

**AGENDA**  
**NEWMAN CITY COUNCIL/REDEVELOPMENT AGENCY**  
**REGULAR MEETING MAY 10, 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
  - a. Proclamation - Asthma Awareness Month.
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 April 12, 2011 Regular Meeting.
9. Public Hearings
  - a. Adopt Resolution No. 2011- , A Resolution Declaring The Existence Of A Public Nuisance Under Ordinance No. 95-4.
  - b. First Reading And Introduction Of Ordinance No. 2010- , An Ordinance Amending Title 5, Zoning, And Accompanying Zoning Maps Of The City Of Newman In Conformance With The 2030 General Plan.
10. Regular Business
  - a. Adopt Resolution No. 2011- , A Resolution Initiating Proceedings For The Levy And Collection Of Assessments For The Lighting And Landscape Maintenance District For Fiscal Year 2011/2012 And Ordering Preparation Of The Engineer's Report.
  - b. 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 Downtown Plaza Project.
11. Items From District Five Stanislaus County Supervisor.

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

**13. Items From City Council Members.**

**14. Adjourn To Closed Session**

- a. Conference With Labor Negotiator – Operating Engineers Local #3 Miscellaneous Bargaining Unit - G.C. 54957.6.
- b. Public Employee Personnel Evaluation – City Manager – G.C. 54957.6.
- c. Return To Open Session.

**15. Adjournment.**

**Calendar of Events**

- May 8 – Mother’s Day
- May 9 – NCLUSD Board Meeting - 6:00 P.M.
- May 10 – City Council - 7:00 P.M.
- May 12 – Recreation Commission – 7:00 P.M.
- May 17 – Two-On-Two Meeting With The School Board - 4:00 P.M.
- May 19 – Planning Commission – 7:00 P.M.
- May 21 – Plaza Grand Opening – 12:00 P.M. to 4:00P.M.
- May 26 – City Council - 7:00 P.M.
- May 27 – City Furlough Day – City Offices Closed
- May 30 – Memorial Day Holiday – City Offices Closed
  
- June 9 – Recreation Commission – 7:00 P.M.
- June 13 – NCLUSD Board Meeting - 6:00 P.M.
- June 14 – City Council - 7:00 P.M.
- June 16 – Planning Commission – 7:00 P.M.
- June 21 – Two-On-Two Meeting With The School Board - 4:00 P.M.
- June 19 – Father’s Day
- June 28 – City Council - 7:00 P.M.

# Proclamation

## of the Mayor of the City of Newman

WHEREAS, Asthma has reached epidemic proportions in the United States, affecting about 25 million people; and

WHEREAS, Asthma is the leading cause of childhood hospitalizations, long-term illness and school absenteeism, accounting for more than 11 million missed school days and nearly 15 million missed days of work each year; and

WHEREAS, each year 1.75 million Americans are rushed to the emergency room, nearly a half million are hospitalized and nearly 3,500 die from Asthma; and

WHEREAS, the 2007 California Health Interview Survey estimates that approximately 65,000 people in Stanislaus County have been diagnosed with asthma, of which 16,000 are children (more than 1 out of 10), and over 45,000 residents, including about 12,000 children are currently coping with asthma; and

WHEREAS, Stanislaus County ranks in the worst 25 counties in the US for some air quality measures; and

WHEREAS, the Health Services Agency has established an Asthma Coalition with over 90 representatives from the community, providers, health plans, American Cancer Society, American Lung Association, County and City schools, and the Central California Asthma Project to implement the School Based Asthma Program developed in the Coalition's 2004 Strategic Plan for Asthma in Stanislaus County; and

WHEREAS, the mission of the Stanislaus County Asthma Coalition is "to create an Asthma-friendly community by promoting awareness, education, management and prevention"; and

WHEREAS, the Health Services Agency, the Asthma Coalition, and the U.S. Environmental Protection Agency are encouraging Americans to identify and reduce their exposure to environmental triggers in homes and schools, and incorporate environmental controls into their Asthma management plans; and

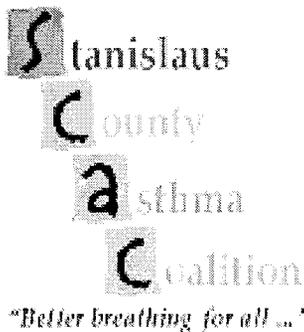
WHEREAS, the City of Newman recognizes the need to raise Asthma awareness;

NOW, THEREFORE, I Ed Katen, Mayor, on behalf of the Newman City Council, do hereby proclaim the month of May as Asthma Awareness Month in the City of Newman and commend this observance to all our residents.

Signed the 10<sup>th</sup> day of May, 2011

Signed \_\_\_\_\_





**May is Asthma & Allergy Awareness Month!**  
***"You Can Control Your Asthma..."***

The Stanislaus County Asthma Coalition would like to encourage you and your colleagues to create partnerships among public health officials, health care groups, educators, patients and their families to highlight the need for every person with asthma to:

- \*Have a timely diagnosis
- \*Receive appropriate treatment
- \*Learn to manage their asthma in partnership with a health care professional
- \*Have a reduced exposure to environmental factors that makes their asthma worse
- \*Have an Asthma Action Plan

According to the CA Health Study 2007, it is estimated that approximately 65,000 people in Stanislaus County have been diagnosed with asthma, of which 16,000 are children (more than 1 out of 10), and over 45,000 residents, including about 12,000 children are coping with asthma.

Our mission: *"To create an asthma-friendly community by promoting awareness, education, management and prevention."*

**Help Raise Asthma Awareness in the Community!**

- \*Ask your child's school about the Asthma-Friendly Flag Program, free to public & private schools.
- \*Sign up to receive the daily air quality forecast at: [www.valleyair.org](http://www.valleyair.org), and free to the public.
- \*Join our efforts and become a member of the Stanislaus County Asthma Coalition.
- \*Help educate staff and others about asthma. Free asthma information at: [www.stanasthma.org](http://www.stanasthma.org)
- \*Support your Asthma Coalition and attend any of the scheduled Proclamations at the City Councils or County Board of Supervisors. Proclamation dates and times are listed below:

County Board of Supervisors, Tuesday, May 3<sup>rd</sup> at 9 a.m.-Board Chambers, 1010 10<sup>th</sup> St. Modesto

Oakdale-Monday, May 2<sup>nd</sup> at 7 p.m.

Modesto-Tuesday, May 3<sup>rd</sup> at 5:30 p.m. Patterson-Tues. May 3<sup>rd</sup> at 7 p.m.

Waterford-Thursday, May 5<sup>th</sup> at 6:30 p.m.

Hughson, Riverbank and Ceres-Monday, May 9<sup>th</sup> at 7 p.m.

Newman and Turlock-Tuesday May 10<sup>th</sup> at 7 p.m.

A Public Service Announcement, *"Take Your Medicine Daily, Even If You Feel Good and Stay In the Game..."* will be displayed on the screens at Brenden Theatre and Galaxy Theatre.

For further information, call the Stanislaus County Asthma Coalition at 209-558-4846 or contact Dolores Cisneros, Project Coordinator at [dcisneros@schsa.org](mailto:dcisneros@schsa.org)

Date..: May 2, 2011  
Time..: 11:26 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
039139	04/27/11	562.00	JAMES J. BELL	EVIDENCE CLERK/CONTRACT SERVICES/4-4 TO 4-15-11
Sub-Total:		562.00		
Grn-Total:		562.00		
Count: 1				

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 CALIFORNIA

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Check #	Check date (MM/DD/YY)	Amount	Vendor name	Description
039089	04/21/11	50.00	AMERICAN MOBILE SHREDDING, INC	BIN SHREDDING SERVICE/APRIL 2011
039090	04/21/11	546.22	ARAMARK UNIFORM SERVICES	UNIFORM CLEANING/MAT RENTAL/TOWEL/MAR 2011
039091	04/21/11	226.38	ARROWHEAD MOUNTAIN SPRING	DELIVERED BOTTLED WATER/MARCH 2011
039092	04/21/11	405.34	AT&T MOBILITY	WIRELESS ACCESS/3-3 TO 4-2-11/PD
039092	04/21/11	1102.67	AT&T MOBILITY	CELL PHONE MONTHLY SERVICE/3-6 TO 4-5-11
039093	04/21/11	70.41	AT&T	MONTHLY TELEPHONE SERV/668-3946/APRIL 2011
039093	04/21/11	68.56	AT&T	MONTHLY TELEPHONE SERV 634-0508/APRIL 2011
039094	04/21/11	135.67	AT&T	EMERGENCY DISPATCH LINE @ PD/2-20 TO 3-19-11
039095	04/21/11	10911.00	BLUE SHIELD OF CALIFORNIA	HEALTH INSURANCE PREMIUM/MAY 2011
039096	04/21/11	140.02	BUSINESS CARD	LUBE/OIL & FILTER CHANGE-TRANSMISSION SERVICE
039096	04/21/11	1066.81	BUSINESS CARD	PARKING/PAPER/MEMORY CARD/MEALS/SEC CAM/LODGING
039096	04/21/11	5513.39	BUSINESS CARD	FENCE FOR DOG PARK/MEALS-SACRAMENTO CM/MAYOR/FIN
039097	04/21/11	342.40	C B MERCHANT SERVICES, INC	REIMBURSE BAD DEBT
039098	04/21/11	166.90	CDW GOVERNMENT, INC	USB SCANNER KIT
039099	04/21/11	289.43	CENTRAL SANITARY SUPPLY	HAND SANITIZER/GLOVES/DISINFECTANT/SPRAY DEODORANT
039100	04/21/11	341.59	CITY OF MODESTO, FLEET SERVICE	REPAIRED WINDOW SWITCH ON K-9 UNIT #595
039101	04/21/11	31.75	ELAINE COLLISON (NT)	REIMBURSEMENT/PICTURES/COFFEE/PICTURE FRAMES
039102	04/21/11	560.00	COMPUTER TUTOR	COMPUTER CLASS FEES/NOV 2010
039103	04/21/11	225.00	DAVE PIRES	DRAIN CLEANING/POLICE DEPT
039103	04/21/11	150.00	DAVE PIRES	DRAIN CLEANING SERVICE/YOUTH CENTER
039104	04/21/11	5.00	FRANKLIN PET CEMETERY & CREMAT	DISPOSAL CLINIC
039104	04/21/11	68.50	FRANKLIN PET CEMETERY & CREMAT	ANIMAL DISPOSAL CLINIC
039105	04/21/11	69.43	GEMPLERS ACCT #5224757	RAIN SUIT/WWTP
039106	04/21/11	801.00	GEOANALYTICAL LAB, INC.	BOD/TSS/NITRATES/BACTI/SAMPLING HOURS/MAR 2011

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039107	04/21/11	207.00	YAH! POSTMARKS	REPORT 4TH QUARTER 2010 POINT TO POINT	03/11/11
039108	04/21/11	207.00	HDF DESIGNS	7 CENTENNIAL JACK TSY EMBROIDERED 4 DAGES	03/11/11
039109	04/21/11	84.66	STEPHANIE HOUSE	REIMBURSE MILEAGE/BASKETBALL GAME @ ORACLE/HOUSE	03/11/11
039110	04/21/11	328.38	IKON OFFICE SOLUTIONS	COPIER LEASE/3-25 TO 4-24-11/PD	03/11/11
039111	04/21/11	1589.51	INFOSEND, INC	UTILITY BILL AND LATE NOTICE MAILING/MARCH 2011	03/11/11
039112	04/21/11	1105.43	IN-SYNCH SYSTEMS	MOBILE RECORDS MANAGEMENT SYSTEM/MAY 2011	03/11/11
039113	04/21/11	39.00	JOBS AVAILABLE, INC.	SUBSCRIPTION TO JOBS AVAILABLE/6 MONTHS	03/11/11
039114	04/21/11	8255.00	JOE'S LANDSCAPING & CONCRETE,	LANDSCAPE SERV/LIGHTING & LANDSCAPE DIST/MAR 2011	03/11/11
039115	04/21/11	130.86	MEDINA AUTO REPAIR	REPLACE MUFFLER ON FORD F-150	03/11/11
039116	04/21/11	1534.34	MID VALLEY IT, INC	MONTHLY IT CONTRACT SERVICES/MAY 2011	03/11/11
039117	04/21/11	32.00	KRISTEN MOORE	MEN'S BASKETBALL SCOREKEEPER	03/11/11
039118	04/21/11	3150.00	NATIONWIDE FINANCIAL CONTRACT	VFLSAS SERVICE AWARD FISCAL 09-2010	03/11/11
039119	04/21/11	561.52	NEWMAN-CROWS LANDING	1/2 REIMBURSEMENT RED LAVA ROCK/MATTERI FIELD	03/11/11
039120	04/21/11	50.00	NEWMAN CHAMBER OF COMMERCE	NEWMAN CHAMBER OF COMMERCE ANNUAL DUES	03/11/11
039121	04/21/11	1120.00	GEORGE OSNER	PLANNING SERVICES/MAR 11/AREA #3 MASTER PLAN	03/11/11
039122	04/21/11	660.00	CITY OF PATTERSON	VIDEOREIMBURSEMENT/APRIL 2011	03/11/11
039123	04/21/11	1526.36	PRECISION INSPECTION, INC	Bldg Reg Inspec BLDG REGU	03/11/11
039124	04/21/11	980.50	FRANK RIVAS	MEN'S BASKETBALL REFEREE/RIVAS	03/11/11
039125	04/21/11	74.00	RORY ROCHA	MEN'S BASKETBALL REFEREE/ROCHA	03/11/11
039126	04/21/11	906.50	SHANE SEQUEIRA	MEN'S BASKETBALL REFEREE/SEQUEIRA	03/11/11
039127	04/21/11	5991.42	SHELL FLEET PLUS	GASOLINE AND DIESEL PURCHASES/MARCH 2011	03/11/11
039128	04/21/11	797.98	SOLECON, INC	CLEANED BURNERS/CHANGED FILTERS/CORP YARD	03/11/11
039128	04/21/11	247.97	SOLECON, INC	250' THERMOSTAT WIRE 18 GAUGE	03/11/11
039129	04/21/11	342.00	STATE OF CALIFORNIA	FINGERPRINT APPS/CHILD ABUSE INDEX/CCW	03/11/11

NYC  
Date: 11/01/11  
Run by: W. L. A. J. A. L.

