

AGENDA
NEWMAN CITY COUNCIL/REDEVELOPMENT AGENCY
REGULAR MEETING FEBRUARY 22, 2011
CITY COUNCIL CHAMBERS, 7:00 P.M., 1200 MAIN STREET

1. Call To Order.
2. Pledge Of Allegiance.
3. Invocation.
4. Roll Call.
5. Declaration Of Conflicts Of Interest.
6. Ceremonial Matters.
7. Items from the Public - Non-Agenda Items.
8. Consent Calendar
 - a. Waive All Readings Of Ordinances And Resolutions Except By Title.
 - b. Approval Of Warrants.
 - c. Approval Of Minutes Of The February 8, 2011 Regular Meeting.
 - d. Adopt Resolution No. 2011- , A Resolution Joining With The League Of California Cities In Declaring Opposition To California Governor Brown's Fiscal Year 2011-12 State Budget Proposal To Eliminate Redevelopment Agencies And Enterprise Zones.
 - e. Adopt Resolution No. 2011- , A Resolution Authorizing Ed Katen As Mayor, And Michael Holland As City Clerk To Record A Notice Of Completion For The Orestimba Flood Control Project Soil Borings.
 - f. Adopt Resolution No. 2011- , A Resolution Authorizing Ed Katen As Mayor, And Michael Holland As City Clerk To Record A Notice Of Completion For The 2010 Sewer Pump Station SCADA Additions Project.
 - g. Adopt Resolution No. 2011- , A Resolution Approving An Environmentally Preferable Purchasing And Practices Policy.
 - h. Adopt Resolution No. 2011- , A Resolution Approving The Automatic Annual Inflation Adjustment For Capital Facility And Impact Fees For The Period Of March 1, 2011 Through February 29, 2012.
9. Public Hearings
 - a. Second Reading And Adoption Of Ordinance No. 2011- , An Ordinance Amending Title 9 Police Regulations, Chapter 9.02 Animal Control, Adding Section 9.02.148 Litter Permit, Requiring That Individuals Must Purchase Litter Permits From The City Of Newman In Order To Breed Dogs And Cats With In The City Limits And Authorizing Staff To Prepare And Publish A Summary Of Said Ordinance.

10. Regular Business

- a. Adopt Resolution No. 2011- , A Resolution Approving The Submittal Of Applications To CalRecycle For All Grants For Which The City Of Newman Is Eligible And Authorizing The City Manager Or The Director Of Public Works To Execute All Grant Documents, Including But Not Limited To Applications, Agreements, Amendments And Requests For Payment Necessary To Secure Grant Funds And Implement The Approved Grant Project.
- b. Adopt Resolution No. 2011- , Authorizing The City Manager To Execute An Agreement For Sale Of Commercial Real Estate For Use As Future Sherman Parkway Right-Of-Way.

11. Items From District Five Stanislaus County Supervisor.

12. Items From The City Manager And Staff.

13. Items From City Council Members.

14. Adjournment.

Calendar of Events

February 18 – City Furlough Day – City Offices Closed.

February 21 – Presidents’ Day Holiday– City Offices Closed.

February 22 – City Council - 7:00 P.M.

March 8 – City Council - 7:00 P.M.

March 10 – Recreation Commission – 7:00 P.M.

March 14 – NCLUSD Board Meeting - 6:00 P.M.

March 15 – Two-On-Two Meeting With The School Board - 4:00 P.M.

March 17 – Planning Commission – 7:00 P.M.

March 19 – Chamber Of Commerce Dinner

March 22 – City Council - 7:00 P.M.

March 25 – City Furlough Day – City Offices Closed.

April 11 – NCLUSD Board Meeting - 6:00 P.M.

April 12 – City Council - 7:00 P.M.

April 14 – Recreation Commission – 7:00 P.M.

April 19 – Two-On-Two Meeting With The School Board - 4:00 P.M.

April 21 – Planning Commission – 7:00 P.M.

April 22 – City Furlough Day – City Offices Closed

April 26 – City Council - 7:00 P.M.

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Time.: 10:04 am
Run by: EMILY M. FARIA

CITY OF NEWMAN
CASH DISBURSEMENTS REPORT

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Ck #	Check Date	CK Amount	Vendor Name	Description
038781	02/17/11	464.61	ARAMARK UNIFORM SERVICES	UNIFORM CLEANING/MAT RENTAL/TOWELS/JAN 2011
038782	02/17/11	735.00	ARMCO ROOFING	ROOF REPAIRS TO TEEN CENTER
038783	02/17/11	201.24	ARROWHEAD MOUNTAIN SPRING	DELIVERED BOTTLED WATER/JAN 2011
038784	02/17/11	68.91	AT&T	MONTHLY PHONE SERVICE FOR 668-3946
038784	02/17/11	66.02	AT&T	MONTHLY PHONE SERVICE FOR 634-0508
038785	02/17/11	632.25	JAMES J. BELL	CONTRACT SERV/EVIDENCE CLERK/2-1 TO 2-15-11/BELL
038786	02/17/11	452.00	BERTOLOTTI DISPOSAL	LANDFILL FEES/JAN 2011
038787	02/17/11	214.76	BEST BEST & KRIEGER, LLP	GENERAL CONSULTATION THRU 1/31/11
038788	02/17/11	171.27	B G AUTO	OIL/FILTERS/DOOR HANDLE/PWR STRG FLUID/PANEL TRIM
038789	02/17/11	239.95	BIG O TIRES-PATTERSON	WHEEL ALIGNMENT/TIRE ROTATION/FRONT END LABOR
038790	02/17/11	10815.00	BLUE SHIELD OF CALIFORNIA	HEALTH INSURANCE PREMIUM/MARCH 2011
038791	02/17/11	845.27	BUSINESS CARD	PARKING FEES/4 NEW TIRES INSTALLED/GMC YUKON
038791	02/17/11	546.75	BUSINESS CARD	T-SHIRTS/SYMPATHY ARR/LODGING-HUTCHINS
038791	02/17/11	660.29	BUSINESS CARD	SUPPLLIES/TEEN CNTR & CORPORAL SWEAR-IN/REPAIRS
038792	02/17/11	3056.25	CALIFORNIA CONSULTING, LLC	MONTHLY RETAINER/GRANT & LOBBYING SERV/FEB 2011
038793	02/17/11	550.00	RUSSELL CAREY	REFUND RENT AND DEPOSIT/CAREY
038794	02/17/11	8500.00	CBA (CALIFORNIA BENEFITS)	PRE-PAID DENTAL-VISION DEPOSIT
038795	02/17/11	2362.69	CDW GOVERNMENT, INC	PO #11-40
038795	02/17/11	1776.45	CDW GOVERNMENT, INC	PO #11-40
038795	02/17/11	141.55	CDW GOVERNMENT, INC	ERGOTRON DUAL LCD LIFT STAND
038796	02/17/11	293.15	CENTRAL SANITARY SUPPLY	PAPER TOWEL/CANLINERS/GLOVES/PINESOL DISINFECT
038796	02/17/11	556.18	CENTRAL SANITARY SUPPLY	CANLINERS/PAPER TOWEL/FACIAL TISSUE/GLASS CLEANR
038797	02/17/11	162.87	CIT TECHNOLOGY FIN SERV, INC	MS GSA OFFICE PRO PLUS 20/FEB 2011
038798	02/17/11	608.48	CITY OF MODESTO, FLEET SERVICE	CHANGED RADIO SOLENOID/REPROGRAMED LIGHT BAR/#506

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Ck #	Check Date	CK Amount	Vendor Name	Description
038799	02/17/11	3297.49	CONTRACT SWEEPING SERVICES, IN	STREET SWEEPING/CONTRACT SERVICES/JAN 2011
038800	02/17/11	145.00	E&M ELECTRIC, INC.	TROUBLE CALL/BAD POWER/PGE LEG DOWN/WELL #6
038800	02/17/11	98.18	E&M ELECTRIC, INC.	REPLACED LIGHT @ BARRINGTON PK SNACK SHACK
038800	02/17/11	393.14	E&M ELECTRIC, INC.	REPLACED STARTER @ YANCEY LIFT STATION
038800	02/17/11	102.94	E&M ELECTRIC, INC.	LIGHT FIXTURE/1128 PATCHETTS & MAIN ST
038801	02/17/11	634.00	ENERPOWER	ELECTRIC ENERGY SERVICES 11/18/10 TO 12/16/10
038802	02/17/11	42.80	FRANKLIN PET CEMETERY & CREMAT	DISPOSAL CLINIC/ANIMAL CONTROL
038803	02/17/11	22.35	GARTON TRACTOR	SUPPLIES FOR OIL CHANGE ON LAWN MOWERS
038803	02/17/11	86.27	GARTON TRACTOR	RUBBER DEFLECTOR FOR FLAIL MOWER
038803	02/17/11	83.00	GARTON TRACTOR	MOWER BLADE FOR MOWER #1
038804	02/17/11	698.99	G BAR N VETERINARY CLINIC	BORDETELLA VAC/EXAM/EUTHANSIA/HOSPITALIZATION
038804	02/17/11	215.23	G BAR N VETERINARY CLINIC	ADOPTED PET CASTRATION/EXAM/HOSPITALIZATION
038804	02/17/11	139.35	G BAR N VETERINARY CLINIC	ANESTHESIA/EUTHANASIA/CAT
038805	02/17/11	322.83	GEMPLERS ACCT #5224757	DIGITAL WIND METER
038806	02/17/11	673.50	GEOANALYTICAL LAB, INC.	BACTIS/DW WELLS/BOD/TSS/NITRATES
038806	02/17/11	1076.63	GEOANALYTICAL LAB, INC.	BOD/TSS/NITRATES-WWTP/BACTI/NITRATES/QRTLTY WELLS
038807	02/17/11	1197.69	GROENIGER & CO.	SUPPLIES FOR WATER DEPT
038807	02/17/11	1081.34	GROENIGER & CO.	10 5/8" BRONZE WATER METERS/1 1" WATER METER
038808	02/17/11	262.00	HARTFORD INS CO OF THE MIDWEST	FLOOD INSURANCE/WWTP/BUILDINGS
038808	02/17/11	1852.00	HARTFORD INS CO OF THE MIDWEST	FLOOD INSURANCE AT WWTP/LAND
038809	02/17/11	590.86	HEWLETT-PACKARD FINANCIAL SERV	HARDWARE LEASE 2818/11 TO 3/17/11
038810	02/17/11	150.00	MICHAEL HOLLAND (NT)	PER DIEM/POST TRAINING/HOLLAND
038811	02/17/11	328.38	IKON OFFICE SOLUTIONS	COPIER LEASE 1/25/11 TO 2/24/11/PD
038812	02/17/11	322.05	IDEXX LABORATORIES, INC.	TESTING SUPPLIES FOR WATER SAMPLING

