annual Assessment Therein.

11. Items From District Five Stanislaus County Supervisor.

12. Items From The City Manager And Staff.

13. Items From City Council Members.

14. Adjourn To Closed Session

- a. Conference With Legal Council - Pending Litigation – One Case - G.C. 54956.9.
- b. Return To Open Session.

15. Adjournment.

Calendar of Events

July 27 – City Council - 7:00 P.M.

August 9 – Baseball Board Meeting – 6:00 P.M.

August 9 – NCLUSD Board Meeting - 6:00 P.M.

August 10 – City Council - 7:00 P.M.

August 12 – 2010 Healthier Choices Healthcare Summit - Biggest Loser Contest

August 12 – Recreation Commission – 7:00 P.M.

August 13 – City Furlough Day – City Offices Closed

August 17 – Two-On-Two Meeting With The School Board - 4:00 P.M.

August 19 – Planning Commission – 7:00 P.M.

August 24 – City Council - 7:00 P.M.

July 2010

Date.: Jul 23, 2010
Time.: 12:50 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
037860	07/23/10	67.94	AT&T	MONTHLY SERVICE FOR 634-0508 7/1/10 TO 7/31/10
037860	07/23/10	67.20	AT&T	MONTHLY SERVICE FOR 668-3946 7/1/10 TO 7/31/10
037861	07/23/10	491.75	JAMES J. BELL	CONTRACT SERV/EVIDENCE CLERK 7/1 TO 7/15/10/BELL
037862	07/23/10	175.00	NICOLE BLADES	BASKETBALL CAMP INSTRUCTOR/7/12-7/16/10
037863	07/23/10	10319.00	BLUE SHIELD OF CALIFORNIA	HEALTH INSURANCE PREMIUM/AUGUST 2010
037864	07/23/10	1247.60	BUSINESS CARD	5 BOXES STAMPED ENVELOPES
037865	07/23/10	501.54	CENTRAL SANITARY SUPPLY	HANDSOAP/GLOVES/SEATCOVERS/PINESOL/CANLINERS/PAPER
037865	07/23/10	95.20	CENTRAL SANITARY SUPPLY	18 ANTIBACTERIAL HANDSOAPS
037866	07/23/10	793.00	CSJVRMA	CRIME SHIELD PROGRAM 7/1/10 TO 7/1/2011
037866	07/23/10	72482.00	CSJVRMA	AUTO/PROPERTY/ADMIN/EMP ASSIST/LIABILITY/WC/TRAVEL
037867	07/23/10	160.00	JOSE FERNANDEZ	VENT FOR WELL #6 LABOR
037868	07/23/10	672.00	FUTURE STARS 2000'S, INC	TENNIS LESSONS 7/6/10 TO 7/27/10
037869	07/23/10	150.00	GRANT ENTERPRISE	BOLTS FOR TRENCH PLATES
037870	07/23/10	60.60	MICHAEL HOLLAND (NT)	REIMBURSEMENT FOR RECORDS REQUEST/HOLLAND
037871	07/23/10	54.37	STEPHANIE HOUSE	REIMBURSEMENT FOR SUPPLIES/SUMMER PROGRAMS/HOUSE
037872	07/23/10	5000.00	JOE'S LANDSCAPING & CONCRETE,	TOPPING/THINNING/REMOVAL TREES SHERMAN PARKWAY
037873	07/23/10	50.62	STEPHANIE LOPEZ (NT)	REIMBURSEMENT SUPPLIES FOR FIT KIDS/LOPEZ
037874	07/23/10	379.46	MALLARD EXPRESS AUTO	REPLACED REAR BRAKE PADS/TURNED ROTORS/PD
037874	07/23/10	264.95	MALLARD EXPRESS AUTO	REPLACED ROTORS/BRAKE PAS/OIL CHANGE/CHIEF CAR
037875	07/23/10	1534.34	MID VALLEY IT, INC	MONTHLY CONTRACT IT SERVICES/AUGUST 2010
037876	07/23/10	2218.75	NBS	LIGHTING & LANDSCAPE ADMINISTRATION 7/1 TO 9/30/10
037877	07/23/10	660.00	CITY OF PATTERSON	VIDEO REIMBURSEMENT/JULY 2010
037878	07/23/10	160.00	FRANK RIVAS	BASKETBALL CAMP INSTRUCTOR/7/12 TO 7/16/10/RIVAS
037879	07/23/10	2940.57	STANISLAUS COUNTY	CITY'S CONTRIBUTION TO LAFCO 2010/2011

Date.: Jul 23, 2010
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CITY OF NEWMAN
CASH DISBURSEMENTS REPORT

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Ck #	Check Date	CK Amount	Vendor Name	Description
037880	07/23/10	173.35	T.H.E. OFFICE CITY	5 CARTONS COPY PAPER
037881	07/23/10	88.00	UNITED STATES POSTMASTER	2 ROLLS POSTAGE STAMPS
037882	07/23/10	27.23	BLACK, STEVE	MQ CUSTOMER REFUND FOR BLA0023
037883	07/23/10	14.65	LOTT-GARCIA, DIANE	MQ CUSTOMER REFUND FOR LOT0001
037884	07/23/10	93.71	MARQUEZ, JENNIFER	MQ CUSTOMER REFUND FOR MAR0175
037885	07/23/10	2.15	NELSON, JAMIE	MQ CUSTOMER REFUND FOR NEL0005
037886	07/23/10	35.33	WATSON, AMANDA & MATTHEW	MQ CUSTOMER REFUND FOR WAT0004
Sub-Total:		----- 100980.31		
Grn-Total:		----- 100980.31		
Count: 31				

Date.: Jul 22, 2010
Time.: 3:30 pm
Run by: EMILY M. FARIA

CITY OF NEWMAN
CASH DISBURSEMENTS REPORT

June 2010

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List.: NEW1
Group: PYCPDP

Ck #	Check Date	CK Amount	Vendor Name	Description
037822	07/23/10	145.80	AECOM USA, INC	UNDERGROUND UTILITY COMPOSITE DRAWINGS
037822	07/23/10	8917.65	AECOM USA, INC	SAFE ROUTES TO SCHOOL ENGINEERING 5/8 TO 6/25/10
037822	07/23/10	8846.40	AECOM USA, INC	SAFE ROUTES TO SCHOOL/05/08 T O 6/25/10
037822	07/23/10	4565.42	AECOM USA, INC	HILL PARKING LOT 05/8 TO 06/25/10
037822	07/23/10	951.75	AECOM USA, INC	ENGINEERING SERVICES/UNDERGROUND UTILITIES
037823	07/23/10	35.00	ROBERTO ANAYA	REFUND OVERPAYMENT/PARK RENTAL/ANAYA
037824	07/23/10	537.59	ARAMARK UNIFORM SERVICES	UNIFORM CLEANING/MAT RENTAL/BAR TOWELS/JUNE 2010
037825	07/23/10	180.00	ARROWHEAD MOUNTAIN SPRING	BOTTLED WATER FOR MAY/JUNE 2010 WITH CREDITS
037826	07/23/10	405.94	AT&T MOBILITY	WIRELESS ACCESS 6/3/10 TO 7/2/10/PD
037826	07/23/10	1260.80	AT&T MOBILITY	CELL PHONE SERVICE 6/6/10 TO 7/5/10
037827	07/23/10	387.51	BUSINESS CARD	WATER/SODA/ICE/SANDWHICHES/TANK
037827	07/23/10	194.50	BUSINESS CARD	MEALS/SUPPLIES FOR FIT KIDS PROGRAM
037827	07/23/10	437.18	BUSINESS CARD	SUPPLIES FOR ANIMAL CONTROL/T-SHIRT/PD
037828	07/23/10	74.70	CALIF BUILDING STANDARDS COMMI	SB1473 FEES/2ND QUARTER 2010
037829	07/23/10	194.50	CNH CAPITAL	BATTERY CABLES SEIZED UP/CLEANED CONNECTIONS
037830	07/23/10	3322.20	GARY WHITE	HAY CUTTING/BALING/WWTP
037831	07/23/10	200.00	MANUEL DeOLIVEIRA	REFUND MEMORIAL BUILDING DEPOSIT/DeOLIVEIRA
037832	07/23/10	212.42	DEPART. OF CONSERVATION	2ND QUARTER SMOT FEES/APRIL-JUNE 2010
037833	07/23/10	180.65	E&M ELECTRIC, INC.	REPLACED HANDS OFF AUTO SWITCH/AERATION #1/WWTP
037834	07/23/10	298.38	ECONOMIC TIRE SHOP	TIRE REPAIRS/TUBES/USED TIRE/ALIGNMENT CHAIN
037835	07/23/10	10320.00	ENVIRONMENTAL TECHNIQUES INT	BIO-DREDGING SERVICE/WWTP
037836	07/23/10	60.00	OLGA GARZA	REFUND SOCCER REGISTRATION/SAUL GARZA
037837	07/23/10	877.25	GEOANALYTICAL LAB, INC.	WEEKLY BACTIS/BOD/TSS/NITRATES/DW WELLS
037838	07/23/10	300.00	YANET GOMEZ	REFUND DEPOSIT &PARTIAL RENT/CANCELLED USE/GOMEZ

