



**AGENDA**  
**NEWMAN CITY COUNCIL/REDEVELOPMENT AGENCY**  
**REGULAR MEETING OCTOBER 11, 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. ([View Warrant Register](#))
  - c. Approval Of Minutes Of The September 27, 2011 Regular Meeting. ([View Minutes](#))
  - d. Adopt Resolution No. 2011- , Declaring Certain Personal Property Surplus Property And Authorizing Disposal And/Or Sale Of Property. ([View Report](#))
9. Public Hearings
  - a. Adopt Resolution No. 2011- , A Resolution Declaring The Existence Of A Public Nuisance Under Ordinance No. 95-4. ([View Report](#))
10. Regular Business
  - a. Report On Newman Tree Lighting Event. ([View Report](#))
  - b. Adopt Resolution No. 2011- , A Resolution Accepting The Regional Transportation Impact Fee Summary Report And Authorizing A Budget Adjustment Of \$1,000. ([View Report](#))
11. Items From District Five Stanislaus County Supervisor.
12. Items From The City Manager And Staff.
13. Items From City Council Members.
14. Adjournment.

## **Calendar of Events**

October 8 - Low Cost Animal Clinic - Pioneer Park - 9:00 A.M. To Noon  
October 10 - NCLUSD Board Meeting - 6:00 P.M.  
October 11 - City Council - 7:00 P.M.  
October 13 - Blueprint Award Luncheon  
October 14 - Furlough - City Offices Closed.  
October 15 - 2011 Healthier Choices - Biggest Loser Weigh-Out - Gustine - 10:00 A.M.  
October 18 - Two-On-Two Meeting With The School Board - 4:00 P.M.  
October 20 - Planning Commission - 7:00 P.M.  
October 25 - City Council - 7:00 P.M.  
October 29 - Youth Soccer Season Ends  
October 31 - Halloween

November 8 - Election Day  
November 9 - City Council - 7:00 P.M.  
November 10 - Recreation Commission - 7:00 P.M.  
November 11 - Veteran's Day - City Offices Closed.  
November 14 - NCLUSD Board Meeting - 6:00 P.M.  
November 15 - Two-On-Two Meeting With The School Board - 4:00 P.M.  
November 17 - Planning Commission - 7:00 P.M.  
November 22 - City Council - Cancelled.  
November 23 - City Furlough Day - City Offices Closed.  
November 24-25 - Thanksgiving Holiday- City Offices Closed.

December 8 - Recreation Commission - 7:00 P.M.  
December 12 - NCLUSD Board Meeting - 6:00 P.M.  
December 13 - City Council - 7:00 P.M.  
December 15 - Planning Commission - 7:00 P.M.  
December 20 - Two-On-Two Meeting With The School Board - 4:00 P.M.  
December 26 - Christmas Holiday- City Offices Closed.  
December 27-30 - City Furlough Days - City Offices Closed.  
December 27 - City Council - Cancelled.



**MINUTES**  
**NEWMAN CITY COUNCIL/REDEVELOPMENT AGENCY**  
**REGULAR MEETING SEPTEMBER 27, 2011**  
**CITY COUNCIL CHAMBERS, 7:00 P.M., 1200 MAIN STREET**

1. **Call To Order** - Mayor Katen 7:00 P.M.
2. **Pledge Of Allegiance.**
3. **Invocation** - Council Member 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** - None.
8. **Consent Calendar**
  - a. Waive All Readings Of Ordinances And Resolutions Except By Title.
  - b. Approval Of Warrants.
  - c. Approval Of Minutes Of The September 13, 2011 Regular Meeting.

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

**9. Public Hearings**

- a. Conduct A Public Hearing Regarding The Supplemental Law Enforcement Services Fund (SLESF) And Authorize Expenditures For Said Funding (AB 1913).

Mayor Katen Opened The Public Hearing At 7:04 P.M.

Council Member Hutchins Mentioned That Emergency Dispatch Was Already Included In The City's Budget And Questioned If The City Would Be Supplanting Those Funds And Thereby Violating The SLESF Rules.

City Manager Holland Remarked That City Had Used Those Funds For Emergency Dispatch Services Previously. Holland Pointed Out That This Year's Budget Was Completed Prior To Being Notified That The City Had Received SLESF Funding And That Council Member Hutchins Was Correct.

Council Member Hutchins Stated That He Was Just Concerned About The Potential Loss Of The Funding and City Manager Holland Agreed.

**ACTION:** On A Motion By Hutchins Seconded By Davis And Unanimously Carried, The Council Continued The Public Hearing.

**ACTION:** On A Motion By Candea Seconded By Martina And Unanimously Carried, The Council Waived Their Procedural Rules

**ACTION:** On A Motion By Candea Seconded By Martina And Unanimously Carried, The Council Rescinded Their Motion To Continue The Supplemental Law Enforcement Services Fund Public Hearing.

**ACTION:** On A Motion By Candea Seconded By Martina And Unanimously Carried, The Council Reopened The Public Hearing.

Chief Richardson Reported That He Had Made Adjustments To The Original Expenditure Plan. Richardson Informed The Council that the amended SLESF Expenditure Plan Included \$10,000 For Overtime, \$21,000 For Dispatch Services, \$44,000 For Part-Time Police Officers, \$5,000 For Training, \$6,000 For Technology And \$14,000 For Stanislaus County Drug Enforcement Agency Totaling \$100,000.

Katen Reopened The Public Hearing At 7:43 P.M.

There Being No Public Comment, Katen Closed The Public Hearing At 7:50 P.M.

**ACTION:** On A Motion By Hutchins Seconded By Davis And Unanimously Carried, The Council Authorized The Amended Supplemental Law Enforcement Services Fund (SLESF) Expenditures.

## **10. Regular Business**

- a. Adopt Resolution No. 2011-65, A Resolution Awarding A Contract To George Osner, AICP For CEQA Services In Relation To WWTP Expansion For A Not-To-Exceed Amount Of \$12,000.00 And Authorizing The City Manager To Execute Said Contract.

**ACTION:** On Motion By Davis Seconded By Hutchins And Unanimously Carried, Resolution No. 2011-65, A Resolution Awarding A Contract To George Osner, AICP For CEQA Services In Relation To WWTP Expansion For A Not-To-Exceed Amount Of \$12,000.00 And Authorizing The City Manager To Execute Said Contract Was Adopted.

- b. Authorize City Manager To Enter Into A One-Year Contract With AJM Property Management Inc.

**ACTION:** On Motion By Hutchins Seconded By Davis And Unanimously Carried, The Council Authorized The City Manager To Enter Into A One-Year Contract With AJM Property Management Inc. And Stipulated That The Contract Include A 30-Day Exit Clause.

- c. Discussion Regarding The Stanislaus County Mayor's Agriculture Preservation Map.

**ACTION:** On Motion By Hutchins Seconded By Davis And Unanimously Carried, The Council Directed Staff To Send The Mayors Map To The Planning Commission For Their Review And Recommendation.

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

Supervisor DeMartini Reminded Everyone That The Next West Side Healthcare Taskforce Meeting Would Be In Gustine On September 29<sup>th</sup> At 6:00 P.M. DeMartini Mentioned That He Would Talk to Congressman Denham Regarding The Orestimba Flood Control Project. He Reminded The Mayor And City Manager About Their Scheduled Meeting With Patterson On Thursday Morning. The Supervisor Commented That The City Growth Boundaries Should Be More Realistic And Not Just Large Boundaries That Essentially Equate To No Boundary At All.

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

City Manager Holland Reported That The City Of Newman Had Received A Blueprint Award For The Plaza Project And That The City Would Accept The Award On October 13<sup>th</sup> In Madera County. Holland Confirmed That The Council Desired To Cancel The Second City Council Meetings In November And December. He Reminded Everyone That The Biggest Loser Weigh-Out Was Scheduled For October 15<sup>th</sup> At 10:00 A.M. In Gustine, That City-Wide Fall Clean-up Week Would Begin October 10<sup>th</sup> And That The Chamber Commerce Would Be Hosting A Chicken Dinner Fundraiser On October 12<sup>th</sup> To Fund A Downtown Ice Skating Rink For This Year's Christmas Tree Lighting Event.

Chief Richardson Reminded The Community That The City Would Be Hosting A Low Cost Animal Clinic At Pioneer Park From 9:00 AM To Noon On October 8<sup>th</sup>.

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

Council Member Hutchins Reported That He And Mayor Katen Had Attended The League Of California Cities Annual Conference And While At The Conference He Come Across An Exhibitor Who Had Facilitated The Completion Of Flood Mitigation Measures On Tracy Creek, North Of Newman; Hutchins Suggested That It Might Be A Good Idea To Meet With This Company And Discuss Orestimba Creek. He Summarized Some Of The Resolutions That The League Membership Considered During The Annual Business Meeting.

Mayor Katen Noted That The This Year's League Of California Cities Annual Conference Was A Good Conference With Great Speakers And Good Dialogue That Covered A Variety Of Topics. Katen Reminded The Council Members About The Ground Breaking Ceremony For The New Juvenile Justice Commitment Facility On October 18<sup>th</sup>. The Mayor Congratulated The City For Receiving The Blueprint Award And Encouraged Both Council Members And Staff To Attend.

