



**AGENDA**  
**NEWMAN CITY COUNCIL**  
**SPECIAL MEETING JUNE 11, 2013**  
**CITY COUNCIL CHAMBERS, 6:00 P.M., 938 FRESNO STREET**

1. Call To Order.
2. Roll Call.
3. Items from the Public - Non-Agenda Items.
4. Workshop - Review 2013/2014 Fiscal Year Budget. ([View Preliminary Budget](#))
5. Adjournment.



**AGENDA**  
**NEWMAN CITY COUNCIL**  
**REGULAR MEETING JUNE 11, 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. Badge Pinning Of Reserve Officers Clinton Fanucchi And Bianca Zendejas.
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 May 14, 2013 Meetings. ([View Minutes](#))
  - d. Adopt Resolution No. 2013- , A Resolution Approving The Tulare Street Infrastructure Improvement Project As Complete And Authorizing Ed Katen As Mayor, And Michael E. Holland As City Clerk To Record A Notice Of Completion. ([View Report](#))
  - e. Adopt Resolution No. 2013- , Authorizing The City Manager To Execute The 2014-2016 CDBG Cooperation Agreement With Stanislaus County. ([View Report](#))
9. **Public Hearings**
  - a. Adopt Resolution No. 2013- , A Resolution Declaring The Existence Of A Public Nuisance Under Ordinance No. 95-4. ([View Report](#))
10. **Regular Business**
  - a. Report On Canal School Road Traffic Safety Assessment. ([View Report](#))
  - b. Approve Fiscal Year 2013-2014 Annual Budget As Presented In The Preliminary Budget Document. ([View Report](#))
    - I. Adopt Resolution No. 2013- , A Resolution Adopting The Budget For Fiscal Year 2013-2014.
    - II. Adopt Resolution No. 2013- , A Resolution Establishing The Appropriations Limit For Fiscal Year 2013-2014.

- c. Designation Of Voting Delegate And Alternate Voting Delegate For The 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**

June 8 - Low Cost Animal Clinic - Pioneer Park - 9:00 A.M. To Noon

June 11 - City Council - 7:00 P.M.

June 13 - Recreation Commission - 7:00 P.M.

June 16 - Father's Day.

June 20 - Planning Commission - Cancelled.

June 25 - City Council - 7:00 P.M.

July 4 - Independence Day Holiday - City Offices Closed.

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

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

July 18 - Planning Commission - 7:00 P.M.

July 21 - Comforting Kids Car Show - Pioneer Park - 9:00 A.M. - 4:00 P.M.

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

# 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: 06/07/2013 - 8:57 AM

Name	Account	Description	Check Nu	Check D	Amount
KD ANDERSON & ASSOCIATES,	10-31-62C	Traffic engineering study for Canal School Road	103603	5/24/2013	2,765.00
ARAMARK UNIFORM SERVICES	10-33-62C	Uniform cleaning/mat rental/towels/May 2013	103660	6/7/2013	61.52
ARAMARK UNIFORM SERVICES	10-44-62C	Uniform cleaning/mat rental/towels/May 2013	103660	6/7/2013	41.02
ARAMARK UNIFORM SERVICES	60-50-62C	Uniform cleaning/mat rental/towels/May 2013	103660	6/7/2013	41.02
ARAMARK UNIFORM SERVICES	63-56-62C	Uniform cleaning/mat rental/towels/May 2013	103660	6/7/2013	61.52
ARAMARK UNIFORM SERVICES	10-22-62C	Uniform cleaning/mat rental/towels/May 2013	103660	6/7/2013	27.99
ARAMARK UNIFORM SERVICES	10-07-62C	Uniform cleaning/mat rental/towels/May 2013	103660	6/7/2013	146.08
ARAMARK UNIFORM SERVICES	10-21-62C	Uniform cleaning/mat rental/towels/May 2013	103660	6/7/2013	100.12
ARROWHEAD MOUNTAIN SPRING	10-14-63C	Bottled water/April 2013	103604	5/24/2013	12.62
ARROWHEAD MOUNTAIN SPRING	60-50-63C	Bottled water/April 2013	103604	5/24/2013	12.63
ARROWHEAD MOUNTAIN SPRING	63-56-63C	Bottled water/April 2013	103604	5/24/2013	12.63
ARROWHEAD MOUNTAIN SPRING	10-45-63C	Bottled water/April 2013	103604	5/24/2013	21.54
ARROWHEAD MOUNTAIN SPRING	10-21-63C	Bottled water/April 2013	103604	5/24/2013	4.99
ARROWHEAD MOUNTAIN SPRING	60-50-63C	Bottled water/April 2013	103604	5/24/2013	21.44
ARROWHEAD MOUNTAIN SPRING	63-56-63C	Bottled water/April 2013	103604	5/24/2013	21.44
ARROWHEAD MOUNTAIN SPRING	60-50-63C	Bottled water/April 2013	103604	5/24/2013	32.31
AT&T MOBILITY	10-21-642	Cell phone use 4/6/13-5/5/13	103605	5/24/2013	421.13
AT&T MOBILITY	63-56-642	Cell phone use 4/6/13-5/5/13	103605	5/24/2013	174.57
AT&T MOBILITY	10-44-642	Cell phone use 4/6/13-5/5/13	103605	5/24/2013	26.05
AT&T MOBILITY	69-47-642	Cell phone use 4/6/13-5/5/13	103605	5/24/2013	9.73
AT&T MOBILITY	60-50-642	Cell phone use 4/6/13-5/5/13	103605	5/24/2013	287.54
AT&T MOBILITY	10-07-642	Cell phone use 4/6/13-5/5/13	103605	5/24/2013	8.25
AT&T MOBILITY	10-22-642	Cell phone use 4/6/13-5/5/13	103605	5/24/2013	36.49
AT&T MOBILITY	10-33-642	Cell phone use 4/6/13-5/5/13	103605	5/24/2013	32.49
AT&T MOBILITY	10-02-642	Cell phone use 4/6/13-5/5/13	103605	5/24/2013	37.75
AT&T MOBILITY	10-45-642	Cell phone use 4/6/13-5/5/13	103605	5/24/2013	80.50
AT&T MOBILITY	10-03-642	Cell phone use 4/6/13-5/5/13	103605	5/24/2013	36.03
AT&T MOBILITY	10-14-642	Cell phone use 4/6/13-5/5/13	103605	5/24/2013	41.14
AT&T MOBILITY	73-70-642	Cell phone use 4/6/13-5/5/13	103605	5/24/2013	33.77
AT&T MOBILITY	22-20-642	Cell phone use 4/6/13-5/5/13	103605	5/24/2013	3.30
AT&T MOBILITY	10-06-642	Cell phone use 4/6/13-5/5/13	103605	5/24/2013	91.82
AT&T MOBILITY	10-21-642	Cell phone use 4/3/13-5/2/13	103605	5/24/2013	404.94
AT&T	10-21-642	Telephone service 4/13/13-5/12/13	103606	5/24/2013	17.10
AT&T	10-14-642	Telephone service 4/13/13-5/12/13	103606	5/24/2013	45.67
AT&T	10-07-666	Telephone service 4/13/13-5/12/13	103606	5/24/2013	15.03
AT&T	63-56-642	Telephone service 4/13/13-5/12/13	103606	5/24/2013	45.77
AT&T	60-50-642	Telephone service 4/13/13-5/12/13	103606	5/24/2013	16.00
AT&T	10-14-642	Monthly charge for 862-2425 4/13/13-5/12/13	103606	5/24/2013	16.42
AT&T	10-21-642	T1 line @ PD 4/20/13-5/19/13	103661	6/7/2013	336.92
AT&T	10-21-642	Emergency dispatch line 4/20/13-5/19/13	103661	6/7/2013	136.82
AutoZone	10-33-63C	Cotter pins	103607	5/24/2013	1.60
Baker Lois	10-00-284	Refund Memorial Building deposit/Baker	103608	5/24/2013	200.00
BERTOLOTTI DISPOSAL	10-41-62C	Monthly garbage service/May 2013	103662	6/7/2013	60,448.12
BERTOLOTTI DISPOSAL	10-33-622	Landfill fees	103609	5/24/2013	499.36
BEST BEST & KRIEGER, LLP	73-70-62C	Professional services rendered through April 30, 2013	103610	5/24/2013	59.28

Name	Account	Description	Check Nu	Check D	Amount
B G AUTO	10-33-630	15 tow strip w/hooks	103611	5/24/2013	22.21
B G AUTO	10-44-653	5/8 ID bypass caps	103611	5/24/2013	3.13
B G AUTO	10-22-653	2 batteries less return of core deposit	103663	6/7/2013	421.31
BJ'S CONSUMER'S CHOICE IN	10-07-620		103612	5/24/2013	145.63
BJ'S CONSUMER'S CHOICE IN	10-22-620		103612	5/24/2013	60.62
BJ'S CONSUMER'S CHOICE IN	10-44-667		103612	5/24/2013	50.62
BJ'S CONSUMER'S CHOICE IN	10-44-666		103612	5/24/2013	50.62
BJ'S CONSUMER'S CHOICE IN	63-56-620		103612	5/24/2013	55.62
BJ'S CONSUMER'S CHOICE IN	10-21-620		103612	5/24/2013	60.63
BJ'S CONSUMER'S CHOICE IN	73-70-667		103612	5/24/2013	50.63
BJ'S CONSUMER'S CHOICE IN	10-07-666		103612	5/24/2013	60.63
Black Water Consulting Engineers, Inc.	69-47-620	Storm drain conveyance analysis	103613	5/24/2013	4,477.50
BLUE SHIELD OF CALIFORNIA	10-00-226	Health insurance premium/June 2013	103614	5/24/2013	13,981.00
Brent Souza Custom Big Bales	60-50-623	Big baling 5/1/13 /McPike	103615	5/24/2013	9,683.00
BSK Associates	63-56-620	First round of UCMR3 water sampling	103664	6/7/2013	2,495.00
BUSINESS CARD	10-02-665	Meals/Army Corp of Eng, Mayor, City Manager	103616	5/24/2013	60.20
BUSINESS CARD	10-14-633	Pre-stamped envelopes	103616	5/24/2013	699.47
BUSINESS CARD	63-56-633	Pre-stamped envelopes	103616	5/24/2013	699.46
BUSINESS CARD	60-50-633	Pre-stamped envelopes	103616	5/24/2013	699.47
BUSINESS CARD	10-01-662	20 aprons/125th anniversary barbecue	103616	5/24/2013	457.35
BUSINESS CARD	10-21-653	Car wash	103616	5/24/2013	12.00
BUSINESS CARD	10-21-665	Meeting after police officer memorial	103616	5/24/2013	35.66
BUSINESS CARD	10-21-653	Car wash	103616	5/24/2013	12.00
BUSINESS CARD	10-21-663	Plates/cups/forks/napkins/water	103616	5/24/2013	17.36
BUSINESS CARD	10-45-673	Supplies/Teen Center Snack Bar	103616	5/24/2013	125.46
BUSINESS CARD	10-21-665	Lodging/Short	103616	5/24/2013	74.19
BUSINESS CARD	10-01-662	Candy/125th Celebration	103616	5/24/2013	42.78
BUSINESS CARD	10-01-662	Buckets and sponges for water games/125th anniversary	103616	5/24/2013	21.84
BUSINESS CARD	10-01-662	Plates and eggs/125th Celebration	103616	5/24/2013	9.95
BUSINESS CARD	10-01-662	Items for wiffle ball game/125th Celebration	103616	5/24/2013	20.61
BUSINESS CARD	10-01-662	Replacement t-balls for Bonita Parent Group	103616	5/24/2013	7.52
BUSINESS CARD	63-56-665	Lunch with Turlock	103616	5/24/2013	36.90
BUSINESS CARD	10-01-662	Food for 125th Celebration	103616	5/24/2013	150.80
BUSINESS CARD	10-01-662	Charcoal and lighter fluid/125th Celebration	103616	5/24/2013	55.90
Cabral Chrysler Jeep Dodge	63-56-620	White GEM hood	103617	5/24/2013	470.70
Cabral Chrysler Jeep Dodge	60-50-620	White GEM hood	103617	5/24/2013	235.34
Cabral Chrysler Jeep Dodge	62-60-653	White GEM hood	103617	5/24/2013	235.35
California Gang Investigators Assn	10-21-665	POST training/Villalobos	103665	6/7/2013	295.00
CALPERS	10-14-610	Arrears contributions/Torres	103618	5/24/2013	5,300.19
CALPERS	60-50-610	Arrears contributions/Torres	103618	5/24/2013	5,300.19
CALPERS	63-56-610	Arrears contributions/Torres	103618	5/24/2013	5,300.19
CALPERS	10-14-610	Employer pension enrollment	103618	5/24/2013	166.66
CALPERS	60-50-610	Employer pension enrollment	103618	5/24/2013	166.66
CALPERS	63-56-610	Employer pension enrollment	103618	5/24/2013	166.68
Canon Solutions America, Inc.	10-21-620	Copy charge/PD 3/1/13-3/31/13	103619	5/24/2013	102.55
Canon Solutions America, Inc.	10-21-620	Copy charge/PD 4/1/13-4/30/13	103619	5/24/2013	57.63
Canon Solutions America, Inc.	10-14-620	Copy charge/City Hall	103619	5/24/2013	55.18
Canon Solutions America, Inc.	60-50-620	Copy charge/City Hall	103619	5/24/2013	55.18
Canon Solutions America, Inc.	63-56-620	Copy charge/City Hall	103619	5/24/2013	55.18
Canon Solutions America, Inc.	60-50-620	Copy charge/PW	103619	5/24/2013	24.95
Canon Solutions America, Inc.	63-56-620	Copy charge/PW	103619	5/24/2013	24.94
Canon Financial Services, Inc.	10-14-620	Copier lease/City Hall	103620	5/24/2013	106.06
Canon Financial Services, Inc.	60-50-620	Copier lease/City Hall	103620	5/24/2013	106.06
Canon Financial Services, Inc.	63-56-620	Copier lease/City Hall	103620	5/24/2013	106.06
Canon Financial Services, Inc.	60-50-620	Copier lease/PW	103620	5/24/2013	86.70