CITY OF NEW YORK  
CASH DISTRIBUTION STATEMENT

Page: 3  
Fiscal Year:  
Group: NY 1001

Line #	Invoice #	Amount	Vendor Name	Description
039130	11/01	100.00	DEPARTMENT OF THE DISTRICT ATTORNEY	PAID TO DEPT OF DISTRICT ATTORNEY
039131	04/01	174.00	YANNEY LUMBER COMPANY	LUMBER
039132	04/01/11	800.00	YANNEY LUMBER COMPANY	LUMBER
039133	04/21/11	23665.74	TEICHERT CONSTRUCTION	RETENTION PAYMENT/PAID ROUTED TO SCHOOL/TEICHERT
039134	04/21/11	2608.13	TEL STAR INSTRUMENTS, INC	INSTALLED NEW HYDRORANGER 200 @ WWTP
039135	04/21/11	424.00	TIFFINY THELE	MEN'S BASKETBALL SCOREKEEPER/THELE
039136	04/21/11	195.00	BARBARA J. TOSTA	YOUNG AT HEART INSTRUCTOR/MARCH 2011/TOSTA
039137	04/21/11	5.00	MATTOS NEWSPAPERS, INC.	DIGITAL OVER-SIZED POSTER COPY
039137	04/21/11	286.00	MATTOS NEWSPAPERS, INC.	LEGAL AD/RECONSTRUCTION PROJECT/PHASE 2
039137	04/21/11	67.50	MATTOS NEWSPAPERS, INC.	LEGAL AD/ORD 2011-1/LITTER PERMIT/PD
039137	04/21/11	90.00	MATTOS NEWSPAPERS, INC.	LEGAL AD/NOTICE OF PUBLIC HEAR/ZONE CHANGE 11-01
039138	04/21/11	791.74	YANCEY LUMBER COMPANY	LUMBER/FILTER/36 PADLOCKS/MISC PVC/TOILET/MORTAR
Sub-Total:		84965.74		
Grn-Total:		84965.74		
Count:	60			

Date.: May 6, 2011  
Time.: 11:07 am  
Run by: EMILY M. FARIA

CITY OF NEWMAN  
CASH DISBURSEMENTS REPORT

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Ck #	Check Date	CK Amount	Vendor Name	Description
039140	05/06/11	2751.30	AECOM USA, INC	PQRST/FRESNO/MERCED/WEST STR RECONST/2-26 -4-1-11
039140	05/06/11	5205.60	AECOM USA, INC	DOWNTOWN PLAZA 3-3-11 THRU 4-1-11
039141	05/06/11	42.04	GILBERT ALFARO	REFUND ON BALANCE @ 1927 PRINCE ST/ALFARO
039142	05/06/11	467.86	AT&T	MONTHLY TELEPHONE SERVICE/3-13-11 TO 4-12-11
039142	05/06/11	135.67	AT&T	EMERGENCY DISPATCH LINE 3-20-11 TO 4-19-11
039143	05/06/11	716.55	JAMES J. BELL	CONTRACT EVIDENCE CLERK 4-18-11 TO 4-29-11/BELL
039144	05/06/11	53574.66	BERTOLOTTI DISPOSAL	GARBAGE SERVICE FOR APRIL 2011
039145	05/06/11	2341.56	BEST BEST & KRIEGER, LLP	GENERAL CONSULTATION/ THRU 3/31/11
039146	05/06/11	6.05	B G AUTO	2 QUARTS 10W30 MOTOR OIL
039147	05/06/11	440.00	BJ'S CONSUMER'S CHOICE IN	PEST CONTROL SERVICES/04/28/11
039148	05/06/11	65.03	CAL TRAFFIC SIGNS	2 TONS LOOSE GRAVEL
039149	05/06/11	3063.23	CALIFORNIA CONSULTING, LLC	MONTHLY RETAINER/GRANT & LOBBYING SERV/MAY 2011
039150	05/06/11	71.24	CALIFORNIA PACIFIC BROKERS	REFUND ON FINAL BILL/2116 HIDDEN CANYON
039151	05/06/11	20.39	ROSA ELIDA CANAS	REFUND CREDIT BALANCE @ 922 STANISLAUS
039152	05/06/11	100.00	JEFF CARTER	PARKING LOT RENT/MAY 2011
039153	05/06/11	221.00	CBA (ADMIN FEES)	DENTAL-VISION ADMIN FEES/MAY 2011
039154	05/06/11	68.94	CHEVRON	GASOLINE PURCHASES/APRIL 2011
039155	05/06/11	50.00	CARL J. COELHO (CHUCK)	Veh Operation FIRE/MAY 2011
039156	05/06/11	1400.00	COMPUTER TUTOR	COMPUTER CLASSES/MARCH 2011
039157	05/06/11	94.90	COMCAST CABLE	HIGH SPEED INTERNET/4-22-11 TO 5-21-11
039158	05/06/11	3297.49	CONTRACT SWEEPING SERVICES, IN	CONTRACT STREET SWEEPING/APRIL 2011
039159	05/06/11	778.38	CORBIN WILLITS SYS, INC.	MONTHLY SERVICE & ENHANCEMENT FEE/MAY 2011
039160	05/06/11	40.00	JESSICA CUEVAS	ZUMBA INSTRUCTOR/APRIL 2011
039161	05/06/11	405.78	E&M ELECTRIC, INC.	4 HOURS LABOR TO RE-WIRE SCOREBOARD/MATTERI FIELD

Date..: May 6, 2011  
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CASH DISBURSEMENTS REPORT

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Ck #	Check Date	CK Amount	Vendor Name	Description
039161	05/06/11	991.03	E&M ELECTRIC, INC.	SET BOXES & PULLED WIRE/MATTERI FIELD
039161	05/06/11	257.74	E&M ELECTRIC, INC.	INSTALL GFCI OUTLET/SWITCH/CONDUIT/MATTERI FIELD
039162	05/06/11	16.01	ECONOMIC TIRE SHOP	FLAT REPAIR 2007-1 PICKUP/WWTP
039162	05/06/11	16.21	ECONOMIC TIRE SHOP	1 TIRE REPAIR
039163	05/06/11	45.00	SILVIA FERNANDEZ	CANCELLED USE OF PIONEER PARK/REFUND RENT/FERNANDE
039164	05/06/11	34.95	FIREtoWIRE, INC	WEB HOSTING 5-17-11 TO 6-17-11
039165	05/06/11	140.50	FRANKLIN PET CEMETERY & CREMAT	ANIMAL DISPOSAL CLINIC/APRIL 2011
039166	05/06/11	807.01	G BAR N VETERINARY CLINIC	ANIMAL CONTROL SERVICES/FEB 2011
039166	05/06/11	1377.67	G BAR N VETERINARY CLINIC	ANIMAL CONTROL SERVICES/MARCH 2011
039167	05/06/11	82.41	GEMPLERS ACCT #5224757	TIRE PLUG REPAIR KIT/WWTP
039167	05/06/11	121.21	GEMPLERS ACCT #5224757	2 ENTRYWAY MATS/WWTP
039167	05/06/11	203.75	GEMPLERS ACCT #5224757	2 ATV TIRES/WWTP
039168	05/06/11	1000.00	GOLDEN BY-PRODUCTS SCRAP TIRE	45' TRAILER FOR TIRE AMNESTY DAY/APRIL CLEAN-UP
039169	05/06/11	1690.65	GROENIGER & CO.	PO #11-46
039169	05/06/11	13390.78	GROENIGER & CO.	PO #11-46
039170	05/06/11	1575.00	TOM HALLINAN	LEGAL RETAINER FEE/MAY 2011
039171	05/06/11	127.99	HARD DRIVE GRAPHICS	BALANCE OWING ON 24 HATS/PW
039172	05/06/11	350.00	HARRITY CONSULT'ING	DOWNTOWN PLAZA ENGINEERING-CONSULTING/MARCH 2011
039173	05/06/11	14.36	RAMON HERRERA	REFUND CREDIT BALANCE @ 1619 BLUE SPRUCE
039174	05/06/11	590.86	HEWLETT-PACKARD FINANCIAL SERV	HARDWARE LEASE 5-18-11 TO 6-17-11/PD
039175	05/06/11	75.85	STEPHANIE HOUSE	REIMBURSEMENT TO STEPHANIE HOUSE/HOME PLATE WAFFLE
039175	05/06/11	371.42	STEPHANIE HOUSE	REIMBURSE SUPPLIES/TEEN CENTER/MOVIE NIGHT
039176	05/06/11	212.50	HOWK SYSTEMS, INC.	REPAIRED WIRING/TRANSDUCER @ CANAL LIFT STATION
039177	05/06/11	126.02	HUB INTERNATIONAL OF CA INS SE	LIABILITY INSURANCE PREMIUM/MARQUEZ-RANGEL/4/2/11

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CITY OF NEWMAN  
CASH DISBURSEMENTS REPORT

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Ck #	Check Date	CK Amount	Vendor Name	Description
039178	05/06/11	225.00	DON HUTCHINS (NT)	PER DIEM/LCC 2011 LEGISLATIVE DAYS/HUTCHINS
039179	05/06/11	321.87	IKON OFFICE SOLUTIONS	COPIER LEASE/CITY HALL 4-10-11 TO 5-9-11
039180	05/06/11	307.19	IDEXX LABORATORIES, INC.	TESTING SUPPLIES FOR WATER SAMPLING
039181	05/06/11	158.89	INFOSEND, INC	MAILING OF LATE NOTICES/APRIL 2011
039182	05/06/11	1104.00	IN-SYNCH SYSTEMS	MOBILE RECORDS MANAGEMENT SYSTEM/JUNE 2011
039183	05/06/11	151.45	IRRIGATION DESIGN & CONSTRUCTI	25 TYVEK COVERALLS/PW
039183	05/06/11	4.70	IRRIGATION DESIGN & CONSTRUCTI	3/4" COMPRESSION COUPLING
039184	05/06/11	34.49	JASON JEWELL	REFUND CREDIT BALANCE @ 1243-B P ST
039185	05/06/11	13.42	JOE'S LANDSCAPING & CONCRETE,	SPRINKLER ROTOR/ADAPTER/FIRE DEPT
039185	05/06/11	149.56	JOE'S LANDSCAPING & CONCRETE,	TRENCHER RENTAL
039185	05/06/11	5.85	JOE'S LANDSCAPING & CONCRETE,	SUPPLIES FOR MAIN ST TREE WELLS
039185	05/06/11	7419.00	JOE'S LANDSCAPING & CONCRETE,	FLOWER BED PLANTING/IRRIGATION FIXTURES/MONTE VIST
039186	05/06/11	1974.00	KAISER PERMANENTE	HEALTH INSURANCE PREMIUM/JUNE 2011
039187	05/06/11	226.43	FRANK B. MARKS & SON, INC	100 TONS CONCRETE SAND/110 TONS GRAVEL
039188	05/06/11	107.94	RICHARD MIKEWORTH	REFUND OF CREDIT BALANCE @ 1122 DUCK BLIND CIR
039189	05/06/11	1205.35	NEWMAN ACE HARDWARE/JACT, INC	SAFETY GLASSES/DRILL BITS/MISC PLMB/BLOWER/EDGER
039190	05/06/11	10.22	RIGOBERTO NOGUEZ	REFUND CREDIT BALANCE @ 1920 PINE ST
039191	05/06/11	817.87	NORMAC, INC.	LANDSCAPE SPRINKLER SUPPLIES/LIGHTING & LANDSCAPE
039192	05/06/11	2599.00	OPERATING ENGINEERS/	HEALTH INSURANCE PREMIUM/JUNE 2011
039193	05/06/11	236.00	BIANCA PARDO	ZUMBA INSTRUCTOR/APRIL 2011/PARDO
039194	05/06/11	2389.35	PATTERSON AUTO CARE, INC	4 TIRES MOUNTED & BALANCED/ALIGNMENT/STABLIZER/PD
039195	05/06/11	660.00	CITY OF PATTERSON	VIDEO REIMBURSEMENT/MAY 2011
039196	05/06/11	118.79	PATTERSON RENTALS	SOD CUTTER RENTAL
039197	05/06/11	43504.73	PERMA-GREEN HYDROSEEDING	PROGRESS PAYMENT #8/DOWNTOWN PLAZA

Date.: May 6, 2011  
Time.: 11:07 am  
Run by: EMILY M. FARIA

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CASH DISBURSEMENTS REPORT

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List.: NEW1  
Group: PYCPDP

Ck #	Check Date	CK Amount	Vendor Name	Description
039198	05/06/11	103.90	P G & E	NATURAL GAS PURCHASES/3/8/11 TO 4/7/11
039199	05/06/11	30.51	PIONEER DRUG	OFFICE SUPPLIES/PW
039200	05/06/11	95.00	PRECISION INSPECTION, INC	DOWNTOWN PLAZA-RESTROOMS/HOURLY BLDG INSPECT/MAR
039200	05/06/11	1485.30	PRECISION INSPECTION, INC	Bldg Reg Inspec BLDG REGU
039200	05/06/11	47.50	PRECISION INSPECTION, INC	DOWNTOWN PLAZA RESTROOMS/HOURLY BLDG INSPECTIONS
039201	05/06/11	816.00	RANDHAWA MEDICAL GRP, IN	HEPITITIS B VACCINATIONS/POLICE DEPT
039202	05/06/11	34.50	REALTY WORLD	REFUND ON CREDIT BALANCE @ 611 WAXWING LN
039203	05/06/11	775.00	ROPERS, MAJESKI, KOHN & BENTLEY	EMPLOYMENT ADVICE LEGAL SERV/MARCH 2011
039204	05/06/11	44.46	CORRINA RUIRU	REFUND CREIT BALANCE @ 1223 MERCED ST
039205	05/06/11	3910.03	SPRINGBROOK SOFTWARE	SOFTWARE MAINTENANCE 2-11-11 TO 6-11-11
039206	05/06/11	36.00	STAN CNTY CLERK RECORDER	LEIN RELEASES/1961 PATRICK/601 RANEE/2036 T ST
039206	05/06/11	36.00	STAN CNTY CLERK RECORDER	LIEN RELEASE/1115 WISTERIA/2113 CREEK P/1336 BASIL
039207	05/06/11	1139.79	STANISLAUS COUNTY	REPLACED FUEL INJECTOR/CNG PICKUP/MISSFIRE
039207	05/06/11	64.69	STANISLAUS COUNTY	CNG FUEL PURCHASED AT MORGAN ROAD 3-1 TO 3-31-11
039207	05/06/11	82945.00	STANISLAUS COUNTY	2010-2011 RDA SERAF SHIFT HEALTH & SAFETY #33690.5
039208	05/06/11	36.02	STAPLES ADVANTAGE	DUST DESTROYER/FILE FOLDERS/CASH REGISTER ROLLS
039209	05/06/11	1511.50	STANTEC CONSULTING SERVICES, I	GROUNDWATER MONITORING SERVICES/1ST QRTR 2011
039209	05/06/11	4685.00	STANTEC CONSULTING SERVICES, I	PO #11-03A
039209	05/06/11	4292.00	STANTEC CONSULTING SERVICES, I	PO #11-02A
039210	05/06/11	80.00	STEFANI STACY	REFUND SHERMAN PARK RENT/BROKEN BARBEQUE/STACY
039211	05/06/11	155.83	TRAVIS BORRELLI	PORTABLE RESTROOM RENTAL/APRIL 2011
039212	05/06/11	21.30	T.H.E. OFFICE CITY	FILE FOLDER LABELS/CASH REGISTER ROLLS
039212	05/06/11	147.38	T.H.E. OFFICE CITY	HEWLETT PACKARD TONERS
039213	05/06/11	.96	VALLEY PARTS SERVICE	ADAPTER

Date.: May 6, 2011  
Time.: 11:07 am  
Run by: EMILY M. FARIA

CITY OF NEWMAN  
CASH DISBURSEMENTS REPORT

Page.: 5  
List.: NEW1  
Group: PYCPDP

Ck #	Check Date	CK Amount	Vendor Name	Description
039213	05/06/11	53.02	VALLEY PARTS SERVICE	HEADLIGHT LAMP
039213	05/06/11	1.85	VALLEY PARTS SERVICE	FUSE
039213	05/06/11	45.47	VALLEY PARTS SERVICE	U-JOINT
039214	05/06/11	50.00	GEORGE VARGAS	MONTHLY GAS ALLOWANCE/MAY 2011
039215	05/06/11	86.19	WILLIE B. WHITE	REFUND CREDIT BALANCE @ 664 RODEO GROUNDS
Sub-Total:		----- 265451.89		
Grn-Total:		----- 265451.89		
Count:	101			

MINUTES  
NEWMAN CITY COUNCIL/REDEVELOPMENT AGENCY  
REGULAR MEETING APRIL 12, 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** - 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**
  - a. Proclamation - Library Week.