#### **14. Adjournment.**

**ACTION:** On Motion By Katen Seconded By Hutchins And Unanimously Carried, The Meeting Was Adjourned At 8:26 P.M.

# Accounts Payable

## AP Check Register for Council



City of Newman  
1162 MAIN ST  
PO BOX 787  
NEWMAN, CA 95360

User: efaria

Printed: 10/06/2011 - 1:02 PM

Check Nu	Check D	Name	Account	Description	Amount
100425	10/7/2011	Alameda County Sheriff's Office	10-21-669	POST Trng/Noel Borden	400.00
100426	10/7/2011	AMERICAN MOBILE SHREDDING	10-21-620	2 bin shredding service/PD	50.00
100427	10/7/2011	AMERICAN SOCCER COMPANY,	10-45-673	Soccer jerseys	26.91
100427	10/7/2011	AMERICAN SOCCER COMPANY,	10-45-673	Soccer jerseys	97.16
100428	10/7/2011	Apostolic Templo Emmanuel	10-00-284	Refund Memorial Bldg deposit/Apostolic Church	100.00
100429	10/7/2011	AT&T	10-14-642	Monthly telephone service/862-1322	67.88
100430	10/7/2011	Avid Identification Systems, Inc	10-21-630	Animal identification chips	579.97
100431	10/7/2011	AVID TRAFFIC SUPPLIES	10-33-630	Glass beads/white & yellow paint/street painting supplies	1,084.76
100433	10/7/2011	BAY PARK HOTEL	10-21-669	Lodging/POST Trng/Earle	467.00
100434	10/7/2011	BELL JAMES J.	10-21-620	Contract serv/evidence clerk 9-16to 9-30-11	526.88
100435	10/7/2011	BERTOLOTTI DISPOSAL	10-41-620	Garbage service/Sept 2011	54,248.17
100432	10/7/2011	B G AUTO	10-33-653	3 quarts motor oil	11.27
100432	10/7/2011	B G AUTO	10-33-630	paint thinner/wheel bearing grease	666.90
100432	10/7/2011	B G AUTO	10-44-653	2 quarts motor oil	6.42
100437	10/7/2011	BORGE'S GLASS & MIRROR	63-56-653	replaced windshield on 1993 Ford pickup	150.00
100436	10/7/2011	BORDEN, II NOEL T.	10-21-669	Per Diem/POST trng/Borden	500.00
100439	10/7/2011	CAL TRAFFIC SIGNS	10-33-630	re-surfaced 10 stop signs	365.08
100440	10/7/2011	CALIF DEPT OF PUBLIC HEAL	63-56-663	Grade T2 water treatment certification/Reynolds	60.00
100441	10/7/2011	CARTER JEFF	68-68-772		100.00
100442	10/7/2011	CBA (ADMIN FEES)	10-00-226	Dental-vision admin fees/Oct 2011	214.50
100438	10/7/2011	C B MERCHANT SERVICES,INC	63-56-663	Bad debt reimbursement	138.79
100443	10/7/2011	CENTRAL SANITARY SUPPLY	10-44-666		45.23
100443	10/7/2011	CENTRAL SANITARY SUPPLY	10-44-667		22.62
100443	10/7/2011	CENTRAL SANITARY SUPPLY	10-07-630		11.31
100443	10/7/2011	CENTRAL SANITARY SUPPLY	10-21-630		11.30
100443	10/7/2011	CENTRAL SANITARY SUPPLY	10-07-666		5.66
100443	10/7/2011	CENTRAL SANITARY SUPPLY	10-22-630		5.65
100443	10/7/2011	CENTRAL SANITARY SUPPLY	10-44-630		5.66
100443	10/7/2011	CENTRAL SANITARY SUPPLY	10-46-630		5.65
100444	10/7/2011	City National Bank	60-50-812	Interest paymnt/1999 Certificates of Participation WWTP	21,539.41
100445	10/7/2011	CODE PUBLISHING COMPANY	10-03-626	City code electronic update	286.00
100446	10/7/2011	COELHO CARL J. (CHUCK)	10-22-650		50.00
100447	10/7/2011	COMCAST CABLE	60-50-620	High speed internet/sewer	31.63
100447	10/7/2011	COMCAST CABLE	63-56-620	High speed internet/water	31.64
100447	10/7/2011	COMCAST CABLE	10-21-620	High speed internet/PD	31.63
100448	10/7/2011	COOKSEY JEREMY	10-21-669	Per diem/Cooksey	40.00
100449	10/7/2011	CROP PRODUCTION SERVICES	60-50-623	AP/NIT gold/WWTP	2,424.00
100450	10/7/2011	CSJVRMA	10-15-663	Liability ins/2nd quarter 11/12	4,166.00
100450	10/7/2011	CSJVRMA	60-50-663	Liability ins/2nd quarter 11/12	4,166.00
100450	10/7/2011	CSJVRMA	63-56-663	Liability ins/2nd quarter 11/12	4,166.00
100450	10/7/2011	CSJVRMA	10-00-229	Worker's comp ins/2nd quarter 11/12	21,217.00
100451	10/7/2011	CVS Flags.com	68-68-662	36 US Flags	522.00
100452	10/7/2011	DONLEE PUMP COMPANY	60-50-620	Performed annual APCD testing/convault/WWTP	371.83
100453	10/7/2011	ECONOMIC TIRE SHOP	60-50-653	4 new tires mounted & balance	199.99
100453	10/7/2011	ECONOMIC TIRE SHOP	69-47-653	4 new tires mounted & balance	199.99

Check Nu	Check D	Name	Account	Description	Amount
100455	10/7/2011	ENERGY SYSTEMS	63-56-622	cooling water hose	147.92
100456	10/7/2011	FGL ENVIRONMENTAL, INC	60-50-620	Bacti & inorganic and support analyses/WWTP	2,591.00
100457	10/7/2011	FIREtoWIRE, INC	10-02-620	MANAGER	6.99
100457	10/7/2011	FIREtoWIRE, INC	63-56-620	WATER	6.99
100457	10/7/2011	FIREtoWIRE, INC	60-50-620	SEWER	6.99
100457	10/7/2011	FIREtoWIRE, INC	10-14-620	FINANCE	3.50
100457	10/7/2011	FIREtoWIRE, INC	10-21-620	POLICE	6.98
100457	10/7/2011	FIREtoWIRE, INC	10-22-620	FIRE DEPT	3.50
100458	10/7/2011	Ford's Farm Supply	60-50-653	Hydrolic hose and fittings for backhoe	65.54
100461	10/7/2011	GARTON TRACTOR	60-50-653	power steering hose & fittings/Case tractor	19.80
100463	10/7/2011	Green Rubber-Kennedy Ag	63-56-622	Parker hose/Hose barb brass/brass ferrule/Well #8	18.59
100464	10/7/2011	GROENIGER & CO.	63-56-630	Romac double strap service saddles/water dept	349.81
100465	10/7/2011	HALLINAN TOM	10-15-620		525.00
100465	10/7/2011	HALLINAN TOM	60-50-620		525.00
100465	10/7/2011	HALLINAN TOM	63-56-620		525.00
100466	10/7/2011	HEWLETT-PACKARD FINANCIAL	10-21-620	Hardware lease 10/18/11 to 11/17/11/PD	585.77
100467	10/7/2011	HOUSE STEPHANIE	10-45-673	Reimbursement for teen center snack bar/House	176.14
100469	10/7/2011	IKON OFFICE SOLUTIONS	10-14-630	staples for copier/city hall	13.60
100469	10/7/2011	IKON OFFICE SOLUTIONS	60-50-630	staples for copier/city hall	13.60
100469	10/7/2011	IKON OFFICE SOLUTIONS	63-56-630	staples for copier/city hall	13.60
100470	10/7/2011	IMAGE UNIFORMS	71-21-710	1 body armor with carrier/Gosselin	1,032.94
100468	10/7/2011	IDEXX LABORATORIES, INC.	63-56-630	testing supplies/water dept	313.91
100471	10/7/2011	INFOSEND, INC	10-33-620	street sweeping schedule inserts/mailing	369.00
100472	10/7/2011	JOE'S LANDSCAPING & CONCR	10-44-630	3 rainbird pop-ups/25 half spray nozzles	72.08
100472	10/7/2011	JOE'S LANDSCAPING & CONCR	69-47-630	12 pvc red tee soc/Sherman parkway	51.54
100472	10/7/2011	JOE'S LANDSCAPING & CONCR	69-47-630	Pvc red tee soc/Sherman parkway	70.43
100472	10/7/2011	JOE'S LANDSCAPING & CONCR	10-33-630	cap socket fitting	2.04
100472	10/7/2011	JOE'S LANDSCAPING & CONCR	69-47-630	25/15ft half spray nozzles/25 6" pop-ups	248.68
100472	10/7/2011	JOE'S LANDSCAPING & CONCR	10-33-630	25 rainbird quarter spray nozzles	69.53
100473	10/7/2011	KAISER PERMANENTE	10-00-226	Health insurance premium/Nov 2011	1,974.00
100474	10/7/2011	La Quinta Inns & Suites	10-21-669	Lodging/POST trng/Borden	491.00
100475	10/7/2011	LERNO, SR LARRY	10-00-284	Refund Memorial Bldg deposit/Lerno	200.00
100476	10/7/2011	MALLARD EXPRESS AUTO	10-21-653	Replaced front brake rotors & pads/oil & filter change	349.33
100459	10/7/2011	FRANK B. MARKS & SON, INC	63-56-630	4.93 tons concrete sand	61.67
100479	10/7/2011	Max-R	17-41-630	2 round dog waste stations/dog park	945.00
100480	10/7/2011	MITCHELL INSTRUMENTS	60-50-630	Digital clamp meter	109.69
100481	10/7/2011	NEWMAN ACE HARDWARE/JAC	10-07-630	misc fastners/14 fluor bulbs/polsih/vacuum cleaner/caulk & gun	402.73
100481	10/7/2011	NEWMAN ACE HARDWARE/JAC	69-47-630	Off/keys/paintbrush/spray paint	50.84
100481	10/7/2011	NEWMAN ACE HARDWARE/JAC	10-44-630	bolts/extension cords/edger blade/recpticle/glue/charcl	258.51
100481	10/7/2011	NEWMAN ACE HARDWARE/JAC	63-56-630	pruner/bleach/duct tape	32.70
100481	10/7/2011	NEWMAN ACE HARDWARE/JAC	60-50-630	brush/lube/dish soap/trash bags	56.80
100481	10/7/2011	NEWMAN ACE HARDWARE/JAC	10-22-630	2 gals white vinegar	8.57
100481	10/7/2011	NEWMAN ACE HARDWARE/JAC	10-21-630	blade recptical/qwik fix coupling/markng paint	4.28
100481	10/7/2011	NEWMAN ACE HARDWARE/JAC	10-33-630	blade recptical/qwik fix coupling/markng paint	128.54
100482	10/7/2011	NORMAC, INC.	69-47-630	multiple rainbird sprinklers and parts/Sherman Parkway	304.11
100483	10/7/2011	OPERATING ENGINEERS/	10-00-226	Health ins premium/Nov 2011	2,599.00
100485	10/7/2011	PATTERSON AUTO CARE, INC	10-21-653	Removed & replaced AVS control module/2006 Ford	780.75
100485	10/7/2011	PATTERSON AUTO CARE, INC	10-21-653	Mounted and balanced 4 new tires/2005 Honda	293.21
100485	10/7/2011	PATTERSON AUTO CARE, INC	10-21-653	Mounted & balanced 4 new tires/oil & filter change/align	694.81
100484	10/7/2011	P G & E	10-07-641	Electric & gas for Grand Lodge/8/9 to 9/7/11	266.60
100484	10/7/2011	P G & E	10-07-641	Gas & electric 7/19 to 9/16/11	2,399.84
100484	10/7/2011	P G & E	10-22-641	Gas & electric 7/19 to 9/16/11	327.45
100484	10/7/2011	P G & E	10-33-641	Gas & electric 7/19 to 9/16/11	5,005.19
100484	10/7/2011	P G & E	10-44-641	Gas & electric 7/19 to 9/16/11	729.13
100484	10/7/2011	P G & E	10-45-641	Gas & electric 7/19 to 9/16/11	148.20

