

AGENDA
NEWMAN CITY COUNCIL/REDEVELOPMENT AGENCY
SPECIAL MEETING JUNE 14, 2011
CITY COUNCIL CHAMBERS, 6:00 P.M., 1200 MAIN STREET

1. Call To Order.
2. Roll Call.
3. Items from the Public - Non-Agenda Items.
4. Workshop - Review 2011/2012 Fiscal Year Budget.
5. Adjournment.

AGENDA
NEWMAN CITY COUNCIL/REDEVELOPMENT AGENCY
REGULAR MEETING JUNE 14, 2011
CITY COUNCIL CHAMBERS, 7:00 P.M., 1200 MAIN STREET

1. Call To Order.
2. Pledge Of Allegiance.
3. Invocation.
4. Roll Call.
5. Declaration Of Conflicts Of Interest.
6. Ceremonial Matters.
7. Items from the Public - Non-Agenda Items.
8. Consent Calendar
 - a. Waive All Readings Of Ordinances And Resolutions Except By Title.
 - b. Approval Of Warrants.
 - c. Approval Of Minutes Of The May 24, 2011 Regular Meeting.
 - d. Adopt Resolution No. 2011- , A Resolution Adopting A Salary Schedule For Management, Supervisory And Confidential Positions For The City Of Newman.
 - e. Adopt Resolution No. 2011- , Approving The Application For Statewide Park Program Grant Funds.
9. Public Hearings.
10. Regular Business
 - a. First Reading And Introduction Of Ordinance No. 2011- , An Ordinance Amending Title 9, Police Regulations, Chapter 9.02 Animal Control Of The Newman City Code.
 - b. Approve Fiscal Year 2011-2012 Annual Budget As Presented In The Preliminary Budget Document.
 - I. Adopt Resolution No. 2011- , A Resolution Adopting The Budget For Fiscal Year 2010-2011.
 - II. Adopt Resolution No. 2011- , A Resolution Establishing The Appropriations Limit For Fiscal Year 2011-2012.
 - III. Adopt Resolution No. 2011- , A Resolution Of The Newman Redevelopment Agency Adopting The Budget For Fiscal Year 2011-2012.
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

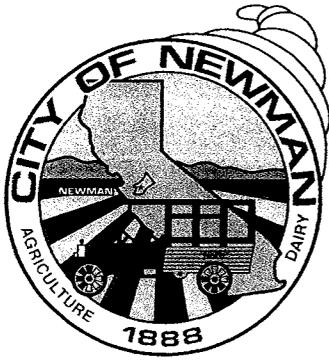
- a. Public Employee Personnel Evaluation - City Manager - G.C. 54957.6.
- b. Conference With Real Property Negotiator - Stanislaus County APN 128-09-030 - G.C. 54956.8.
- c. Conference With Real Property Negotiator - Merced County APN 054-022-001 - G.C. 54956.8.
- d. Return To Open Session.

15. Adjournment.

Calendar of Events

- 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.

- July 4 - Fourth Of July Holiday - City Offices Closed
- July 12 - City Council - 7:00 P.M.
- July 14 - Recreation Commission - 7:00 P.M.
- July 21 - Planning Commission - 7:00 P.M.
- July 26 - City Council - 7:00 P.M.



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

Date: June 7, 2011

To: City Council

From: Michael E. Holland, City Manager *MEH*

Subject: Fiscal Year 2011/12 Draft Budget

Over the past several months, staff has worked diligently to bring forth a budget that continues our current level of services to our residents while maintaining the long-term fiscal health of the City. The proposed 'hold-the-line' budget carries a minor budget deficit for the fourth straight year. While this streak appears to be extensive, City staff has managed their individual budgets well. This year's estimated budget deficit would only represent approximately 2.3% of the General Funds reserves.

While the economic uncertainty has improved, staff continues to be challenged with estimating revenues. However, we are confident that our conservative estimates will prove to be accurate. This year staff is anticipating a very slight decrease in revenues; from \$3.49 million to approximately \$3.48 million. The decrease in property taxes, reduction in administrative citations, and proposed elimination of COPS funding (\$100K) will be offset through increases in sales tax, administrative cost recovery, and franchise agreements. The County has warned the City that a third year of property value (4.5%) decline should be expected.

Based upon the projected revenues, staff developed a 'Hold-The-Line' budget. The result is \$3,541,495 in expenditures and \$8,546 in transfers. This number represents \$116,821 decrease in expenses over the 2010/11 budget. The savings are a result of converting two, vacant full-time positions in the Police Department to two, part-time Level 1 reserve positions. Each PT position would be allocated 1,000 hours for the fiscal year. These hours would be used to cover shifts and add extra patrols; as deemed necessary by the Chief of Police.

The single largest expenditure (54%) for the City continues to be salaries and benefits; maintenance, operations, and contract services account for approximately 46%. The expenses for each Fund were closely analyzed and minor cutbacks were made. All of the large cuts had been made over the past two years. In addition, staff has shifted some expenses (i.e. salaries) to other funds that better reflect the true nature of the cost. Overall, the budget is lean but allows departments to continue to provide quality service.

The 2011/12 fiscal year is shaping up to be a period where staff expects to reach to bottom of the economic cycle. As the year proceeds forward, staff remains optimistic that mid-year adjustments may allow for a minor adjustment to service(s) levels and/or an investment in capital, which has been postponed over the last couple of years.

Past budgets approved by the Council have allowed management to recommend 'hold the line' level of services and staffing in a time where most cities are continuing to cut. With the cooperation of the employees, the City finds itself in a position of not having to lay off employee(s). As has become customary over the past couple of years, staff will continue to closely monitor the budget and revenue streams and provide quarterly updates to the Council.

CITY OF NEWMAN ALL FUNDS
 BUDGET SUMMARY BY FUND
 FISCAL YEAR 2011/2012

	GENERAL FUND 10	GRANT PROGRAM INCOME 15	PARK FACILITY FEE 16	STATE GRANTS 17	FEDERAL GRANTS 18	COUNTY CDBG CONSORTIUM 20	GAS TAX 21	ABANDON VEHICLE 22	TRANSPORT FUND 24	EMPLOYEE HOME LOAN 25
ESTIMATED REVENUES										
PROPERTY TAXES	\$ 507,500									
SALES TAX	\$ 340,000									
OTHER TAXES	\$ 25,000									
FRANCHISE FEES	\$ 113,000									
LICENSE & PERMITS	\$ 55,540									
FINES & FORFEITURES	\$ 40,500									
INTEREST & RENTS	\$ 62,500	\$ 9,500	\$ 26,753				\$ 900	\$ 50		\$ 3,050
OTHER AGENCIES	\$ 660,100			\$ 172,560	\$ 190,000	\$ 373,766	\$ 294,953	\$ 6,000	\$ 400,000	
CURRENT SERVICE	\$ 973,520									
OTHER REVENUES	\$ 321,835									
TOTAL ESTIMATED REVENUES	\$ 3,099,495	\$ 9,500	\$ 26,753	\$ 172,560	\$ 190,000	\$ 373,766	\$ 295,853	\$ 6,050	\$ 400,000	\$ 3,050
OPERATING EXPENSES										
SALARIES & BENEFITS	\$ 1,925,014						\$ 5,482			
MATERIAL & SUPPLIES	\$ 1,616,837			\$ -	\$ 13,962			\$ 191		
CAPITAL OUTLAY	\$ -	\$ 7,000		\$ 178,242	\$ 111,470	\$ 343,766		\$ 466,999		
DEBT SERVICE										
TOTAL OPERATING EXPENSES	\$ 3,541,851	\$ 7,000	\$ -	\$ 178,242	\$ 111,470	\$ 357,728	\$ -	\$ 5,482	\$ 467,190	\$ -
ESTIMATED REVENUES OVER EXPENDITURES	\$ (442,356)	\$ 2,500	\$ 26,753	\$ (5,682)	\$ 78,530	\$ 16,038	\$ 295,853	\$ 568	\$ (67,190)	\$ 3,050
OTHER SOURCES & USES										
CAPITAL PROJECTS										
TRANSFERS IN	\$ 385,853			\$ 10,682	\$ 11,470					
TRANSFERS OUT	\$ (8,546)				\$ (90,000)		\$ (295,853)		\$ (11,470)	
ESTIMATED NET CURRENT YEAR ACTIVITY	\$ (65,049)	\$ 2,500	\$ 26,753	\$ 5,000	\$ -	\$ 16,038	\$ -	\$ 568	\$ (78,660)	\$ 3,050
ESTIMATED BEGINNING FUND BALANCE	\$ 2,846,782	\$ 1,236,585	\$ 353,125	\$ -	\$ -	\$ 81,292	\$ -	\$ 12,084	\$ 629,242	\$ 183,345
ESTIMATED ENDING FUND BALANCE	\$ 2,781,733	\$ 1,239,085	\$ 379,878	\$ 5,000	\$ -	\$ 97,330	\$ -	\$ 12,652	\$ 550,582	\$ 186,395

