



AGENDA
NEWMAN CITY COUNCIL
SPECIAL MEETING JULY 24, 2012
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 - 2012 Water Rate Study. ([View Report](#))
([View Study](#))
5. Adjournment.



AGENDA
NEWMAN CITY COUNCIL
REGULAR MEETING JULY 24, 2012
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 July 12, 2012 Regular Meeting. ([View Minutes](#))
9. Public Hearings.
10. Regular Business
 - a. Adopt Resolution No. 2012- , A Resolution Approving The 2012 Water Rate Study. ([View Report](#))
 - b. Report On Ordinances Relating To Utility Billing And Possible Changes To Said Ordinances. ([View Report](#))
 - c. Designation Of Voting Delegate And Alternate Voting Delegate For League Of California Cities Annual Conference. ([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

July 19 - Planning Commission - Cancelled.

July 24 - City Council - 7:00 P.M.

July 25 - Newman Quasquicentennial (125 Years) Planning Sub-Committee Meeting - 6:00 P.M.

August 7 - CDBG CAPER Community Meeting - 5:00 P.M.

August 8 - Newman Quasquicentennial (125 Years) Planning Committee Meeting - 6:00 P.M.

August 9 - Newman RDA Successor Agency Oversight Board Regular Meeting - 3:30 P.M.

August 9 - Recreation Commission - 7:00 P.M.

August 10 - The Last Day To Secure And File Election Nomination Papers - 8 A.M. To 5 P.M.

August 13 - NCLUSD Board Meeting - 6:00 P.M.

August 14 - City Council - 7:00 P.M.

August 15 - The Last Day To Secure And File Election Nomination Papers In The Event The
Current Officeholder Did Not File Nomination Papers - 8 A.M. To 5 P.M.

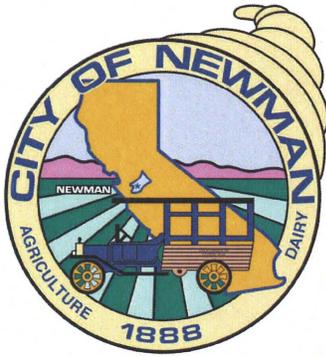
August 16 - Planning Commission - 7:00 P.M.

August 21 - Two-On-Two Meeting With The School Board - 4:00 P.M.

August 22 - Newman Quasquicentennial (125 Years) Planning Sub-Committee Meeting - 6:00 P.M.

August 23 - 2012 Healthier Choices Summit And Biggest Loser Contest - 11:00 A.M.

August 28 - City Council - 7:00 P.M.



City of Newman
Director of Public Work's Office
Memorandum

Date: July 24, 2012

To: Mayor Katen and City Council

From: Garner R. Reynolds, Director of Public Works

GRR

Subject: Water Rate Study Workshop

On February 23, 2010 City Council awarded a contract to Stantec for a Water Rate Study. The study has been completed and reviewed by City Staff. In addition, an Adhoc Committee (consisting of representatives from City Council, industries, the business community, and the residential community) was assembled and met to provide input and direction for the Study. After considerable input and direction from the Committee, the study was revised. The Adhoc Committee has completed their review and recommended the Study be forwarded to City Council for your review, comments, and possible acceptance at the July 24, 2012 City Council meeting.

The purpose of the workshop is to present the Study and to answer any questions you may have. A copy of the Study was distributed to City Council at the July 10, 2012 City Council meeting.

City of Newman

Water Rate Study Presentation

Presented by:

Gerry LaBudde, PE – Stantec Consulting Services Inc.

Catherine Hansford – Hansford Economic Consulting (HEC)

July 24, 2012

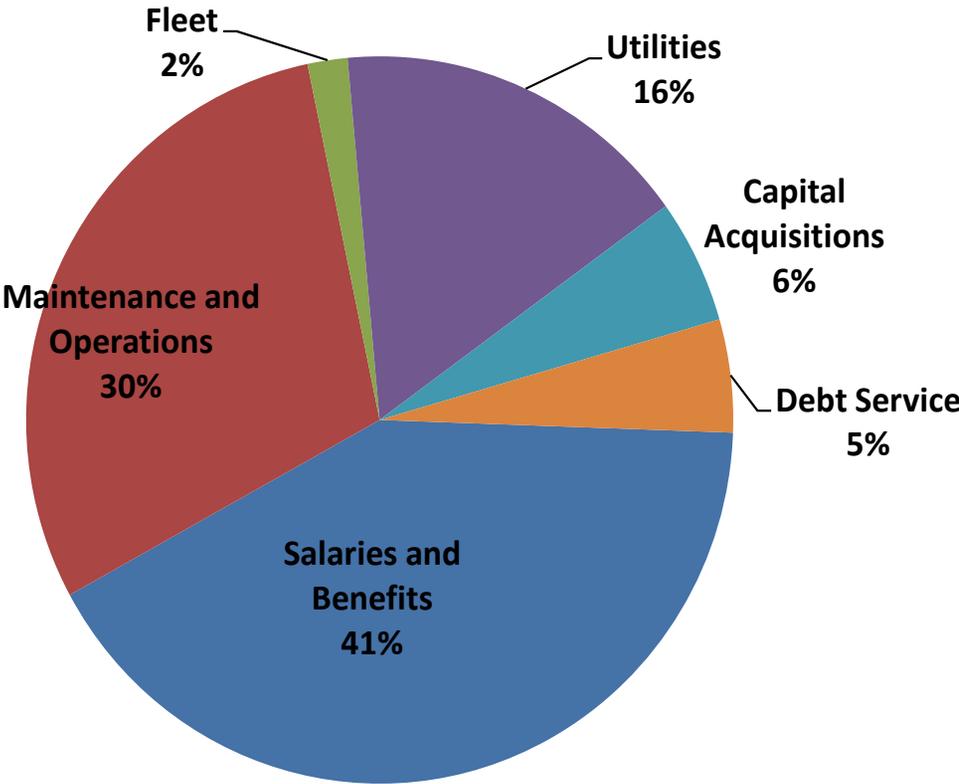
HANSFORD ECONOMIC
CONSULTING

One Team. Infinite Solutions.

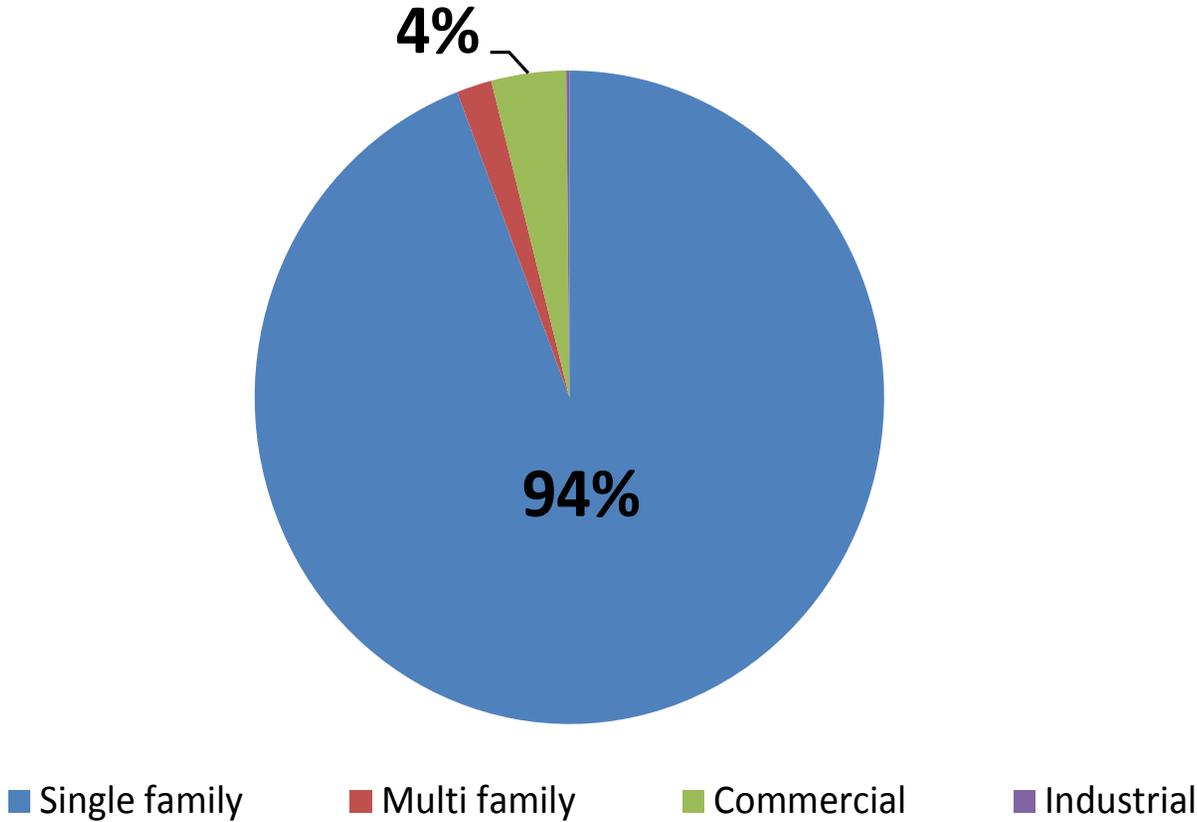


Stantec

Water Fund Cost Structure



Customer Base



CIP Expenditures through 2022

Existing Groundwater System

Well, Tank and Booster Pump Project	\$5.27 M
System Rehabilitation	\$0.90 M
Subtotal Groundwater System	\$6.17 M

Hydrologic Investigations	\$0.20 M
Other City Projects	\$0.30 M
Surface Water System Planning	\$1.81 M *
TOTAL CIP COST	\$8.48 M