Check Nu	Check D	Name	Account	Description	Amount
100484	10/7/2011	P G & E	10-46-641	Gas & electric 7/19 to 9/16/11	338.75
100484	10/7/2011	P G & E	10-44-666	Gas & electric 7/19 to 9/16/11	656.55
100484	10/7/2011	P G & E	10-07-666	Gas & electric 7/19 to 9/16/11	166.09
100484	10/7/2011	P G & E	10-44-667	Gas & electric 7/19 to 9/16/11	304.36
100484	10/7/2011	P G & E	18-70-773	Gas & electric 7/19 to 9/16/11	13.31
100484	10/7/2011	P G & E	60-50-641	Gas & electric 7/19 to 9/16/11	22,895.81
100484	10/7/2011	P G & E	62-60-641	Gas & electric 7/19 to 9/16/11	281.92
100484	10/7/2011	P G & E	62-60-641	Gas & electric 7/19 to 9/16/11	1,621.64
100484	10/7/2011	P G & E	63-56-641	Gas & electric 7/19 to 9/16/11	18,007.58
100484	10/7/2011	P G & E	69-47-641	Gas & electric 7/19 to 9/16/11	3,143.88
100484	10/7/2011	P G & E	73-70-665	Gas & electric 7/19 to 9/16/11	491.61
100484	10/7/2011	P G & E	73-70-667	Gas & electric 7/19 to 9/16/11	853.76
100486	10/7/2011	PIONEER DRUG	63-56-630		35.81
100487	10/7/2011	PRECISION INSPECTION, INC	10-23-621	Bldg permit issuance/Sept 2011	496.34
100487	10/7/2011	PRECISION INSPECTION, INC	10-23-621	Plan check fees/Sept 2011	75.00
100487	10/7/2011	PRECISION INSPECTION, INC	10-23-621	In-house plan check fees/Sept 2011	212.57
100487	10/7/2011	PRECISION INSPECTION, INC	10-23-621	Bldg permit finals/Sept 2011	255.59
100487	10/7/2011	PRECISION INSPECTION, INC	10-23-624	Business license inspections/Sept 2011	75.00
100487	10/7/2011	PRECISION INSPECTION, INC	10-23-621	Real estate inspections/Sept 2011	90.00
100488	10/7/2011	RALEY'S IN STORE CHARGE	10-46-630	Foam cups	10.74
100488	10/7/2011	RALEY'S IN STORE CHARGE	10-14-630	Sugar/coffee filters	5.79
100488	10/7/2011	RALEY'S IN STORE CHARGE	10-46-630	foam cups/corp yard	5.37
100488	10/7/2011	RALEY'S IN STORE CHARGE	63-56-630	coffee creamer/coffee filters	8.09
100489	10/7/2011	ROPER, MAJESKI, KOHN & BE	10-44-620	Professional services thru 8/31/11	97.50
100489	10/7/2011	ROPER, MAJESKI, KOHN & BE	60-50-620	Professional services thru 8/31/11	32.50
100490	10/7/2011	SAN JOAQUIN VALLEY AIR	60-50-667	Portable IC engine-sewer machine registration/annual	209.10
100491	10/7/2011	SIERRA DISPLAY, INC.	68-68-662	Tune-up of existing light line/downtown 2011 Holiday	1,338.90
100493	10/7/2011	STANISLAUS COUNTY FIRE CH	10-22-620	Annual regional fire RMS data base admin	420.83
100495	10/7/2011	STAPLES ADVANTAGE	10-14-630	cover stock/colored copy paper/cash register rolls	24.57
100495	10/7/2011	STAPLES ADVANTAGE	60-50-630	cover stock/colored copy paper/cash register rolls	24.57
100495	10/7/2011	STAPLES ADVANTAGE	63-56-630	cover stock/colored copy paper/cash register rolls	24.58
100495	10/7/2011	STAPLES ADVANTAGE	10-21-630	Typewriter ribbon	8.87
100495	10/7/2011	STAPLES ADVANTAGE	10-14-630	boc files/post-it flags/sorter	13.59
100495	10/7/2011	STAPLES ADVANTAGE	60-50-630	boc files/post-it flags/sorter	13.59
100495	10/7/2011	STAPLES ADVANTAGE	63-56-630	boc files/post-it flags/sorter	13.59
100495	10/7/2011	STAPLES ADVANTAGE	10-14-630	8 tier incline sorter	4.65
100495	10/7/2011	STAPLES ADVANTAGE	60-50-630	8 tier incline sorter	4.65
100495	10/7/2011	STAPLES ADVANTAGE	63-56-630	8 tier incline sorter	4.65
100492	10/7/2011	STAN COUNTY SHERIFF'S REG	10-21-669	POST trng registration (STOP)/Cooksey	838.00
100494	10/7/2011	STANTEC CONSULTING SERVIC	60-50-620	Wastewater On-call services 2011-2012	3,629.50
100496	10/7/2011	SUN VALLEY PORTABLES	10-44-620	Portable restroom rental-service/Sept 2011	155.73
100497	10/7/2011	T.H.E. OFFICE CITY	10-14-630	calculator tape	11.88
100497	10/7/2011	T.H.E. OFFICE CITY	60-50-630	calculator tape	11.87
100497	10/7/2011	T.H.E. OFFICE CITY	63-56-630	calculator tape	11.87
100497	10/7/2011	T.H.E. OFFICE CITY	10-14-630	Inked PAID stamp	10.13
100497	10/7/2011	T.H.E. OFFICE CITY	10-14-630	5 cases copy paper	60.83
100497	10/7/2011	T.H.E. OFFICE CITY	60-50-630	5 cases copy paper	60.83
100497	10/7/2011	T.H.E. OFFICE CITY	63-56-630	5 cases copy paper	60.82
100498	10/7/2011	THOMPSON CHEVROLET-BUICK	10-21-653	new transmitter programed	103.96
100454	10/7/2011	ELESHIO TONY	10-33-630	Repaired extended gas pole saw	40.00
100478	10/7/2011	MARTINEZ DENISE A.&IVAN	63-00-201	Refund Check	11.97
100462	10/7/2011	GODINEZ MARLENE	63-00-201	Refund Check	26.84
100460	10/7/2011	GARCIA DANIEL	63-00-201	Refund Check	17.75
100477	10/7/2011	MARIN GELACIO	63-00-201	Refund Check	47.61
100499	10/7/2011	UNITED STATES POSTMASTER	10-21-633	2 rolls postage stamps	88.00