CITY OF NEWMAN ALL FUNDS
 BUDGET SUMMARY BY FUND
 FISCAL YEAR 2011/2012

	HOME CONSORTIUM 26	ASSET FORFEITURE 30	PUBLIC FACILITY 40	SUPPLEMENTAL IMPACT FEES 41	STORM DRAIN 42	SEWER SEWER 60	SEWER WASTEWATER CAPITAL 61	LIFT STATION SURCHARGE 62	WATER 63	WATER CAPITAL 64
ESTIMATED REVENUES										
PROPERTY TAXES										
SALES TAX										
OTHER TAXES								\$ 86,050		
FRANCHISE FEES										
LICENSE & PERMITS			\$ 57,946	\$ 9,500	\$ 13,314		\$ 5,343			\$ 59,467
FINES & FORFEITURES										
INTEREST & RENTS		\$ 5	\$ 30,000	\$ 2,000	\$ 1,000	\$ 25,000	\$ 1,000	\$ 1,000	\$ 2,500	\$ 7,000
OTHER AGENCIES	\$ 408,950									
CURRENT SERVICE						\$ 2,197,750			\$ 1,151,000	
OTHER REVENUES										
TOTAL ESTIMATED REVENUES	\$ 408,950	\$ 5	\$ 87,946	\$ 11,500	\$ 14,314	\$ 2,222,750	\$ 6,343	\$ 87,050	\$ 1,153,500	\$ 66,467
OPERATING EXPENSES										
SALARIES & BENEFITS						\$ 545,510		\$ 16,445	\$ 462,889	
MATERIAL & SUPPLIES			\$ 1,750			\$ 885,743	\$ 37,675	\$ 45,742	\$ 505,044	\$ 97,271
CAPITAL OUTLAY	\$ 282,092					\$ 172,894	\$ 200,000	\$ 18,000	\$ 110,766	\$ 85,000
DEBT SERVICE			\$ 15,194			\$ 177,114			\$ 60,250	
TOTAL OPERATING EXPENSES	\$ 282,092	\$ -	\$ 16,944	\$ -	\$ -	\$ 1,781,261	\$ 237,675	\$ 80,187	\$ 1,138,949	\$ 182,271
ESTIMATED REVENUES OVER EXPENDITURES	\$ 126,858	\$ 5	\$ 71,002	\$ 11,500	\$ 14,314	\$ 441,489	\$ (231,332)	\$ 6,863	\$ 14,551	\$ (115,804)
OTHER SOURCES & USES										
CAPITAL PROJECTS										
TRANSFERS IN										
TRANSFERS OUT										
ESTIMATED NET CURRENT YEAR ACTIVITY	\$ 126,858	\$ 5	\$ 71,002	\$ 11,500	\$ 14,314	\$ 441,489	\$ (231,332)	\$ 6,863	\$ 14,551	\$ (115,804)
ESTIMATED BEGINNING FUND BALANCE	\$ 243,455	\$ 990	\$ 4,521,905	\$ 324,970	\$ (591,794)	\$ 3,398,312	\$ 2,081,039	\$ 206,396	\$ 362,845	\$ 1,935,755
ESTIMATED ENDING FUND BALANCE	\$ 370,313	\$ 995	\$ 4,592,907	\$ 336,470	\$ (577,480)	\$ 3,839,801	\$ 1,849,707	\$ 213,259	\$ 377,396	\$ 1,819,951

CITY OF NEWMAN ALL FUNDS
 BUDGET SUMMARY BY FUND
 FISCAL YEAR 2011/2012

	BUSINESS LICENSE SURCHARGE 68	LIGHTING LANDSCAPE DISTRICT 69	CONTINGENCY 70	CAPITAL REPLACEMENT 71	COPS GRANT 72	REDEVELOPMENT 73	LOW MODERATE HOUSING 74	GRAND TOTAL ALL FUNDS
ESTIMATED REVENUES								
PROPERTY TAXES						\$ 437,877	\$ 113,422	\$ 1,058,799
SALES TAX								\$ 340,000
OTHER TAXES		\$ 233,738						\$ 344,788
FRANCHISE FEES								\$ 113,000
LICENSE & PERMITS	\$ 11,000							\$ 212,110
FINES & FORFEITURES								\$ 40,500
INTEREST & RENTS		\$ 500	\$ 600	\$ 2,000			\$ 2,000	\$ 177,358
OTHER AGENCIES								\$ 2,506,329
CURRENT SERVICE								\$ 4,322,270
OTHER REVENUES						\$ 20,000		\$ 341,835
TOTAL ESTIMATED REVENUES	\$ 11,000	\$ 234,238	\$ 600	\$ 2,000	\$ -	\$ 457,877	\$ 115,422	\$ 9,456,989
OPERATING EXPENSES								
SALARIES & BENEFITS		\$ 45,377				\$ 85,247	\$ 43,864	\$ 3,129,828
MATERIAL & SUPPLIES	\$ 8,738	\$ 202,073				\$ 106,507	\$ 7,684	\$ 3,529,217
CAPITAL OUTLAY	\$ 1,200	\$ 2,000		\$ 94,279		\$ 50,968		\$ 2,124,676
DEBT SERVICE				\$ 28,217		\$ 208,325	\$ 51,360	\$ 540,460
TOTAL OPERATING EXPENSES	\$ 9,938	\$ 249,450	\$ -	\$ 122,496	\$ -	\$ 451,047	\$ 102,908	\$ 9,324,181
ESTIMATED REVENUES OVER EXPENDITURES	\$ 1,062	\$ (15,212)	\$ 600	\$ (120,496)	\$ -	\$ 6,830	\$ 12,514	\$ 132,808
OTHER SOURCES & USES								
CAPITAL PROJECTS								\$ -
TRANSFERS IN								\$ 408,005
TRANSFERS OUT		\$ (2,136)						\$ (408,005)
ESTIMATED NET CURRENT YEAR ACTIVITY	\$ 1,062	\$ (17,348)	\$ 600	\$ (120,496)	\$ -	\$ 6,830	\$ 12,514	\$ 132,808
ESTIMATED BEGINNING FUND BALANCE	\$ 2,019	\$ 124,310	\$ 200,226	\$ 241,292	\$ -	\$ -	\$ 791,361	\$ 19,185,536
ESTIMATED ENDING FUND BALANCE	\$ 3,081	\$ 106,962	\$ 200,826	\$ 120,796	\$ -	\$ 6,830	\$ 803,875	\$ 19,318,344

Date.: Jun 1, 2011
Time.: 9:50 am
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CITY OF NEWMAN
CASH DISBURSEMENTS REPORT

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Ck #	Check Date	CK Amount	Vendor Name	Description
039271	05/23/11	100.00	PHILLIP BLANTON	PAYMENT TO BAND PROWLER PLAYED FOR PLAZA GRAND OPE
Sub-Total:		100.00		
Grn-Total:		100.00		
Count: 1				