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Ck #	Check Date	CK Amount	Vendor Name	Description
038813	02/17/11	1622.58	INFOSEND, INC	UTILITY BILL & LATE NOTICE MAILING/JAN 2011
038814	02/17/11	1105.43	IN-SYNCH SYSTEMS	MOBILE RECORDS MANAGEMENT SYSTEM/MAR 2011
038815	02/17/11	24.97	IRRIGATION DESIGN & CONSTRUCTI	RAZOR TOOTH SAW BLADE
038816	02/17/11	1974.00	KAISER PERMANENTE	HEALTH INSURANCE PREMIUM/MARCH 2011
038817	02/17/11	692.40	LIGHTHOUSE LODGE & SUITES	LODGING FOR POST TRAINING/RICHARDSON/HOLLAND
038818	02/17/11	40.00	EDGAR LOPEZ (NT)	PER DIEM/4 DAYS POST TRAINING
038819	02/17/11	157.70	MALLARD EXPRESS AUTO	OIL & FILTER CHANGE/AIR & GAS FILTER CHANGE/#301
038819	02/17/11	119.68	MALLARD EXPRESS AUTO	OIL & FILTER CHANGE/WIPER BLADES/AIR CLEANER/HONDA
038819	02/17/11	76.30	MALLARD EXPRESS AUTO	OIL & FILTER CHANGE/REPLACED BATTERY/UNIT 505
038819	02/17/11	48.05	MALLARD EXPRESS AUTO	OIL & FILTER CHANGE/UNIT 501
038819	02/17/11	40.46	MALLARD EXPRESS AUTO	OIL & FILTER CHANGE/CHEVY IMPALA
038820	02/17/11	200.00	MARY MATOZA	CANCELLED USE OF MEMORIAL BLDG/MATOZA
038821	02/17/11	1534.34	MID VALLEY IT, INC	MONTHLY CONTRACT IT SERVICES/MARCH 2011
038822	02/17/11	648.00	MIKE McCRARY & ASSOCIATES	REGISTRATION FOR CHIEF & CITY MANAGER TRNG
038823	02/17/11	280.16	CITY OF NEWMAN-PETTY CASH	CAR WASHES/POSTAGE/PARKING/SUPPLIES
038824	02/17/11	95.67	NEWMAN DAIRY SUPPLY	1 MICRO SWITCH/REFRIGERATOR AT MEMORIAL BLDG
038824	02/17/11	68.00	NEWMAN DAIRY SUPPLY	SERVICE CHECK FOR REFRIGERATOR @ MEMORIAL BLDG
038825	02/17/11	75.00	NEWMAN HISTORICAL SOCIETY	REFUND MEMORIAL BLDG DEPOSIT/HISTORICAL SOCIETY
038826	02/17/11	43.12	NEWMAN DEPOT GARAGE	LUBE/OIL & FILTER/02 CROWN VIC/FIRE DEPT
038827	02/17/11	798.00	GEORGE OSNER	SERVICES FOR AREA 3 MASTER PLAN/DEC & JAN 2011
038828	02/17/11	250.00	CITY OF PATTERSON	FIRE DATA INPUT/NOV 2010
038828	02/17/11	250.00	CITY OF PATTERSON	FIRE DATA INPUT/DEC 2010
038829	02/17/11	60.60	PATTERSON IRRIGATOR	EMPLOYMENT AD/POLICE OFFICER 1/21/11
038830	02/17/11	537.07	P G & E	LIGHTING FOR DOWNTOWN PLAZA 1-7 TO 2-7-11

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Ck #	Check Date	CK Amount	Vendor Name	Description
038831	02/17/11	4428.30	PRECISION INSPECTION, INC	Bldg Reg Inspec BLDG REGU
038831	02/17/11	23.75	PRECISION INSPECTION, INC	HOURLY BLDG INSPECTS/HILL PARK
038831	02/17/11	23.75	PRECISION INSPECTION, INC	HOURLY BLDG INSPECTS/DOWNTOWN PLAZA
038832	02/17/11	50.86	RALEY'S IN STORE CHARGE	SUGAR/CREAMER/PLASTIC FLATWARE/FOAM CUPS
038833	02/17/11	150.00	RANDY RICHARDSON (NT)	PER DIEM/POST TRAINING/RICHARDSON
038833	02/17/11	25.00	RANDY RICHARDSON (NT)	REIMBURSEMENT FOR STAN CNTY LEX DUES/RICHARDSON
038834	02/17/11	4823.64	SHELL FLEET PLUS	GAS AND DIESEL PURCHASES/JAN 2011
038835	02/17/11	25.00	MELVIN SOUZA	REIMBURSEMENT FOR HOSE CHECK ON 2001 CROWN VIC
038836	02/17/11	2638.82	STANISLAUS COUNTY	ELECTION COSTS FOR 11/2/10
038837	02/17/11	7.91	STAPLES ADVANTAGE	ENVELOPE OPENERS
038837	02/17/11	3.05	STAPLES ADVANTAGE	ROLLED TAPE/CREDIT CARD TERMINAL
038837	02/17/11	6.46	STAPLES ADVANTAGE	WET-ONES TOWELETES/PD
038837	02/17/11	8.62	STAPLES ADVANTAGE	BLUE INK REFILL
038837	02/17/11	37.76	STAPLES ADVANTAGE	HIGHLIGHTERS/BINDER CLIPS/PENS
038837	02/17/11	17.71	STAPLES ADVANTAGE	ACCENT MARKERS
038838	02/17/11	838.00	STANISLAUS CNTY SHERIFF'S REGI	POST TRAINING REGISTRATION/
038839	02/17/11	2349.50	STANTEC CONSULTING SERVICES, I	PO #11-02A
038839	02/17/11	1787.50	STANTEC CONSULTING SERVICES, I	PO #11-03A
038839	02/17/11	328.00	STANTEC CONSULTING SERVICES, I	PO #11-19A
038840	02/17/11	155.83	TRAVIS BORRELLI	PORTABLE RESTROOM RENTAL-SERVICE/JAN 2011
038841	02/17/11	1166.40	TEL STAR INSTRUMENTS, INC	ANNUAL CALIBRATION/WWTP
038842	02/17/11	216.75	UNITED RENTALS NORTHWEST, INC	CARBIDE REPLACEMENT NOZZLE
038843	02/17/11	2887.50	U.S. BANK	1997 TAX ALLOCATION PROJ & HOUSING BOND/ADMIN FEE
038844	02/17/11	88.00	UNITED STATES POSTMASTER	2 ROLLS POSTAGE STAMPS/pd

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Ck #	Check Date	CK Amount	Vendor Name	Description
038845	02/17/11	32.52	MATTOS NEWSPAPERS, INC.	UPS FREIGHT SERVICE
038845	02/17/11	97.50	MATTOS NEWSPAPERS, INC.	LEGAL AD/PUB HEARING/SHERMAN RANCH DEVELOP AGREE
038845	02/17/11	52.50	MATTOS NEWSPAPERS, INC.	LEGAL AD/PUB HEARING/COMMISSION VACANCIES
038846	02/17/11	1170.00	WEST SIDE AERIAL APPLICAT	AERIAL APPLICATION ON CROPS @ WWTP
038847	02/17/11	1161.65	YANCEY LUMBER COMPANY	15W BULB/CEMENT/TILLER RENT/LADDER/LUMBER/PAINT
038847	02/17/11	101.86	YANCEY LUMBER COMPANY	NUTRO DOG FOOD
Sub-Total:		----- 83382.63		
Grn-Total:		----- 83382.63		
Count:	102			

MINUTES
NEWMAN CITY COUNCIL/REDEVELOPMENT AGENCY
REGULAR MEETING FEBRUARY 8, 2011
CITY COUNCIL CHAMBERS, 7:00 P.M., 1200 MAIN STREET

1. **Call To Order** - Mayor Katen 7:00 P.M.
2. **Pledge Of Allegiance.**
3. **Invocation** - Council Member Candea.
4. **Roll Call PRESENT:** Davis, Hutchins, Candea, Martina And Mayor Katen.
ABSENT: None.
5. **Declaration Of Conflicts Of Interest** - None.
6. **Ceremonial Matters** - None.
7. **Items from the Public - Non-Agenda Items**

Rick Nagle, 404 Jensen Road, Gustine, Informed The City Council That The Westside Theatre Foundation's Application For A Local Non-Commercial Community Radio Station Had Been Approved.

Lorna Sloan, West Side Theatre Board, Thanked Rick Nagle On Behalf Of The Westside Theatre Foundation For His Efforts Pertaining To Obtaining A Community Radio Station.

8. Consent Calendar

- a. Waive All Readings Of Ordinances And Resolutions Except By Title.
- b. Approval Of Warrants.
- c. Approval Of Minutes Of The January 25, 2011 Regular Meeting.
- d. Authorize The City Manager To Prepare A Letter Of Acceptance For The Purchase Of McPike Fields (WWTP Land Expansion).

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

9. Public Hearings

- a. Adopt Resolution No. 2011-07, A Resolution Approving And Recommending Approval To The Stanislaus County Board Of Supervisors Of The Annual Action Plan For Fiscal Year 2011-2012, Amendment To The Fiscal Year 2010-2011 NSP Annual Action Plan And Amendment To The Fiscal Year 2007-2012 Consolidated Plan And Close Required 30 Day Public Comment Period.

Mayor Katen Opened The Public Hearing At 7:07 P.M.

There Being No Public Comment, Katen Closed The Public Hearing At 7:08 P.M.

ACTION: On Motion By Davis Seconded By Martina And Unanimously Carried, Resolution No. 2011-07, A Resolution Approving And Recommending Approval To The Stanislaus County Board Of Supervisors Of The Annual Action Plan For Fiscal Year 2011-2012, Amendment To The Fiscal Year 2010-2011 NSP Annual Action Plan And Amendment To The Fiscal Year 2007-2012 Consolidated Plan And Close Required 30 Day Public Comment Period, Was Adopted.

- b. First Reading And Introduction Of Ordinance No. 2011- , An Ordinance Amending SCM Development Agreement.

Mayor Katen Opened The Public Hearing At 7:09 P.M.

ACTION: On Motion By Candea Seconded By Martina and Unanimously Carried, The City Council Continued The Public Hearing To The March 8, 2011 Regularly Scheduled City Council Meeting.

10. Regular Business

- a. Approval Of The Sherman Ranch Affordable Housing Project Environmental Assessment And Finding Of No Significant Impact.

ACTION: On Motion By Martina Seconded By Candea And Unanimously Carried, The City Council Approved The Sherman Ranch Affordable Housing Project Environmental Assessment And Finding Of No Significant Impact.