Check Nu	Check D	Name	Account	Description	Amount
100500	10/7/2011	VALLEY PARTS SERVICE	60-50-6530	fuel hose/washer fluid	21.96
100500	10/7/2011	VALLEY PARTS SERVICE	10-22-6530	glass cleaner/Armor All	16.21
100500	10/7/2011	VALLEY PARTS SERVICE	69-47-6530	tail lamp	4.71
100500	10/7/2011	VALLEY PARTS SERVICE	63-56-622	Stik hose	35.84
100500	10/7/2011	VALLEY PARTS SERVICE	63-56-622	Returned antifreeze	-67.06
100500	10/7/2011	VALLEY PARTS SERVICE	63-56-622	Stik Hose/antifreeze	205.31
100500	10/7/2011	VALLEY PARTS SERVICE	10-21-6530	Lamp bulb	33.03
100501	10/7/2011	VARGAS GEORGE	10-22-6500		50.00
100502	10/7/2011	Williams Ashley	10-21-6200	Security for Homecoming/Williams	108.30
100503	10/7/2011	YANCEY LUMBER COMPANY	10-21-6300	Nutro rice & lamb dog food/PD	50.46

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203,803.36

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# Accounts Payable

## Check Detail

User: efaria  
Printed: 10/04/2011 - 2:36PM



City of Newman  
1162 MAIN ST  
PO BOX 787  
NEWMAN, CA 95360

Check Number	Check Date		Amount
<b>BUS05 - BUSINESS CARD</b>			
100424	10/03/2011		
Inv	09/11/11		
<u>Line Item Date</u>	<u>Line Item Description</u>		
09/11/2011	Car washes/PD		16.00
09/11/2011	Hot sauce/teen center snack bar supplies		25.87
09/11/2011	correct tape/glue stick/sharpies/project board		21.00
09/11/2011	jerseys/balls/first aid kit		282.96
09/11/2011	City clerks assoc dues/Maier		165.00
09/11/2011	Police chiefs assoc. dues/Richardson		300.00
Inv 09/11/11 Total			810.83
100424 Total:			810.83
<b>BUS05 - BUSINESS CARD Total:</b>			
			810.83
<b>MAD01 - Madera County Transportation Commission</b>			
100423	09/28/2011		
Inv	09/28/11		
<u>Line Item Date</u>	<u>Line Item Description</u>		
09/28/2011	Blueprint awards luncheon-plaza/Ocasio		30.00
09/28/2011	Blueprint awards luncheon-plaza/Reynolds		30.00
09/28/2011	Blueprint awards luncheon-plaza/Holland		30.00
09/28/2011	Blueprint awards luncheon-plaza/R. Davis		30.00
Inv 09/28/11 Total			120.00
100423 Total:			120.00
<b>MAD01 - Madera County Transportation Commission Total:</b>			
			120.00
<b>USB04 - US BANK</b>			
100422	09/23/2011		
Inv	09/23/2011		
<u>Line Item Date</u>	<u>Line Item Description</u>		
09/23/2011	HSA deposit/Sarah Mendonca		250.00
09/23/2011	HSA deposit/Sarah Mendonca		250.00
09/23/2011	HSA deposit/Sarah Mendonca		250.00
Inv 09/23/2011 Total			750.00

Check Number    Check Date

Amount

100422 Total:

750.00

USB04 - US BANK Total:

750.00

Total:

1,680.83

**DECLARE CERTAIN PROPERTY AS SURPLUS AND APPROVE OF ITS DISPOSAL**

**RECOMMENDATION:**

Adopt Resolution No. 2011- , a resolution declaring certain property as surplus property and authorizing disposal by salvage, destruction, or auction.

**BACKGROUND:**

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

The Police Department has a 2002 Chevrolet Tahoe that was replaced by a 2011 unit. The Police Department no longer has a use for the 2002 Tahoe and it should be salvaged. The Police Department also has a document shredder that has become inoperable and should be destroyed.

The Police Department's property room has a collection of seventeen bicycles that have been acquired as safekeeping or found property. Property has previously been auctioned by a private company, propertyroom.com, and the collection of bicycles should again be disposed of in this way.

**ANALYSIS:**

The salvage sale of the 2002 Tahoe and the auction sales of the bicycles will bring in a small amount of revenue.

**FISCAL IMPACT:**

The fiscal impact will potentially be a positive influx of revenue for the general fund of a small, undetermined amount.

**CONCLUSION:**

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

**ATTACHMENTS:**

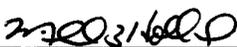
- 1) Resolution No. 2011-
- 2) List of City-owned property and Police property room items for surplus

Respectfully submitted,



Brett Short, Police Lieutenant

**REVIEWED/CONCUR:**



Michael Holland, City Manager

**RESOLUTION NO. 2011-**

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

WHEREAS, the City from time to time has property that becomes obsolete, is not repairable, or no longer has use for the property; and

WHEREAS, the Police Department has a 2002 Chevrolet Tahoe that was replaced by a 2011 unit. The Police Department no longer has a use for the 2002 Tahoe and it should be salvaged; and

WHEREAS, the Police Department also has a document shredder that has become inoperable and should be destroyed; and

WHEREAS, the Police Department's property room has a collection of seventeen bicycles that have been acquired as safekeeping or found property. Property has previously been auctioned by a private company, propertyroom.com, and the collection of bicycles should again be disposed of in this way.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newman to declare the aforementioned property as surplus property and authorizing its disposal by salvage, destruction, or auction.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 11<sup>th</sup> day of October, 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:

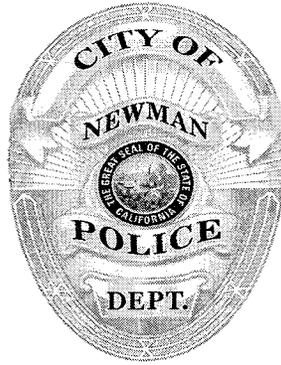
AYES:  
NOES:  
ABSENT:

APPROVED:

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

ATTEST:

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



**Description of Surplus Property**

- 1) Department: Police  
Property Type: Vehicle  
Property Description: 2002 Chevrolet Tahoe  
Property Identification: VIN 1GNEC13Z82J329997  
Reason for Surplus: Vehicle Replacement  
Disposition: Salvaged
  
- 2) Department: Police  
Property Type: Office Equipment  
Property Description: Sanyo SBS-520 document shredder  
Property Identification: Newman Asset tag #0160  
Reason for Surplus: Inoperable  
Disposition: Destroy

**OCTOBER 2011 NPD PROPERTY ROOM BICYCLES FOR SURPLUS**

<u>BRAND</u>	<u>SERIAL</u>
DIAMONDBACK	ACA05F024325
ROADMASTER	MC01173321
TREK	1036U031
HYUNDAI	AX317997
HUFFY	SNHEE03J760
DISNEY	0B03K30883
INDUSTRIES	AJO5I00065
RAZOR	YM101W020-03096220
HUFFY	96292-9114621F9392
NEXT	UNKNOWN
RAND	C98625357
ROADMASTER	SNFSD08B00478
UNKNOWN	M9J93574
SPECIALIZED	M2KN23194
CHROME	S8FY06158
SCHWINN	UNKNOWN
PEDDLE CART	NONE

**Total bicycles**

**17**

Honorable Mayor and Members  
of the Newman City Council

Agenda Item: **9.a.**  
City Council Meeting  
of October 11, 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, October 10, 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:**

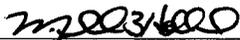
1. Resolution No. 2011- , a resolution declaring the existence of a public nuisance
2. Exhibit A – Abatement List

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 October 11, 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 11th day of October, 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