Mayor Katen Presented The Library Week Proclamation To The Newman Library Branch Librarian

Newman Librarian, Kelly Ferrini, Thanked The Community For Their Support And Spoke About Some Of The Events, Programs And Services That The Newman Library Offers.

- b. Community Capacity Building Presentation By Center For Human Services.

Laura Elkington, Center For Human Services, Introduced Ruben Imperial Who Presented Information About The Community Capacity Building Initiative.

Ruben Imperial, Stanislaus County Behavioral Health & Recovery Services, Noted That Stanislaus County Is Experiencing A Growing Need For Mental Health, Alcohol And Drug Treatment Services At The Same Time Said Services Are Constricting. Imperial Stated That The Idea Behind The Community Capacity Building Initiative Is To Use Community Members To Help Others Using Their Faith, Family And Friends Instead Of Mental Health Professionals. He Said That He Would Like To Help Newman Increase Its Capacity For Helping Each Other With Emotional Well-Being.

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

Chris Tyler, Senator Canella's District Director, Informed The Council That State Budget Talks Had Broken Down. Tyler Explained That The Senator Was Negotiating For A Spending Cap, Pension Reform, CEQA Reforms, As Well As Other Regulatory Reforms. Tyler Noted That The Governor Did Not Obtain Enough Support To Eliminate RDA's And That They Are Working On A Compromise.

## 8. Consent Calendar

- a. Waive All Readings Of Ordinances And Resolutions Except By Title.
- b. Approval Of Warrants.
- c. Approval Of Minutes Of The March 22, 2011 Regular Meeting.
- d. Adopt Resolution No. 2011-28, A Resolution Rejecting The Claim Of Alex Saavedra.
- e. Adopt Resolution No. 2011-29, Approving A Three (3) Year Lease Agreement With Newman Co-Op Nursery School And Authorizing The City Manager To Execute Said Lease For The Property Located At 1147 "R" Street.
- f. Adopt Resolution No. 2011-30, Approving The Local Transportation Fund Claim For Fiscal Year 2010/2011 Claim #2 And Authorizing The City Manager To Execute The Claim On Behalf Of The City Of Newman.
- g. Authorize City Manager To Enter Side Letter Agreement For The Reallocation Of HOME Funds.

Council Member Hutchins Requested That Items 8.E. And 8.G. Be Pulled From The Consent Calendar.

**ACTION:** On A Motion By Davis Seconded By Hutchins And Unanimously Carried, The Consent Calendar Minus Items 8.E. And 8.G. Was Approved.

**ACTION:** On A Motion By Davis Seconded By Candea And Unanimously Carried, Item 8.e. (Three (3) Year Lease Agreement) Was Approved.

**ACTION:** On A Motion By Martina Seconded By Candea And Unanimously Carried, Item 8.g. (Reallocation Of HOME Funds) was approved.

## 9. Public Hearings

- a. Adopt Resolution No. 2011-31, A Resolution Declaring The Existence Of A Public Nuisance Under Ordinance No. 95-4.

Mayor Katen Opened The Public Hearing At 7:41 P.M.

There Being No Public Comment, Katen Closed The Public Hearing At 7:42 P.M.

**ACTION:** On Motion By Candea Seconded By Martina And Unanimously Carried, Resolution No. 2010-31, A Resolution Declaring The Existence Of A Public Nuisance Under Ordinance No. 95-4, Was Adopted.

## 10. Regular Business

- a. Report On Funding Request From Center For Human Services.

Laura Elkington Gave The City Council Background About The Center For Human Services And Reviewed The Services They Provide In Newman. She Requested That The City Sponsor The *Swing For Kids* Golf Tournament In The Amount Of \$2,500.00.

**ACTION:** The Council Unanimously Denied The Funding Request.

- b. Second Reading And Adoption Of Ordinance No. 2011-2, An Ordinance Of The City Council Of The City Of Newman Approving First Amendment To The Sherman Ranch Development Agreement And Authorizing Staff To Prepare And Publish A Summary Of Said Ordinance.

**ACTION:** Ordinance No. 2011-2, An Ordinance Of The City Council Of The City Of Newman Approving First Amendment To The Sherman Ranch Development Agreement Had Its Second Reading By Title Only. On A Motion By Hutchins Seconded By Davis Said Ordinance Was Unanimously Adopted And Staff Was Authorized To Prepare And Publish A Summary Of Said Ordinance.

- c. Adopt Resolution No. 2011-32, A Resolution Of The City Council Of The City Of Newman Approving The First Amendment To The Substitute Reimbursement And Settlement Agreement Between The City Of Newman And SCM Hearthstone LLC.

**ACTION:** On Motion By Davis Seconded By Candea And Unanimously Carried, Resolution No. 2011-32, A Resolution Of The City Council Of The City Of Newman Approving The First Amendment To The Substitute Reimbursement And Settlement Agreement Between The City Of Newman And SCM Hearthstone LLC, Was Adopted.

- d. Adopt Resolution No. 2011-33, Authorizing The City Manager To Prepare And Execute A HOME Regulatory Agreement With SCM Homes Of California For The Construction Of Up To Twelve (12) Single-Family Units In The Existing Sherman Ranch Subdivision.

**ACTION:** On Motion By Martina Seconded By Hutchins And Unanimously Carried, Resolution No. 2011-33, A Resolution Of The City Council Of The City Of Newman Authorizing The City Manager To Prepare And Execute A HOME Regulatory Agreement With SCM Homes Of California For The Construction Of Up To Twelve (12) Single-Family Units In The Existing Sherman Ranch Subdivision, Was Adopted.

- e. Adopt Resolution No. 2011- , A Resolution Authorizing The Lease Of Two New Vehicles For Police Department Administrative Purposes.

**ACTION:** At Staff's Request, The City Council Agreed To Pull This Item From The Agenda.

- f. Adopt Resolution No. 2011-34, A Resolution Awarding Bid For A Wireless Mesh System.

**ACTION:** On Motion By Martina Seconded By Hutchins And Unanimously Carried, Resolution No. 2011-34, A Resolution Of The City Council Of The City Of Newman Awarding Bid For A Wireless Point To Multi Point Mesh System To Delta Wireless For An Amount Not-To-Exceed \$73,391.10, Was Adopted.

## **11. Items From District Five Stanislaus County Supervisor.**

Supervisor DeMartini Reminded The Council That The Next West Side Healthcare Meeting Would Be On April 28<sup>th</sup> In Gustine And That The Biggest Loser Contest Would Begin On August 18<sup>th</sup> In Newman. He Also Mentioned That The Next EDAC Meeting Would Be On April 21<sup>st</sup> At 6:00 P.M.

## **12. Items From The City Manager And Staff.**

City Manager Holland Requested Additional Direction For The Plaza Grand Opening Event Pertaining To Scheduling And Budget. The Council Set The Budget For The Event At \$1,000.00 Or Less And Allowed A Nominal Charge For A Meal. Vicki Lucas Requested That The Plaza Grand Opening Be Held From 12:00 P.M. To 4:00 P.M. And The Council Agreed.

Chief Richardson Mentioned That The K-9 Crab Feed Was A Great Event With More Than Five-Hundred People In Attendance. He Reminded The Community That A Safety Fair Would Be Held On April 16<sup>th</sup> At Sherman Park From 12:00 P.M. – 4:00 P.M. And Noted That They Would Have Free Hotdogs, Paper Shredding Along With Other Events. Richardson Praised The Community For The Inspiring Baseball Opening Ceremonies.

Public Works Director Reynolds Remarked That He Would Be In Charge Of Purchasing The Banner, Balloons And Food For The Plaza Grand Opening.

Finance Director Humphries Reported That The Springbrook Software Update Was Progressing And That The Customers Would Receive New Utility Bills This Month With New Account Numbers.

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

Council Member Hutchins Asked About Properties On Inyo Near The Flange And Potential Abatement Procedures.

Council Member Martina Asked About JJ's Liquors Posting Ten Minute Parking Signs.

Mayor Katen Thanked The Fire Department For The Jackets.

## **14. Adjourn To Closed Session – 8:47 P.M.**

- a. Public Employee Personnel Evaluation – City Manager – G.C. 54957.6.
- b. Return To Open Session - 9:15 P.M.

## **15. Adjournment.**

**ACTION:** On Motion By Candea Seconded By Davis And Unanimously Carried, The Meeting Was Adjourned At 9:16 P.M.

Honorable Mayor and Members  
of the Newman City Council

Agenda Item: **9.a.**  
City Council Meeting  
of May 10, 2011

**REPORT ON NUISANCE ABATEMENT**

**RECOMMENDATION:**

Adopt Resolution No. 2011- , Declaring The Existence Of A Public Nuisance Under Ordinance No. 95-4.

**BACKGROUND:**

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

**ANALYSIS:**

This notice informs property owners of all nuisance abatement procedures, option and their right to object at a public hearing. It is anticipated that many property owners will comply with the abatement notices prior to the hearing date. A final compliance survey will be done on Monday, May 9, 2011. A list of properties that have not complied with the abatement notice will be handed out at the council meeting prior to the public hearing.

**FISCAL IMPACT:**

None

**CONCLUSION:**

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

**ATTACHMENTS:**

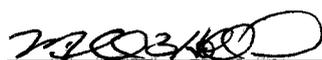
1. Resolution No. 2011- , a resolution declaring the existence of a public nuisance
2. Exhibit A – Abatement List

Respectfully submitted,



Randy Richardson, Chief of Police

**REVIEWED/CONCUR:**



Michael Holland, City Manager

**RESOLUTION NO. 2011-**

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

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

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

WHEREAS, said hearing was held on May 10, 2011, at 7:00 p.m., as in said notice provided; and,

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

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

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 10th day of May, 2011 by Council Member \_\_\_\_\_, who moved its adoption, which motion was duly seconded and was adopted upon roll call vote.

AYES:  
NOES:  
ABSENT:

APPROVED:

\_\_\_\_\_  
Mayor

ATTEST:

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

**City of Newman**

**Abatement list**

1. **637 Banff**  
Tall grass and weeds through out the front and backyards
2. **744 Balsam**  
Tall grass and weeds through out the front and backyards
3. **1563 'P' Street**  
Weeds through the empty lot
4. **1549 'P' Street**  
Tall grass and weeds through out the front yard
5. **1573 Canyon Creek**  
Tall grass and weeds through out the front and backyards

**REPORT ON CITY-WIDE ZONE CHANGE (ZC #11-01)**

**RECOMMENDATION:**

1. Open Public Hearing
2. Conduct First Reading of Ordinance #2011- , An Ordinance Amending Title 5, Zoning And Accompanying Zoning Maps Of The City Of Newman In Conformance With The 2030 General Plan
3. Provide staff direction regarding a potential Professional Office District

**BACKGROUND:**

The 1992 City of Newman General Plan was adopted on October 20, 1992. As a part of the process, the City Council adopted a new land use map (the prior map dated back to 1976).

In 1997, the current Zoning Code and Map were adopted however for reasons unknown to current staff, not all parcels were re-zoned in conformance to the General Plan.

On April 10, 2007, the City Council adopted the Newman 2030 General Plan. The new General Plan Land Use map featured many of the same land use designations as the 1992 Plan. In fact, 44 parcels proposed for re-zoning were originally identified in the 1992 plan for a zone change.

June 2010, the Newman 2030 General Plan Housing Element was certified by the California Department of Housing and Community Development (HCD). Technically a part of the General Plan, the Housing Element requires that a number of parcels be re-zoned as well.

In October 2010, staff notified all potentially affected property owners in writing about the upcoming re-zoning process and invited them to attend two informational meetings where questions could be addressed and discussed; those meetings were held in the early afternoon and evening.

On March 17, 2011, the Planning Commission held a public hearing, reviewed and unanimously recommended the proposed Zone Change to the Council. Four comments were received during the public hearing, one of which requesting that the 1000 block on "N" Street be re-zoned to Professional Office District as opposed to the proposed C-2 (General Service Commercial) District. Staff has begun research on a potential Professional Office District for that area.

**ANALYSIS:**

The proposed subject sites vary in zoning, all of which are inconsistent with the adopted General Plan. The proposed zoning is consistent with the Newman 2030 General Plan. To address the existing medium density single family development in the Sherman Ranch subdivision (also known as the Heritage Collection), staff has developed the R-2S Zoning District for inclusion in the Zoning Code and Map. All potential environmental impacts have been evaluated in the Newman 2030 General Plan EIR, no further environmental review is necessary. Given that the proposed Zone Change has been thoroughly analyzed under the General Plan and accompanying EIR and all potential impacts have been mitigated in said documents; the finding is that public health and safety are not affected by the zone change.

All proposed zoning amendments are consistent with and conform to the City's adopted General Plan. Additionally, all potentially affected sites are physically suited for their proposed zoning classifications as prescribed by the General Plan. Based upon the analysis conducted during the General Plan update process, all affected parcels were reviewed and found to be suitable for re-zoning to their specific proposed zoning districts. As with any re-zoning, the change in zoning may be inconsistent with the existing use of the property. If approved, all inconsistent properties/uses would be classified as "legal nonconforming";

although certain types of land use(s) within said properties will be limited, their current uses will be protected and permitted as long as:

- the use is not discontinued for a period of more than six (6) months
- alterations or repairs not exceeding 25 percent of the current value of the building are made
- the use is not moved, enlarged, extended or expanded within the structure it occupies, nor expanded so as to occupy a greater area of land, than was occupied by such use at the time this title was adopted or amended.
- the nonconforming structure is not damaged by fire, flood, or other casualty or act of God to an extent exceeding 50 percent of its previous value.

Per NMC §5.24.030.A, a Variance would be required for any other structural alteration, enlargement, extension, expansion or substantial rehabilitation of a nonconforming structure.

**FISCAL IMPACT:**

None

**CONCLUSION:**

The proposed project is to re-zone existing parcels for conformance with the Newman 2030 General Plan. A city-wide re-zoning has not occurred for many years and with the adoption of a new General Plan and updated Housing Element, now is the time to get the City's land use designations and zoning in order.

Should the re-zoning not be recommended for approval, the City's existing zoning map will be inconsistent with General Plan and technically noncompliant with the Municipal Code (as it has been for many years). Additionally, California Government Code Section 65860 requires that a city's zoning be consistent with its General Plan. Both the 1992 and 2030 General Plans identified a need for re-zoning. The 2030 General Plan thoroughly analyzed all impacts and effects of the proposed land uses and found them to be the best option for the City and public at large.