** Includes 70% of total cost; 30% is allocated to Sewer Fund*

Cash Funded

– Existing Reserves	\$1.20 M
– Rates	\$0.32 M

Debt Financed	\$6.96 M
TOTAL COST	\$8.48 M

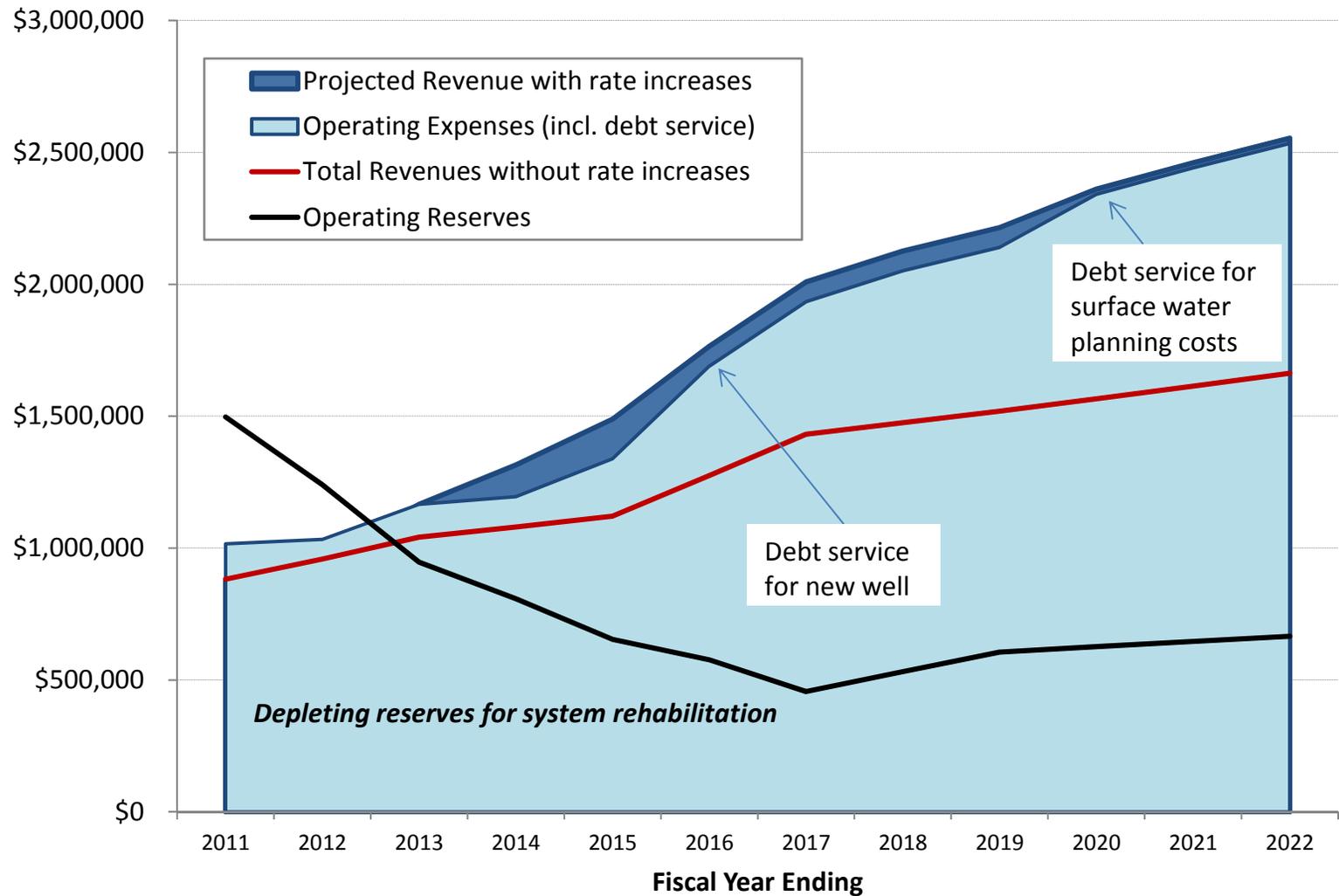


Revenue Requirement

Item	Actual FY 2010-11	Estimated FY 2011-12	Projected FY 2012-13	Projected FY 2013-14	Projected FY 2014-15
Operating Expenses	\$891,900	\$892,200	\$983,500	\$1,032,400	\$1,083,000
Debt Service	\$59,900	\$60,300	\$61,800	\$82,200	\$162,100
System Rehabilitation	\$62,700	\$80,800	\$121,000	\$80,800	\$94,000
Operating Reserve	\$0	\$0	\$0	\$120,000	\$150,000
Non-Rate Revenues	-\$57,400	-\$51,600	-\$102,100	-\$108,000	-\$114,500
Revenue Requirement	\$957,100	\$981,700	\$1,064,200	\$1,207,300	\$1,374,600
Actual Water Sales	\$824,600				
Increased Water Sales Needed			\$239,600	\$382,700	\$550,000



Projected Water Fund Financial Health



California Requirements for Water Rates

❖ Proposition 218 and Subsequent Legal Rulings:

- Once Property owner is a Customer of the Utility (whether receiving water deliveries or not), the Customer must pay for their share of use of the water system / proportional cost of service
- Rates must not exceed the cost of providing water service (as necessary to provide adequate and safe water supply)
- Rate revenues must only be used for stated water service purposes



Key Assumptions

- ❖ **Modification of the rate structure**
 - Gradual shift of costs from base charge to use charge
 - Elimination of base monthly water allowance
 - Tiered use charges
 - New Customer Category for Landscape / Irrigation Water Services
- ❖ **Inclusion of depreciation for repair and replacement**
 - Phased in depreciation for new capital facilities
- ❖ **Increase in operating reserves to provide revenue and rates stability**
- ❖ **Decrease in water use by residences and businesses**
- ❖ **Ratepayers secure debt financing for capital projects for first 3 years**



Basis of Proposed Rate Structure

❖ **Service Charge No Base Month Use Allowance**

- Fixed monthly fee for majority of fixed costs of system operations (*about 50% of annual costs*)
 - Currently City collects 55% of Revenue Requirement in Service Charge; Rate Model shifts gradually to 44% by 2022
- Meter replacement fee for meter facilities

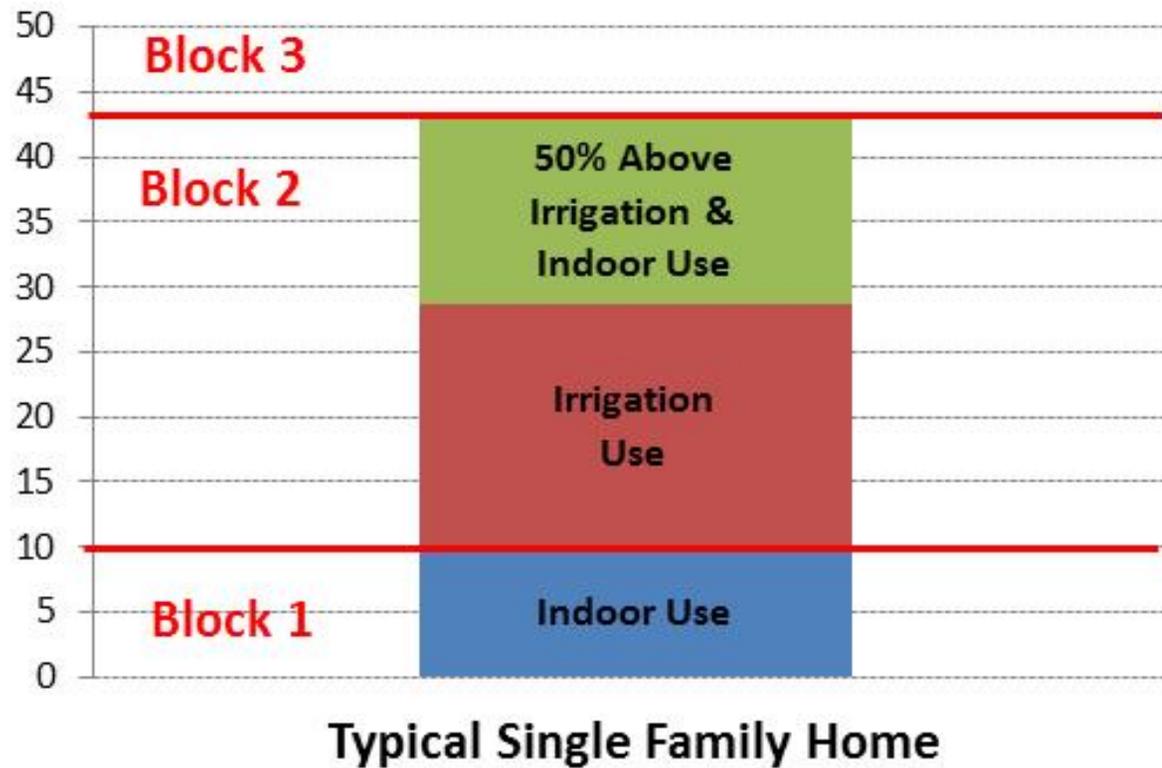
❖ **Tiered Use Charges for Consumption**

- Pay for What you Use, typically captures variable costs
 - Currently City collects 45% of Revenue Requirement in use charges; Rate Model shifts gradually to 56% by 2022
- Not proposed for Industrial Accounts
 - Uniform use charge supports economic development



Residential Use Charge Tiers

Water Use per Month
(in hundreds of cubic feet)



Future Bill with New Water Rates

Typical Customer	Current	July 2012	July 2013	July 2014
Residential (5/8")	\$19.33	\$26.27	\$28.99	\$32.09
Commercial (1")	\$23.19	\$29.83	\$33.07	\$36.78