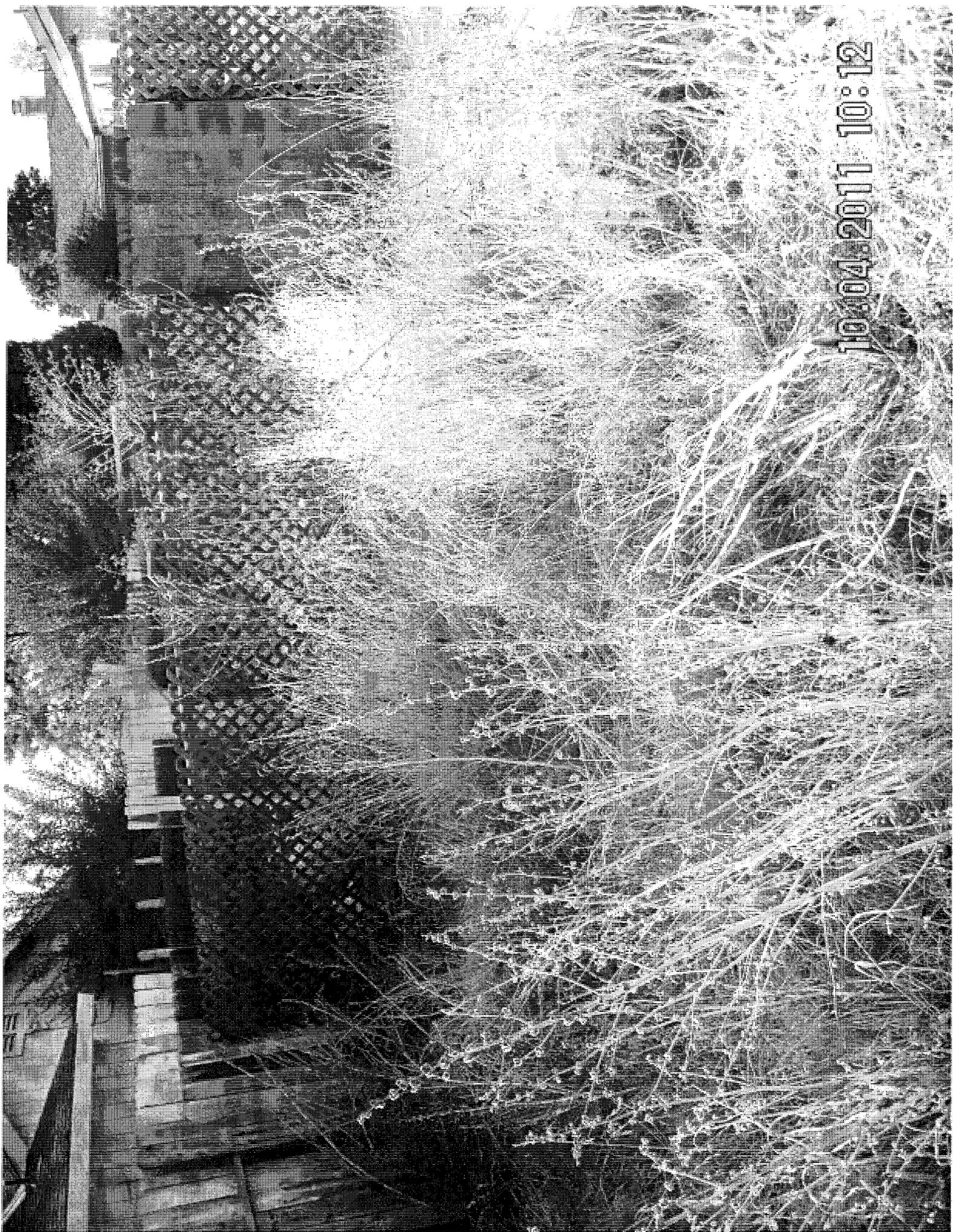
**City of Newman**  
Abatement list

**1. 1002 Blue Bonnet**

Tall grass and weeds throughout the backyard of the property



10.04.2011 10:11



10/04/2011 10:12

10.04.2011 10:18



**REPORT ON NEWMAN CHAMBER OF COMMERCE TREE LIGHTING EVENT AT THE  
DOWNTOWN PLAZA**

**RECOMMENDATION:**

Staff recommends the City Council approve the Newman Chamber of Commerce tree lighting event scheduled at the Downtown Plaza on December 3<sup>rd</sup> 2011 from 2 P.M. to 7 P.M.

**BACKGROUND:**

The Newman Chamber of Commerce has requested exclusive use of the Downtown Plaza, and the 1300 block of Main Street, on December 3<sup>rd</sup> 2011 from 2 P.M. to 7 P.M. to host the annual tree lighting event. Event organizers have scheduled fire truck rides from 2 P.M. to 4:30 P.M., food and craft booths, and the possibility of an artificial ice skating rink. There will be a D.J. playing holiday music during the duration of the event and **NO** alcohol will be served or sold. The event date has no known conflicts with other community events. The event organizers are seeking council approval for this year's event.

**ANALYSIS:**

As of the date and time of the preparation of this staff report, the Chamber is the final stages of planning this event. Any subsequent changes will be reported out by staff during the presentation of this report.

The Chamber of Commerce has made the following requests:

- ❖ Exclusive use of the Downtown Plaza and the 1300 block of Main Street. Street Closures at Main/Tulare and Main/Fresno.
- ❖ Use of Plaza restroom facilities and electrical power at the location.
- ❖ Waive Standards for Downtown Events in the areas of:
  - Day of operation. This is a Saturday event. Per standards, Sunday is the preferred day.
  - Music hours of operation. Amplified music is scheduled until 7 P.M. Per standards, music to cease by 6 P.M.
  - Clean-up deposit. Downtown standards require a \$1,000.00 deposit refundable upon satisfactory cleaning of the affected area. The Newman Chamber of Commerce assures staff that they will thoroughly clean up.
  - Business licenses. Downtown standards require all vendors to be licensed for business within the City.
  - Insurance reduction to \$1,000,000.00. Current standards indicated a figure of \$3,000,000.00 naming the City as an additional insured party.
  - Traffic/crowd control device costs. City-owned barricades could be utilized.

All other Standards for Downtown events will apply.

Event organizers have prepared a configuration for the event which has the 1300 block of Main Street closed to vehicular traffic and will be used for the vendor booths. The east plaza parking lot will be open for public parking and the west parking lot closed to vehicular traffic for the portable, artificial ice skating rink.

**FISCAL IMPACT:**

There will be no direct fiscal impact as a result of this event.

**CONCLUSION:**

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

1. Approve the event as indicated.
2. Reject the event.

Staff recommends Alternative 1.

**ATTACHMENTS:**

- 1) Standards for downtown events
- 2) Proposed site event map
- 3) Event flyer

Respectfully submitted,



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Brett Short  
Police Lieutenant

**REVIEWED/CONCUR:**



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Michael Holland  
City Manager

## STANDARDS FOR DOWNTOWN EVENTS

(Adopted November 14, 2006)

1. **DAYS:**  
One Day Event: Sunday Preferred  
Two Day Events: Saturday & Sunday or Sunday & Monday may be allowed on holiday weekends
2. **HOURS:**  
Events should be scheduled during daylight hours. Events may not begin prior to 7:00 a.m. or end later than 7:00 p.m.
3. **STREET USAGE:**  
First time event: One block  
Anticipated crowd size: 1000 or less - one block  
1000 or more - two blocks  
2000 or more - three blocks
4. **INSURANCE:**  
Three Million dollar policy naming the City as an additional insured. This must be received by the City three weeks prior to the event.
5. **SECURITY:**  
Total cost of security for the event will be the responsibility of the event organizer. One half of the anticipated cost of police services will be deposited with the City Finance Department two weeks prior to the event.  
  
General event: 1 officer per 200 attendees or as deemed necessary by the Chief of Police.  
  
Alcohol/Bands/Dances - 2 officers per 300 attendees or more if required by the Chief of Police.
6. **MUSIC:**  
No amplified sound systems before 10 A.M. or after 6 P.M. unless approved by the Chief of Police.
7. **ELECTRICAL:**  
Extension cords shall be a minimum of 14-3 gauge wire and properly sized for intended use. The cords shall be protected from abrasions caused by foot traffic and shall be placed so as not to cause a tripping hazard. Use of City electrical outlets must be requested and approved by the City Council

8. **EVENT PLAN:**  
The applicant is to complete a street closure plan for barricading the downtown streets and provide a site plan for the location of any portable stages, alcohol sales, and other semi-permanent structures. Included in this site plan should be any special requests of the city including use of electrical outlets. This must be submitted to the Chief of Police or his designee 60 days prior to the date of the event.
9. **CLEAN UP:**  
The event organizer will be responsible for cleaning the streets, sidewalks and other public areas used by the event. A \$1,000.00 deposit will be required. The deposit will be refunded if all city property is cleaned to the satisfaction of the Director of Public Works or his designee.
10. **APPROVAL OF AFFECTED BUSINESSES:**  
First Time Events: Provide written approval of at least 75 percent of any business affected by the proposed street closure in the blocks involved.  
  
Yearly Events: Provide a flyer making the downtown business community aware of the type of event, date, time and streets to be used.  
  
