



AGENDA
NEWMAN CITY COUNCIL
REGULAR MEETING APRIL 9, 2013
CITY COUNCIL CHAMBERS, 7:00 P.M., 938 FRESNO STREET

1. **Call To Order.**
2. **Pledge Of Allegiance.**
3. **Invocation.**
4. **Roll Call.**
5. **Declaration Of Conflicts Of Interest.**
6. **Ceremonial Matters.**
 - a. Proclamation – Bike To Work Month. ([View Proclamation](#))
 - b. Proclamation – Library Week. ([View Proclamation](#))
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 March 26, 2013 Regular Meeting. ([View Minutes](#))
9. **Public Hearings**
 - a. Adopt Resolution No. 2013- , A Resolution Declaring The Existence Of A Public Nuisance Under Ordinance No. 95-4. ([View Report](#))
 - b. Adopt Resolution No. 2013- , A Resolution Approving And Recommending Approval To The Stanislaus County Board Of Supervisors Of The Annual Action Plan For Fiscal Year 2013-2014 And Close 30 Day Public Comment Period. ([View Report](#))
10. **Regular Business**
 - a. Adopt Resolution No. 2013- , A Resolution Awarding A Contract For The Pioneer Park Improvement Project. ([View Report](#))
 - b. Adopt Resolution No. 2013- , A Resolution Awarding The Bid Of One 2013 Tractor. ([View Report](#))
 - c. Adopt Resolution No. 2013- , A Resolution Authorizing The Conversion Of The Part Time Account Clerk I Position In The Finance Department To Full Time And Authorize A Budget Adjustment. ([View Report](#))

d. League Of California Cities Proposed Amendments To League Bylaws. ([View Report](#))

e. Report On California Voting Rights Act. ([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

April 9 - NCLUSD Board Meeting - 6:00 P.M.

April 9 - City Council - 7:00 P.M.

April 10 - Newman Quasquicentennial (125 Years) Planning Committee Meeting - 6:00 P.M.

April 11 - Recreation Commission - 7:00 P.M.

April 16 - Special Joint City Council - NCLUSD Board Meeting - 6:00 P.M.

April 23 - City Council - 7:00 P.M.

April 24 - Newman Quasquicentennial (125 Years) Planning Committee Meeting - 6:00 P.M.

April 26-28 - Founders Day Weekend Festivities.

Proclamation

of the Mayor of the City of Newman

WHEREAS, Bicycle commuting is an effective means to improve air quality, reduce traffic congestion, and conserve energy; and

WHEREAS, Bicycle commuting benefits both employees and employers through better employee health and fitness; reduced commuting, parking and health care costs; lower employee absenteeism and turnover; and increased employee productivity; and

WHEREAS, The Federal government has enacted a Bicycle Commuter Tax Provision for incurred costs which employers can pay for items such as bicycle purchases, improvements, repair and storage; and

WHEREAS, The Stanislaus Council of Governments and the San Joaquin Council of Governments through its Commute Connection program promotes and organizes the annual National Bike to Work Week event along with the San Joaquin Valley Air Pollution Control District and REI, and supports bicycling through its employer outreach program; and

WHEREAS, The week of May 17, 2013 is national Bike to Work week, which promotes bicycling as a viable means of transportation to and from work;

NOW, THEREFORE, I Ed Katen, Mayor, on behalf of the Newman City Council, do hereby proclaim **May 16, 2013 as Bike to Work Day** throughout the City of Newman and encourage all residents to recognize the importance of bicycle safety and be more aware of cyclists on our streets.

Signed the 26th day of March 2013

Signed _____



Proclamation

of the Mayor of the City of Newman

WHEREAS, library use is up nationwide among all types of library users, continuing a decade-long trend; and,

WHEREAS, a literate workforce is essential to the economic health of our community; and,

WHEREAS, reading is a basic key to achieving personal success in school, business and life; and,

WHEREAS, librarians are actively building partnerships in the community and making special efforts to reach out to parents, children and low-literate adults; and,

WHEREAS, libraries ensure equal access to knowledge, information and offer valuable reading resources and services to the public; and,

WHEREAS, librarians and libraries are actively involved in providing equitable access to the Internet and other computer technologies; and,

WHEREAS, libraries provide free resources such as employment searches, online interview preparation, resume assistance and tutoring support, that are particularly important during difficult economic times; and

WHEREAS, libraries offer pre-school Story Times and summer reading programs to encourage children to begin a habit of reading that will serve to benefit their personal and professional lives,

NOW, THEREFORE, I, Ed Katen, Mayor of the City of Newman do hereby proclaim April 14-20, 2013, as National Library Week in the City of Newman and urge everyone to visit libraries and to take advantage of the wonderful resources they provide.