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Time.: 2:28 pm
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Ck #	Check Date	CK Amount	Vendor Name	Description
039272	06/10/11	117.80	ABBOTT & KINDERMANN, LLP	SCM HEARTHSTONE LITIGATION SERVICES THRU 5/20/11
039273	06/10/11	4802.40	AECOM USA, INC	CONST MANAGEMENT SERV/DOWNTOWN PLAZA/4-2TO 4-29-11
039274	06/10/11	173.28	ROBERT ALCANTAR	SECURITY SERVICES/OHS PROM/ALCANTAR
039274	06/10/11	281.58	ROBERT ALCANTAR	SECURITY SERVICES FOR OHS GRADUATION/ALCANTAR
039275	06/10/11	450.28	ARAMARK UNIFORM SERVICES	UNIFORM CLEANING/MAT RENTAL/MOP HEADS/TOWELS/MAY11
039276	06/10/11	64.44	AT&T	MONTHLY PHONE CHARGES FOR 634-0508/MAY 2011
039276	06/10/11	70.27	AT&T	MONTHLY TELEPHONE CHARGES/668-3946/MAY 2011
039277	06/10/11	463.95	AT&T	MONTHLY TELEPHONE SERVICE 4-13-11 TO 5-12-11
039277	06/10/11	333.52	AT&T	T1 LINE @ PD 4-20-11 TO 5-19-11
039277	06/10/11	135.47	AT&T	EMERGENCY DISPATCH LINE @ PD/4-20 TO 5-19-11
039278	06/10/11	444.52	BASIC CHEMICAL SOL./INC.	150 GALS SODIUM HYPOCHLORITE/WELL #5
039278	06/10/11	938.94	BASIC CHEMICAL SOL./INC.	340 GALS SODIUM HYPOCHLORITE FOR WELLS 6 & 8
039279	06/10/11	463.65	JAMES J. BELL	CONTRACT SERVICES/EVIDENCE CLERK 5/16-5/31/11/BELL
039280	06/10/11	53313.81	BERTOLOTTI DISPOSAL	MONTHLY GARBAGE SERVICE/MAY 2011
039281	06/10/11	3305.25	CALIFORNIA CONSULTING, LLC	MONTHLY RETAINER/GRANT & LOBBYING SERV/JUNE 2011
039282	06/10/11	129.96	VICTOR CAMPOS	SECURITY SERVICES/SPECIAL ASSIGNMENT 5-19-11/CAMPO
039282	06/10/11	201.44	VICTOR CAMPOS	SECURITY SERVICES/SPECIAL ASSIGNMENT/5-20-11/CAMPO
039282	06/10/11	173.28	VICTOR CAMPOS	SECURITY SERVICES/OHS PROM/CAMPOS
039283	06/10/11	80.00	MANUEL LORENZO H CANGA MD	TB SKIN TESTS/AVILA/SOUZA/HURST/LEWIS/FD
039284	06/10/11	100.00	JEFF CARTER	PARKING LOT RENT/JUNE 2011
039285	06/10/11	200.00	DENIS J. CARLOS	REFUND MEMORIAL BUILDING DEPOSIT/CARLOS
039286	06/10/11	8500.00	CBA (CALIFORNIA BENEFITS)	PRE-PAID DENTAL & VISION DEPOSIT
039287	06/10/11	195.00	CBA (ADMIN FEES)	DENTAL-VISION ADMIN FEES/JUNE 2011
039288	06/10/11	431.60	CENTRAL SANITARY SUPPLY	CANLINERS/GLASS CLEANER/DEOD BLOCKS/CLEANERS

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Ck #	Check Date	CK Amount	Vendor Name	Description
039288	06/10/11	26.77	CENTRAL SANITARY SUPPLY	URINAL SCREENS
039289	06/10/11	38.16	JUANA CHAVEZ	REFUND OF CREDIT BALANCE @ 905 BLUE BONNET DR
039290	06/10/11	54.14	CHEVRON	GASOLINE PURCHASE 4/22/11
039291	06/10/11	162.87	CIT TECHNOLOGY FIN SERV, INC	MS GSA OFFICE PRO PLUS/JUNE 2011
039292	06/10/11	50.00	CARL J. COELHO (CHUCK)	Veh Operation FIRE/JUNE 2011
039293	06/10/11	1400.00	COMPUTER TUTOR	COMPUTER CLASSES/APRIL 2011
039294	06/10/11	94.90	COMCAST CABLE	HIGH SPEED INTERNET SERVICE 5-22-11 TO 6-21-11
039295	06/10/11	3297.49	CONTRACT SWEEPING SERVICES, IN	CONTRACT SERVICES/STREET SWEEPING/MAY 2011
039296	06/10/11	778.38	CORBIN WILLITS SYS, INC.	SERVICE & ENHANCEMENT FEES/JUNE 2011
039297	06/10/11	20.47	CRESCENT SUPPLY CO. #1	GARRISON BRASS BELT/THOMAS SILVA
039298	06/10/11	6617.27	CROP PRODUCTION SERVICES	CORN SEED FOR WWTP
039299	06/10/11	43.34	DEPOT GARAGE, INC	TAIL GATE LATCH/MEL'S PICKUP
039300	06/10/11	100.00	ANGELICA ELIZALDE	REFUND MEMORIAL BLDG DEPOSIT/S. SANCHEZ
039301	06/10/11	565.00	ENERPOWER	ELECTRIC ENERGY SERVICES/3-18-11 TO 4-18-11
039302	06/10/11	43.13	GUSTAVO ESPINOZA	REFUND CREDIT BALANCE AT 1141 STANISLAUS ST
039303	06/10/11	275.00	FGL ENVIRONMENTAL, INC	INORGANIC ANALYSIS/SUPPORT ANALYSIS/WWTP
039303	06/10/11	275.00	FGL ENVIRONMENTAL, INC	INORGANIC ANALYSIS/SUPPORT ANALYSIS/WWTP
039304	06/10/11	200.00	RAFAEL GARCIA	REFUND MEMORIAL BLDG DEPOSIT/RAFAEL GARCIA
039305	06/10/11	80.00	SOCORRO GARCIA	REFUND SHERMAN PARK DEPOSIT/SOCORRO GARCIA
039306	06/10/11	15570.00	GREG OPINSKI CONSTRUCTION, INC	PROGRESS PAY #1/PQRST/FRESNO/MERCED ST CONSTRUCT
039307	06/10/11	457.79	GROENIGER & CO.	1 UTILITY METER BOX/2 WATER METER BOX LIDS
039308	06/10/11	1575.00	TOM HALLINAN	LEGAL RETAINER FEE/JUNE 2011
039309	06/10/11	126.02	HUB INTERNATIONAL OF CA INS SE	LIABILITY INS PREMIUM/ALTAGRACIA PACHECO
039310	06/10/11	926.30	IKON OFFICE SOLUTIONS	COPIER LEASE/3-10-11 TO 6-9-11/CITY HALL

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Ck #	Check Date	CK Amount	Vendor Name	Description
039311	06/10/11	99.66	IRRIGATION DESIGN & CONSTRUCTI	6 COVERALLS/GLOVES/GASKET/WWTP
039311	06/10/11	53.29	IRRIGATION DESIGN & CONSTRUCTI	coupling/elbow/slip-fix/glue and primer
039312	06/10/11	894.10	JOE'S LANDSCAPING & CONCRETE,	PO #11-56
039312	06/10/11	5180.00	JOE'S LANDSCAPING & CONCRETE,	WORK DONE AT POLICE STATION PARKING LOT
039312	06/10/11	106.96	JOE'S LANDSCAPING & CONCRETE,	CLEAN-UP AT 1549 P STREET
039312	06/10/11	493.46	JOE'S LANDSCAPING & CONCRETE,	CLEAN-UP AT 1573 CANYON CREEK
039312	06/10/11	453.48	JOE'S LANDSCAPING & CONCRETE,	CLEAN-UP AT 744 BALSAM DR
039312	06/10/11	533.44	JOE'S LANDSCAPING & CONCRETE,	CLEAN-UP AT 637 BANFF DRIVE
039312	06/10/11	9400.00	JOE'S LANDSCAPING & CONCRETE,	LIGHTING & LANDSCAPE SERVICES/MAY 2011
039312	06/10/11	19950.00	JOE'S LANDSCAPING & CONCRETE,	PO #11-55
039313	06/10/11	301.50	MANSFIELD GAS EQUIPMENT SYSTEM	REMOVED 4 COMPRESSORS FOR REBUILD/CNG STATION
039314	06/10/11	20.00	HEATHER MARZI	REFUND PIONEER PARK DEPOSIT/MARZI
039315	06/10/11	73.47	MARIA MEDINA	REFUND CREDIT BALANCE AT 1919 PINE STREET/MEDINA
039316	06/10/11	20.00	ERIKA MEDINA	REFUND PIONEER PARK DEPOSIT/ERIKA MEDINA
039317	06/10/11	981.95	NEWMAN ACE HARDWARE/JACT, INC	BLOWER/BATTERIES/GRAFITTI REMVR/TIES/BROOM/CEMENT
039318	06/10/11	2599.00	OPERATING ENGINEERS/	HEALTH INSURANCE PREMIUM/JULY 2011
039319	06/10/11	1210.00	OTTMAN FARMS, INC	2ND APPLICATION OF TR-10/WWTP
039320	06/10/11	200.00	ALTAGRACIA PACHECO	REFUND MEMORIAL BLDG DEPOSIT/PACHECO
039321	06/10/11	204.00	BIANCA PARDO	ZUMBA INSTRUCTOR/MAY 2011
039322	06/10/11	250.00	CITY OF PATTERSON	FIRE DATA INPUT/MARCH 2011
039322	06/10/11	250.00	CITY OF PATTERSON	FIRE DATA INPUT/FEB 2011
039322	06/10/11	660.00	CITY OF PATTERSON	VIDEO REIMBURSEMENT/JUNE 2011
039323	06/10/11	16.55	P G & E	NATURAL GAS PURCHASES 4-7 TO 5-9-11
039323	06/10/11	40227.17	P G & E	GAS AND ELECTRIC CHARGES 3-18-11 TO 5-18-11

