

AGENDA
NEWMAN CITY COUNCIL/REDEVELOPMENT AGENCY
REGULAR MEETING JANUARY 25, 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 January 11, 2011 Regular Meeting.
 - d. Review Of City Investment Policies.
 - e. Adopt Resolution No. 2010- , Declaring Certain Personal Property Surplus Property And Authorizing Disposal And/Or Sale Of Property.
 - f. Approval Of Water Rate Study Ad Hoc Committee.
9. Public Hearings.
10. Regular Business
 - a. Adopt Resolution No. 2011- , Approving The City Of Newman Supervision And Regulation Of The Newman Wastewater Treatment Plant Effluent Storage Basins And Emergency Action And Notification Plan (EAP) And Minimum Requirements For Maintenance And Inspection.
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

January 25 - City Council - 7:00 P.M.

February 7 - NCLUSD Board Meeting - 6:00 P.M.

February 8 - City Council - 7:00 P.M.

February 10 - Recreation Commission - 7:00 P.M.

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

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

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

March 25 - City Furlough Day - City Offices Closed.

Date.: Jan 21, 2011
Time.: 11:36 am
Run by: EMILY M. FARIA

CITY OF NEWMAN
CASH DISBURSEMENTS REPORT

Page.: 1
List.: NEW1
Group: PYCPDP

Ck #	Check Date	CK Amount	Vendor Name	Description
038647	01/19/11	-22783.50	TEL STAR INSTRUMENTS, INC	Ck# 038647 Reversed
038657	01/12/11	2094.00	MERCED COUNTY CLERKS OFFICE	NOD-WWTP LAND PURCHASE NEG DEC/HOLLAND
038658	01/14/11	161.31	EMILY FARIA (NT)	REIMBURSE DISCREPANCY ON PAYROLL CHECK/FARIA
038659	01/21/11	1800.00	KD ANDERSON & ASSOCIATES, INC	TRAFFIC ENGINEERING CONSULT/MASTER PLN #3/DEC 2010
038660	01/21/11	477.44	ARAMARK UNIFORM SERVICES	UNIFORM CLEANING/MAT RENTAL/TOWELS
038661	01/21/11	350.00	ARMCO ROOFING	ROOF REPAIRS TO FIRE STATION
038661	01/21/11	225.00	ARMCO ROOFING	ROOF REPAIRS TO YOUTH CENTER
038662	01/21/11	9.83	ARROWHEAD MOUNTAIN SPRING	BOTTLED WATER DELIVERIES/COOLER RENTAL/DEC 2010
038663	01/21/11	67.78	AT&T	MONTHLY TELEPHONE SERVICE/634-0508 1/1/11 TO1/31
038663	01/21/11	66.93	AT&T	MONTHLY TELEPHONE SERVICE/668-3946/1/1-1/31/11
038664	01/21/11	562.00	JAMES J. BELL	CONTRACT SERV/EVIDENCE CLERK/1/3/11 TO 1/13/11/BEL
038665	01/21/11	79.17	BERTOLOTTI DISPOSAL	GARBAGE BIN RENTAL @ CORP YARD/DEC 2010
038666	01/21/11	11621.00	BLUE SHIELD OF CALIFORNIA	HEALTH INSURANCE PREMIUM/FEB 2011
038667	01/21/11	161849.63	BONANDER PONTIAC, INC	PO #11-15
038668	01/21/11	71.42	BUSINESS CARD	2 GALLONS PAINT/FIRE STATION
038668	01/21/11	173.31	BUSINESS CARD	8 SECURITY CAMERAS/PLAZA
038668	01/21/11	540.00	BUSINESS CARD	2011 NEW COUNCIL MEMBERS ACADEMY/HUTCHINS
038668	01/21/11	471.61	BUSINESS CARD	SUPPLIES BASKETBALL/SNACK BAR/UNIFORM/DOC KIT/DUES
038669	01/21/11	45.00	CALIF BUILDING STANDARDS COMMI	SB1473 FEES PAYABLE OCT-DEC 2010
038670	01/21/11	200.00	LAURA CAMPBELL	REFUND MEMORIAL BLDG DEPOSIT/CAMPBELL
038671	01/21/11	376.54	CDW GOVERNMENT, INC	PO #11-30
038671	01/21/11	1978.11	CDW GOVERNMENT, INC	ARECONT OUTDOOR VANDAL DOME/PLAZA
038672	01/21/11	94.87	CENTRAL SANITARY SUPPLY	LIQUID SWABY/TOILET PAPER
038673	01/21/11	162.87	CIT TECHNOLOGY FIN SERV, INC	MS GSA OFFICE PRO/JAN 2011