Signed _____



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: smendonca

Printed: 04/05/2013 - 9:55 AM

Name	Account	Description	Check Nu	Check D	Amount
Alvarez Juan	10-00-28	Refund Memorial Bldg deposit/Jehovahs Witness	103336	4/5/2013	75.00
AT&T	10-21-64	Telephone service 2/13/13-3/12/13	103337	4/5/2013	17.83
AT&T	10-14-64	Telephone service 2/13/13-3/12/13	103337	4/5/2013	45.75
AT&T	10-07-66	Telephone service 2/13/13-3/12/13	103337	4/5/2013	15.04
AT&T	63-56-64	Telephone service 2/13/13-3/12/13	103337	4/5/2013	45.99
AT&T	60-50-64	Telephone service 2/13/13-3/12/13	103337	4/5/2013	16.05
AT&T	10-21-64	Emergency dispatch line 2/20/13-3/19/13	103337	4/5/2013	136.79
AT&T	10-21-64	T1 line @ PD 2/20/13-3/19/13	103337	4/5/2013	336.85
BERTOLOTTI DISPOSAL	10-41-62	Monthly garbage service/March 2013	103338	4/5/2013	60,570.81
B G AUTO	10-44-63	10 Lithium grease	103339	4/5/2013	42.08
BORGE'S GLASS, INC.	10-21-65	Install new windshield/2007 Chevy Tahoe	103340	4/5/2013	257.62
BURTON'S FIRE, INC	71-22-71	Fire engine pump repair	103341	4/5/2013	8,954.62
CARTER JEFF	68-68-77		103342	4/5/2013	100.00
CBA (ADMIN FEES)	10-00-22	Dental-vision admin fees/April 2013	103343	4/5/2013	221.00
CENTRAL SANITARY SUPPLY	10-44-66		103344	4/5/2013	14.02
CENTRAL SANITARY SUPPLY	10-44-66		103344	4/5/2013	7.02
CENTRAL SANITARY SUPPLY	10-07-63		103344	4/5/2013	3.50
CENTRAL SANITARY SUPPLY	10-21-63		103344	4/5/2013	3.51
CENTRAL SANITARY SUPPLY	10-07-66		103344	4/5/2013	1.75
CENTRAL SANITARY SUPPLY	10-22-63		103344	4/5/2013	1.75
CENTRAL SANITARY SUPPLY	10-44-63		103344	4/5/2013	1.76
CENTRAL SANITARY SUPPLY	10-46-63		103344	4/5/2013	1.75
CENTRAL SANITARY SUPPLY	10-44-66		103344	4/5/2013	12.04
CENTRAL SANITARY SUPPLY	10-44-66		103344	4/5/2013	6.01
CENTRAL SANITARY SUPPLY	10-07-63		103344	4/5/2013	3.01
CENTRAL SANITARY SUPPLY	10-21-63		103344	4/5/2013	3.01
CENTRAL SANITARY SUPPLY	10-07-66		103344	4/5/2013	1.51
CENTRAL SANITARY SUPPLY	10-22-63		103344	4/5/2013	1.50
CENTRAL SANITARY SUPPLY	10-44-63		103344	4/5/2013	1.51
CENTRAL SANITARY SUPPLY	10-46-63		103344	4/5/2013	1.50
COELHO CARL J. (CHUCK)	10-22-65		103345	4/5/2013	50.00
COMCAST CABLE	60-50-62	High speed internet/sewer	103332	4/2/2013	35.72
COMCAST CABLE	63-56-62	High speed internet/water	103332	4/2/2013	35.74
COMCAST CABLE	10-21-62	High speed internet/PD	103332	4/2/2013	35.72
Corral Maryann	10-00-55	Refund Pioneer Park rent/canceled/Corral	103346	4/5/2013	45.00
CSG Consultants, Inc	10-23-62	Bldg permit issuance/March 2013	103347	4/5/2013	495.29
CSG Consultants, Inc	10-23-62	Bldg permit finals/March 2013	103347	4/5/2013	153.01
CSG Consultants, Inc	10-23-62	In house plan check deposits/March 2013	103347	4/5/2013	33.75
CSG Consultants, Inc	10-23-62	In house plan check fees/March 2013	103347	4/5/2013	296.00
CSG Consultants, Inc	10-23-62	BL insp-Just Life Financial,Mel's Chop Shop,The Grille/Mar 20	103347	4/5/2013	75.00
Datamatic, LTD	63-56-62	Annual water meter readers service April 1, 2013-March 31, 201	103333	4/2/2013	3,630.00
Delgado's Welding and Hardfacing	10-33-63	Railing for the plaza ADA ramp.	103348	4/5/2013	193.07
DEPT PUBLIC HEALTH/DRINKI	63-56-66	Water system fees July 1, 2012 through December 21, 2012.	103349	4/5/2013	630.00
Direct Security and Sound, Inc.	60-50-71	DVR unit/3 cameras/power supply/camera wires and connectors	103350	4/5/2013	4,790.02
FRANKLIN PET CEMETERY & C	10-21-62	Animal disposal	103351	4/5/2013	10.80

Name	Account	Description	Check Nu	Check D	Amount
FRANKLIN PET CEMETERY & C	10-21-62	Animal disposal	103351	4/5/2013	37.60
FRANKLIN PET CEMETERY & C	10-21-62	Animal disposal	103351	4/5/2013	7.20
G BAR N VETERINARY CLINIC	10-21-62	Veterinary services/March 2013	103352	4/5/2013	990.00
Gouveia Engineering, Inc	17-44-77	Prepared tree planting map	103353	4/5/2013	798.00
HALLINAN TOM	10-15-62		103354	4/5/2013	525.00
HALLINAN TOM	60-50-62		103354	4/5/2013	525.00
HALLINAN TOM	63-56-62		103354	4/5/2013	525.00
Independent Stationers	10-14-63	Electric stapler	103355	4/5/2013	15.82
Independent Stationers	60-50-63	Electric stapler	103355	4/5/2013	15.82
Independent Stationers	63-56-63	Electric stapler	103355	4/5/2013	15.81
IN-SYNCH SYSTEMS	10-21-62	Monthly RMS subscription 5/1/13 to 5/31/13	103356	4/5/2013	1,020.00
KAISER PERMANENTE	10-00-22	Health insurance premium/May 2013	103357	4/5/2013	2,713.00
Modesto Alarm, Inc	10-07-62	12 months alarm monitoring	103358	4/5/2013	360.00
NBS	69-47-62	Quarterly administration fees 4/1/13-6/30/13/LLD	103359	4/5/2013	2,329.65
NEWMAN SMOG AND LUBE	10-21-65	Replaced headlight harness/2007 Crown Victoria	103360	4/5/2013	103.01
NEWMAN SMOG AND LUBE	10-21-65	Lube, oil and filter change/tire rotation/2007 Buick LaCrosse	103360	4/5/2013	97.76
NEWMAN SMOG AND LUBE	10-21-65	Replaced tires/lube, oil and filter change/2003 Crown Victoria	103360	4/5/2013	100.82
NEWMAN ACE HARDWARE/JACT,	63-56-63	Pushbroom	103361	4/5/2013	42.76
NEWMAN ACE HARDWARE/JACT,	69-47-63	Trowel/nozzle/plier set/hammer/batteries/wrench set/oil/shovel	103361	4/5/2013	151.01
NEWMAN ACE HARDWARE/JACT,	10-44-63	Plier set/hammer/socket set/oil/edger blade/pliers/trimmer	103361	4/5/2013	282.67
NEWMAN ACE HARDWARE/JACT,	10-33-63	Socket set/wrench set/shovel/fertilizer/graffitti remover/chains	103361	4/5/2013	373.25
NEWMAN ACE HARDWARE/JACT,	60-50-63	Lawn&leaf bags/batteries/screws/nuts/hose/safety glasses/bucke	103361	4/5/2013	219.08
NEWMAN ACE HARDWARE/JACT,	10-46-63	Dustpan/plier/pipe wrench/paint pail/deodorizer/bleach	103361	4/5/2013	62.32
NEWMAN ACE HARDWARE/JACT,	10-07-63	Pop up sprinklers/light bulb/bleach/tape/water heater	103361	4/5/2013	271.95
NEWMAN ACE HARDWARE/JACT,	24-32-77	Blade	103361	4/5/2013	5.91
NEWMAN CHAMBER OF COMMERC	10-01-66	Chamber event	103334	4/2/2013	400.00
NEWMAN DEPOT GARAGE	10-21-65	Replaced blower motor/checked a/c system/2007 Chevy Tahoe	103362	4/5/2013	393.12
NICHOLS CONSULTING	10-14-62	Prep of SB 90/State Mandated Cost Claims period ending 6/30/1	103363	4/5/2013	600.00
North Star Engineering Group, Inc	18-32-77	Engineering services/Hwy 33 & Inyo Ave.	103364	4/5/2013	5,047.50
NORMAC, INC.	69-47-63	Falcon rotor	103365	4/5/2013	347.09
NORMAC, INC.	10-44-63	Falcon rotor	103365	4/5/2013	115.70
Otis Elevator Company	10-07-62	Service contract for elevator @ 938 Fresno St. 4/1/13-6/30/13	103366	4/5/2013	547.33
P G & E	10-07-64	Gas and electric 2/6/13 to 3/17/13	103367	4/5/2013	848.69
P G & E	10-22-64	Gas and electric 2/6/13 to 3/17/13	103367	4/5/2013	254.64
P G & E	10-33-64	Gas and electric 2/6/13 to 3/17/13	103367	4/5/2013	4,681.99
P G & E	10-44-64	Gas and electric 2/6/13 to 3/17/13	103367	4/5/2013	382.21
P G & E	10-45-64	Gas and electric 2/6/13 to 3/17/13	103367	4/5/2013	141.50
P G & E	10-46-64	Gas and electric 2/6/13 to 3/17/13	103367	4/5/2013	246.06
P G & E	10-44-66	Gas and electric 2/6/13 to 3/17/13	103367	4/5/2013	535.83
P G & E	10-07-66	Gas and electric 2/6/13 to 3/17/13	103367	4/5/2013	103.80
P G & E	10-44-66	Gas and electric 2/6/13 to 3/17/13	103367	4/5/2013	298.75
P G & E	60-50-64	Gas and electric 2/6/13 to 3/17/13	103367	4/5/2013	20,783.64
P G & E	62-60-64	Gas and electric 2/6/13 to 3/17/13	103367	4/5/2013	391.62
P G & E	62-60-64	Gas and electric 2/6/13 to 3/17/13	103367	4/5/2013	691.73
P G & E	63-56-64	Gas and electric 2/6/13 to 3/17/13	103367	4/5/2013	9,815.13
P G & E	69-47-64	Gas and electric 2/6/13 to 3/17/13	103367	4/5/2013	2,787.38
P G & E	73-70-66	Gas and electric 2/6/13 to 3/17/13	103367	4/5/2013	286.56
P G & E	73-70-66	Gas and electric 2/6/13 to 3/17/13	103367	4/5/2013	401.36
PIONEER DRUG	63-56-63	Lunch bags for water samples	103368	4/5/2013	8.59
PITNEY BOWES, Inc	10-14-63	Postage meter rental 1/1/13-3/31/13	103369	4/5/2013	41.58
PITNEY BOWES, Inc	10-14-63	Postage meter rental 1/1/13-3/31/13	103369	4/5/2013	41.59
PITNEY BOWES, Inc	63-56-63	Postage meter rental 1/1/13-3/31/13	103369	4/5/2013	41.59
Rabobank	10-21-61	HSA deposit/Williams	103335	4/2/2013	2,437.50
RALEY'S IN STORE CHARGE	10-46-63	Coffee/creamers/spoons/cups/Corp Yard	103370	4/5/2013	31.47
RALEY'S IN STORE CHARGE	10-14-63	Sugar cubes/sweetener/City Hall	103370	4/5/2013	6.17