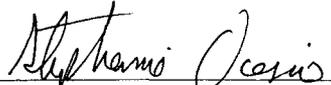
Staff recommends that the Council:

1. Open the Public Hearing
2. Conduct First Reading of Ordinance #2011- , An Ordinance Amending Title 5, Zoning And Accompanying Zoning Maps Of The City Of Newman In Conformance With The 2030 General Plan
3. Provide staff direction regarding a potential Professional Office District for the 1000 block of "N" Street

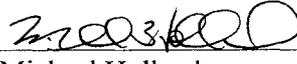
**ATTACHMENTS:**

1. Exhibit A – Re-Zoning Map
2. Exhibit B – Re-Zoning List
3. Exhibit C - Current Zoning Map
4. Exhibit D - 1992 General Plan Land Use Map
5. Exhibit E - 2030 General Plan Land Use Map
6. Exhibit F - Proposed R-2S Zoning Description
7. Exhibit G - Ordinance #2011- , Amending The General Zoning Ordinance And Accompanying Zoning Maps Of The City Of Newman.

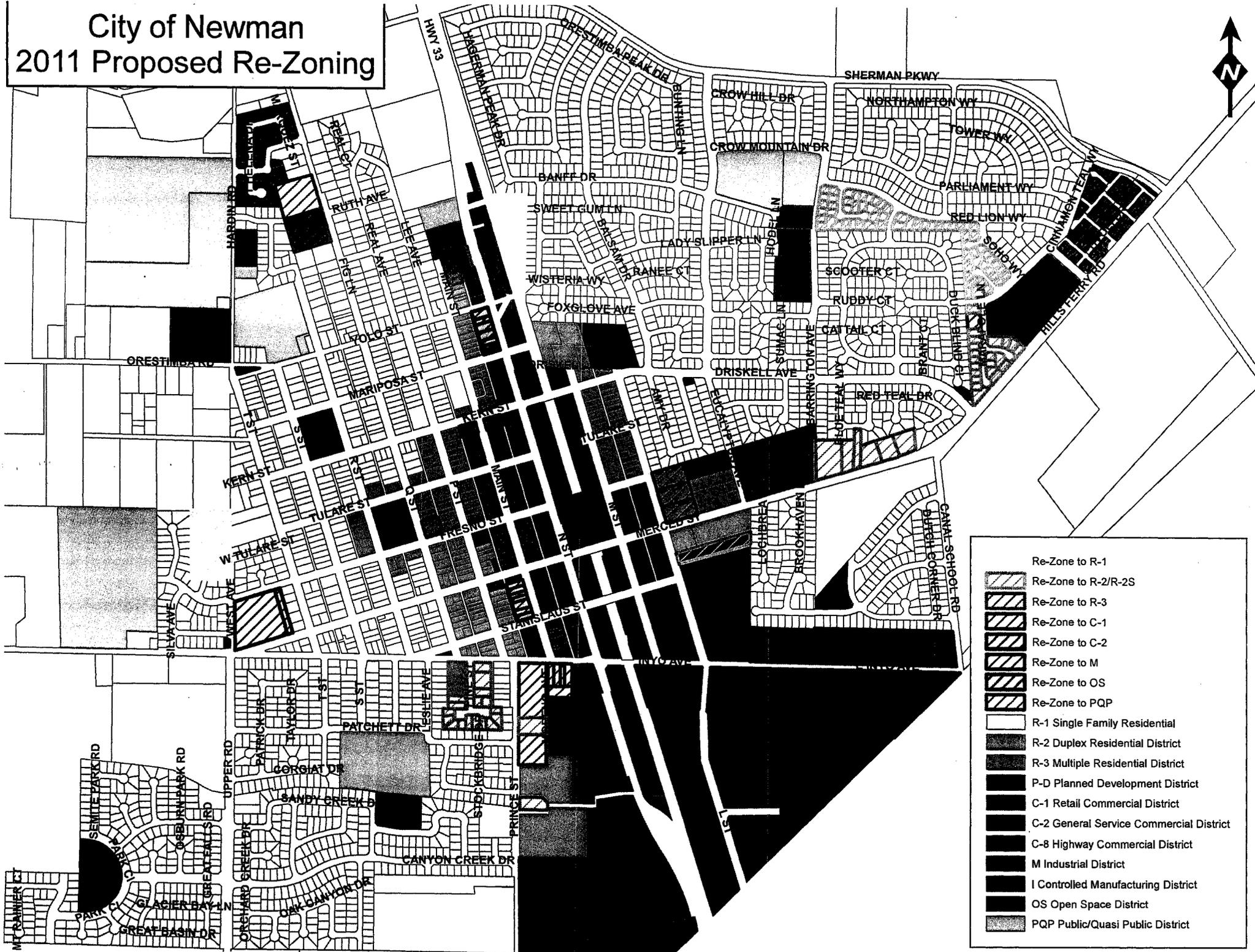
Respectfully submitted,

  
Stephanie Ocasio  
Assistant Planner

**REVIEWED/CONCUR**

  
Michael Holland  
City Manager

# City of Newman 2011 Proposed Re-Zoning



	Re-Zone to R-1
	Re-Zone to R-2/R-2S
	Re-Zone to R-3
	Re-Zone to C-1
	Re-Zone to C-2
	Re-Zone to M
	Re-Zone to OS
	Re-Zone to PQP
	R-1 Single Family Residential
	R-2 Duplex Residential District
	R-3 Multiple Residential District
	P-D Planned Development District
	C-1 Retail Commercial District
	C-2 General Service Commercial District
	C-8 Highway Commercial District
	M Industrial District
	I Controlled Manufacturing District
	OS Open Space District
	PQP Public/Quasi Public District

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**PROPOSED PARCELS TO BE RE-ZONED**

**Proposed Zone Legend**

R-1	Single Family Residential (LDR)
R-2/R-2S	Duplex Residential/Medium Density Single Family Residential (MDR)
	Multiple Residential (HDR)
	Retail Commercial
	General Service Commercial
	Industrial
	Open Space (Parks)
PQP	Public/Quasi Public

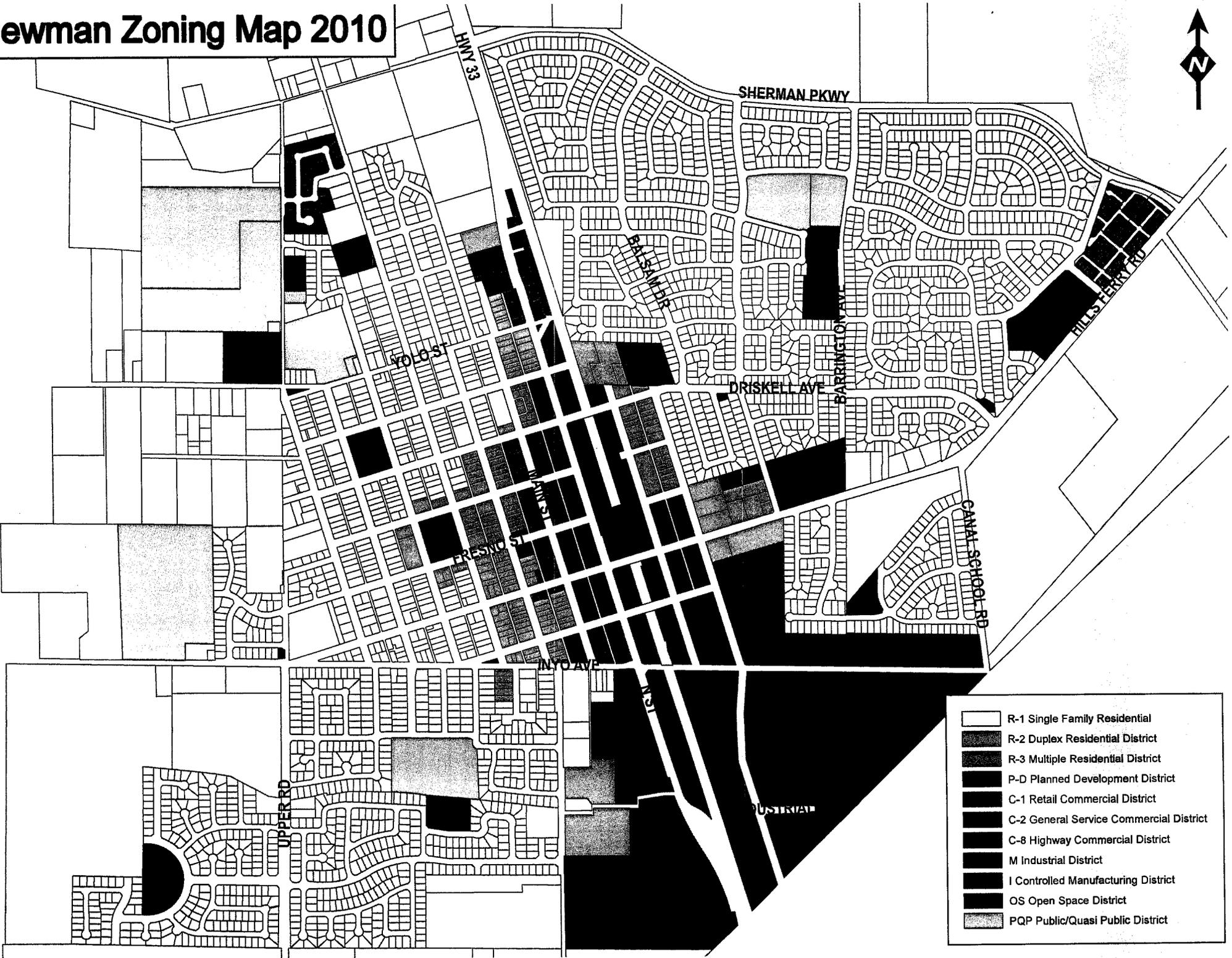
APN	Site Number	Site Street	Est. Acres	Current Zone	Proposed Zone
049-054-060	900	BARRINGTON AVE	0.13	R-1	R-2
049-054-059	906	BARRINGTON AVE	0.12	R-1	R-2
049-054-058	912	BARRINGTON AVE	0.13	R-1	R-2
049-054-057	1000	BARRINGTON AVE	0.12	R-1	R-2
049-054-056	1006	BARRINGTON AVE	0.12	R-1	R-2
049-054-055	1012	BARRINGTON AVE	0.14	R-1	R-2
049-054-083	432	CHUKAR WAY	0.14	R-1	R-2
049-059-002	1000	CHUKAR WAY	0.21	R-1	R-2
049-059-001	1004	CHUKAR WAY	0.19	R-1	R-2
049-054-084	1005	CHUKAR WAY	0.14	R-1	R-2
049-054-085	1009	CHUKAR WAY	0.16	R-1	R-2
049-059-033	345	CINNAMON TEAL WAY	0.22	R-1	R-2
049-059-034	349	CINNAMON TEAL WAY	0.14	R-1	R-2
128-007-014	1125	FRESNO ST	0.52	R-3	PQP
049-054-061	901	HAYCASTLE CT	0.13	R-1	R-2
049-054-077	902	HAYCASTLE CT	0.13	R-1	R-2
049-054-062	905	HAYCASTLE CT	0.12	R-1	R-2
049-054-076	906	HAYCASTLE CT	0.13	R-1	R-2
049-054-063	909	HAYCASTLE CT	0.13	R-1	R-2
049-054-075	910	HAYCASTLE CT	0.13	R-1	R-2
049-054-064	913	HAYCASTLE CT	0.13	R-1	R-2
049-054-065	917	HAYCASTLE CT	0.22	R-1	R-2
049-054-066	921	HAYCASTLE CT	0.16	R-1	R-2
049-054-067	925	HAYCASTLE CT	0.14	R-1	R-2
049-054-074	928	HAYCASTLE CT	0.16	R-1	R-2
049-054-068	929	HAYCASTLE CT	0.15	R-1	R-2
049-054-073	932	HAYCASTLE CT	0.15	R-1	R-2
049-054-069	933	HAYCASTLE CT	0.14	R-1	R-2
049-054-072	936	HAYCASTLE CT	0.19	R-1	R-2
049-054-070	937	HAYCASTLE CT	0.2	R-1	R-2
049-054-071	941	HAYCASTLE CT	0.19	R-1	R-2
049-050-044	407	HILLS FERRY RD	1.83	R-1	R-2
049-050-045	437	HILLS FERRY RD	0.71	R-1	R-2
049-050-046	443	HILLS FERRY RD	0.51	R-1	R-2
049-050-047	507	HILLS FERRY RD	0.77	R-1	R-2
049-050-049	531	HILLS FERRY RD	0.75	R-1	R-2
049-050-050	541	HILLS FERRY RD	0.81	R-1	R-2
128-014-004	1162	HWY 33	1.01	C-2	PQP
026-043-019	27924	HWY 33	3.02	N/A	R-1

APN	Site Number	Site Street	Est. Acres	Current Zone	Proposed Zone
128-022-010	1528	L ST	1.68	I	R-2
128-013-010	908	MAIN ST	0.15	R-3	PQP
128-013-009	912	MAIN ST	0.14	R-3	PQP
128-011-011	1162	MAIN ST	0.17	R-3	PQP
128-010-028	1200	MAIN ST	0.35	C-1	PQP
128-010-029	1209	MAIN ST	0.35	C-1	PQP
049-064-004	1307	MARAPOLE CT	0.13	R-1	R-2
049-064-005	1311	MARAPOLE CT	0.13	R-1	R-2
049-064-012	1312	MARAPOLE CT	0.13	R-1	R-2
049-064-006	1315	MARAPOLE CT	0.13	R-1	R-2
049-064-011	1316	MARAPOLE CT	0.17	R-1	R-2
049-064-007	1319	MARAPOLE CT	0.13	R-1	R-2
049-064-010	1320	MARAPOLE CT	0.19	R-1	R-2
049-064-008	1323	MARAPOLE CT	0.14	R-1	R-2
049-064-009	1327	MARAPOLE CT	0.3	R-1	R-2
049-059-035	1265	MARAPOLE LN	0.19	R-1	R-2
049-059-037	1273	MARAPOLE LN	0.19	R-1	R-2
049-064-001	1277	MARAPOLE LN	0.17	R-1	R-2
049-064-002	1281	MARAPOLE LN	0.15	R-1	R-2
049-064-003	1303	MARAPOLE LN	0.13	R-1	R-2
128-022-003	309	MERCED ST	6.51	I	PQP
128-022-004	315	MERCED ST	0.5	I	PQP
128-022-002		MERCED ST	0.86	I	PQP
128-060-011	1975	MORENO AVE	0.88	R-1	R-2
026-040-042	985	N HWY 33	1.26	C-2	PQP
049-064-015	340	ORCHARD HILLS CT	0.17	R-1	R-2
049-064-016	341	ORCHARD HILLS CT	0.16	R-1	R-2
049-064-017	345	ORCHARD HILLS CT	0.17	R-1	R-2
049-064-014	348	ORCHARD HILLS CT	0.22	R-1	R-2
049-064-018	349	ORCHARD HILLS CT	0.16	R-1	R-2
049-064-013	356	ORCHARD HILLS CT	0.14	R-1	R-2
049-064-020	357	ORCHARD HILLS CT	0.28	R-1	R-2
128-005-042		ORESTIMBA RD	0.15	OS	PQP
128-050-044	1960	PINE CT	0.19	R-1	R-2
128-050-039	1961	PINE CT	0.15	R-1	R-2
128-050-030	1962	PINE CT	0.14	R-1	R-2
128-050-038	1967	PINE CT	0.19	R-1	R-2
128-050-031	1968	PINE CT	0.22	R-1	R-2
128-050-037	1973	PINE CT	0.17	R-1	R-2
128-050-032	1974	PINE CT	0.22	R-1	R-2
128-050-036	1979	PINE CT	0.14	R-1	R-2
128-050-033	1980	PINE CT	0.15	R-1	R-2
128-050-035	1983	PINE CT	0.18	R-1	R-2
128-050-034	1986	PINE CT	0.2	R-1	R-2
128-050-019	1904	PINE ST	0.32	R-1	R-2
128-050-007	1905	PINE ST	0.26	R-3	R-2
128-050-006	1917	PINE ST	0.24	R-3	R-2
128-050-005	1923	PINE ST	0.22	R-3	R-2
128-050-004	1933	PINE ST	0.23	R-3	R-2