- b. Appointment Of Members To Fill Vacancies On The Planning Commission, Parks And Recreation Commission And Architectural Review Committee.

The Council Agreed Not To Conduct Interviews.

ACTION: On Motion By Candea Seconded By Martina And Unanimously Carried, The Council Appointed Bob Dare, Tom Applegate And Sheldon Crow To The Architectural Review Committee.

ACTION: On Motion By Candea Seconded By Martina And Unanimously Carried, The Council Appointed Deborah Allan And Leland M. Coleman To The Planning Commission.

ACTION: On Motion By Candea Seconded By Martina And Unanimously Carried, The Council Appointed Jeff Patereau, Judy L. Vedros And Robert A. Vedros To The Recreation Commission.

- c. First Reading And Introduction Of Ordinance No. 2011- , An Ordinance Amending Title 9 Police Regulations, Chapter 9.02 Animal Control, Adding Section 9.02.148 Litter Permit, Requiring That Individuals Must Purchase Litter Permits From The City Of Newman In Order To Breed Dogs And Cats With In The City Limits.

ACTION: Ordinance No. 2011- , An Ordinance Amending Title 9 Police Regulations, Chapter 9.02 Animal Control, Adding Section 9.02.148 Litter Permit, Requiring That Individuals Must Purchase Litter Permits From The City Of Newman In Order To Breed Dogs And Cats With In The City Limits Was Introduced By Council Member Candea , Ordinance Had Its First Reading By Title Only.

- d. Adopt Resolution No. 2011-08, A Resolution Updating Fees Related To Animal Control Services.

ACTION: On Motion By Hutchins Seconded By Davis And Unanimously Carried, Resolution No. 2011-08, A Resolution Updating Fees Related To Animal Control Services, Was Adopted.

e. Review Of The 2010-2011 Annual Budget At Mid-Year.

Finance Director Humphries Reviewed The 2010-2011 Budget At Mid-Year.

ACTION: On Motion By Candea Seconded By Davis And Unanimously Carried, The Council Approved The Budget Adjustments.

11. Items From District Five Stanislaus County Supervisor.

Supervisor DeMartini Informed The City Council That The Next West Side Healthcare Taskforce Meeting Had Been Scheduled For March 10th In Patterson. DeMartini Commented That The Third Annual Biggest Loser Contest Would Start In August And That The Hike And Bike Campaign Begins On February 21st. He Made The Council Aware That The West Park Proposal Would Be Presented During A Public Hearing At The Board Of Supervisors Meeting On March 8th At 9:00 A.M.

12. Items From The City Manager And Staff.

City Manager Holland Reported That He And Council Member Hutchins Had Traveled To Sacramento To Participate In Hearings Regarding The Governor's Proposal To Eliminate Redevelopment Agencies And Enterprise Zones. Holland Informed The Council That They Had Also Met With Assembly Member Galgani's Chief Of Staff And Senator Canella To Discuss Importance Of Redevelopment Agencies And To Protest The Governor's Proposal To Eliminate Them. He Mentioned That California Consulting Has Invited Him To Meet With The Governor's Staff In Sacramento Regarding The Budget Proposal On Monday February 14th. Holland Notified The Council That The February Planning Commission Meeting Had Been Canceled. He Reminded The City Council That City Hall Would Be Closed On Friday, February 18th And Monday, February 21st For A Furlough And Presidents Day.

Public Works Director Reynolds Presented A Review Of His Department For The Year. As Part Of His Presentation, Reynolds Discussed Accomplishments, Statistics, Significant Projects Completed, Projects Planned For 2011, Future Needs And 2011 Goals.

13. Items From City Council Members.

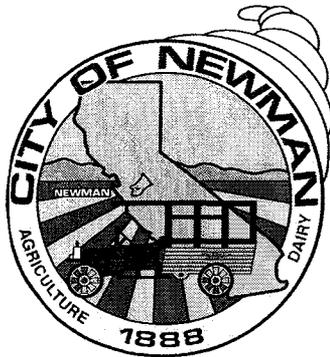
Council Member Hutchins Reported That He And City Manager Holland Listened To 80 Or 90 People Speak About Redevelopment Agencies And Enterprise Zones; Hutchins Noted That Most Speakers Were Supportive Of Retaining Both Redevelopment Agencies And Enterprise Zones. He Also Commented That There Were Flaws With The Way The Data Was Extrapolated And Pointed Out That The Data Dated Back To 2006. Hutchins Asked That People Get Involved To Help Reinforce The Importance Of Redevelopment Agencies And Enterprise Zones.

Council Member Davis Mentioned That She Was Glad To Be Back.

Council Member Martina Thanked Rick Nagle For All His Hard Work And Commented On How A Local Radio Station Could Bring Gustine And Newman Closer Together And That It Will Be Nice To Have Access To Some Local News And Radio.

14. Adjournment.

ACTION: On Motion By Hutchins Seconded By Katen And Unanimously Carried, The Meeting Was Adjourned At 8:19 P.M.



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

Date: February 17, 2011
To: Mayor and City Council
From: Michael E. Holland, City Manager *MEH*

Subject: Item 8.d. – Resolution Declaring Opposition to Governor's Proposal to end RDA.

Governor Brown's proposed FY 2011-12 state budget includes the elimination of redevelopment agencies and enterprise zones, as well as the realignment of many state services to local government. The proposal causes great concern to California cities in that it takes local funds away from cities and shifts them to the state, contrary to the will of California voters as expressed in the November 2010 election through the passage of Proposition 22. Proposition 22 prohibits the state from borrowing or taking funds used for transportation, redevelopment or local government projects and services.

The proposed budget eliminates redevelopment agencies and enterprise zones. Redevelopment and enterprise zones boost the economy, and are essential tools in the state's economic recovery. Redevelopment builds and improves communities, spurs job growth and taxes and is the most significant provider of infrastructure, urban development and affordable housing in the state. Enterprise zones are one of the few economic development tools that local agencies have to bring jobs to depressed areas.

The State of California receives the vast majority of all taxes generated for local, county and state use. For every one dollar of property tax paid by our residents, only 11 cents stays in Stanislaus County; divided between the City and the County. The rest of the dollar, or .89 cents, goes to the State of California. Taxes, like state income tax, are accrued 100% to the state and none of that accrues to local benefit. The Governor's attempt to end RDAs and enterprise zones to amass greater revenue to the State should be considered an attack on local government.

The City of Newman, along with other California cities, stands ready to work with the Governor to find solutions to address the state's fiscal problems while also supporting economic growth. Elimination of Redevelopment Agencies and Enterprise Zones is NOT the answer to the State's budgetary woes.

RESOLUTION NO. 2011-

**A RESOLUTION JOINING WITH THE LEAGUE OF CALIFORNIA CITIES IN
DECLARING OPPOSITION TO CALIFORNIA GOVERNOR BROWN'S
FISCAL YEAR 2011-12 STATE BUDGET PROPOSAL TO ELIMINATE
REDEVELOPMENT AGENCIES AND ENTERPRISE ZONES**

WHEREAS, Governor Brown's proposed FY 2011-12 state budget proposal includes the elimination of redevelopment agencies and enterprise zones, as well as the realignment of many state services to local government; and

WHEREAS, the proposal causes great concern to California cities in that it takes local funds away from cities and shifts them to the state, in direct opposition to the will California voters expressed in the November 2010 election through the passage of Proposition 22, which prohibits the state from borrowing or taking funds used for transportation, redevelopment or local government projects and services; and

WHEREAS, the proposed budget eliminates redevelopment agencies and enterprise zones. Redevelopment and enterprise zones boost the economy, and are essential tools in the state's economic recovery. Redevelopment builds and improves communities, spurs job growth and taxes and is the most significant provider of infrastructure, urban development and affordable housing in the state. Enterprise zones are one of the few economic development tools that local agencies have to bring jobs to depressed area; and

WHEREAS, the realignment of state services to local government, coupled with the elimination of redevelopment agencies and enterprise zones, will severely jeopardize the ability of local government to provide essential services to their communities.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Newman does hereby Joining with the League of California Cities in declaring opposition to California Governor Brown's FY 2011-12 state budget proposal to eliminate redevelopment agencies and enterprise zones.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 22nd day of February, 2011 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 vote:

AYES:
NOES:
ABSENT:

APPROVED:

Mayor

ATTEST:

Deputy City Clerk

Honorable Mayor and Members
of the Newman City Council

Agenda Item: **8.e.**
City Council Meeting
of February 22, 2011

**ADOPT RESOLUTION NO. 2011- , APPROVING THE ORESTIMBA FLOOD
CONTROL PROJECT SOIL BORINGS AND AUTHORIZING ED KATEN AS MAYOR, AND
MICHAEL E. HOLLAND AS CITY CLERK TO RECORD A NOTICE OF COMPLETION**

RECOMMENDATION:

It is recommended that the Newman City Council adopt Resolution No. 2011- , approving the Orestimba Flood Control Project Soil Borings and authorizing Ed Katen as Mayor, and Michael E. Holland as City Clerk to record a notice of completion for the Orestimba Flood Control Project Soil Borings.

BACKGROUND:

The City of Newman has endured over 50 flooding events over the last 80 years, with the most recent significant events in 1995 and 1998. The 1995 event was the largest event in over 70 years, recording 12,000 cubic feet per second in Orestimba Creek. The flood waters overwhelmed the City and caused an estimated \$5.6 million in damages. As a result, in January 1996 Stanislaus County prepared a Hazard Mitigation Grant Application, and in 1998 the U.S. Army Corps of Engineers (COE) initiated the Orestimba Feasibility Study Flood Control Project (Project). Since 1998, several options were developed with the recommended option being the Locally Preferred Plan (LPP) that is the most economical plan and still meets the needs of all the stakeholders. The LPP consists of two primary design features, modifications to the Orestimba Creek channel, and construction of a chevron levee along the City's northwestern perimeter to achieve a 200 year level of protection (FEMA and State of California requirements for urban areas) in order to qualify for State funding for flood management projects. The COE estimates the LPP of the tentatively selected plan to be \$42.0 Million, with the non-Federal sponsor portion of the project estimated at \$18.6 Million.

In order to finish the Feasibility Study, the COE requested soil borings and survey work along the proposed alignment of the chevron levee and an alternate 60' offset alignment. However, the COE expended their allocation for this project and Stanislaus County had contributed their last allocation of \$53,000.00. As a result, there was no funding for the soil borings and survey work. In addition, the Feasibility Study would not be able to move forward unless soil borings work was completed. The COE and Stanislaus County asked if the City of Newman would be able to provide these services as "work in kind" to be credited to the project as a local cost share. The COE estimated this work at \$165,000.00. Funding these services would allow the Feasibility Study to be completed and the Project to be eligible for future Federal and State funding opportunities. The soil borings have been completed by Moore Twining Associates, and it has been determined that there is sufficient funding remaining for the survey work to move forward under a separate agreement.