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Ck #	Check Date	CK Amount	Vendor Name	Description
037839	07/23/10	4233.16	GROENIGER & CO.	SUPPLIES FOR HYDRANT REPAIRS
037839	07/23/10	545.32	GROENIGER & CO.	BALL VALVES/REPAIR KIT
037840	07/23/10	8755.00	JOE'S LANDSCAPING & CONCRETE,	LIGHTING & LANDSCAPE SERVICES/JUNE 2010
037841	07/23/10	61.36	McDONOUGH, HOLLAND, ALLEN	LEGAL SERVICES RENDERED THRU 6/30/10
037842	07/23/10	316.01	CITY OF NEWMAN-PETTY CASH	REGISTRATION FEE/FNAME/NAMEPLATE/GAS/POSTAGE
037843	07/23/10	451.96	NEWMAN ACE HARDWARE/JACT, INC	OIL/SPRINKLER/BATTERY/TRMR LINE/BROOM/PRUNER/TARP
037844	07/23/10	197.88	NEWMAN DEPOT GARAGE	CHARGED AC IN UNIT # 595/PD
037845	07/23/10	93090.47	PERMA-GREEN HYDROSEEDING	HILL PARK PARKING LOTS
037846	07/23/10	213.69	P G & E	NATURAL GAS PURCHASES 6/7/10 TO 7/07/10
037847	07/23/10	47.50	PRECISION INSPECTION, INC	HOURLY BUILDING INSPECTIONS/HILL PARK
037847	07/23/10	4022.81	PRECISION INSPECTION, INC	Bldg Reg Inspec BLDG REGU
037848	07/23/10	422.50	ROPER, MAJESKI, KOHN & BENTLEY	EMPLOYMENT ADVICE RENDERED THRU 6/30/10
037849	07/23/10	1822.86	SAFE-T-LITE	PO #10-55
037850	07/23/10	5154.58	SHELL FLEET PLUS	GAS AND DIESEL PURCHASES/JUNE 2010
037851	07/23/10	655.00	STATE OF CALIFORNIA	FINGERPRINT LIVESCAN FEES
037852	07/23/10	1.54	STANISLAUS COUNTY	CNG FUEL PURCHASED @ MORGAN RD/JUNE 2010
037853	07/23/10	460.00	STANISLAUS COUNTY DEPT	BUS TICKET SALES/FEB-JUNE 2010
037854	07/23/10	111.57	STAPLES ADVANTAGE	PAPERCLIP HOLDER/LETTER TRAY
037854	07/23/10	31.20	STAPLES ADVANTAGE	WASTEBASKET/PD
037854	07/23/10	109.24	STAPLES ADVANTAGE	POST-ITS/ENVELOPES/REGISTER ROLLS
037855	07/23/10	155.83	TRAVIS BORRELLI	PORTABLE RESTROOM RENTAL/JUNE 2010
037856	07/23/10	920.02	UNITED STATES TREASURY	LATE FEE FOR FED TAXES/PAYROLL OF 8/31/09
037857	07/23/10	26.64	WESTSIDE WELDING&RADIATOR	1 CYLINDER OXYGEN
037858	07/23/10	1320.30	WESTSIDE ANIMAL CLINIC	EUTHANASIA/BOARDING FEES/HEALTH EXAM

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Ck #	Check Date	CK Amount	Vendor Name	Description
037859	07/23/10	1002.10	YANCEY LUMBER COMPANY	BATTERIES/BLADE/PAINT/STAIN/HOSE/SHOVELS/URINAL
Sub-Total:		----- 167034.18		
Grn-Total:		----- 167034.18		
Count:	49			

MINUTES
NEWMAN CITY COUNCIL/REDEVELOPMENT AGENCY
SPECIAL MEETING JULY 20, 2010
CITY COUNCIL CHAMBERS, 7:00 P.M., 1200 MAIN STREET

1. **Call To Order** - Mayor Katen 7:01 P.M.
2. **Pledge Of Allegiance.**
3. **Invocation** - Council Member Martina.
4. **Roll Call PRESENT:** Davis, Candea, Martina And Mayor Katen.
ABSENT: None.
5. **Declaration Of Conflicts Of Interest Ceremonial Matters** - None.
6. **Ceremonial Matters** - None
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 June 22, 2010 Regular Meeting And The July 6, 2010 Special Meeting.

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

9. **Public Hearings** - None.

10. **Regular Business**

- a. Adopt Resolution No. 2010- , Authorizing The City Manager To Execute An Agreement With The City Of Turlock Designating The City Of Newman As A Sub-Recipient Of HOME Funds Fiscal Year 2010-2011.

ACTION: On A Motion By Davis Seconded By Candea And Unanimously Carried, Resolution No. 2010-59, A Resolution Authorizing The City Manager To Execute An Agreement With The City Of Turlock Designating The City Of Newman As A Sub-Recipient Of Home Funds Fiscal Year 2010-2011, Was Adopted.

- b. Report On The Use Receiverships To Abate Properties.

Attorney Doug White Reported On Health & Safety Receiverships And How They May Assist The City In Abating Nuisance Properties.

- c. Adopt Resolution No. 2010- , Authorizing The City Manger Enter Into A Land Purchase And Sale Agreement To Purchase All Or A Portion Of Merced County APNs 054-004-010, 054-004-011, 054-005-009 And 054-006-001 And Appropriating The 2010-2011 Budget To Include Funds For Said Purchase.

ACTION: Item 10.c. Was Continued To The July 27, 2010 City Council Meeting.

11. Items From District Five Stanislaus County Supervisor - None

12. Items From The City Manager And Staff.

City Manager Holland Stated That The Board Of Supervisors Is Moving Forward With Adopting The Capital Facility Fee Schedule Which Includes The Previously Contested Traffic Impact Fee. Holland Mentioned That He And Staff Had Met With The State Board Of Equalization (BOE) And Felt That It Was A Successful Meeting. He Confirmed That The B.O.E. Is Reviewing Our Concerns And We May Have An Oppportunity To Recover A Portion Of The City's Lost Sales Tax Dollars. Holland Declared That The Downtown Plaza Project Is Beginning Construction Soon.

Public Works Director Reynolds Mentioned That During The Initial Plaza Groundbreaking, Two 55-Gallon Drums Containing An Unknown Substance Were Found. Reynolds Noted That The Orestimba Creek Soil Boring Locations Have Been Marked By The Army Corps Of Engineers But That The Actual Soil Borings Still Two To Three Weeks Away From Starting. Reynolds Reminded Everyone That A Second Public Meeting Regarding The Plaza Construction Would Be On Thursday, July 22, 2010.

Finance Director Humphries Stated That He Had Recently Attended The Meeting With State Board Of Equalization Regarding The Loss Of Gas Sales Taxes. Humphries Noted That The Board Has Contacted Him Twice Recently And He Assured The Council That The Board Is Actively Investigating Our Concerns With Regards To W.H. Breshears. Humphries Mentioned That The City Is Reviewing Its Current Software System Because Of Concerns That Our Current Is System Is Becoming Out-Dated And Noted That It Important That We Stay Current With Regard To The City's Technology.

Assistant Planner Ocasio Pointed Out That The City Currently Had One NSP House Available For Purchase. Ocasio Notified Everyone That The City Has First Time Home Buyer Monies Available To Those Who Qualify. Ocasio Informed The Council That Housing Element Was Accepted By The State Department Of Housing And Community Development. She Reported That The Second Phase PQRST Project Is Moving Forward.

13. Items From City Council Members.

Council Member Martina Commented That A Lot Of Exciting Things Are Currently Happening In Newman And That The Changes Are For The Better.

Mayor Katen Mentioned That He Had Received A Letter From SEAPA Thanking Us For Our Support Of The Senior Information Day. Katen Reminded Everyone That The City Would Be Hosting An Orestimba Creek Flood Control Meeting On August 25, 2010 From 9:00 A.M. To 10:30 A.M. Katen Asked About The Watering Of Sherman Park During Peak Non-Watering Hours. Katen Asked The Council For Their Concurrence To Add An Item Regarding A Ballot Measure To Change The Mayoral

Term To Four Years To The July 27, 2010 Regular City Council Meeting Agenda. The Council Agreed To Add The Item For Consideration At The July 27, 2010 Council Meeting.

14. Adjournment.

ACTION: On Motion By Candea Seconded By Davis And Unanimously Carried, The Meeting Was Adjourned At 7:54 P.M.

Honorable Mayor and Members
of the Newman City Council

**REPORT ON THE PROPOSED LIGHTING AND LANDSCAPE MAINTENANCE
DISTRICT ASSESSMENTS**

RECOMMENDATION:

It is recommended that the City Council:

1. Conduct a Public Hearing and accept public opinions on the proposed increase in assessments.
2. Accept oral and written protests (a protest must be submitted in writing and consistent with the instructions provided in the public notice);
3. Close required 45 day public comment period.

BACKGROUND:

The City of Newman has a total of 15 zones within the Landscape and Lighting District (District) in various locations throughout the City. The District represents approximately 42% of the parcels within the City and Improvements maintained from assessment revenues within the District include, but are not limited to, the weekly operation, maintenance, and servicing of all public parks, landscaping improvements, weed abatement, plant materials, pathways, irrigation systems, and street lights. Zones 1-12 have not had a cost of service increase since their inclusion into the District; however costs for these services over time have continued to increase. On April 13, 2010 City Council authorized the initiation of the proceedings for a proposed increase of assessments within the District and on May 11, 2010 City Council passed resolution No. 2010-30 approving the Engineer's Report and authorizing the initiation of proposition 218 proceedings. In general, the intent of Proposition 218 requires that a ballot be sent to the owner of property subject to the assessment, the assessment may not be increased if the assessment ballots returned, weighted by the financial obligation of each parcel, are opposed to the increase in assessment.

ANALYSIS:

Proposition 218 requires that the City send written notice by mail of the proposed fee or charge to each rate payer. The written notice included the amount of the rates, the reason for the fee or charge, and the date, time and location of a public hearing. The public hearing is required to be conducted not less than 45 days after mailing the notices. If written protests against the proposed fee or charge are presented by a majority of owners based on the proposed assessment of the identified parcels, the agency shall not impose the fee or charge; this process serves to validate the rates.

The special notice proceeding consisted of a mailed notice (see attached) distributed to the property owner of record within the City and established a date and time to hold a public hearing to consider all protests against the proposed increase in assessments.

FISCAL IMPACT:

There is no cost associated with this item.

CONCLUSION:

Staff recommends that City Council conduct the Public Hearing, accept oral and written protests, and close the required 45 day public comment period.

Respectfully Submitted:



Garner R. Reynolds
Director of Public Works

REVIEWED/CONCUR:



Michael E. Holland
City Manager

NOTICE OF PUBLIC HEARING AND ASSESSMENT BALLOT PROCEDURE

CITY OF NEWMAN LIGHTING AND LANDSCAPE MAINTENANCE DISTRICT

ASSESSOR'S PARCEL NUMBER: <XXXX-XXX-XXX>

NOTICE OF PUBLIC HEARING

This notice informs you, as the record owner of property within the City of Newman Lighting and Landscape Maintenance District, that the City of Newman will be conducting a Public Hearing pursuant to the provisions of the Landscaping and Lighting Act of 1972, Article XIID of the Constitution of the State of California and the Proposition 218 Omnibus Implementation Act to consider an increase in the assessment rates for parcels within the District.

IF THE PROPOSED RATE INCREASE COVERED BY THIS BALLOT PROCEDURE IS NOT APPROVED BY THE PROPERTY OWNERS, THE EXISTING THE CITY WILL CONTINUE TO LEVY THE EXISTING LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENTS FOR FISCAL YEAR 2010-11

The Public Hearing is hereby scheduled to be held at the City of Newman, Council Chambers, 1200 Main Street, Newman, California on:

July 13, 2010, at 7:00 p.m.

or as soon thereafter as the matter may be heard. All interested persons are invited to attend and express opinions on the matter of the proposed District.

RIGHT TO SUBMIT ASSESSMENT BALLOT

Owners of record who desire to submit an assessment ballot must mail or personally deliver a completed assessment ballot to the office of the City Clerk. An assessment ballot and return envelope are enclosed with this Notice. Spouses wishing to submit separate ballots may obtain split replacement ballots by contacting the City at the contact information shown at the bottom of this Notice.