Notification must be completed at least 45 days prior to the City Council meeting and must be approved by the Chief of Police or his designee.
11. **BUSINESS LICENSES:**  
All local and out of town vendors/businesses conducting sales of goods or services shall have a business license with the City of Newman prior to participating in the event.
12. **HEALTH PERMITS:**  
Food vendors shall obtain a Stanislaus County Health Permit prior to the sale of any food items.
13. **CANOPIES OR OTHER TEMPORARY STRUCTURES:**  
All temporary structures including but not limited to stages, platforms and booth structures must be inspected by the City's Building Department on the day of the event. Any direct cost to the City for this service will be the responsibility of the fundraiser/organizer. Any use of canopies must be inspected and approved by a designee of the City on the day of the event.
14. **BLEACHERS:**  
All bleachers must be inspected by the City's Building Department the day of the event. Any direct cost to the City for this service will be the responsibility of the fundraiser/organizer.
15. **ADVERTISING:**  
The event organizer shall not advertise or promote the event until the event has been approved by the City Council

16. **ALCOHOL:**

The sale or providing of alcohol shall be done under the following conditions:

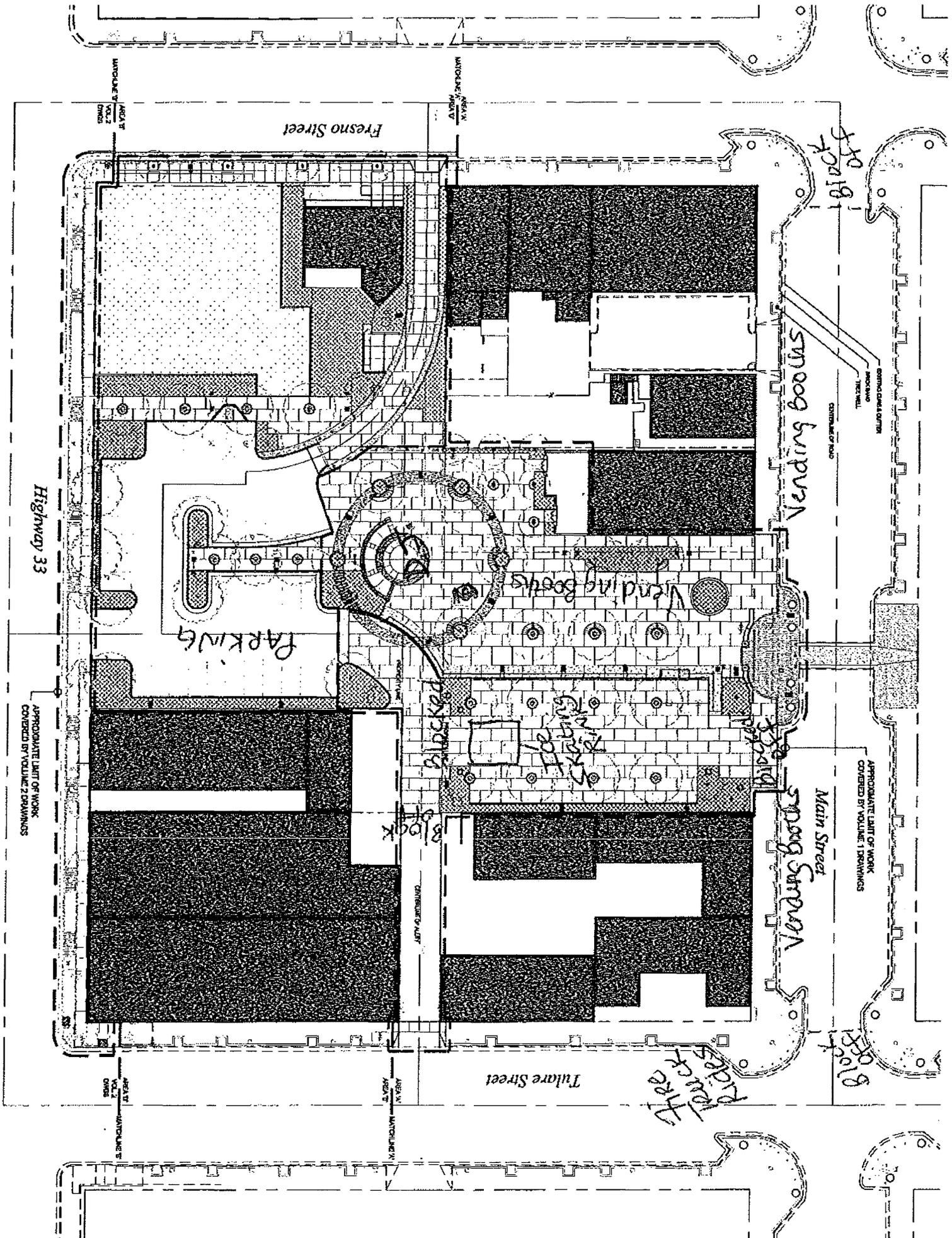
- A. That it is the fundraiser/organizers responsibility to make sure vendors obtain an on sale one-day permit from the California Alcohol Beverage Control Board (commonly known as ABC). This must be done and received by the City two weeks prior to the event.
- B. That alcohol is served in paper or plastic cups (no glass cups or bottles).
- C. That no alcohol sold inside any establishment can be consumed in the street closure area.
- D. That the City Council approves the use of the street closure for a beer garden and that they waive the city ordinance prohibiting consumption of alcohol on public streets.

17. **TRAFFIC/CROWD CONTROL DEVICES:**

The fundraiser/organizer will be responsible for the direct cost of barricades, no parking signs, and any other required devices.

18. **STATEMENT OF FUNDS**

The fundraiser/organizer will provide documentation and/or a list of who has or will financially benefit from the fundraiser for the current event and any previous events. It will also state how much was raised and the amount or percentage that will or has been donated to what community organization.



Fresno Street

Tulare Street

Highway 33

Main Street

PARKING

Vending Booths

Vending Booths

Block

Block

15018  
15019

APPROXIMATE LIMIT OF WORK COVERED BY VOLUME 2 DRAWINGS

APPROXIMATE LIMIT OF WORK COVERED BY VOLUME 1 DRAWINGS

AREA 17  
MATCHLINE TO VOL. 2 DRAWING

AREA 18  
MATCHLINE TO VOL. 1 DRAWING

AREA 17  
MATCHLINE TO VOL. 2 DRAWING

AREA 18  
MATCHLINE TO VOL. 1 DRAWING

*Newman Chamber of Commerce Annual*

# Christmas



# Tree Lighting

*Saturday, December 3*

*Downtown Newman*

- 2:00-7:00 ..... Craft and Food Booths
- 2:00-7:00 ..... Ice Skating
- 2:00-4:30 ..... Fire Truck Rides
- 4:00 ..... Santa Arrives! Visit with Santa and Take Your Own Photos!
- 5:30 ..... Dancing by Trinity Dance, Cornerstone Dance; Red Hatters
- 6:15 ..... Orestimba High School Band
- 6:15-6:30 ..... Tree Lighting
- 6:30-7:00 ..... OHS Band Concert at West Side Theatre

*Don't Miss  
Out on  
All The Fun!*



Honorable Mayor and Members  
of the Newman City Council

Agenda Item: **10.b.**  
City Council Meeting  
of October 11, 2011

**SUMMARY REPORT OF THE REGIONAL TRANSPORTATION IMPACT FEE  
GROUP AND AUTHORIZATION OF EXPENDITURES BASED ON POPULATION  
FOR A REGIONAL NEXUS STUDY**

**RECOMMENDATION:**

Staff recommends the Council accept the Summary Report of the Regional Transportation Impact Fee Group and authorize a budget adjustment of \$1,000 to pay pro-rata fair share of a Nexus Report for a Regional Transportation Impact Fee Program.

**BACKGROUND:**

The Regional Transportation Impact Fee, RTIF, working group is composed of City Managers from each of the nine cities, County staff and StanCOG. The goal of the group is to create an equitable regional transportation impact fee and distribution model. The attached report summarizes their activities over the past year and identifies their next steps.

**ANALYSIS:**

As part of the next steps, the RTIF group has agreed that it is time to proceed with a nexus study to determine the appropriate projects and fee for new development for a regional transportation impact fee. StanCOG, pending approval from their policy board, will fund \$50,000, of the cost to do this work and administer the contract, with the remaining cost, not to exceed \$50,000, to be divided amongst the cities and the County based on population. It is anticipated that a Draft will be presented to each City Council and Board of Supervisors for approval next fall.

**FISCAL IMPACT:**

Based upon a population formula, Newman's fair share for the study is \$993.68. Staff is recommending a budget adjust in Fund 41-5145 'Traffic Impact Fee' to pay for said study.

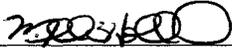
**CONCLUSION:**

The RTIF working group is attempting to establish an equitable countywide transportation fee. To support this effort, each of the cities and the county are being asked to fund a pro-rata fair share cost of a supporting Nexus Study. Staff believes this is an important countywide endeavor and supports the effort to create a regional transportation fee. Therefore, staff recommends the Council accept the Summary Report and authorize a budget adjustment of \$1,000 to Fund 41-5145.

**Attachments:**

1. One year summary report of RTIF group.
2. Resolution No. 2011-

Respectfully submitted,

  
\_\_\_\_\_  
Michael Holland  
City Manager

**ONE YEAR SUMMARY REPORT  
OF THE  
REGIONAL TRANSPORTATION IMPACT FEE GROUP  
FOR THE  
STANISLAUS REGION**

**OCTOBER 2011**

## INTRODUCTION

This report is intended to summarize the meetings to date and the anticipated next steps of the regional effort between the nine cities in Stanislaus County, the County and the Stanislaus Council of Governments, StanCOG. Each city and the County have their own impact fee program to address transportation-related improvements for new growth. The County adopted a revised fee program in July 2010, and as a result of that action, a Regional Transportation Impact Fee, RTIF, working group was created consisting of County staff, City Managers, their impact fee staff, and staff from StanCOG. The group has been meeting consistently since July 2010. This Summary Report is presented as an update on work to date and a plan for the Next Steps for this innovative approach for the Stanislaus Region. A summary of meetings and actions is included in Attachment A of this Report.