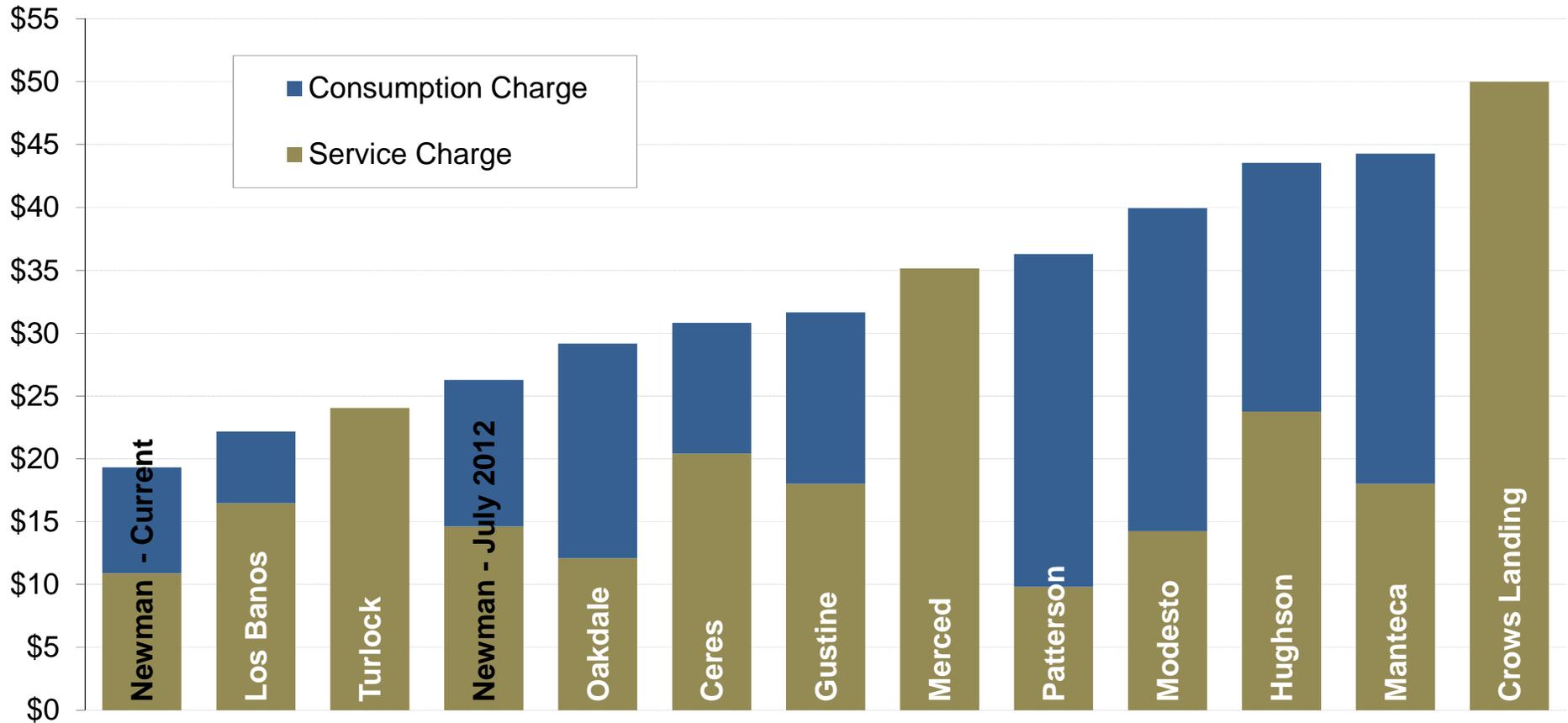
Bills based on average monthly use for customer type and meter size

Residential 5/8"

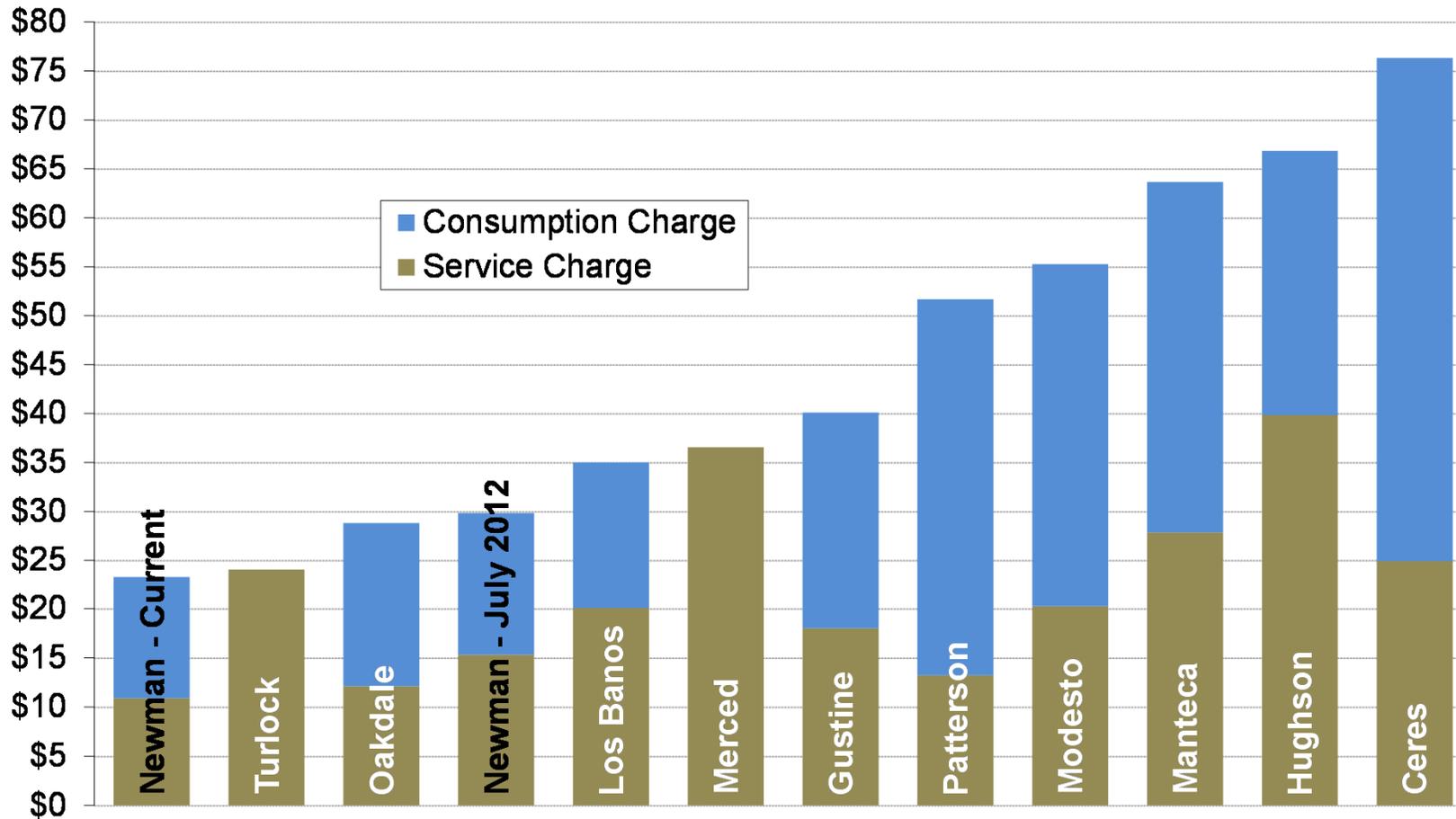
	Current	July 2012
Service Charge	\$10.90 <i>incl. 4 hcf</i>	\$13.54
Meter Fee	n/a	\$1.07
Tier 1 <i>per hcf</i>	\$0.55	\$0.55 <i>(0 – 10 hcf)</i>
Tier 2 <i>per hcf</i>		\$0.66 <i>(10.1 – 44 hcf)</i>
Tier 3 <i>per hcf</i>		\$0.77 <i>(over 44 hcf)</i>



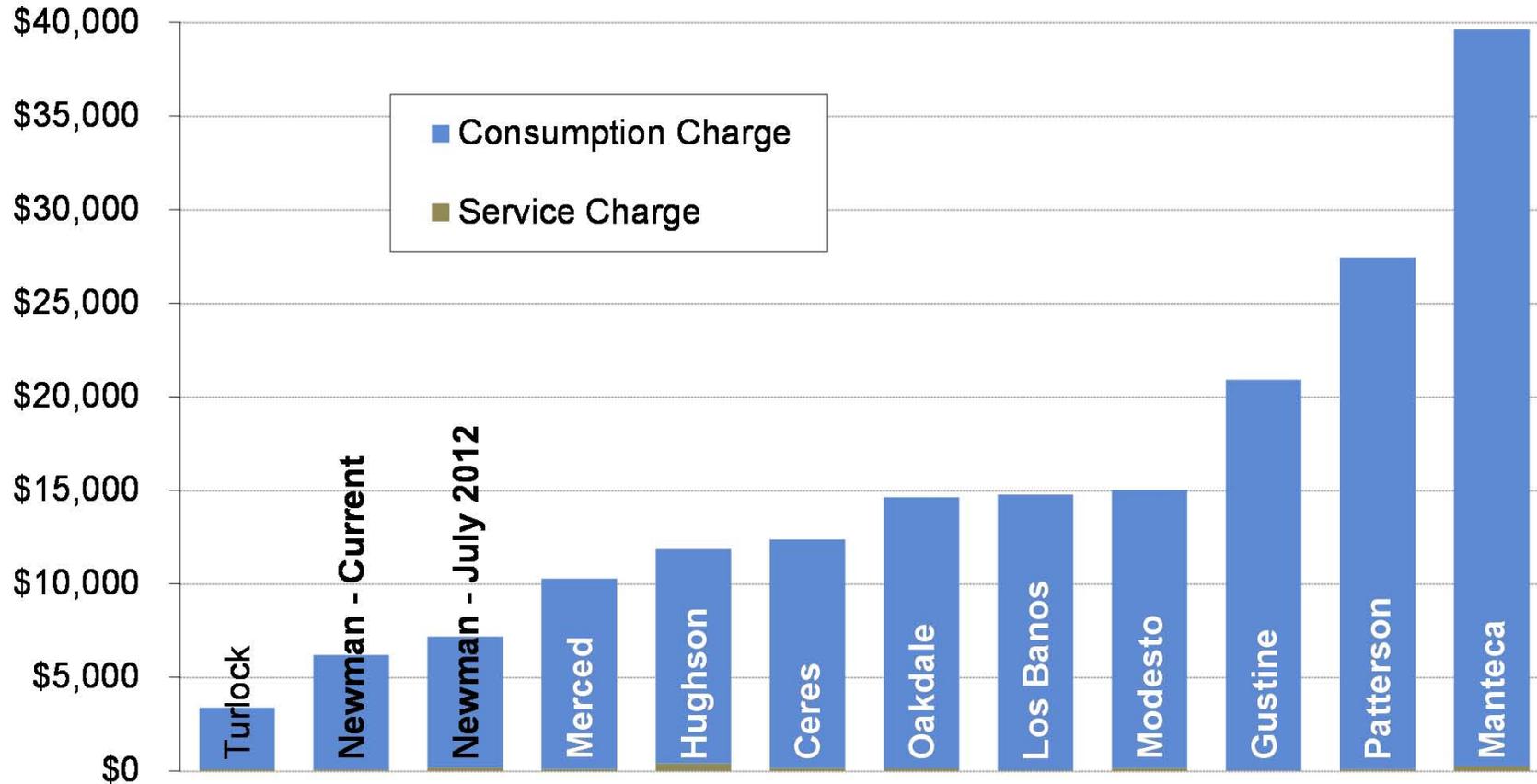
Comparison with Neighboring Communities Typical Residential Water Bill (5/8")



Comparison with Neighboring Communities Typical Commercial Water Bill (1")



Comparison with Neighboring Communities Typical Industrial Bill (4")



Ad Hoc Committee Recommendation

❖ **Adopt 5-year Rate Schedule**

- Year 2012-13 rates effective October 1, 2012 to provide adequate time for customer education;
- Thereafter each rate increase effective July 1.