Name	Account	Description	Check Nu	Check D	Amount
Canon Financial Services, Inc.	63-56-62C	Copier lease/PW	103620	5/24/2013	86.70
Canon Financial Services, Inc.	10-21-62C	Copier lease/PD	103620	5/24/2013	196.96
CARTER JEFF	68-68-772		103666	6/7/2013	100.00
CENTRAL SANITARY SUPPLY	10-44-66C		103621	5/24/2013	175.52
CENTRAL SANITARY SUPPLY	10-44-667		103621	5/24/2013	87.75
CENTRAL SANITARY SUPPLY	10-07-63C		103621	5/24/2013	43.88
CENTRAL SANITARY SUPPLY	10-21-63C		103621	5/24/2013	43.88
CENTRAL SANITARY SUPPLY	10-07-66C		103621	5/24/2013	21.94
CENTRAL SANITARY SUPPLY	10-22-63C		103621	5/24/2013	21.94
CENTRAL SANITARY SUPPLY	10-44-63C		103621	5/24/2013	21.94
CENTRAL SANITARY SUPPLY	10-46-63C		103621	5/24/2013	21.94
CENTRAL SANITARY SUPPLY	10-44-66C		103667	6/7/2013	266.65
CENTRAL SANITARY SUPPLY	10-44-667		103667	6/7/2013	133.33
CENTRAL SANITARY SUPPLY	10-07-63C		103667	6/7/2013	66.66
CENTRAL SANITARY SUPPLY	10-21-63C		103667	6/7/2013	66.66
CENTRAL SANITARY SUPPLY	10-07-66C		103667	6/7/2013	33.34
CENTRAL SANITARY SUPPLY	10-22-63C		103667	6/7/2013	33.33
CENTRAL SANITARY SUPPLY	10-44-63C		103667	6/7/2013	33.33
CENTRAL SANITARY SUPPLY	10-46-63C		103667	6/7/2013	33.33
Chevron & Texaco Business Card Services	10-33-65C	Gas purchases 4/15/13-5/14/13	103622	5/24/2013	156.51
Chevron & Texaco Business Card Services	10-44-65C	Gas purchases 4/15/13-5/14/13	103622	5/24/2013	223.88
Chevron & Texaco Business Card Services	63-56-65C	Gas purchases 4/15/13-5/14/13	103622	5/24/2013	949.82
Chevron & Texaco Business Card Services	60-50-65C	Gas purchases 4/15/13-5/14/13	103622	5/24/2013	550.35
Chevron & Texaco Business Card Services	10-21-65C	Gas purchases 4/15/13-5/14/13	103622	5/24/2013	4,140.60
Chevron & Texaco Business Card Services	10-22-65C	Gas purchases 4/15/13-5/14/13	103622	5/24/2013	473.85
Chevron & Texaco Business Card Services	69-47-65C	Gas purchases 4/15/13-5/14/13	103622	5/24/2013	105.41
Chevron & Texaco Business Card Services	10-07-65C	Gas purchases 4/15/13-5/14/13	103622	5/24/2013	18.35
COELHO CARL J. (CHUCK)	10-22-65C		103668	6/7/2013	50.00
COLLISON (NT) ELAINE	10-21-63C	Reimbursement for photos and frames	103669	6/7/2013	22.04
CROP PRODUCTION SERVICES	60-50-623	Treflan TR-10/second application/Back 66/Front 66/Back 12	103623	5/24/2013	3,714.14
CSG Consultants, Inc	10-23-621	Bldg permit issuance/April 2013	103624	5/24/2013	1,408.18
CSG Consultants, Inc	10-23-621	Bldg permit finals/April 2013	103624	5/24/2013	417.64
CSG Consultants, Inc	10-23-621	Plan check services/April 2013	103624	5/24/2013	914.20
CSG Consultants, Inc	10-23-624	BL insp-Petes Auto/Chamberlain Cons/Timeless Mem/Newman Re	103624	5/24/2013	100.00
Custom Valley Harobeds	60-50-623	Hay hauling/842 large bales/oats/1627 small bales/pasture hay	103625	5/24/2013	5,104.85
Dave's Drain Cleaning & Plumbing	10-44-62C	Fixed backed up drain at Pioneer Park restrooms	103626	5/24/2013	75.00
Dave's Drain Cleaning & Plumbing	60-50-62C	Checked problem with sewer line	103626	5/24/2013	150.00
Dave's Drain Cleaning & Plumbing	10-07-62C	Drain cleaning service call/Preschool	103670	6/7/2013	125.00
Delgado's Welding Shop	10-33-62C	Handrails for plaza	103671	6/7/2013	590.42
DELTA WIRELESS, INC	10-07-71C	Parts billing for PD cameras	103672	6/7/2013	5,758.83
DELTA WIRELESS, INC	10-07-71C	Parts billing for City Hall cameras	103672	6/7/2013	3,855.64
Dust Control by Dennis, LLC	60-50-62C	Dust off application	103673	6/7/2013	4,850.00
E&M ELECTRIC, INC.	10-33-62C	Trouble shoot street light	103674	6/7/2013	72.50
E&M ELECTRIC, INC.	69-47-62C	Replace missing street light fixture	103674	6/7/2013	507.74
E&M ELECTRIC, INC.	10-33-62C	Trouble shoot light.	103674	6/7/2013	94.75
E&M ELECTRIC, INC.	10-44-62C	Trouble shoot and order score board light sockets	103674	6/7/2013	72.50
E&M ELECTRIC, INC.	60-50-622	Oil dripper for pumps/square d breaker for MCC-A	103674	6/7/2013	117.95
E&M ELECTRIC, INC.	10-44-66C	1 photo control/Memorial Bldg parking lot	103674	6/7/2013	19.18
ECONOMIC TIRE SHOP	69-47-653	2 new tubes/pressure washer	103627	5/24/2013	40.88
ECONOMIC TIRE SHOP	63-56-653	Tire repair/Perfecto's truck	103675	6/7/2013	16.00
ENVIRONMENTAL TECHNIQUES	60-50-63C	60 ProOxidizer	103628	5/24/2013	3,540.00
Fawthorp Doyle	10-00-552	Refund Pioneer Park rent/canceled/Fawthorp	103629	5/24/2013	45.00
FGL ENVIRONMENTAL, INC	60-50-62C	Inorganic analysis/support analysis	103630	5/24/2013	260.00
FGL ENVIRONMENTAL, INC	60-50-62C	Inorganic analysis/support analysis	103630	5/24/2013	275.00
FGL ENVIRONMENTAL, INC	60-50-62C	Bacti/inorganic/support analysis	103676	6/7/2013	2,664.00

Name	Account	Description	Check Nu	Check D	Amount
FRANKLIN PET CEMETERY & C	10-21-620	Animal disposal	103677	6/7/2013	17.20
FRANKLIN PET CEMETERY & C	10-21-620	Animal disposal	103677	6/7/2013	6.80
FRANKLIN PET CEMETERY & C	10-21-620	Animal disposal	103677	6/7/2013	60.80
FRANKLIN PET CEMETERY & C	10-21-620	Animal disposal	103677	6/7/2013	4.00
GARTON TRACTOR	10-44-653	Repaired mower rear link arm	103678	6/7/2013	484.86
GEORGE W. LOWRY, INC	60-50-650	400 gal unleaded gas	103631	5/24/2013	1,542.16
GEORGE W. LOWRY, INC	62-60-650	52 gal dyed diesel fuel	103679	6/7/2013	203.10
GEORGE W. LOWRY, INC	63-56-650	267 gal dyed diesel fuel for generator	103679	6/7/2013	1,042.82
GEORGE W. LOWRY, INC	10-21-650	34 gal dyed diesel fuel	103679	6/7/2013	132.78
Gouveia Engineering, Inc	17-32-774	Prepare plans and specs/provide bidding services/SR2S	103632	5/24/2013	1,601.11
Gouveia Engineering, Inc	24-32-776	Local assistance/misc correspondence/Nat. Gas Fast Fill Station	103632	5/24/2013	91.88
Gouveia Engineering, Inc	10-31-620	Update improvement standars	103632	5/24/2013	868.88
Gouveia Engineering, Inc	20-32-778	Construction engineering, contract administration services/CDBG	103632	5/24/2013	2,244.38
Gouveia Engineering, Inc	24-32-774	Finalize plans& specs, provide bidding services/2013 St Overlays	103632	5/24/2013	3,510.88
Gouveia Engineering, Inc	20-32-778	Construction engineering services/CDBG Tulare St.	103632	5/24/2013	819.00
Grand Lodge of California	40-07-813	New city hall payment/June 2013	103633	5/24/2013	549.53
Grand Lodge of California	60-50-813	New city hall payment/June 2013	103633	5/24/2013	549.53
Grand Lodge of California	63-56-813	New city hall payment/June 2013	103633	5/24/2013	549.54
Grand Lodge of California	40-07-812	New city hall payment/June 2013	103633	5/24/2013	1,088.70
Grand Lodge of California	60-50-812	New city hall payment/June 2013	103633	5/24/2013	1,088.70
Grand Lodge of California	63-56-812	New city hall payment/June 2013	103633	5/24/2013	1,088.70
HALLINAN TOM	10-15-620		103680	6/7/2013	525.00
HALLINAN TOM	60-50-620		103680	6/7/2013	525.00
HALLINAN TOM	63-56-620		103680	6/7/2013	525.00
HOUSE STEPHANIE	10-45-673	Reimbursement for supplies/Teen Center snack bar	103634	5/24/2013	163.74
HUB INTERNATIONAL OF CA I	10-00-284	Liability insurance premium payable/May 2013	103681	6/7/2013	107.40
IMAGE UNIFORMS	10-21-710	1 ballistic vest	103682	6/7/2013	995.53
Independent Stationers	10-33-630	Pens	103635	5/24/2013	8.86
Independent Stationers	10-14-630	Pens/fingertip moistener/pen refills/rubber bands	103635	5/24/2013	20.82
Independent Stationers	60-50-630	Fingertip moistener/pen refills/rubber bands	103635	5/24/2013	2.67
Independent Stationers	63-56-630	Fingertip moistener/pen refills/rubber bands	103635	5/24/2013	2.67
Independent Stationers	10-45-630	Colored paper/2 receipt books	103683	6/7/2013	64.41
Independent Stationers	10-14-630	2 receipt books	103683	6/7/2013	6.25
Independent Stationers	60-50-630	2 receipt books	103683	6/7/2013	6.25
Independent Stationers	63-56-630	2 receipt books	103683	6/7/2013	6.25
INFOSEND, INC	60-50-620		103636	5/24/2013	907.52
INFOSEND, INC	63-56-620		103636	5/24/2013	907.52
IN-SYNCH SYSTEMS	10-21-620	Monthly RMS Subscription 7/1/13-7/31/13	103684	6/7/2013	1,020.00
J&E Janitorial and Handyman	10-07-620	Deep cleaning/rewax City Hall floor	103637	5/24/2013	700.00
J & J Auto Body	10-00-583	Repair 2006 Dodge Charger rear bumper/deck lid/tail light	103638	5/24/2013	1,360.34
Jerry Haag, Urban Planner	40-06-624	Area 3 master plan services through 4/30/13	103685	6/7/2013	2,562.50
Jerry Haag, Urban Planner	40-06-624	Area 3 master plan services through 5/31/13	103685	6/7/2013	10,433.60
JOE'S LANDSCAPING & CONCR	10-44-630	15 Star Jasmine	103686	6/7/2013	161.28
JOE'S LANDSCAPING & CONCR	10-44-630	Top soil	103686	6/7/2013	43.05
JOE'S LANDSCAPING & CONCR	69-47-620	Lighting and landscape area services/May 2013	103686	6/7/2013	9,700.00
KAISER PERMANENTE	10-00-226	Health insurance premium/July 2013	103687	6/7/2013	2,713.00
KATEN ED	10-01-665	Per diem/Washington DC meeting w/Army Corps of Engineers/Kat	103639	5/24/2013	225.00
Lamphier-Gregory	40-06-624	Professional services rendered 3/30/13-4/26/13	103688	6/7/2013	14,479.87
Livak Bob	60-50-623	Swathing/oats/pasture	103689	6/7/2013	3,800.00
MARRIOTT JOHN E.	10-21-630	Reimbursement for 2 shotshell holders	103690	6/7/2013	129.50
Mid Valley Agricultural Services, Inc	60-50-623	Corn seed/Front 55	103640	5/24/2013	6,120.00
MID VALLEY IT, INC	10-21-620	IT CONTRACT/PD	103641	5/24/2013	880.00
MID VALLEY IT, INC	10-14-620	IT CONTRACT/FIN	103641	5/24/2013	440.00
MID VALLEY IT, INC	63-56-620	IT CONTRACT/WATR	103641	5/24/2013	440.00
MID VALLEY IT, INC	60-50-620	IT CONTRACT/SEWR	103641	5/24/2013	440.00