ANALYSIS:

On June 22, 2010 the City Council authorized a budget adjustment of \$60,000.00 for this Project and awarded a contract to the lowest responsible bidder for the project, Moore Twining Associates, Inc. for \$54,336.00, and construction for this project was completed on February 4, 2011. There were no change orders for this Project and a final walk-thru inspection of the project was performed by City Public Works staff members. Everything has been completed and is in compliance with plans and specifications. The COE and Central California Irrigation District have accepted the work as complete.

FISCAL IMPACT:

Original Project Bid	\$54,336.00	09/10 General Fund Budget \$60,000.00
Total Project Cost	\$54,336.00	

CONCLUSION:

The Orestimba Flood Control Project Soil Borings, constructed by Moore Twining Associates, Inc., has been completed in compliance with the plans and specifications for a final construction cost of \$54,336.00. The Project has been completed and is in compliance with the plans and specifications. In addition, the COE and Central California Irrigation District have accepted the work as complete. Therefore, staff recommends that the City Council adopt Resolution No. 2011- , approving the Orestimba Flood Control Project Soil Borings and authorizing Ed Katen as Mayor, and Michael Holland as City Clerk to record a notice of completion.

ATTACHMENTS:

1. Resolution No. 2011- , approving the Orestimba Flood Control Project Soil Borings and authorizing Ed Katen as Mayor, and Michael E. Holland as City Clerk to record a notice of completion.

Respectfully Submitted,



Garner Reynolds
Director of Public Works

REVIEWED/CONCUR:



Michael E. Holland
City Manager

RESOLUTION NO. 2011-

A RESOLUTION APPROVING THE ORESTIMBA FLOOD CONTROL PROJECT SOIL BORINGS AND AUTHORIZING ED KATEN AS MAYOR, AND MICHAEL E. HOLLAND AS CITY CLERK TO RECORD A NOTICE OF COMPLETION

WHEREAS, on the 17th day of September, 2010, agreements were entered into between the CITY OF NEWMAN, herein after referred to as "CITY" and Moore Twining Associates, Inc., herein after referred to as "CONTRACTOR" for the making of certain improvements in the City of Newman, County of Stanislaus, State of California, known as the ORESTIMBA FLOOD CONTROL PROJECT SOIL BORINGS; and

WHEREAS, the Contractor has completed the improvements as per the plans and specification and referred to in said agreement;

WHEREAS, the Contractor has completed the Project to the satisfaction of the City.

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 Ed Katen, 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 for the Orestimba Flood Control Project Soil Borings.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 22nd day of February, 2011 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 vote:

AYES:
NOES:
ABSENT:

APPROVED:

Ed Katen, Mayor

ATTEST:

Michael E. Holland, City Clerk

Honorable Mayor and Members
of the Newman City Council

ADOPT RESOLUTION NO. 2011- , APPROVING THE 2010 SEWER PUMP STATION SCADA ADDITIONS PROJECT AND AUTHORIZING ED KATEN AS MAYOR, AND MICHAEL E. HOLLAND AS CITY CLERK TO RECORD A NOTICE OF COMPLETION

RECOMMENDATION:

It is recommended that the Newman City Council adopt Resolution No. 2011- , approving the 2010 Sewer Pump Station SCADA Additions Project and authorizing Ed Katen as Mayor, and Michael E. Holland as City Clerk to record a notice of completion.

BACKGROUND:

The Public Works Department utilizes a Supervisory Control and Data Acquisition (SCADA) system, software, for the monitoring and control of the City's Water System. This Project integrates the same technology for the sewer system pump stations. The Project now provides a means to monitor the sewer system pump stations, record pump station system information, record and send alarm notifications via phone, help in preventing future sanitary sewer overflows due to the sewer system pump station failures and increase operating efficiencies.

ANALYSIS:

On April 13, 2010 City Council awarded a contract to the lowest responsible bidder for the project, Telstar Instruments, Inc., for a contract amount of \$83,671.00. Construction for this project was completed on February 7, 2011 with two approved change orders totaling \$8,548.00; for a total project cost of \$92,219.00. Change Order #1 included the setup of an independent SCADA System for the sewer system pump stations for a cost of \$7,551.00. Contract Change Order #2 was for the replacement of the intrinsic safety relays for the Canyon Creek Sewer Lift Station for \$997.00. A final walk-thru inspection of the project was performed by City Public Works staff members; everything has been completed and is in compliance with plans and specifications.

FISCAL IMPACT:

Original Project Bid	\$83,671.00	09/10 Sewer Fund Budgeted Amount	\$100,000.00
Contract Change Orders #1&2	\$8,548.00		
Total Project Cost	\$92,219.00		

CONCLUSION:

The 2010 Sewer Pump Station SCADA Additions Project constructed by Telstar Instruments Inc., has been completed in compliance with the plans and specifications for a final construction cost of \$92,219.00. Therefore, staff recommends that the City Council adopt Resolution No. 2011- , approving the 2010 Sewer Pump Station SCADA Additions Project and authorizing Ed Katen as Mayor, and Michael Holland as City Clerk to record a notice of completion.

ATTACHMENTS:

1. Resolution No. 2011- , approving the 2010 Sewer Pump Station SCADA Additions Project and authorizing Ed Katen as Mayor, and Michael E. Holland as City Clerk to record a notice of completion.
2. Contract Change Order #1 (PCO #2) – Setup PC For Independent Sewer SCADA System
3. Contract Change Order #2 (PCO#3) – Intrinsic Safety Relays For Canyon Creek Lift Station
4. Telstar Instruments, Inc. Letter of Completion

Respectfully Submitted,



Garner Reynolds
Director of Public Works

REVIEWED/CONCUR:


Michael E. Holland
City Manager

RESOLUTION NO. 2011-

A RESOLUTION APPROVING THE 2010 SEWER PUMP STATION SCADA ADDITIONS PROJECT AND AUTHORIZING ED KATEN AS MAYOR, AND MICHAEL E. HOLLAND AS CITY CLERK TO RECORD A NOTICE OF COMPLETION

WHEREAS, on the 14th day of April, 2010, agreements were entered into between the CITY OF NEWMAN, herein after referred to as "CITY" and Telstar Instruments, Inc., herein after referred to as "CONTRACTOR" for the making of certain improvements in the City of Newman, County of Stanislaus, State of California, known as the 2010 SEWER PUMP STATION SCADA ADDITIONS PROJECT; and

WHEREAS, the Contractor has completed the improvements as per the plans and specification and referred to in said agreement;

WHEREAS, the Contractor has completed the Project to the satisfaction of the City.

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 Ed Katen, 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 22nd day of February, 2011 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 vote:

AYES:
NOES:
ABSENT:

APPROVED:

Ed Katen, Mayor

ATTEST:

Michael E. Holland, 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 May 3, 2010 with Telstar Instruments, Inc., 4017 Vista Park Ct., Sacramento, California 95834 for the 2010 Sewer Pump Station SCADA Additions Project in the City of Newman.

Construction of the above improvements were completed by the Contractor, Telstar Instruments, Inc. on February 7, 2011 and accepted by the City Council of the City of Newman at their regular meeting held on the 22nd day of February, 2011.

DATED:

CITY OF NEWMAN

By _____
Ed Katen, Mayor

STATE OF CALIFORNIA)
)
COUNTY OF STANISLAUS)

I ED KATEN 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.

Ed Katen, Mayor

Subscribed and sworn to before me
this _____ day of _____ 2011.

Notary Public

**CONTROL SYSTEM INTEGRATION • INSTRUMENTATION SALES & SERVICE
SCADA • PLC/HMI • Telemetry • Calibration • Maintenance**

November 12, 2010

Garner Reynolds
City of Newman
1162 Main Street
Newman, CA 95360

Sent via email: GReynolds@CityofNewman.com

Attn: Garner Reynolds
Project: Sewer SCADA System
Subject: New PC for HMI
Ref: 20555 PCO #2

Dear Garner,

Telstar Instruments Inc. is pleased to provide this referenced change order for your consideration. The existing Water SCADA PC is not stable to further installing the Sewer SCADA software. The refurbished PC provided by the City is a desirable solution, but the PC will need a legal HMI license and Auto Dialer for the alarm. This will create a new Sewer SCADA system which is independent to the water SCADA. If one system is down it will not affect the other. This PCO consists of a new InTouch 500 Runtime license and alarm callout Auto Dialer. The system will be configured and tested before operation

Our Scope of Work is as follows:

1. Provide Wonderware InTouch V10.1 500 tags runtime license.
2. Provide SCADA Phone Auto Dialer with driver for the Wonderware InTouch.
3. Download all SP's & Patches to upgrade the software in the refurbished PC.
4. Configure the PC which is provided by the City.

The total cost for this PCO# 2 is \$ 7,551.00

This price includes CA tax and standard shipping and handling costs.

Cost for Hardware is 74% and Labor is 26% in this PCO.

Delivery of this change order is 1-2 weeks ARO.

EXCLUSIONS/EXCEPTIONS:

1. The PC, monitor, mouse and hardware are provided by the City.
2. The PC system is XP Professional and ready to be used. We also need MS Excel for reporting service, which is provided by the City.

TELSTAR INSTRUMENTS INC. ☆

3. Any other service that is not listed is Excluded.

We appreciate this opportunity to offer our equipment and services for your consideration. Telstar Instruments Inc. can provide instrumentation and controls for all of your facility needs. We can also perform maintenance calibration and service/repair on all instrumentation and chemical feed systems.

Should you have any questions in reference to this proposal please do not hesitate to contact me at 916-646-1999.

Sincerely,



Tak Koo
Sacramento Manager

**CONTROL SYSTEM INTEGRATION • INSTRUMENTATION SALES & SERVICE
SCADA • PLC/HMI • Telemetry • Calibration • Maintenance**

December 17, 2010

Garner Reynolds
City of Newman
1162 Main Street
Newman, CA 95360

Sent via email: GReynolds@CityofNewman.com

Attn: Garner Reynolds
Project: Sewer SCADA System
Subject: Intrinsic Safety Relays in Canyon Creek
Ref: 20555 PCO #3 Rev.1

Dear Garner,

Telstar Instruments Inc. is pleased to provide this revise change order for your consideration. There are (2) Intrinsic Safety Relays needed in Canyon Creek station: one is defective and the other one is missing. They need to be replaced in order to provide a safety operation of the pump.