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CITY OF NEWMAN
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Ck #	Check Date	CK Amount	Vendor Name	Description
039324	06/10/11	10.80	PIONEER DRUG	FOLDERS/MARKER PENS
039325	06/10/11	3.01	RALEY'S IN STORE CHARGE	FOAM CUPS/CORP YARD
039325	06/10/11	3.99	RALEY'S IN STORE CHARGE	SUGAR/WATER OFFICE
039325	06/10/11	7.77	RALEY'S IN STORE CHARGE	DIXIE CUPS/SUGAR CUBLETS/CITY HALL
039325	06/10/11	7.00	RALEY'S IN STORE CHARGE	SUGAR CUBLETS/FOAM CUPS/WATER OFFICE
039325	06/10/11	4.52	RALEY'S IN STORE CHARGE	3 PACKAGES FOAM CUPS/CORP YARD
039326	06/10/11	19.38	GARNER REYNOLDS (NT)	REIMBURSEMET FOR MALLEABLE WASHERS
039327	06/10/11	250.00	ROMERO CONCRETE CORING	3)CONCRETE 1.5 DIAMETER CORES
039328	06/10/11	1348.50	ROPERS, MAJESKI, KOHN & BENTLEY	EMPLOYMENT ADVICE AND COUNSEL/THRU 4/30/11
039329	06/10/11	1780.84	SPRINGBROOK SOFTWARE	TRAVEL EXPENSES 4-17 4-22-11/GO LIVE UB TRAINING
039330	06/10/11	493.89	STANISLAUS COUNTY	EMERGENCY SERVICES FEE FOR FY 10/11
039330	06/10/11	143.62	STANISLAUS COUNTY	CNG PUMPED FROM MORGAN RD FUEL STATION
039330	06/10/11	150.92	STANISLAUS COUNTY	#1 INJECTOR IS LOW/CNG PICKUP/PW
039331	06/10/11	54.50	STAPLES ADVANTAGE	PAPER/SEAL/BINDER CLIPS/REGISTER TAPE/RIBBON
039331	06/10/11	309.69	STAPLES ADVANTAGE	HP COLOR LASERJET INK
039331	06/10/11	119.54	STAPLES ADVANTAGE	CARD STOCK/PAPER/SHARPIE MARKERS/REC
039331	06/10/11	6.49	STAPLES ADVANTAGE	DRY ERASE MARKER KIT/REC
039332	06/10/11	7743.00	STANTEC CONSULTING SERVICES, I	PO #11-03A
039332	06/10/11	906.50	STANTEC CONSULTING SERVICES, I	PO #11-02A
039332	06/10/11	1184.50	STANTEC CONSULTING SERVICES, I	PO #11-47
039333	06/10/11	40.00	LISA SUAREZ	REFUND PARTIAL SHERMAN PARK RENT/SUAREZ
039334	06/10/11	155.83	TRAVIS BORRELLI	PORTABLE RESTROOM RENTAL/MAY 2011
039334	06/10/11	150.00	TRAVIS BORRELLI	PORTABLE RESTROOM & SINK RENTAL-PLAZA GRAND OPEN
039335	06/10/11	373.89	T&R ENTERPRISES	MAKE & INSTALL GATE GUIDE RAIL/PD

Date.: Jun 8, 2011
Time.: 2:28 pm
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
039336	06/10/11	37.27	MAGDALENA TAMAZI	REFUND CREDIT BALANCE AT 1215 AMY DRIVE
039337	06/10/11	985.00	THE YARD LUMBER AND FENCE	DEMO & REPLACE 32-40 SQ FT WALL/LUCAS RANCH II
039337	06/10/11	4500.00	THE YARD LUMBER AND FENCE	DEMO & REPLACED WALL AT LUCAS RANCH II/15LN FEET
039338	06/10/11	100.11	THOMPSON CHEVROLET-BUICK	CHECK ENGINE LIGHT/REPLACED AIR FILTER/PD
039339	06/10/11	150.83	VALLEY PARTS SERVICE	HYDRAULIC OIL/DEXRON/D-2 BATTERY/AIR FILTER
039339	06/10/11	3.58	VALLEY PARTS SERVICE	HOSE CLAMP
039339	06/10/11	2.41	VALLEY PARTS SERVICE	HOSE CLAMP/HOSE
039339	06/10/11	195.94	VALLEY PARTS SERVICE	8" BY 50 FT HOSE
039339	06/10/11	41.15	VALLEY PARTS SERVICE	DOOR HANDLE/CREDIT ON HOSE CLAMP
039339	06/10/11	7.58	VALLEY PARTS SERVICE	D-EARTH ABSORBANT/DIESEL SPILL
039339	06/10/11	209.16	VALLEY PARTS SERVICE	HEADLIGHT ASSEMBLY FOR 2000 CHEVY PICKUP
039339	06/10/11	122.99	VALLEY PARTS SERVICE	BOOSTER PAC
039340	06/10/11	50.00	GEORGE VARGAS	MONTHLY GAS ALLOWANCE/JUNE 2011
039341	06/10/11	27.50	MATTOS NEWSPAPERS, INC.	NEWSPAPER SUBSCRIPTION RENEWAL/PD
039342	06/10/11	224.25	ARMANDO GARCIA	MISTLETOE ABATEMENT AT 1142 MAIN ST
039342	06/10/11	224.25	ARMANDO GARCIA	MISTLETOW ABATEMENT AT 1214 AMY DRIVE
039342	06/10/11	224.25	ARMANDO GARCIA	MISTLETOE ABATEMENT AT 1282 AMY DRIVE
039342	06/10/11	74.75	ARMANDO GARCIA	MISTLETOE ABATEMENT AT 514 WAXWING LANE
039342	06/10/11	391.00	ARMANDO GARCIA	MISTLETOE ABATEMENT AT 516 GOLDENROD LANE
039342	06/10/11	172.50	ARMANDO GARCIA	MISTLETOE ABATEMENT AT 1956 T ST
039342	06/10/11	172.50	ARMANDO GARCIA	MISTLETOE ABATEMENT AT 1964 T STREET
039342	06/10/11	270.25	ARMANDO GARCIA	MISTLETOE ABATEMENT AT 1505 PATCHETT DR
039342	06/10/11	172.50	ARMANDO GARCIA	MISTLETOE ABATEMENT AT 1938 S STREET
039342	06/10/11	149.50	ARMANDO GARCIA	MISTLETOE ABATEMENT AT 1440 R STREET

Date.: Jun 8, 2011
Time.: 2:28 pm
Run by: EMILY M. FARIA

CITY OF NEWMAN
CASH DISBURSEMENTS REPORT

Page.: 6
List.: NEW1
Group: PYCPDP

Ck #	Check Date	CK Amount	Vendor Name	Description
039342	06/10/11	146.62	ARMANDO GARCIA	MISTLETOE ABATEMENT AT 1930 & 1936 PINE ST
039342	06/10/11	184.00	ARMANDO GARCIA	MISTLETOE ABATEMENT AT 1942 PINE STREET
039342	06/10/11	425.50	ARMANDO GARCIA	MISTLETOE ABATEMENT AT 700 REAL AVE
039342	06/10/11	795.00	ARMANDO GARCIA	MISTLETOW ABATEMENT AT 564 MERCED ST
039343	06/10/11	32184.20	WONDRIES FLEET GROUP	PO #11-51
Sub-Total:		----- 249838.27		
Grn-Total:		----- 249838.27		
Count:	125			

MINUTES
NEWMAN CITY COUNCIL/REDEVELOPMENT AGENCY
REGULAR MEETING MAY 24, 2011
CITY COUNCIL CHAMBERS, 7:00 P.M., 1200 MAIN STREET

1. **Call To Order** - Mayor Katen 7:01 P.M.
2. **Pledge Of Allegiance.**
3. **Invocation**–Council Member Hutchins.
4. **Roll Call PRESENT:** Davis, Hutchins, Candea, Martina And Mayor Katen.
ABSENT: None.
5. **Declaration Of Conflicts Of Interest-** None.
6. **Ceremonial Matters** - None.
7. **Items from the Public - Non-Agenda Items**

Newman Library Branch Manager, Kelly Ferrini, Reviewed Newman Library Youth And Adult Programs Being Offered This Summer Including The Stanislaus Reads Program, Water Day And Other Summer Reading Programs.

8. Consent Calendar

- a. Waive All Readings Of Ordinances And Resolutions Except By Title.
- b. Approval Of Warrants.
- c. Approval Of Minutes Of The May 10, 2011 Regular Meeting.
- d. Adopt Resolution No. 2011-38, A Resolution Ratifying A Memorandum Of Understanding Between The City Of Newman And The Operating Engineers Local #3 Miscellaneous Bargaining Unit.
- e. Adopt Resolution No. 2011-39, A Resolution In Support Of Statewide E-Fairness Legislation (AB 153 And AB 155).
- f. Authorize The City Manager To Submit Letters Requested By The League Of California Cities.