All assessment ballots must be received by the City Clerk at or before the conclusion of the Public Hearing shown above. The delivery address is:

Office of the City Clerk, 1162 Main Street, Newman, CA 995360

ASSESSMENT INFORMATION

Boundaries of the District: The District is located in the City of Newman and has fifteen (15) benefit zones. The boundary for the benefit zones are generally described as the areas located within the following sub-divisions: Corgiat Estates (Zone 1), Creek Canyon (Zone 2), North Manor Unit No. 4 (Zone 3), Oakwood Vista (Zone 4), Lucas Ranch 1 (Zone 5), Stonegate (Zone 6), Stonehedge Estate (Zone 7), Oakwood Terrace (Zone 8), Silva Ranch Estates (Zone 9), Lucas Ranch II & III (Zone 10), Stephens Ranch (Zone 11), Walnut Creek Estates (Zone 12), Hearthstone Ranch (Zone 13), Sherman Ranch (Zone 14) and Monte Vista Estates (Zone 15).

Total Proposed Fiscal Year 2010/11 Maximum Assessment for the Entire District: \$275,388.

Your Proposed Maximum Assessment for Fiscal Year 2010/11: <\$XXXXX>. The proposed maximum Fiscal Year 2010/11 assessment for the property identified above is also shown on the enclosed assessment ballot.

Duration of Proposed Assessment: The proposed assessment for the District will be levied annually as long as funds are necessary for the maintenance of improvements.

Cost of Living Inflation: Each fiscal year beginning Fiscal Year 2011/12, the maximum allowable assessment amount (as shown above) may be increased by the percentage change in the year ending February preceding the start of the Fiscal Year of the Consumer Price Index for all Urban Consumers (CPI-U), for the San Francisco-Oakland-San Jose area. If for any reason the percentage change is negative the maximum allowable assessment would not be decreased by reason of such negative percentage change and would remain at the amount as computed on the previous fiscal year regardless of any CPI adjustment. The annual assessment can not exceed the actual costs to operate the District in any given year. If operating costs are such that the maximum assessment amount is not needed, the City would levy only what is needed for that year.

Reasons for the Proposed Assessment: The proposed assessments will provide for the continued maintenance, operation and servicing of the street lighting and landscaping improvements within each benefit zone, provide for the means

(continued on back)

to pay for the increased costs of maintenance and services, and add an annual cost of living inflator. The improvements being maintained provide a direct and special benefit to all parcels within the benefit zone boundaries.

Basis of Proposed Assessment: The method of apportionment of the proposed assessment is based upon the relative special benefit received from the improvements and conferred upon the property within the District over and above the general benefit conferred upon the public at large. All assessable parcels within the District receive special and direct benefit from the maintenance of the improvements. Each of the parcels within the District is deemed to receive special benefit from the improvements. Each parcel that has a special benefit conferred upon it as a result of the maintenance and operation of improvements is identified and the proportionate special benefit derived by each identified parcel is determined in relationship to the entire costs of the maintenance and operation of the improvements within each Benefit Zone. Only parcels that receive direct special benefit are assessed, and each parcel is assessed in proportion to the estimated benefit received as shown below:

Benefit Zone	Property Type	2010/11 Maximum Assessment Rate
Zone 1 (Corgiat Estates)	Single Family Residential	\$ 95.01
Zone 2 (Creek Canyon)	Single Family Residential	\$ 58.53
Zone 3 (North Manor Unit No. 4)	Single Family Residential	\$ 57.67
Zone 4 (Oakwood Vista)	Single Family Residential	\$ 88.45
Zone 5 (Lucas Ranch I)	Single Family Residential	\$ 116.53
Zone 6 (Stonegate)	Single Family Residential	\$ 24.63
Zone 7 (Stonehedge Estates)	Single Family Residential	\$ 80.48
Zone 8 (Oakwood Terrace)	Single Family Residential	\$ 28.75
Zone 9 (Silva Ranch Estates)	Single Family Residential	\$ 107.96
Zone 10 (Lucas Ranch II & III)	Single Family Residential	\$ 150.82
Zone 11 (Stephens Ranch)	Single Family Residential	\$ 128.32
Zone 12 (Walnut Creek Estates)	Single Family Residential	\$ 232.00
Zone 13 (Hearthstone Ranch)	Single Family Residential	\$ 115.63
Zone 14 (Sherman Ranch)	Single Family Residential	\$ 224.06
	High Density Residential	\$ 112.03
Zone 15 (Monte Vista Estates)	Single Family Residential	\$ 152.75

The use of the latest County Assessor's Secured Roll shall be the basis for the Property Type determination unless better data is available to the City. The maximum assessment is subject to an annual cost of living inflator as described above. A complete description of the method of assessment is described in the Engineer's Report, a copy of which is available at the office of the City Clerk.

ASSESSMENT BALLOTING PROCEDURES

Upon completion, please fold and insert the assessment ballot into the return envelope and seal the envelope. Make sure you sign and mark your assessment ballot. Mail or deliver the ballot to the address shown on the return envelope pursuant to the enclosed instructions regarding submission of assessment ballot.

The City Council will consider approving the increase in the annual assessment as described above and on the enclosed assessment ballot if there is no majority protest. A majority protest exists if the assessments represented by ballots submitted in opposition exceed those submitted in favor of the assessment. All returned ballots are tabulated and weighted according to the financial obligation of each particular parcel.

THE PROPOSED ANNUAL ASSESSMENT AS DESCRIBED IN THIS NOTICE IS AN INCREASE TO YOUR EXISTING LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT AND, IF APPROVED, WILL APPEAR EACH YEAR ON YOUR PROPERTY TAX BILL.

QUESTIONS REGARDING THESE PROCEEDINGS

For information relating to these proceedings, public hearing and the ballot procedure, please contact:

Honorable Mayor and Members
of the Newman City Council

Agenda Item: 9.b.
City Council Meeting
of July 27, 2010

REPORT ON NUISANCE ABATEMENT

RECOMMENDATION:

Adopt Resolution No. 2010- , Declaring The Existence Of A Public Nuisance Under Ordinance No. 95-4.

BACKGROUND:

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

ANALYSIS:

This notice informs property owners of all nuisance abatement procedures, option and their right to object at a public hearing. It is anticipated that many property owners will comply with the abatement notices prior to the hearing date. A final compliance survey will be done on Monday, July 26, 2010. A list of properties that have not complied with the abatement notice will be handed out at the council meeting prior to the public hearing.

FISCAL IMPACT:

None

CONCLUSION:

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

Respectfully submitted,



Randy Richardson, Chief of Police

REVIEWED/CONCUR:



Michael Holland, City Manager

RESOLUTION NO. 2010-

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

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

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

WHEREAS, said hearing was held on July 27, 2010, at 7:00 p.m., as in said notice provided; and,

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

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

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 27th day of July, 2010 by Council Member _____, who moved its adoption, which motion was duly seconded and was adopted upon roll call vote.

AYES:
NOES:
ABSENT:

APPROVED:

Mayor

ATTEST:

Deputy City Clerk

City of Newman
Abatement list

1. 515 Waxwing Lane

Tall grass and weeds through out the front and backyard of the property

2.2113 Creek Park Dr.

Tall grass and weeds through out the front and backyard of the property

Honorable Mayor and Members
of the Newman City Council

Agenda Item: **10.a.**
City Council Meeting
of July 27th 2010

**REPORT ON THE
WASTEWATER TREATMENT PLANT AERATION BASIN #2 SLUDGE REMOVAL PROJECT**

RECOMMENDATION:

Status update on the Waste Water Treatment Plant Aeration Basin #2 Sludge Removal Project

BACKGROUND:

In 2009 it was determined that the Wastewater Treatment Plant's Aeration Basin #2 had accumulated an average of 5.3' of sludge across the entire basin. The accumulated sludge decreased the treatment capabilities of Aeration Basin #2 by 71%, and hindered the basin's ability to maintain dissolved oxygen levels necessary to meet the City's permit limits. In order to remedy this deficiency City Council approved a contract with Environmental Techniques International to biologically remove the sludge by means of introducing bacteria specifically designed to degrade the sludge.

ANALYSIS:

On January 12th, 2010 a base line sludge judge (measurement) was performed in Aeration Basin #2 to determine the starting point for tracking the removal progress, and concurrently the bacteria injection began. Subsequent sludge judging took place on March 11th, May 17th and June 28th. Since the addition of bacteria on January 12th to the last measurement on June 28th a total of 11.88" (an average of 2.38" of sludge per month) has been removed biologically from Aeration Basin #2.

FISCAL IMPACT:

None.

CONCLUSION:

The estimated timeframe for sludge removal to an acceptable level is two years. Since January there has been a total of 11.88" of sludge has been biologically reduced in the basin. This rate is consistent with the expectations of the project. Staff will provide another update on the project in December 2010.

Respectfully Submitted,

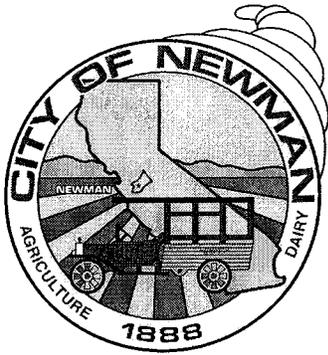


Garner Reynolds
Director of Public Works

REVIEWED/CONCUR:



Michael E. Holland
City Manager



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

**Date: July 22, 2010
To: Mayor Katen and City Council
From: Michael E. Holland, City Manager**

Subject: Historical Society's request to reconsider location of Yancey Building.

In 2008, during the course of conversation and public meetings, an artist rendering was created to show a potential development at the rear of the museum property with the Yancey Building being a focal point. Upon reviewing the option and hearing public comment, the City Council made the decision to continue forward with placement of the Yancey Building in Phase II of the plaza project

At the recent June 22nd City Council meeting, members of the Newman Historical Society addressed the Council during the Public Comment period. The Historical Society requested the Council reconsider placement of the Yancey Building at the back of the historic museum. At the request of Council, staff has placed this item on the agenda. To help Council consider the item, a previous staff report and drawings have been submitted for review. Staff and members of the Historical Society will be on hand should the Council have any questions.

Honorable Mayor and Members
of the Newman City Council

Agenda Item: **10.f.**
City Council Meeting
of August 12, 2008

REPORT ON YANCEY BUILDING DESIGN OPTIONS

RECOMMENDATION:

Review design options for the Yancey Building and provide direction to staff.

BACKGROUND:

Over the past year, the Plaza Committee has worked towards a final design for the plaza. With the inclusion on the McBride property and other surrounding properties, the original design evolved from the master plan level. As the committee worked through the process and evaluated each of the components, some were recommended for elimination.