Our Scope of Work is as follows:

1. Provide (2) Intrinsic Safety Relays.
2. Install them per specifications.
3. Test the system.

**The total cost for this PCO# 3 is \$ 997.00
This price includes CA tax and shipping and handling costs.**

Delivery of this change order is immediately.

EXCLUSIONS/EXCEPTIONS:

1. The pump control is **Existing**. Telstar will not modify or troubleshoot the control system without prior approval by the City.
2. Any task that is not mentioned in our Scope of Work is **Excluded**.

We appreciate this opportunity to offer our equipment and services for your consideration. Telstar Instruments Inc. can provide instrumentation and controls for all of your facility needs. We can also perform maintenance calibration and service/repair on all instrumentation and chemical feed systems.

TELSTAR INSTRUMENTS INC. ☆

Should you have any questions in reference to this proposal please do not hesitate to contact me at 916-646-1999.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tak Koo', written in a cursive style.

Tak Koo
Sacramento Manager

**CONTROL SYSTEM INTEGRATION • INSTRUMENTATION SALES & SERVICE
SCADA • PLC/HMI • Telemetry • Calibration • Maintenance**

February 7, 2011

Garner Reynolds
City of Newman
1162 Main Street
Newman, CA 95360

Sent via email: GReynolds@CityofNewman.com

Attn: Garner Reynolds
Project: Sewer SCADA System
Subject: Project Completion
Ref: 20555

Dear Garner,

The SCADA system was complete and working as specified. There is no outstanding issue. Telstar Instruments would like to close the project and release the retention.

We appreciate the business and look forward to provide our service for your future SCADA expansion and maintenance needs.

Sincerely,



Tak Koo
Sacramento Manager

Honorable Mayor and Members
of the Newman City Council

Agenda Item: **8.g.**
City Council Meeting
of February 22, 2011

**ADOPT RESOLUTION NO. 2011- , APPROVING THE ADOPTION OF AN ENVIRONMENTALLY
PREFERABLE PURCHASES AND PRACTICES POLICY FOR THE CITY OF NEWMAN**

RECOMMENDATION:

It is recommended that the Newman City Council adopt Resolution No. 2011- , a resolution approving the adoption of an Environmentally Preferable Purchases and Practices (EPPP) Policy for the City of Newman encouraging the purchase of products made from recycled materials whenever practicable.

BACKGROUND:

Communities around the State of California have worked to implement waste reduction and recycling programs to reduce the amount of waste going to the State's landfills and protecting public health and safety, and the environment. One effective tool to achieve these goals has been the implementation of formal environmentally friendly purchasing policies for businesses and local governments. Such policies encourage and/or require agencies to seek alternative products or services that leave a smaller foot print on the environment. Although the City of Newman has not formally adopted a policy to date, the City does make eco-friendly purchases for a wide variety of products and services whenever it is practical and financially viable.

Each year the City of Newman applies for multiple waste reduction and recycling grants from the California Department of Resources Recycling and Recovery (CalRecycle). Grant applications have changed over the years to meet the increased waste reduction and recycling goals of CalRecycle. Grant applications now require grantees have formal environmentally preferable purchases and practices policies in place or they will be ineligible for grant awards. At this time, the City of Newman currently has the Tire Amnesty Event Grant Application (\$4,200.00) and the Tire Derived Product Grant Application (\$122,000.00) that are requiring an adopted EPPP by March 4, 2011, without an adopted policy the City will not be eligible for these grants funded through CalRecycle.

ANALYSIS:

The intent of the policy is to demonstrate the City's desire to become compliant with the Waste Management Reduction Act, which requires reducing the amount of waste going to the State's landfills and protecting public health and safety, and the environment. CalRecycle requires that an EPPP Policy be adopted before the Tire Derived Grant Application and the Tire Amnesty Grant Application will be considered for approval.

FISCAL IMPACT:

There is no direct fiscal impact to the General Fund. However, the City stands to lose grant funding for a variety of important and very visible programs that support health, safety and attractiveness of our community.

CONCLUSION:

Each year the City of Newman applies for multiple waste reduction and recycling grants from CalRecycle. Grant applications now require grantees have formal EPPP Policies in place or they will be ineligible for grant awards. Therefore, staff recommends adopting Resolution No. 2011- , approving the adoption of an Environmentally Preferable Purchases and Practices Policy for the City of Newman.

ATTACHMENTS:

1. Resolution No. 2011- , Approving the adoption of an environmentally Preferable Purchases and Practices Policy for the City of Newman
2. Environmentally Preferable Purchases and Practices Policy (Exhibit "A" to the Resolution)

Respectfully Submitted,


Garner Reynolds

REVIEWED/CONCUR:


Michael Holland
City Manager

RESOLUTION NO. 2011-

A RESOLUTION APPROVING THE ADOPTION OF AN ENVIRONMENTALLY PREFERABLE PURCHASES AND PRACTICES POLICY FOR THE CITY OF NEWMAN

WHEREAS, The Department of Resources Recycling and Recovery (CalRecycle), to administer various Grant Programs (grants) in furtherance of the State of California's (State) efforts to reduce, recycle and reuse solid waste generated in the State thereby preserving landfill capacity and protecting public health and safety and the environment; and

WHEREAS, in furtherance of this authority CalRecycle is required to establish procedures governing the application, awarding, and management of the grants; and

WHEREAS, CalRecycle grant application procedures require, among other things, an applicant's governing body to adopt a formal Environmentally Preferable Purchases and Practices Policy as shown in Attachment "A".

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Newman hereby authorizes the adoption of the City of Newman's Environmentally Preferable Purchases and Practices Policy which will in part meet CalRecycles application requirement for all grants for which the City of Newman is eligible.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 22nd day of February, 2011 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 vote:

AYES:
NOES:
ABSENT:

APPROVED:

Mayor

ATTEST:

Deputy City Clerk

Honorable Mayor and Members
of the Newman City Council

**REPORT ON THE AUTOMATIC ANNUAL INFLATION ADJUSTMENT FOR CAPITAL FACILITY
AND IMPACT FEES FOR THE PERIOD OF MARCH 1, 2011 THROUGH FEBRUARY 28, 2012**

RECOMMENDATION:

Adopt Resolution No. 2011- , Authorizing the Automatic Annual Inflation Adjustment for Capital Facility and Impact Fees For the Period of March 1, 2011 through February 28, 2012.

BACKGROUND:

In April 2002, the City Council adopted Resolution No. 2002-22 approving the comprehensive update of Capital Facility and Impact Fees. The resolution provides for the automatic adjustment of the fees based on current construction Indexes for the area. The following information is presented to the Council for review and approval.

ANALYSIS:

The City of Newman is considered a part of the Engineering News-Record's (ENR) San Francisco region. The 2010 ENR CCI inflation index for this region is 4.1%; this is up from -0.6% last year. This increase has been applied to the Capital Facility and Impact Fees to originate new rates for the period of March 1, 2011 through February 28, 2012.

FISCAL IMPACT:

The adjusted rates will increase development fees due at time of development. For example, a vested single-family residential unit will go from \$9762.11 to \$10,162.36 in impact fees. The adjusted fees apply to all development types; business park, commercial, industrial and residential.

CONCLUSION:

Staff recommends approval of Resolution No. 2011- , Authorizing the Automatic Annual Inflation Adjustment for Capital Facility and Impact Fees for the Period of March 1, 2011 Through February 28, 2012. Upon approval, adjusted Fees will be initiated on March 1, 2011 and Notices will be forwarded to the BIA.

ATTACHMENTS:

1. Resolution No. 2011-
2. Exhibit A - Fee Comparison Spreadsheet

Respectfully submitted,



Lewis A. Humphries
Finance Director

REVIEWED/CONCUR



Michael Holland
City Manager

RESOLUTION NO. 2011-

**A RESOLUTION AUTHORIZING THE AUTOMATIC ANNUAL INFLATION ADJUSTMENT
FOR CAPITAL FACILITY AND IMPACT FEES FOR THE PERIOD OF
MARCH 1, 2011 THROUGH FEBRUARY 28, 2012**

WHEREAS, the City Council of the City of Newman has adopted Resolution No. 2002-22 "Approving Comprehensive Update of Capital Facility Fees Program"; and

WHEREAS, the City Council of the City of Newman has provided for the annual adjustment of the Capital Facility Fees by the inflation factor; and

WHEREAS, the accepted inflation factor, using the Construction Cost Index for the San Francisco Area published by the Engineering News Report for December 2010 is 4.1%.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newman accepts and implements the adjusted Capital Facility Fee Schedule (Exhibit A).

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 22nd of February, 2011 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:

Mayor of the City of Newman

ATTEST:

Deputy City Clerk of the City of Newman

lan - Development Fees 2011-2012

Factor - 4.1% (ENR - SF CCI 2010)

	MUNICIPAL FACILITY FEES														TOTALS	
	Com Bldg		Police		Fire		Govt Bldg		Corp Yard		Wildlife		Gen Admin		PER UNIT	
	Old	New	Old	New	Old	New	Old	New	Old	New	Old	New	Old	New	Old	New
57.33	362.92	377.80	354.96	369.51	657.39	684.34	407.49	424.20	197.37	205.46	46.16	48.05	181.49	188.93	9,762.11	10,162.36
25.86	326.32	339.70	319.96	333.08	592.13	616.41	366.12	381.13	178.28	185.59	41.39	43.09	162.37	169.03	7,169.58	7,463.53
√/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
																PER 1000 SQ FT
√/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
√/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
√/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
√/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
√/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
√/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

	MUNICIPAL FACILITY FEES														TOTALS	
	Com Bldg		Police		Fire		Govt Bldg		Corp Yard		Wildlife		Gen Admin		PER UNIT	
	Old	New	Old	New	Old	New	Old	New	Old	New	Old	New	Old	New	Old	New
50.58	N/A	N/A	814.64	848.04	427.89	445.43	1,095.02	1,139.92	N/A	N/A	46.16	48.05	188.12	195.83	14,427.91	15,019.45
90.71	N/A	N/A	804.83	837.83	422.72	440.05	1,081.82	1,126.17	N/A	N/A	41.39	43.09	185.83	193.45	12,189.07	12,688.82
46.20	N/A	N/A	731.64	761.64	384.30	400.06	983.46	1,023.78	N/A	N/A	36.62	38.12	168.95	175.88	10,214.01	10,632.78
																PER 1000 SQ FT
√/A	N/A	N/A	263.41	274.21	138.34	144.01	354.05	368.57	N/A	N/A	N/A	N/A	60.82	63.31	2,250.16	2,342.42
√/A	N/A	N/A	263.41	274.21	138.34	144.01	354.05	368.57	N/A	N/A	N/A	N/A	60.82	63.31	5,176.36	5,388.59
√/A	N/A	N/A	175.60	182.80	92.23	96.01	236.03	245.71	N/A	N/A	N/A	N/A	40.54	42.20	3,460.29	3,602.16
√/A	N/A	N/A	175.60	182.80	92.23	96.01	236.03	245.71	N/A	N/A	N/A	N/A	40.54	42.20	2,882.77	3,000.96
√/A	N/A	N/A	175.60	182.80	92.23	96.01	236.03	245.71	N/A	N/A	N/A	N/A	40.54	42.20	2,593.99	2,700.34
√/A	N/A	N/A	263.41	274.21	138.34	144.01	354.05	368.57	N/A	N/A	N/A	N/A	60.82	63.31	3,732.51	3,885.54

INTRODUCTION OF ORDINANCE REGARDING LITTER PERMITS

RECOMMENDATION:

1. Conduct a public hearing
2. Conduct a second reading of Ordinance No. 2011- , requiring that individuals must ^{037A.1} purchase Litter Permits from the City of Newman in order to breed dogs and cats within the city limits.
3. Adopt said Ordinance and authorize staff to publish a summary of said Ordinance

BACKGROUND:

This proposed Ordinance was introduced at the February 8th council meeting. No comments from the public were received at this meeting.