Name	Account	Description	Check Nu	Check D	Amount
RALEY'S IN STORE CHARGE	63-56-63	Lotion/Water Department	103370	4/5/2013	6.45
SAFE-T-LITE	10-33-63	20 traffic cones/6 Stop & slow signs	103371	4/5/2013	355.55
Sequeira Rick	10-00-28	Refund Memorial Building deposit/Sequeira	103372	4/5/2013	200.00
Shasta Elevator Company	10-07-66	Preventative maintenance on wheel chair lift at museum	103373	4/5/2013	400.00
SOLECON, INC	10-07-62	Reset unit and ran test after brown out/IT room	103374	4/5/2013	120.01
Stanislaus County Dept of Environmental Reso	63-56-66	Hazardous materials business plan 12/1/12 to 11/30/13 CUPA	103375	4/5/2013	81.00
Stanislaus County Dept of Environmental Reso	63-56-66	Hazardous materials business plan 12/1/12 to 11/30/13 CUPA	103375	4/5/2013	81.00
Stanislaus County Dept of Environmental Reso	60-50-66	Hazardous materials business plan 12/1/12 to 11/30/13 CUPA	103375	4/5/2013	217.00
State of Calif Dept of Justice	10-21-62	Fingerprint apps/record review	103376	4/5/2013	413.00
Stanislaus County Auditor-Controller	10-21-66	SR911 Operations Jan-Mar 2013	103377	4/5/2013	55,903.00
STAPLES ADVANTAGE	10-21-63	Tape dispenser	103378	4/5/2013	6.98
STAPLES ADVANTAGE	10-33-63	Toner/paper clip dispenser/pop up notes	103378	4/5/2013	44.46
STAPLES ADVANTAGE	60-50-63	Toner/paper clip dispenser/pop up notes	103378	4/5/2013	44.46
STAPLES ADVANTAGE	63-56-63	Toner/paper clip dispenser/pop up notes	103378	4/5/2013	44.47
STAPLES ADVANTAGE	10-14-63	Certificate frame/red lead	103378	4/5/2013	24.19
STAPLES ADVANTAGE	60-50-63	Certificate frame/red lead	103378	4/5/2013	2.68
STAPLES ADVANTAGE	63-56-63	Certificate frame/red lead	103378	4/5/2013	2.69
STAPLES ADVANTAGE	10-21-63	Copy paper/glue tape/purell wipes/memo book/packaging tape	103378	4/5/2013	244.57
SUN VALLEY PORTABLES	69-47-62	Portable restroom rental-service/March 2013	103379	4/5/2013	155.76
T.H.E. OFFICE CITY	10-03-63	Cherry lateral file	103380	4/5/2013	354.09
T.H.E. OFFICE CITY	10-45-63	Cyan toner/magenta toner/yellow toner	103380	4/5/2013	403.56
T.H.E. OFFICE CITY	63-56-63	Retractable ID card reels/20 pk	103380	4/5/2013	16.53
T.H.E. OFFICE CITY	60-50-63	Retractable ID card reels/20 pk	103380	4/5/2013	16.52
T.H.E. OFFICE CITY	10-44-63	Retractable ID card reels/20 pk	103380	4/5/2013	16.52
T.H.E. OFFICE CITY	10-33-63	Retractable ID card reels/20 pk	103380	4/5/2013	16.52
T.H.E. OFFICE CITY	10-14-63	11x17 paper	103380	4/5/2013	3.56
T.H.E. OFFICE CITY	60-50-63	11x17 paper	103380	4/5/2013	3.56
T.H.E. OFFICE CITY	63-56-63	11x17 paper	103380	4/5/2013	3.55
T.H.E. OFFICE CITY	10-14-63	3 printing calculators	103380	4/5/2013	164.64
ESPINOZA ADELINE & SALVADOR	63-00-20	Refund Check	103381	4/5/2013	40.98
GREEN KENDALL	63-00-20	Refund Check	103382	4/5/2013	12.73
UNIVAR USA, INC	63-56-63	250 gal sodium hypochlorite delivered	103383	4/5/2013	710.64
USA BLUEBOOK	60-50-63	Replacement filter	103384	4/5/2013	86.05
Valley Tire Sales	10-21-65	8 tires	103385	4/5/2013	825.15
VALLEY PARTS SERVICE	60-50-65	Oil filter/air filter/dexron	103386	4/5/2013	90.33
VALLEY PARTS SERVICE	60-50-63	Couplers/shuttles	103386	4/5/2013	29.53
VALLEY PARTS SERVICE	60-50-63	Fitting	103386	4/5/2013	3.13
VALLEY PARTS SERVICE	60-50-65	Mirror for dump truck	103386	4/5/2013	14.52
VALLEY PARTS SERVICE	10-21-65	Headlight bulb/2007 Tahoe	103386	4/5/2013	14.83
VALLEY PARTS SERVICE	10-33-65	Motor oil	103386	4/5/2013	12.40
VALLEY PARTS SERVICE	10-33-65	Oil	103386	4/5/2013	6.20
VALLEY PARTS SERVICE	10-21-65	Blaster penetrant	103386	4/5/2013	4.08
VALLEY PARTS SERVICE	60-50-65	Steel mirror	103386	4/5/2013	11.07
VALLEY PARTS SERVICE	63-56-75	Returned support	103386	4/5/2013	-24.72
VALLEY PARTS SERVICE	60-50-75	Returned support	103386	4/5/2013	-24.72
Vargas LaVerne	10-00-28	Refund Memorial Bldg deposit for 2 days/Vargas	103387	4/5/2013	400.00
VARGAS GEORGE	10-22-65		103388	4/5/2013	50.00
WEST SIDE AERIAL APPLICAT	60-50-62	Aerial pesticide application	103389	4/5/2013	2,376.00
					109,692.78