APN	Site Number	Site Street	Est. Acres	Current Zone	Proposed Zone
126-050-018	1926	PINE ST	0.51	R-1	R-2
126-050-000	1925	PINE ST	0.25	R-1	R-2
126-050-017	1943	PINE ST	0.26	R-1	R-2
126-050-028	1942	PINE ST	0.23	R-1	R-2
126-050-031	1941	PINE ST	0.25	R-1	R-2
126-050-003	1927	PINE ST	0.25	R-1	R-2
126-050-033		SHINGLE ST	0.05	N/A	R-2
049-059-012	332	RED LION WAY	0.12	R-1	R-2
049-059-011	333	RED LION WAY	0.12	R-1	R-2
049-059-010	334	RED LION WAY	0.12	R-1	R-2
049-059-008	334	RED LION WAY	0.12	R-1	R-2
049-059-006	345	RED LION WAY	0.12	R-1	R-2
049-059-017	416	RED LION WAY	0.12	R-1	R-2
049-059-016	410	RED LION WAY	0.13	R-1	R-2
049-059-015	414	RED LION WAY	0.14	R-1	R-2
049-059-014	418	RED LION WAY	0.17	R-1	R-2
049-059-013	422	RED LION WAY	0.21	R-1	R-2
049-059-012	438	RED LION WAY	0.12	R-1	R-2
049-059-011	440	RED LION WAY	0.11	R-1	R-2
049-059-010	444	RED LION WAY	0.11	R-1	R-2
049-059-009	448	RED LION WAY	0.12	R-1	R-2
049-059-008	452	RED LION WAY	0.14	R-1	R-2
049-059-018	1105	SOPH WAY	0.12	R-1	R-2
049-059-019	1109	SOPH WAY	0.12	R-1	R-2
049-059-020	1113	SOPH WAY	0.12	R-1	R-2
049-059-021	1117	SOPH WAY	0.12	R-1	R-2
049-059-022	1131	SOPH WAY	0.12	R-1	R-2
049-059-017	300	STRANDE CT	0.13	R-1	R-2
049-059-013	307	STRANDE CT	0.18	R-1	R-2
049-059-016	304	STRANDE CT	0.12	R-1	R-2
049-059-014	305	STRANDE CT	0.17	R-1	R-2
049-059-015	308	STRANDE CT	0.19	R-1	R-2
049-059-027	1103	WALSHFORD CT	0.19	R-1	R-2
049-059-029	1101	WALSHFORD CT	0.18	R-1	R-2
049-059-028	1105	WALSHFORD CT	0.14	R-1	R-2
049-059-029	1102	WALSHFORD CT	0.10	R-1	R-2
049-059-025	1108	WALSHFORD CT	0.12	R-1	R-2
049-059-030	1109	WALSHFORD CT	0.19	R-1	R-2
049-059-024	1112	WALSHFORD CT	0.12	R-1	R-2
049-059-031	1113	WALSHFORD CT	0.12	R-1	R-2
049-059-023	1110	WALSHFORD CT	0.12	R-1	R-2
049-059-032	1117	WALSHFORD CT	0.14	R-1	R-2
026-058-058	1603	WEST AVE	4.98	N/A	R-1
026-058-059		WEST AVE	0.09	N/A	R-1

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# Newman Zoning Map 2010



	R-1 Single Family Residential
	R-2 Duplex Residential District
	R-3 Multiple Residential District
	P-D Planned Development District
	C-1 Retail Commercial District
	C-2 General Service Commercial District
	C-8 Highway Commercial District
	M Industrial District
	I Controlled Manufacturing District
	OS Open Space District
	PQP Public/Quasi Public District

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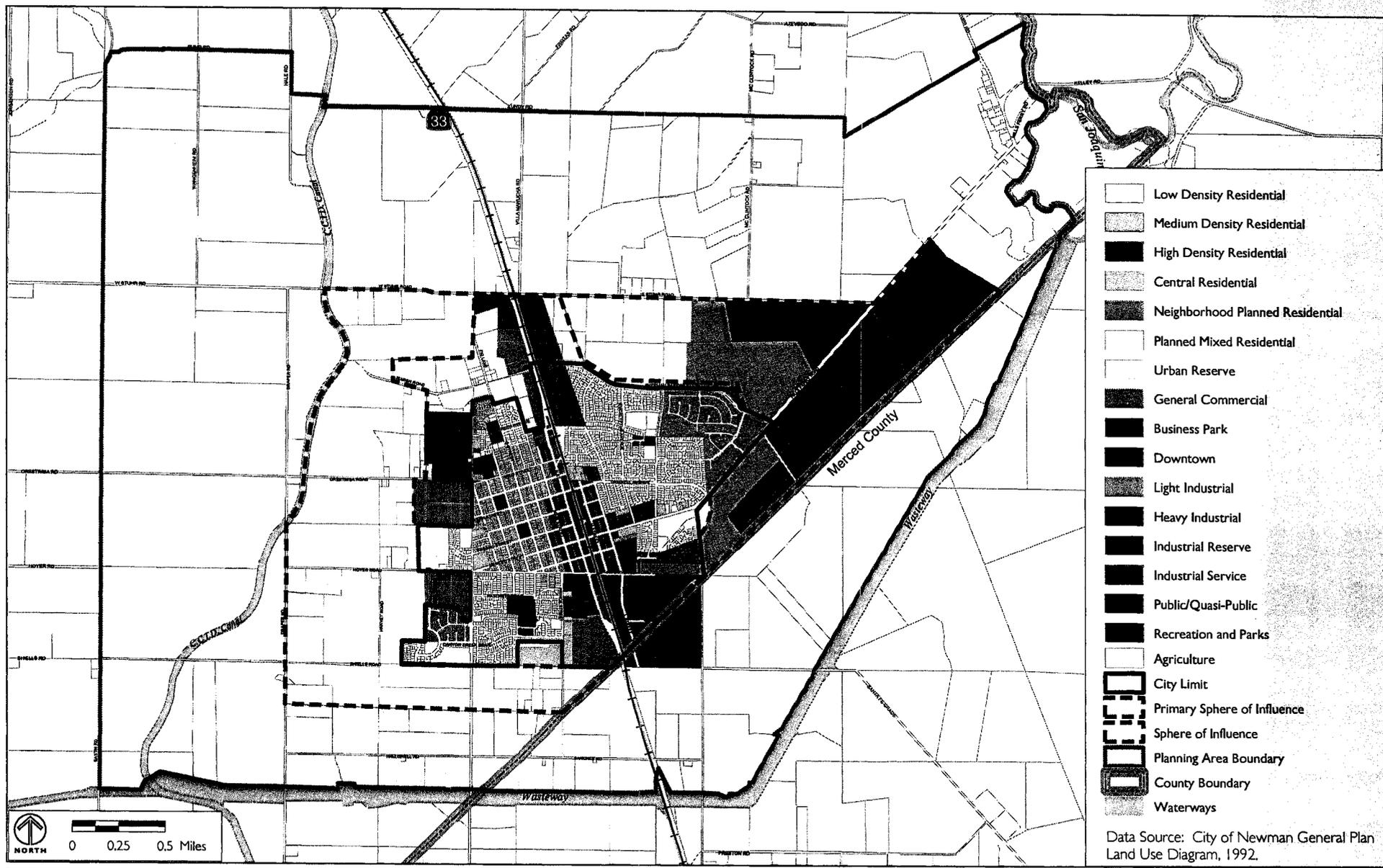
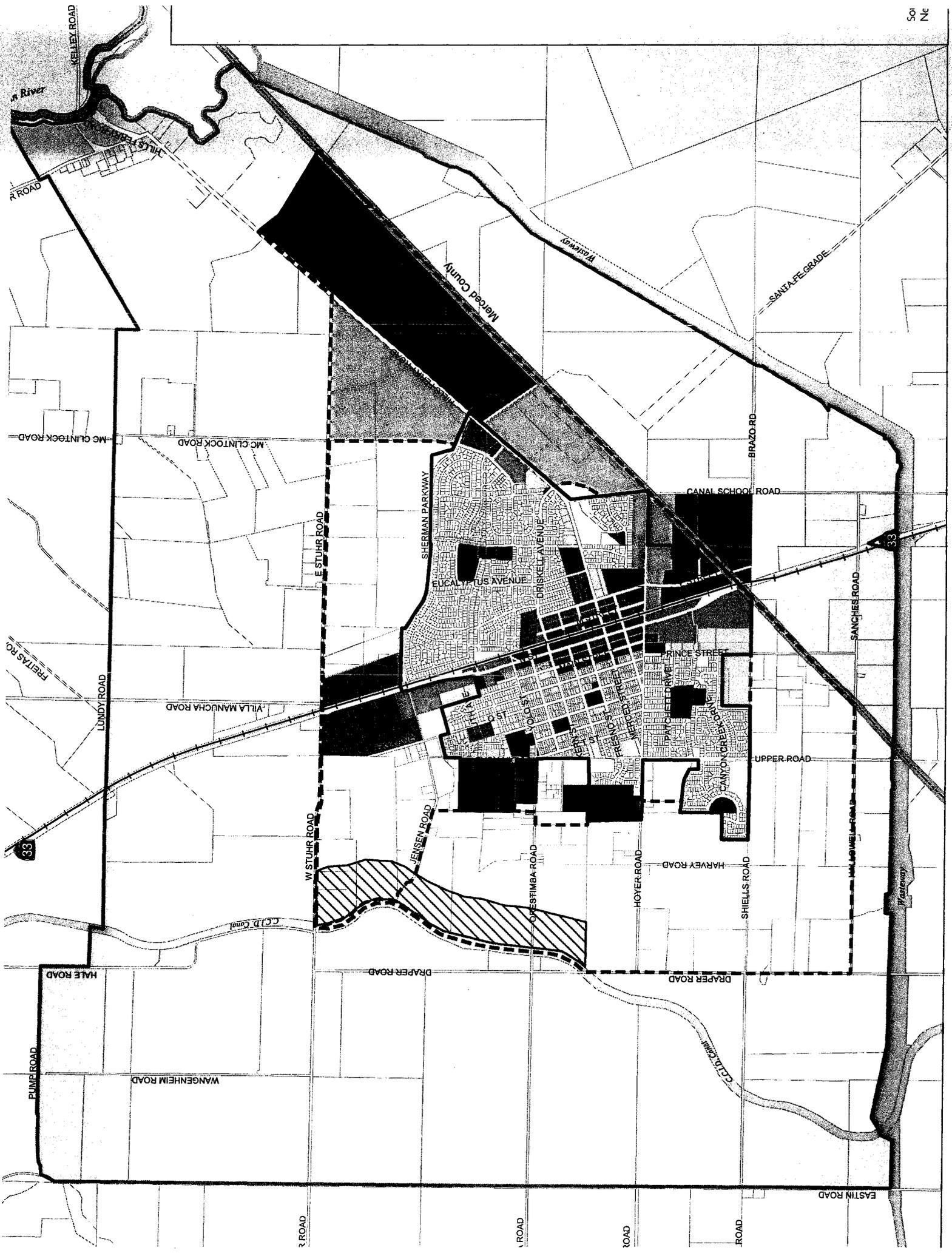


FIGURE 5-1

**NO PROJECT ALTERNATIVE**

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Merced River  
 KELLEY ROAD  
 R ROAD

MC CLINTOCK ROAD  
 MC CLINTOCK ROAD

PRETAS RO  
 LUNDY ROAD  
 VILLA MANUGHA ROAD

PUMPE ROAD  
 HALE ROAD  
 WANGENHEIM ROAD

Merced County  
 W Stuhhr Road

E Stuhhr Road  
 W Stuhhr Road  
 JENSEN ROAD  
 DRESSIMBA ROAD

SHERMAN PARKWAY  
 EUCALYPTUS AVENUE  
 DRISKELL AVENUE  
 PRINCE STREET  
 CANYON DRIVE  
 HARVEY ROAD  
 SHIELLS ROAD

DRAPER ROAD  
 DRAPER ROAD

ROAD  
 ROAD  
 ROAD  
 ROAD

SANTA FE GRADE  
 BRAZOS RD  
 CANAL SCHOOL ROAD  
 SANCHES ROAD  
 UPPER ROAD  
 EASTIN ROAD

Merced

33

33

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**R-2/R-2S DUPLEX/MEDIUM DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT**

**Sections:**

- 5.04.010 Purpose.
- 5.04.020 R-2 Permitted uses.
- 5.04.021 R-2S Permitted uses
- 5.04.030 Accessory uses – Administrative approval required.
- 5.04.040 R-2 Conditional uses – Commission approval required.
- 5.04.041 R-2S Conditional uses – Commission approval required.
- 5.04.050 R-2 Property development standards.
- 5.04.051 R-2S Property development standards.

5.04.010 Purpose.

To encourage flexibility in the design and type of dwelling unit, including single-family and two-family residential buildings in those areas where access, topography and existing development are compatible with low to medium density residential uses. (Ord. 97-17, 10-28-1997)

5.04.020 R-2 Permitted uses.

Unless otherwise governed by this title, the following uses shall be permitted in the R-2 Zoning District:

- A. Accessory buildings.
- B. Animals. The keeping of household animals (pets) shall be as follows: for one-family residences, three dogs maximum, three cats maximum, two rabbits, domestic birds and other small caged animals, excluding fowl, are permitted where the total number of animals in one place of residence shall not exceed five.
- C. Duplexes and halfplexes.
- D. Single-family dwellings. (Ord. 97-17, 10-28-1997)

5.04.021 R-2S Permitted uses.

Unless otherwise governed by this title, the following uses shall be permitted in the R-2S Zoning District:

- A. Accessory buildings.
- B. Animals. The keeping of household animals (pets) shall be as follows: for one-family residences, three dogs maximum, three cats maximum, two rabbits, domestic birds and other small caged animals, excluding fowl, are permitted where the total number of animals in one place of residence shall not exceed five.
- C. Single-family dwellings. (Ord. 97-17, 10-28-1997)

5.04.030 Accessory uses – Administrative approval required.

The following uses are permitted in the R-2/R-2S Zoning Districts with administrative approval:

- A. Home occupations pursuant to Chapter 5.20 NCC.
- B. Temporary sales office and/or construction offices, and neighborhood or block parties, fairs or festivals, pursuant to Chapter 5.22 NCC.
- C. Sale of produce pursuant to Chapter 5.22 NCC. (Ord. 97-17, 10-28-1997)

5.04.040 R-2 Conditional uses – Commission approval required.

Unless otherwise governed by this title, the following uses, and uses determined to be similar, may be permitted in the R-2 Zoning District subject to approval of a conditional use permit by the Planning Commission:

- A. Accessory residential units and guesthouses.
- B. Apartments.
- C. Boardinghouses.
- D. Churches and other religious institutions.
- E. Condominiums.
- F. Dwelling groups.
- G. Second single-family dwelling when, prior to the adoption of this or prior zoning regulations, a single-family dwelling exists on the rear one-half of a large lot.
- H. Triplexes. (Ord. 97-17, 10-28-1997)

5.04.041 R-2S Conditional uses – Commission approval required.

Unless otherwise governed by this title, the following uses, and uses determined to be similar, may be permitted in the R-2S Zoning District subject to approval of a conditional use permit by the Planning Commission:

- A. Churches and other religious institutions.
- B. Guesthouses and accessory residential units
- C. Accessory residential units and guesthouses.
- D. Halfplex, two-family dwelling on corner lots.