On June 10, 2008, RRM Design presented a plaza design recommended from the Plaza Committee. During the meeting, the Council expressed a desire to have the Yancey Building in the plaza and directed staff, consultants and committee to re-evaluate the plan and the placement of the Yancey Building.

ANALYSIS:

Following the June 10th meeting, staff organized two plaza committee meetings. The first meeting focused on the trying to define the use of the building. The recurring comment centered on a visitors center/chamber office. However, it was generally agreed that staffing the structure did present challenges. Near the end of the meeting, the consultant introduced the idea of having the structure remain in its current location. This concept was illustrated in a color photo showing the rear of the museum transformed into a garden setting.

This proposed design concept recommends rehabilitating the Yancey building in its approximate location. The chain link fence would be replaced with a decorative wrought iron fence with columns matching the museum building. A courtyard would be installed at the north entrance serving the lower museum area. Other features would include a decorative trellis, turf, concrete paving, wood handicap access ramps, and open areas beneath shade trees to display farm equipment. The garden setting could be used to host League of Ca Cities meetings and BBQs, funding raisers for the Historical Society and other local groups, and display historical items.

For the second committee meeting, the consultants prepared four drawings of the Yancey Building in the southeast corner of the plaza. Upon reviewing each proposal individually, the committee identified their preference. Following a discussion of the merits of this drawing and the museum drawing, all persons in attendance took a vote to recommend either the plaza plan or the museum plan to the Council. The overwhelming recommendation was to place the Yancey building at the Museum and move forward with plaza plan as presented to the Council at their June meeting.

Attached for the Council review are two color renderings. The first rendering focuses on the southeast corner of the plaza and placement of the Yancey building. The second rendering shows how the corner fits in relation to the remaining plaza. Staff will have all images available and lead a discussion regarding the potential of each plan.

FISCAL IMPACT:

Undetermined.

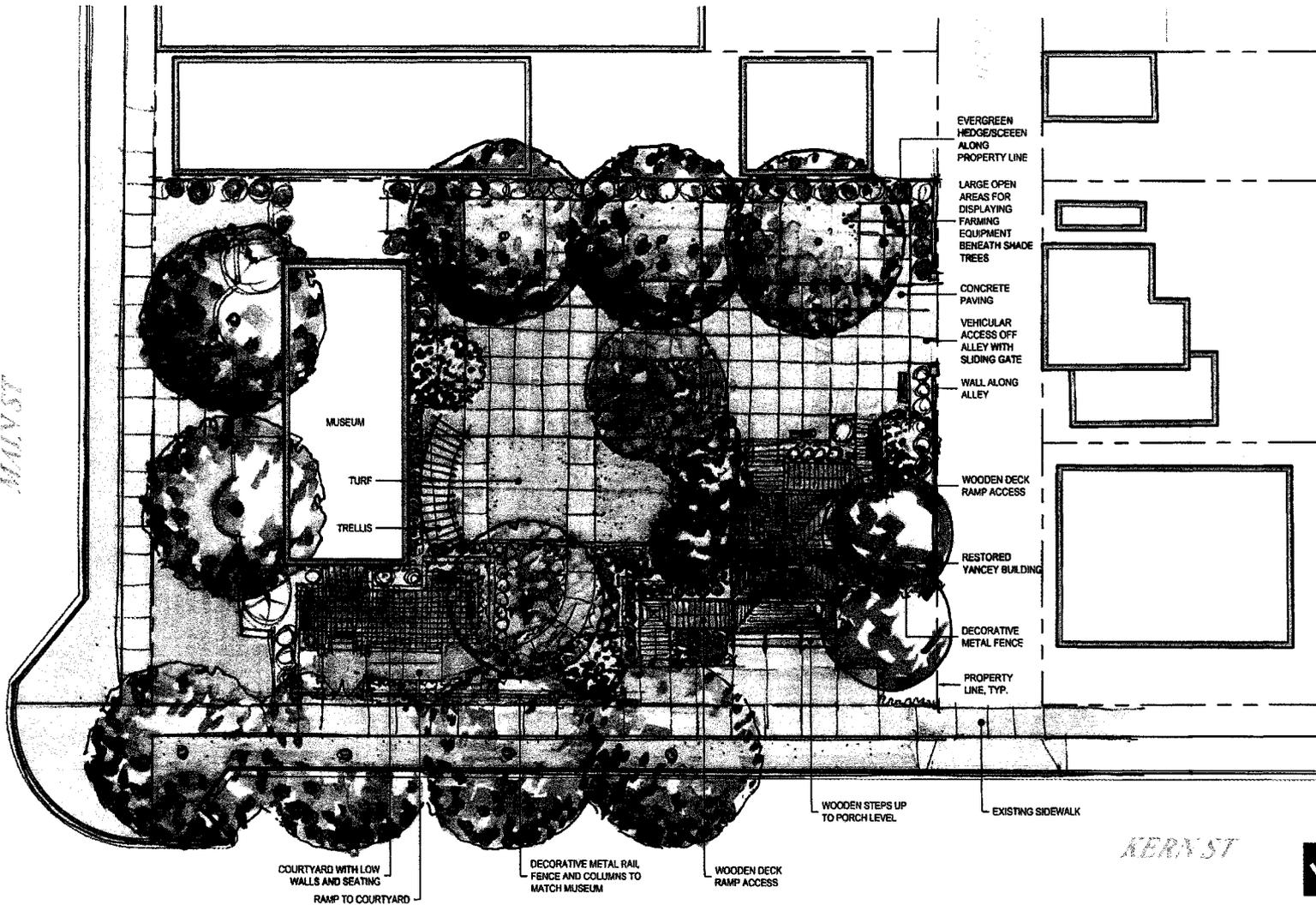
CONCLUSION:

At the request of Council, staff is presented two potential options for placement of the Yancey building. The first option would rehabilitate the building at its current location and transforms the rear of the museum into a garden-type setting, which could host City sponsored events and other types of fundraisers. This option was recommended by the Plaza Committee. The second option places the Yancey building in the southeast corner of the plaza. While a formal use is not identified, the building could potentially serve as a visitor's center and Chamber office.

Staff requests Council direction so that the plaza project may continue progressing to ensure plans are completed in time to use the Federal grant monies.