MINUTES
NEWMAN CITY COUNCIL
REGULAR MEETING MARCH 26, 2013
CITY COUNCIL CHAMBERS, 7:00 P.M., 938 FRESNO 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 March 12, 2013 Regular Meeting.
 - d. Side Letter Agreement To Memorandum Of Understanding With OE3 Newman Police Officers Association.
 - e. Adopt Resolution No. 2013-15, A Resolution Authorizing The City Manager To Enter Into A Memorandum Of Agreement With The County Of Stanislaus, City Of Modesto, City Of Riverbank, City Of Patterson, City Of Ceres, City Of Waterford, And City Of Hughson For The California Office Of Traffic Safety General Traffic Records Grant Program.

Mayor Katen Requested That Item 8.c. Be Pulled From The Consent Calendar.

ACTION: On A Motion By Hutchins Seconded By Candea And Unanimously Carried, The Consent Calendar Minus Item 8.C. Was Approved.

Mayor Katen Noted That Council Member Hutchins Was Absent For The March 12th City Council Meetings And Could Not Have Made The Motion To Adjourn And That Instead, It Was Council Member Candea Who Had Made The Motion To Adjourn The Special Meeting.

ACTION: On A Motion By Davis Seconded By Candea And Unanimously Carried, Item 8.c. With The Correction That Council Member Candea Made The Motion To Adjourn The Special Meeting Was Approved With Council Member Hutchins Not Participating.

9. **Public Hearings** - None.

10. Regular Business

- a. Adopt Resolution No. 2013-16, Awarding The Tulare Street Infrastructure Improvement Project.

ACTION: On Motion By Martina Seconded By Candea And Unanimously Carried, Resolution No. 2013-16, A Resolution Awarding The Tulare Street Infrastructure Improvement Project, Was Adopted.

- b. Adopt Resolution No. 2013-17, Authorizing The City Manager To Execute Agreements With The California Department Of Transportation For The City Of Newman Highway 33 Corridor Planning Project.

ACTION: On Motion By Hutchins Seconded By Davis And Unanimously Carried, Resolution No. 2013-17, A Resolution Authorizing The City Manager To Execute Agreements With The California Department Of Transportation For The City Of Newman Highway 33 Corridor Planning Project, Was Adopted.

- c. Discussion Regarding Establishment Of A Committee To Explore Funding Opportunities For The Aquatic Center And Other Recreational Amenities.

City Manager Holland Explained That The City Had Recently Been Unsuccessful In Obtaining Grant Funds For An Aquatic Center And Other Desired Recreational Amenities. Holland Noted That The Dissolution Of The Redevelopment Agency Had Also Made Funding These Types Of Projects More Difficult. Holland Asked The City Council For Permission To Establish A Committee To Explore Funding Opportunities For The Aquatic Center And Other Recreational Amenities.

Council Member Hutchins Inquired As To The Estimated Cost To Construct The Aquatic Center.

City Manager Holland Reported That Those Costs Were Between \$5 Million And \$6 Million But Mentioned That The Project Could Be Phased Or Scaled Back.

ACTION: The City Council Agreed To The Establishment Of A Committee To Explore Funding Opportunities For The Aquatic Center And Other Recreational Amenities.

11. Items From District Five Stanislaus County Supervisor.

Supervisor DeMartini Mentioned That He Had Nothing To Report On The Crow Landing Air Base. DeMartini Noted That The West Side Healthcare Taskforce Recently Met In Patterson And Is Making Plans For Upcoming Health Summit. He Concluded By Reminding Everyone That The Next West Side Healthcare Taskforce Meeting Would Be On May 9th In Gustine.

12. Items From The City Manager And Staff.

City Manager Holland Reminded Everyone That The City Council Would Be Hosting A Joint Meeting With School District April 16th To Discuss The Northwest Master Plan. Holland Noted That City Annual Spring Clean Up Would Commence On April 8th And Conclude On April 13th. He Mentioned That Next The 125th Anniversary/Founders Day Meeting Was Scheduled For The Following Evening At 6:00 PM In The Community Meeting Room. Holland Pointed Out That The City's Leaf And Brush Pickup Program Ends On March 31st. He Reported That The Orestimba Creek Project Is Moving

Forward But Acknowledged That The City May Need To Send Representatives To Meetings In Washington D.C. Holland Thanked The City Council For Approving Highway 33 Corridor Planning Grant And Remarked That Staff Was Already Working On Budget For The Next Fiscal Year.

Public Works Director Reynolds Updated The City Council On The Safe Routes To School And The 2013 Street Repair Projects. Reynolds Noted That The City Would Be Repairing Sidewalks Throughout The City And Participating In A Bike To Work Event On May 16th.

13. Items From City Council Members.

Council Member Hutchins Questioned The Logic Behind The Speed Limit Signs Along Highway 33 Near The Northern Boundaries Of The City.

Public Works Director Reynolds Noted That Staff Has Met With CalTrans And Requested That Signs Be Modified.

Council Member Martina Asked For A Canal School Road Update.

Public Works Director Reynolds Reported That The City Has Been Making Repairs To Shoulder And Will Be Working With Consultant KD Anderson And Merced County To Assess Additional Measures.

Mayor Katen Reported That The Civil Grand Jury Is Currently Recruiting Jurors And Asked That Anyone Interested In Serving On The Civil Grand Jury Contact Him Before April 15th. Katen Mentioned That The Chamber Of Commerce's Awards Dinner Was A Nice Event And Congratulated Vicki Lucas For Her Receipt Of The J.T. Silveira Award. He Mentioned That Two Local Groups Were Not Recognized For Their Efforts Recently And Noted That TOSCA Has Given \$1.5 Million In Scholarships To Local High Graduates And The Salvation Army Tirelessly Works Year Round In Our Community. Katen Stated That He Thought That The Two Aforementioned Groups Needed To Be Recognized And Thanked Them For All They Do.