❖ **Council Item July 24th to Receive Water Rate Study and Allow for Customer Input**

- Action may be taken to mail notices of Public Hearing to All Property Owners and Ratepayers



Steps to Adopt Increased Water Rates

❖ **Public Notice Must Include:**

- Reason for the Fee
- Proposed Fees and Basis upon which the fee is calculated
- Date, Time, and Location of Public Hearing

❖ **At Least 45 Days Following Mailing of Public Hearing Notices**

- City Council Holds Public Hearing
- Written Protests (only one per parcel permitted) are tallied
- If <50% protest, increased rates may be adopted; no higher than published in the Notice





MINUTES
NEWMAN CITY COUNCIL
REGULAR MEETING JULY 10, 2012
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** - Mayor Katen.
4. **Roll Call - PRESENT:** Davis, Candea, Martina And Mayor Katen.
ABSENT: Hutchins (Excused).
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 June 26, 2012 Regular Meeting.

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

9. Public Hearings

- a. Adopt Resolution No. 2012-43, A Resolution Declaring The Existence Of A Public Nuisance Under Ordinance No. 95-4.

Mayor Katen Opened The Public Hearing At 7:05 P.M.

There Being No Public Comment, Katen Closed The Public Hearing At 7:06 P.M.

ACTION: On Motion By Candea Seconded By Martina And Unanimously Carried, Resolution No. 2012-43, A Resolution Declaring The Existence Of A Public Nuisance Under Ordinance No. 95-4, Was Adopted.

- b. Adopt Resolution No. 2012-44, A Resolution Confirming The Assessment And Ordering The Levy For The Lighting And Landscape Maintenance District For Fiscal Year 2012/2013.

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

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

ACTION: On Motion By Candea Seconded By Martina And Unanimously Carried, Resolution No. 2012-44, A Resolution Confirming The Assessment And Ordering The Levy For The Lighting And Landscape Maintenance District For Fiscal Year 2012/2013, Was Adopted.

10. Regular Business

- a. Report On 2012 Newman Fall Festival.

ACTION: On Motion By Candea Seconded By Martina And Unanimously Carried The City Council Approved The Requests As Submitted By The Fall Festival Committee.

- b. Adopt Resolution No. 2012-45, A Resolution Awarding A Contract For The City Council Chambers Improvement Project.

ACTION: On Motion By Candea Seconded By Martina And Unanimously Carried, Resolution No. 2012-45, A Resolution Awarding A Contract For The City Council Chambers Improvement Project, Was Adopted.

- c. Adopt Resolution No. 2012-46, A Resolution Awarding A Contract For The City Council Chambers Audio Visual System.

ACTION: On Motion By Candea Seconded By Davis And Unanimously Carried, Resolution No. 2012-46, A Resolution Awarding A Contract For The City Council Chambers Audio Visual System, Was Adopted.

11. Items From District Five Stanislaus County Supervisor.

Supervisor DeMartini Reminded Everyone That The Biggest Loser Contest/Healthy Choices Summit Was Scheduled For August 23rd And That The Next Orestimba Flood Control Project Would Be On July 23rd. DeMartini Noted That The Economic Development Action Committee Needed The City To Provide Them Updated Demographic Information.

12. Items From The City Manager And Staff.

City Manager Holland Reported That The City Had Experienced A Technology Failure That Resulted In City Staff Losing 90 Days Of E-Mails. Holland Noted That He Would Report Back To The Council After Staff Investigated Said Failure Further. He Thanked The Council For Approving The Two Contracts For Construction Of The Council Chambers. Holland Mentioned That New Pictures Were On Display At City Hall Thanks To The Work Of Stephanie Ocasio.

Chief Richardson Reported That An Officer Was Involved In A Single Vehicle Accident On July 8th. Richardson Noted That The Car Sustained Damage But The Officer Escaped Without Injury.

Public Works Director Reynolds Announced That The City Was Experiencing Low Water Pressure Due To A Well Being Nonoperational Because Of Mechanical Problems. Reynolds Mentioned That The City Had Received Another "Safe Routes To School" Grant For Additional Improvements To Hoyer Road.

Assistant Planner Ocasio Reported That The City Had Also Been Awarded A Housing Related Parks Grant In The Amount Of \$145,000 And Noted That The Funds Will Be Used To Improve Local Parks.

13. Items From City Council Members.

Council Member Martina Rhetorically Asked About What The City Could Do About Eyesores Like The Old Patchetts Building And The Vacant Moose Lodge Lot.

14. Adjournment.

ACTION: On Motion By Katen Seconded By Martina And Unanimously Carried, The Meeting Was Adjourned At 7:35 P.M.

Accounts Payable

Manual Check Register

User: efaria
Printed: 07/02/2012 - 3:28PM
Batch: 50002.07.2012



CITY OF NEWMAN
938 Fresno St. - 2nd Floor
P.O. Box 787
Newman, CA 95360
209-862-3725

		amount	Invoice No
Check: 101886	06/25/2012		
Vendor: coe01	CARL J. (CHUCK)COELHO	100.00	May & June 2011
	Check total:	100.00	
Check: 101898	06/26/2012		
Vendor: EAS01	East Merced Resource Conservation District	5,000.00	06/26/12
	Check total:	5,000.00	
	Total for Accounts Payable Check Run:	5,100.00	

Accounts Payable

AP Check Register for Council



CITY OF NEWMAN
 938 Fresno St. - 2nd Floor
 P.O. Box 787
 Newman, CA 95360
 209-862-3725

User: efaria

Printed: 07/18/2012 - 11:40 AM

Name	Account	Description	Check Nu	Check D	Amount
ARAMARK UNIFORM SERVICES	10-33-620	Uniform cleaning/mat rental/towels/June 2012	101972	7/18/2012	100.11
ARAMARK UNIFORM SERVICES	10-44-620	Uniform cleaning/mat rental/towels/June 2012	101972	7/18/2012	66.74
ARAMARK UNIFORM SERVICES	60-50-620	Uniform cleaning/mat rental/towels/June 2012	101972	7/18/2012	100.11
ARAMARK UNIFORM SERVICES	63-56-620	Uniform cleaning/mat rental/towels/June 2012	101972	7/18/2012	66.74
ARAMARK UNIFORM SERVICES	10-22-620	Uniform cleaning/mat rental/towels/June 2012	101972	7/18/2012	27.99
ARAMARK UNIFORM SERVICES	10-07-620	Uniform cleaning/mat rental/towels/June 2012	101972	7/18/2012	182.60
ARAMARK UNIFORM SERVICES	10-21-620	Uniform cleaning/mat rental/towels/June 2012	101972	7/18/2012	146.73
ARROWHEAD MOUNTAIN SPRING	10-07-630	Bottled water delivered June 2012	101973	7/18/2012	87.83
ARROWHEAD MOUNTAIN SPRING	10-45-630	Bottled water delivered June 2012	101973	7/18/2012	20.42
ARROWHEAD MOUNTAIN SPRING	10-21-620	Bottled water delivered June 2012	101973	7/18/2012	34.96
ARROWHEAD MOUNTAIN SPRING	63-56-630	Bottled water delivered June 2012	101973	7/18/2012	87.83
ARROWHEAD MOUNTAIN SPRING	60-50-630	Bottled water delivered June 2012	101973	7/18/2012	30.61
AT&T MOBILITY	10-21-642	Monthly cell phone and usage/6/6/12 to 7/5/12	101974	7/18/2012	394.34
AT&T MOBILITY	63-56-642	Monthly cell phone and usage/6/6/12 to 7/5/12	101974	7/18/2012	225.53
AT&T MOBILITY	10-44-642	Monthly cell phone and usage/6/6/12 to 7/5/12	101974	7/18/2012	27.06
AT&T MOBILITY	69-47-642	Monthly cell phone and usage/6/6/12 to 7/5/12	101974	7/18/2012	4.10
AT&T MOBILITY	60-50-642	Monthly cell phone and usage/6/6/12 to 7/5/12	101974	7/18/2012	121.91
AT&T MOBILITY	10-07-642	Monthly cell phone and usage/6/6/12 to 7/5/12	101974	7/18/2012	16.40
AT&T MOBILITY	10-22-642	Monthly cell phone and usage/6/6/12 to 7/5/12	101974	7/18/2012	16.40
AT&T MOBILITY	10-33-642	Monthly cell phone and usage/6/6/12 to 7/5/12	101974	7/18/2012	20.50
AT&T MOBILITY	10-02-642	Monthly cell phone and usage/6/6/12 to 7/5/12	101974	7/18/2012	75.31
AT&T MOBILITY	10-45-642	Monthly cell phone and usage/6/6/12 to 7/5/12	101974	7/18/2012	28.35
AT&T MOBILITY	10-03-642	Monthly cell phone and usage/6/6/12 to 7/5/12	101974	7/18/2012	70.31
AT&T MOBILITY	10-14-642	Monthly cell phone and usage/6/6/12 to 7/5/12	101974	7/18/2012	42.17
AT&T MOBILITY	73-70-642	Monthly cell phone and usage/6/6/12 to 7/5/12	101974	7/18/2012	9.40
AT&T MOBILITY	74-70-642	Monthly cell phone and usage/6/6/12 to 7/5/12	101974	7/18/2012	4.41
AT&T	10-21-642	Monthly charges for 634-0508/7/1/12 to 7/31/12	101975	7/18/2012	67.26
AT&T	10-21-642	T1 line @ PD for 5/20/12 to 6/19/12	101976	7/18/2012	333.95
AT&T	10-21-642	Emergency dispatch line @ PD 5/20/12 to 6/19/12	101976	7/18/2012	135.61
BERTOLOTTI DISPOSAL	10-33-622	Landfill fees/June 2012	101977	7/18/2012	778.87
BEST BEST & KRIEGER, LLP	73-70-620	Professional services rendered thru 6/30/12	101978	7/18/2012	275.60
BUSINESS CARD	10-01-662	Meals/Mayor & delegation from China	101979	7/18/2012	84.07
BUSINESS CARD	40-07-741	Dividing stanchions for new city hall	101979	7/18/2012	213.05
BUSINESS CARD	60-50-741	Dividing stanchions for new city hall	101979	7/18/2012	213.05
BUSINESS CARD	63-56-741	Dividing stanchions for new city hall	101979	7/18/2012	213.05
BUSINESS CARD	10-03-630	DVD marker	101979	7/18/2012	21.44
BUSINESS CARD	10-14-630	Clear acrylic brochure holders for new city hall	101979	7/18/2012	249.87
BUSINESS CARD	60-50-630	15 " No Trespassing" signs	101979	7/18/2012	359.31
BUSINESS CARD	63-56-669	Parking fees in Sacramento	101979	7/18/2012	6.00
BUSINESS CARD	40-07-741	Element wrench for instant water heaters/city hall	101979	7/18/2012	22.64
BUSINESS CARD	60-50-741	Element wrench for instant water heaters/city hall	101979	7/18/2012	22.65
BUSINESS CARD	63-56-741	Element wrench for instant water heaters/city hall	101979	7/18/2012	22.65
CALIF BUILDING STANDARDS	10-00-262	SB1473 fees payable April-June 2012	101980	7/18/2012	47.00
CALIF BUILDING STANDARDS	10-00-531	SB1473 fees payable April-June 2012/10% retention	101980	7/18/2012	-4.70
CENTRAL SANITARY SUPPLY	40-07-741	New vacuum cleaner for city hall	101981	7/18/2012	134.22