Stanislaus County's Public Facility Fee Program (PFF) was developed in 1989. The primary objective of the PFF program is to ensure that new development pays the capital costs associated with growth. The multi-jurisdictional nature of the program was unique at the time of initial adoption and has served as a model for many other jurisdictions throughout the State. Currently, 19 California counties either have some form of an impact fee program or are in the process of developing one. Since the program's original adoption in 1990, it has undergone three updates.

The PFF program collects impact fees from new development throughout the County, both in cities and the unincorporated area, to fund the public facilities required to accommodate growth. The program includes two types of impact fees: 1. Countywide fees. These are collected from new development both in the cities and in the unincorporated area to fund public facilities for services provided to all county residents, and 2. Unincorporated fees. These are collected only from new development in the unincorporated area for facilities needed to serve those areas such as sheriff patrol and neighborhood park facilities.

The March 9, 1990 PFF included a county road fee composed of three separate fees, with each fee was designed to mitigate the impacts on three different types of county roads. Generally defined, these types of roads are:

- 1) Inter-City Routes. Interstate and State Highways that serve all county residents and employees as major arterials between cities and destinations outside the county. On average 75% of all trips on these connector roads are by city residents.
- 2) Urban Sphere Roads. These are inside a city's urban sphere (or township, such as Salida) that have been incorporated into a city's long range traffic planning. The original report stated that in the future, all but the rural road projects may be funded with each jurisdiction's sphere fees.
- 3) City/County Roads. These roads serve the remaining unincorporated areas of the county, both rural and urban sphere, and could be eventually included as part of a city's sphere-wide traffic improvements. The original report states that it is expected that most – if not all – cities will complete sphere-wide planning and develop fee program funding for all road improvements throughout their spheres. As such fees are implemented, the county will replace its city/county

fee with a city's new sphere fee and adjust the city/county fee for those projects now picked up in a city's sphere-wide road improvements.

The 2010 PFF Update includes just one of the original road categories, the Inter-City routes, which has been re-categorized into the RTIF category. The City/County component has been deleted due to the fact that each city now has its own impact fee program to include roadways within the sphere of each city.

The County has long standing agreements with each of the nine cities whereby cities collect PFF, or require vouchers confirming payment of the fees, on behalf of the County for the payment of impact fees. Table 1 below shows PFF revenues and expenditures by area.

**Table 1. Stanislaus County PFF Revenue & Expenditures**

<b>Area</b>	<b>Revenues Generated*</b>	<b>Expenditures by Area as Described**</b>	<b>Expenditures</b>
Salida Community	\$1,389,000		
City of Modesto	\$16,018,000	North Modesto / Riverbank Area	\$12,000,000
City of Riverbank	\$3,353,000	Transfer to Riverbank	\$1,200,000
City of Oakdale	\$4,894,080	Albers Corridor- Area of Oakdale	\$10,615,000
City of Waterford	\$655,450		
City of Turlock	\$10,983,000	Geer Corridor- Area of Turlock	\$6,715,000
		Transfer to Turlock	\$1,150,000
		Santa Fe Corridor- Area of Turlock	\$1,767,300
City of Hughson	\$1,826,000		
City of Ceres	\$5,743,000	Hatch Corridor- Area of Ceres	\$3,334,000
		Crows Landing Corridor- Area of Ceres	\$1,872,900
City of Patterson	\$4,043,000	Patterson Area	\$11,365,000
City of Newman	\$768,000		
Unincorporated	\$12,929,571	Miscellaneous areas not shown	\$676,000
<b>Total</b>	<b>\$62,602,101</b>	<b>Total</b>	<b>\$50,695,200</b>

Footnote: \*Revenues collected from 1990 to February 2010

Footnote: \*\*Expenditures from 1997 to February 2010

## BACKGROUND

During the 2010 update process, county staff held several workshops with interested stakeholders including city representatives. The fee was adopted in July 2010 with the caveat that an attempt would be made to work with the nine cities to enact a fee program for the formation of a more inclusive RTIF program. Since August 2010, the nine cities, the County, and StanCOG have been meeting in an effort to develop a truly regional fee program. The group has identified their jurisdiction's goals, investigated other regional fee programs from four other regions, discussed at length issues relating to the development of a regional transportation fee such as land use, identified a framework for expectations of a fee program, and discussed the overlapping areas of impact fees.

All nine cities and the County have agreed to create a fee program that:

- Is equitable
- Provides local control
- Has active oversight
- Has a Regional Component and a Zonal Component
- Provides the ability to pool money for Regional Projects
- Has a formula split
- Has a uniform fee
- Works in tandem with other revenue sources
- Clearly defines criteria for regional
- Fosters collaboration
- Simple to administer

## ISSUES

The increasing demand for roadway projects and limited funding sources has become an issue throughout the state. Additionally, the number of commuters over that last twelve years within the Stanislaus region has increased significantly resulting in higher demands for road maintenance efforts. The existing Stanislaus County PFF identified roadways that were deemed needing improvements, however, the debate is over which roadways are "regionally" significant resulting in a conflict as to why the fee is being collected, further burdening development. In addition to the need or perceived need of new roadways, the current economic situation has also placed a significant competitive barrier on new development resulting in cities feeling that they are competing against one another for "lower" fees even though a need for improvements still exists. As a result, there is a strong desire to "level the playing field" with a "uniform" fee that would benefit each jurisdiction. A challenge exists to balance this sense of equity while mitigating the impacts of development.

## PROJECTS

It is important to note that the success of regionalism depends on all of the parties' willingness to participate. Therefore, a large part of this last year's effort has been facilitating discussion and working towards understanding each agency's concerns relating to land use decisions and existing development

policies and their relationship to transportation projects and transportation funding. A chief concern among cities with the existing PFF program was the project list. Concern was expressed that the projects in the program were not truly regional and did not benefit the area where the revenue was collected. As an initial effort to facilitate the discussion of “regionalism” the group, as defined by the majority, identified linkages for the transportation system that included roadways for: regional commerce, local commerce, tourism, major employment centers, and commute patterns. The resulting list, shown in Table 2, identifies projects showing linkages. The table also shows projects that are in the PFF list, but are not part of what the working group believes are regional.

**Table 2. RTIF Project List and Existing PFF List.**

ROADWAYS	Link						Total Links	2010 Stanislaus County PFF Program	Currently in StanCOG RTP List (RTIF: 10/11-14/13)
	Regional Commerce	Tourism	Major Employment Centers	Commute Patterns (In & Out)	Connectivity to 2 or more Cities / Communities	Connectivity to 3 or more Cities / Communities			
Interstate 5	✓		✓	✓			3		
State Route 99	✓	✓	✓	✓	✓	✓	6	X	
State Route 132	✓	✓	✓	✓	✓		5	XX	X
State Route 165	✓			✓			2		
State Route 108	?	✓		✓		✓	4		
State Route 108 East	✓			✓	✓		3		
State Route 219	✓	✓	✓	✓			4		X
State Route 120		✓		✓			2		
Highway 33	?		✓		✓	✓	4	XX	
Geer/Albers	✓	✓		✓	✓	✓	5	X	
West Main	✓	✓	✓	✓		✓	5	X	
Crows Landing	✓	✓					2	X	
North County Corridor	✓	✓		✓	✓	✓	5	X	X
Carpenter								X	
Clayton								X	X
Hatch								X	
Santa Fe								X	
SR 99/Highway Interchange (Under Construction)									X

LEGEND	
✓	Identified Roadway Links
	Additional Roadways
X	Currently in SC PFF
XX	Currently in Study Area: Project Initiation & Development Projects

**FEASIBILITY**

Feasibility of any fee program is also a factor in determining the fee. If the fee burden is too high, development will likely not occur. If the fee burden is too low, there will be unmitigated impacts on the transportation system. Like most California communities, the Stanislaus Region experienced a significant amount of growth in single family dwelling units between 2003 and 2006. However, in Modesto, the county seat and largest city in the region, the most significant growth occurred in Fiscal Year 1988-89. Figure 1 below shows single family dwelling unit building permit history for fifty years for the City of Modesto. The last five years have marked unprecedented low figures over the last fifty years. Figure 2 shows single family dwelling unit history for all cities and the County for the period of 2005 - 2011.



**NEXUS**

To discuss an impact fee, the need for and share of the fee must also be discussed. Before a new fee can be established, the California Mitigation Fee Act (AB 1600) requires the implementing agency to prepare and adopt a “nexus” study based on project cost estimates, land use projections, traffic modeling, and appropriate trip generation rates to ensure that the impact fee will primarily benefit new development. Based on the program nexus, such fees can fund some or all of the project costs, whichever is the proportionate share of needed facilities for new development.

In reviewing the anticipated build-out numbers in each city’s General Plans, it appears that the anticipated timeframes are now ahead of reality and the timeframes need to be adjusted. This will occur through a nexus study and will include any development or land that has received some entitlement. It is the consensus of the group that it is now time to hire a consultant to develop a nexus study for a RTIF. A scope has been developed and the RTIF working group has agreed that StanCOG would administer the contract. StanCOG has also agreed, pending approval from their policy board, to use \$50,000 in available funds. Additionally, with approval from their council/board, each agency would make a contribution for this work based on population. Table 3 shows the expected breakdown of the fee based on population.