Respectfully submitted,

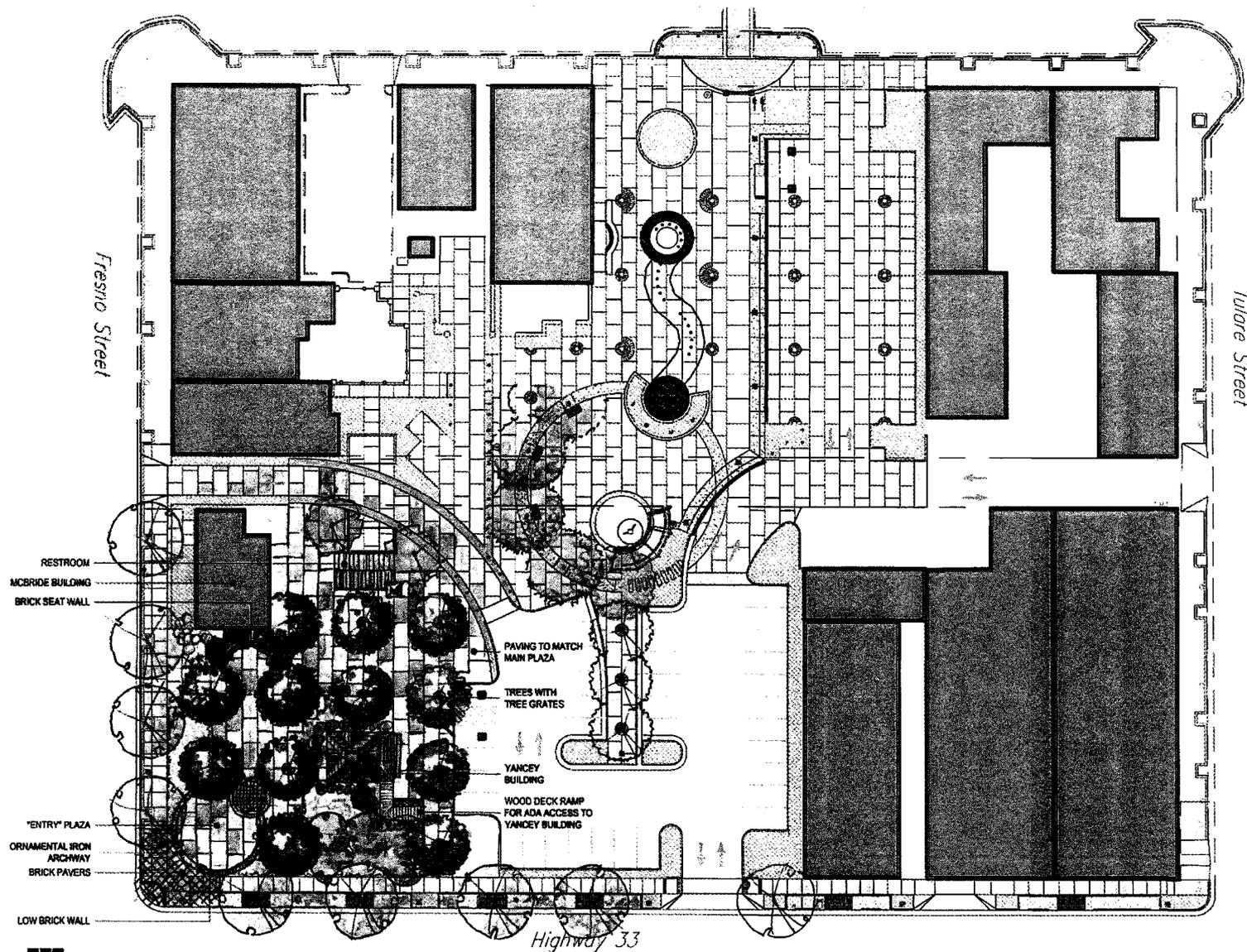
Michael Holland
City Manager



Yancey Building at Museum - Concept Plan

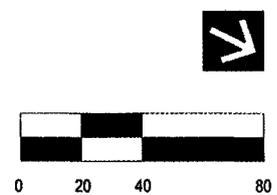
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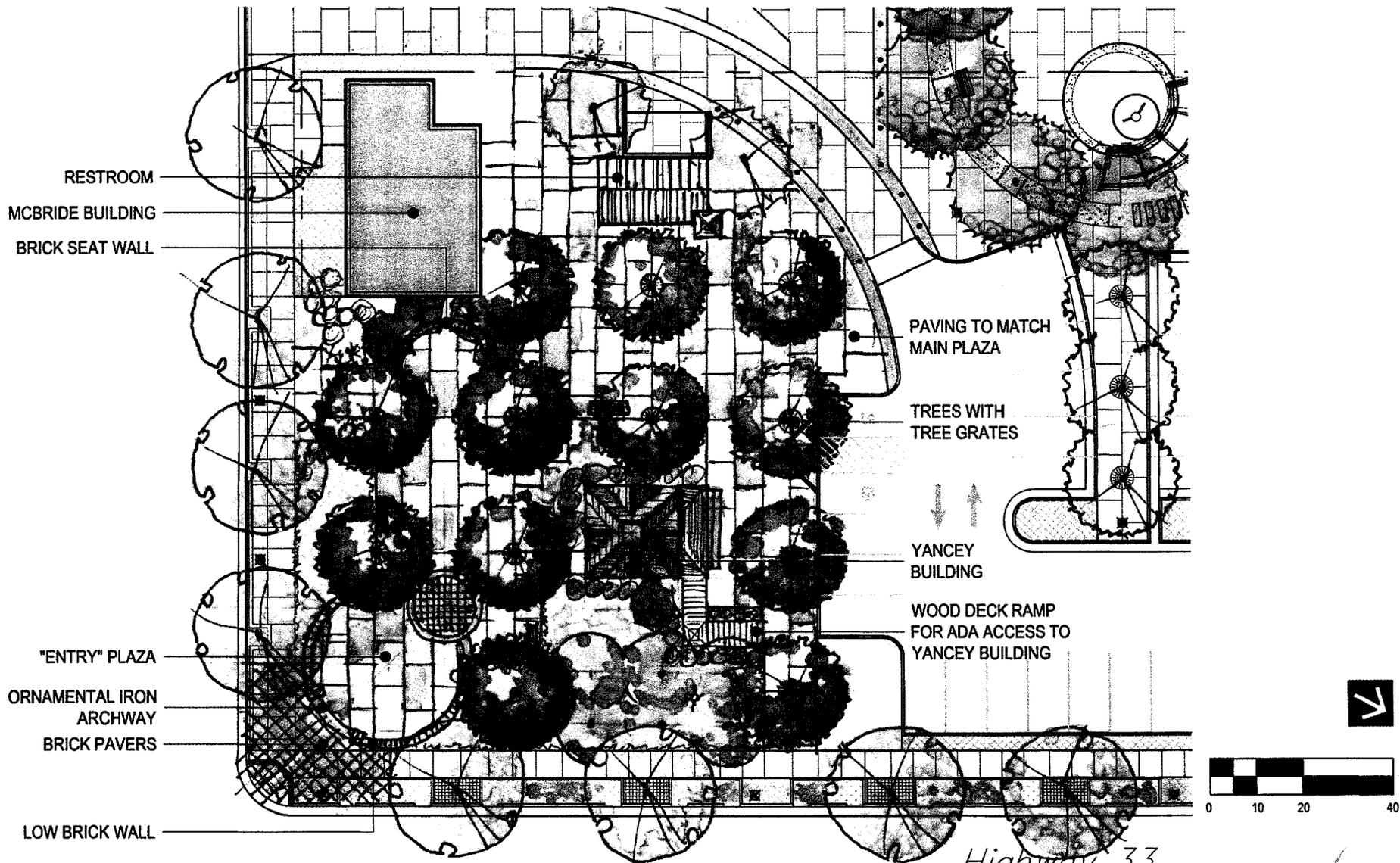
July 2008

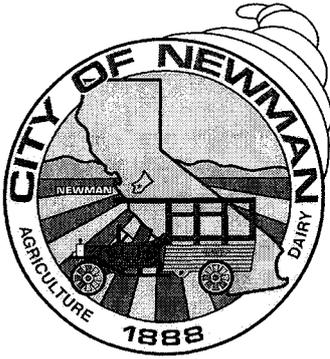


RESTROOM
 MCBRIDE BUILDING
 BRICK SEAT WALL
 "ENTRY" PLAZA
 ORNAMENTAL IRON
 ARCHWAY
 BRICK PAVERS
 LOW BRICK WALL

PAVING TO MATCH
 MAIN PLAZA
 TREES WITH
 TREE GRATES
 YANCEY
 BUILDING
 WOOD DECK RAMP
 FOR ADA ACCESS TO
 YANCEY BUILDING







City of Newman
City Manager's Office
Memorandum

Date: July 22, 2010

To: Mayor Katen and City Council

From: Michael E. Holland, City Manager

Subject: Consideration of Ballot Measure for November 2010 election.

At the July 20th City Council meeting, the Council directed staff to include an item on the July 27th agenda that would allow them the opportunity to consider adding a ballot measure to the November 2010 General Election. In preparation of this matter, staff has uncovered a number of things the Council should consider. First, the Council must agree on whether or not to add the measure to the November 2010 General Election ballot. If agreed upon, a resolution must be passed that would submit the question to the electors of whether or not the term of Mayor's office should be four (4) years. Proposed ballot wording "Shall the term of office for the Mayor be changed from two (2) years to four (4) years effective at the election for Mayor on November 6, 2012?"

If approved, a second resolution must be passed to establish the deadline for submitting 'arguments in favor of' and 'argument against' the ballot measure. A secondary issue regarding this matter involves whether or not the Council would like to submit an argument. If so, the Council should decide who will craft said argument. While no argument is required by law, a period of fourteen (14) days must be provided to allow for said arguments.

In addition to the arguments, the City Attorney must prepare an impartial analysis to be included within the ballot measure package.

This process may require Public Notices be provided and published. Staff is continuing to research the particulars regarding this issue.

RESOLUTION NO. 2010-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWMAN SUBMITTING TO THE ELECTORS OF THE CITY OF NEWMAN THE QUESTION OF WHETHER OR NOT THE TERM OF OFFICE OF MAYOR SHOULD BE FOUR (4) YEARS.

WHEREAS, the City Council of the City of Newman does hereby find that it would be desirable to submit to the electors of the City of Newman the questions of whether or not the office of Mayor should be for four (4) years; and,

WHEREAS, pursuant to Government Code Section 34900 and 36508, the City Council is authorized to submit said questions to the electors of the City at any general municipal election, or at a special election called for that purpose; and,

WHEREAS, the City of Newman will hold a municipal election on November 2, 2010, purpose of electing a Mayor, and a two Council Members; and,

WHEREAS, pursuant to the Election Code of the State of California, Section 10403, the City Council already has filed a resolution with the Stanislaus County Board of Supervisors and the Stanislaus County Elections Officially requesting the consolidation of the November 2, 2010 City of Newman Municipal Election for the purpose of electing a Mayor, and a two Council Members with the Gubernatorial General Election to be held on November 2, 2010.; and,

WHEREAS, pursuant to the Election Code of the State of California, Section 10401, the Stanislaus County Board of Supervisors has already authorized said consolidation.

NOW THEREFORE IT IS HEREBY RESOLVED by the City Council of the City of Newman as follows:

SECTION 1. That pursuant to the requirements of the laws of the State of California relating to General Law Cities, there is called and ordered to be held in the City of Newman, California, on Tuesday, November 2, 2010, a Municipal Election for the purpose of submitting the following measures to the electors of the City of Newman:

Shall the term of office of Mayor be changed from two (2) years to four (4) years effective at the election for Mayor on November 6, 2012?	YES
	NO

SECTION 3. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 4. That the Clerk of the City of Newman shall prepare and publish a synopsis of the measures combined with the notice of election as required by Section 12111(a) of the Election Code of the State of California. The Clerk shall also prepare, publish and post notice of the last date for receiving arguments for and against the measures.

SECTION 5. That the polls for the election shall be open at 7:00 a.m. of the day of the election and shall remain open continuously from that time until 8:00 p.m. of the same day when the polls shall be closed, except as provided in §14401 of the Elections Code of the State of California.

SECTION 6. That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 27th day of July 2010 by Council Member _____, who moved its adoption which motion was duly seconded and was upon roll call carried and the resolution adopted by the following vote:

AYES:
NOES:
ABSENT:

APPROVED:

Mayor of the City of Newman

ATTEST:

Deputy City Clerk of the City of Newman

RESOLUTION NO. 2010-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWMAN ESTABLISHING THE DEADLINE FOR ARGUMENTS IN FAVOR OF AND ARGUMENTS AGAINST THE BALLOT MEASURE RELATING TO THE OFFICE OF MAYOR AND ADOPT PROVISIONS FOR REBUTTALS AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS FOR EACH BALLOT MEASURE FOR THE SPECIAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 2, 2010

WHEREAS, the City Council of the City of Newman has called a municipal election for November 2, 2010; and,

WHEREAS, the City Council has agreed to submit to the electors of the City of Newman the question of whether or not the term of office of Mayor should be for four (4) years as part of the aforementioned municipal election; and,

WHEREAS, the Election Code of the State of California, provides that the City Council adopt certain procedures for the submission of arguments in favor of and arguments against each ballot measure and to provide for rebuttals and an impartial analysis.

THE CITY COUNCIL OF THE CITY OF NEWMAN HEREBY RESOLVES AS FOLLOWS:

SECTION 1. Pursuant to the California Elections Code, Section 9286 the City Clerk has established 5:00 p.m. on August 9, 2010, as the deadline for submission of arguments in favor of and arguments against the question of whether or not the term of office of Mayor should be for four (4) years and the question of whether or not the office of the City Clerk should be appointive. After which no other arguments for or arguments against may be submitted for distribution to voters. If more than one argument for or more than one argument against the question is submitted, the priorities set forth in Elections Code Section 9282 shall control.

SECTION 2. Pursuant to California Elections Code Section 9285(b) the City Council hereby adopts the provisions of Elections Code section 9285(a) allowing the filing of rebuttal arguments. The deadline for filing rebuttal arguments shall be 5:00 p.m. on August 19, 2010. After which no other rebuttal arguments may be submitted for distribution to voters.

SECTION 3. The City Council directs the City Attorney, to prepare an impartial analysis of each measure, the effect of the measure on the existing law and the operation of the measure. The impartial analysis shall be filed by the date set by the City Clerk for the filing of primary arguments.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 27th day of July 2010 by Council Member _____, who moved its adoption which motion was duly seconded and was upon roll call carried and the resolution adopted by the following vote:

AYES:
NOES:
ABSENT:

APPROVED:

ATTEST:

Mayor of the City of Newman

Deputy City Clerk of the City of Newman

Honorable Mayor and Members
of the Newman City Council

**REPORT ON THE PROPOSED LIGHTING AND LANDSCAPE MAINTENANCE DISTRICT
ASSESSMENTS**

RECOMMENDATION:

It is recommended that the City Council declare the results of a noticed assessment balloting and proceeding and approving certain actions for rates, fees, and charges for the Lighting and Landscape Maintenance District.