Name	Account	Description	Check Nu	Check D	Amount
CENTRAL SANITARY SUPPLY	60-50-741	New vacuum cleaner for city hall	101981	7/18/2012	134.22
CENTRAL SANITARY SUPPLY	63-56-741	New vacuum cleaner for city hall	101981	7/18/2012	134.22
Dapper Tire Co, Inc	10-21-653	4 new tires delivered to Patterson Auto for PD	101982	7/18/2012	543.45
Dave's Drain Cleaning & Plumbing	60-50-620	Hydro jetter machine repairs/clrd sewer line @ Tulare and Driske	101983	7/18/2012	125.00
DEPART. OF CONSERVATION	10-00-260	SMOT fees payable for April-June 2012	101984	7/18/2012	71.84
DEPART. OF CONSERVATION	10-00-531	SMOT fees payable for April-June 2012	101984	7/18/2012	-3.59
E&M ELECTRIC, INC.	10-44-620	Spot light for Barrington Park	101985	7/18/2012	26.22
E&M ELECTRIC, INC.	63-56-622	Checkd power @ wells 8 & 5. Problem with generator @ well #8	101985	7/18/2012	72.50
E&M ELECTRIC, INC.	69-47-630	Checkd power @ wells 8 & 5. Problem with generator @ well #8	101985	7/18/2012	26.22
E&M ELECTRIC, INC.	71-07-750	3 ballasts for old city hall	101985	7/18/2012	86.01
E&M ELECTRIC, INC.	10-21-620	repaired light at PD and re-install	101985	7/18/2012	127.06
E&M ELECTRIC, INC.	10-21-620	Performed test on light @ PD/no power	101985	7/18/2012	145.00
ENERGY SYSTEMS	10-21-620	Serviced generator at Police Dept	101986	7/18/2012	634.85
GEOANALYTICAL LAB, INC.	60-50-620	BOD/TSS/Nitrate testing/WWTP June2012	101987	7/18/2012	355.00
GEOANALYTICAL LAB, INC.	63-56-620	Weekly bactis-drinking water June2012	101987	7/18/2012	400.00
Gonzalez Leonardo	10-00-284	Refund Mem Bldg deposit/Gonzalez	101988	7/18/2012	200.00
Gonzalez Leonardo	10-00-551	Refund partial deposit-garbage not dumped/Gonzalez	101988	7/18/2012	-50.00
INFOSEND, INC	60-50-620	Utility bill and late notice mailing/June 2012	101989	7/18/2012	905.06
INFOSEND, INC	63-56-620	Utility bill and late notice mailing/June 2012	101989	7/18/2012	905.05
INFOSEND, INC	63-56-630	Inserts TCR notice with utility bills	101989	7/18/2012	500.52
INFOSEND, INC	63-56-630	Printing & inserts of Consumer Confidence Report	101989	7/18/2012	1,177.05
IN-SYNCH SYSTEMS	10-21-620	Monthly RMS subscription/8/1/12 to 8/31/12.	101990	7/18/2012	1,020.00
JOE'S LANDSCAPING & CONCR	69-47-620	Lighting & Landscape district services/June 2012	101991	7/18/2012	8,800.00
MALLARD EXPRESS AUTO	10-21-653	Replaced engine in police car 501	101992	7/18/2012	7,000.00
MID VALLEY IT, INC	60-50-710	Installed phones and cabling @ Police dept.	101993	7/18/2012	666.67
MID VALLEY IT, INC	63-56-710	Installed phones and cabling @ Police dept.	101993	7/18/2012	666.67
MID VALLEY IT, INC	71-21-710	Installed phones and cabling @ Police dept.	101993	7/18/2012	666.66
MID VALLEY IT, INC	10-03-631	5-year multi domain certificate for mail.cityofnewman.com	101993	7/18/2012	322.13
MID VALLEY IT, INC	60-50-741	Backplane cable for Hyper V Server	101993	7/18/2012	85.90
MID VALLEY IT, INC	40-07-741	Backplane cable for Hyper V Server	101993	7/18/2012	85.90
MID VALLEY IT, INC	63-56-741	Backplane cable for Hyper V Server	101993	7/18/2012	85.90
OCE' Imagistics, Inc	10-14-620	Billable copies for copier at finance dept	101994	7/18/2012	52.07
OCE' Imagistics, Inc	60-50-620	Billable copies for copier at finance dept	101994	7/18/2012	52.07
OCE' Imagistics, Inc	63-56-620	Billable copies for copier at finance dept	101994	7/18/2012	52.06
OCE' Imagistics, Inc	63-56-620	Billable copies for copier at public works dept	101994	7/18/2012	33.24
OCE' Imagistics, Inc	60-50-620	Billable copies for copier at public works dept	101994	7/18/2012	33.24
OTTMAN FARMS, INC	60-50-623	Spread fertilizer on alfalfa at WWTP	101995	7/18/2012	650.00
PATTERSON AUTO CARE, INC	10-21-653	Mounted and balanced 4 new tires	101996	7/18/2012	164.36
CITY OF PATTERSON	10-03-620	Video reimbursement for June 2012	101997	7/18/2012	660.00
P G & E	10-21-651	Natural gas for CNG 6/7/12 to 7/6/12	101998	7/18/2012	22.86
P G & E	10-33-651	Natural gas for CNG 6/7/12 to 7/6/12	101998	7/18/2012	68.54
P G & E	10-44-651	Natural gas for CNG 6/7/12 to 7/6/12	101998	7/18/2012	45.72
P G & E	60-50-651	Natural gas for CNG 6/7/12 to 7/6/12	101998	7/18/2012	22.86
P G & E	63-56-651	Natural gas for CNG 6/7/12 to 7/6/12	101998	7/18/2012	22.86
P G & E	10-07-641	Gas and electric @ city hall 6/7/12 to 7/6/12	101998	7/18/2012	1,328.88
RANDHAWA MEDICAL GRP, IN	10-21-623	Pre-employment physical/Sarah Hatfield	101999	7/18/2012	140.00
RANGEL FENCE COMPANY	60-50-620	2nd section of flood plain fence @ WWTP	102000	7/18/2012	7,790.00
Ricoh USA, Inc	10-21-620	Copier lease @ PD 6/25/12 to 7/24/12	102001	7/18/2012	325.36
SHELL FLEET PLUS	10-33-650	Gas and diesel purchases/June 2012	102002	7/18/2012	126.73
SHELL FLEET PLUS	10-44-650	Gas and diesel purchases/June 2012	102002	7/18/2012	124.45
SHELL FLEET PLUS	63-56-650	Gas and diesel purchases/June 2012	102002	7/18/2012	1,350.19
SHELL FLEET PLUS	60-50-650	Gas and diesel purchases/June 2012	102002	7/18/2012	255.28
SHELL FLEET PLUS	10-21-650	Gas and diesel purchases/June 2012	102002	7/18/2012	3,585.96
SHELL FLEET PLUS	10-22-650	Gas and diesel purchases/June 2012	102002	7/18/2012	723.17
SHELL FLEET PLUS	69-47-650	Gas and diesel purchases/June 2012	102002	7/18/2012	200.51