5.04.050 R-2 Property development standards.

Unless otherwise governed by this title, the following standards shall apply to all land uses, development and subdivisions in the R-2 Zoning District:

- A. Minimum building site: 6,000 square feet for interior lots and/or corner lots for each single-family dwelling or duplex. Three thousand square feet for each halfplex unit on interior lots and 3,500 square feet for each halfplex unit on a corner lot.
- B. Minimum average lot width: 60 feet for interior lots and 65 feet for corner lots.
- C. Minimum Street Frontage. The City Planning Commission shall be responsible for determining the minimum street frontage based on the buildable area of the lot, access requirements and good design. However, in no case shall the Planning Commission approve lots having less than 35 feet of street frontage, except the inner lot of halfplex lots which shall have a minimum street frontage of 30 feet.
- D. Minimum lot area per unit: 3,000 square feet of lot per dwelling unit.
- E. Minimum front yard setback: 15 feet from property line.
- F. Minimum rear yard setback: 15 feet from property line.
- G. Minimum side yard setbacks: Five feet from property line. However, a corner lot shall have a side yard abutting a street of not less than 10 feet from the property line. Minimum side yard setbacks for halfplexes as set forth for halfplexes in the R-1 District.
- H. Maximum lot coverage: 60 percent of the total lot area. Lot coverage shall specifically include all buildings and structures.
- I. Maximum building height: 30 feet for duplex units, 35 feet for normal apartment structures. The Planning Commission may approve building heights over 30 feet by means of a conditional use permit where it can be demonstrated that the additional building height is necessary in order to achieve some purpose which is in keeping with the architectural character

of the neighborhood and where such additional building height is not likely to be detrimental to the overall residential quality of the neighborhood.

J. Minimum Floor Area Requirements.

1. Studio units: 550 square feet.
2. One bedroom units: 650 square feet.
3. Two bedroom units: 800 square feet.
4. Three bedroom units: 900 square feet.
5. Four bedroom units: 1,000 square feet.

K. Usable Open Space Requirement.

1. A minimum of 300 square feet of usable open space shall be provided for each single-family dwelling unit, attached or detached.
2. A minimum of 200 square feet of usable open space shall be provided for each dwelling unit in a duplex residential building.

L. Architectural and Site Plan Review.

1. Architectural and site plan review shall be required for those projects which could result in the development of new single-family and/or duplex residences (including in-fill projects), or the development of any nonresidential building or use.

2. Architectural and site plan review may be required by the Planning Department and Architectural Review Committee prior to issuance of a permit based on the finding that a proposed residence is out of character with the existing neighborhood or if the design and/or materials of a proposed residential addition are inconsistent with the existing residence.

M. Other Applicable Provisions. Other provisions of this title as applicable such as off-street parking and loading, signs, landscaping and screening, fences, etc. (Ord. 97-17, 10-28-1997)

5.04.051 R-2S Property development standards.

Unless otherwise governed by this title, the following standards shall apply to all land uses, development and subdivisions in the R-2S Zoning District:

A. Minimum building site: 4,500 square feet for interior lots and/or corner lots for each single-family dwelling.

B. Minimum average lot width: 50 feet for interior lots and 55 feet for corner lots.

C. Minimum Street Frontage. The City Planning Commission shall be responsible for determining the minimum street frontage based on the buildable area of the lot, access requirements and good design. However, in no case shall the Planning Commission approve lots having less than 35 feet of street frontage, except the inner lot of halfplex lots which shall have a minimum street frontage of 30 feet.

D. Minimum front yard setback: 10 feet from property line.

E. Minimum rear yard setback: 15 feet from property line.

F. Minimum side yard setbacks: Five feet from property line. However, a corner lot shall have a side yard abutting a street of not less than 10 feet from the property line. Minimum side yard setbacks for halfplexes as set forth for halfplexes in the R-1 District.

G. Maximum lot coverage: 40 percent of the total lot area. Lot coverage shall specifically include all buildings and structures.

H. Maximum building height: 30 feet. The Planning Commission may approve building heights over 30 feet by means of a conditional use permit where it can be demonstrated that the additional building height is necessary in order to achieve some purpose which is in keeping with

the architectural character of the neighborhood and where such additional building height is not likely to be detrimental to the overall residential quality of the neighborhood.

I. Minimum Floor Area Requirements.

1. One bedroom units: 650 square feet.
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J. Usable Open Space Requirement.

1. A minimum of 300 square feet of usable open space shall be provided for each single-family dwelling unit.

K. Architectural and Site Plan Review.

1. Architectural and site plan review shall be required for those projects which could result in the development of new single-family residences (including in-fill projects), or the development of any nonresidential building or use.

2. Architectural and site plan review may be required by the Planning Department and Architectural Review Committee prior to issuance of a permit based on the finding that a proposed residence is out of character with the existing neighborhood or if the design and/or materials of a proposed residential addition are inconsistent with the existing residence.

- L. Other Applicable Provisions. Other provisions of this title as applicable such as off-street parking and loading, signs, landscaping and screening, fences, etc.

**ORDINANCE NO. 2011-**

**AN ORDINANCE AMENDING TITLE 5, ZONING AND ACCOMPANYING ZONING MAPS OF THE CITY OF NEWMAN IN CONFORMANCE WITH THE 2030 GENERAL PLAN**

WHEREAS, the Newman 2030 General Plan was adopted on April 10, 2007 designating appropriate land uses city-wide; and

WHEREAS, the Newman 2030 General Plan Housing Element was certified by the California Department of Housing and Community Development (HCD) on June 16, 2010; and

WHEREAS, California Government Code Section 65860 requires that a city's zoning be consistent with its General Plan

WHEREAS, on March 17, 2011, the Planning Commission recommended approval of a City-wide zone change (ZC 11-01) in conformance with the adopted General Plan; and

WHEREAS, it is the desired to rezone 177 parcels in order to conform to the Newman 2030 General Plan; and

WHEREAS, it has been determined that the zone change will not have a significant adverse environmental effect.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NEWMAN DOES ORDAIN AS FOLLOWS:

Section 1.

That certain real properties situated in the City of Newman, County of Stanislaus, State of California, more articulately described in Exhibit A, are hereby changed and rezoned for General Plan Conformance.

Section 2.

That Title 5 of the Newman City Code is amended as follows:

**Chapter 5.04**

**R-2/R-2S DUPLEX/MEDIUM DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT**

Sections:

- 5.04.010 Purpose.
- 5.04.020 R-2 Permitted uses.
- 5.04.021 R-2S Permitted uses
- 5.04.030 Accessory uses – Administrative approval required.
- 5.04.040 R-2 Conditional uses – Commission approval required.
- 5.04.041 R-2S Conditional uses – Commission approval required.
- 5.04.050 R-2 Property development standards.
- 5.04.051 R-2S Property development standards.

5.04.010 Purpose.  
To encourage flexibility in the design and type of dwelling unit, including single-family and two-family residential buildings in those areas where access, topography and existing development are compatible with low to medium density residential uses. (Ord. 97-17, 10-28-1997)

5.04.020 R-2 Permitted uses.  
Unless otherwise governed by this title, the following uses shall be permitted in the R-2 Zoning District:  
A. Accessory buildings.

- B. Animals. The keeping of household animals (pets) shall be as follows: for one-family residences, three dogs maximum, three cats maximum, two rabbits, domestic birds and other small caged animals, excluding fowl, are permitted where the total number of animals in one place of residence shall not exceed five.
- C. Duplexes and halfplexes.
- D. Single-family dwellings. (Ord. 97-17, 10-28-1997)

5.04.021 R-2S Permitted uses.

Unless otherwise governed by this title, the following uses shall be permitted in the R-2S Zoning District:

- A. Accessory buildings.
- B. Animals. The keeping of household animals (pets) shall be as follows: for one-family residences, three dogs maximum, three cats maximum, two rabbits, domestic birds and other small caged animals, excluding fowl, are permitted where the total number of animals in one place of residence shall not exceed five.
- C. Single-family dwellings.

5.04.030 Accessory uses – Administrative approval required.

The following uses are permitted in the R-2/R-2S Zoning Districts with administrative approval:

- A. Home occupations pursuant to Chapter 5.20 NCC.
- B. Temporary sales office and/or construction offices, and neighborhood or block parties, fairs or festivals, pursuant to Chapter 5.22 NCC.
- C. Sale of produce pursuant to Chapter 5.22 NCC. (Ord. 97-17, 10-28-1997)

5.04.040 R-2 Conditional uses – Commission approval required.

Unless otherwise governed by this title, the following uses, and uses determined to be similar, may be permitted in the R-2 Zoning District subject to approval of a conditional use permit by the Planning Commission:

- A. Accessory residential units and guesthouses.
- B. Apartments.
- C. Boardinghouses.
- D. Churches and other religious institutions.
- E. Condominiums.
- F. Dwelling groups.
- G. Second single-family dwelling when, prior to the adoption of this or prior zoning regulations, a single-family dwelling exists on the rear one-half of a large lot.
- H. Triplexes. (Ord. 97-17, 10-28-1997)

5.04.041 R-2S Conditional uses – Commission approval required.

Unless otherwise governed by this title, the following uses, and uses determined to be similar, may be permitted in the R-2S Zoning District subject to approval of a conditional use permit by the Planning Commission:

- A. Churches and other religious institutions.
- B. Guesthouses and accessory residential units
- C. Accessory residential units and guesthouses.
- D. Halfplex, two-family dwelling on corner lots.

5.04.050 R-2 Property development standards.

Unless otherwise governed by this title, the following standards shall apply to all land uses, development and subdivisions in the R-2 Zoning District:

- A. Minimum building site: 6,000 square feet for interior lots and/or corner lots for each single-family dwelling or duplex. Three thousand square feet for each halfplex unit on interior lots and 3,500 square feet for each halfplex unit on a corner lot.
- B. Minimum average lot width: 60 feet for interior lots and 65 feet for corner lots.
- C. Minimum Street Frontage. The City Planning Commission shall be responsible for determining the minimum street frontage based on the buildable area of the lot, access requirements and good design. However, in no case shall the Planning Commission approve lots having less than 35 feet

- of street frontage, except the inner lot of halfplex lots which shall have a minimum street frontage of 30 feet.
- D. Minimum lot area per unit: 3,000 square feet of lot per dwelling unit.
  - E. Minimum front yard setback: 15 feet from property line.
  - F. Minimum rear yard setback: 15 feet from property line.
  - G. Minimum side yard setbacks: Five feet from property line. However, a corner lot shall have a side yard abutting a street of not less than 10 feet from the property line. Minimum side yard setbacks for halfplexes as set forth for halfplexes in the R-1 District.
  - H. Maximum lot coverage: 60 percent of the total lot area. Lot coverage shall specifically include all buildings and structures.
  - I. Maximum building height: 30 feet for duplex units, 35 feet for normal apartment structures. The Planning Commission may approve building heights over 30 feet by means of a conditional use permit where it can be demonstrated that the additional building height is necessary in order to achieve some purpose which is in keeping with the architectural character of the neighborhood and where such additional building height is not likely to be detrimental to the overall residential quality of the neighborhood.
  - J. Minimum Floor Area Requirements.
    - 1. Studio units: 550 square feet.
    - 2. One bedroom units: 650 square feet.
    - 3. Two bedroom units: 800 square feet.
    - 4. Three bedroom units: 900 square feet.
    - 5. Four bedroom units: 1,000 square feet.
  - K. Usable Open Space Requirement.
    - 1. A minimum of 300 square feet of usable open space shall be provided for each single-family dwelling unit, attached or detached.
    - 2. A minimum of 200 square feet of usable open space shall be provided for each dwelling unit in a duplex residential building.
  - L. Architectural and Site Plan Review.
    - 1. Architectural and site plan review shall be required for those projects which could result in the development of new single-family and/or duplex residences (including in-fill projects), or the development of any nonresidential building or use.
    - 2. Architectural and site plan review may be required by the Planning Department and Architectural Review Committee prior to issuance of a permit based on the finding that a proposed residence is out of character with the existing neighborhood or if the design and/or materials of a proposed residential addition are inconsistent with the existing residence.
  - M. Other Applicable Provisions. Other provisions of this title as applicable such as off-street parking and loading, signs, landscaping and screening, fences, etc. (Ord. 97-17, 10-28-1997)

*5.04.051 R-2S Property development standards.*

*Unless otherwise governed by this title, the following standards shall apply to all land uses, development and subdivisions in the R-2S Zoning District:*

- A. *Minimum building site: 4,500 square feet for interior lots and/or corner lots for each single-family dwelling.*
- B. *Minimum average lot width: 50 feet for interior lots and 55 feet for corner lots.*
- C. *Minimum Street Frontage. The City Planning Commission shall be responsible for determining the minimum street frontage based on the buildable area of the lot, access requirements and good design. However, in no case shall the Planning Commission approve lots having less than 35 feet of street frontage, except the inner lot of halfplex lots which shall have a minimum street frontage of 30 feet.*
- D. *Minimum front yard setback: 10 feet from property line.*
- E. *Minimum rear yard setback: 15 feet from property line.*
- F. *Minimum side yard setbacks: Five feet from property line. However, a corner lot shall have a side yard abutting a street of not less than 10 feet from the property line. Minimum side yard setbacks for halfplexes as set forth for halfplexes in the R-1 District.*

- G. *Maximum lot coverage: 40 percent of the total lot area. Lot coverage shall specifically include all buildings and structures.*
- H. *Maximum building height: 30 feet. The Planning Commission may approve building heights over 30 feet by means of a conditional use permit where it can be demonstrated that the additional building height is necessary in order to achieve some purpose which is in keeping with the architectural character of the neighborhood and where such additional building height is not likely to be detrimental to the overall residential quality of the neighborhood.*
- I. *Minimum Floor Area Requirements.*
  - 1. *One bedroom units: 650 square feet.*
  - 2. *Two bedroom units: 800 square feet.*
  - 3. *Three bedroom units: 900 square feet.*
  - 4. *Four bedroom units: 1,000 square feet.*
- J. *Usable Open Space Requirement.*
  - 1. *A minimum of 300 square feet of usable open space shall be provided for each single-family dwelling unit.*
- K. *Architectural and Site Plan Review.*
  - 1. *Architectural and site plan review shall be required for those projects which could result in the development of new single-family residences (including in-fill projects), or the development of any nonresidential building or use.*
  - 2. *Architectural and site plan review may be required by the Planning Department and Architectural Review Committee prior to issuance of a permit based on the finding that a proposed residence is out of character with the existing neighborhood or if the design and/or materials of a proposed residential addition are inconsistent with the existing residence.*
- L. *Other Applicable Provisions. Other provisions of this title as applicable such as off-street parking and loading, signs, landscaping and screening, fences, etc.*

Section 3.