Name	Account	Description	Check Nu	Check D	Amount
MID VALLEY IT, INC	10-01-62C	Blue host/blue host static IP	103641	5/24/2013	134.70
Muss Robert	69-47-63C	Reimbursement for Sweet Broom plants/Muss	103642	5/24/2013	25.44
Mutoza Inspection Service	20-32-77E	Inspection service 4/29/13-5/15/13 CDBG Tulare St.	103643	5/24/2013	1,860.00
NEWMAN ACE HARDWARE/JACT,	10-44-63C	Tiedowns/caulk/seal tape/trimmer/chain lube/graffiti remover	103691	6/7/2013	218.54
NEWMAN ACE HARDWARE/JACT,	69-47-63C	Batteries/couple	103691	6/7/2013	37.04
NEWMAN ACE HARDWARE/JACT,	10-21-63C	Trash bags	103691	6/7/2013	16.13
NEWMAN ACE HARDWARE/JACT,	10-22-63C	Sprinklers/batteries	103691	6/7/2013	70.97
NEWMAN ACE HARDWARE/JACT,	10-33-63C	Graffiti remover/screws/nuts/spray paint/primer/respirators	103691	6/7/2013	124.99
NEWMAN ACE HARDWARE/JACT,	10-07-63C	Air filter/sprinklers/nipples/ties/scraper/spackle/roller	103691	6/7/2013	78.37
NEWMAN ACE HARDWARE/JACT,	63-56-63C	Comp sleeve/copper tube/air freshener/nipples/nuts	103691	6/7/2013	72.12
NEWMAN ACE HARDWARE/JACT,	10-14-63C	Air freshener	103691	6/7/2013	10.40
NEWMAN ACE HARDWARE/JACT,	60-50-63C	Air freshener	103691	6/7/2013	10.39
NEWMAN ACE HARDWARE/JACT,	10-44-67C	Light bulbs	103691	6/7/2013	51.54
NEWMAN ACE HARDWARE/JACT,	10-44-667	Patch concrete	103691	6/7/2013	9.14
NEWMAN ACE HARDWARE/JACT,	10-07-66E	Sprinklers	103691	6/7/2013	21.44
NEWMAN ACE HARDWARE/JACT,	60-50-63C	4 boxes garbage bags	103691	6/7/2013	55.92
NEWMAN POLICE DEPARTMENT	10-21-62C	Change for animal clinic/Check made out to cash	103659	6/5/2013	500.00
NORMAC, INC.	69-47-63C	Fertilizer	103692	6/7/2013	1,000.93
NORMAC, INC.	10-44-63C	20 Falcon rotors	103692	6/7/2013	462.79
OTTOM FARMS, INC	60-50-623	Spraying alfalfa	103693	6/7/2013	1,728.00
PAPA	10-33-66E	Pesticide applicators seminar/Sotelo	103694	6/7/2013	80.00
PATTERSON AUTO CARE, INC	10-21-653	Replace F ball joint/oil change/replace brake pads/2007 Tahoe	103644	5/24/2013	994.15
PATCHETTS FORD MERCURY	71-44-701	2013 Ford F150 regular cab pickup	103645	5/24/2013	17,777.64
Perez Cecilia	10-00-284	Refund Memorial Building deposit/Perez	103695	6/7/2013	200.00
P G & E	10-07-641	Gas and electric 4/5/13-5/6/13	103646	5/24/2013	347.84
P G & E	60-50-641	Gas and electric 4/5/13-5/6/13	103646	5/24/2013	347.83
P G & E	63-56-641	Gas and electric 4/5/13-5/6/13	103646	5/24/2013	347.84
P G & E	10-21-651	Natural gas 4/4/13-5/6/13	103646	5/24/2013	18.29
P G & E	10-33-651	Natural gas 4/4/13-5/6/13	103646	5/24/2013	54.88
P G & E	10-44-651	Natural gas 4/4/13-5/6/13	103646	5/24/2013	36.58
P G & E	60-50-651	Natural gas 4/4/13-5/6/13	103646	5/24/2013	18.29
P G & E	63-56-651	Natural gas 4/4/13-5/6/13	103646	5/24/2013	18.29
P G & E	10-07-641	Gas and electric 4/6/13-5/16/13	103696	6/7/2013	1,232.13
P G & E	10-22-641	Gas and electric 4/6/13-5/16/13	103696	6/7/2013	288.32
P G & E	10-33-641	Gas and electric 4/6/13-5/16/13	103696	6/7/2013	3,000.25
P G & E	10-44-641	Gas and electric 4/6/13-5/16/13	103696	6/7/2013	561.51
P G & E	10-45-641	Gas and electric 4/6/13-5/16/13	103696	6/7/2013	527.97
P G & E	10-46-641	Gas and electric 4/6/13-5/16/13	103696	6/7/2013	315.52
P G & E	10-44-66E	Gas and electric 4/6/13-5/16/13	103696	6/7/2013	815.25
P G & E	10-07-66E	Gas and electric 4/6/13-5/16/13	103696	6/7/2013	63.21
P G & E	10-44-667	Gas and electric 4/6/13-5/16/13	103696	6/7/2013	318.78
P G & E	60-50-641	Gas and electric 4/6/13-5/16/13	103696	6/7/2013	24,413.28
P G & E	62-60-641	Gas and electric 4/6/13-5/16/13	103696	6/7/2013	272.37
P G & E	62-60-641	Gas and electric 4/6/13-5/16/13	103696	6/7/2013	3,607.98
P G & E	63-56-641	Gas and electric 4/6/13-5/16/13	103696	6/7/2013	17,162.27
P G & E	69-47-641	Gas and electric 4/6/13-5/16/13	103696	6/7/2013	2,058.11
P G & E	73-70-66E	Gas and electric 4/6/13-5/16/13	103696	6/7/2013	219.38
P G & E	73-70-667	Gas and electric 4/6/13-5/16/13	103696	6/7/2013	624.39
PIONEER DRUG	10-33-63C	Coffee filters/sunblock	103697	6/7/2013	5.15
PIONEER DRUG	10-44-63C	Coffee filters/sunblock	103697	6/7/2013	5.16
PROFORCE LAW ENFORCEMENT	10-21-63C	20 defense sprays	103647	5/24/2013	215.20
PROFORCE LAW ENFORCEMENT	10-21-622	5 sling attachments	103647	5/24/2013	161.39
Rabobank	10-21-612	HSA deposit/Gosselin	103589	5/13/2013	3,063.75
Rabobank	60-50-612	HSA deposit/Gosselin	103589	5/13/2013	80.63
Rabobank	63-56-612	HSA deposit/Gosselin	103589	5/13/2013	80.62

Name	Account	Description	Check Nu	Check D	Amount
Rabobank	10-33-612	HSA deposit/Millan	103590	5/15/2013	806.25
Rabobank	60-50-612	HSA deposit/Millan	103590	5/15/2013	1,451.25
Rabobank	63-56-612	HSA deposit/Millan	103590	5/15/2013	967.50
Rabobank	10-02-612	HSA deposit/Holland	103657	5/29/2013	1,612.50
Rabobank	10-06-612	HSA deposit/Holland	103657	5/29/2013	483.75
Rabobank	73-70-612	HSA deposit/Holland	103657	5/29/2013	483.75
Rabobank	60-50-612	HSA deposit/Holland	103657	5/29/2013	322.00
Rabobank	63-56-612	HSA deposit/Holland	103657	5/29/2013	323.00
Rabobank	10-21-612	HSA deposit/Richardson	103658	5/30/2013	2,725.00
RALEY'S IN STORE CHARGE	10-46-63C	Spoons/sweetener/coffee creamer/cups/Corp Yard	103698	6/7/2013	27.17
RALEY'S IN STORE CHARGE	10-01-662	Hot dogs/hamburgers/125th Celebration	103698	6/7/2013	1,104.45
RALEY'S IN STORE CHARGE	10-14-63C	Dish soap/sugar cubes/coffee mate/sweetener/coffee filters	103698	6/7/2013	4.18
RALEY'S IN STORE CHARGE	60-50-63C	Dish soap/sugar cubes/coffee mate/sweetener/coffee filters	103698	6/7/2013	4.19
RALEY'S IN STORE CHARGE	63-56-63C	Dish soap/sugar cubes/coffee mate/sweetener/coffee filters	103698	6/7/2013	4.18
RANDHAWA MEDICAL GRP, IN	10-21-623	Pre-employment physical/Zendejas/PD	103699	6/7/2013	370.00
RANDHAWA MEDICAL GRP, IN	10-21-623	Pre-employment physical/Fanucchi/PD	103699	6/7/2013	370.00
RELIABLE OFFICE SUPPLIES	60-50-63C	Whiteboard erasers/dry erase board/SD card/post its/USB drive	103648	5/24/2013	235.52
Ricoh USA, Inc	10-21-62C	Property tax/PD copier	103649	5/24/2013	65.04
Ricoh USA, Inc	10-21-62C	Copy overage 11/24/12-1/18/13 PD copier	103649	5/24/2013	144.04
JOCELYN ROLAND, Ph.D.	10-21-623	Pre-employment psychological screening	103700	6/7/2013	425.00
JOCELYN ROLAND, Ph.D.	10-21-623	Pre-employment psychological screening	103700	6/7/2013	425.00
SAFE-T-LITE	10-33-63C	8 section arrow stik w/control	103701	6/7/2013	343.38
SHARPENING SHOP	10-44-63C	Serviced back-pack blower	103702	6/7/2013	79.41
SHARPENING SHOP	10-44-63C	Repaired on-off switch wires/ran & adjusted carb/Blower	103702	6/7/2013	44.11
SPRINGBROOK SOFTWARE	10-14-631	Annual software maintenance 7/1/13-6/30/14	103650	5/24/2013	4,634.20
SPRINGBROOK SOFTWARE	63-56-631	Annual software maintenance 7/1/13-6/30/14	103650	5/24/2013	4,634.19
SPRINGBROOK SOFTWARE	60-50-631	Annual software maintenance 7/1/13-6/30/14	103650	5/24/2013	4,634.20
State of Calif Dept of Justice	10-21-62C	Fingerprint apps/record review	103651	5/24/2013	345.00
STAN CNTY CLERK RECORDER	10-06-62C	NMTP NOD Filing	103591	5/21/2013	2,213.25
STAN CNTY CLERK RECORDER	10-00-263	Release of lien/721 Orestimba Peak Dr.	103652	5/24/2013	12.00
STAN CNTY CLERK RECORDER	10-00-263	Fraud fee/release of lien 721 Orestimba Peak Dr.	103703	6/7/2013	3.00
Stanislaus County Auditor-Controller	10-44-653	Vehicle maintenance/repair services/April 2013	103653	5/24/2013	242.06
Stanislaus County Auditor-Controller	10-33-653	Vehicle maintenance/repair services/April 2013	103653	5/24/2013	242.06
Stanislaus County Auditor-Controller	69-47-653	Vehicle maintenance/repair services/April 2013	103653	5/24/2013	242.05
STAPLES ADVANTAGE	10-14-63C	White envelopes/staples	103654	5/24/2013	14.63
STAPLES ADVANTAGE	60-50-63C	White envelopes/staples	103654	5/24/2013	14.63
STAPLES ADVANTAGE	63-56-63C	White envelopes/staples	103654	5/24/2013	14.62
STAPLES ADVANTAGE	10-06-63C	Voice mail log message book	103654	5/24/2013	6.34
STAPLES ADVANTAGE	60-50-63C	Ballpoint pens	103654	5/24/2013	2.15
STAPLES ADVANTAGE	63-56-63C	Ballpoint pens	103654	5/24/2013	2.14
STAPLES ADVANTAGE	10-21-63C	Printer ink/batteries/tape/binder clips/pens/computer mouse	103704	6/7/2013	166.84
STAPLES ADVANTAGE	60-50-63C	Digital camera	103704	6/7/2013	161.43
STAPLES ADVANTAGE	63-56-63C	Digital camera	103704	6/7/2013	80.71
STAPLES ADVANTAGE	10-33-63C	Digital camera	103704	6/7/2013	80.71
STAPLES ADVANTAGE	10-45-63C	Colored copy paper/highlighters	103704	6/7/2013	68.83
STANTEC CONSULTING SERVIC	60-50-62C	Wastewater on-call/period ending April 26, 2013	103705	6/7/2013	940.00
SUN VALLEY PORTABLES	69-47-62C	Portable restroom rental-service/May 2013	103706	6/7/2013	155.73
Taylor Backhoe Service, Inc.	20-32-778	Final progress payment no. 1/CDBG Tulare St. infrastructure	103655	5/24/2013	76,976.60
T.H.E. OFFICE CITY	10-14-63C	Printer toner/5 boxes copy paper	103707	6/7/2013	118.29
T.H.E. OFFICE CITY	60-50-63C	Printer toner/5 boxes copy paper	103707	6/7/2013	118.30
T.H.E. OFFICE CITY	63-56-63C	Printer toner/5 boxes copy paper	103707	6/7/2013	118.29
T.H.E. OFFICE CITY	63-56-63C	Printer toner	103707	6/7/2013	53.81
T.H.E. OFFICE CITY	60-50-63C	Printer toner	103707	6/7/2013	53.81
T.H.E. OFFICE CITY	10-14-63C	Printer toner	103707	6/7/2013	53.81
T.H.E. OFFICE CITY	10-14-63C	Pen ink refills	103707	6/7/2013	1.62