ANALYSIS:

Based on home visits, telephone calls, and signs posted around town, a need was noticed for an Ordinance that would hold breeders responsible and protect the animals. The key points of the Ordinance are that a permit is good for one year and one litter, all animals must receive the first immunization against common diseases, the permit number must be prominently displayed on all advertisements, and the breeder must maintain records for a period of three years. All of the above mentioned points hold breeders responsible and help to protect the animals and their health.

Adoption of this Ordinance should help to control the amount of animals that we take in at the animal shelter every year. The Ordinance will help to document the local breeders within the City of Newman and will act as a deterrent to those who breed their animals more than once in a year period.

Staff believes that implementing this Ordinance will lower the amount of strays brought into the animal shelter which will help to lower the amount of animals euthanized every year.

FISCAL IMPACT:

This Ordinance would have a positive impact for the City of Newman; however, an exact number cannot be determined at this time.

CONCLUSION:

Based upon the information contained in this report, the following options are available:

1. Adopt the Ordinance and recover costs associated with individuals breeding animals within the City Limits and protect the animals involved.
2. Reject the ordinance and do not seek cost recovery associated with individuals breeding animals within the City limits.

Staff recommends Alternative 1

ATTACHMENTS:

1. Proposed Ordinance 2011- Amending Title 9, Chapter 9.02.148, Adding Litter Permits.

Respectfully submitted,



Randy Richardson,
Chief of Police

REVIEWED/CONCUR



Michael Holland,
City Manager

ORDINANCE NO. 2011-

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEWMAN AMENDING
TITLE 9 POLICE REGULATIONS – OF THE NEWMAN CITY CODE**

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

Section 1

That Title 9 Police Regulations, Chapter 9.02 Animal Control, be amended to add the following section:

9.02.148- Litter Permit.

A. No person shall cause or allow any dog or cat owned, harbored or kept within the city of Newman to breed without first obtaining a litter permit. The term litter permit means a written authorization, issued annually by the director of animal services or his or her designee, giving its lawful holder permission to breed a dog or a cat.

B. Each litter permit shall be valid for one year from the date of issuance, and may be renewed annually before its expiration date. Each applicant for a litter permit shall pay an annual fee set forth in the fee section of this title.

C. The animal services department shall administer an animal litter permit program to allow the breeding of unaltered dogs and cats consistent with criteria and according to procedures established by the director of animal services. Under no circumstances shall such a litter permit be issued to a person who has been convicted of animal cruelty or neglect.

D. In addition to the criteria and procedures established by the director of animal services, litter permits shall contain the following terms and conditions:

1. The owner of an unaltered female dog or cat shall not allow the whelping of more than one litter per animal in any household within the permit year. Notwithstanding this provision, the director of animal services or his or her designee is hereby authorized, upon application of a permittee, to allow on a one-time basis the whelping of up to two dog or cat litters per breeding animal within any domestic household within a permit year, if the permittee established, according to regulations promulgated by the director of animal services, including a veterinarian verification of health status that such breeding is required due to the health of the animal. In the event that a permittee is forced to euthanize a litter of dogs or cats, the director of animal services or his or her designee may authorize the whelping of one additional litter of dogs or cats within the same permit year by the permittee;

2. No offspring may be sold, adopted, bartered, or otherwise transferred, whether for compensation or otherwise, until it has reached the age of at least eight weeks and the offspring have received its first immunization against common diseases;

3. Any holder of a litter permit who advertises to the public the availability of any dog or cat for sale, adoption, or transfer, whether for compensation or otherwise, must prominently display the litter permit number in any such advertisement. Further, the litter permit holder must provide the permit number to any person who purchases, adopts or receives any animal from the permit holder and include the permit number on any receipt of sale or transfer document;

4. Commercial establishments selling locally bred dogs or cats shall prominently display the litter permit number(s) of the breeder(s) whose dogs and cats are sold in such establishments and any other pertinent information required by the director of animal services or his or her designee; commercial establishments selling dogs and cats which were not bred within the city of Newman shall prominently display the name and address of the breeder(s) of such dogs and cats and any other pertinent information required by the director of animal services;

5. Any litter permit holder selling or otherwise transferring a dog or cat, whether for compensation or otherwise, shall maintain records for a period of three years containing the name,

address, and telephone number of the animal's new owner on a department of animal services' approved form;

6. Any litter permit holder or commercial establishment which sells or otherwise transfers a dog or cat, whether for compensation or otherwise, shall provide to the new animal owner written information regarding the license and permit requirements of the city of Newman applicable to such animal; and

7. Any litter permit holder shall have his/her dog or cat microchipped or have some other form of identification acceptable to the department of animal services and shall register the dog or cat with the department of animal services.

E. The following animals are exempt from the litter permit requirements:

1. Dogs documented as having been appropriately trained and actively used by law enforcement agencies for law enforcement and rescue activities;

2. Dogs documented as guide, signal, or service dogs pursuant to California Penal Code Section 365.5(d), (e) and (f) and successor sections;

3. Dogs and cats under the care of governmental animal control agencies; animal rescue organizations which have demonstrated to the department of animal services that they have implemented an ongoing spay/neuter plan, as well as an adoption plan; or humane societies or societies for the prevention of cruelty to animals, if such societies are incorporated under the provisions of California Corporations Code Section 10400 and the Nonprofit Public Benefit Corporation law in Part 2 of the California Corporations Code, beginning at Section 5110, and successor sections.

F. The animal services fees and fines referred to and applied in this title are set forth in the current City of Newman Police Department animal services fee schedule, which is periodically reviewed.

Section 2

All other provisions of Title 9 shall remain in full force and effect.

Section 3

That a duly noticed public hearing was held by the City Council on February 22, 2011.

Section 4

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

Introduced and adopted at a regular meeting of the City Council of the City of Newman held on the 8th day of February, 2011 by Council Member _____, and adopted at a regular meeting of said City Council held on the 22nd day of February, 2011 by the following vote:

AYES:
NOES:
ABSENT:

APPROVED:

ATTEST:

Mayor

Deputy City Clerk

Honorable Mayor and Members
of the Newman City Council

ADOPT RESOLUTION NO. 2011- , A RESOLUTION APPROVING THE SUBMITTAL OF APPLICATIONS TO CALRECYCLE FOR ALL GRANTS FOR WHICH THE CITY OF NEWMAN IS ELIGIBLE AND AUTHORIZING THE CITY MANAGER OR THE DIRECTOR OF PUBLIC WORKS TO EXECUTE ALL GRANT DOCUMENTS, INCLUDING BUT NOT LIMITED TO APPLICATIONS, AGREEMENTS, AMENDMENTS AND REQUESTS FOR PAYMENT NECESSARY TO SECURE GRANT FUNDS AND IMPLEMENT THE APPROVED GRANT PROJECT

RECOMMENDATION:

It is recommended that the Newman City Council adopt Resolution No. 2011- , a resolution approving the submittal of applications to the Department of Resources Recycling and Recovery (CalRecycle) for all grants for which the City of Newman is eligible and authorizing the City Manager or the Director of Public Works to execute all grant applications, agreements, amendments and requests for payment necessary to secure grant funds and implement the approved grant project.

BACKGROUND:

The City of Newman has applied for a Tire Derived Product Grant in the amount of \$122,545.00 with CalRecycle whom administers various grant programs in furtherance of the State of California's (State) efforts to reduce, recycle and reuse solid waste generated in the State thereby preserving landfill capacity and protecting public health and safety, and the environment. The Tire Derived Product Grant will enable the City to purchase a rubber bark material, a product made of recycled tires, which will replace existing wood bark in City playgrounds and landscaped areas in various locations. This grant application is 100% funding and does not require a local match.

ANALYSIS:

Application procedures require, among other things an applicant's governing body declare by resolution certain authorizations related to the administration of CalRecycle Grants. Once this Resolution has been approved, the City will be able to apply for any grant funding being offered under the CalRecycle program for a duration of five years. There is no required local match and the Public Works Department will provide the staffing to complete the project.

FISCAL IMPACT:

There is no fiscal impact to the City of Newman for the grant. It is 100% funding and requires no local match.

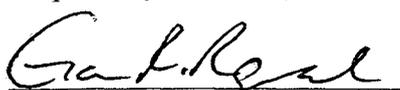
CONCLUSION:

The City of Newman has applied for a Tire Derived Product Grant in the amount of \$122,545.00 with the Department of Resources Recycling and Recovery. The Grant will enable the City to purchase a rubber bark material to replace the existing wood bark in City playgrounds and landscaped areas in various locations. This grant application is 100% funding and does not require a local match. Application procedures require the applicant's governing body to declare by resolution certain authorizations related to the administration of CalRecycle Grants. Therefore, staff recommends adoption of Resolution No. 2011- , A resolution approving the submittal of applications to CalRecycle for all grants for which the City of Newman is eligible and authorizing the City Manager or the Director of Public Works to execute all grant documents, including but not limited to applications, agreements, amendments and requests for payment necessary to secure grant funds and implement the approved grant project.

ATTACHMENTS:

1. Resolution No. 2011- A resolution approving the submittal of applications to CalRecycle for all grants for which the City of Newman is eligible and authorizing the City Manager or the Director of Public Works to execute all grant documents, including but not limited to applications, agreements, amendments and requests for payment necessary to secure grant funds and implement the approved grant project.