BACKGROUND:

The Lighting and Landscape District represents approximately 42% of the parcels within the City and includes the general nature, location and extent of improvements to be maintained. Improvements provided within the District include, but are not limited to, the weekly operation, maintenance, and servicing of all public parks, landscaping improvements, weed abatement, plant materials, pathways, irrigation systems, and street lights. In general, the intent of Proposition 218 is to ensure that all taxes and most charges of property owners are subject to voter approval. On April 13, 2010 City Council authorized the initiation of the proceedings for a proposed increase of assessments within the District and on May 11, 2010 City Council passed resolution No. 2010-30 approving the Preliminary Engineer's Report and authorizing the initiation of proposition 218 proceedings.

ANALYSIS:

Proposition 218 requires that the City send written notice and an assessment ballot by mail of the proposed increase in assessment to each property owner subject to the assessment. The written notice included the amount of the assessment, the reason for the assessment, and the date, time and location of a public hearing. The public hearing is required to be conducted not less than 45 days after mailing of the notices. If written protests against the proposed increase in assessments are presented by a majority of owners based on the proposed assessment of the identified parcels, the agency shall not impose the increased assessment; however the City may continue to levy the existing assessment at the current rates.

The special notice proceeding consisted of a mailed notice (see attached) distributed to the rate payers of record within the City and established a date and time to hold a public hearing to consider all protests against the proposed rates, fee and charges.

FISCAL IMPACT:

There is no cost associated with this item.

CONCLUSION:

Staff recommends that City Council declare the results of a noticed assessment balloting and proceeding and approving certain actions for rates, fees, and charges for the Lighting and Landscape Maintenance District as follows:

Majority Protest does not exist:

This City Council hereby finds that the assessment increase ballots submitted in favor of the levy of assessments exceed or equal the assessment ballots submitted in opposition to such levy as weighted in accordance with Assessment Law. No majority protest to the levy of assessments within the District has been found to exist. Therefore, staff recommends City Council adopt Resolution No. 2010- , declaring the results of the assessment increase ballot tabulation for the City of Newman Lighting and Landscaping Maintenance District and providing for the levy of an annual assessment therein at the rates shown in the Engineer's Report.

Majority Protest exist:

This City Council hereby finds that the assessment increase ballots submitted in opposition to the increase in the annual assessments exceed or equal the assessment ballots submitted in support to such levy as weighted in accordance with Assessment Law. A majority protest to the increase in the assessments within the District has been found to exist. Therefore, staff recommends City Council adopt Resolution No. 2010- , declaring the results of the assessment increase ballot tabulation for the City of Newman Lighting and Landscaping Maintenance District and providing for the levy of an annual assessment therein at the current rates shown in the resolution.

Respectfully Submitted:



Garner R. Reynolds
Director of Public Works

REVIEWED/CONCUR:



Michael E. Holland
City Manager

to pay for the increased costs of maintenance and services, and add an annual cost of living inflator. The improvements being maintained provide a direct and special benefit to all parcels within the benefit zone boundaries.

Basis of Proposed Assessment: The method of apportionment of the proposed assessment is based upon the relative special benefit received from the improvements and conferred upon the property within the District over and above the general benefit conferred upon the public at large. All assessable parcels within the District receive special and direct benefit from the maintenance of the improvements. Each of the parcels within the District is deemed to receive special benefit from the improvements. Each parcel that has a special benefit conferred upon it as a result of the maintenance and operation of improvements is identified and the proportionate special benefit derived by each identified parcel is determined in relationship to the entire costs of the maintenance and operation of the improvements within each Benefit Zone. Only parcels that receive direct special benefit are assessed, and each parcel is assessed in proportion to the estimated benefit received as shown below:

Benefit Zone	Property Type	2010/11 Maximum Assessment Rate
Zone 1 (Corgiat Estates)	Single Family Residential	\$ 95.01
Zone 2 (Creek Canyon)	Single Family Residential	\$ 58.53
Zone 3 (North Manor Unit No. 4)	Single Family Residential	\$ 57.67
Zone 4 (Oakwood Vista)	Single Family Residential	\$ 88.45
Zone 5 (Lucas Ranch I)	Single Family Residential	\$ 116.53
Zone 6 (Stonegate)	Single Family Residential	\$ 24.63
Zone 7 (Stonehedge Estates)	Single Family Residential	\$ 80.48
Zone 8 (Oakwood Terrace)	Single Family Residential	\$ 28.75
Zone 9 (Silva Ranch Estates)	Single Family Residential	\$ 107.96
Zone 10 (Lucas Ranch II & III)	Single Family Residential	\$ 150.82
Zone 11 (Stephens Ranch)	Single Family Residential	\$ 128.32
Zone 12 (Walnut Creek Estates)	Single Family Residential	\$ 232.00
Zone 13 (Hearthstone Ranch)	Single Family Residential	\$ 115.63
Zone 14 (Sherman Ranch)	Single Family Residential	\$ 224.06
	High Density Residential	\$ 112.03
Zone 15 (Monte Vista Estates)	Single Family Residential	\$ 152.75

The use of the latest County Assessor's Secured Roll shall be the basis for the Property Type determination unless better data is available to the City. The maximum assessment is subject to an annual cost of living inflator as described above. A complete description of the method of assessment is described in the Engineer's Report, a copy of which is available at the office of the City Clerk.

ASSESSMENT BALLOTING PROCEDURES

Upon completion, please fold and insert the assessment ballot into the return envelope and seal the envelope. Make sure you sign and mark your assessment ballot. Mail or deliver the ballot to the address shown on the return envelope pursuant to the enclosed instructions regarding submission of assessment ballot.

The City Council will consider approving the increase in the annual assessment as described above and on the enclosed assessment ballot if there is no majority protest. A majority protest exists if the assessments represented by ballots submitted in opposition exceed those submitted in favor of the assessment. All returned ballots are tabulated and weighted according to the financial obligation of each particular parcel.

THE PROPOSED ANNUAL ASSESSMENT AS DESCRIBED IN THIS NOTICE IS AN INCREASE TO YOUR EXISTING LLIGHTING AND LANDSCAPE MAINTENACNE ASSESSMENT AND, IF APPROVED, WILL APPEAR EACH YEAR ON YOUR PROPERTY TAX BILL.

QUESTIONS REGARDING THESE PROCEEDINGS

For information relating to these proceedings, public hearing and the ballot procedure, please contact:

NOTICE OF PUBLIC HEARING AND ASSESSMENT BALLOT PROCEDURE

CITY OF NEWMAN LIGHTING AND LANDSCAPE MAINTENACNE DISTRICT

ASSESSOR'S PARCEL NUMBER: <XXXX-XXX-XXX>

NOTICE OF PUBLIC HEARING

This notice informs you, as the record owner of property within the City of Newman Lighting and Landscape Maintenance District, that the City of Newman will be conducting a Public Hearing pursuant to the provisions of the Landscaping and Lighting Act of 1972, Article XIID of the Constitution of the State of California and the Proposition 218 Omnibus Implementation Act to consider an increase in the assessment rates for parcels within the District.

IF THE PROPOSED RATE INCREASE COVERED BY THIS BALLOT PROCEDURE IS NOT APPROVED BY THE PROPERTY OWNERS, THE EXISTING THE CITY WILL CONTINUE TO LEVY THE EXISTING LIGHTING AND LANDSCAPE MAINTENACE ASSESSMENTS FOR FISCAL YEAR 2010-11

The Public Hearing is hereby scheduled to be held at the City of Newman, Council Chambers, 1200 Main Street, Newman, California on:

July 13, 2010, at 7:00 p.m.

or as soon thereafter as the matter may be heard. All interested persons are invited to attend and express opinions on the matter of the proposed District.

RIGHT TO SUBMIT ASSESSMENT BALLOT

Owners of record who desire to submit an assessment ballot must mail or personally deliver a completed assessment ballot to the office of the City Clerk. An assessment ballot and return envelope are enclosed with this Notice. Spouses wishing to submit separate ballots may obtain split replacement ballots by contacting the City at the contact information shown at the bottom of this Notice.

All assessment ballots must be received by the City Clerk at or before the conclusion of the Public Hearing shown above. The delivery address is:

Office of the City Clerk, 1162 Main Street, Newman, CA 995360

ASSESSMENT INFORMATION

Boundaries of the District: The District is located in the City of Newman and has fifteen (15) benefit zones. The boundary for the benefit zones are generally described as the areas located within the following sub-divisions: Corgiat Estates (Zone 1), Creek Canyon (Zone 2), North Manor Unit No. 4 (Zone 3), Oakwood Vista (Zone 4), Lucas Ranch 1 (Zone 5), Stonegate (Zone 6), Stonehedge Estate (Zone 7), Oakwood Terrace (Zone 8), Silva Ranch Estates (Zone 9), Lucas Ranch II & III (Zone 10), Stephens Ranch (Zone 11), Walnut Creek Estates (Zone 12), Hearthstone Ranch (Zone 13), Sherman Ranch (Zone 14) and Monte Vista Estates (Zone 15).

Total Proposed Fiscal Year 2010/11 Maximum Assessment for the Entire District: \$275,388.

Your Proposed Maximum Assessment for Fiscal Year 2010/11: <\$XXXXXX>. The proposed maximum Fiscal Year 2010/11 assessment for the property identified above is also shown on the enclosed assessment ballot.

Duration of Proposed Assessment: The proposed assessment for the District will be levied annually as long as funds are necessary for the maintenance of improvements.

Cost of Living Inflator: Each fiscal year beginning Fiscal Year 2011/12, the maximum allowable assessment amount (as shown above) may be increased by the percentage change in the year ending February preceding the start of the Fiscal Year of the Consumer Price Index for all Urban Consumers (CPI-U), for the San Francisco-Oakland-San Jose area. If for any reason the percentage change is negative the maximum allowable assessment would not be decreased by reason of such negative percentage change and would remain at the amount as computed on the previous fiscal year regardless of any CPI adjustment. The annual assessment can not exceed the actual costs to operate the District in any given year. If operating costs are such that the maximum assessment amount is not needed, the City would levy only what is needed for that year.