Name	Account	Description	Check Nu	Check D	Amount
T.H.E. OFFICE CITY	60-50-63C	Pen ink refills	103707	6/7/2013	1.63
T.H.E. OFFICE CITY	63-56-63C	Pen ink refills	103707	6/7/2013	1.62
T.H.E. OFFICE CITY	63-56-63C	Tape cartridge for label maker	103707	6/7/2013	25.82
T.H.E. OFFICE CITY	60-50-63C	Tape cartridge for label maker	103707	6/7/2013	25.82
TOSTA BARBARA J.	10-45-672	Young At Heart instructor/May 2013	103708	6/7/2013	150.00
UNIVAR USA, INC	63-56-63C	275 gl sodium hypochlorite	103588	5/10/2013	775.24
UNIVAR USA, INC	63-56-63C	175 gl sodium hypochlorite	103588	5/10/2013	516.80
UNIVAR USA, INC	63-56-63C	150 gl sodium hypochlorite	103588	5/10/2013	452.22
UNIVAR USA, INC	63-56-63C	290 gal sodium hypochlorite	103709	6/7/2013	814.00
UNIVAR USA, INC	63-56-63C	83 gal sodium hypochlorite	103709	6/7/2013	279.07
UNITED STATES POSTMASTER	10-21-633	2 rolls stamps	103710	6/7/2013	92.00
Valley Tire Sales	10-21-653	2 tires	103711	6/7/2013	243.01
VALLEY PARTS SERVICE	60-50-653	Transmission fluid/oil filters/air filters/washer fluid	103712	6/7/2013	113.23
VALLEY PARTS SERVICE	71-44-701	5 drawer tool box	103712	6/7/2013	450.03
VALLEY PARTS SERVICE	60-50-653	Distributor rotor/distributor cap/wire set/Water Truck	103712	6/7/2013	59.36
VALLEY PARTS SERVICE	63-56-653	Power steering fluid	103712	6/7/2013	5.81
VARGAS GEORGE	10-22-65C		103713	6/7/2013	50.00
Weber William	10-45-672	Tennis instructor 6/3/13-6/7/13	103714	6/7/2013	292.80
MATTOS NEWSPAPERS, INC.	20-32-778	Notice to bidders/Tulare St. Infrastructure improvements	103656	5/24/2013	820.00
MATTOS NEWSPAPERS, INC.	20-06-66C	Notice of public hearing/Stanislaus County Annual Action Plan	103656	5/24/2013	75.00
MATTOS NEWSPAPERS, INC.	20-44-752	Notice to contractors/Pioneer Park improvements	103656	5/24/2013	896.00
MATTOS NEWSPAPERS, INC.	63-56-66C	Public notice/Ordinance No. 2013-1	103656	5/24/2013	90.00
MATTOS NEWSPAPERS, INC.	60-50-66C	Solicitation for bid/diesel tractor	103656	5/24/2013	37.50
MATTOS NEWSPAPERS, INC.	10-01-662	Founders day celebration ad	103656	5/24/2013	160.46
MATTOS NEWSPAPERS, INC.	10-01-662	Display ad/Founders Day schedule	103656	5/24/2013	335.20
MATTOS NEWSPAPERS, INC.	10-01-662	Display ad/Founders Day schedule	103656	5/24/2013	160.46
MATTOS NEWSPAPERS, INC.	10-01-662	Display ad/Founders Day schedule	103656	5/24/2013	335.20
MATTOS NEWSPAPERS, INC.	10-01-662	Founders day event program (250)	103656	5/24/2013	134.53
MATTOS NEWSPAPERS, INC.	10-21-66C	1,000 notice to appear/citation books/PD	103656	5/24/2013	481.62
MATTOS NEWSPAPERS, INC.	10-21-66C	1,000 #10 regular envelopes/PD	103656	5/24/2013	166.82
MATTOS NEWSPAPERS, INC.	10-01-662	33 certificates of appreciation for 125th celebration	103656	5/24/2013	12.43
MATTOS NEWSPAPERS, INC.	10-01-662	1,000 A Walk Through Time 125th celebration books	103656	5/24/2013	10,949.02
MATTOS NEWSPAPERS, INC.	17-32-774	Notice to bidders/Safe Routes to School	103656	5/24/2013	321.50
MATTOS NEWSPAPERS, INC.	24-32-774	Notice to bidders/2013 street repairs	103656	5/24/2013	364.00
West Stanislaus Fire District	10-22-62C	Turnout coats/turnout pants/50%	103715	6/7/2013	8,812.06
YANCEY LUMBER COMPANY	63-56-63C	Bushings/filters/spray paint/brushes/paint/air conditioner/tape	103716	6/7/2013	499.95
YANCEY LUMBER COMPANY	10-44-63C	Light bulbs/couplings/nipples/ferrules/cable/lumber/tie down	103716	6/7/2013	92.91
YANCEY LUMBER COMPANY	10-07-63C	Caulk/hole saw set/keys/bit/screws	103716	6/7/2013	117.84
YANCEY LUMBER COMPANY	10-33-63C	Bulbs/hitch clips/concrete/spade/dust mask	103716	6/7/2013	42.02
YANCEY LUMBER COMPANY	60-50-63C	Key	103716	6/7/2013	2.90
YANCEY LUMBER COMPANY	69-47-63C	Tree stakes/fip cap/nozzle/coupling	103716	6/7/2013	21.26
YANCEY LUMBER COMPANY	24-32-772	Metal stakes	103716	6/7/2013	28.97
YANCEY LUMBER COMPANY	10-22-63C	Blue paint	103716	6/7/2013	4.16
YANCEY LUMBER COMPANY	10-21-63C	Dog food/K9	103716	6/7/2013	101.16

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465,620.15

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**MINUTES**  
**NEWMAN CITY COUNCIL**  
**SPECIAL MEETING MAY 14, 2013**  
**CITY HALL CONFERENCE ROOM, 6:30 P.M., 938 FRESNO STREET**

1. **Call To Order** - Mayor Katen 6:30 P.M.
2. **Roll Call** - **PRESENT:** Davis, Hutchins, Candea, Martina And Mayor Katen.  
**ABSENT:** None.
3. **Items From The Public** - None.
4. **Adjourn To Closed Session** - 6:31 P.M.
  - a. Conference With Legal Counsel - Potential Litigation - Stanislaus County - One Case - G.C. 54956.9.
  - b. Conference With Real Property Negotiator - 919 Fresno Street - Stanislaus County APN 128-010-014 - G.C. 54956.8.
  - c. Return To Open Session - 7:00 P.M.

Mayor Katen Reported That The City Council Gave Staff Direction Regarding Both Closed Session Items.

**5. Adjournment.**

**ACTION:** On Motion By Hutchins Seconded By Davis And Unanimously Carried, The Meeting Was Adjourned At 7:02 P.M.



**MINUTES**  
**NEWMAN CITY COUNCIL**  
**REGULAR MEETING MAY 14, 2013**  
**CITY COUNCIL CHAMBERS, 7:00 P.M., 938 FRESNO STREET**

1. **Call To Order** - Mayor Katen 7:06 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.**
  - a. Proclamation - Asthma Awareness Month.

Mayor Katen Presented A Proclamation Declaring The Month Of May As Asthma Awareness Month In The City Of Newman.

- b. Recognition Of Lance Perry's Receipt Of The 2013 Wastewater Operator Of The Year Award.

Public Works Director Reynolds Introduced And Commended Lance Perry For His Receipt Of The 2013 Wastewater Operator Of The Year Award. Reynolds Then Presented Perry With A Certificate Of Appreciation.

Lance Perry Thanked Everyone And Stated That He Thought That His Position Was A Good Fit For Him And That He Was A Good Fit For The City. Perry Noted That The Wastewater Treatment Plant Had Come A Long Way Through The Years And Again Asserted His Appreciation.

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

Jose Bautista, 1306 Barrington Avenue, Orestimba High School Junior Varsity Soccer Coach, Requested That His Adult Soccer League Be Allowed To Use Rose Park On Sundays For Soccer Games. Bautista Noted That His Team Is Comprised Of Members Of The Community And That They Just Want To Use Park For Soccer Games.

The Council Directed Staff To Refer This Item To The Parks & Recreation Commission.

City Manager Holland Suggested That The City May Want To Consider How It Governs Traveling Teams Of All Sports But Allow Current Team To Continue Use Of Park Until The Issue Is Resolved.

The City Council Concurred.

## 8. Consent Calendar

- a. Waive All Readings Of Ordinances And Resolutions Except By Title.
- b. Approval Of Warrants.
- c. Approval Of Minutes Of The April 23, 2013 Meetings.
- d. Report On Side Letter Agreement To Memorandum Of Understanding Between The City Of Newman And The Operating Engineers Local #3 Miscellaneous Bargaining Unit.
- e. Adopt Resolution No. 2013-26, Approving The Expansion Of The Stanislaus County Enterprise Zone Boundaries.

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

## 9. Public Hearings - None.

## 10. Regular Business

- a. Report On The Non-Motorized Transportation Plan And Accompanying Environmental Documents.

Council Member Hutchins Commented That He Hoped That Existing Bike Lanes Would Be Connected.

**ACTION:** On Motion By Martina Seconded By Hutchins And Unanimously Carried, The City Council Approved The Final Initial Study, Negative Declaration And Adopted The Non-Motorized Transportation Plan (NMTP).

- b. Adopt Resolution No. 2013-27, A Resolution Initiating Proceedings For The Levy And Collection Of Assessments For The Lighting And Landscape Maintenance District For Fiscal Year 2013/2014 And Ordering Preparation Of The Engineer's Report.

**ACTION:** On Motion By Hutchins Seconded By Davis And Unanimously Carried, Resolution No. 2013-27, A Resolution Initiating Proceedings For The Levy And Collection Of Assessments For The Lighting And Landscape Maintenance District For Fiscal Year 2013/2014 And Ordering Preparation Of The Engineer's Report, Was Adopted.

- c. Adopt Resolution No. 2013-28, A Resolution Awarding A Contract For The 2013 Street Repairs Project To George Reed, Inc.

Hutchins Questioned The Disparity Of The Bids And Noted That George Reed Inc.'s Bid Was Considerably Lower.

Reynolds Noted That Street Overlays Are George Reed's Specialty.

**ACTION:** On Motion By Candea Seconded By Martina And Unanimously Carried, Resolution No. 2013-28, A Resolution Awarding A Contract For The 2013 Street Repairs Project To George Reed, Inc., Was Adopted.

- d. Adopt Resolution No. 2013-29, A Resolution Awarding A Contract For The Hoyer Road Safe Routes To School Cycle 10 Improvement Project To Breneman, Inc.

**ACTION:** On Motion By Hutchins Seconded By Davis And Unanimously Carried, Resolution No. 2013-29, A Resolution Awarding A Contract For The Hoyer Road Safe Routes To School Cycle 10 Improvement Project To Breneman, Inc., Was Adopted.

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

Supervisor DeMartini Noted That Preparations For The Upcoming Health Summit Were Underway. DeMartini Reported That Hills Ferry Road Will Be Repaved On June 3, 2013. He Mentioned That There Was Still An Opening On The County Parks Commission And Applications Could Be Obtained On The County's Website.

Mayor Katen Asked The Supervisor How The County Came To Its Figures Pertaining To The Property Tax Administration Fees Owed To The Cities.

DeMartini Stated That The County Would Like To Treat Cities Equally And That They Would Like To Reach A Settlement With Each City.

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

City Manager Holland Reported That He Anticipated That The May 28<sup>th</sup> City Council Meeting Would Be Cancelled. Holland Noted That He And The Mayor Would Be Attending Meetings In Washington D.C. On May 28<sup>th</sup> and 29<sup>th</sup> Regarding The Orestimba Creek Project. He Mentioned That The City Is Currently Working With PG&E To Bring An Ice Skating Rink To The City's Tree Lighting Ceremony. Holland Informed The Council That The City's Annual Softball Tournament Would Be Held On Friday, June 7<sup>th</sup>.

Public Works Director Reynolds Provided The City Council With An Update Regarding The Canal School Road Concerns And Noted That He Would Have A Full Report For The Council In June. Reynolds Encouraged Everyone To Attend The Bike To Work Event On Thursday, May 16<sup>th</sup> From 7 A.M. To 9 A.M.