**Table 3. Distribution of \$50,000 based on population.**

	<b>Population</b>	<b>% of Population</b>	<b>% Share of Cost</b>
<b>Modesto</b>	201,165	39%	\$ 19,551.35
<b>Oakdale</b>	20,675	4%	\$ 2,009.42
<b>Ceres</b>	45,417	9%	\$ 4,414.11
<b>Riverbank</b>	22,678	4%	\$ 2,204.09
<b>Waterford</b>	8,456	2%	\$ 821.84
<b>Highson</b>	6,640	1%	\$ 645.35
<b>Newman</b>	10,224	2%	\$ 993.68
<b>Patterson</b>	20,413	4%	\$ 1,983.95
<b>Turlock</b>	68,549	13%	\$ 6,662.32
<b>County</b>	110,236	21%	\$ 10,713.90
	<b>514,453</b>	<b>100%</b>	<b>\$ 50,000.00</b>

**POTENTIAL GOVERNANCE STRUCTURES**

Because successfully implementing a regional impact fee program is largely dependent on having a solid economic base, and given the current economy, understanding 1) what transportation needs will be warranted given development scenarios will need to be examined as well as, 2) what is the likely acceptability of a fee. While there is currently a county impact fee in place, establishing a new “regional” fee does cause some concerns. Namely:

- Will this be a constraint for local development?
- Will this fee drive growth and sales tax to lower fee jurisdictions?
- Will the fee compete with fees already in place?
- How will the fee revenue be disclosed?
- How will projects be prioritized?
- How will each jurisdiction be represented?

To address these issues, it is necessary to develop a governance structure. As noted, currently the nine cities collect the fee, but feel as if they have no “say” in how the fee is being spent since it is administered solely by the County. This is a significant source of frustration and will need to be resolved moving forward. The governance structure will need to be examined to ensure that each agency’s concerns are addressed.

**NEXT STEPS**

Initially, it was intended that this process would cover an eighteen month period, but given the complexities, it appears that it will span a longer period. In the meantime the PFF County Road fee continues to be collected. Table 4 below outlines an anticipated timeline for the development of a nexus study, and ultimately adoption of an RTIF.

**Table 4. Anticipated timeline of Nexus Study.**

Agencies get approval from Councils and Board	September – October 2011
StanCOG get approval from Policy Board	October 19, 2011
Release Request for Proposal (RFP)	October 20, 2011
Pre-Proposal Meeting	November 3, 2011
Proposals due to StanCOG	November 17, 2011
Evaluation Committee Interviews/Selects Firm	December 8, 2011
Notify Selected Firm and/or Team	December 9, 2011
StanCOG Policy Board Agreement Approval	December 21, 2011
Completion of Agreement/Notice to Proceed	December 22/January 2
DRAFT Nexus Study	TBD
Presentation to City Councils and BOS	Anticipated early Fall 2012
Adoption	Late Fall 2012
Implementation	Early 2013

Significant conversations have occurred that have dissolved communication impediments that have existed for many years. As a result, other issues of concern have emerged and discussions are beginning that are attempting to meld jurisdictional boundaries in favor of a regional approach that is beneficial to all entities in the region. Specifically, the RTIF is a springboard for regional discussions and hopefully future collaboration on land use, revenue sharing, utilities, and economic development will occur to benefit all. Therefore, it is anticipated that this group will continue to collaborate on issues of regional significance.

FINAL



**ATTACHMENT A**  
**SUMMARY OF RTIF MEETINGS**

**Stanislaus Region**  
**SUMMARY of RTIF Meetings and Actions**  
**July 2010 – July 2011**

**Meeting 1:**  
**July 22, 2010**

**Discussion:** What is definition of “regional”; How to move forward with facilitation; County also has 8 hours of MuniServices’ time; StanCOG presented an overview of how they would proceed;

**Action:** County recommended, group agreed, City of Modesto would facilitate process. Each entity to send goals to Modesto for compilation.

**Meeting 2:**  
**August 12, 2010**

**Discussion:** Discussed goals for this process from each jurisdiction; reviewed RTIF programs from San Joaquin, Merced, Kern, and Western Riverside programs

**Action:** Bring representatives from each above to discuss details of their programs for next meeting.

**Meeting 3:**  
**September 9, 2010**

**Discussion:** SJCOG Director and Deputy Director from MCAG presented and, via teleconference, were Ruthanne Taylor Berger from WRCOG and staff from Kern COG to discuss details of their fee programs.

**Action:** Noted.

**Meeting 4:**  
**October 21, 2010**

**Discussion:** Reviewed “likes” and “dislikes” of each agency’s program.

**Action:** Noted.

**Meeting 5:**  
**November 18, 2010**

**Discussion:** Discussed combined “likes” and “dislikes” into expectations of a Stanislaus RTIF:

- Provides local control
- Active Oversight
- A regional and zonal component
- Ability to pool money for regional projects

- Has a formula split
- Has a uniform fee
- Works in tandem with other revenue sources
- Clearly defines criteria
- Fosters collaboration
- Simple to administer

Reviewed regional and zonal roadways with "linkages"- Regional commerce, Local commerce, Tourism, Major Employment Centers, Commute Patterns

Action: Noted.

**Meeting 6:  
January 27, 2011**

Discussion: Recap of linkages exercise; looked at linkage numbers; determined that projects with 5 or more linkages would be regional, 4 or less would be zonal (see attached table)

Action: Reviewed overlaps with SJ and Merced counties and local CFF programs.

**Meeting 7:  
February 10, 2011**

Discussion: Reviewed local CFF programs and development standards - in general; reviewed regional fee comparisons.

Action: Used cost estimates within RTP as basis for costs and timelines; Each jurisdiction to submit development activity data for test scenarios.

**Meeting 8:  
February 24, 2011**

Discussion: Reviewed total projects and associated costs from the RTP list with timeframes. Determined to put a 15% set aside for match funding of 99 widening; Also reviewed last 7 years of development activity for entities and PFF generated.

Action: Reset the timeframe to 15 years for projects.

**Meeting 9:  
March 10, 2011**

Discussion: Reviewed project list and map for projects to 2025; discussed possibility of hiring a forecaster.

Action: Noted.

**Meeting 10:  
March 31, 2011**

Discussion: Reviewed project list with refinements from previous meeting; Discussed what percentages would be attributed to growth and at what point we use the traffic model to allocate those percentages; Discussed overlaying roadway projects with an ag-land preservation map.

Action: Overlay projects with ag land map that the 9 mayors and Supervisor O'Brien are developing.

**Meeting 11:  
April 28, 2011**

Discussion: Recapped land use policies mayors are developing; Reviewed roadway projects.  
Action: Noted.

**Meeting 12:  
May 12, 2011**

Discussion: Reviewed an "urban limits" map; Discussed project list and the implementation of the list with regional priorities.  
Action: Each jurisdiction to pare their list and prioritize.

**Meeting 13:  
June 9, 2011**

Discussion: Reviewed and discussed thresholds for improvements in the RTP model versus anticipated real development.  
Action: Incorporate entitlements into realistic forecasts; Each jurisdiction to submit entitlement status of projects to compare with RTP estimates for build-out; Use cost estimates originally submitted without inflationary adjustment for build-out.

**Meeting 14:  
June 23, 2011**

Discussion: Reviewed list and discussed project list and timing of improvements for construction.  
Action: Lower the timeframe for construction to 10 years, determine phase of project, and prioritize each entity's list.

**Meeting 15:  
July 28, 2011**

Discussion: Reviewed Summary of Progress; Discussed Next Steps and timing; Reviewed project list and priorities; Discussed Traffic Modeling/Nexus Study  
Action:

**NEXT STEPS:**

Task	Timeframe	Responsibility
Report to Councils and BOS	Oct 2011	RTIF working group
Identify land use impacts with associated roadway projects	Jan – Aug 2012	Consultant
Governance	2011 – 2012	RTIF working group
Adoption of RTIF	Late Fall 2012	RTIF working group
Implementation of RTIF	Early 2013	TBD
Annual Review	Ongoing	TBD

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**RESOLUTION NO. 2011-**

**A RESOLUTION ACCEPTING THE REGIONAL TRANSPORTATION IMPACT FEE SUMMARY REPORT AND AUTHORIZING A BUDGET ADJUSTMENT OF \$1,000.**

WHEREAS, the Regional Transportation Impact Fee (RTIF) Working Group is composed of City Managers from each of the nine cities, County staff and StanCOG; and

WHEREAS, the goal of the RTIF group is to create an equitable regional transportation impact fee and distribution model; and

WHEREAS, RTIF report summarizes their activities over the past year and identifies their next steps; and

WHEREAS, As part of the next steps, the RTIF group has agreed that it is time to proceed with a nexus study to determine the appropriate projects and fee for new development for a regional transportation impact fee

WHEREAS, based upon a population formula, Newman's fair share for the nexus study is \$993.68.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Newman hereby accepts the Regional Transportation Impact Fee Summary Report and authorizes a budget adjustment of \$1,000 to Fund 41-5145.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 11<sup>th</sup> day of October, 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