Reasons for the Proposed Assessment: The proposed assessments will provide for the continued maintenance, operation and servicing of the street lighting and landscaping improvements within each benefit zone, provide for the means

(continued on back)

RESOLUTION NO. 2010-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWMAN, CALIFORNIA,
DECLARING THE RESULTS OF THE ASSESSMENT INCREASE BALLOT TABULATION
FOR THE CITY OF NEWMAN LIGHTING AND LANDSCAPE MAINTENANCE DISTRICT
AND PROVIDING FOR THE LEVY OF AN ANNUAL ASSESSMENT THEREIN**

WHEREAS, the City Council of the City of Newman (hereafter referred to as the "City Council") has, by previous resolution, initiated proceedings for the formation and for the levy and collection of annual assessments within said District, pursuant to the terms of the "*Landscaping and Lighting Act of 1972*", being Division 15, Part 2 of the California Streets and Highway Code (the "1972 Act"), Article XIID of the Constitution of the State of California ("Article XIID") and the Proposition 218 Omnibus Implementation Act (Government Code Section 53750 and following, the "Implementation Act") (the 1972 Act, Article XIID and the Implementation Act are referred to collectively as the "Assessment Law"). Such District shall be known and designated as the City of Newman Lighting and Landscape Maintenance District No. 1; and

WHEREAS, the City Council did order and subsequently receive and Assessment Engineer's Report (herein after referred to as the "Engineer's Report") prepared by NBS in accordance with Assessment Law; and

WHEREAS, the City Council did set the time and place for a Public Hearing to consider the increase in assessments and for the authorization to levy annual assessments therein. The City Council did also order a notice of Public Hearing, accompanied by assessment increase ballots, be given to the record owners of all property within the District in accordance with the Assessment Law; and

WHEREAS, notice of said Public Hearing accompanied by assessment increase ballots were mailed to the record owners of all property within the District in accordance with Assessment Law.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Newman DOES HEREBY RESOLVE as follows:

1. The above recitals are all true and correct.
2. The City Council hereby finds and determines that the procedures for the consideration of the increase in annual assessments have been undertaken in accordance with Assessment Law.
3. Assessment increase ballots were mailed, as required by Assessment Law, to the record owners of all properties proposed to be assessed within the District. The assessment increase ballots that were completed and received by the City Clerk, prior to the close of the Public Hearing, have been tabulated in accordance with the procedures established by Assessment Law and the results of such tabulation have been submitted to this City Council.
4. This City Council hereby finds that the assessment increase ballots submitted in favor of the levy of assessments exceed or equal the assessment ballots submitted in opposition to such levy as weighted in accordance with Assessment Law. Therefore, no majority protest to the levy of assessments within the District has been found to exist.
5. The City Council hereby orders the increase in assessments for the District.
6. Based upon the Engineer's Report and the testimony and other evidence presented at the Public Hearing, the City Council hereby makes the following determinations regarding

the assessments to be levied for Fiscal Year 2010/11. Assessments will be levied to pay for a portion of the estimated costs to maintain the improvements within the District.

- a. The proportionate special benefit derived by each assessable parcel has been determined in relationship to the entirety of the cost of the operations and maintenance expenses.
- b. The assessments do not exceed the reasonable cost of the proportional special benefit conferred on each parcel.
- c. Only special benefits have been assessed.

The assessments for the District contained in the Engineer's Report for Fiscal Year 2010/11 are hereby confirmed and levied upon the respective lots or parcels within the District as set forth in said Engineer's Report. Subsequent annual assessments, in amounts not to exceed an established maximum annual assessment may be confirmed and levied without further assessment ballot proceedings pursuant to Assessment Law. Each fiscal year beginning Fiscal Year 2011/12, the maximum allowable assessment (the "Maximum Assessment") may be increased by the percentage change, in the year ending February preceding the start of the Fiscal Year, of the Consumer Price Index for all Urban Consumers for the San Francisco-Oakland-San Jose without further compliance with the assessment ballot procedures required under Assessment Law. If for any reason the percentage change is negative the maximum allowable assessment would not be decreased by reason of such negative percentage change and would remain at the amount as computed on the previous fiscal year regardless of any CPI adjustment.

6. The public interest and convenience requires and this legislative body does hereby order the maintenance work to be continued as set forth in the Engineer's Report.
7. The assessments shall be collected at the same time and in the same manner as County secured property taxes are collected and all laws providing for the collection and enforcement of County secured property taxes shall apply to the collection of the assessments.
8. The assessments as above confirmed and levied for these proceedings will provide revenue to finance the maintenance of authorized improvements in the fiscal year commencing July 1, 2010 and ending June 30, 2011.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 27th day of July 2010 by Council Member _____, who moved its adoption which motion was duly seconded and was upon roll call carried and the resolution adopted by the following vote:

AYES:
NOES:
ABSENT:

APPROVED:

ATTEST:

Mayor of the City of Newman

Deputy City Clerk of the City of Newman

RESOLUTION NO. 2010-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWMAN, CALIFORNIA,
DECLARING THE RESULTS OF THE ASSESSMENT INCREASE BALLOT TABULATION
FOR THE CITY OF NEWMAN LIGHTING AND LANDSCAPE MAINTENANCE DISTRICT
AND PROVIDING FOR THE LEVY OF AN ANNUAL ASSESSMENT THEREIN**

WHEREAS, the City Council, of the City of Newman (the "City"), has, by previous Resolution, initiated proceedings for the formation and for the levy and collection of annual assessments within said District, pursuant to the terms of the "Landscaping and Lighting Act of 1972", being Division 15, Part 2 of the Streets and Highways Code of the State of California (the "1972 Act"), Article XIII D of the Constitution of the State of California ("Article XIII D") and the Proposition 218 Omnibus Implementation Act (Government Code Section 53750 and following, the "Implementation Act") (the 1972 Act, Article XIII D and the Implementation Act are referred to collectively as the "Assessment Law"). Such District shall be known and designated as City of Newman Lighting and Maintenance Assessment District; and

WHEREAS, the City Council did order and subsequently receive and Assessment Engineer's Report (herein after referred to as the "Engineer's Report") prepared by NBS in accordance with Assessment Law; and

WHEREAS, the City Council did set the time and place for a Public Hearing to consider the increase in assessments and for the authorization to levy annual assessments therein. The City Council did also order a notice of Public Hearing, accompanied by assessment increase ballots, be given to the record owners of all property within the District in accordance with the Assessment Law; and

WHEREAS, notice of said Public Hearing accompanied by assessment increase ballots were mailed to the record owners of all property within the District in accordance with Assessment Law.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Newman DOES HEREBY RESOLVE as follows:

1. The above recitals are all true and correct.
2. The City Council hereby finds and determines that the procedures for the consideration of the increase in annual assessments have been undertaken in accordance with Assessment Law.
3. Assessment increase ballots were mailed, as required by Assessment Law, to the record owners of all properties proposed to be assessed within the District. The assessment increase ballots that were completed and received by the City Clerk, prior to the close of the Public Hearing, have been tabulated in accordance with the procedures established by Assessment Law and the results of such tabulation have been submitted to this City Council.
4. This City Council hereby finds that the assessment increase ballots submitted in opposition to the increase in the annual assessments exceed or equal the assessment ballots submitted in support to such levy as weighted in accordance with Assessment Law. Therefore, a majority protest to the increase in the assessments within the District has been found to exist.

5. The City Council hereby orders that the assessments be levied at the existing rates for Fiscal Year 2010/11 which amounts are shown below and include any allowable increase for Zones 13 through 15:

Benefit Zone	Rate per BU
Zone 1 (Corgiat Estates)	\$ 73.36
Zone 2 (Creek Canyon)	\$ 44.28
Zone 3 (North Manor Unit No. 4)	\$ 34.20
Zone 4 (Oakwood Vista)	\$ 71.54
Zone 5 (Lucas Ranch I)	\$ 78.42
Zone 6 (Stonegate)	\$ 17.28
Zone 7 (Stonehedge Estates)	\$ 67.58
Zone 8 (Oakwood Terrace)	\$ 18.94
Zone 9 (Silva Ranch Estates)	\$ 66.04
Zone 10 (Lucas Ranch II & III)	\$ 81.72
Zone 11 (Stephens Ranch)	\$ 76.08
Zone 12 (Walnut Creek Estates)	\$ 88.48
Zone 13 (Hearthstone Ranch)	\$ 97.21
Zone 14 (Sherman Ranch)	\$ 219.48
Zone 15 (Monte Vista Estates)	\$ 243.62

6. Based upon the Engineer's Report and the testimony and other evidence presented at the Public Hearing, the City Council hereby makes the following determinations regarding the assessments to be levied for Fiscal Year 2010/11. Assessments will be levied to pay for a portion of the estimated costs to maintain the improvements within the District.
- The proportionate special benefit derived by each assessable parcel has been determined in relationship to the entirety of the cost of the operations and maintenance expenses.
 - The assessments do not exceed the reasonable cost of the proportional special benefit conferred on each parcel.
 - Only special benefits have been assessed.

The assessments for the District contained in the Engineer's Report for Fiscal Year 2010/11 are hereby amended to reflect the rates shown in Item 5 above and are confirmed and levied upon the respective lots or parcels within the District as amended herein.

7. The public interest and convenience requires and this legislative body does hereby order the maintenance work to be continued as set forth in the Engineer's Report.
8. The assessments shall be collected at the same time and in the same manner as County secured property taxes are collected and all laws providing for the collection and enforcement of County secured property taxes shall apply to the collection of the assessments.

9. The assessments as above confirmed and levied for these proceedings will provide revenue to finance the maintenance of authorized improvements in the fiscal year commencing July 1, 2010 and ending June 30, 2011.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 27th day of July 2010 by Council Member _____, who moved its adoption which motion was duly seconded and was upon roll call carried and the resolution adopted by the following vote:

AYES:
NOES:
ABSENT:

APPROVED:

Mayor of the City of Newman

ATTEST:

Deputy City Clerk of the City of Newman

Honorable Mayor and Members
of the Newman City Council

Agenda Item: 9.b.
City Council Meeting
of July 27, 2010

REPORT ON NUISANCE ABATEMENT

RECOMMENDATION:

Adopt Resolution No. 2010- , Declaring The Existence Of A Public Nuisance Under Ordinance No. 95-4.

BACKGROUND:

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

ANALYSIS:

This notice informs property owners of all nuisance abatement procedures, option and their right to object at a public hearing. It is anticipated that many property owners will comply with the abatement notices prior to the hearing date. A final compliance survey will be done on Monday, July 26, 2010. A list of properties that have not complied with the abatement notice will be handed out at the council meeting prior to the public hearing.

FISCAL IMPACT:

None

CONCLUSION:

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

Respectfully submitted,



Randy Richardson, Chief of Police

REVIEWED/CONCUR:

Michael Holland, City Manager

RESOLUTION NO. 2010-

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

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

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

WHEREAS, said hearing was held on July 27, 2010, at 7:00 p.m., as in said notice provided; and,

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

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

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 27th day of July, 2010 by Council Member _____, who moved its adoption, which motion was duly seconded and was adopted upon roll call vote.