Finance Director Humphries Reminded The Council That The Budget Presentation Was Scheduled For The First Meeting In June.

City Planner Ocasio Noted That The Founder's Weekend Event Was A Success And Thanked Everyone For Participating. Ocasio Mentioned That The City Still Had 125<sup>th</sup> Anniverery Books And Plates For Sale. She Reported That Staff Will Begin Work On The Complete Streets Project And Is Partnering With Housing Authority To Rehabilitate The Valley Manor Apartments Complex.

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

Council Member Hutchins Thanked Staff For Their Efforts During The Founder's Day Celebration.

Council Member Martina Echoed Council Member Hutchins' Comments And Noted That The 125<sup>th</sup> Celebration Was A Great Event.

Mayor Katen Stated That The 125<sup>th</sup> Founder's Day Celebration Was A Success And Proved To Be A Great Weekend. Katen Noted That The Hot Air Balloons And Trolley Rides Were Popular Attractions And Mentioned That The Newman Family Enjoyed Themselves.

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

**ACTION:** On Motion By Candea Seconded By Martina And Unanimously Carried, The Meeting Was Adjourned At 7:55 P.M.

Honorable Mayor and Members  
of the Newman City Council

**ADOPT RESOLUTION NO. 2013- , APPROVING THE TULARE STREET INFRASTRUCTURE  
IMPROVEMENT PROJECT AS COMPLETE AND AUTHORIZING ED KATEN AS MAYOR, AND  
MICHAEL E. HOLLAND AS CITY CLERK TO RECORD A NOTICE OF COMPLETION**

**RECOMMENDATION:**

It is recommended that the City of Newman City Council adopt Resolution No. 2013- , approving the Tulare Street Infrastructure Improvement Project as complete and authorizing Ed Katen as Mayor, and Michael E. Holland as City Clerk to record a Notice of Completion.

**BACKGROUND:**

The City received 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. Tulare Street from R Street to T Street experiences localized flooding problems and has raised curb and gutter sections. This project repaired the storm drain crossing Tulare Street at S Street, and removed and replaced the raised curb and gutter sections between R Street and T Street. The project included 155 feet of 10" storm drain replacement, 2 drain inlet structures, 363 feet of curb and gutter replacement, 1 driveway, and 4 alley approaches. Included with the staff report is a map of the location of the improvements.

**ANALYSIS:**

On March 26, 2013 City Council awarded a contract to the lowest responsible bidder for the project, Taylor Backhoe Services, Inc., for \$77,042.00 and construction for this project was completed on May 17, 2013. There was one change order approved for the Project in the amount of \$3,986.00 and included the removal of two trees, the installation of 32 feet of curb and gutter, and additional sidewalk removal and replacement. Therefore, the total project cost is \$81,028.00. This is a 5.2% increase in the Project. Industry acceptable standards for a project of this type are between 5%-10%. A final inspection of the project was performed by the Public Works Department, and the Project has been determined to be constructed in accordance with the approved plans and specifications.

**FISCAL IMPACT:**

Original Project Bid	\$77,042.00	
Change Order #1	\$3,986.00	
<b>Total Project Cost</b>	<b>\$81,028.00</b>	<b>Total Funding Amount \$98,622.00</b>

**CONCLUSION:**

The Tulare Street Infrastructure Improvement Project constructed by Taylor Backhoe Services, Inc., has been completed in compliance with the plans and specifications with a final construction cost of \$81,028.00. Therefore, staff recommends that the City Council adopt Resolution No. 2013- , approving the Tulare Street Infrastructure Improvement Project as complete and authorizing Ed Katen as Mayor, and Michael E. Holland as City Clerk to record a notice of completion for the Project.

**ATTACHMENTS:**

1. Resolution No. 2013-

Respectfully Submitted,

  
Garner Reynolds  
Director of Public Works

**REVIEWED/CONCUR:**

  
Michael E. Holland  
City Manager

**RESOLUTION NO. 2013-**

**A RESOLUTION APPROVING THE CITY OF NEWMAN TULARE STREET  
INFRASTRUCTURE IMPROVEMENT PROJECT AS COMPLETE AND AUTHORIZING ED  
KATEN AS MAYOR, AND MICHAEL E. HOLLAND AS CITY CLERK TO RECORD A  
NOTICE OF COMPLETION**

WHEREAS, on the 12<sup>th</sup> day of April, 2013, agreements were entered into between the CITY OF NEWMAN, herein after referred to as "CITY" and Haskell and Taylor Backhoe Services, Inc., herein after referred to as "CONTRACTOR" for the making of certain improvements in the City of Newman, County of Stanislaus, State of California, known as the CITY OF NEWMAN TULARE STREET INFRASTRUCTURE IMPROVEMENT PROJECT; and

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

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

1. That the improvements referred to in said agreement and the maps and other matters referred to therein be, and the same hereby are, approved and accepted.
2. That Ed Katen, as Mayor and Michael E. Holland as City Clerk, are hereby authorized and directed to execute and record a Notice of Completion of said improvements.

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

\_\_\_\_\_  
Ed Katen, Mayor

ATTEST:

\_\_\_\_\_  
Michael E. Holland, City Clerk

I hereby certify that the foregoing is a full, correct and true copy of a resolution passed by the City Council of the City of Newman, a municipal corporation of the County of Stanislaus, State of California, at a regular meeting held on June 11, 2013, and I further certify that said resolution is in full force and effect and has never been rescinded or modified.

DATED: \_\_\_\_\_, 2013.

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City Clerk



Honorable Mayor and Members  
of the Newman City Council

Agenda Item: **8.e.**  
City Council Meeting  
of June 11, 2013

**APPROVAL OF THE 2014 2016 CDBG COOPERATION AGREEMENT**

**RECOMMENDATION:**

Adopt Resolution No. 2013- , Authorizing the City Manager to execute the 2014-2016 CDBG cooperation agreement with Stanislaus County

**BACKGROUND:**

Every three years, current participants as well as nonparticipating cities have an opportunity to enter into an agreement to become a part of a qualified urban county and be eligible to receive CDBG entitlement funds. Each year, the City of Newman has the opportunity to decide whether to continue, join, or request exclusion from the Stanislaus CDBG Urban County Consortium. The current Urban County members are the cities of Ceres, Hughson, Newman, Oakdale, Patterson, Waterford, and Stanislaus County. The City of Newman has been a part of the Stanislaus County CDBG consortium since 2005.

Over the last eight years, the City of Newman has been allocated over two-million dollars in CDBG funding. This funding has allowed to City to partake in projects such as the Teen Center Computer Lab, Pioneer Park Rehabilitation and Infrastructure projects improving Yolo, Fresno, Merced, P, Q, R, S and T Streets.

**ANALYSIS:**

The attached agreement allows Stanislaus County to receive entitlement funds as an “urban county” and disperse said funds to the CDBG Consortium in accordance with required population and poverty calculations. As a member of the CDBG consortium, the City of Newman is eligible to receive approximately \$350,000.00 over the following fiscal years (14/15, 15/16 and 16/17).

**FISCAL IMPACT:**

Positive, the City of Newman will benefit from approximately \$350,000.00.

**CONCLUSION:**

In order to continue membership with the CDBG Consortium, staff recommends that the Council adopt Resolution No. 2013- , Authorizing the City Manager to execute the 2014-2016 CDBG cooperation agreement with Stanislaus County.

**ATTACHMENTS:**

1. Exhibit A – 2014-2016 Cooperation Agreement
2. Exhibit B - Resolution No. 2013- , Authorizing the City Manager to execute the 2014-2016 CDBG cooperation agreement with Stanislaus County.

Respectfully submitted,



Stephanie Ocasio  
City Planner

**REVIEWED/CONCUR**



Michael Holland  
City Manager

## COOPERATION AGREEMENT

THIS AGREEMENT, entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2013, by and between the CITY OF NEWMAN, hereinafter referred to as "City" and COUNTY OF STANISLAUS, hereinafter referred to as "County."

WITNESSETH

WHEREAS, CITY OF NEWMAN is a duly constituted municipal corporation under the laws of the State of California, and is empowered thereby to undertake essential community development and housing assistance activities, specifically urban renewal and publicly assisted housing; and

WHEREAS, COUNTY OF STANISLAUS is a duly constituted subdivision of the State of California, and is also empowered by State law to undertake essential community development and housing assistance activities, specifically urban renewal and publicly assisted housing; and

WHEREAS, California Government Code Section 6502 authorizes two or more public agencies to jointly exercise any power common to both; and

WHEREAS, it is mutually desired by the parties hereto to enter into a Cooperation Agreement, in accord with the Housing and Community Development Act of 1974, as amended, and applicable Federal rules and regulations adopted pursuant thereto; whereby the parties shall jointly undertake community development and housing assistance activities, including those funded by the Community Development Block Grant Entitlement Program (CDBG) and the HOME Investment Partnerships Program (HOME).

NOW, THEREFORE, BE IT HEREBY RESOLVED as follows:

1. The parties hereto agree to cooperate to undertake, or assist in undertaking, community renewal and lower income housing assistance activities, specifically urban renewal and publicly assisted housing, pursuant to the Housing and Community Development Act of 1974, as amended, hereafter, HCDA and the HOME INVESTMENT Partnerships Act, as amended. This agreement shall become effective October 1, 2014, and be in effect until terminated, but termination may not occur before September 30, 2017. This agreement shall remain in effect until the Community Development Block Grant and HOME Investment Partnerships Program funds received for federal fiscal years 2014, 2015, and 2016 and any related program income received with respect to these activities are completed.
2. Upon certification of Stanislaus County, and all of the participating incorporated cities, as an "Urban County" for federal fiscal years 2014, 2015, and 2016, under

the HCDA and applicable rules and regulations adopted pursuant thereto, a Policy Committee shall be formed consisting of one (1) representative designated by the Board of Supervisors and one (1) representative from each participating city. Each Committee representative shall have equal voting rights. The Policy Committee shall receive from the Technical Committee made up of one staff person from each participating jurisdiction, a proposed budget, and any other documentation required by the U.S. Department of Housing and Urban Development (HUD) for the CDBG Program and the HOME Investment Partnerships Program. Documentation shall include, but not limited to, a list of specific projects to be undertaken and priorities for implementation for the housing and community development projects. In preparing its proposed plans, project priorities, proposed budget, and other documentation, the Technical Committee shall disseminate complete information to citizens of Stanislaus County concerning community development and housing needs; and shall provide citizens with an opportunity to participate in the development of programs and priorities. Upon completion of the Policy Committee's deliberations, the proposed budget and other relevant documentation shall be submitted to the Stanislaus County Board of Supervisors for approval.

3. a. After deduction of administrative expenses, which shall not to exceed 20%, all of the net CDBG monies shall be sub-allocated to the participating jurisdictions according to the general distribution formula established by HUD which is based on the latest available countywide data on population, the extent of poverty, and the extent of housing overcrowding. However, a different distribution is hereby expressly authorized if and when necessary to comply with Title I of the HCDA. If any project submitted by County as a portion of the CDBG documentation is found to ineligible by HUD, the proposed project shall not be funded. In such an event, the County, acting in concert with the Technical Committee may submit an alternative priority project which is within the original cost and in line with the stated needs and objectives of County, provided such a re-submission conforms with the rules and regulations of the HCDA.
  - b. After deduction of administrative expenses, all of the net HOME Investment Partnerships Program monies allocated annually to the County of Stanislaus as an "urban county" under the HCDA, shall be allocated for housing purposes on a countywide basis. Distributions will be consistent with HUD guidelines and the evaluation criteria developed by participating cities and the county.
4. City may terminate its participation in this Cooperation Agreement and membership on the Committees by a single majority vote of its governing body. Such termination shall take effect only at the end of the federal three-year urban county qualification period in which the action is taken. The next such qualification period will end September 30, 2016. Subsequent urban county qualification periods will end September 30 on every third year following that date. However, City may void this Cooperation Agreement by written notice

received by the Director of the Stanislaus County Planning and Community Development Department, 1010 10<sup>th</sup> Street, Suite 3400, Modesto, California 95354, prior to the completion of urban county qualification process for federal fiscal years 2014, 2015 and 2016, if City is advised by HUD that City is eligible to be designated as a metropolitan city entitled to CDBG formula funding and City elects to accept designation as a metropolitan city. If this Cooperation Agreement is not voided by City prior to September 10, 2013 (or later date if approved in writing by HUD) under the circumstances listed in the previous sentence, City must remain a part of the urban county for the entire three-year urban county qualification period.