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

9. Public Hearings – None.

10. Regular Business

- a. Authorize The City Manager To Execute A Memorandum Of Understanding For The Administration Of Energy Efficiency And Conservation Block Grant Funds By The San Joaquin Valley Unified Air Pollution Control District For The City Of Newman.

ACTION: On Motion By Candea Seconded By Martina And Unanimously Carried, The City Council Authorized The City Manager To Execute A Memorandum Of Understanding For The Administration Of Energy Efficiency And Conservation Block Grant Funds By The San Joaquin Valley Unified Air Pollution Control District For The City Of Newman.

- b. Second Reading And Adoption Of Ordinance No. 2011-3, An Ordinance Amending Title 5, Zoning, Of The Newman City Code And The Accompanying Zoning Maps Of The City Of Newman In Conformance With The 2030 General Plan And Authorizing Staff To Publish A Summary Of Said Ordinance.

ACTION: Ordinance No. 2011-3, An Ordinance Amending Title 5, Zoning, Of The Newman City Code And The Accompanying Zoning Maps Of The City Of Newman In Conformance With The 2030 General Plan And Had Its Second Reading By Title Only. On A Motion By Martina Seconded By Candea, Said Ordinance Was Unanimously Adopted And Staff Was Authorized To Prepare And Publish A Summary Of Said Ordinance.

- c. Report On The Lighting And Landscape Maintenance District For Fiscal Year 2011/2012
 - I. Adopt Resolution No. 2011-40, Approving The Annual Report For The Lighting And Landscape Maintenance District For Fiscal Year 2011/12.

ACTION: On Motion By Martina Seconded By Hutchins And Unanimously Carried, Resolution No. 2011-40, A Resolution Approving The Annual Report For The Lighting And Landscape Maintenance District For Fiscal Year 2011/12 Was Adopted.

- II. Adopt Resolution No. 2011-41, Declaring Its Intention To Levy And Collect Assessments For The Lighting And Landscape Maintenance District For Fiscal Year 2011/12 And Declaring The Intention Of The Council To Conduct A Public Hearing Concerning The Levy Of Assessments.

ACTION: On Motion By Martina Seconded By Hutchins And Unanimously Carried, Resolution No. 2011-41, A Resolution Declaring Its Intention To Levy And Collect Assessments For The Lighting And Landscape Maintenance District For Fiscal Year 2011/12 And Declaring The Intention Of The Council To Conduct A Public Hearing Concerning The Levy Of Assessments Was Adopted.

- d. Adopt Resolution No. 2011-42, A Resolution Authorizing City Manager To Renew Contract With California Consulting, LLC. For Grant Writing And Governmental Affairs Services.

ACTION: On Motion By Candea Seconded By Martina And Unanimously Carried, Resolution No. 2011-42, A Resolution Authorizing City Manager To Renew Contract With California Consulting, LLC. For Grant Writing And Governmental Affairs Services Was Adopted.

11. Items From District Five Stanislaus County Supervisor.

Supervisor DeMartini Reminded The Council That The Westside Walks Campaign Will Begin On Wednesday Nights Starting On June 8th And Concluding On July 27th. DeMartini Also Mentioned That The Healthy Choices Summit Would Be Held On August 18th In Newman And That The West Side Healthcare Taskforce's Next Meeting Would Be On June 16th In Patterson.

12. Items From The City Manager And Staff.

City Manager Holland Asked The Council For Direction On Procedures For Responding To League Of California Cities' Continuing Requests For Letters Of Both Support And Opposition For Legislation. The Council Agreed To Allow The City Manager To Write Letters Of Support And Opposition For Legislation Without Council Approval. Holland Mentioned That The Downtown Plaza Grand Opening Was A Great Event And Thanked Public Works Director Reynolds For All His Hard Work On The Project. He Reminded Everyone That City Hall Would Be Closed On Both Friday, May 27th For A Furlough And Monday, May 30th For The Memorial Day Holiday. Holland Noted That The Fiscal Year 2011/2012 Budget Meeting Workshop Would Be Held On June 14th At 6:00 P.M. Holland Remarked That The Annual City Softball Challenge Was Scheduled For Friday June 17th.

Chief Richardson Reported That Arrests Had Been Made In Three Recent Cases And That Corporal Borden Would Be Receiving The Civitan Officer Of The Year Award. Richardson Thanked The Police Department For Their Hard Work At The Recent City Sponsored Low Cost Animal Clinic.

Public Works Director Reynolds Thanked The Police Department For Their Prompt Response To The Recent Graffiti And Then Proceed To Thank Several Individuals, Staff Members, Groups And Organizations For Their Hard Work At the Downtown Plaza Grand Opening Event.

Finance Director Humphries Informed The City Council That The City's Finance Software Conversion Is Progressing Smoothing And Is On Schedule To Be Complete By July 1st.

13. Items From City Council Members.

Council Member Hutchins Noted That He Had Recently Attended The League Of California Cities Legislative Briefings In Sacramento And Explained That The State Is Essentially Holding Our Vehicle License Fee Funds Hostage. Hutchins Mentioned The Importance Of Keeping Tabs On What The State Is Planning To Do To With Redevelopment Agencies. He Mentioned That He Had Spoken With Our Local League Of California Cities Representative And They Agreed That The Local Meetings Should Continue Regardless Of The Amount Of People Planning To Attend.

Council Member Candea Thanked Public Works Director Reynolds For His Leadership And Hard Work During The Construction Of The Downtown Plaza.

Council Member Martina Stated That It Was Great To Be A Part Of The Downtown Plaza Grand Opening And Thanked Everyone For Their Hard Work.

Mayor Katen Stated That The Plaza Grand Opening Was Successful Event And He Thanked Everyone For All Their Hard Work. Katen Reminded Everyone About The Upcoming Memorial Day Ceremonies At Both Hill Ferry Cemetery And The Santa Nella Cemetery National Cemetery.

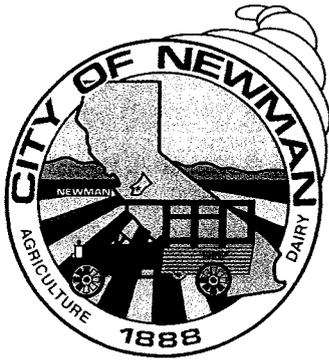
14. Adjourn To Closed Session – 7:43 P.M.

- a. Conference With Labor Negotiator – Operating Engineers Local #3 Police Bargaining Unit - G.C. 54957.6.
- b. Conference With Real Property Negotiator – Stanislaus County APN 128-09-030 - G.C. 54956.8.
- c. Public Employee Personnel Evaluation – City Manager – G.C. 54957.6.
- d. Return To Open Session – 8:53 P.M.

No Reportable Action Was Taken.

15. Adjournment.

ACTION: On Motion By Martina Seconded By Candea And Unanimously Carried, The Meeting Was Adjourned At 8:55 P.M.



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

Date: June 8, 2011
To: Mayor and City Council
From: Michael E. Holland, City Manager *MEH*

Subject: Item No. 8.d. – Salary schedule for Management, Supervisory and Confidential employees.

Attached is a salary schedule consisting of Management, Supervisory and Confidential employees. The schedule includes placeholders for two new positions (Planner and City Clerk) and one vacant position (Community Development Director). None of these positions are proposed to be filled during the 2011/12 fiscal year. However, staff believes it is important to identify these as *future* positions. In addition to identified salaries, the following benefits are provided as per previous Council actions:

- All positions are eligible to sell back up to 40 hours of unused-vacation time annually.
- All positions are eligible for a 2% salary match towards a deferred compensation program.
- Starting July 1, 2011, the City agrees to continue to provide up to \$1,100 per month towards an employee's Health Insurance cost; inclusive of all HSA deposits and insurance premiums. The City agrees to fund HSA deposits semi-annually; allotments will be made on the first working day in January and July. Early second allotments can be requested provided the employee signs an affidavit indicating the first payment has been used for health care and the remaining is necessary for health care costs.

Typically this group has received and/or conceded the same amounts/benefits agreed upon by the Miscellaneous Bargaining group. For 2011/12, this group would receive the same \$50/month increase towards Health Insurance and concede a 3.85% salary savings. The 20 hour vacation sell-back would not apply as this group is already eligible for said benefit.

RESOLUTION NO. 2011-

**A RESOLUTION ADOPTING SALARY SCHEDULE FOR MANAGEMENT, SUPERVISORY
AND CONFIDENTIAL POSITIONS FOR THE CITY OF NEWMAN**

WHEREAS, the City Council of the City of Newman has completed an investigation concerning the salaries paid to the persons in management, supervisory and confidential positions in the City of Newman.