Date.: Jan 21, 2011
Time.: 11:36 am
Run by: EMILY M. FARIA

CITY OF NEWMAN
CASH DISBURSEMENTS REPORT

Page.: 2
List.: NEW1
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Ck #	Check Date	CK Amount	Vendor Name	Description
038674	01/21/11	1281.06	CITY OF MODESTO, FLEET SERVICE	OIL& FILTER/MOTOR MOUNT/HEADLIGHT/UNIT 501
038674	01/21/11	598.04	CITY OF MODESTO, FLEET SERVICE	INSTALL MDC & RELATED HARDWARE/CSO TRUCK
038674	01/21/11	1496.01	CITY OF MODESTO, FLEET SERVICE	INSTALL MDC &LIVESCAN & WIRING & HARDWARE.UNIT 506
038675	01/21/11	36.60	ELAINE COLLISON (NT)	REIMBURSEMENT CHRISTMAS CARDS/PHOTOS/DETERGENT
038676	01/21/11	3297.49	CONTRACT SWEEPING SERVICES, IN	STREET SWEEPING SERVICES/DEC 2010
038677	01/21/11	96.01	DEPART. OF CONSERVATION	SMOT FEES OCT-DEC 2010
038678	01/21/11	4685.00	E.T. ABATEMENT, INC.	PO #11-36
038679	01/21/11	381.00	FGL ENVIRONMENTAL, INC	SAMPLING CHARGES/MINERAL,METALS,WET CHEMISTRY/WWTP
038679	01/21/11	381.00	FGL ENVIRONMENTAL, INC	SAMPLING CHARGES/MINETAL,METALS/WET CHEMISTRY/WWTP
038679	01/21/11	3236.00	FGL ENVIRONMENTAL, INC	SAMPLING CAHRGES/COLIFORM,MINERAL,METALS/WWTP
038680	01/21/11	80.80	FRANKLIN PET CEMETERY & CREMAT	COMMUNAL CREMATION/ANIMAL CONTROL
038680	01/21/11	92.80	FRANKLIN PET CEMETERY & CREMAT	COMMUNAL CREMATION/ANIMAL CONTROL
038681	01/21/11	1161.30	GEORGE W. LOWRY, INC	350 GALLONS UNLEADED GAS DELIVERED/WWTP
038682	01/21/11	40.00	JASON GOSSELIN (NT)	PER DIEM/POST TRAINING/GOSSELIN
038683	01/21/11	477.20	GRAINGER	PRESSURE CONTROL VALVE/WWTP
038684	01/21/11	77.24	STEPHANIE HOUSE	REIMBURSEMENT FOR SNACK BAR SUPPLIES/HOUSE
038685	01/21/11	40.00	JASON HUTCHINS (NT)	EMERGENCY TIRE REPAIR REIMBURSEMENT/HUTCHINS
038686	01/21/11	328.38	IKON OFFICE SOLUTIONS	COPIER LEASE/12/25/10 TO 1/24/11/PD
038687	01/21/11	1594.16	INFOSEND, INC	UTILITY BILL & LATE NOTICE MAILINGS/DEC 2010
038688	01/21/11	27.61	IRRIGATION DESIGN & CONSTRUCTI	PVC MOLDED UNION/PVC MOLDED NIPPLE
038689	01/21/11	50.95	JOE'S LANDSCAPING & CONCRETE,	GRAY DECOMPOSED GRANITE
038689	01/21/11	2.36	JOE'S LANDSCAPING & CONCRETE,	TEFLON TAPE
038689	01/21/11	7340.00	JOE'S LANDSCAPING & CONCRETE,	LANDSCAPE SERVICES/LIGHTING & LANDSCAPE DIST/12/10
038690	01/21/11	1974.00	KAISER PERMANENTE	HEALTH INSURANCE PREMIUM/FEB 2011

MINUTES
NEWMAN CITY COUNCIL/REDEVELOPMENT AGENCY
REGULAR MEETING JANUARY 11, 2011
CITY COUNCIL CHAMBERS, 7:00 P.M., 1200 MAIN STREET

1. **Call To Order** - Mayor Katen 7:02 P.M.
2. **Pledge Of Allegiance.**
3. **Invocation** - Mayor Katen.
4. **Roll Call PRESENT:** Hutchins, Candea, Martina And Mayor Katen.
ABSENT: Davis (Excused).
5. **Declaration Of Conflicts Of Interest** - None
6. **Ceremonial Matters**
 - a. Badge Pinning Of Lieutenant And Corporals.

Chief Richardson Presided Over The Badge Pinning Ceremony And Introduced Lieutenant Brett Short, Corporals Noel Borden And Chad Earle.

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 December 14, 2010 Regular Meeting.

Council Member Hutchins Requested That Warrant Number 038628 Be Pulled From The Consent Calendar.

ACTION: On A Motion By Hutchins Seconded By Candea And Unanimously Carried, The Consent Calendar Minus Warrant Number 038628 Was Approved.

ACTION: On A Motion By Candea Seconded By Martina And Unanimously Carried, Warrant Number 038628 Was Approved.

9. **Public Hearings**
 - a. Approve And Adopt The WWTP Land Purchase Final Initial Study And Negative Declaration And Authorize Staff To File A Notice Of Determination.

Mayor Katen Opened The Public Hearing At 7:21 P.M.

There Being No Public Comment, Katen Closed The Public Hearing At 7:22 P.M.

ACTION: On A Motion By Candea Seconded By Martina And Unanimously Carried, The Council Approved The WWTP Land Purchase Final Initial Study, Adopted The Negative Declaration And Authorized Staff To File A Notice Of Determination.

10. Regular Business

- a. Adopt Resolution No. 2011-01, A Resolution Approving Funding From The Urban Forestry Grant Program Entitled, "An Urban Forest For Every City", As Provided Through Propositions 40 And 84.

ACTION: On Motion By Hutchins Seconded By Candea And Unanimously Carried, Resolution No. 2011-01, A Resolution Approving Funding From The Urban Forestry Grant Program Entitled, "An Urban Forest For Every City", As Provided Through Propositions 40 And 84, Was Adopted.

- b. Adopt Resolution No. 2011-02, A Resolution Awarding The Bid For Downtown Plaza Project Bathrooms And Authorizing The City Manager To Execute An Agreement For Services.

ACTION: On Motion by Martina Seconded by Candea and Unanimously Carried, Resolution No. 2011-02, A Resolution Awarding The Bid For Downtown Plaza Project Bathrooms To Perma-Green Hydroseeding, Inc. And Authorizing The City Manager To Execute An Agreement For Construction Services, Was Adopted.

- c. City Council Reorganization - Selection of Mayor Pro Tem and Committee Assignments.

The Following Committee Assignments Were Made By The City Council for 2011/2012:

1. Mayor Pro Tem - (1) Martina
2. Stan COG - (1 & Alternate) Katen /Martina
3. The Alliance - (1) Hutchins
4. LAFCO City Selection Committee - (1) Katen
5. Stanislaus Mayor's Committee - (1) Katen
6. League of California Cities Executive Committee - (1) Hutchins
7. School Liaison Representatives - (2) Martina/Candea
8. Infrastructure Committee (Formerly WWTP Task Force) - (1 & Alternate) Davis/Candea
9. EDAC - (2) Katen/City Manager
10. Crows Landing Air Field/West Side Economic Development - (1) Davis
11. TOSCA - (1) Hutchins

12. Solid Waste Task Force - (1 & Alternate) Garner Reynolds/Doug Mutoza
13. Chamber Of Commerce - (1) Candea/Martina
14. West Side Theatre Liaison - (1 & Alternate) Hutchins/Davis
15. Public Utilities Committee (Formerly CATV Committee) - Changed To An Ad Hoc Committee
16. Public Safety Committee - (1 & Alternate) Katen/Hutchins
17. Countywide Disaster Council - (1) Katen/City Manager
18. San Joaquin Valley Air Pollution Control District Special City Selection Committee (1) Hutchins
19. West Side Healthcare Taskforce - (2) Candea/Martina
20. Orestimba Creek Flood Control - (1) Katen

11. Items From District Five Stanislaus County Supervisor.

Supervisor DeMartini Reminded The Council That The Next West Side Healthcare Taskforce Meeting Would Be In Newman On January 27th And That Both The EDAC And Disaster Council Meetings Would Take Place On January 20th. DeMartini Updated The Council On The West Park Project.