14. Adjournment.

ACTION: On Motion By Hutchins Seconded By Candea And Unanimously Carried, The Meeting Was Adjourned At 7:40 P.M.

Honorable Mayor and Members
of the Newman City Council

Agenda Item: 9.a.
City Council Meeting
of April 9, 2013

REPORT ON NUISANCE ABATEMENT

RECOMMENDATION:

Adopt Resolution No. 2013- , 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, April 8, 2013. 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. 2013- , 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. 2013-

**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 April 9, 2013, 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 9th day of April, 2013 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. 525 Crow Hill

Tall grass and weeds through the front and backyard of the property





52

08.20.2013 18:08

Honorable Mayor and Members
of the Newman City Council

**APPROVAL OF THE STANISLAUS COUNTY ANNUAL ACTION PLAN (FY 13-14)
AND CLOSE 30 DAY PUBLIC COMMENT PERIOD**

RECOMMENDATION:

1. Close required 30 day public comment period
2. Conduct a public hearing regarding the CDBG Annual Action Plan (FY 2013-2014)
3. Adopt Resolution No. 2013- , A Resolution Approving And Recommending Approval To The Stanislaus County Board Of Supervisors Of The Annual Action Plan For Fiscal Year 2013-2014

BACKGROUND:

The City of Newman is part of a six-member CDBG/ESG consortium that is lead by Stanislaus County. The Federal Community Development Block Grant (CDBG) encompasses the following three specific goals:

1. Provide decent housing
2. Provide a suitable living environment
3. Expand economic opportunities

The general goal of the CDBG program is to strengthen partnerships among all levels of government and the private sector, including for/non-profit organizations, to enable them to provide decent housing, establish and maintain a suitable living environment, and expand economic opportunities for every American, particularly those with incomes below fifty percent (very low) and eighty percent (low) of the area's median income, respectively.

The Annual Action Plan (AAP) has been developed to aid the consortium in achieving both federal and general CDBG goals. The 2013-2014 Annual Action Plan outlines the goals and policies for utilizing CDBG and HOME funds to assist low income households and persons in the areas of housing, associated infrastructure and economic development for the upcoming fiscal year.

ANALYSIS:

In order to receive program funds, the CDBG Consortium is required to prepare an Annual Action Plan outlining its goals and projects for the upcoming fiscal year. Each member of the consortia must adopt the plan in order for the lead agency (Stanislaus County) to prepare and finalize each plan and submit it to the Department of Housing and Urban Development (HUD).

FISCAL IMPACT:

Positive, approval of the AAP will allow Stanislaus County to finalize said plans for HUD submittal and subsequent CDBG funding qualification and allocation(s).

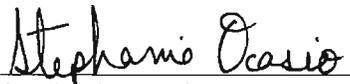
CONCLUSION:

Staff recommends that the Council close required 30 day public comment period, conduct a public hearing and adopt Resolution No. 2013- , A Resolution Approving And Recommending Approval To The Stanislaus County Board Of Supervisors Of The Annual Action Plan For Fiscal Year 2013-2014

ATTACHMENTS:

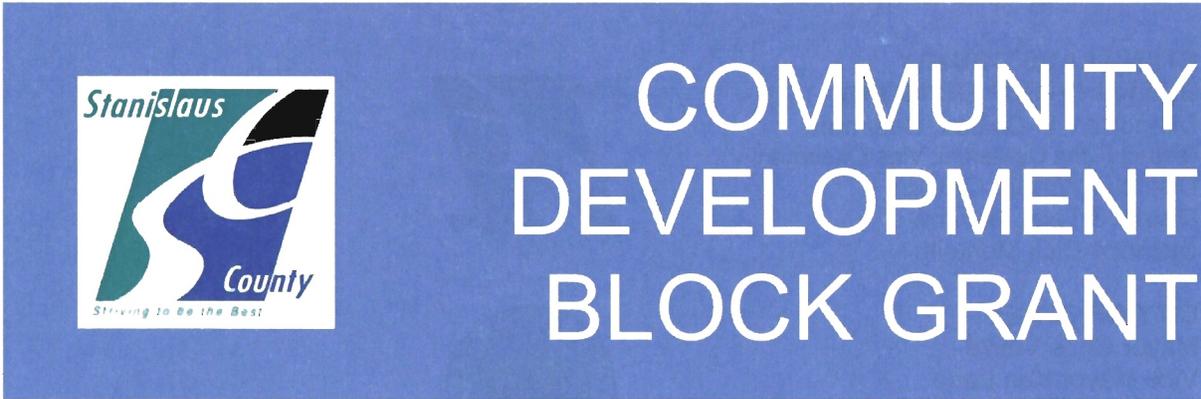
1. Exhibit A: Excerpted Copy of the Draft Annual Action Plan
2. Exhibit B: Resolution No. 2013-

Respectfully submitted,


Stephanie Ocasio
City Planner

REVIEWED/CONCUR:


Michael Holland
City Manager



STANISLAUS URBAN COUNTY

*Prepared by the Stanislaus County
Planning and Community Development Department
1010 10th Street, Suite 3400
Modesto, CA 95354
209.525.6330*

ANNUAL ACTION PLAN
Fiscal Year 2013 - 2014
DRAFT

April 2013

Second Program Year 2013-2014 Action Plan **GENERAL OVERVIEW**



This Annual Action Plan includes the [SF 424](#) and Narrative Responses to Action Plan questions that CDBG, HOME, and ESG grantees must respond to each year in order to be compliant with the Consolidated Planning Regulations.

Executive Summary

As required by the U.S. Department of Housing and Urban Development (HUD) this document is part of Stanislaus Urban County's Fiscal Year 2012-2015 Consolidated Plan (CP) which describes the needs and strategy for using HUD funds for housing and community development programs/projects for Fiscal Years 2012 – 2015 (beginning July 1, 2012 and ending June 30, 2015). This Annual Action Plan (AAP) describes the specific programs/projects that will be undertaken during Fiscal Year 2013-2014, from July 1, 2013 to June 30, 2014.

Stanislaus County, along with the cities of Ceres, Hughson, Newman, Oakdale, Patterson, and Waterford, form what is known as the CDBG Consortium (federally defined and hereafter referred to as the "Stanislaus Urban County"). The Stanislaus Urban County is an Entitlement Jurisdiction and receives Community Development Block Grant (CDBG) and Emergency Solutions Grant (previously known as Emergency Shelter Grant) (ESG) entitlement funds from HUD on an annual basis based on a formula allocation. Stanislaus County is recognized as the "lead entity" under these entitlement programs. The Stanislaus Urban County will be entering its twelfth year as an Entitlement Jurisdiction for CDBG and the tenth year as a recipient of ESG funds.

Every three years, participating cities have an opportunity to remain or withdraw from the Stanislaus Urban County, and non-participating cities, not independently receiving entitlement funds, have an opportunity to enter into an agreement to become part of the Stanislaus Urban County.