5. Public housing that requires voter approval shall not be approved until it receives approval of the voters.
6. Under this Agreement, the County shall be the primary general-purpose local governmental unit pursuant to the HCDA. The County shall apply for grants, administer all funds received, and undertake or assist in undertaking essential community development and housing assistance activities. Based on recommendations made by the Policy Committee, the County shall have the authority to carry out activities which will be funded from annual CDBG's and from HOME Investment Partnerships Program funds received for federal fiscal years 2014, 2015, and 2016 and any related program income generated. Records shall be kept by County in accordance with approved accounting procedures, and said records shall be available for public inspection at all times.
7. County and all participating cities shall take all actions necessary to assure compliance with the urban county's certification required by Section 104 (b) of Title I of the HCDA, including the National Environmental Policy Act of 1969, Title VI of the Civil Rights Act of 1964, Title VIII of the Civil Rights Act of 1968, Executive Order 11988, the Fair Housing Act, Section 109 of Title I of the HCD, as amended. Use of urban county funds for activities, in or in support of, any participating city that does not affirmatively further fair housing within its own jurisdiction or that impedes the county's actions to comply with the county's fair housing certification shall be prohibited. Pursuant to 24 CFR 570.501(b), City is subject to the same requirements applicable to sub-recipients, including the requirement of a written agreement described in 24 CFR 570.503.
8. City shall report to County any income generated by the expenditure of CDBG funds. Such program income may be retained by City to be used for CDBG eligible activities. County has the responsibility for monitoring and reporting to HUD on the use of program income, thereby requiring appropriate record keeping and reporting by City as may be needed for this purpose. In the case of HOME Investment Partnerships Program funds, the City shall report program income to the entity responsible for HOME fund administration and it shall be the responsibility of that entity to report to HUD on the use of program income.

9. The following standards shall apply to real property acquired or improved in whole or in part using CDBG funds that is within the control of a participating City:
  - a. City shall give County timely notification of any modification or change in the use of the real property from that planned at the time of acquisition or improvement including disposition.
  - b. City shall reimburse the allocation account in an amount equal to the current fair market value (less any portion thereof attributable to expenditures of funds other than CDBG or HOME) of property acquired or improved with CDBG funds that is sold or transferred for a use that does not qualify under the CDBG regulations.
  - c. City shall pay to County any program income generated from the disposition or transfer of property prior to or subsequent to the close-out, change of status or termination of the cooperation agreement between County and City. Any program income shall be allocated by County for eligible activities in accordance with all CDBG requirements as may then apply.
10. The parties hereto agree that the final responsibility for analyzing needs, setting objectives, developing plans, selecting projects for community development and housing assistance, selecting Community Block Grant and HOME activities, and filing the Consolidated Plan and other required by the HCDA is Stanislaus County Board of Supervisors.
11. By executing this CDBG Program Cooperation Agreement, City understands that it may not apply for grants under the Small Cities or State CDBG Programs from appropriation for fiscal years during the period in which it participates in the County's Urban County CDBG Program; that it may participate in a HOME Program only through the urban county; and that it may not participate in a HOME consortium with other local governments except through the urban county, regardless of whether the urban county receives a HOME formula allocation.
12. The cooperating unit of general local government has adopted and is enforcing:
  - a. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
  - b. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of

such non-violent civil rights demonstrations within its jurisdiction. The phrase “cooperating unit of general local government” has the same meaning in this Cooperation Agreement as it does in HUD Notice #CPD 07-03.

13. a. Each Party mutually agrees, pursuant to Government Code §894.5, to indemnify, hold harmless, and defend the other Party, its County Board of Supervisors, City Councils, boards and commissions, officers, agents, employees, and volunteers (collectively, the “indemnified Parties”) in an amount equal to its proportionate share of liability on a comparative fault basis. This indemnity obligation shall exist with respect to any claim, loss, liability, damage, lawsuit, cost or expense that arises out of, or is any way related to, the performance of services pursuant to this Agreement. This indemnity obligation extends, without limitation, to any injury, death, loss, or damage which occurs in the performance of the Agreement and that is sustained by a third party, agent, or contractor of a Party. Each Party executing this Agreement certifies that it has adequate self-insured retention of funds to meet any obligation arising from this Agreement, and it shall continue to maintain such funds throughout the Term of this Agreement. Notwithstanding the foregoing, nothing herein shall be construed to require any Party to indemnify any other Party from any Claim arising from the sole negligence or willful misconduct of another Party. Nothing in this section shall be construed as authorizing an award of attorney fees in any action on or to enforce the terms of this Agreement. This indemnity shall apply to all Claims and liability regardless of whether any insurance policies are applicable. Any policy limits shall not act as a limitation upon the amount of indemnification to be provided.
- b. At its sole discretion, the indemnified Party may participate at its own expense in the defense of any claim, action or proceeding, but such participation shall not relieve the indemnitor of any obligation imposed by this Agreement. The Parties shall notify each other promptly of any claim, action or proceeding and cooperate fully in the defense. The Parties agree to defend themselves from any claim, action or proceeding arising out of the concurrent acts or omissions of each Party. In such cases, the Parties agree to retain their own legal counsel, bear their own defense costs, and waive their right to seek reimbursement of such costs. Where a trial verdict or arbitration award allocates or determines the comparative fault of the parties, the Parties may seek reimbursement and/or reallocation of defense costs, settlement payments, judgments and awards, consistent with such comparative fault. The provisions of this section shall survive the termination of this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this agreement on the day and year first above written.

COUNTY OF STANISLAUS

CITY OF NEWMAN

By: \_\_\_\_\_  
Vito Chiesa  
Chairman of the Board of Supervisors

By: \_\_\_\_\_  
Michael E. Holland  
City Manager

ATTEST:

ATTEST:

\_\_\_\_\_  
Elizabeth King  
Assistant Clerk of the Board

\_\_\_\_\_  
Mike Maier  
Deputy City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Tom Hallinan  
City Attorney

Terms and provisions of this agreement are fully authorized under State and local law. This cooperation agreement provides full legal authority for Stanislaus County.

  
\_\_\_\_\_  
Thomas E. Boze  
Deputy County Counsel

**RESOLUTION NO. 2013-**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE THE 2014-2016 CDBG COOPERATION AGREEMENT WITH STANISLAUS COUNTY**

WHEREAS The City of Newman is part of a six-member Stanislaus County CDBG/ESG Consortium; and

WHEREAS the County of Stanislaus is the lead agency in said Consortium; and

WHEREAS to continue membership in the Consortium, the City Of Newman and Stanislaus County must enter into a Cooperative Agreement to qualify for Community Development Block Grants, funded by the U.S. Department of Housing and Urban Development; and

WHEREAS the City Of Newman and the County Of Stanislaus have determined that it is mutually beneficial to have County disburse CDBG funds for CDBG-eligible activities in Newman; and

WHEREAS, the City of Newman is desirous of entering into a Cooperation Agreement with Stanislaus County

NOW, THEREFORE, BE IT RESOLVED that the Newman City Council hereby authorizes the City Manager to execute a CDBG Cooperation Agreement with Stanislaus County allowing the City of Newman to continue membership in the CDBG Consortia for federal fiscal years 14/15, 15/16 and 16/17.

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

AYES:  
NOES:  
ABSENT:

APPROVED:

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

ATTEST:

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

Honorable Mayor and Members  
of the Newman City Council

**Agenda Item: 9.a.**  
City Council Meeting  
of June 11, 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, June 10, 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 June 11, 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 11th day of June, 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. 1616 Lochbrea Ct.**

Tall grass and weeds throughout the front and backyard of the property.



06.04.2013 13:49



06.04.2013 13:49



06.04.2018 18:50

Honorable Mayor and Members  
of the Newman City Council

**REPORT ON CANAL SCHOOL ROAD TRAFFIC SAFETY ASSESSMENT**

**RECOMMENDATION:**

Report on Canal School Road Traffic Safety Assessment

**BACKGROUND:**

The City has received complaints of speeding and has experienced eight motor vehicle accidents in the last 4+ years on Canal School Road from Inyo Avenue to Hills Ferry Road. As a result, the City contracted with Ken Anderson and Associates to analyze the situations and determine if there are potential remedies. KD Anderson and Associates (KDA) is a well-respected traffic engineering firm specializing in design and operational analysis for transportation infrastructure. The report is attached to the staff report for your review.

Canal School Road from Inyo Avenue to Hills Ferry Road is a two lane arterial road that is improved to its ultimate ½ section on the west side including curb, gutter, sidewalk, landscaping, sound wall and street lighting. It does not contain any direct residential access onto Canal School Road. Access to Canal School Road is through three local streets. The east side of the roadway consists of a single northbound lane approximately 10-11 feet wide with a gravel shoulder. It is bordered by agricultural uses with no homes. Within the city limits the striping consists of solid yellow centerline striping with no edge striping, and other than the stop signs at Hills Ferry Road and at Highway 33 in Merced County. There are no other stop signs on Canal School Road.

**ANALYSIS:**

The study conducted by KDA included traffic counts over a 24-hour period. Based upon the count, the average daily volume of traffic on Canal School Road is 2,954 vehicles per day south of Inyo Avenue and 3,122 between Inyo Avenue and Hills Ferry Road. These volumes are nearly identical to those noted in the May 2005 General Plan analysis. The General Plan identifies a Level of Service (LOS) of C for planning thresholds and suggests that 2-lane arterial streets should be able to accommodate up to 15,000 vehicles per day before exceeding the minimum LOS C standard.

In addition to the traffic counts, the speeds of the vehicles were collected over the same time period. When looking at vehicle speeds the 85<sup>th</sup> percentile speed is relevant because this speed is often the basis for establishing speed limits. Law enforcement agencies work the traffic engineer to review the recorded numbers and typically will round them up or down to the closest 5 mph. The results can then be adjusted by another 5 mph if the agency determines the conditions meet certain specific criteria. The 85<sup>th</sup> percentile in the southbound direction was 47 mph, and the northbound 85<sup>th</sup> percentile was 51 mph. Therefore, the southbound direction would be rounded to 45 mph with the possibility of adjusting to 40 mph, and the northbound rounded to 50 mph and potentially adjusted to 45 mph. Please keep in mind; this was not a radar speed survey, rather a collection of the speeds over a 24-hour period. According to the report, adjusting the existing northbound speed limit would not be an option.

KDA assessed the design, operational and safety issues along Canal School Lane and developed the following conclusions:

- The majority of the collisions reported involved drivers traveling northbound and leaving the roadway
- All but two of the reported collisions were single vehicle incidents
- One of the collisions involved a side street motorist entering the road and colliding with another vehicle (failure to yield)
- One involved a conflict created by motorists slowing to turn at intersections

The alignment through the intersection of Inyo Avenue and Canal School Road is adequate for the speed limit (55). However, the report indicates that the horizontal curve may be slightly undersized for motorists moving at speeds in excess of the speed limit. One possible measure to improve this situation would be to install a new street light at the intersection of Canal School Road and Inyo Avenue as it would bring more attention to the existing traffic controls. Left turn lanes were assessed; however the northbound volume would need to be 50% higher and 30% of that volume turning left at one intersection. This is unlikely the case, therefore separate left turn lanes are not justified at this time.

The report recommends measures to help remind motorists to slow down and obey the speed limit, and to increase the visibility at night at the intersection of Canal School Road and Inyo Avenue. The following possible remedies are suggested:

- a. Install oversized speed limit sign at Inyo Avenue with 45 mph pavement marking (may require Merced County approval)
- b. Re-Stripe the centerline stripe on Canal School Road within existing city limits
- c. Install edge line stripe on the east side of Canal School Road north of Inyo Avenue
- d. Install street light at the Canal School Road / Inyo Avenue intersection
- e. Install a Speed Limit Flashing Beacon on the speed limit sign at Inyo Avenue

Below are the estimated costs for these improvements, and they are included in the Fiscal Year 2013/14 Budget.

**FISCAL IMPACT:**

Over-sized Speed Limit Sign	\$500.00		
Striping	\$5,000.00		
Street Light at Canal School Rd. and Inyo Ave.	\$2,500.00		
Speed Limit Flashing Beacon	<u>\$5,000.00</u>		
	Total	\$13,000.00	FY 2013/14 Budget \$13,000.00

**CONCLUSION:**

The City has received complaints of speeding on Canal School Road from the residents in the area of Canal School Road from Inyo Avenue to Hills Ferry Road. Over the past 4+ years, there have been eight motor vehicle accidents in the area. At the request of residents in the area, the City contracted with KD Anderson and Associates to study the roadway and make recommendations for possible remedies. Five possible remedies were identified in the Report that may help to reduce motor vehicle accidents and speeding in the area. Therefore staff recommends budgeting \$13,000.00 in the Fiscal Year 2013/14 Budget for installation of these improvements.

**ATTACHMENTS:**

- 1. Final Traffic Safety Assessment Relating to Canal School Road

Respectfully submitted,



Director of Public Works

**REVIEWED/CONCUR:**



Michael E. Holland  
City Manager

May 6, 2013

Mr. Garner R. Reynolds, Director  
**CITY OF NEWMAN**  
Department of Public Works  
P.O. Box 787  
Newman, CA 95360

**RE: FINAL TRAFFIC SAFETY ASSESSMENT RELATING TO CANAL SCHOOL ROAD,  
NEWMAN, CA**

Dear Garner:

Thank you for contacting our firm regarding the issue of travel speeds and safety on Canal School Road in the area from East Inyo Avenue north through the Hills Ferry Road intersection to Driskell Avenue. As we have discussed the City of Newman is aware of complaints regarding the speed of vehicles using this street, and accidents appear to occur relatively frequently. On the surface, the problem appears to be the speed of northbound vehicles as they enter the City from rural Merced County.