All other sections and provisions of Title 5 shall remain in full force and effect.

Section 4.

That a duly noticed public hearing was held by the City Council.

Section 5.

This Ordinance shall take effect and be in full force and operation from and after 30 days after the date of its adoption, and prior to the expiration of 15 days from the passage thereof shall be published and circulated in the West Side Index the official newspaper of the City of Newman.

Introduced at a regular meeting of the City Council of the City of Newman held on the 10<sup>th</sup> day of May, 2011 by Council Member \_\_\_\_\_, and adopted at a regular meeting of said City Council held on the 24<sup>th</sup> day of May, 2011 by the following vote:

AYES:  
NOES:  
ABSENT:

APPROVED:

ATTEST:

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

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

Honorable Mayor and Members  
of the Newman City Council

City Council Meeting  
of May 10, 2011

**ADOPT A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWMAN, CALIFORNIA,  
INITIATING PROCEEDINGS FOR THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE  
LIGHTING AND LANDSCAPE MAINTENANCE DISTRICT FOR FISCAL YEAR 2011/12 AND  
ORDERING PREPARATION OF THE ENGINEER'S REPORT**

**RECOMMENDATION:**

It is recommended that the City Council adopt Resolution No. 2011- , initiating proceedings for the levy and collection of assessments for the Lighting and Landscape Maintenance District for Fiscal Year 2011/2012 and ordering preparation of the Engineer's Report.

**BACKGROUND:**

Pursuant to the Landscape and Lighting Act of 1972 the City of Newman has a total of 15 zones within the Lighting and Landscape Maintenance District (District) in various locations throughout the City. These zones represent the general nature, location and extent of improvements to be maintained, with an estimate of the costs to maintain and service the improvements. Improvements provided within the District include, but are not limited to, the weekly operation, maintenance, and servicing of all public landscaping improvements consisting of trimming and pruning, weed abatement, sidewalks, block walls, plant materials, pathways, irrigation systems, lighting systems, and graffiti removal.

**ANALYSIS:**

As required by the Landscape and Lighting Act of 1972 there is one resolution before Council, a resolution initiating proceedings for the levy and collection of assessments and ordering the preparation of an Assessment Engineer's Report for the Lighting and Landscape Maintenance District for Fiscal Year 2011/12. The next steps in the process would be to develop the Engineer's Report for City Council consideration, declare the intention to levy and collect assessments, and conduct a Public Hearing for the proposed assessments.

**FISCAL IMPACT:**

None.

**CONCLUSION:**

Pursuant to the Landscape and Lighting Act of 1972 one resolution is presented to City Council for consideration to initiate proceedings for the levy and collection of assessments and ordering the preparation of an Assessment Engineer's Report for the Lighting and Landscape Maintenance District for Fiscal Year 2011/12. Therefore, staff recommends City Council adopt Resolution No. 2011- , initiating proceedings for the levy and collection of assessments for the Lighting and Landscape Maintenance District for Fiscal Year 2011/12.

**ATTACHMENTS:**

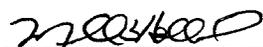
1. Resolution No. 2011- , of the City Council of the City of Newman, California, initiating proceedings for the levy and collection of assessments for the Lighting and Landscape Maintenance District for Fiscal Year 2011/2012 and ordering preparation of the Engineer's Report.

Respectfully Submitted,



Garner Reynolds  
Director of Public Works

**REVIEWED/CONCUR:**



Michael E. Holland  
City Manager

RESOLUTION NO. 2011-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWMAN, CALIFORNIA,  
INITIATING PROCEEDINGS FOR THE LEVY AND COLLECTION OF ASSESSMENTS  
FOR THE LIGHTING AND LANDSCAPE MAINTENANCE DISTRICT FOR FISCAL YEAR  
2011/12 AND ORDERING THE PREPARATION OF THE ENGINEER'S REPORT**

WHEREAS, the City Council of the City of Newman (hereafter referred to as the "City Council") has by previous Resolutions formed and levied annual assessments for the City of Newman Lighting and Landscape Maintenance District (hereafter referred to collectively as the "District"), pursuant to provisions of the Landscaping and Lighting Act of 1972 (the "Act"), that provides for the levy and collection of assessments by the County of Stanislaus for the City of Newman to pay for the maintenance and services of all improvements and facilities related hereto; and

WHEREAS, the City Council has retained NBS for the purpose of assisting with the proposed increase in assessments and to prepare and file a report for the District with the City Clerk in accordance with the requirements of the Landscaping and Lighting Act of 1972.

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

1. **Annual Report:** The Council hereby orders NBS to prepare and file with the Clerk the Annual Report concerning the levy and collection of assessments within the Assessment District for the fiscal year commencing July 1, 2011 and ending June 30, 2012.
2. **New Improvements or Changes to Existing Improvements:** There are no changes to existing improvements nor are there any items being added to the list of improvements previously approved at the formation of the Assessment District.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 10<sup>th</sup> day of May 2011 by Council Member \_\_\_\_\_, who moved its adoption which motion was duly seconded and was upon roll call carried and the resolution adopted by the following vote:

AYES:  
NOES:  
ABSENT:

APPROVED:

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

ATTEST:

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

Honorable Mayor and Members  
of the Newman City Council

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

**ADOPT RESOLUTION NO. 2011- , APPROVING THE CITY OF NEWMAN DOWNTOWN PLAZA 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 City of Newman Downtown Plaza Project and authorizing Ed Katen as Mayor, and Michael E. Holland as City Clerk to record a Notice of Completion for the City of Newman Downtown Plaza Project.

**BACKGROUND:**

The City of Newman Downtown Plaza Project (Plaza) has been envisioned, planned, and designed for more than ten years. The Plaza project is a highly visible aesthetic improvement to the core of downtown Newman with a substantial investment of public funds. The purpose of the project is to redevelop an underutilized area in the core downtown area to create a public plaza that connects State Route 33 to Main Street. The project included converting an existing parking lot into a new pedestrian friendly plaza with decorative paving, new seat walls, decorative area lighting, new decorative pergola, new entry archway, and removal and replacement of the existing curb, gutter and sidewalk along State Route 33. Construction started in July 2010 and was completed April 15, 2011.

**ANALYSIS:**

On May 25, 2010 City Council awarded a contract to the lowest responsible bidder for the project, Perma Green Hydroseeding, Inc., and construction for this project was completed on April 15, 2011. There were three change orders approved for this project totaling \$28,725.42. Change Orders #1&2 increased the project cost by \$43,080.07, and Change Order #3 (Balancing Change Order) reduced the project cost by \$14,354.65 (see attachments for more detailed information). Therefore, the total project cost increased by \$28,725.42. This represents a 1.5% increase to the original contract price of \$1,947,114.00, for a total project cost of \$1,975,839.42. A final walk-thru inspection of the project was performed by the City Engineer. Three punch list items are remaining for the project: 1) Rust on the Tree Guards, 2) The drinking fountain top is to be replaced, and 3) Color variations in the concrete at the walkway by the east parking lot. There is a retention in the amount of \$98,565.44 remaining for the Project. This amount is sufficient to cover these items. The retention will not be released until these items are completed to the satisfaction of the City.

**FISCAL IMPACT:.**

Original Project Bid	\$1,947,114.00	Federal ARRA STP	\$308,109.00
Contract Change Order #1	\$16,330.34	Federal ARRA RSTP	\$302,661.00
Contract Change Order #2	\$26,749.73	Federal ARRA TE	\$1,201,998.00
Balancing Change Order #3	<\$14,354.65>	Federal CMAQ	\$300,000.00
<b>Total Project Cost</b>	<b>\$1,975,839.42</b>	Federal RSTP	\$80,217.00
		<u>Local Match</u>	<u>\$43,611.00</u>
		<b>Total Funding Amount</b>	<b>\$2,245,596.00</b>

**CONCLUSION:**

The City of Newman Downtown Plaza Project, constructed by Perma Green Hydroseeding, Inc., has been completed in compliance with the plans and specifications with a final construction cost of \$1,975,839.42. Therefore, staff recommends that the City Council approve Resolution No. 2011- , approving the City of Newman Downtown Plaza Project and authorizing Ed Katen as Mayor, and Michael E. Holland as City Clerk to record a notice of completion for the City of Newman Downtown Plaza Project.

**ATTACHMENTS:**

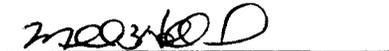
1. Resolution No. 2011-
2. Change Order #1
3. Change Order #2
4. Change Order #3 (Balancing Change Order)

Respectfully Submitted,



Garner Reynolds  
Director of Public Works

**REVIEWED/CONCUR:**



Michael E. Holland  
City Manager

**RESOLUTION NO. 2011-**

**A RESOLUTION APPROVING THE CITY OF NEWMAN DOWNTOWN PLAZA PROJECT  
AND AUTHORIZING ED KATEN AS MAYOR, AND MICHAEL E. HOLLAND AS CITY  
CLERK TO RECORD A NOTICE OF COMPLETION**

WHEREAS, on the 17<sup>th</sup> day of June, 2010, agreements were entered into between the CITY OF NEWMAN, herein after referred to as "CITY" and Perma Green Hydroseeding, 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 CITY OF NEWMAN DOWNTOWN PLAZA PROJECT; and

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

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

1. That the improvements referred to in said agreement and the maps and other matters referred to therein be, and the same hereby are, approved and accepted.
2. That 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 10<sup>th</sup> day of May, 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

**CHANGE ORDER**

**ORDER NO. 1**

November 29, 2010

Agreement Date: June 17, 2010

**NAME OF PROJECT:** Newman Downtown Plaza  
**OWNER:** City of Newman  
**CONTRACTOR:** Perma-Green Hydroseeding, Inc.

**The following changes are hereby made to the CONTRACT DOCUMENTS:**

1. Increase the size of the Deodora Cedar from a 48-inch box size to a 60-inch box size.
2. Remove and replace 58 l.f. of curb and gutter at the entry to the Plaza off Main Street.
3. Mount the fourteen rosettes on a round steel discs rather than directly to the pergola and arch structure as shown on the plans.
4. Increase the asphalt concrete thickness from 2 inches to 3 inches in the parking lot and the alley.
5. Cut off the tips of the pickets (spears) on the pergola railing and weld a 3/8-inch by 1-inch flat bar from post to post to cover the tips. Also, install the same flat bar cover over the tips of the spears on the decorative fence.

**JUSTIFICATION:**

1. Owner's request.
2. Owner's request.
3. Architect's request.
4. Owner's request.
5. For safety purposes.

**Change to CONTRACT PRICE:** The CONTRACT PRICE is hereby increased in accordance with the agreed amounts:

Item 1: Lump Sum	\$ 1,153.54
Item 2: Lump Sum	2,314.20
Item 3: Lump Sum	1,398.60
Item 4: Lump Sum	8,383.50
Item 5: Lump Sum	3,080.50
<b>Total This CHANGE ORDER</b>	<b>16,330.34</b>
<b>ORIGINAL CONTRACT PRICE:</b>	<b>1,947,114.00</b>
<b>CONTRACT PRICE INCLUDING THIS CHANGE ORDER:</b>	<b>\$1,963,444.34</b>

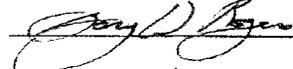
Change to CONTRACT TIME:

- 10 - Working Days

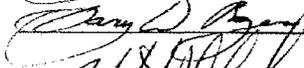
Date for completion of all WORK:

December 17, 2010

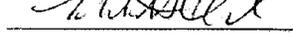
Recommended By: AECOM

  
\_\_\_\_\_

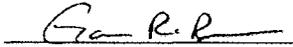
Ordered By: AECOM

  
\_\_\_\_\_

Accepted By: Perma-Green Hydroseeding

 *perma*  
\_\_\_\_\_

Approved By: City of Newman

  
\_\_\_\_\_

## CHANGE ORDER

**ORDER NO. 2**

May 2, 2011

Agreement Date: June 17, 2010

**NAME OF PROJECT:** Newman Downtown Plaza  
**OWNER:** City of Newman  
**CONTRACTOR:** Perma-Green Hydroseeding, Inc.

**The following changes are hereby made to the CONTRACT DOCUMENTS:**

1. Do not reconstruct the Highway 33 structural section as shown on the plans with 0.3 feet of asphalt concrete over 1.6 feet of aggregate base. Instead, grind off the top 2 inches of asphalt concrete in the reconstruction area and overlay this section of the highway to provide a uniform slope from the lip of proposed gutter the edge of AC where grinding occurred. Also, over-excavate the soft and unstable native material subbase underneath the curb and gutter being replaced, and furnish and install aggregate base, to provide a firm and stable base.
2. Change the footing for the Site Wall Type 4 (masonry wall behind the hotel) from a continuous footing to a pier type footing.
3. Remove and replace approximately 22 l.f. of Type 3 curb in the vicinity of the transformer. The replacement curb will be constructed approximately 6 inches south of the installed curb.
4. Temporarily install the lighting for the Plaza utilizing the signage poles for the project.
5. Temporarily install the Plaza signage (stop, handicap parking, etc.) utilizing temporary poles.
6. Upgrade the size of the backflow prevention device and enclosure from 1-inch to 2-inch.
7. Furnish and install root barriers for the nine trees to be installed within the Highway 33 right-of-way.
8. Install a catch basin on the west side of the alley behind "The Grill".
9. Install a header board along the northerly edge of the Plaza from Highway 33 to the alley.
10. Delete the wood bark in the planters and delete the landscaping and irrigation system along the westerly side of the alley.
11. Install brick caps around the grouted base plates at the entry arch and pergola.
12. Furnish and install four additional precast concrete planter pots that match the ones previously installed.
13. Modify the irrigation system by enlarging the size of the 1-inch lateral pipes to 1-1/2 inch and replace the residential sprinkler style heads with Hunter commercial rotor heads.
14. Deliver the pavers to be installed in the Highway right-of-way to the City of Newman as opposed to installing them.