AYES:
NOES:
ABSENT:

APPROVED:

Mayor

ATTEST:

Deputy City Clerk

City of Newman
Abatement list

1. 515 Waxwing Lane

Tall grass and weeds through out the front and backyard of the property

2.2113 Creek Park Dr.

Tall grass and weeds through out the front and backyard of the property

Joel and Linda Braswell
616 21st Street, Apt#2
Sacramento, Ca 95811

NOTICE TO ABATE PUBLIC NUISANCE BY THE REMOVAL OF WEEDS,
DIRT, RUBBISH AND/OR RANK GROWTH

NOTICE IS HEREBY GIVEN THAT:

Pursuant to the provisions of Chapter 2, Title 8 of the City Code of Newman, the following conditions, as declared in Section 8-2-3, constitutes a public nuisance at: 515 Waxwing Lane., APN No. 128-058-031-000,

Tall grass and weeds through out the front yard and backyard of the property, which must be abated by the destruction, or removal thereof within 10 days of the date of the notice.

All responsible persons owning, managing or having control or change or occupancy of any such private property shall, without delay, destroy or remove such public nuisances, as defined above, from their property and from their half of the abutting street and alley between the lot lines, as extended, or such public nuisances will be destroyed or removed and such nuisances abated by City authorities, in which case the cost of destruction or removal will be assessed upon the lots and lands, from, or on which, or abutting the streets and alleys from, or on which, such nuisance was abated, and such costs will constitute a lien upon the lots or parcels until paid and will be collected on the next tax roll upon which Municipal taxes are collected.

All Property owners having objections to the proposed abatement of the nuisance are hereby notified to attend a meeting of the City Council of the City of Newman to be held on July 13, 2010 at 7:00 p.m., at which time and place all objections will be heard and given due consideration.

Dated: June 9 2010

Jessica Tobin
Community Service Officer

Joel and Linda Braswell
616 21st Street, Apt#2
Sacramento, Ca 95811

Second Notice

NOTICE TO ABATE PUBLIC NUISANCE BY THE REMOVAL OF WEEDS, DIRT, RUBBISH AND/OR RANK GROWTH

NOTICE IS HEREBY GIVEN THAT:

Pursuant to the provisions of Chapter 2, Title 8 of the City Code of Newman, the following conditions, as declared in Section 8-2-3, constitutes a public nuisance at: 515 Waxwing Lane., APN No. 128-058-031-000,
Tall grass and weeds through out the front yard and backyard of the property, which must be abated by the destruction, or removal thereof within 10 days of the date of the notice.

All responsible persons owning, managing or having control or change or occupancy of any such private property shall, without delay, destroy or remove such public nuisances, as defined above, from their property and from their half of the abutting street and alley between the lot lines, as extended, or such public nuisances will be destroyed or removed and such nuisances abated by City authorities, in which case the cost of destruction or removal will be assessed upon the lots and lands, from, or on which, or abutting the streets and alleys from, or on which, such nuisance was abated, and such costs will constitute a lien upon the lots or parcels until paid and will be collected on the next tax roll upon which Municipal taxes are collected.

All Property owners having objections to the proposed abatement of the nuisance are hereby notified to attend a meeting of the City Council of the City of Newman to be held on July 13, 2010 at 7:00 p.m., at which time and place all objections will be heard and given due consideration.

Dated: June 21 2010

Jessica Tobin
Community Service Officer

Joel and Linda Braswell
616 21st Street, Apt#2
Sacramento, Ca 95811

THIRD AND FINAL NOTICE

NOTICE TO ABATE PUBLIC NUISANCE BY THE REMOVAL OF WEEDS,
DIRT, RUBBISH AND/OR RANK GROWTH

NOTICE IS HEREBY GIVEN THAT:

Pursuant to the provisions of Chapter 2, Title 8 of the City Code of Newman, the following conditions, as declared in Section 8-2-3, constitutes a public nuisance at: 515 Waxwing Lane., APN No. 128-058-031-000,

Tall grass and weeds through out the front yard and backyard of the property, which must be abated by the destruction, or removal thereof within 10 days of the date of the notice.

All responsible persons owning, managing or having control or change or occupancy of any such private property shall, without delay, destroy or remove such public nuisances, as defined above, from their property and from their half of the abutting street and alley between the lot lines, as extended, or such public nuisances will be destroyed or removed and such nuisances abated by City authorities, in which case the cost of destruction or removal will be assessed upon the lots and lands, from, or on which, or abutting the streets and alleys from, or on which, such nuisance was abated, and such costs will constitute a lien upon the lots or parcels until paid and will be collected on the next tax roll upon which Municipal taxes are collected.

All Property owners having objections to the proposed abatement of the nuisance are hereby notified to attend a meeting of the City Council of the City of Newman to be held on July 13, 2010 at 7:00 p.m., at which time and place all objections will be heard and given due consideration.

Dated: July 1, 2010

Randy Richardson
Chief of Police

Joel and Linda Braswell
616 21st Street, Apt#2
Sacramento, Ca 95811

THIRD AND FINAL NOTICE

NOTICE TO ABATE PUBLIC NUISANCE BY THE REMOVAL OF WEEDS, DIRT, RUBBISH AND/OR RANK GROWTH

NOTICE IS HEREBY GIVEN THAT:

Pursuant to the provisions of Chapter 2, Title 8 of the City Code of Newman, the following conditions, as declared in Section 8-2-3, constitutes a public nuisance at: 515 Waxwing Lane., APN No. 128-058-031-000.

Tall grass and weeds through out the front yard and backyard of the property, which must be abated by the destruction, or removal thereof within 10 days of the date of the notice.

All responsible persons owning, managing or having control or change or occupancy of any such private property shall, without delay, destroy or remove such public nuisances, as defined above, from their property and from their half of the abutting street and alley between the lot lines, as extended, or such public nuisances will be destroyed or removed and such nuisances abated by City authorities, in which case the cost of destruction or removal will be assessed upon the lots and lands, from, or on which, or abutting the streets and alleys from, or on which, such nuisance was abated, and such costs will constitute a lien upon the lots or parcels until paid and will be collected on the next tax roll upon which Municipal taxes are collected.

All Property owners having objections to the proposed abatement of the nuisance are hereby notified to attend a meeting of the City Council of the City of Newman to be held on July 27, 2010 at 7:00 p.m., at which time and place all objections will be heard and given due consideration.

Dated: July 16, 2010

Randy Richardson
Chief of Police



07.07.2010 10:09



07-07-2016 10:09

Maria Rodriguez
339 E. Main Street
Merced, Ca 95340

NOTICE TO ABATE PUBLIC NUISANCE BY THE REMOVAL OF WEEDS,
DIRT, RUBBISH AND/OR RANK GROWTH

NOTICE IS HEREBY GIVEN THAT:

Pursuant to the provisions of Chapter 2, Title 8 of the City Code of Newman, the following conditions, as declared in Section 8-2-3, constitutes a public nuisance

at: 2113 Creek Park Dr., APN No. 026-048-032-000,

Tall grass and weeds throughout the property, which must be abated by the destruction, or removal thereof within 10 days of the date of the notice.

All responsible persons owning, managing or having control or change or occupancy of any such private property shall, without delay, destroy or remove such public nuisances, as defined above, from their property and from their half of the abutting street and alley between the lot lines, as extended, or such public nuisances will be destroyed or removed and such nuisances abated by City authorities, in which case the cost of destruction or removal will be assessed upon the lots and lands, from, or on which, or abutting the streets and alleys from, or on which, such nuisance was abated, and such costs will constitute a lien upon the lots or parcels until paid and will be collected on the next tax roll upon which Municipal taxes are collected.

All Property owners having objections to the proposed abatement of the nuisance are hereby notified to attend a meeting of the City Council of the City of Newman to be held on July 27, 2010 at 7:00 p.m., at which time and place all objections will be heard and given due consideration.

Dated: June 25, 2010

Jessica Tobin
Community Service Officer

Maria Rodriguez
339 E. Main Street
Merced, Ca 95340

Second Notice

NOTICE TO ABATE PUBLIC NUISANCE BY THE REMOVAL OF WEEDS, DIRT, RUBBISH AND/OR RANK GROWTH

NOTICE IS HEREBY GIVEN THAT:

Pursuant to the provisions of Chapter 2, Title 8 of the City Code of Newman, the following conditions, as declared in Section 8-2-3, constitutes a public nuisance at: 2113 Creek Park Dr., APN No. 026-048-032-000,
Tall grass and weeds throughout the property, which must be abated by the destruction, or removal thereof within 10 days of the date of the notice.

All responsible persons owning, managing or having control or change or occupancy of any such private property shall, without delay, destroy or remove such public nuisances, as defined above, from their property and from their half of the abutting street and alley between the lot lines, as extended, or such public nuisances will be destroyed or removed and such nuisances abated by City authorities, in which case the cost of destruction or removal will be assessed upon the lots and lands, from, or on which, or abutting the streets and alleys from, or on which, such nuisance was abated, and such costs will constitute a lien upon the lots or parcels until paid and will be collected on the next tax roll upon which Municipal taxes are collected.

All Property owners having objections to the proposed abatement of the nuisance are hereby notified to attend a meeting of the City Council of the City of Newman to be held on July 27, 2010 at 7:00 p.m., at which time and place all objections will be heard and given due consideration.

Dated: July 12, 2010

Jessica Tobin
Community Service Officer

Maria Rodriguez
339 E. Main Street
Merced, Ca 95340

THIRD AND FINAL NOTICE

NOTICE TO ABATE PUBLIC NUISANCE BY THE REMOVAL OF WEEDS, DIRT, RUBBISH AND/OR RANK GROWTH

NOTICE IS HEREBY GIVEN THAT:

Pursuant to the provisions of Chapter 2, Title 8 of the City Code of Newman, the following conditions, as declared in Section 8-2-3, constitutes a public nuisance at: **2113 Creek Park Dr., APN No. 026-048-032-000,**
Tall grass and weeds throughout the property, which must be abated by the destruction, or removal thereof within **10** days of the date of the notice.

All responsible persons owning, managing or having control or change or occupancy of any such private property shall, without delay, destroy or remove such public nuisances, as defined above, from their property and from their half of the abutting street and alley between the lot lines, as extended, or such public nuisances will be destroyed or removed and such nuisances abated by City authorities, in which case the cost of destruction or removal will be assessed upon the lots and lands, from, or on which, or abutting the streets and alleys from, or on which, such nuisance was abated, and such costs will constitute a lien upon the lots or parcels until paid and will be collected on the next tax roll upon which Municipal taxes are collected.

All Property owners having objections to the proposed abatement of the nuisance are hereby notified to attend a meeting of the City Council of the City of Newman to be held on **July 27, 2010** at **7:00 p.m.**, at which time and place all objections will be heard and given due consideration.

Dated: July 22, 2010

Brett Short
Lieutenant



07.22.2010 13:06



07.22.2010 18:06