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

1. That the range for wages and salaries for the all management, supervisory and confidential positions of the City of Newman shall be as identified in Exhibit "A" (attached).
2. Each of said salaries and wages shall be effective as of July 1, 2011, and awarded per Personnel Rules and Regulations.+
3. These previously granted benefits shall remain in full force and effect
 - a. Maintenance of current health insurance benefits; all positions.
 - b. Sell back of up to 40 hours-unused vacation time annually, all positions.
 - c. 2% salary match towards a deferred compensation program (Chief of Police, Public Works Director, Community Development Director, Deputy City Clerk, Finance Director),

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 14th day of June, 2011 by Council Member _____, who moved its adoption, which motion was duly seconded and it was upon roll call vote adopted.

AYES:
NOES:
ABSENT:

APPROVED:

Mayor of the City of Newman

ATTEST:

Deputy City Clerk

Exhibit "A"

Salary Range #	Job Title	Monthly Salary Range					
		Step A	Step B	Step C	Step D	Step E	
17	Recreation Supervisor	2,890	3,035	3,186	3,346	3,513	
18		2,962	3,110	3,266	3,429	3,600	
19		3,035	3,187	3,346	3,513	3,689	
20		3,111	3,267	3,430	3,601	3,781	
21		3,186	3,345	3,513	3,688	3,873	
22		3,266	3,429	3,601	3,781	3,970	
23		3,346	3,513	3,689	3,873	4,067	
24		3,429	3,600	3,780	3,969	4,168	
25		3,513	3,689	3,873	4,067	4,270	
26		3,601	3,781	3,970	4,169	4,377	
27		3,689	3,873	4,067	4,270	4,484	
28		3,781	3,970	4,169	4,377	4,596	
29		Planner	3,873	4,067	4,270	4,483	4,708
30			3,970	4,169	4,377	4,596	4,826
31	PW Supervisor	4,067	4,270	4,484	4,708	4,943	
32	Deputy City Clerk	4,293	4,508	4,733	4,970	5,218	
33	PW Superintendent	4,398	4,618	4,849	5,091	5,346	
34		4,508	4,734	4,970	5,219	5,480	
35		4,619	4,849	5,092	5,347	5,614	
36		4,734	4,971	5,219	5,480	5,754	
37		4,849	5,092	5,346	5,614	5,894	
38	City Clerk	4,970	5,218	5,479	5,753	6,041	
39		5,091	5,346	5,613	5,894	6,188	
40		5,219	5,480	5,754	6,042	6,344	
41		5,346	5,613	5,894	6,188	6,498	
42	Police Lieutenant	5,480	5,754	6,041	6,343	6,660	
43		5,614	5,894	6,189	6,498	6,823	
44		5,754	6,041	6,343	6,660	6,994	
45		5,894	6,188	6,498	6,823	7,164	
46		6,041	6,343	6,660	6,993	7,343	
47		6,188	6,498	6,823	7,164	7,522	
48		Finance Director	6,344	6,661	6,994	7,344	7,711
49		6,498	6,823	7,164	7,523	7,899	
50	Public Works Director Community Development Director	6,661	6,994	7,344	7,711	8,096	
51		6,823	7,164	7,522	7,898	8,293	
52		6,994	7,343	7,711	8,096	8,501	
53	Police Chief	7,165	7,523	7,899	8,294	8,709	
54		7,343	7,710	8,096	8,500	8,925	
55		7,522	7,898	8,293	8,708	9,143	
56		7,711	8,096	8,501	8,926	9,372	

Honorable Mayor and Members
of the Newman City Council

Agenda Item: **8.e.**
City Council Meeting
of June 14, 2011

**APPROVAL AND SUPPORT OF THE CITY'S APPLICATION FOR GRANT FUNDS UNDER
THE STATEWIDE PARK DEVELOPMENT AND COMMUNITY REVITALIZATION
PROGRAM OF 2008.**

RECOMMENDATION:

Adopt Resolution No. 2011- , Approving the Application for Statewide Park Program Grant Funds.

BACKGROUND:

The mission of the California Department of Parks and Recreation (DPR) is to provide for the health, inspiration and education of the people of California by helping to preserve the state's extraordinary biological diversity, protecting its most valued natural and cultural resources and creating opportunities for high-quality outdoor recreation.

On November 7, 2006, Californian voters passed Proposition 84, the \$5.4 billion "Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006". Under this proposition, \$368 million dollars were appropriated to the Statewide Park Development and Community Revitalization Program of 2008; this funding was made available through the Sustainable Communities and Climate Change Reduction chapter in Proposition 84. This funding is to be awarded via two rounds of \$184 million dollars each.

According to DPR, parks are unique places where children can play, people can exercise, families can bond, seniors can socialize, youth can be mentored, cultures can share and celebrate their differences and everyone can connect with nature. For these reasons, vibrant parks funded by this program will be a cost-effective means of creating humane, livable communities.

Consistent with the intent of this grant program, the City of Newman has been working on plans for an Aquatic Center since 2006. Since that time, the City has successfully purchased the project site (1583 Merced Street), hired a design firm, created an aquatic design committee, obtained public input through various meetings, created/approved a schematic design and completed construction-ready plans.

In 2010, over 475 applications requesting \$1.6 billion were received for Round One funding, far exceeding available funding. Unfortunately, only 62 applications were awarded – the City's application was not one of them.

ANALYSIS:

The intent of the above-mentioned program is to award grants on a competitive basis for the creation of new parks and new recreation opportunities in proximity to the most critically underserved communities across California; the creation of new parks in neighborhoods will be given priority. These projects will benefit the health of families, youth, senior citizens and other population groups by meeting their recreational, cultural, social, educational, and environmental needs.

The Newman Aquatic Center project will meet this intent by:

- Providing a new park site for the community
- Location in an underserved community
- Benefit both various populations and public health and safety by providing a safe place to swim in addition to the creation of various recreational, cultural, social and educational programs

Agenda Item: **8.e.**

The Statewide Park Program legislation requires projects to meet six eligibility requirements.

1. Critical lack of park space or significant poverty
2. Type of project
3. Safe public use
4. Sustainable techniques
5. Project funding
6. Fees and hours of operation

Staff feels that the City's Aquatic Center Project meets these requirements and is requesting a grant in the amount of \$5,000,000.00, the maximum permitted. In an effort to make our application more competitive, staff will be proposing a scaled-down version of the project that will equal the grant amount requested. \$184,000,000 is available in round two; the application deadline is July 1, 2011.

FISCAL IMPACT:

Positive, potential grant award of \$5,000,000.00 - with no required match. Additionally, since the project is proposed to be scaled down, the City will only have to bring in minimal funding, if any, to complete the project if awarded.

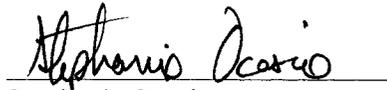
CONCLUSION:

In order to apply for the grant, the City is required to have an authorizing resolution approving the City's application for grant funds from its governing body; said resolution must have specific program-mandated language. Staff recommends approval and support of the City's 2011 Statewide Park Program Grant Funds Application through adoption of Resolution No. 2011- .

ATTACHMENTS:

1. Exhibit A – Resolution No. 2011-

Respectfully submitted,



Stephanie Ocasio
Assistant Planner

REVIEWED/CONCUR



Michael Holland
City Manager

RESOLUTION NO: 2011-

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWMAN
APPROVING THE APPLICATION FOR STATEWIDE PARK PROGRAM GRANT FUNDS**

WHEREAS, the State Department of Parks and Recreation has been delegated the responsibility by the Legislature of the State of California for the administration of the Statewide Park Program, setting up necessary procedures governing the Application; and

WHEREAS, said procedures established by the State Department of Parks and Recreation require the applicant to certify by resolution the approval of application(s) before submission of said application(s) to the State; and

WHEREAS, the applicant will enter into a contract with the State of California to complete the grant scope project;

NOW, THEREFORE, BE IT RESOLVED that the City of Newman City Council hereby:

Approves the filing of an application for the Newman Aquatic Center, and

1. Certifies that said applicant has or will have available, prior to commencement of any work on the project included in this application, the sufficient funds to complete the project; and
2. Certifies that the applicant has or will have sufficient funds to operate and maintain the project(s), and
3. Certifies that the applicant has reviewed, understands, and agrees to the General Provisions contained in the contract shown in the Grant Administration Guide; and
4. Delegates the authority to the City Manager or his/her designee to conduct all negotiations, sign and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the grant scope; and
5. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 14th of June, 2011 by Council Member _____, who moved its adoption, which motion was duly seconded and it was upon roll call carried and the resolution adopted by the following roll call vote:

AYES:

NOES:

ABSENT:

APPROVED:

Mayor of the City of Newman

ATTEST:

Deputy City Clerk of the City of Newman

Honorable Mayor and Members
of the Newman City Council

INTRODUCTION OF ORDINANCE REGARDING BARKING DOGS

RECOMMENDATION:

It is recommended that the City Council introduce Ordinance No. 2011- , requiring pet owners to take responsibility for barking dogs that disturb the peace and allow citizens the ability to file barking dog complaints with in city limits.