Respectfully submitted,



Garner R. Reynolds
Director of Public Works

REVIEWED/CONCUR:



Michael Holland
City Manager

RESOLUTION NO. 2011-

A RESOLUTION APPROVING THE SUBMITTAL OF APPLICATIONS TO CALRECYCLE FOR ALL GRANTS FOR WHICH THE CITY OF NEWMAN IS ELIGIBLE AND AUTHORIZING THE CITY MANAGER OR THE DIRECTOR OF PUBLIC WORKS TO EXECUTE ALL GRANT DOCUMENTS, INCLUDING BUT NOT LIMITED TO APPLICATIONS, AGREEMENTS, AMENDMENTS AND REQUESTS FOR PAYMENT NECESSARY TO SECURE GRANT FUNDS AND IMPLEMENT THE APPROVED GRANT PROJECT

WHEREAS, Public Resources Code sections 40000 et seq. authorize the Department of Resources Recycling and Recovery (CalRecycle), formerly known as the California Integrated Waste Management Board, to administer various Grant Programs (grants) in furtherance of the State of California's (State) efforts to reduce, recycle and reuse solid waste generated in the State thereby preserving landfill capacity and protecting public health and safety, and the environment; and

WHEREAS, in furtherance of this authority CalRecycle is required to establish procedures governing the application, awarding, and management of the grants; and

WHEREAS, CalRecycle grant application procedures require, among other things, an applicant's governing body to declare by resolution certain authorizations related to the administration of CalRecycle grants.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Newman hereby authorizes the submittal of application(s) to CalRecycle for all grants for which the City of Newman is eligible; and

BE IT FURTHER RESOLVED that the City Manager, or the Director of Public Works is hereby authorized and empowered to execute in the name of the City of Newman, all grant documents, including but not limited to, applications, agreements, amendments and requests for payment, necessary to secure grant funds and implement the approved grant project; and

BE IT FURTHER RESOLVED that these authorizations are effective for five (5) years from the date of adoption of this resolution.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 22nd day of February, 2011 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 vote:

AYES:
NOES:
ABSENT:

APPROVED:

ATTEST:

Mayor

Deputy City Clerk

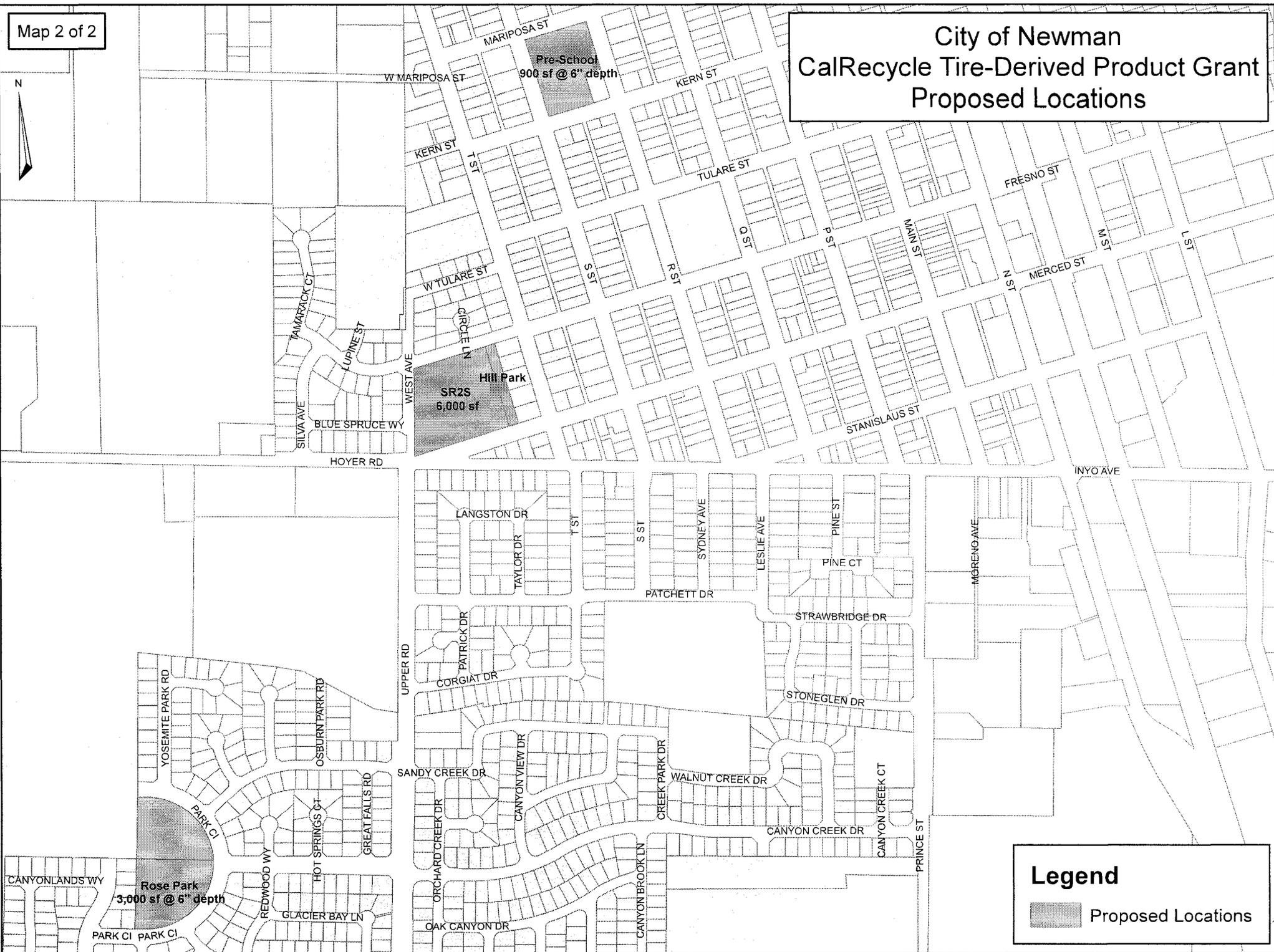
City of Newman CalRecycle Tire-Derived Product Grant Proposed Locations



Legend

 Proposed Locations

City of Newman CalRecycle Tire-Derived Product Grant Proposed Locations



Legend

 Proposed Locations

Honorable Mayor and Members
of the Newman City Council

Agenda Item: **10.b.**
City Council Meeting
of February 22, 2011

APPROVE AGREEMENT FOR SALE OF COMMERCIAL REAL ESTATE

RECOMMENDATION:

Adopt Resolution No. 2011- , authorizing the City Manager to execute An Agreement for Sale of Commercial Real Estate for use as future Sherman Parkway right-of-way.

BACKGROUND:

In July 2010, Newman Youth Sports Alliance approached the City regarding the sale of a parcel along the northern alignment of Sherman Parkway. The location of the parcel has been reviewed by both the Public Works Director and the City Engineer. Both confirm the land would be necessary to expand Sherman Parkway to its ultimate width of four lanes.

ANALYSIS:

The proposed agreement would allow the City to purchase future right-of-way at current prices. While there is always an opportunity for the price to go down, staff believes the price to be fair compensation. Prior to the close of escrow, the fair market value will be confirmed by an independent third party. (The proposed price is based upon the County's assessed value.) Purchase of Sherman Parkway right-of-way is identified within the City's current Traffic Impact Fee Program (Dowling Associates July 2000). As a result, the City has been collecting monies towards the purchase.

FISCAL IMPACT:

This action will require a budget adjustment equal to the final purchase price (not to exceed \$30,000), costs associated with escrow, and approximately \$750 for pricing confirmation. The funding source is Fund 40 Public Facility, which is estimated to have a fund balance of approximately \$2,000,000 at the end of the fiscal year.

CONCLUSION:

Staff recommends the Council approved the attached Agreement for the Sale of Commercial Real Estate. The proposed land is a necessity to support the future widening of Sherman Parkway. Since the City collects funds as part of our current Traffic Impact Fee program, monies are having been accruing. As a result, Staff recommends the City enter into said agreement and initiate a third party to corroborate the sales price.

ATTACHMENT

1. Resolution No. 2011
2. Copy of Agreement for Sale of Commercial Real Estate.
3. Assessor's Parcel Map

Respectfully submitted,



Michael Holland
City Manager

RESOLUTION NO. 2011-

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE
AN AGREEMENT FOR SALE OF COMMERCIAL REAL ESTATE
FOR USE AS FUTURE SHERMAN PARKWAY RIGHT-OF-WAY**

WHEREAS, the City of Newman desires to purchase certain property described as APN 049-058-032-000 for use as future Sherman Parkway right-of-way; and

WHEREAS, based upon the recommendations of the Public Works Director and the City Engineer, said property will be necessary to expand Sherman Parkway to its ultimate width of four lanes; and

WHEREAS, the City and the property owners have reached an agreement on the terms of such purchase; and

WHEREAS, the City council of the City of Newman has determined it would be in the best interest to purchase said property, and

WHEREAS, prior to the close of escrow, the City will hire an independent third party to confirm the fair market value of said property; and

WHEREAS, this purchase will require a budget adjustment equal to the total purchase price (not to exceed \$30,000), costs associated with escrow and approximately \$750.00 for pricing confirmation. The funding source is Fund 40 Public Facility, which is estimated to have a fund balance of approximately \$2,000,000 at the end of the fiscal year; and

NOW, THEREFORE BE IT RESOLVED that the City of Newman does hereby authorize the City Manager to execute an Agreement for Sale of Commercial Real Estate for use as future Sherman Parkway right-of-Way.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 22nd day of February, 2011 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:

Mayor

ATTEST:

Deputy City Clerk

AGREEMENT FOR SALE OF COMMERCIAL REAL ESTATE

THIS AGREEMENT, made the _____ day of February, 2011, by and between Newman Youth Sports Alliance hereafter called "SELLERS", and The City of Newman, hereinafter called "BUYERS";

W I T N E S S E T H:

THE PARTIES hereto, intending to be legally bound, hereby agree as follows:

1. The Sellers agree to sell to Buyers and Buyers agree to purchase from Sellers land in Stanislaus County, State of California, APN 049-058-032-000, more particularly described in Exhibit A, attached hereto.
2. The purchase price shall be Thirty-Thousand Dollars (\$30,000.00), payable in cash at the time of closing.
3. Buyers shall pay all costs of closing this transaction.
4. The 2010-2011 real estate taxes shall be prorated as of the date of closing, with the City and County taxes being prorated on a calendar-year basis, and School tax being prorated on a fiscal-year basis. Possession shall be transferred at closing.
5. The Seller agrees to utilize proceeds from the sale of the property to develop and/or enhance youth sports opportunities within the City of Newman.
6. Risk of loss from fire or other casualty shall remain with the Seller until closing.
7. The Sellers shall not commit waste and shall maintain the property and lands in-like condition until closing. Buyers shall have the right prior to closing to inspect the property upon giving forty-eight (48) hours written notice to the Sellers' attorney.