Name	Account	Description	Check Nu	Check D	Amount
SHELL FLEET PLUS	10-07-650	Gas and diesel purchases/June 2012	102002	7/18/2012	16.88
State of Calif Dept of Justice	10-21-620	Fingerprint apps/FBI apps/child abuse index/firearms	102003	7/18/2012	428.00
STAPLES ADVANTAGE	60-50-630	hanging file folders/pink paper/binder clips/markers	102004	7/18/2012	50.32
STAPLES ADVANTAGE	63-56-630	hanging file folders/pink paper/binder clips/markers	102004	7/18/2012	50.32
STAPLES ADVANTAGE	10-14-630	hanging file folders/pink paper/binder clips/markers	102004	7/18/2012	50.31
STAPLES ADVANTAGE	10-06-630	Self adhesive fastners/end-tab folders	102004	7/18/2012	39.28
STANTEC CONSULTING SERVIC	64-56-620	Professional services for Water rate study	102005	7/18/2012	1,097.50
TelePacific Communications	63-56-642	Monthly telephone service 7/1/12 to 7/31/12	102006	7/18/2012	159.51
TelePacific Communications	60-50-642	Monthly telephone service 7/1/12 to 7/31/12	102006	7/18/2012	159.51
TelePacific Communications	10-14-642	Monthly telephone service 7/1/12 to 7/31/12	102006	7/18/2012	159.51
TelePacific Communications	10-45-642	Monthly telephone service 7/1/12 to 7/31/12	102006	7/18/2012	159.52
TESCO CONTROL, INC.	63-56-630	120 volt green lamp	102007	7/18/2012	193.28
The Planning Center - DC&E	17-06-620	Professional services/Nonmotorized transport plan for Jan 12	102008	7/18/2012	1,438.75
The Planning Center - DC&E	17-06-620	Professional services/Nonmotorized transport plan for Feb 2012	102008	7/18/2012	6,588.75
The Planning Center - DC&E	17-06-620	Professional services/Nonmotorized transport plan for March 2012	102008	7/18/2012	8,546.25
The Planning Center - DC&E	17-06-620	Professional services/Nonmotorized transport plan for May 2012	102008	7/18/2012	10,086.52
Thomason Tractor Company of Calif	10-44-630	Seat belts for gators	102009	7/18/2012	142.42
FINKE KATHRYN	63-00-201	Refund Check	102010	7/18/2012	57.58
CURIEL ANGELICA	63-00-201	Refund Check	102011	7/18/2012	32.38
UNITED RENTALS NORTHWEST,	63-56-620	10 manuals for training on confined space	102012	7/18/2012	92.30
UNITED RENTALS NORTHWEST,	60-50-620	10 manuals for training on confined space	102012	7/18/2012	92.30
UNITED RENTALS NORTHWEST,	10-33-620	10 manuals for training on confined space	102012	7/18/2012	92.29
UNITED RENTALS NORTHWEST,	10-44-620	10 manuals for training on confined space	102012	7/18/2012	92.29
Valencia Mayra	10-00-284	Refund Memorial Bldg deposit/Valencia	102013	7/18/2012	200.00
MATTOS NEWSPAPERS, INC.	69-47-660	Legal publication ord #12-38	102014	7/18/2012	180.00
MATTOS NEWSPAPERS, INC.	63-56-660	Public notice/drinking water notice	102014	7/18/2012	240.00
MATTOS NEWSPAPERS, INC.	60-50-741	Notice to contractors/Audio Visual @ new council chambers	102014	7/18/2012	51.33
MATTOS NEWSPAPERS, INC.	40-07-741	Notice to contractors/Audio Visual @ new council chambers	102014	7/18/2012	51.34
MATTOS NEWSPAPERS, INC.	10-21-630	250 Business cards for Ashley Williams	102014	7/18/2012	66.57
MATTOS NEWSPAPERS, INC.	10-21-633	Shipping charges for taser unti	102014	7/18/2012	16.15
MATTOS NEWSPAPERS, INC.	10-45-672	Display ad for movie night	102014	7/18/2012	60.00
MATTOS NEWSPAPERS, INC.	10-45-672	Display ad for movie night	102014	7/18/2012	60.00
MATTOS NEWSPAPERS, INC.	63-56-741	Notice to contractors/Audio Visual @ new council chambers	102014	7/18/2012	51.33
WESTSIDE WELDING&RADIATOR	60-50-653	Radiator for sewer machine	102015	7/18/2012	312.48

80,065.34

Accounts Payable

AP Check Register for Council



CITY OF NEWMAN
 938 Fresno St. - 2nd Floor
 P.O. Box 787
 Newman, CA 95360
 209-862-3725

User: efaría

Printed: 07/19/2012 - 9:22 AM

Name	Account	Description	Check Nu	Check D	Amount
BLUE SHIELD OF CALIFORNIA	10-00-226	Health insurance premium/August 2012	102016	7/19/2012	11,467.00
CAL TRAFFIC SIGNS	10-33-630	7 Stop signs	102017	7/19/2012	271.85
CALIFORNIA CONSULTING, LL	10-02-620	Monthly retainer for grant and lobbying services/July 2012	102018	7/19/2012	1,011.67
CALIFORNIA CONSULTING, LL	60-50-620	Monthly retainer for grant and lobbying services/July 2012	102018	7/19/2012	1,011.67
CALIFORNIA CONSULTING, LL	63-56-620	Monthly retainer for grant and lobbying services/July 2012	102018	7/19/2012	1,011.66
CARTER JEFF	68-68-772		102019	7/19/2012	100.00
CBA (ADMIN FEES)	10-00-226	Dental-vision admin fees/July 2012	102020	7/19/2012	214.50
City National Bank	63-56-812	Interest payment on 1982 water revenue bonds	102021	7/19/2012	4,348.27
City National Bank	63-56-813	Principal payment on 1982 water revenue bonds	102021	7/19/2012	48,269.00
COELHO CARL J. (CHUCK)	10-22-650		102022	7/19/2012	50.00
DAP Technologies	71-21-701	Mobile terminal/keyboard/charge guard/ne	102023	7/19/2012	5,088.00
CASHIER,DEPT OF PESTICIDE	10-33-663	Qualified Applicator certificate/Sotelo 2nd year	102024	7/19/2012	30.00
DEPARTMENT OF INDUSTRIAL RELATIO	10-07-620	Elevator inspection @ museum	102025	7/19/2012	125.00
Grand Lodge of California	40-07-813	Principal payment on new city hall/August 2012	102026	7/19/2012	522.79
Grand Lodge of California	60-50-813	Principal payment on new city hall/August 2012	102026	7/19/2012	522.80
Grand Lodge of California	63-56-813	Principal payment on new city hall/August 2012	102026	7/19/2012	522.80
Grand Lodge of California	40-07-812	Interest payment on new city hall/August 2012	102026	7/19/2012	1,115.44
Grand Lodge of California	60-50-812	Interest payment on new city hall/August 2012	102026	7/19/2012	1,115.44
Grand Lodge of California	63-56-812	Interest payment on new city hall/August 2012	102026	7/19/2012	1,115.43
HALLINAN TOM	10-15-620		102027	7/19/2012	525.00
HALLINAN TOM	60-50-620		102027	7/19/2012	525.00
HALLINAN TOM	63-56-620		102027	7/19/2012	525.00
HARD DRIVE GRAPHICS	71-21-701	New police vehicle graphics and wrap	102028	7/19/2012	1,380.64
HEWLETT-PACKARD FINANCIAL	10-21-620	Hardware lease 7/18/12 to 8/17/12/PD	102029	7/19/2012	585.77
IDEXX LABORATORIES, INC.	63-56-630	Supplies for water samples	102030	7/19/2012	313.91
J&E Janitorial and Handyman	10-07-620	Swept/mopped and buffed all tile floors/city hall	102031	7/19/2012	100.00
KAISER PERMANENTE	10-00-226	Health insurance premium/August 2012	102032	7/19/2012	1,940.00
McPeek's Dodge of Anaheim	71-21-701	2010 Dodge Charger Police Car	102033	7/19/2012	22,245.60
MENEZES SALES	10-44-615	Steel-toed work boots 12-13	102034	7/19/2012	255.00
MENEZES SALES	69-47-615	Steel-toed work boots 12-13	102034	7/19/2012	85.00
MENEZES SALES	10-33-615	Steel-toed work boots 12-13	102034	7/19/2012	85.00
MENEZES SALES	60-50-615	Steel-toed work boots 12-13	102034	7/19/2012	416.50
MENEZES SALES	63-56-615	Steel-toed work boots 12-13	102034	7/19/2012	391.00
MENEZES SALES	10-07-615	Steel-toed work boots 12-13	102034	7/19/2012	85.00
MENEZES SALES	62-60-615	Steel-toed work boots 12-13	102034	7/19/2012	42.50
MID VALLEY IT, INC	10-21-620	IT CONTRACT/PD	102035	7/19/2012	880.00
MID VALLEY IT, INC	10-14-620	IT CONTRACT/FIN/August 2012	102035	7/19/2012	440.00
MID VALLEY IT, INC	63-56-620	IT CONTRACT/WATR	102035	7/19/2012	440.00
MID VALLEY IT, INC	60-50-620	IT CONTRACT/SEWR	102035	7/19/2012	440.00
NBS	69-47-620	Quarterly administration fees 7/1/12 to 9/30/12/LLD	102036	7/19/2012	2,311.61
Oce	10-14-620	Copier lease @ finance dept 7/1/12 to 7/31/12	102037	7/19/2012	105.81
Oce	60-50-620	Copier lease @ finance dept 7/1/12 to 7/31/12	102037	7/19/2012	105.81
Oce	63-56-620	Copier lease @ finance dept 7/1/12 to 7/31/12	102037	7/19/2012	105.81
Oce	63-56-620	Copier lease @ PW dept- 7/1/12 to 7/31/12	102037	7/19/2012	86.51
Oce	60-50-620	Copier lease @ PW dept- 7/1/12 to 7/31/12	102037	7/19/2012	86.50

Name	Account	Description	Check Nu	Check D	Amount
OPERATING ENGINEERS/	10-00-226	Health insurance premium/August 2012-May/June/July and Au	102038	7/19/2012	4,146.00
Otis Elevator Company	10-07-620	Service contract for elevator @ 938 Fresno 7/1/12 to 9/30/12	102039	7/19/2012	534.43
PERRY (NT) LANCE	60-50-615	Work boot reimbursement/L. Perry	102040	7/19/2012	170.00
Purchase Power	10-14-633	Postage meter refill	102041	7/19/2012	340.00
Purchase Power	60-50-633	Postage meter refill	102041	7/19/2012	340.00
Purchase Power	63-56-633	Postage meter refill	102041	7/19/2012	339.99
RANDHAWA MEDICAL GRP, IN	63-56-620	Pre-employment physical-Stonebarger	102042	7/19/2012	140.00
SAN JOAQUIN VALLEY AIR	63-56-667	Permit fees for well #8 for 9/1/12 to 8/31/13	102043	7/19/2012	479.00
SAN JOAQUIN VALLEY AIR	10-21-620	Permit fees for generator at 1200 Main 8/1/12 to 7/31/13	102043	7/19/2012	80.00
SAN JOAQUIN VALLEY AIR	63-56-667	Permit fees for well #6 8/1/12 to 7/31/13	102043	7/19/2012	240.00
SAN JOAQUIN VALLEY AIR	62-60-620	Permit fees for lift station @ Canal School 8/1/12 to 7/31/13	102043	7/19/2012	479.00
Soundscapes Electric Security & Audio Video	10-07-620	3 month fire alarm monitoring/938 Fresno St	102044	7/19/2012	195.00
SPRINGBROOK SOFTWARE	10-14-631	07-12 to 6-13 Annual software maintenance	102045	7/19/2012	4,105.50
SPRINGBROOK SOFTWARE	60-50-631	07-12 to 6-13 Annual software maintenance	102045	7/19/2012	4,105.50
SPRINGBROOK SOFTWARE	63-56-631	07-12 to 6-13 Annual software maintenance	102045	7/19/2012	4,105.50
Stanislaus County Auditor-Controller	10-01-663	City's contribution to LAFCO FY 12-13	102046	7/19/2012	3,548.99
STAPLES ADVANTAGE	10-21-630	Credit for inv #3176332235	102047	7/19/2012	-5.48
STAPLES ADVANTAGE	60-50-630	15 color HP laserjet ink cartridges	102047	7/19/2012	173.65
STAPLES ADVANTAGE	63-56-630	15 color HP laserjet ink cartridges	102047	7/19/2012	173.64
USA BLUEBOOK	60-50-630	25lbs grease control bacteria/element filter/WWTP	102048	7/19/2012	757.94
VARGAS GEORGE	10-22-650		102049	7/19/2012	50.00
					<hr/> <hr/>
					136,914.95
					<hr/> <hr/>