**JUSTIFICATION:**

1. Highway 33 in the reconstruct area was discovered to have an 18 to 22 inch thick structural section of asphalt concrete making complete reconstruction unnecessary. Soft and unstable native material subgrade due to high moisture was discovered underneath the curb and gutter. The Contractor was unable to meet the required compaction requirements resulting in the need to remove and replace this wet material with aggregate base.
2. Shallow utilities (gas, electric, telephone, etc.) pass through the proposed footing for the masonry wall. The pier type footings will allow construction of the wall without disturbing the utilities.
3. The curb was constructed as staked, but a property corner was found adjacent to the curb which indicated it was constructed on the adjacent property.
4. The decorative poles for the Plaza lighting will not be delivered prior to the City's Christmas tree lighting program. To allow a portion of the Plaza to be safely opened to the public, temporary lighting is needed.
5. Since the decorative poles for the Plaza signage were used to install temporary lighting, temporary poles are needed to mount signage for that portion of the Plaza that will be utilized by the public.
6. Owner's request.
7. Owner's request
8. To provide drainage for additional concrete paving installed within the alley.
9. Owner's request.
10. Owner's request.
11. Owner's request.
12. Owner's request.
13. Owner's request.
14. Owner's Request

**Change to CONTRACT PRICE:** The CONTRACT PRICE is hereby increased in accordance with the agreed amounts:

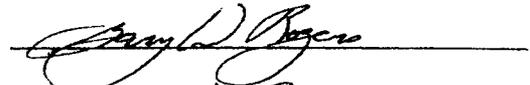
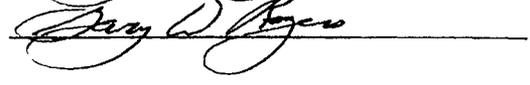
Item 1:	Lump Sum	\$ 4,000.00
Item 2:	Lump Sum	3,300.00
Item 3:	Lump Sum	1,232.00
Item 4:	Lump Sum	4,307.10
Item 5:	Lump Sum	2,362.50
Item 6:	Lump Sum	978.50
Item 7:	Lump Sum	693.00

Item 8:	Lump Sum	748.00
Item 9:	Lump Sum	660.00
Item 10:	Lump Sum	(1,360.00)
Item 11:	Lump Sum	1,660.00
Item 12:	Lump Sum	4,530.63
Item 13:	Lump Sum	638.00
Item 14:	Lump Sum	3,000.00

**Total This CHANGE ORDER** \$26,749.73  
**ORIGINAL CONTRACT PRICE:** 1,947,114.00  
**Change Order No. 1** 16,330.34  
**CONTRACT PRICE INCLUDING THIS CHANGE ORDER:** **\$1,990,194.07**

Change to CONTRACT TIME: - 93 - Working Days

Date for completion of all WORK: April 29, 2011

Recommended By: AECOM   
Ordered By: AECOM   
Accepted By: Perma-Green Hydroseeding \_\_\_\_\_  
Approved By: City of Newman \_\_\_\_\_

## BALANCING CHANGE ORDER

**ORDER NO. 3**

March 9, 2011

Agreement Date: June 17, 2010

**NAME OF PROJECT:** Newman Downtown Plaza  
**OWNER:** City of Newman  
**CONTRACTOR:** Perma-Green Hydroseeding, Inc.

**The following changes are hereby made to the CONTRACT DOCUMENTS:**

1. The following final quantities shall hereby be considered as final quantities to be used for final payment according to the CONTRACT DOCUMENTS.

**Exhibit A – Vol. 1**

Item No.	Item	Original Estimated Quantity		Final Quantity		Bid Amount	Final Amount
1	Site Demolition	60,525	SF	60,525	SF	15,131.25	15,131.25
2	Erosion Control/SWPPP Conformance	1	LS	1	LS	10,000.00	10,000.00
3	Grading	1	LS	1	LS	110,000.00	110,000.00
4	Structural Soil	700	CY	0	CY	11,200.00	0.00
5	Potable Water Connection	1	EA	1	EA	1,200.00	1,200.00
6	Potable Water Service Line	215	LF	200	LF	2,580.00	2,400.00
7	Sanitary Service Line	135	LF	110	LF	4,050.00	3,300.00
8	Sanitary Line Connection	2	EA	1	EA	1,500.00	750.00
9	Potable Water Backflow Assembly	1	EA	1	EA	1,500.00	1,500.00
10	Sanitary Drain Inlet	1	EA	1	EA	250.00	250.00
11	Clean-Out	2	EA	2	EA	400.00	400.00
12	Hose Bib	1	EA	1	EA	200.00	200.00
13	Gate Valve	3	EA	3	EA	300.00	300.00
14	Adjust Ex. Utility Structures	1	LS	1	LS	2,000.00	2,000.00
15	Drain Inlet Type 1	12	EA	12	EA	4,800.00	4,800.00
16	Drain Inlet Type 2	17	EA	17	EA	13,600.00	13,600.00
17	Trench Drain Type 1	113	LF	113	LF	9,605.00	9,605.00

Item No.	Item	Original Estimated Quantity	Final Quantity	Bid Amount	Final Amount
18	Trench Drain Type 2	57 LF	57 LF	5,700.00	5,700.00
19	Drain Inlet Type 3	2 EA	2 EA	1,000.00	1,000.00
20	Trench Drain Catch Basin	2 EA	2 EA	500.00	500.00
21	Storm Drain Pipe Type 1, 8"	1,006 LF	979 LF	25,150.00	24,475.00
22	Storm Drain Pipe Type 2, 12"	115 LF	123 LF	4,600.00	4,920.00
23	Storm Drain Pipe Type 3, 18"	53 LF	55 LF	6,890.00	7,150.00
24	Storm Drain Manhole	2 EA	2 EA	5,000.00	5,000.00
25	Catch Basin Type 2	2 EA	2 EA	4,000.00	4,000.00
26	Storm Drain Pipe Type 4, 4" Perforated	755 LF	150 LF	11,325.00	2,250.00
27	Drain Inlet Type 4	2 EA	2 EA	2,000.00	2,000.00
28	Storm Drain Pipe Type 5, 4"	24 LF	24 LF	1,680.00	1,680.00
29	Water Quality Device Type 1	1 LS	1 LS	17,000.00	17,000.00
30	Site Electrical	1 LS	1 LS	30,000.00	30,000.00
31	Decorative Area Light	25 EA	25 EA	87,500.00	87,500.00
32	In-Ground Light, Type 1	9 EA	9 EA	11,700.00	11,700.00
33	Electrical Outlet, Type 1	40 EA	40 EA	21,000.00	21,000.00
34	Reinstall Ex. Light	1 EA	1 EA	2,000.00	2,000.00
35	Electrical Outlet, Type 2	1 LS	1 LS	2,000.00	2,000.00
36	Security Camera Junction Box	10 EA	10 EA	4,000.00	4,000.00
37	Security Camera Conduit	700 LF	700 LF	7,700.00	7,700.00
38	Site Wall Type 1	56 LF	56 LF	28,000.00	28,000.00
39	Site Wall Type 2	20 LF	20 LF	16,000.00	16,000.00
40	Site Wall Type 3	13 LF	13 LF	7,150.00	7,150.00
41	Site Wall Type 4	101 LF	101 LF	26,260.00	26,260.00
42	Column Type 1	5 EA	4 EA	13,000.00	10,400.00
43	Column Type 2, <i>See Item 57: Stage Structure</i>				

Item No.	Item	Original Estimated Quantity		Final Quantity		Bid Amount	Final Amount
44	Column Type 3	4	EA	4	EA	12,000.00	12,000.00
45	Column Type 4	2	EA	2	EA	5,600.00	5,600.00
46	Site Wall Type 5	7	LF	7	LF	2,800.00	2,800.00
47	Paving Type 1	13,682	SF	13,682	SF	162,131.70	162,131.70
48	Paving Type 2	14,603	SF	15,789	SF	180,347.05	194,994.15
49	Paving Type 3	2,160	SF	2,160	SF	69,120.00	69,120.00
50	Paving Type 5	13,500	SF	13,595	SF	30,375.00	30,588.75
51	Paving Type 6	70	SF	70	SF	1,050.00	1,050.00
52	Paving Type 8	325	SF	325	SF	4,550.00	4,550.00
53	Paving Type 10	160	SF	160	SF	2,400.00	2,400.00
54	Paving Type 11	227	SF	132	SF	3,405.00	1,980.00
55	Paving Type 12	566	SF	566	SF	8,490.00	8,490.00
56	Paving Type 14	1,291	SF	1,555	SF	7,746.00	9,330.00
57	Stage Structure, <i>Includes Costs From Item 43</i>	1	LS	1	LS	70,000.00	70,000.00
58	Curb Type 1	194	LF	182	LF	21,340.00	20,020.00
59	Curb Type 2	166	LF	168	LF	4,150.00	4,200.00
60	Curb Type 3	645	LF	691	LF	16,125.00	17,275.00
61	Curb Type 4	16	LF	16	LF	800.00	800.00
62	Curb Type 5	235	LF	235	LF	7,050.00	7,050.00
63	Mow Strip Type 1	206	LF	232	LF	3,296.00	3,712.00
64	Brick Band Type 1	321	LF	321	LF	11,235.00	11,235.00
65	ADA Ramp	57	SF	57	SF	2,850.00	2,850.00
66	Driveway Entrance	329	SF	329	SF	2,632.00	2,632.00
67	Alley Entrance	509	SF	509	SF	4,072.00	4,072.00
68	Pavement Striping and Marking, Type 1	1	LS	1	LS	1,250.00	1,250.00
69	Paving Type 15	336	SF	336	SF	3,360.00	3,360.00

Item No.	Item	Original Estimated Quantity	Final Quantity	Bid Amount	Final Amount
70	Hand Rail	78 LF	78 LF	5,460.00	5,460.00
71	Decorative Steel Railing	48 LF	48 LF	13,920.00	13,920.00
72	Gate Type 1	2 EA	2 EA	11,000.00	11,000.00
73	Gate Type 2	1 LS	1 LS	8,000.00	8,000.00
74	Gate Type 3	1 LS	1 LS	2,650.00	2,650.00
75	Decorative Fence	30 LF	30 LF	7,800.00	7,800.00
76	Bench Type 1	4 EA	4 EA	16,000.00	16,000.00
77	Bench Type 2	3 EA	3 EA	12,000.00	12,000.00
78	Trash Receptacle	3 EA	3 EA	6,000.00	6,000.00
79	Bike Rack	1 EA	1 EA	1,000.00	1,000.00
80	Bollard Type 1	15 EA	15 EA	12,000.00	12,000.00
81	Tree Grate, Type 1	12 EA	12 EA	19,200.00	19,200.00
82	Reinstall Ex. Clock	1 LS	0 LS	3,000.00	0.00
83	Tree Guard	20 EA	20 EA	18,000.00	18,000.00
84	Drinking Fountain	1 EA	1 EA	7,000.00	7,000.00
85	Reinstall Ex. Planters	4 EA	4 EA	1,600.00	1,600.00
86	Skate Deterrent	1 LS	1 LS	4,500.00	4,500.00
87	Reinstall Ex. Bollards	3 EA	3 EA	600.00	600.00
88	Precast Planter	5 EA	4 EA	6,000.00	4,800.00
89	Tree Grate Type 3	8 EA	8 EA	16,000.00	16,000.00
90	Tree Grate Type 4	1 EA	1 EA	1,200.00	1,200.00
91	Bench Type 3	2 EA	2 EA	6,000.00	6,000.00
92	Sign Type 1: Do Not Enter	2 EA	2 EA	3,400.00	3,400.00
93	Sign Type 2: ADA Parking Space	4 EA	4 EA	6,800.00	6,800.00
94	Sign Type 3: Parking Disclaimer	4 EA	4 EA	6,800.00	6,800.00
95	Sign Type 4: Stop	1 EA	1 EA	1,700.00	1,700.00
96	Bollard with Electrical Outlet	15 EA	19 EA	28,500.00	36,100.00

Item No.	Item	Original Estimated Quantity	Final Quantity	Bid Amount	Final Amount
97	Reinstall Ex. Mailbox	1 EA	1 EA	500.00	500.00
98	Date Plaque	1 EA	1 EA	1,000.00	1,000.00
99	Bollard Type 2	6 EA	6 EA	960.00	960.00
100	Irrigation System	1 LS	1 LS	57,000.00	57,000.00
101	Planting	1 LS	1 LS	54,000.00	54,000.00
102	Entry Gateway Arch	1 LS	1 LS	38,000.00	38,000.00
103	Pergola	1 LS	1 LS	124,000.00	124,000.00

**Exhibit A – Vol. 1 Subtotal: 1,663,301.85**

**Exhibit B – Vol. 2**

Item No.	Item	Original Estimated Quantity	Final Quantity	Bid Amount	Final Amount
1	Site Demolition	9,890 SF	9,890 SF	29,670.00	29,670.00
2	Caltrans Road Closure & Encroachment	1 LS	1 LS	10,000.00	10,000.00
3	Erosion Control/SWPPP Conformance	1 LS	1 LS	5,000.00	5,000.00
4	Grading	1 LS	1 LS	20,000.00	20,000.00
5	Structural Soil Backfill for Tree Wells	180 CY	0 CY	4,500.00	0.00
6	Adjust Utility Manhole	2 EA	2 EA	3,000.00	3,000.00
7	Storm Drain Pipe, Type 3. 18"	420 LF	420 LF	46,200.00	46,200.00
8	Storm Drain Manhole	3 EA	4 EA	7,500.00	10,000.00
9	Catch Basin Type 1	3 EA	3 EA	4,500.00	4,500.00
10	Connect to Ex. Storm Drain Line	2 EA	2 EA	4,000.00	4,000.00
11	Sidewalk Drain	13 LF	13 LF	780.00	780.00
12	Storm Drain Pipe, Type 4. 4" Perforated	379 LF	0 LF	7,580.00	0.00
13	Site Electrical	1 LS	1 LS	11,000.00	11,000.00
14	Decorative Area Light	4 EA	4 EA	14,400.00	14,400.00
15	Paving Type 7	450 SF	0 SF	4,050.00	0.00

Item No.	Item	Original Estimated Quantity	Final Quantity	Bid Amount	Final Amount
16	Paving Type 8	149 SF	149 SF	1,341.00	1,341.00
17	Paving Type 13	3,615 SF	4,041 SF	25,305.00	28,287.00
18	Paving Type 14	2,044 SF	2,088 SF	12,264.00	12,528.00
19	Curb Type 2	449 LF	460 LF	11,255.00	11,500.00
20	Brick Band Type 1	439 LF	449 LF	7,902.00	8,082.00
21	ADA Ramp	83 SF	83 SF	4,150.00	4,150.00
22	Driveway Entrance	586 SF	767 SF	4,981.00	6,519.50
23	Pavement Striping and Marking, Type 2	1 LS	1 LS	12,000.00	12,000.00
24	Sign Type 4: Stop	1 EA	1 EA	250.00	250.00
25	Sign Type 5: Street Name	4 EA	4 EA	1,000.00	1,000.00
26	Sign Type 6: Right Turn Only	1 EA	1 EA	250.00	250.00
27	Irrigation System	1 LS	1 LS	6,000.00	6,000.00
28	Planting	1 LS	1 LS	7,000.00	7,000.00
Exhibit B – Vol 2 Subtotal:					257,457.50

**Exhibit C – Bid Item List Additive Alternate 1**

Item No.	Item	Original Estimated Quantity	Final Quantity	Bid Amount	Final Amount
A1.1	Security Camera Pole	4	4	12,000.00	12,000.00
Exhibit C-Alternate 1 Subtotal:					12,000.00
<b>Total:</b>					<b>\$1,932,759.35</b>

**JUSTIFICATION:**

To adjust the original estimated bid quantities to agree with the final quantities as actually measured during construction.

**Change to CONTRACT PRICE:**

Item No. 1:	Total Amount	\$ 1,932,759.35
	Less Original Contract Price	<u>\$ 1,947,114.00</u>

**Total This CHANGE ORDER:** \$ (14,354.65)

**ORIGINAL CONTRACT PRICE:** 1,947,114.00

Change Order No. 1	16,330.34
Change Order No. 2	<u>0.00</u>
<b>CONTRACT PRICE INCLUDING THIS CHANGE ORDER:</b>	<b>\$ 0.00</b>

Change to CONTRACT TIME: - 0 - Working Days  
Date of Completion of All Work: March 30, 2011

Recommended By: AECOM \_\_\_\_\_  
Ordered By: AECOM \_\_\_\_\_  
Accepted By: \_\_\_\_\_  
Approved By: City of Newman \_\_\_\_\_