BACKGROUND:

The City of Newman does not have an Ordinance that addresses barking dogs with in the city. Numerous phone calls are received for barking dogs and the calls tend to come from the same complaining parties because compliance has not been received from the animal(s) owner's. This ordinance will provide an avenue for both the animal(s) owner's and the citizens that are affected by the disturbances.

ANALYSIS:

Based on the amount of complaints received for barking dogs with in the city limits a need was noticed for an Ordinance that would set guidelines for pet owners as well as citizens filing complaints. The key points of the ordinance are that when one complaint has been received the officer will check the residence to make sure that all dog(s) are licensed and ask the owner to quiet the animal(s). When a second complaint is received from another party not living in the same residence and both agree to complete a barking dog complaint form a series of fines will be administered.

Adoption of this Ordinance should help to control the amount of barking dog calls that are received and will provide a set of guidelines for complaining parties to follow when attempting to pursue a barking dog complaint. The average number of calls received a week for barking dogs is five.

FISCAL IMPACT:

This Ordinance would have a positive impact for the City of Newman in making pet owners responsible and allowing citizens the ability to address these disturbances.

CONCLUSION:

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

1. Approve the ordinance and provide the public with guidelines and the ability to file complaints against the owners involved.
2. Reject the ordinance and do not seek to provide an option for the public against the animal owners.

Staff recommends Alternative 1

ATTACHMENTS:

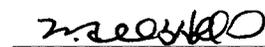
1. Proposed Ordinance 2011- Amending Title 9, Chapter 9.02.305, Adding Disturbing the Peace.
2. Barking Dog Complaint Form

Respectfully submitted,



Randy Richardson,
Chief of Police

REVIEWED/CONCUR


Michael Holland,
City Manager

ORDINANCE NO. 2011-
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEWMAN AMENDING
TITLE 9 POLICE REGULATIONS – OF THE NEWMAN CITY CODE

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

Section 1

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

9.02.305 Disturbing The Peace

It shall be unlawful for any person owning, possessing, controlling, or keeping any dog to disturb the peace and quiet of any citizen of the City. It is unlawful for any person to willfully make or continue, or cause to be made or continued, any noise which unreasonably disturbs the peace and quiet of any neighborhood. The term "any citizen" shall mean and include a prudent or reasonable individual, of ordinary sensibility, exercising reasonable care under the totality of the circumstances whose peace is disturbed by such animal(s).

(A) Keeping or maintaining, or permitting to be kept or maintained, upon any premises owned, occupied, or controlled by any person any animal which, by any frequent or long continued noise, shall cause annoyance or discomfort to two (2) or more reasonable persons of normal sensitiveness who reside in separate residences (including apartments and condominiums). At certain levels, sounds are detrimental to the health and welfare of the citizenry and, in the public interest, shall be systematically proscribed. Any noise which is audible continuously for ten (10) minutes or intermittently for thirty (30) minutes shall be prima facie evidence of such annoyance or discomfort. Factors which can be used to evaluate excessive animal noise include, but are not limited to, (a) the time of day; (b) the pitch; (c) the pattern; (d) the duration; and (e) the frequency of occurrence.

The provisions of this chapter and the remedies contained herein shall be cumulative and are not intended to replace any otherwise available remedies for public, private or mixed nuisance, nor any other civil or criminal remedies otherwise available.

(1) When one (1) citizen complaint of a noise disturbance is received, Animal Services and Control Officer(s) will establish that the animal is properly licensed with the City of Newman, if applicable, and advise the owner to quiet the animal or remove it from the City limits.

(2) When the second complaint is received from a citizen, officer(s) will establish that the complaint is coming from two affected premises and will have both parties sign and complete a Barking Dog Complaint Form.

(3) Once a Barking Dog Complaint Form has been completed the first offense is a fine of \$100.00, the second offense with in six months is a fine of \$250.00, the third offense with in twelve months is a fine of \$500.00 and a hearing by the Police Chief, or his/her designee will be held to determine if the dog is a public nuisance and needs to be removed from the residence.

fee schedule, which is periodically reviewed.

Section 2

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

Section 3

That a duly noticed public hearing was held by the City Council on June 28, 2011.

Section 4

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

Introduced and adopted at a regular meeting of the City Council of the City of Newman held on the 14th day of June, 2011 by Council Member _____, and adopted at a regular meeting of said City Council held on the 28th day of June, 2011 by the following vote:

AYES:
NOES:
ABSENT:

APPROVED:

Mayor

ATTEST:

Deputy City Clerk

NEWMAN POLICE DEPARTMENT
ANIMAL CONTROL

1200 MAIN STREET, NEWMAN, CA95360 **PHONE** 209-862-2902 **FAX** 209-862-4151

BARKING DOG COMPLAINT FORM

REPORTING PARTY

Last Name:

First Name:

Mailing Address:

City:

Zip Code:

Phone Number:

Cell Phone Number:

BARKING DOG INFORMATION

Owner's Last Name: (if known)

First Name:

Address of Barking Dog:

Description and number of barking dogs:

Have you attempted to contact the dog owner or the responsible party? **Y N**

Date: _____ Signature: _____

Honorable Mayor and Members
of the Newman City Council

Agenda Item: **10.b.**
City Council Meeting
of June 14, 2011

**APPROVE FISCAL YEAR 2011-12 ANNUAL BUDGET AS PRESENTED IN THE
PRELIMINARY BUDGET DOCUMENT**

RECOMMENDATION:

It is recommended that the Newman City Council approve the following:

1. Resolution adopting the 2011-12 Annual Budget
2. Resolution establishing the appropriations limit for Fiscal Year 2011-12.
3. Resolution adopting the 2011-12 Redevelopment Agency Annual Budget.

BACKGROUND:

The Fiscal Year 2011-12 Preliminary Budget was presented to the City Council on June 14th at the Budget Workshop. This budget puts forth staffs recommended spending plans of the City for all funds for the 2011-12 Fiscal Year. The budget includes the salaries and benefits of all city employees, operating costs of all city departments, the cost of the year's debt service payments, and the cost of various capital projects to be undertaken during the year. The budget also includes the annual revenues and expenditures for the Redevelopment Agency.

The appropriations limit is required to be established every year. Proposition 4 passed in 1979 and Proposition 111 passed in 1990, known as the Gann Initiative, creates a restriction on the amount of revenue which can be appropriated in any fiscal year. The limit is based on actual appropriations during the 1978-79 fiscal year (based year), and is allowed to increase each year based upon the calculation using a percentage change in population at of January 1 of each year in conjunction with a change in the cost of living from previous fiscal year. These calculations are provided to us by the California Department of Finance each May. The fiscal year 2011-12 appropriations limit is \$10,502,484. The City's budgeted appropriation subject to limit from proceeds of taxes is \$3,550,397. Therefore, the City's appropriation is under the legal limit by \$6,952,087. The Gann Limit calculation is shown on Exhibit A of the resolution.

ANALYSIS:

We have submitted a fiscally sound General fund budget. All funds are projected to end the fiscal year with positive balance; with the exception of Fund 42 – Storm Drain. This is due to outstanding fee credits which decline as development continues.

Adoption of the budget includes:

1. Appropriating \$3,550,397 for the General Fund as shown on page 14 of the Preliminary Budget.
2. Appropriating \$2,824,689 for Special Revenue Funds as shown on page 50 of the Preliminary Budget.
3. Appropriating \$2,920,210 for Enterprise Funds as shown on page 90 of the Preliminary Budget.
4. Appropriating \$436,890 for Capital Project Funds as shown on page 102 of the Preliminary Budget.

FISCAL IMPACT:

The City's General fund is projected to end the fiscal year with a \$2,781,733 balance as shown on page 5 of the Preliminary Budget. The deficit of \$(65,049) includes an overestimation of expenditures and conservative revenue estimates.

CONCLUSION:

Staff has worked diligently to alleviate this deficit. Staff recommends that Council approve the preliminary budget as presented. The spending plan for 2011-12 continues to provide the valuable services the citizens of Newman have come to expect and deserve from the City.