12. Items From The City Manager And Staff.

City Manager Holland Mentioned That City Offices Would Be Closed On Monday, January 17th For The Martin Luther King Jr. Holiday. Holland Reported That He Had Good News Regarding The State Board Of Equalization And Our Issues With A Local Card Lock Business; He Noted That The City Had Not Yet Received A Written Final Ruling But That Approximately Half Of The Tax Dollars Lost To The City Of Modesto Would Be Allocated Back To The City Of Newman In The Future For The Three Previous Quarters. Holland Remarked That Both Youth And Adult Basketball Programs Have Started. He Reminded The Council To Return Their Annual Form 700s By March 18th. Holland Noted That The City Had Received A Letter From The Salvation Army Thanking The City For Its Support Of The Annual Kettle Drive. He Congratulated Lt. Short, Corporals Earle And Borden On Their New Positions.

Chief Richardson Announced That The City Was Losing Experienced Officer Bryon Elness To The City Of Manteca And Thanked Those Who Attended The T.J. Gonzalez Memorial Ceromony.

Public Works Director Reynolds Thanked The Council For Approving The Plaza Restrooms And Updated Them On The Plaza Project, CNG Boom Truck And CDBG Projects. Reynolds Mentioned That He Had Met With Caltrans Regarding Highway 33 And Learned That We had Not Been Utilizing The \$3,000 A Year That Caltrans Budgets For Sidewalk Repairs Along The Highway In Newman.

Finance Director Humphries Informed The Council That Springbrook Is Scheduled To Begin The Municipal Software Installation In February.

13. Items From City Council Members.

Council Member Hutchins Asked For Staff To Provide The Council With Information about The West Side Health Care District.

Mayor Katen Asked Staff To Send A Remembrance For Council Member Cuellar on Belhalf of the Council and City of Newman. Katen Thanked Staff For Organizing The T.J. Gonzalez Memorial Ceremony.

14. Adjourn To Closed Session - 8:18 P.M.

- a. Conference With Labor Negotiator - Operating Engineers Local #3 Miscellaneous Bargaining Unit - G.C. 54957.6.
- b. Conference With Labor Negotiator - Operating Engineers Local #3 Police Bargaining Unit - G.C. 54957.6.
- c. Return To Open Session - 8:43 P.M.

15. Adjournment.

ACTION: On Motion By Hutchins Seconded By Candea And Unanimously Carried, The Meeting Was Adjourned At 8:45P.M.

Honorable Mayor and Members
of the Newman City Council

Agenda Item: **8.d.**
City Council Meeting
of January 18, 2011

ADOPT RESOLUTIONS AUTHORIZING THE APPROVAL OF THE "STATEMENT OF INVESTMENT POLICY" FOR THE CITY OF NEWMAN AND THE NEWMAN REDEVELOPMENT AGENCY

RECOMMENDATION:

It is recommended that the Newman City Council and the Board of Directors of the Newman Redevelopment Agency:

1. Adopt Resolution No. 2011- , a resolution of the City Council of the city of Newman approving the "Statement of Investment Policy" for the City of Newman.
2. Adopt Resolution No. 2011- , a resolution of the Board of Directors of the Newman Redevelopment Agency approving the "Statement of Investment Policy" for the Newman Redevelopment Agency.

BACKGROUND:

The City of Newman's cash management system is designed to monitor and forecast expenditures and revenues, thus enabling the City to invest funds to the fullest extent possible. The City attempts to obtain the highest yield obtainable as long as investments meet the criteria established for safety and liquidity. The State of California Government Code requires the City to follow the Prudent Investor Rule (Government Code Section and §53600 et. seq.). This affords the City a broad spectrum of investment opportunities as long as the investment is deemed prudent.

ANALYSIS:

Currently the City has the following accounts. These constitute the balance of the total cash held by the City. It does not include deposits held by our bonding companies. This information is available on the annual audit. The accounts are:

General Checking	(Bank of the West)
Savings	(Bank of the West – Interest 0.10%)
Petty Cash	(Cash in Drawer and petty cash can)
UBS	(Investment in CD's – Interest varies)
LAIF	(Local Agency Investment Fund– Interest 4 th QTR APR 0.46%)
Chandler Asset Mgmt	(CSJVRMA Pool – Interest Dec 2010 APR 1.13%)

FISCAL IMPACT:

None.

CONCLUSION:

Staff recommends the City Council and Board of Directors approve Resolutions No. 2010- authorizing the approval of the "Statement of Investment Policy" for the City of Newman and the Newman Redevelopment Agency.

ATTACHMENTS:

1. Resolution No. 2011- (City of Newman)
2. Exhibit A: Statement of Investment Policy
3. Resolution No. 2011- (Newman Redevelopment Agency)
4. Exhibit A: Statement of Investment Policy

Respectfully submitted:


Lewis Humphries
Finance Director

REVIEWED/CONCUR:


Michael Holland
City Manager

RESOLUTION NO. 2011-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWMAN APPROVING THE
"STATEMENT OF INVESTMENT POLICY" FOR THE CITY OF NEWMAN**

WHEREAS, the City Council of the City of Newman is desirous of providing a "Statement of Investment Policy" for the City's idle cash.

NOW, THEREFORE, BE IT RESOLVED that the City of Newman accepts and implements the "Statement of Investment Policy" (Exhibit A).

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 25th day of January, 2011 by _____, 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

EXHIBIT "A"

**CITY OF NEWMAN
STATEMENT OF INVESTMENT POLICY**

PURPOSE:

This statement is intended to provide guidelines for the prudent investment of the City's temporary idle cash, and outline the policies for maximizing the efficiency of the City's cash management system. The ultimate goal is to enhance the economic status of the City while protecting its pooled cash.

OBJECTIVE:

The City's cash management system is designed to accurately monitor and forecast expenditures and revenues, thus enabling the City to invest funds to the fullest extent possible. The City attempts to obtain the highest yield obtainable as long as investments meet the criteria established for safety and liquidity.