Honorable Mayor and Members
of the Newman City Council

ADOPT A RESOLUTION APPROVING THE 2012 WATER RATE STUDY

RECOMMENDATION:

It is recommended that the City Council adopt Resolution No. 2012- , approving the 2012 Water Rate Study.

BACKGROUND:

On February 23, 2010 City Council awarded a contract to Stantec for a 2012 Water Rate Study (Study). The purpose of the Study is to examine the water rates to ensure the rates recover the revenue required to operate the system in a safe reliable manor, in compliance with regulations and all governmental accounting requirements. Specific key objectives of the study include funding of existing and future infrastructure needs, determining an equitable distribution of capital costs between existing users and future water system users, re-assess the water rate structure, and to provide a model that is flexible and easily updated as new information becomes available.

The Study was delayed due to changing directions for future water supplies that resulted in lower monthly rates to the consumer. The first draft of the Study included a future surface water supply facility at a cost of \$50 Million. However, the City recently installed a municipal water test hole that showed improved water quality results. Therefore, the future water supply facility has now been delayed and the Study shifted focus to installing a new well, storage tank and booster pump station at a cost of \$5.0 Million and to continue looking for another location for a possible municipal water test hole.

The Study has been completed and reviewed by City Staff. In addition, an Adhoc Committee (consisting of representatives from City Council, industries, the business community, and the residential community) was assembled and provided input and direction for the Study. After considerable input and direction from the Committee, the Study was revised. The Adhoc Committee has completed their review and has recommended the Study be forwarded to City Council for their review, comments and potential acceptance. Prior to the City Council meeting city staff and the consultant conducted a City Council workshop and presented the Study.

ANALYSIS:

In 2008 the water rates were increased to cover the cost of service related to the utility. However, at that time the Water Master Plan, which identifies necessary capital improvements for the water system, was not completed. Therefore, the rate increase in 2008 did not provide for additional capital improvements for the water system and did not provide for future rate increases to cover increasing cost of service. This Study analyzed needs of the utility for the next ten years, however the recommendation is to adopt rates for the next five years.

Table 1 below shows the residential rates proposed for the next five years. This is based on an annual average consumption rate of 19.32 units (1 unit = 100 cubic feet) for a single family home for a 5/8” meter size.

Table 1

Year	Rate	Difference	Percent
Current	\$19.33		
Year 1	\$26.27	\$6.94	35.9%
Year 2	\$28.99	\$2.72	10.4%
Year 3	\$32.09	\$3.10	10.7%
Year 4	\$34.81	\$2.72	8.5%
Year 5	\$36.66	\$1.85	5.3%

The Study recommends revising the rate structure from a base allowance of four units of water per month to a monthly service charge plus water use per unit based on a tiered structure that encourages water conservation. The monthly service charge is a fixed monthly fee for the majority of the fixed costs to operate the system and a meter replacement program. This rate structure is not proposed for industrial accounts. They will remain at a uniform rate structure to support economic development.

Agenda Item: **10.a.**

Provided City Council approves the Study, staff recommends City Council authorize staff to bring back before City Council an authorization to initiate the proceeding for a Proposition 218 process and to establish a date for a public hearing.

FISCAL IMPACT:

None.

CONCLUSION:

The 2012 Water Rate Study has been completed and approved by the Adhoc Committee. The Adhoc Committee has recommended the 2012 Water Rate Study be forwarded to City Council for their consideration. Therefore, staff recommends City Council adopt Resolution No. 2012- , approving the 2012 Water Rate Study.

ATTACHMENTS:

1. Resolution No. 2012- , approving the 2012 Water Rate Study

Respectfully Submitted,



Garner Reynolds
Director of Public Works

REVIEWED/CONCUR:



Michael E. Holland
City Manager

RESOLUTION NO. 2012-

APPROVING 2012 WATER RATE STUDY

WHEREAS, the City Manager of the City of Newman has recommended that the City Council approve the Water Rate Study; and

WHEREAS, the City Council is desirous of approving the Water Rate Study; and

WHEREAS, the City Council of the City of Newman has determined it would be in the best interest of the City to approve the 2012 Water Rate Study.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Newman hereby approves the Water Rate Study.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 24th day of July 2012 by Council Member _____, who moved its adoption which motion was duly seconded and was upon roll call carried and the resolution adopted by the following vote:

AYES:
NOES:
ABSENT:

APPROVED:

Mayor of the City of Newman

ATTEST:

Deputy City Clerk of the City of Newman

Honorable Mayor and Members
of the Newman City Council

**REPORT ON ORDINANCES RELATING TO UTILITY BILLING
AND POSSIBLE CHANGES TO SAID ORDINANCES**

RECOMMENDATION:

Provide guidance to staff with regard to utility billing ordinances and charges.

BACKGROUND:

At the March 13th Council meeting staff was asked to prepare a report with regard to penalties for violation of the utility sections of our municipal code. Since that time additional questions such as, charges on vacant properties, application fees and responsibility for damages to City assets located on private property, have arisen.

Service Charges on vacant properties: The City of Newman water ordinance 11.05.110 states that even though there is no water usage or even if the property is vacant, the regular minimum rate shall be charged and collected from the owner or applicant for service. Sewer ordinance 11.06.080 says charges shall be monthly and either the person who requested the connection to the system or the owner of record when services were rendered is responsible for payment. For refuse collection ordinance 8.01.020 states all residences are required to use the refuse collection service of the City and pay the charges therefor.

Penalties: Violations of City Ordinances with regard to utility service are punishable as a misdemeanor under sections 11.05.270, 11.06.090 and 8.01.220. These misdemeanors are punishable by a fine of not more than \$500 or by imprisonment not to exceed six months or by both such fines and imprisonment.

Application Fees: Currently each person pays a \$25.00 application fee when applying for service. If, in a rental property, the tenants change frequently, the landlord may end up paying an application fee more than one time per year. The intent of the application fee was to recover the cost of the process of setting up the new bill payer (verifying rights to reside at a particular residence, business, etc.).

Responsibility for Damages: Damages to City utility assets (i.e. meter, curb stop, etc.) are currently charged to the current utility customer at that location where the damage took place. The owner is billed for the cost of repairs if no one is signed up for services at that address.

ANALYSIS:

Each of the four discussion items can be implemented separately from the others. None of them are dependent on another item being enacted. For ease of discussion each item is analyzed separately.

Service Charges on vacant properties: Each service (water, sewer, refuse) is a separate enterprise and should be self-funding and self-sufficient. Our former accounting software only allowed us to keep track of the current service applicant at a particular address. Due to the rate at which properties changed hands during the housing crisis, combined with the County being overwhelmed and behind on property ownership changes, it has been difficult to determine the actual owner. In addition, collecting revenue from vacant properties would improve our revenues by only 1%; however the time and cost of researching who the owner is and attempting to collect on that debt may prove to be more costly than the gain in revenues. Currently, we have 3163 water meters installed city wide of which 3100 are active customers. Billing the flat rate on these vacant properties would only yield an additional \$686.70 per month for that fund (Sewer - \$2,351, Refuse - \$1,354). Sections of our City ordinance with regard to Water, Sewer and Refuse are included on the following pages. Two options present themselves. One, leave the ordinance as is and enforce it as is (i.e. charge the home owner water, sewer and garbage flat rates when their rental is vacant). Two, modify the ordinance to not charge the owner when the property is vacant (i.e. have owner sign a vacancy affidavit when vacant).

Council Direction: *Shall we bill charges to the homeowner when their properties are vacant or only when the property is occupied?*

Penalties: Violations of the City's ordinances with regard to water usage were very few in comparison to the number of billable accounts. During the 2011/2012 fiscal year the City found that on 34 occasions residents turned their water on without signing up for service. After locking their meter's curb stop in the off position, the vast majority signed up for service; while 4 padlocks were cut or broken off and 3 curb stops had to be replaced; of those eventually 6 meters had to be pulled. Those accounts that caused damage to our equipment accounted for less than 7 (0.2%) of our 3100 active customer accounts. In other words 99.8% of the City's billable accounts did no damage to city property. It is unknown if and when the District Attorney will return to prosecute misdemeanor charges. Changing the penalty to an Administrative Citation would not provide any significant increase in collection strength in the case of a rental property; and would provide no negligible increased revenues. Current estimated FY water revenues are \$985,000. Total amount sent to collections in the current fiscal year \$3,610.39 (.37% of revenues).

Council Direction: Shall we add the penalty of administrative citation to the current misdemeanor charge to provide another option to recover costs?

Application Fees: In 2009 Council approved a \$25.00 application fee to cover the cost of processing a customer's application for service. If a rental property changes tenants frequently, a landlord may end up paying multiple application fees in a year if they transfer utilities back into their name between tenants. It has been suggested that we limit the amount a landlord has to pay to no more than one (1) \$25.00 charge, per fiscal year, per billable address. This will limit the impact on landlords, should they suffer multiple turnovers at a single property during one fiscal year.

Council Direction: Shall we charge landlords no more than one \$25 application fee per billable address per fiscal year?