ATTACHMENTS:

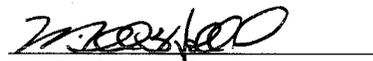
1. Resolution No. 2011-Resolution Adopting City of Newman Budget
2. Resolution No. 2011-Resolution Establishing Appropriation Limit
3. EXHIBIT A - City of Newman - Appropriations Calculations (Gann Limit) and letter from DOF.
4. Resolution No. 2011-Resolution Adopting RDA Budget

Respectfully submitted:



Lewis A. Humphries
Finance Director

REVIEWED/CONCUR:



Michael E. Holland
City Manager

RESOLUTION NO. 2011-

A RESOLUTION ADOPTING THE BUDGET FOR FISCAL YEAR 2011-2012

WHEREAS, the City Council of the City of Newman has reviewed the Final Budget for the Fiscal Year 2011-2012; and

WHEREAS, included in said budget are the necessary estimates of anticipated revenues and assessed evaluations of the properties subject to taxation by the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newman hereby adopts the Final Budget for The Fiscal Year 2011-2012.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 14th day of June, 2011 by _____, who moved its adoption, which motion was duly seconded and it was upon roll call carried and the resolution adopted by the following roll call vote:

AYES:
NOES:
ABSENT:

APPROVED:

Mayor of the City of Newman

ATTEST:

Deputy City Clerk of the City of Newman

RESOLUTION NO. 2011-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWMAN ESTABLISHING
FISCAL YEAR 2011-2012 APPROPRIATIONS LIMITATION**

WHEREAS, Article 13b of the California Constitution refers to a governmental entity's requirement for the establishment of an appropriations limit; and

WHEREAS, Senate Bill 1352, Chapter 1205, 1980, statutes adds Revenue and Taxation Code, Section 7910 which requires each local government to establish its appropriation limits by resolution each year at a regularly scheduled meeting.

NOW, THEREFORE, BE IT RESOLVED that the City of Newman's appropriations limitation for Fiscal Year 2011-2012 shall be \$10,502,484 as per Exhibit "A" attached.

BE IT FURTHER RESOLVED that any challenge to the appropriations limits as per the above mentioned government codes must be brought to the City of Newman's attention within sixty (60) days of the effective date of this resolution.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 14th day of June, 2011 by _____, who moved its adoption, which motion was duly seconded and it was upon roll call carried and the resolution adopted by the following roll call vote:

AYES:
NOES:
ABSENT:

APPROVED:

Mayor of the City of Newman

ATTEST:

Deputy City Clerk of the City of Newman

EXHIBIT "A"

**CITY OF NEWMAN
APPROPRIATIONS LIMITATION**

The appropriations limitation imposed by Proposition 4 and modified by Proposition 222 creates a restriction on the amount of revenue that can be appropriated in any fiscal year. The revenues, which are subject to the limitation, are those considered "proceeds of taxes." The basis for calculating the limit began in 1978-79 (base year established by Proposition 13) and is increased each year based on population growth and inflation.

FY 2010-2011 Limitation \$10,167,040

Annual Adjustments:

Change in population (California Department of Finance) = 0.77%

Change in per capita personal income (Department of Finance) = 2.51%

Population Factor Converted to a Ratio $\frac{0.77+100}{100}$ = 1.0077

Per Capita Factor Converted to a Ratio $\frac{2.51+100}{100}$ = 1.0251

Calculation of **FY 2011-2012 Limitation**

\$10,167,040 X 1.0077 X 1.0251 = **\$10,502,484**



May 2011

Dear Fiscal Officer:

Subject: Price and Population Information

Appropriations Limit

The California Revenue and Taxation Code, Section 2227, mandates the Department of Finance (Finance) to transmit an estimate of the percentage change in population to local governments. Each local jurisdiction must use their percentage change in population factor for January 1, 2011, in conjunction with a change in the cost of living, or price factor, to calculate their appropriations limit for fiscal year 2011-2012. Enclosure I provides the change in California's per capita personal income and an example for utilizing the price factor and population percentage change factor to calculate the 2011-2012 appropriations limit. Enclosure II provides city and unincorporated county population percentage changes, and Enclosure IIA provides county's and incorporated area's summed population percentage changes. The population percentage change data excludes federal and state institutionalized populations and military populations.

Population Percent Change for Special Districts

Some special districts must establish an annual appropriations limit. Consult the Revenue and Taxation Code, Section 2228 for further information regarding the appropriation limit. You can access the Code from the following website: "<http://www.leginfo.ca.gov/calaw.html>" check box: "Revenue and Taxation Code" and enter 2228 for the search term to learn more about the various population change factors available to special districts to calculate their appropriations limit. Article XIII B, Section 9(C), of the State Constitution exempts certain special districts from the appropriations limit calculation mandate. Consult the following website: "http://www.leginfo.ca.gov/const/article_13B" for additional information. Special districts required by law to calculate their appropriations limit must present the calculation as part of their annual audit. Any questions special districts have on this issue should be referred to their respective county for clarification, or to their legal representation, or to the law itself. No State agency reviews the local appropriations limits.

Population Certification

The population certification program applies only to cities and counties. The Federal 2010 Census population counts for cities and counties have been certified to the State Controller's Office. Revenue and Taxation Code Section 11005.6 mandates Finance to automatically certify any population estimate that exceeds the current certified population with the State Controller's Office. **Finance will certify the higher estimate to the State Controller by June 1, 2011.**

Please Note: The population estimates provided in this report incorporate 2010 Census numbers as benchmarks. Therefore, the population estimates for 2010 and 2011 published in this report for your jurisdiction may be noticeably different from the previous year estimates.

If you have any questions regarding this data, please contact the Demographic Research Unit at (916) 323-4086.

May 2011

Enclosure I

- A. **Price Factor:** Article XIII B specifies that local jurisdictions select their cost-of-living factor to compute their appropriation limit by a vote of their governing body. The cost-of-living factor provided here is per capita personal income. If the percentage change in per capita personal income is selected, the percentage change to be used in setting the 2011-2012 appropriation limit is:

Per Capita Personal Income	
Fiscal Year (FY)	Percentage change over prior year
2011-2012	2.51

- B. Following is an example using sample population change and the change in California per capita personal income as growth factors in computing a 2011-2012 appropriation limit.

2011-2012:

Per Capita Cost of Living Change = 2.51 percent
 Population Change = 0.77 percent

Per Capita Cost of Living converted to a ratio: $\frac{2.51 + 100}{100} = 1.0251$

Population converted to a ratio: $\frac{0.77 + 100}{100} = 1.0077$

Calculation of factor for FY 2011-2012: $1.0251 \times 1.0077 = 1.0330$

$$\begin{aligned}
 &10,167,040 \cdot x \\
 &1 \cdot 0077 \times \\
 &1 \cdot 0251 = \\
 &10,502,483 \cdot 89 \cdot 88
 \end{aligned}$$

0.*

Enclosure II
Annual Percent Change in Population Minus Exclusions
January 1, 2010 to January 1, 2011 and Total Population, January 1, 2011

County City	<u>Percent Change</u>	<u>--- Population Minus Exclusions ---</u>		<u>Total</u>
	2010-2011	1-1-10	1-1-11	1-1-2011
Stanislaus				
Ceres	0.63	45,386	45,670	45,670
Hughson	1.05	6,637	6,707	6,707
Modesto	0.61	201,070	202,290	202,290
Newman	2.80	10,219	10,505	10,505
Oakdale	0.93	20,648	20,839	20,839
Patterson	0.76	20,404	20,560	20,560
Riverbank	0.85	22,649	22,841	22,841
Turlock	0.74	68,428	68,931	68,931
Waterford	0.59	8,452	8,502	8,502
Unincorporated	0.66	110,110	110,840	110,840
County Total	0.72	514,003	517,685	517,685

(*) Exclusions include residents on federal military installations and group quarters residents in state mental institutions, state and federal correctional institutions and veteran homes.

RESOLUTION NO. 2011-

RDA RESOLUTION NO. 2011-

**A RESOLUTION OF THE NEWMAN REDEVELOPMENT AGENCY ADOPTING THE
BUDGET FOR FISCAL YEAR 2011-2012**

WHEREAS, the Redevelopment Agency of the City of Newman has reviewed the Final Budget for the Fiscal Year 2011-2012; and

WHEREAS, included in said budget are the necessary estimates of anticipated revenues and assessed evaluations of the properties subject to taxation by the Agency.

NOW, THEREFORE, BE IT RESOLVED by the Redevelopment Agency of the City of Newman hereby adopts the Final Budget for the Fiscal Year 2011-2012, for the Newman Redevelopment Agency.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 14th day of June, 2011 by _____, who moved its adoption, which motion was duly seconded and it was upon roll call carried and the resolution adopted by the following roll call vote:

AYES:
NOES:
ABSENT:

APPROVED:

Mayor of the City of Newman

ATTEST:

Deputy City Clerk of the City of Newman