POLICY:

The City of Newman policy is being updated to reflect a recent change in the California Government Code. The change in California Government Code is §53600.3 the "Prudent Investor Rule" has replaced Civil Code §2261 the "Prudent Man Rule". This change still affords the City the same broad spectrum of investment opportunities as long as the investment is deemed prudent and is allowable under current legislation of the State of California (G.C. Section §53600 et. seq.).

Investments may be made in the following media;

- Securities of the US Government, or its agencies (Treasury Bills/Notes)
- Small Business Administration Loans
- Certificates of Deposits
- Bankers Acceptances (Letter of Credit)
- Local Agency Investment Fund (LAIF) - State Pool
- Chandler Asset Management - CSJVRMA Pool
- Passbook Savings Account Demand Deposits
- Other products which are totally guaranteed and insured by the US Government

Criteria for selecting investments and the order of priority are:

1. **SAFETY:** The safety and risk associated with an investment refers to the potential loss of principal, interest or a combination of these amounts. The City only operates in those investments that are considered very safe.
2. **LIQUIDITY:** This refers to the ability to "cash in" at any moment in time with a minimal chance of losing some portion of the principal or interest. Liquidity is an important investment quality especially when the need for unexpected funds occurs occasionally.
3. **YIELD:** Yield is the potential dollars earnings an investment can provide, and sometimes is described as the rate of return.

SAFEKEEPING: Securities purchased from brokers/dealers shall be held in third party safekeeping by the trust department of the local agency's bank or other designated third party trust, in local agency's name and control, whenever possible.

INVESTMENT OBJECTIVE: The cash management system of the City of Newman is designed to accurately monitor and forecast expenditures and revenues, thus insuring the investment of monies to

the fullest extent as possible. The City attempts to obtain the highest interest yields possible as long as investments meet the criteria required for safety and liquidity.

CITY CONSTRAINTS: The City of Newman operates its pooled idle cash investments under the "Prudent Investor Rule". This affords a broad spectrum of investment opportunities so long as the investment is deemed prudent and is permissible under currently effective legislation of the State of California and other imposed legal restrictions.

The City strives to maintain the level of investment of all idle funds as near 100% as possible, through daily and projected cash flow determinations. Idle cash management and investment transactions are the responsibility of the City Finance Officer and City Treasurer.

The basic premise underlying is the City's investment philosophy is, and will continue to be, to insure that money is always safe, available when needed, and earning maximum interest yield on deposits.

REDEVELOPMENT AGENCY

RESOLUTION NO. 2011-
RDA RESOLUTION NO. 2011-

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE NEWMAN REDEVELOPMENT
AGENCY APPROVING THE "STATEMENT OF INVESTMENT POLICY" FOR THE
NEWMAN REDEVELOPMENT AGENCY**

WHEREAS, the Board of Directors of the Newman Redevelopment Agency is desirous of providing a "Statement of Investment Policy" for the Agency's idle cash.

NOW, THEREFORE, BE IT RESOLVED that the Newman Redevelopment Agency accepts and implements the "Statement of Investment Policy" (Exhibit A).

The foregoing resolution was introduced at a regular meeting of the Board of Directors of the Newman Redevelopment Agency held on the 25th day of January, 2011 by _____, 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:

Chairperson Of The RDA

ATTEST:

Secretary

EXHIBIT "A"

NEWMAN REDEVELOPMENT AGENCY STATEMENT OF INVESTMENT POLICY

PURPOSE:

This statement is intended to provide guidelines for the prudent investment of the Agency's temporary idle cash, and outline the policies for maximizing the efficiency of the Agency's cash management system. The ultimate goal is to enhance the economic status of the City while protecting its pooled cash.

OBJECTIVE:

The Agency's cash management system is designed to accurately monitor and forecast expenditures and revenues, thus enabling the City to invest funds to the fullest extent possible. The City attempts to obtain the highest yield obtainable as long as investments meet the criteria established for safety and liquidity.

POLICY:

The Newman Redevelopment Agency policy is being updated to reflect a recent change in the California Government Code. The change in California Government Code is §53600.3 the "Prudent Investor Rule" has replaced Civil Code §2261 the "Prudent Man Rule". This change still affords the City the same broad spectrum of investment opportunities as long as the investment is deemed prudent and is allowable under current legislation of the State of California (G.C. Section §53600 et. seq.).

Investments may be made in the following media;

- Securities of the US Government, or its agencies (Treasury Bills/Notes)
- Small Business Administration Loans
- Certificates of Deposits
- Bankers Acceptances (Letter of Credit)
- Local Agency Investment Fund (LAIF) - State Pool
- Chandler Asset Management - CSJVRMA Pool
- Passbook Savings Account Demand Deposits
- Other products which are totally guaranteed and insured by the US Government

Criteria for selecting investments and the order of priority are:

1. **SAFETY:** The safety and risk associated with an investment refers to the potential loss of principal, interest or a combination of these amounts. The Agency only operates in those investments that are considered very safe.
2. **LIQUIDITY:** This refers to the ability to "cash in" at any moment in time with a minimal chance of losing some portion of the principal or interest. Liquidity is an important investment quality especially when the need for unexpected funds occurs occasionally.
3. **YIELD:** Yield is the potential dollars earnings an investment can provide, and sometimes is described as the rate of return.

SAFEKEEPING: Securities purchased from brokers/dealers shall be held in third party safekeeping by the trust department of the local agency's bank or other designated third party trust, in local agency's name and control, whenever possible.

INVESTMENT OBJECTIVE: The cash management system of the Newman Redevelopment Agency is designed to accurately monitor and forecast expenditures and revenues, thus insuring the investment of

monies to the fullest extent as possible. The Agency attempts to obtain the highest interest yields possible as long as investments meet the criteria required for safety and liquidity.

AGENCY CONSTRAINTS: The Newman Redevelopment Agency operates its pooled idle cash investments under the "Prudent Investor Rule". This affords a broad spectrum of investment opportunities so long as the investment is deemed prudent and is permissible under currently effective legislation of the State of California and other imposed legal restrictions.

The Agency strives to maintain the level of investment of all idle funds as near 100% as possible, through daily and projected cash flow determinations. Idle cash management and investment transactions are the responsibility of the City Finance Officer and City Treasurer.

The basic premise underlying is the Agency's investment philosophy is, and will continue to be, to insure that money is always safe, available when needed, and earning maximum interest yield on deposits.