Responsibility for Damages: Currently when the City's utility assets located on private property (i.e. meter, curb stops, service laterals, padlocks, etc.) are damaged, the customer who has applied for service at that address is charged the cost of repairs. If no customer has applied for service at that address, then the owner is charged for the cost of repairs.

Council Direction: Should we place the responsibility for all repairs on the property owner regardless of who is currently residing on the property?

FISCAL IMPACT:

No fiscal impact. This report is seeking guidance which may have a future fiscal impact.

CONCLUSION:

Staff seeks Council guidance with regard to charging vacant properties or not, changing the penalties from misdemeanors to administrative citations, limiting application fees charged to landlords to one time per fiscal year per billable location, and placing responsibility for damages on the homeowner or the tenant.

ATTACHMENTS:

1. Certain City Ordinances for reference

Respectfully submitted:



Lewis A. Humphries
Finance Director

REVIEWED/CONCUR:



Michael Holland
City Manager

Attachment #1

Certain Ordinances for Review

Water

11.05.020 Application for service – Deposit.

A. Application. Before water will be supplied by the Water Department to any person, which requires a connection from the Department's water mains to water pipes on any real property, the owner or occupant of the property shall make a written application for such service and service connection upon a form provided by the Water Department, and pay a nonrefundable application fee as established by resolution. The information required in all instances where application is made for water shall include the name and address of the applicant, a description of the real property by lot number, block and tract and the official house number assigned to the premises for which water is desired, together with a statement of the applicant's relation to the property, whether as owner, occupant, lessee or otherwise.

11.05.110 Water meters. E. Vacancy. In case no water is used through the meter, or the property becomes vacant, nevertheless, the regular minimum rate shall be charged and collected from the owner thereof, or the applicant for service.

11.05.270 Penalties.

Any violation of the provisions of this chapter shall constitute a misdemeanor¹. (Ord. 77-1, 1-25-1977)

Sewer

11.06.080 Service charges and fees.

4. Billing and Payments.

a. The regular billing for sewer service charges shall be monthly. If the bill is not paid within 15 days from the due date, the same shall be considered delinquent.

b. As an alternative to any of the other procedures herein provided, the City may bring an action against the person or persons who occupied the premises, or who requested the connection to the sewer system, or if no such request was made, then to the owner of record of such premises, when the service was rendered for the collection of the amount of delinquent rate and all penalties and costs of collection including a reasonable attorneys' fee.

11.06.090 Enforcement and penalties.

The City Manager shall enforce the provisions of this chapter, including requirements established or permits issued hereunder, as provided herein.

B. Criminal Penalties. Any person who intentionally or negligently discharges wastewater in any manner, in violation of this chapter or industrial discharge permit or order issued hereunder by the City Manager, is guilty of a misdemeanor.

Garbage

8.01.020 Refuse collection service exclusive and compulsory.

All dwellings, apartment houses and places of business in which refuse accumulates within the City shall be required to use the refuse collection service of the City and to pay the charges therefor, except as provided in NCC 8.01.090.

8.01.220 Violation and penalty.

A. Any person in violation of this article shall be guilty of a misdemeanor and shall be punishable by a fine of not more than \$500.00 or imprisonment in the Stanislaus County jail for not more than six months, or both.

Honorable Mayor and Members
of the Newman City Council

**DESIGNATION OF VOTING DELEGATE FOR THE
LEAGUE OF CALIFORNIA CITIES CONFERENCE**

RECOMMENDATION:

It is recommended that the City Council:

1. Designate a Voting Delegate for the League of California Cities 2012 Annual Conference.

BACKGROUND:

An important part of the League of California Cities Annual Conference is the Annual Business Meeting. At this meeting, the League membership considers and takes action on resolutions that establish League policy. The League's bylaws stipulate that each city is entitled to one vote on matters affecting municipal or League policy. The League requires that voting delegates and alternates for its Annual Conference must be designated by City Council action

ANALYSIS:

A Voting Delegate is requested of each city that plans to be represented at the Conference. The voting representative will be issued a voting card for use at the Annual Business Meeting on Friday, September 7, 2012. Currently, Mayor Katen and Council Member Hutchins are registered to attend the 2012 League of California Cities Conference in September. Both the Mayor and Council Members have been designated as the City's representative in the past.

FISCAL IMPACT:

There is no fiscal impact of this Council Action.

CONCLUSION:

The League of California Cities requires that voting delegates and alternates for its Annual Conference must be designated by City Council action. The City of Newman will be represented at the 2012 League of California Cities Conference in September by Mayor Katen and Council Member Hutchins. This staff report is submitted for City Council consideration and action.

ATTACHMENTS:

1. League of California Cities information regarding Voting Delegates and 2012 Annual Conference Voting Procedures.
2. 2012 Annual Conference Voting Delegates and Alternates Form.

Respectfully submitted,



Mike Maier
Deputy City Clerk

REVIEWED/CONCUR:



Michael E. Holland
City Manager



Voting Delegates

TO: MAYORS, CITY MANAGERS AND CITY CLERKS

RE: DESIGNATION OF VOTING DELEGATES AND ALTERNATES

League of California Cities Annual Conference – September 5 - 7, San Diego

The League's 2012 Annual Conference is scheduled for September 5 - 7 in San Diego. An important part of the Annual Conference is the Annual Business Meeting (*at the General Assembly*), scheduled for noon on Friday, September 7, at the San Diego Convention Center. At this meeting, the League membership considers and takes action on resolutions that establish League policy.

In order to vote at the Annual Business Meeting, your city council must designate a voting delegate. Your city may also appoint up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve in that capacity.

Please complete the Voting Delegate form and return it to the League's office no later than Wednesday, August 15, 2012. This will allow us time to establish voting delegate/alternates' records prior to the conference.

Please note the following procedures that are intended to ensure the integrity of the voting process at the Annual Business Meeting.

- **Action by Council Required.** Consistent with League bylaws, a city's voting delegate and up to two alternates must be designated by the city council. When completing the attached Voting Delegate form, please attach either a copy of the council resolution that reflects the council action taken, or have your city clerk or mayor sign the form affirming that the names provided are those selected by the city council. Please note that designating the voting delegate and alternates must be done by city council action and cannot be accomplished by individual action of the mayor or city manager alone.
- **Conference Registration Required.** The voting delegate and alternates must be registered to attend the conference. They need not register for the entire conference; they may register for Friday only. To register for the conference, please visit our registration page. In order to cast a vote, at least one person must be present at the Business Meeting and in possession of the voting delegate card. Voting delegates and alternates need to pick up their conference badges before signing in and picking up the voting delegate card at the Voting Delegate Desk. This will enable them to receive the special sticker on their name badges that will admit them into the voting area during the Business Meeting.
- **Transferring Voting Card to Non-Designated Individuals Not Allowed.** The voting delegate card may be transferred freely between the voting delegate and alternates, but *only* between the voting delegate and alternates. If the voting delegate and alternates find themselves unable to attend the Business Meeting, they may not transfer the voting card to another city official.
- **Seating Protocol during General Assembly.** At the Business Meeting, individuals with the voting card will sit in a separate area. Admission to this area will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate. If the voting delegate and alternates wish to sit together, they must sign in at the Voting Delegate Desk and obtain the special sticker on their badges.

The Voting Delegate Desk, located in the conference registration area of the San Diego Convention Center, will be open at the following times: Wednesday, September 5, 9:00 a.m. – 6:30 p.m.; Thursday, September 6, 7:00 a.m. – 4:00 p.m.; and September 7, 7:30–10:00 a.m. The Voting Delegate Desk will also be open at the Business Meeting on Friday, but not during a roll call vote, should one be undertaken.

The voting procedures that will be used at the conference are attached to this memo. Please share these procedures and this memo with your council and especially with the individuals that your council designates as your city's voting delegate and alternates.

Once again, thank you for completing the voting delegate and alternate form and returning it to the League office by Wednesday, August 15. If you have questions, please contact Mary McCullough or at (916) 658-8247.

2012 Annual Conference Voting Procedures

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to League policy.
2. **Designating a City Voting Representative.** Prior to the Annual Conference, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the Voting Delegate Form provided to the League Credentials Committee.
3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the Voting Delegate Desk in the conference registration area. Voting delegates and alternates must sign in at the Voting Delegate Desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the Business Meeting.
4. **Signing Initiated Resolution Petitions.** Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the Credentials Committee at the Voting Delegate Desk, may sign petitions to initiate a resolution.
5. **Voting.** To cast the city's vote, a city official must have in his or her possession the city's voting card and be registered with the Credentials Committee. The voting card may be transferred freely between the voting delegate and alternates, but may not be transferred to another city official who is neither a voting delegate or alternate.
6. **Voting Area at Business Meeting.** At the Business Meeting, individuals with a voting card will sit in a designated area. Admission will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate.
7. **Resolving Disputes.** In case of dispute, the Credentials Committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the Business Meeting.

Voting Delegate/Alternate Form



CITY: _____

2012 ANNUAL CONFERENCE
VOTING DELEGATE/ALTERNATE FORM

Please complete this form and return it to the League office by Wednesday, August 15, 2012. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located in the Annual Conference Registration Area. Your city council may designate one voting delegate and up to two alternates.

In order to vote at the Annual Business Meeting (General Assembly), voting delegates and alternates must be designated by your city council. Please attach the council resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the council.

Please note: Voting delegates and alternates will be seated in a separate area at the Annual Business Meeting. Admission to this designated area will be limited to individuals (voting delegates and alternates) who are identified with a special sticker on their conference badge. This sticker can be obtained only at the Voting Delegate Desk.

1. VOTING DELEGATE

Name: _____

Title: _____

2. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

3. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

PLEASE ATTACH COUNCIL RESOLUTION DESIGNATING VOTING DELEGATE AND ALTERNATES.

OR

ATTEST: I affirm that the information provided reflects action by the city council to designate the voting delegate and alternate(s).

Name: _____ E-mail _____

Mayor or City Clerk _____ Phone: _____
(circle one) (signature)

Date: _____

Please complete and return by Wednesday, August 15th, to:

League of California Cities
ATTN: Mary McCullough
1400 K Street
Sacramento, CA 95814

FAX: (916) 658-8240
E-mail: mmccullough@cacities.org
(916) 658-8247