As requested KD Anderson & Associates (KDA) has investigated conditions along these streets, identified constraints to safe travel and recommended applicable actions that could be implemented by the City of Newman to promote safety in this area. Please note, our assessment has not considered the issue of enforcement of the speed limit by uniformed officers.

### **Background Research**

To complete this investigation, KDA assembled new information regarding the flow of traffic in this area of Newman to supplement available information regarding the collision history on these roads.

**Traffic Volume, Classification and Speed Data.** KDA contracted with National Traffic Data (NTD) to collect new traffic flow data for Canal School Road and Hills Ferry Road. As noted in Attachment 1, data was collected at three locations:

1. Canal School Road south of the Inyo Avenue intersections
2. Canal School Road between Bonanza Drive and Rodeo Grounds Way intersections
3. Hills Ferry Road between Canal School Road and Driskell Avenue

Data was collected using pneumatic tube counters on Thursday April 11, 2013.

**Traffic Volumes.** Traffic counts were collected each hour in each direction and summarized over a 24 hour period. As shown in Table 1, the total daily volume (ADT) on Canal School Road was a little less than 3,000 vehicles per day south of Inyo Street and a little more than 3,000 ADT between Inyo Avenue and Hills Ferry Road. The volume on Hills Ferry Road east of Canal School Road was higher at a little more than 5,000 vehicles.

We reviewed the traffic counts assembled in May 2005 for the Newman General Plan to see whether current volumes were appreciably different. As shown, the volume observed on Canal School Road south of Inyo Street was nearly identical. The available count for Hills Ferry Road was taken east of Driskell Avenue, rather than east of Canal School Road, and the 2005 volume is slightly higher.

To put these daily volumes in perspective, the Newman General Plan identifies planning level thresholds for operating Levels of Service for city streets. That document suggests that 2-lane Arterial streets such as Canal School Road and Hills Ferry Road should be able to accommodate up to 15,000 vehicles per day before exceeding the City's minimum LOS C standard.

**Vehicle Classification.** The traffic count program is also capable of classifying the types of vehicles found in the traffic count by differentiating wheel bases under the FHWA classification system (refer to appendix for examples) as each vehicle crossed a pair of precisely located hoses. This data is summarized in Table 2. 2-axle passenger automobiles and pick-up trucks fall into the first two categories and comprise about 92% of the count. Trucks of various types comprise 8% of the total traffic.

**Vehicle Speeds.** The traffic count program also identified the speed of each vehicle as it crossed each hose, and the results are tabulated in Table 3. While not as exact as a radar speed survey, this mechanical methodology permits data collection over a 24-hour period which may be helpful in evaluating conditions at night.

Table 3 identifies the number of vehicles observed in each of eleven speed ranges in each direction on each of the three sample locations. This data was then sorted statistically as noted in Table 4. At each location the 50<sup>th</sup> percentile speed (i.e., ½ the observations at or below the identified speed), 85<sup>th</sup> percentile speed (i.e., 85% traveling that speed or below), and 95<sup>th</sup> percentile speed were calculated. The 85<sup>th</sup> percentile speed is relevant because this speed is often the basis for establishing speed limits. It is generally assumed that drivers will drive at a speed that they consider to be "safe" and that a limit should be close to the speed that 85% of the drivers are choosing.

Speed limits are typically set by rounding the 85<sup>th</sup> percentile speed up or down to the closest 5 mph increment. That result can be adjusted by another 5 mph if conditions warrant. In this case, the 85<sup>th</sup> percentile speed in the southbound direction was 51 mph, which would be rounded down to 50 mph and could be set at 45 mph. Conversely, the 54 mph northbound speed would be rounded to 55 but could be adjusted to 50 mph. Based on these criteria, adjusting the existing speed limits is not an option on Canal School Road. A similar review of data for Hills Ferry Road suggests that the existing 35 mph speed limit may not be supported by the 85<sup>th</sup> percentile speed (i.e., 43 mph and 45 mph rounded to 45mph and adjusted to 40 mph). It is important to note, however, that the vehicle code required a radar survey to establish speed limits, rather than the pneumatic hose survey used herein.

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<b>TABLE 1 TRAFFIC VOLUMES</b>					
<b>Street</b>	<b>Location</b>	<b>Direction</b>	<b>Traffic Count</b>		
			<b>Daily</b>	<b>AM Peak Hour</b>	<b>PM Peak Hour</b>
Canal School Road	South of Inyo Avenue	Northbound	1,574	112	149
		Southbound	1,380	111	107
		Total	2,954	223	256
		2005	2,950	-	-
		LOS C	<15,000		
Canal School Road	South of Rodeo Grounds Way	Northbound	1,684	117	165
		Southbound	1,438	119	105
		Total	3,122	236	270
		LOS C	<15,000		
Hills Ferry Road	East of Canal School Road	Eastbound	2,503	222	202
		Westbound	2,550	131	238
		Total	5,053	353	440
		2005	6,000		
		LOS	<15,000	-	-

*KDA*

**TABLE 2  
 TRAFFIC CLASSIFICATION**

Street	Location	Direction	Traffic Count By Classification							
			Daily	auto	Long 2 axel	2 axel 6 tire	3 axel single	<5 axel double	5 axel double	6 axel multi
Canal School Road	South of Inyo Avenue	Northbound	1,574	966	479	34	9	53	21	10
		Southbound	1,380	862	422	24	10	41	13	7
		Total	2,954	1,828	901	58	19	94	34	17
		%	100%	62%	30%	2%	<1%	3%	1%	<1%
Canal School Road	South of Rodeo Grounds Way	Northbound	1,684	1,041	513	37	7	62	3	17
		Southbound	1,438	969	373	15	5	56	8	6
		Total	3,122	2,010	866	52	12	118	11	23
		%	100%	64%	28%	2%	<1%	4%	<1%	1%
Hills Ferry Road	East of Canal School Road	Eastbound	2,503	1,661	669	41	7	87	12	16
		Westbound	2,550	1,663	715	41	10	85	13	14
		Total	5,053	3,324	1,384	82	17	172	25	30
		%	100%	66%	27%	2%	<1%	3%	<1%	1%

*KDA*

**TABLE 3  
 TRAVEL SPEED SURVEY RESULTS**

Street	Location	Direction	Traffic Count By Speed											
			Daily	21-25	26-30	31-35	36-40	41-45	46-50	51-65	56-60	61-65	66-70	➤ 70
Canal School Road	South of Inyo Avenue	Northbound	1,574	2	3	8	18	77	190	408	460	283	88	36
		NB (7:00 p.m. to 5:00 a.m.)	273	0	1	1	4	19	32	81	58	44	23	10
		Southbound	1,380	6	9	9	60	164	298	413	262	111	31	13
		Total	2,954	8	12	17	78	241	488	821	722	394	119	49
Canal School Road	South of Rodeo Grounds Way	Northbound	1,684	14	62	176	387	476	334	149	60	17	1	0
		Southbound	1,438	23	83	188	422	449	198	56	14	3	0	0
		Total	3,122	37	145	364	809	925	532	205	74	20	1	0
Hills Ferry Road	East of Canal School Road	Eastbound	2,503	10	116	608	958	511	192	84	19	0	2	0
		Westbound	2,550	8	129	777	1,090	409	89	29	5	2	0	0
		Total	5,053	18	245	1,385	2,048	920	281	113	24	2	2	0

*KDA*

**TABLE 4**  
**TRAVEL SPEED SURVEY RESULTS**

Parameter	Canal School Road South of Inyo Avenue			Canal School Road South of Rodeo Grounds Way			Hills Ferry Road East of Canal School Road		
	NB	SB	Both	NB	SB	Both	EB	WB	Both
50 <sup>th</sup> Percentile	57 mph	53 mph	55 mph	43 mph	41 mph	42 mph	39 mph	38 mph	38 mph
85 <sup>th</sup> Percentile	64 mph	60 mph	63 mph	51 mph	47 mph	49 mph	45 mph	43 mph	44 mph
95 <sup>th</sup> Percentile	69 mph	65 mph	67 mph	56 mph	51 mph	55 mph	50 mph	46 mph	49 mph
Speed Limits	55 mph	55 mph	55 mph	45 mph	45 mph	45 mph	35 mph	35 mph	35 mph

*KDA*

**Collision History.** City of Newman staff was asked to identify the recent collision history for Canal School Road within the City limits (i.e., north of Inyo Avenue). The available data is summarized in Table 5. While the number of collisions over the 4+ year period may not be appreciable, it is important to consider the frequency of collisions in relation to the length of Canal School Road and the number of vehicles traveling on this road. Thus, the relative collision frequency in terms of collisions per Million Vehicle Miles of travel is determined and compared to expected rates developed by Caltrans.

The collision frequency rate for this road is 3.75 collisions per million vehicle miles (MVM). This rate includes two DUI's but excludes the collision south of Inyo Avenue. In comparison, Caltrans' statewide average rate for two lane conventional highways in level terrain with a design speed of less than 55 mph and ADT of roughly 3,100 vehicles per day is 0.86 collisions per MVM. At the average rate, we would have expected to see only two collisions in this area over the last 4+ years.

<b>TABLE 5 COLLISION HISTORY AND STATISTICS</b>			
<b>Year</b>	<b>#</b>	<b>Type</b>	<b>Report</b>
2009	1	Failure to Yield (Hit & Run)	East bound Inyo, turning North on Canal School pulled out in front of a vehicle heading South on Canal School.
2010	1	DUI	NB Canal School did not stop at Hills Ferry and went through the wall
2011	3	Hit & Run	NB Canal School driver didn't see vehicle slowing in front and swerved to avoid the car then hit the wall
		Driver Lost Control, Property Damage	No details
		Property Damage, No Details	No details
2012	1	Patrol Vehicle Incident (South of Inyo Avenue)	Not in city limits responding code 3 to a call for assistance
2013 (up to April 22)	2	DUI	NB lost control hit sound wall.
		Hit & Run	NB lost control hit sound wall
Total	8		
Canal School Road from Inyo Avenue to Hills Ferry Road is 2,000 feet, or 0.38 miles; Average Daily Traffic in this area is 3,122 vehicles per day. $(7 \text{ collisions} * 1,000,000 \text{ miles}) / (4.33 \text{ years} * 365 \text{ days per year} * 3,122 \text{ vehicles per day} * 0.3788 \text{ miles})$ $7,000,000 / 1,869.062 = 3.75 \text{ collisions per MVM}$			

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### Site Visit

KDA visited the site on April 20, 2013 to obtain information regarding the physical characteristics of the study area circulation system.

**Roadway Characteristics.** Both Canal School Road and Hills Ferry Road are located at the edge of the City of Newman, and both are currently transitioning from rural two lane highways into City of Newman streets as development proceeds.

South of Inyo Avenue **Canal School Road** is a two lane rural road that continues through Merced County for roughly two miles to an intersection on SR 33 south of Newman. In this area the paved width of the road is typically 21-22 feet. 1-2 foot wide gravel shoulders are available, but in some locations the drop-off from pavement to the adjoining agricultural area is several inches. A painted yellow centerline stripe is provided along with white edge line striping. "No passing zone" striping has been installed in advance of the intersection with Preston Road, between the two lane bridge over the Newman Wasteway of the Delta Mendota Canal and the Sanches Road intersection and at the Braza Road intersection.

There are a few indications that a motorist is entering an urban area as Canal School Road approaches the Inyo Avenue intersection and the Merced County line-Newman city limits. An R2-4 (45 ZONE AHEAD) sign is in place about 400 feet south of the intersection, and an R2-1 (SPEED LIMIT 45) sign is placed at the intersection itself. There are a few buildings near the intersection but little illumination.

The alignment of Canal School Road follows a curve to the left through the intersection, but sight distance does not appear to be affected for motorists on Canal School Road. The curve appears to have a radius of approximately 900-1,000 feet and is not super-elevated. The estimated radius is close to general standards for a minimum radius at 55 mph (i.e., 1,000' per HDM Table 203.2).

Canal School Road has been improved in the area north of Inyo Avenue as development has proceeded in the city. The west side of Canal School Road has been widened to its ultimate ½ section from a point starting about 350 feet north of Inyo Avenue to a location about 250 feet south of Hills Ferry Road. Curb, gutter, sidewalk, landscaping, sound wall and street lighting have been constructed in this 1,400 foot long area. There is no direct residential access to Canal School Road, and new residential neighborhoods take access via three local streets (i.e., Flour Mill Drive, Rodeo Grounds Way and Bonanza Drive). The uses on the east side of Canal School Road remain agricultural. A single northbound travel lane (10-11 feet wide) exists, and there is a wide gravel shoulder in this area. There is no edge line stripe on the east side of the road. Yellow centerline striping exists but is somewhat faded. A W3-1 (STOP AHEAD) sign is present for northbound Canal School Road traffic about 750 feet from Hills Ferry Road. An R2-1 (SPEED 45 mph) sign is on southbound Canal School Road roughly 250 feet south of Hills Ferry Road, and this sign is somewhat obstructed by branches from an adjoining tree that I would expect to be cleared with routine maintenance.

This segment of Canal School Road was the location of a recent collision included in the summary provided by the City. It is still apparent that a vehicle left the road and struck the sound wall, landscaping and streetlight.