Honorable Mayor and Members
of the Newman City Council

Agenda Item: **8.e.**
City Council Meeting
of January 25, 2011

DECLARE CERTAIN PROPERTY AS SURPLUS AND APPROVE OF ITS DISPOSAL

RECOMMENDATION:

Adopt Resolution No. 2011- , a resolution declaring certain property as surplus property and authorizing disposal by auction to the highest bidder

BACKGROUND:

From time to time the City has property that becomes obsolete, is not repairable, has been replaced, or the city no longer has a use for the property. In order for the City to legally dispose of this property, it must be declared surplus by the City Council.

In June of 2010, the City Council authorized the purchase of a 2009 Dodge Charger to replace a 2004 Ford Crown Victoria that had provided 5 years of service to the Police department. The Ford Crown Victoria had become plagued with maintenance issues and would require costly repairs to continue operating. It was taken offline in August of 2009 and stripped of all City insignia and police equipment.

The Public Works Department has a 1997 Ford F250 Pickup that also been plagued with maintenance issues. This vehicle was taken offline in September of 2010 due to transmission problems. As part of the requirements of the CMAQ funding that the City uses toward the purchase of new C.N.G. vehicles, we must retire an existing gas vehicle from our fleet for every new C.N.G. vehicle that we purchase. This vehicle was a good candidate for the CMAQ program because of its poor gas mileage and maintenance issues.

ANALYSIS:

The items submitted for consideration have served their use and are ready for disposal or auction. Based on the condition and type of item staff will make every effort to sell the items in an effort to recover some costs. In the event the item cannot be sold or the expense to sell it exceeds its value the item will be properly disposed of.

There may be minor costs associated with the auction, but those costs will be offset by the sale of the vehicle. Any excess funds generated will be placed in the City's General Fund.

FISCAL IMPACT:

Minimal expense for disposal which should be offset by sale of the vehicles.

CONCLUSION:

This staff report is submitted for City Council consideration and action. Staff recommends adoption of Resolution No. 2011- , a resolution declaring certain property as surplus property.

ATTACHMENTS:

1. Resolution No. 2011- , a resolution of the City Council of the City of Newman declaring certain property as surplus and authorizing disposal
2. List of Property - Description and vehicle information
3. Photographs of the vehicles

Respectfully submitted,



Brett Short
Police Lieutenant

REVIEWED/CONCUR:



Michael Holland
City Manager

RESOLUTION NO. 2011-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWMAN DECLARING CERTAIN PROPERTY AS SURPLUS AND AUTHORIZING DISPOSAL

WHEREAS, the City Manager of the City of Newman has recommended that certain items of personal property are no longer needed by the City and should be declared surplus and sold; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newman and in accordance with the recommendations of the City Manager those certain items more particularly described in Attachment A, B, & C and made a part hereof, are hereby declared surplus and in the public interest should be disposed by a host of legal remedies such as sale, auction, donation, destruction or taken to a refuse site and that found property held over the legal time limits and no owner located be declared property of the City.

BE IT FURTHER RESOLVED that the City Manager is authorized to sell said items of personal property to the highest responsible bidder.

BE IT FURTHER RESOLVED that the City Council reserves the right to reject any and all bids.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 25th day of January, 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:

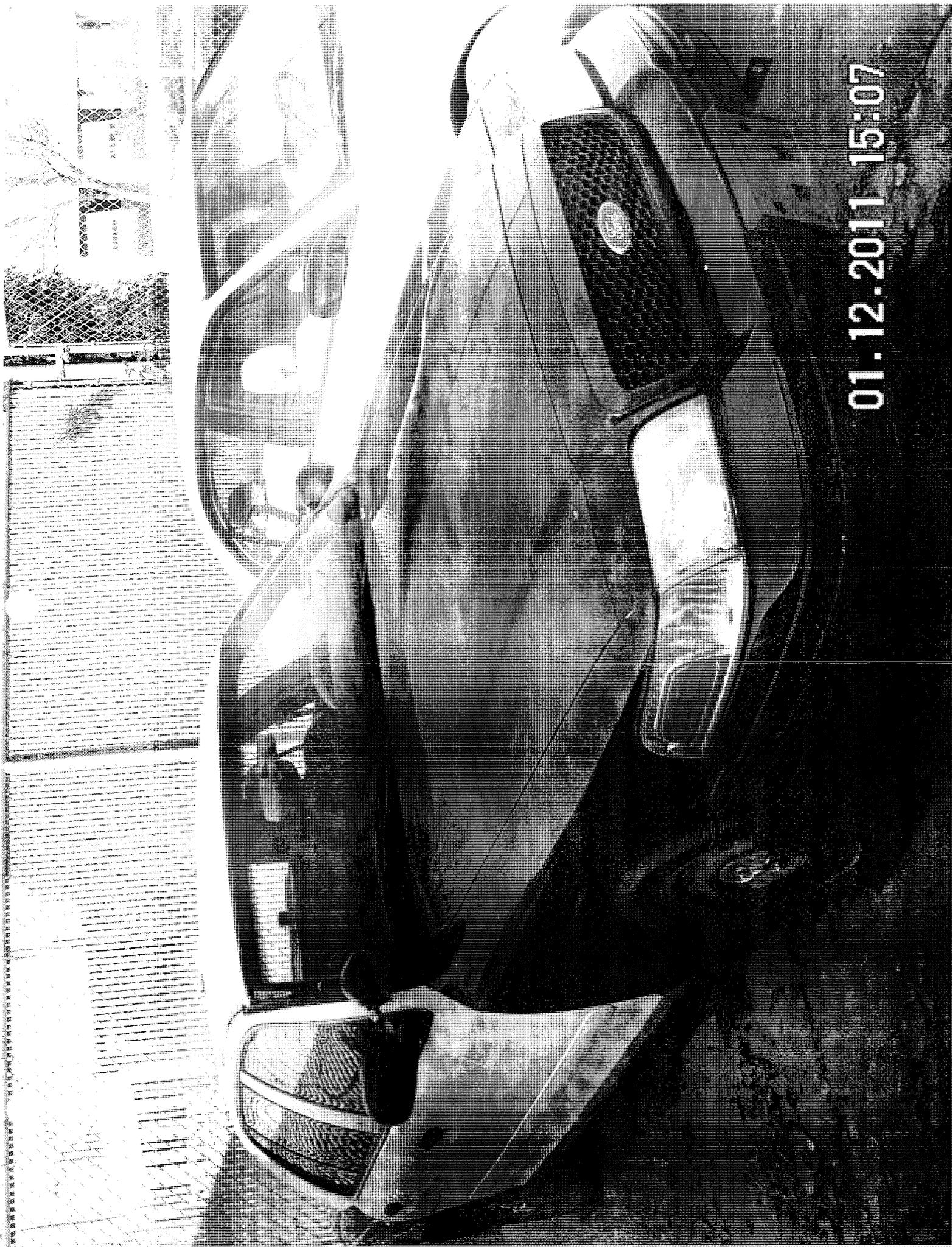
Deputy City Clerk

ATTACHMENT A

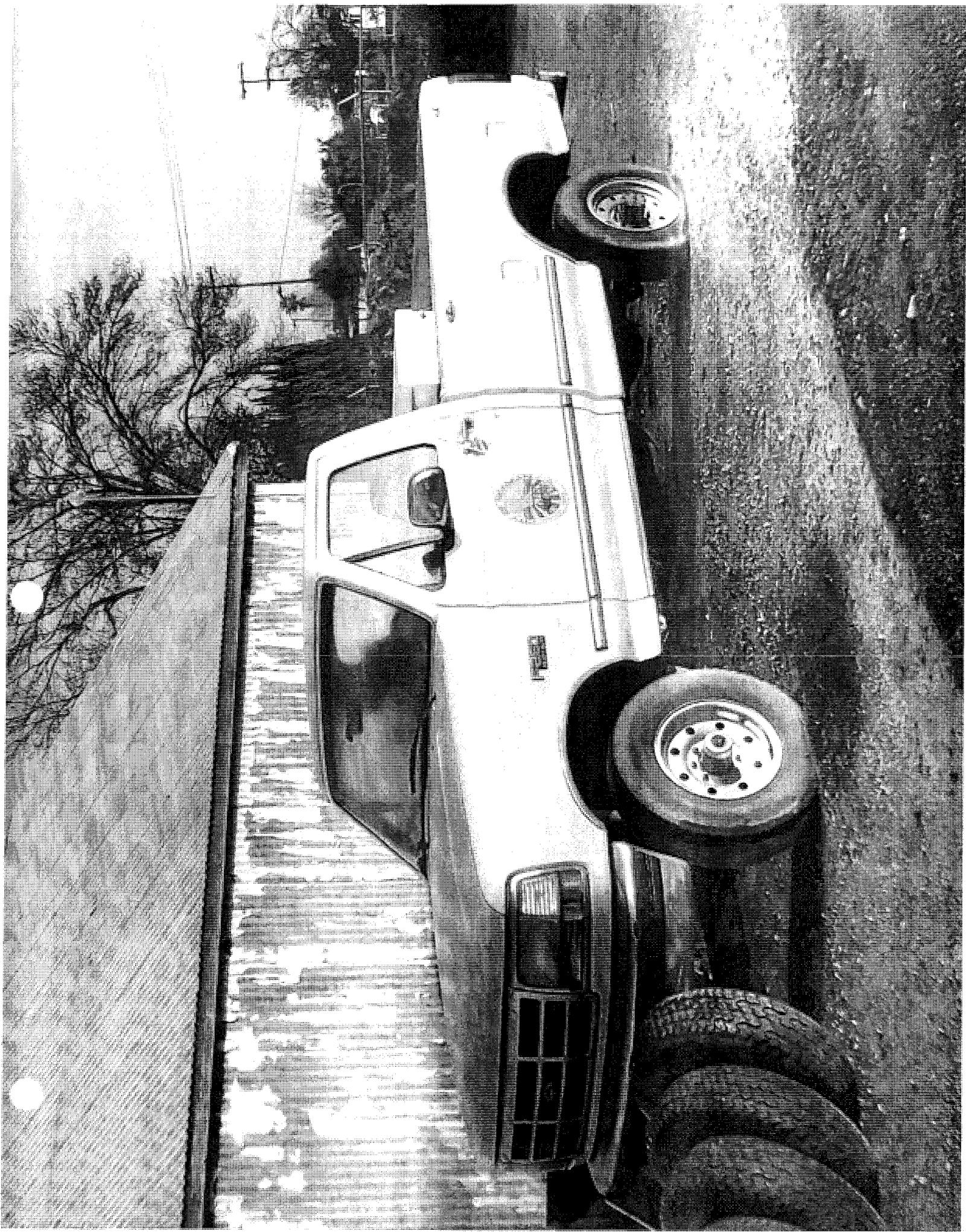
DESCRIPTIVE INFORMATION

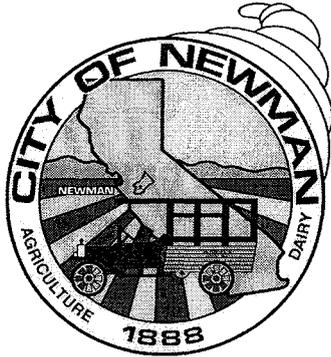
Year: 2004
Make: Ford
Model: Crown Victoria Police Interceptor
License: 1207758
VIN: 2FAFP71W84X106677
Mileage: 82149
Estimated Value: \$600.00

Year: 1997
Make: Ford Pickup
Model: F250 Heavy Duty 4-Wheel Drive
License: 1007295
VIN: 1FTHF2660VEA61456
Mileage: 141,00 (Estimated, battery is dead)
Estimated Value: \$200.00



01.12.2011 15:07





City of Newman
Director of Public Work's Office
Memorandum

Date: January 25, 2011
To: City Council
From: Garner R. Reynolds

Subject: Water Rate Study Adhoc Committee

On February 23, 2010, the City Council awarded a contract to Eco:Logic Engineering (now known as Stantec) for a Water Rate and Connection Fee Study. The study has been completed and reviewed by City Staff. The next step in the process is to assemble an Adhoc Committee comprised of community members to further review and analyze the Study. City staff has contacted residents, the business community, the Chamber of Commerce, and our local industries for volunteers. The following persons have volunteered to take part in the Committee:

Council Member Nick Candea
Council Member Don Hutchins
Kern Hunewill – Yancey Lumber
Bob Novoa – Novoa Jewelers
George Znoj – Saputo Cheese
Kent Madenwall

City Council Representative
City Council Representative
Local Business Representative
Local Business Representative
Local Industry Representative
Local Resident Representative

If there are additional volunteers that you feel would be beneficial to the Committee, please forward their information to me and I will make contact with them.