Since 1992, the Stanislaus Urban County has also been a member of the City of Turlock and Stanislaus County HOME Consortium (hereafter referred to as the "HOME Consortium"). The City of Turlock is the "lead entity" with responsibility for implementing and administering the HUD funded HOME Investment Partnerships Program (HOME) funds for the HOME Consortium. During Fiscal Year 2013-2014 the City of Turlock, will remain the "lead entity" for the Stanislaus Urban County, and will take the lead in monitoring participating Stanislaus Urban County members' use of HOME funds. Ultimately, the City of Turlock is responsible for ensuring that all HOME Consortium funded activities meet the program requirements.

The Fiscal Year 2013-2014 grant allocation amounts under each respective program are approximately*:

CDBG	\$ 1,696,554
ESG	\$ 198,932
HOME	\$ 482,839 (allocation amount for CDBG Stanislaus Urban County members)
TOTAL	\$2,378,325

City of Newman

The City of Newman is located thirty miles southwest of Modesto, Stanislaus County seat. The City is located in an agriculturally rich geographical area that includes a large food processing facility, historic downtown buildings, and a variety of light industrial and highway commercial development. Newman is a community with an approximate population of 10,000.

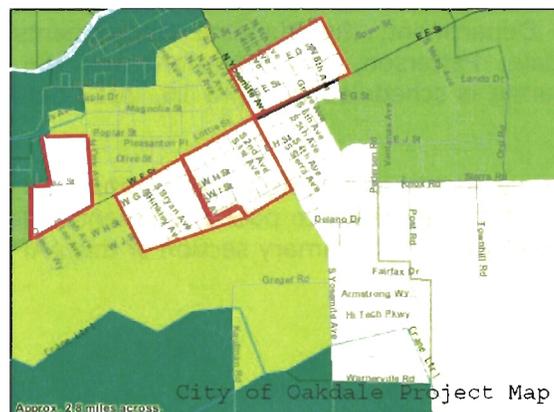
The City of Newman will continue to allocate CDBG resources toward much needed infrastructure improvements that will help alleviate some of the target area's current blighting conditions. These infrastructure improvements will include related curb, gutters, sidewalks, storm drain improvements, and ADA curb cuts within the City's low income target area as outlined in the map below.



City of Oakdale

The City of Oakdale is located in the northeasterly portion of Stanislaus County, on the south bank of the Stanislaus River, at the intersection of State Highways 108 and 120. The City is situated at the base of the Sierra Nevada Mountains. It is the gateway to Yosemite National Park and the Sierra Nevada foothills. Oakdale's population as of 2010 was 20,675.

The City of Oakdale's focus is on infrastructure improvements that will help alleviate some of the target area's current blighting conditions. These infrastructure improvements will include related curb, gutters, sidewalks, sewer and waterline replacement, replacement of damaged street overlay associated with underground improvements, and ADA curb cuts in the low income Census Block Group target areas as identified in the map below.



Throughout the months of February and March 2013, Stanislaus County staff will have conducted several public meetings throughout the unincorporated areas and at least one general meeting in each of the CDBG participating jurisdictions.

Stanislaus County

On February 20, 2013 Stanislaus County held a morning and evening meeting for the public regarding the AAP development process. No comments were received.

City of Hughson

A community meeting was held on February 12, 2013. No comments were received.

City of Ceres

A community meeting was held on February 6, 2013. No comments were received.

City of Newman

A community meeting was held on February 20, 2013. No comments were received.

City of Oakdale

A community meeting was held on February 21, 2013. No comments were received.

City of Patterson

A community meeting was held on February 7, 2013. No comments were received.

City of Waterford

A community meeting was held on February 7, 2013. No comments were received.

Town of Hickman

A community meeting will be held on March 7, 2013.

Town of Denair

A community meeting will be held on April 2, 2013.

South Modesto

A community meeting will be held on March 14, 2013.

Town of Empire

A community meeting will be held March 11, 2013.

Town of Keyes

A community meeting was scheduled for March 21, 2013 however the Municipal Advisory Council (MAC) cancelled this meeting and will not convene until April 18, 2013.

Town of Salida

A community meeting will be held on March 26, 2013.

consisting of a representative from each Stanislaus Urban County member, the Stanislaus County Chief Executive Office, and a representative from the Housing and Support Services Collaborative. The recommendation for funding will be presented to the Board of Supervisors for approval on April 16, 2013 at a public hearing. The activities funded will further the goals and objectives of the CP.

Annual Allocations

The figures in the budget below are Fiscal Year 2013-2014 HUD CDBG projected allocations. Final allocation amounts will be adjusted once Fiscal Year 2013-2014 award amounts are released by HUD, which are expected to be available in April 2013. Planning staff will make the necessary budget adjustments to be submitted to HUD, and will be reflected in the Special Revenue Grants Fiscal Year 2013-2014 Proposed and Final Budgets.

Jurisdiction	CDBG Allocation (includes admin.)
Stanislaus County	730,513
City of Ceres	196,946
City of Hughson	104,440
City of Newman	116,992
City of Oakdale	127,858
City of Patterson	116,875
City of Waterford	108,275
Public Service Grant Program	169,655
Fair Housing	25,000
Total	\$1,696,554

A summary description of the activities to be funded by the above noted allocations is provided in the section below.

It is anticipated that all projects included in this AAP will be implemented during this Fiscal Year 2013-2014. However, there may be some projects (e.g. extensive infrastructure) that may require funding from multiple years to complete the project. This is particularly the case now for most Urban County members as the State of California's elimination of Redevelopment Agencies, has forced the scale back on planned projects, or the stretching the projects over several phases to be carried out only with CDBG funds. It is expected that for these projects, at least preliminary work will begin in the year in which the projects are initially funded.

Proposed CDBG Projects for Fiscal Year 2013-2014

The following is an overview of the activities to be carried out by each of the Stanislaus Urban County member:

Stanislaus County

Stanislaus County-CDBG Program Administration

Stanislaus County will provide management and administration services to the Stanislaus Urban County program member. The funds will cover the costs of salary, publications, public notices, and other eligible costs directly related to the program. These funds will also cover

RESOLUTION NO. 2013-

**A RESOLUTION APPROVING AND RECOMMENDING APPROVAL TO THE
STANISLAUS COUNTY BOARD OF SUPERVISORS OF THE ANNUAL ACTION PLAN
FOR FISCAL YEAR 2013-2014**

WHEREAS, Stanislaus County, the Cities of Ceres, Hughson, Newman, Oakdale, Patterson and Waterford have worked together to prepare the Annual Action Plan (AAP) for Fiscal Year 2013-2014; and

WHEREAS, an AAP outlining the Consortia's goals and projects for upcoming fiscal year is required by the U.S. Housing and Urban Development (HUD) and;

WHEREAS, Stanislaus County CDBG Consortium includes the County of Stanislaus, Cities of Ceres, Hughson, Newman, Oakdale, Patterson and Waterford and each have unanimously chosen to participate in the entitlement process thereby receiving a portion of the CDBG, HOME and NSP funds allocated to Stanislaus County and;

WHEREAS, the draft AAP (FY 2013-2014) were made available to the public as an opportunity to review and provide comments prior to the final public hearing to be held by the Stanislaus County Board of Supervisors on April 16, 2013 to consider adoption of the Final Annual Action Plan for Fiscal Year 2013-2014.