8. The Buyers are hereby notified that the premises described in this Agreement are not serviced by a community sewage treatment facility.

9. As of the closing date, to best of the Sellers' knowledge, the Sellers represent and warrant the following to the Buyers:

(a) The Sellers are not nor is the property in violation of any law, environmental statute, ordinance, regulation, requirement or directive of any type;

(b) The property is not subject to any zoning regulation; and

(c) The property is not the subject of any lawsuit.

10. Title to the subject premises shall be transferred by General Warranty Deed, and title to the premises shall be good and marketable in the opinion of an attorney for the Buyers. Any exception and reservation for oil, gas, and minerals in, on, and under the premises existing in favor of another party in the chain of title will not be considered a defect in title or anything which would take away an otherwise good and marketable title to the real estate.

11. If Sellers shall be in default hereunder due to the failure of title or a fire/catastrophe that partially or totally destroys the property, the Buyers, as their sole and exclusive remedies, may terminate this Agreement. Seller shall have no further obligation or liability to the Buyers and the Buyers shall have no further rights hereunder.

IN WITNESS WHEREOF, the parties have caused this instrument to be duly executed the day and year first above written.

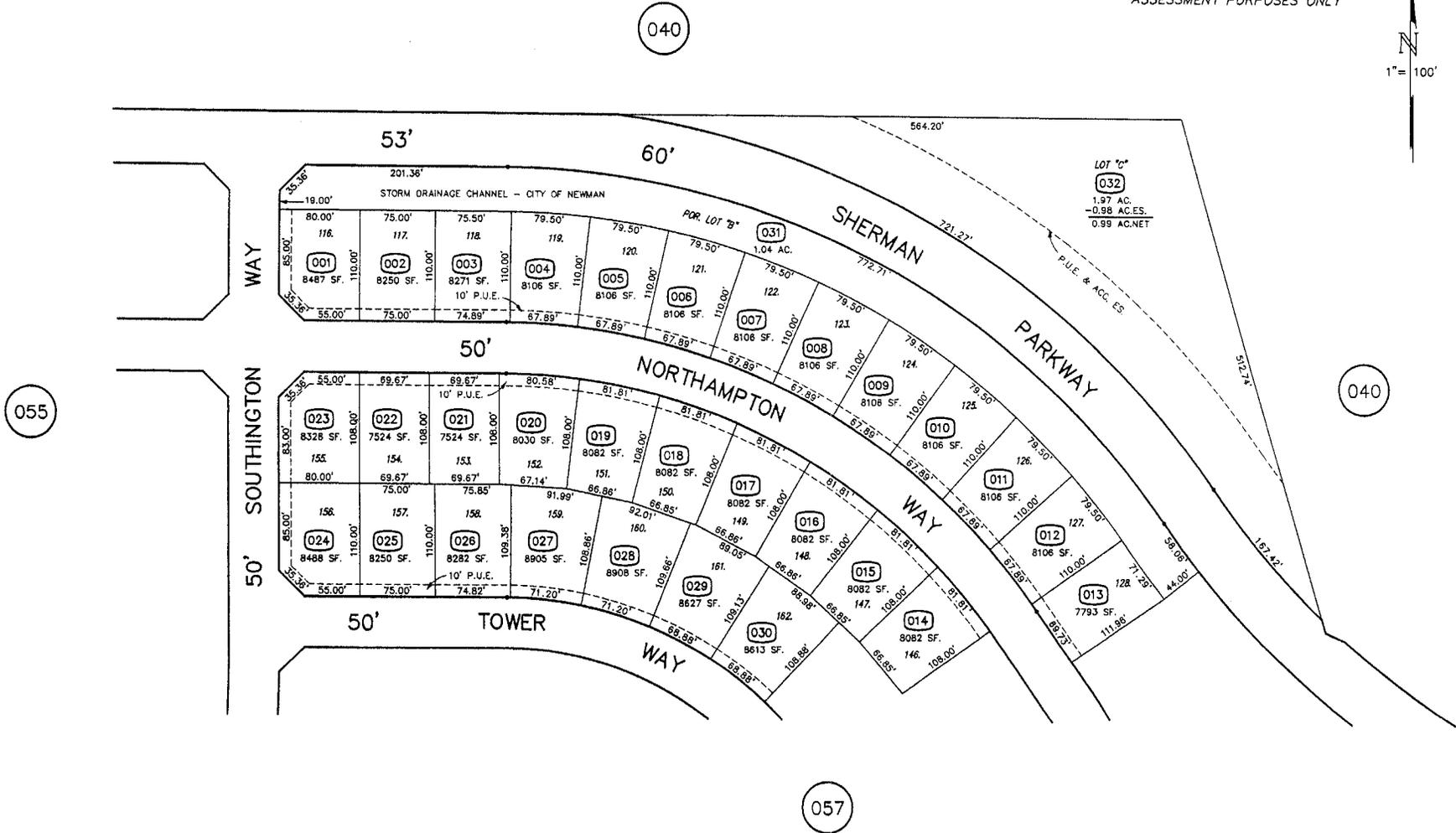
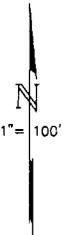
NEWMAN SPORTS ALLIANCE

CITY OF NEWMAN

PORTION W. 1/2 SECTION 17 T.7S. R.9E. M.D.B.& M.
 POR. SHERMAN RANCH UNIT NO. 3 - LOTS 116-128, 146-162, POR. LOT "B", LOT "C" (42M50)

003 039 049 - 058

THIS MAP FOR
 ASSESSMENT PURPOSES ONLY



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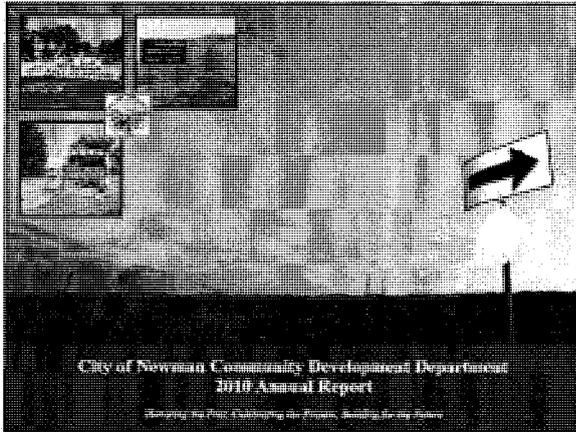
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FROM: 049-040
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 REVISED

Back To
 Book
 Index





 **Community Development & Housing**

- Oversaw the Planning Commission
- Oversaw the Architectural Review Committee
- Amended City FTHB Program
- NCLUSD Development Survey Update Completed
- CA DOF DF-HU Housing Unit Survey Completed
- CA HCD Annual Progress Report Completed
- US Census Boundary & Annexation Survey Completed
- Continued Public Outreach
- 158 Building Permits Issued

 **GIS**

- Preparation Of 14 Maps & Distribution Lists
 - City Council/Planning Commission Reports
 - City Research & Departmental Assistance
 - Grant Research & Submittal
 - Public Information & Distribution
 - Public Hearing Notifications
- Updated City Zoning Map
- Draft City Wide Re-Zoning Map Updated
- FEMA Flood Map

 **Grants**

- Community Development Block Grant (CDBG)
 - \$874,856.34 In Projects During FY's 09/10 and 10/11
- Energy Efficiency & Conservation Block Grant Program (EECBG)
 - \$58,212.55 For Energy Improvements
- HOME Investment Partnerships Program (HOME)
 - \$408,949.97 In Project Funding
- Neighborhood Stabilization Program (NSP)
 - \$1,002,000.00
- 2002 Resources Bond Act Per Capita Program
 - \$220,000.00 For Various Park Improvements
- Roberti-Z'berg-Harris Nonurbanized Needs Basis Grant
 - \$300,000.00 Howard B. Hill Jr. Park Project
- Safe Routes To School (SR2S)
 - \$225,000.00 Merced/Inyo Intersection Improvements

 **Completed Projects in 2010**

- Annual HOME Compliance Monitoring
- CDBG FY 09/10 CAPER Approved
- CDBG FY 10/11 Annual Action Plan Approved
- Created The Residential Resale Inspection Program
- Updated CFF Program (Currently a Draft)
- Housing Element Was Certified
- Successfully Completed and Closed Out RZH Grant With DPR
- Contracted Loan Servicing Services With The Housing Authority

 **Environmentals**

- CEQA
 - 6 Exemptions On File
 - 3 Initial Studies Completed
 - 7 Notices Of Exemption (NOE) Filed
 - 1 Notice Of Determination (NOD) Filed
- NEPA
 - 1 Notice Of Finding Of No Significant Impact And Notice Of Intent To Request Release Of Funds (FONSI/NOI/RROF) Completed

2010 Goals

- Complete City-Wide Rezoning In Accordance With 2030 General Plan
- Apply For Grants For City Projects (As They Become Available)
 - Aquatic Center
 - Infrastructure Improvements
 - Community Parks
 - Miscellaneous
- Establish Garbage Enclosure Standards For Commercial & Multi-family Development Projects
- Transition Department Into Paperless Document Storage
- Evaluate Existing Park Facilities For The Utilization Of The 2002 Per Capita Program Grant
- Review Detached Accessory Building Standards And Regulations

Goals for 2011

- Finalize City-Wide Rezoning In Accordance With 2030 General Plan
- Continue To Apply For Grants For City Projects (As They Become Available)
- Formalize Garbage Enclosure Standards For Commercial & Multi-family Development Projects
- Amend NMC Regarding Detached Accessory Building Standards & Regulations.
- Begin Development Of A Non-Motorized Transportation Plan
- Develop A Program To Digitize & Archive Large Documents Such As Maps & Plans.
- Establish A Policy That Requires All Engineered/Drafted Submittals (Such As Plans) To Have A Digital Backup.

Project Images

- CDBG Projects
 - Pioneer Park Phase III*
 - PQRST/Fresno/Merced/West Ave Infrastructure Project (Phase I)*

Before

After

Project Images (cont.)

- HOME
 - Newman Family Apartments*
 - First-Time Homebuyer Program*
- NSP
 - REO Purchases*

Project Images (cont.)

- Per-Capita Project
 - City Wide Fitness*

Overview

The Community Development Department works to improve the interests of the community and it's residents by creating more convenient, equitable, healthful, efficient and attractive places for present and future generations through: Planning, Zoning, Economic Development, Housing, Circulation, Land Use Management, Technical/Professional Support, Grant Writing/Management And the Timely And Efficient Administration Of City Laws And Policies.

Community Development: Guiding You In The Right Direction