**APPROVAL OF THE CITY OF NEWMAN SUPERVISION AND REGULATION OF THE
NEWMAN WASTEWATER TREATMENT PLANT EFFLUENT STORAGE BASINS AND
EMERGENCY ACTION AND NOTIFICATION PLAN (EAP) AND MINIMUM
REQUIREMENTS FOR MAINTENANCE AND INSPECTION**

RECOMMENDATION:

It is recommended that the Newman City Council adopt Resolution No. 2011- , approving the City of Newman supervision and regulation of the Newman Wastewater Treatment Plant Effluent Storage Basins and Emergency Action and Notification Plan (EAP) and Minimum Requirements for Maintenance and Inspection.

BACKGROUND:

The City of Newman owns and operates two effluent storage basins that combined may hold up to 675 acre-foot of treated (recycled) wastewater, used seasonally for growing crops located at the Wastewater Treatment Plant. In order to protect public safety California Law (California Water Code Section 6025.6) requires all dams (or above ground basins) to meet certain construction, and operations and maintenance standards as well as have a plan to protect the public in the rare event the dam fails. By default the State (Department of Water Resources, Division of Safety of Dams) has the legal jurisdiction to ensure the standards are met. The law does provide an exception to this general rule if the dam is small enough to not pose a large risk and is designed as part of a Waste Water Treatment Plant. In those instances the local agency may formally take over the State's oversight responsibility as long as a registered engineer is retained to independently ensure similar appropriate standards are met.

The City has the option to declare responsibility for the supervision, regulation and maintenance of the Effluent Storage Basins. Absent such a formal declaration the State of California is responsible by default, may impose their regulations, and assess all fees that would have been due as well as additional costs to assess the structures, and even require additional improvements be added after the fact. It is estimated that this would have cost the City approximately \$40,000.00 in up front costs, and they would have insisted on additional construction requirements that could have added significant construction costs upward of \$200,000.00. In addition, there would be annual State fees to cover annual inspections estimated at \$5,000.00 per year.

In consultation with our consultant Stantec, the City has elected to supervise and regulate the design, construction, operation, enlargement, replacement, and removal of the Effluent Storage Basins. This action requires City to adopt and keep current an Emergency Action and notification Plan (EAP) and Minimum Requirements for Maintenance and Inspection. The cost for our consultant to perform the annual inspection and certification is estimated at \$2,000.00 per year.

ANALYSIS:

The effluent storage basins physical characteristics and use are as described in Section 6025 of the California Water Code and the City desires to forgo State regulation and supervision of the safety of said Effluent Storage Basins.

The City has employed the services of Mr. Joseph DiGiorgio, P.E. (RCE CA No. 51439), Senior Engineer with Stantec to supervise the Effluent Storage Basin structures for the protection of life and property in conformance with California Water Code Section 6025.6. In addition, the City has received a letter, dated January 7, 2011, wherein Mr. DiGiorgio states the WWTP Effluent Storage Basins have been constructed and operated to standards adequate to protect life and property. City staff has worked with Mr. DiGiorgio to develop an EAP and Minimum Requirements for Maintenance and Inspection for said WWTP Effluent Storage Basins, which is attached to this staff report. In taking this action the City is taking formal responsibility by adopting the EAP and proactively protecting life and property.

FISCAL IMPACT:

<u>Estimated Costs</u>		<u>Funding</u>	
Annual Inspection	\$2,000.00	Sewer Fund	\$2,000.00

CONCLUSION:

The City owns and operates two Effluent Storage Basins that combined may hold up to 675 acre-feet of treated (recycled) wastewater. In accordance with the California Water Code, Section 6025.6, the City has elected to supervise and regulate the design, construction, operation, enlargement, replacement, and removal of the Effluent Storage Basins. The City has employed the services of a registered civil engineer with Stantec to supervise the Effluent Storage Basin structures for the protection of life and property in conformance with California Water Code. Therefore, staff recommends that the Newman City Council adopt Resolution No. 2011- , approving the City of Newman supervision and regulation of the Newman Wastewater Treatment Plant Effluent Storage Basins and Emergency Action and Notification Plan (EAP) and Minimum Requirements for Maintenance and Inspection.

ATTACHMENTS:

1. Stantec Letter – City of Newman Wastewater Treatment Plant Safety Supervision of the Effluent Storage Basins
2. Newman Wastewater Treatment Plant Effluent Storage Basins and Emergency Action and Notification Plan (EAP) and Minimum Requirements for Maintenance and Inspection
3. Resolution No. 2011-

Respectfully Submitted,



Garner Reynolds
Director of Public Works

REVIEWED/CONCUR:



Michael E. Holland
City Manager

January 07, 2011

City of Newman
P.O. Box 787
1162 Main Street
Newman, CA 95360

Attention: Garner R. Reynolds, Director of Public Works

Reference: City of Newman Wastewater Treatment Plant
Safety Supervision of the Effluent Storage Basins

Dear Mr. Reynolds,

This letter acknowledges that under the terms of our on-call services contract and your task authorization of November 9, 2009, I have been employed to supervise the safety of the Effluent Storage Basins in accordance with California Water Code 6025.6.

Pursuant to that authorization, I have reviewed the design and construction records of both the 290 acre-foot northerly basin, constructed in 1991, and the 385 acre-foot southerly basin, constructed in 2009. I was a design engineer of record for the southerly basin and performed a personal inspection of both of the basins on October 14, 2009. I was accompanied on my inspection by Mr. Lance Perry, Chief Wastewater Treatment Plant (WWTP) Operator, and we reviewed inspection, maintenance, and operation of the basins. We have also reviewed the City's Emergency Action and notification Plan (EAP) which is to be activated in the unlikely event the Basins embankments ever appear to be in danger of imminent failure.

After review of the aforementioned information, it is my opinion the WWTP Effluent Storage Basins have been constructed and operated to standards adequate to protect life and property.

Furthermore, it is my opinion the Emergency Action and notification Plan (EAP) proposed by the City reasonably fulfills the requirements of California Code Section 8589.5 (d).

Continued certification of these standards are contingent upon adoption and timely updates of the EAP, and continuous inspection and maintenance of the basins by City staff, all in accordance with the procedures listed in **Attachment A**. Also, since the southerly basin had not been initially filled as of the date of my inspection, I must perform a follow-up field inspection when this basin is filled to at least one-half capacity, and perform subsequent field inspections of the basins, their maintenance and inspection records, and EAP from time to time.