NOW, THEREFORE, BE IT RESOLVED that the Newman City Council hereby approves the proposed Annual Action Plan (FY 2013-2014).

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 9th day of April, 2013 by Council Member _____, who moved its adoption which motion was duly seconded and it was upon roll call carried and the resolution adopted by the following vote:

AYES:
NOES:
ABSENT:

APPROVED:

ATTEST:

Ed Katen, Mayor

Mike Maier, Deputy City Clerk

Honorable Mayor and Members
of the Newman City Council

PIONEER PARK IMPROVEMENT PROJECT BID AWARD

RECOMMENDATION:

It is recommended that the Newman City Council adopt Resolution No. 2013- , awarding the Pioneer Park Improvement Project to Perma-Green Hydroseeding, Inc. for \$26,060.00.

BACKGROUND:

The City of Newman receives grant funding from the Stanislaus County CDBG Consortium for infrastructure improvements in the City's income-eligible area bordered by Yolo Street, "N" Street, Inyo Avenue and the western city limit line. Pioneer Park has benefited from these funds in the past with the installation of new play equipment, shade canopy, and landscaping improvements. This project includes the demolition of the old wooden storage shed, installation of a new irrigation controller, repair and slurry sealing the asphalt walkways, and removal and replacement of the guard rails and hand rails at the Gazebo.

ANALYSIS:

The City advertised for bids for approximately three weeks; received bids were opened and read on March 25, 2013 at 2:00 pm. A total of three qualifying bids were submitted for this project ranging from \$26,060.00 to \$32,761.90. The Engineer's Estimate for the project is \$30,000.00. City staff has reviewed the bids and found them to be in proper order. The lowest responsible bidder for this project has been determined to be Perma-Green Hydroseeding, Inc. with a bid amount of \$26,060.00. This project is budgeted in the Fiscal Year 2012/13 Annual Budget.

Bids

Perma-Green Hydroseeding, Inc.	- \$26,060.00
Haskell & Haskell Engr. & Constr.	- \$26,866.00
Silveira Construction	- \$32,761.90

FISCAL IMPACT:

Perma-Green Hydroseeding, Inc. Bid - \$26,060.00 12/13 CDBG Fund - \$33,000.00

CONCLUSION:

The City of Newman advertised and received bids for the Pioneer Park Improvement Project. Perma-Green Hydroseeding, Inc. has been determined to be the lowest responsible bidder with a bid amount of \$26,060.00. Therefore, staff recommends City Council adopt Resolution No. 2013- , awarding the bid for the Pioneer Park Improvement Project to Perma-Green Hydroseeding, Inc. for \$26,060.00.

ATTACHMENTS:

1. Resolution No. 2013- , awarding the Pioneer Park Improvement Project to Perma-Green Hydroseeding, Inc.

Respectfully Submitted,



Garner Reynolds
Director of Public Works

REVIEWED/CONCUR:



Michael E. Holland
City Manager

RESOLUTION NO. 2013-

**AWARDING A CONTRACT FOR THE PIONEER PARK IMPROVEMENT PROJECT TO
PERMA_GREEN HYDROSEEDING, INC.**

WHEREAS, the City Manager of the City of Newman has recommended that the City Council approve a contract with Perma-Green Hydroseeding, Inc. for the Pioneer Park Improvement Project; and

WHEREAS, the City of Newman has solicited for and received bids as follows:

Perma-Green Hydroseeding, Inc.	\$26,060.00
Haskell & Haskell Engr. & Constr.	\$26,866.00
Silveira Construction	\$32,761.90

; and

WHEREAS, Perma-Green Hydroseeding, Inc. has been determined to be the lowest responsible bidder with a bid amount of \$26,060.00; and

WHEREAS, the City Council is desirous of entering into a contract with Perma-Green Hydroseeding, Inc.; and

WHEREAS, the City Council of the City of Newman has available funding for the Pioneer Park Improvement Project; and

WHEREAS, the City Council of the City of Newman has determined it would be in the best interest of the City to enter into a contract with Perma-Green Hydroseeding, Inc.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Newman hereby approves the contract with Perma-Green Hydroseeding, Inc. in the amount of \$26,060.00 and authorizes the City Manager to execute said contract for the Pioneer Park Improvement Project.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 9th day of April 2013 by Council Member _____, who moved its adoption which motion was duly seconded and was upon roll call carried and the resolution adopted by the following vote:

AYES:
NOES:
ABSENT:

APPROVED:

Mayor of the City of Newman

ATTEST:

Deputy City Clerk of the City of Newman

Honorable Mayor and Members
of the Newman City Council

Agenda Item: **10.b.**
City Council Meeting
of April 9, 2013

AWARD THE BID OF A 2013 TRACTOR TO GARTON TRACTOR, INC.

RECOMMENDATION:

It is recommended that the Newman City Council adopt Resolution No. 2013- awarding the bid of a 2013 Tractor to Garton Tractor, Inc. in the amount of \$35,198.22.

BACKGROUND:

The Public Works Department budgeted \$45,000.00 in the FY 2012/13 Budget for a new tractor for the Waste Water Treatment Plant farming operation. With the addition of 142 acres to the farming operation and an additional employee there is a need for an additional tractor. The proposed new tractor is a 2013 New Holland Tractor.

ANALYSIS:

The City advertised for bids for approximately three weeks; received bids were opened and read on March 26, 2013 at 2:00 pm. A total of three bids were submitted. The lowest responsible bidder has been determined to be Garton Tractor, Inc. with a total bid amount of \$35,198.22. The purchase of the tractor is included in the Fiscal Year 2012/13. This is a Sewer Operations Fund expenditure, and not a General Fund expense.

Bids

John Deere/Belkorp Ag.	\$44,031.72
Stanislaus Implement & Hardware	\$36,108.28
Garton Tractor, Inc.	\$35,198.22

FISCAL IMPACT:

Bid

Garton Tractor, Inc. - \$35,198.22

Funding

2012/13 Sewer Operations Fund - \$45,000.00

CONCLUSION:

The City of Newman advertised and received bids for the purchase of a 2013 Tractor for the Waster Water Treatment Plant farming operations. Garton Tractor, Inc. has been determined to be the lowest responsible bidder with a bid amount of \$35,198.22. Therefore, staff recommends City Council adopt Resolution No. 2013- awarding the bid of a 2013 Tractor to Garton Tractor, Inc. in the amount of \$35,198.22.

ATTACHMENTS:

1. Resolution No. 2013- , awarding the Bid of one 2013 Tractor to Garton Tractor, Inc.

Respectfully Submitted,



Garner Reynolds
Director of Public Works

REVIEWED/CONCUR:



Michael E. Holland
City Manager

RESOLUTION NO. 2013-

AWARDING THE BID OF ONE 2013 TRACTOR TO GARTON TRACTOR, INC.