Sincerely,

STANTEC CONSULTING SERVICES INC.

ORIGINAL SIGNED and STAMPED

Joseph DiGiorgio, P. E.
Supervising Engineer
Tel: (916) 773-8100
Fax: (916) 773-8448
Joe.DiGiorgio@stantec.com

Cc/w att: Lance Perry, City of Newman
Dave Price, Stantec
Mr. Robert M. Mead, California Emergency Management Agency

Newman Wastewater Treatment Plant Effluent Storage Basins Emergency Action and notification Plan (EAP) and Minimum Requirements for Maintenance and Inspection

In the event of significant sloughing, erosion, or cracking of the basin embankments that is growing, or significant seepage through the embankment that is increasing or laden with sediment, immediately initiate the EAP specified below and notify the Supervising Civil Engineer of Record and the Department of Water Resources Division of Safety of Dams.

Emergency Action and notification Plan (EAP)

- **Activate the City of Newman's Emergency Operations Center (EOC)** – as per the City of Newman's Emergency Operations Plan (2010), Page 36
 - First contact – Emergency Manager – City Manager at (209)862-3725
 - Second contact – Incident Commander (IC) – Chief of Police at (209)678-0109
- **Activate the City of Newman's Emergency Response Plan (2003), Section 1-C**
- **Proceed with identification of specific hazards and threats specified by the City of Newman's Emergency Operations Plan (2010), Flood (Warning Stage) / Dam Failure, pages 19 and 20, for areas down slope of the WWTP.**
- **Contact residential neighbor** (only one) north east of WWTP which is a possible area of inundation.
 - John Casey – (209)862-2828, or
 - Visit in person at 2828 Hills Ferry Road Newman
- **Contact Stanislaus County Office of Emergency Services (OES)** – 3705 Oakdale Road Modesto, CA 95357
 - (209)552-3600 - daytime
 - (209)552-3911 – after hours emergency number
 - Stanislaus County OES will assist with resources, and depending on the threat magnitude, activate their EOC
- **Contact Department of Fish and Game** regarding the China Island Wildlife Area property north east of WWTP, which is a possible area of inundation.
 - (209)826-0463 or (209) 329-8860

Minimum Requirements for Maintenance and Inspection

Frequency of inspection

- *Monthly* visual inspection for interior and exterior *erosion, cracking, or seepage*.

When at 50% or more storage capacity:

- *Weekly* visual inspection for interior and exterior *erosion, cracking, or seepage*.
- *Immediate* visual inspection under the following *critical conditions*:
 - After major precipitation or wind *storms* for *erosion*.
 - After an *earthquake* for *sloughing, cracking, or seepage*. Followed by *weekly* inspections for four (4) weeks for developing seepage or increasing cracking as earthquake triggered effects may take several weeks to visually manifest themselves.
 - In the event the impounded *water surface encroaches with three (3) feet* of the top of the embankments *inspections* shall commence *daily* for the duration of the condition. As the facility does not have an emergency spillway, all available pro-active actions shall be taken to lower the water surface below the three (3) feet of emergency freeboard as rapidly as possible. *If a controlled (emergency) release of water from the WWTP site is required, notify the Department of Health Services and the Central Valley Regional Water Quality Control Board immediately.*

Method of Inspections

Routine monthly inspections can for the most part be performed by driving the perimeter crest and base roads and noting evidence of embankment erosion, cracking, burrowing animal activity, and saturated areas or seepage. Rutting of the roadways should be noted as a possible indicator of saturated or soft soil conditions and excessive rutting should be filled and graded for drainage to minimize embankment saturation via standing water from rain events.

If areas of concern are noted they shall be repaired and/or monitored for any progressive changes. (Mark areas or features of concern with flags or stakes to more accurately monitor progressively changing conditions.)

During critical conditions, and at least *annually*, a closer walking inspection of the embankment slopes shall be performed to identify features that may be missed during a driving inspection, and to feel for soft, unstable, or saturated areas on or near the embankments side slopes. Also during the annual inspection the operator shall sight along the embankment crests noting any horizontal alignment changes, or vertical sagging and differential settlement. The hydraulic control gates and isolation valves shall be exercised at least annually to ensure proper operation.

Frequency of Maintenance

As required by the Central Valley Regional Water Quality Control Board Waste Discharge Requirements, the WWTP Operations and Maintenance Manual, and *as dictated by inspection and/or as directed by the Supervising Engineer.*

Record Keeping

Records shall be maintained up-to-date documenting all inspections and maintenance of the storage basins facilities.

Supervising Civil Engineer of Record (Updated January 7, 2011):

Mr. Joseph DiGiorgio, RCE No. CA51439
Stantec
3875 Atherton Road
Rocklin, CA 95765
(916) 773-8100, mobile (916)803-5078

Advise the Division of Safety of Dams, Department of Water Resources,
P.O. Box 942836, Sacramento, CA 94236-0001, (916) 227-4644 in event of a change in this
information.

RESOLUTION NO. 2011-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWMAN DECLARING CERTAIN PROPERTY AS SURPLUS AND AUTHORIZING DISPOSAL

WHEREAS, the City Manager of the City of Newman has recommended that certain items of personal property are no longer needed by the City and should be declared surplus and sold; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newman and in accordance with the recommendations of the City Manager those certain items more particularly described in Attachment A, B, & C and made a part hereof, are hereby declared surplus and in the public interest should be disposed by a host of legal remedies such as sale, auction, donation, destruction or taken to a refuse site and that found property held over the legal time limits and no owner located be declared property of the City.

BE IT FURTHER RESOLVED that the City Manager is authorized to sell said items of personal property to the highest responsible bidder.

BE IT FURTHER RESOLVED that the City Council reserves the right to reject any and all bids.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 25th day of January, 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

ATTACHMENT A

DESCRIPTIVE INFORMATION

Year: 2004
Make: Ford
Model: Crown Victoria Police Interceptor
License: 1207758
VIN: 2FAFP71W84X106677
Mileage: 82149
Estimated Value: \$600.00

Year: 1997
Make: Ford Pickup
Model: F250 Heavy Duty 4-Wheel Drive
License: 1007295
VIN: 1FTHF2660VEA61456
Mileage: 141,00 (Estimated, battery is dead)
Estimated Value: \$200.00