WHEREAS, the City Manager of the City of Newman has recommended that the City Council award the bid of one 2013 Tractor to Garton Tractor, Inc.; and

WHEREAS, the City of Newman received sealed bids on March 26, 2013; and

WHEREAS, Garton Tractor, Inc. has been determined to be the lowest responsible bidder in the amount of \$35,198.22; and

WHEREAS, the City Council is desirous of entering into a contract with Garton Tractor, Inc. for the purchase of a 2013 Tractor; and

WHEREAS, the City Council of the City of Newman has available funding for the purchase of the Tractor; and

WHEREAS, the City Council of the City of Newman has determined it would be in the best interest of the City to enter into a contract with Garton Tractor, Inc. for the purchase.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Newman hereby approves the bid of one 2013 Tractor with Garton Tractor, Inc. in the amount of \$35,198.22, and authorizes the City Manager to execute said contract.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 9th day of April 2013 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

**A RESOLUTION AUTHORIZING THE CONVERSION OF THE FINANCE PART TIME
ACCOUNT CLERK I POSITION TO FULL TIME**

RECOMMENDATION:

It is recommended that the Newman City Council approve Resolutions 2013-, authorizing the conversion of the part time Account Clerk I position in the Finance Department to full time and authorize a budget adjustment.

BACKGROUND:

Over the past several years the City of Newman has been able to bring in workers through the Alliance Worknet program. This has allowed us to have 2-3 people from the Alliance in our offices performing various duties for both the Finance Department and Administration. We currently have one individual in the Finance Department from the Alliance capable of performing financial duties. We have been without our Sr. Account Clerk since last August and have been trying to cover all the responsibilities of the department. Recent workers from the Alliance are not qualified to perform the work the Finance Department needs to complete.

ANALYSIS:

To maintain the quality of service the City of Newman provides to its residents, there is a needed minimum staffing level. With the shortage of qualified help from the Alliance, the Finance Staff has been working to cover each other's positions and duties on the most critical items that need completing. Other less critical but important duties are starting to build up. We have been bringing in our part time Account Clerk I more hours than typically scheduled, each month, to help cover the workload during our Sr. Account Clerk's absence. But, there is a 999 hour cap on the number of hours they can work in a fiscal year without a penalty to the City. With the passing of California Public Employees' Pension Reform Act (PEPRA) payroll costs for new employees has been dramatically reduced (see under Fiscal Impact) making the cost of a new full time position much less than previously.

FISCAL IMPACT:

The payroll costs of the Account Clerk I position in the Finance Department are shared by our Water, Sewer and General funds (1/3 being charged to each). In speaking with Account Temps the cost to bring in a qualified Account Clerk I from outside is \$21.40/hour. The hourly cost of an Account Clerk I at full time including all benefits is \$22.08/hour (\$0.68/hour difference). This low cost is mostly due to recent State Legislation (PEPRA). The CalPERS employer cost for new Miscellaneous employees is down dramatically from our Tier 1 (6.25% vs. 27.677%). The increase in General Fund cost of converting this position, for this year, is estimated to be less than \$750/month for May and June. The increase in General Fund cost for a full year is less than \$900/month.

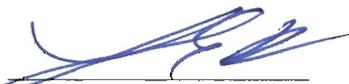
CONCLUSION:

Staff recommends the Council approve Resolution No. 2013-, authorizing the conversion of the part time Account Clerk I position to full time.

ATTACHMENTS:

1. Resolution No. 2013-

Respectfully submitted:



Lewis Humphries
Finance Director

REVIEWED/CONCUR:



Michael Holland
City Manager

RESOLUTION NO. 2013-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWMAN AUTHORIZING
THE CONVERSION OF THE FINANCE PART TIME ACCOUNT CLERK I POSITION TO
FULL TIME**

WHEREAS, the City Council of the City of Newman is desirous of providing quality service to the residents of Newman,

WHEREAS, the availability qualified workers through voluntary and/or the Alliance Worknet program has diminished.

NOW, THEREFORE, BE IT RESOLVED that the City of Newman authorizes the position of part time Account Clerk I in the Finance Department to be converted to a full time position with the appropriate benefits and authorizes a budget adjustment for this conversion.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 9th day of April, 2013 by _____, who moved its adoption, which motion was duly seconded and it was upon roll call carried and the resolution adopted by the following roll call vote:

AYES:
NOES:
ABSENT:

APPROVED:

Mayor of the City of Newman

ATTEST:

Deputy City Clerk of the City of Newman



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

Date: April 5, 2013
To: Newman City Council
From: Michael E. Holland, City Manager *MEH*

Subject: Item 10.d. League of California Cities Proposed Amendments to League Bylaws.

At its February meeting, the League's Board of Directors approved submitting the following two amendments to the League's Bylaws for approval by the general membership. The proposed amendments are as follow:

1. Resolutions submitted to the League for presentation to the General Assembly must be concurred in by at least five or more cities or by city officials from at least five or more cities.

The purpose of this amendment is to encourage members to seek concurrence of other cities and officials that the subject of the proposed resolution is a substantial one and of broad interest and importance to cities.

2. The League Board may take a position on a statewide ballot measure by a 2/3rd vote of those Directors present. Currently, the Board may take positions with a simple majority.

The purpose of this amendment is to ensure that when the Board considers a position on a potentially controversial ballot measure. The proposed amendment would ensure the Board's ultimate decision represents a broad consensus of the Directors.

Council Member Hutchins is the Council's representative for the League and will be available to discuss any questions the Council may have.

Honorable Mayor and Members
of the Newman City Council

REPORT ON CALIFORNIA VOTING RIGHTS ACT

RECOMMENDATION:

Staff recommends the Council authorize staff to prepare a Request for Proposals for a study to evaluate the City's current election process in relation to California Voting Rights Act and to amend the budget in an amount of \$10,000.

BACKGROUND:

In February 2013, the City Attorney and the Mayor received a letter from the Latino Community Roundtable (LCR) of Stanislaus County regarding the California Voting Rights Act of 2001. LCR believes the Act prohibits at-large election systems as they impair the ability of 'protected classes' to elect candidates of its choice or have an influence on the outcome of the election.

ANALYSIS:

In an effort to better evaluate the City's at-large electoral system and its compliance with the California Voting Rights Act and Federal Voting Rights Act, the City's legal counsel is advising the City to conduct a detailed statistical analysis.

FISCAL IMPACT:

Based upon preliminary conversations with other cities, staff believes the cost of the study should not exceed \$10,000. Staff is recommending the Council approve a budget adjustment of \$10,000 to City Council Fund 6200 – Contract Services.

CONCLUSION:

In an effort to ensure compliance with applicable State and Federal voter's rights laws, staff is recommending the Council direct staff to prepare a Request for Proposal for an analysis of the current at-large election system and adjust the 2012-2013 budget in the amount of \$10,000. After receiving bids from qualified firms, staff will place an item on the Council agenda for further action.

Respectfully submitted,



Michael Holland
City Manager