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The most northerly section of Canal School Road beyond the area of new development is relatively narrow on the approach to Hills Ferry Road (i.e., 25 feet pavement width). The Hills Ferry Road intersection is controlled by a northbound stop sign, and painted medians have been installed to channelize turns. There is a guard rail along the southwest corner of the intersection in the area of the eastbound to southbound right turn. A sweeping northbound right turn area is available (120'± radius), and this movement is stop controlled. There is a short westbound left turn lane on Hills Ferry Road (120'±). The intersection is not illuminated, but there are street lights on Hills Ferry Road a short distance from the intersection.

**Hills Ferry Road** is a three lane section in the 450' long area from Canal School Road to Driskell Avenue (i.e., one through lane in each direction plus back-to-back center left turn lanes. The north side of the street features standard curb, gutter and sidewalk and has no direct residential access. The south side of the road remains agricultural, and the road has limited shoulder. There is a street light at the Driskell Avenue intersection, which is controlled by a stop sign on the Driskell Avenue approach.

The north side of the segment of Hills Ferry Road east of Driskell Avenue has been widened as recent development has occurred. While a single eastbound travel lane adjoins the agricultural area south of the street, the north side of the street was been widened to accommodate the future four lane section. A continuous painted center median has been provided, but the lane available for westbound travel is very wide. Curb, gutter, sidewalk and street lights exists on the north side of the street in this area, which is also signed R26 "NO PARKING". A 35 mph speed limit is posted in both directions.

**Sight Distance.** As part of our review we investigated available sight distance along Canal School Road and at its intersections based on the guidelines included in the Caltrans Highway Design Manual (HDM). These guidelines prescribe sight distance requirements based on minimum stopping sight distance, as well as corner sight distance requirements at intersections. HDM Table 201.1 notes that the minimum stopping sight distance is 360 feet at 45 mph and 500 feet at 55 mph. Similarly, HDM Table 405.1A notes corner sight distance requirements of 495 feet at 45 mph and 605 feet at 55 mph. Corner sight distance requirements generally provide a view of approaching motorists for 7.5 seconds.

The adequacy of intersection sight distance is determined at a location on the side street approach that is also prescribed in the HDM. Sight distance is measured from a point 15 feet from the travels way at a height that matches the driver's eye. Our field review concluded that the sight distance looking at approaching traffic on Canal School Road exceeds corner sight distance requirements for the posted speed limit at each intersection.

#### **Assessment of Design / Operational / Safety Issues**

The following conclusions can be drawn from the available information.

- The majority of the collisions reported on Canal School Road involved drivers traveling northbound and leaving the road.
- All but two the reported collisions were single vehicle incidents.
- One of the collisions involved a side street motorist entering the road and colliding with another vehicle (failure to yield).

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- One involved a conflict created by motorists slowing to turn at intersections (swerve rear-end or sideswipe).

Based on these conclusions we considered the factors which typically lead to these types of collisions. Isolated motorists driving off the road can occur when the speed of motorists and the speed accommodated by physical features (i.e., horizontal or vertical alignment) do not match. In this case, the alignment of Canal School Road is straight and level except for the horizontal curve through the Inyo Avenue intersection. The alignment through the intersection is adequate for the speed limit (55 mph), but the horizontal curve at Inyo Avenue may be slightly undersized for motorists moving at a greater speed. Caltrans HDM Figure 203.2 notes that a 1,000 foot curve is “comfortable” at 45-50 mph but that without super elevation a larger radius curve would be needed at higher speeds (i.e., 2,400 feet at 65 mph). Our data indicated that over the course of the day 15% of the northbound motorists traveled at 64 mph or above, and 5% traveled at 69% or above. Thus, it is possible that motorists travel at too high a speed for the road and start to lose control. This would be consistent with our finding that over the 24 hour period, 36 northbound motorists drove at a speed in excess of 70 mph as they approached Inyo Avenue.

Motorists may also leave the travel way when it is difficult to identify the roadway at night. As with most rural areas the portion of Canal School Road south of the new development area is relatively dark. The street light on Inyo Avenue is roughly 60 feet west of the intersection and may not be visible to northbound drivers. While edge line striping exists on Canal School Road outside of the City limits, this feature does not exist in the area just north of Inyo Avenue. At night the appearance of the undeveloped shoulder area east of Canal School Road and the actual pavement may also be very similar.

The incident at the Hills Ferry Road intersection may be related to the intersection’s visibility, although alcohol was likely a greater issue. However, an advance STOP AHEAD sign is present and the stop sign at the intersection is clearly visible. The intersection could be better illuminated and measures to call additional attention to the existing traffic controls might be considered. However, as the one incident was a DUI, the need for corrective actions in this location is not supported by the evidence.

The two incidents involving more than one vehicle were also considered. “Failure to Yield” incidents can be created by limited sight distance, but our review indicated that the view looking north from Inyo Avenue is adequate.

One incident involved a driver overtaking a vehicle turning from Canal School Road. While it is likely that drivers turning onto one of the local streets from Canal School Road will slow down, trailing motorists typically have enough room to slow and avoid a collision if they have allowed for adequate separation between vehicles for their speed. The need for separate left turn lanes to separate advancing and turning vehicles is typically determined based on guidelines published by the American Association of State Highway and Transportation Officials (AASHTO). Their publication *Geometric Design of Highways and Streets* includes Exhibit 9-75 which identifies the combination of advancing (northbound), opposing (southbound) and turning volumes that may justify separate turn lanes at different speeds. Applying these guidelines requires knowledge of the number of northbound left turns at the intersections in this area, and that data was not collected. However, the volume of traffic counted on Canal School Road (i.e., 160 northbound and 105 southbound vehicles in the p.m. peak hour) is relatively small and falls outside of the range of volumes considered under these guidelines. Extrapolation suggests that turn lanes

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might be justified if the northbound volume was 50% higher (i.e., 240 vph) and 30% of that volume (i.e., more than 70 vph) turned left at one intersection. As this is unlikely to be the case, separate left turn lanes are not justified today.

Based on these considerations we do not view these two accidents as an indication of the need for specific action.

### **Possible Corrective Actions**

We have considered possible remedies for the two relevant considerations:

*How to Remind Motorists to slow down as they approach Inyo Avenue and obey the speed limit?* The typical measures considered for speed control on semi-rural locations include:

1. Measures to call attention to existing speed limit signs such as **Speed Limit Flashing Beacons** mounted on top of the sign per section 4L.04 of the CaMUTCD. A solar powered unit sign / beacon would cost about \$5,000 and could be installed at the location of the existing speed limit sign within city limits. The sign could also be accompanied by pavement markings that said 45 MPH.
2. Larger Warning (SPEED ZONE AHEAD) or Regulatory (SPEED LIMIT) signs. A typical R2-1 speed limit sign is 24"x30". The CaMUTCD notes that an oversized sign would be 30" x 36". There is no provision for an oversize R2-4. A large sign would cost about \$200 and could be installed at the current location in the city limits.
3. Measures to call motorist attention to their speed, such as a **Vehicle Speed Feed Back Sign** which could be installed at the beginning of the 45 mph speed zone. A solar powered unit would cost about \$4,000. The device would be installed at the location of the existing R2-1 45 SPEED LIMIT sign in the City of Newman.

*How to make the section of Canal School Road near Inyo Avenue more visible at night?* Typical measures to increase night time visibility include:

1. Measures to call attention to the intersection, such as **additional street lighting**. There is an existing utility pole on the east side of Canal School Road the intersection that may be used for this purpose. A new street light on an existing pole could cost about \$ 2,500 to install but would have annual maintenance costs.
2. Measures to provide greater definition for the road, such as refurbished centerline striping and edge-line striping on the east side of the road north of Inyo Avenue. Raised reflective markers could also be considered in lieu of reflective paint. This work would best be accomplished when the road is next resurfaced, as greater contrast between pavement and strips would occur at that time. Restriping / re-marking 1,800 lineal feet of road would cost about \$3,000 to \$5,000 depending on the type of material used.

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**Recommendation**

I recommend the following actions in the order presented based on funds available to the City:

- a. Install oversized speed limit sign at Inyo Avenue with 45 mph pavement marking. Note: the marking may be in Merced County and if so, would require the County's approval.
- b. Re-stripe the centerline stripe on Canal School Road within the City.
- c. Install edge line stripe on the east side of Canal School Road north of Inyo Avenue.
- d. Install street light at the Canal School Road / Inyo Avenue intersection.
- e. Install a Speed Limit Flashing Beacon on the speed limit sign at Inyo Avenue.

Thank you again for contacting our firm. Please feel free to call if you have any questions or need additional information.

Sincerely,

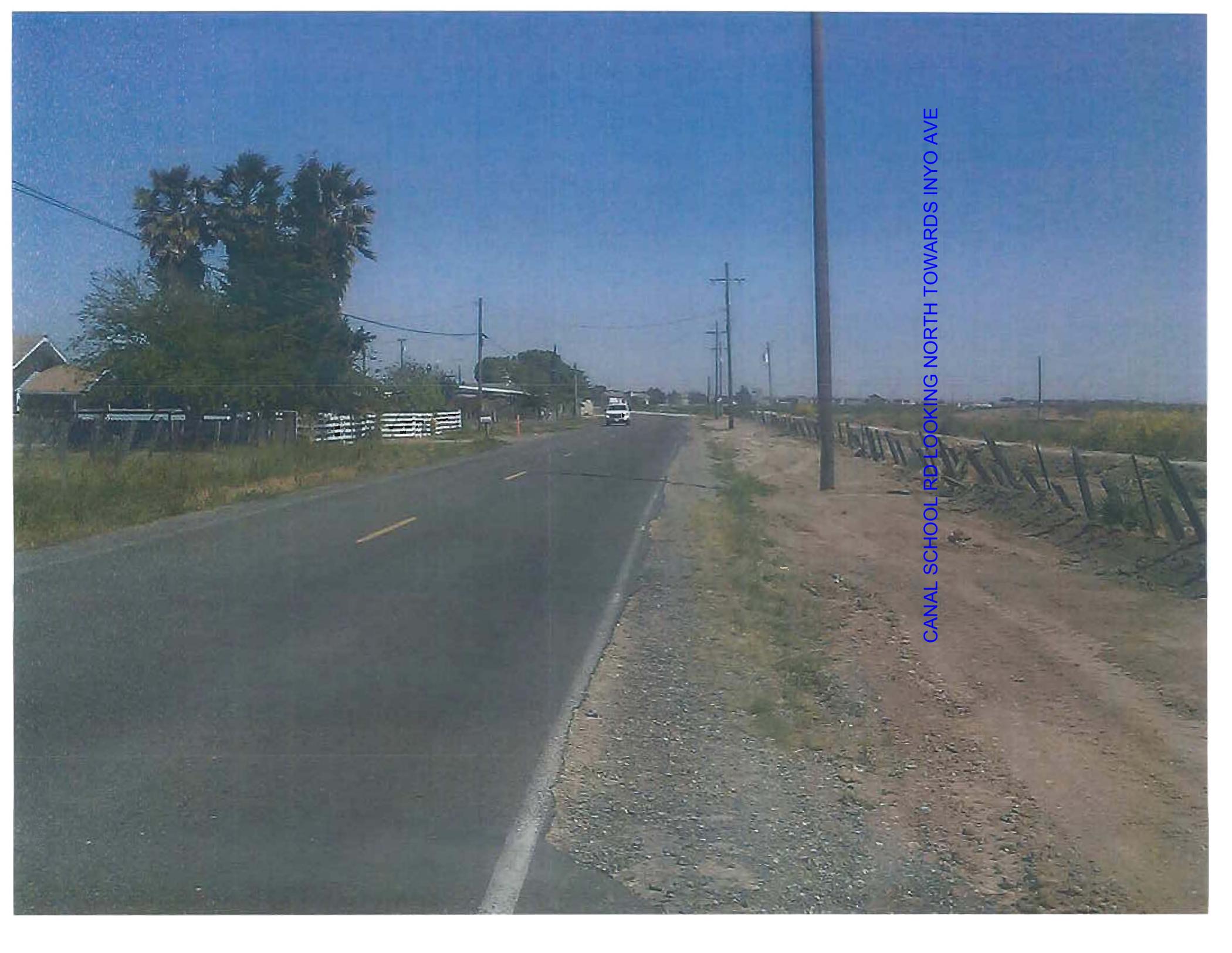
**KD Anderson & Associates, Inc.**



Kenneth D. Anderson, P.E.  
President

Attachments: Photographs of study area

CANAL SCHOOL RD LOOKING NORTH TOWARDS INYO AVE





LOOKING SOUTH AT CANAL SCHOOL ROAD/JINYO AVE

LOOKING WEST AT INYO AVE ACROSS CANAL SCHOOL RD





CANAL SCHOOL RD LOOKING SOUTH FROM INYO AVE

CANAL SCHOOL RD LOOKING NORTH FROM INYO AVE

SPE  
LIM  
45



CANAL SCHOOL RD LOOKING NORTH TOWARDS HILLS FERRY RD





WEST SIDE OF CANAL SCHOOL RD BETWEEN INYO AVE & HILLS FERRY



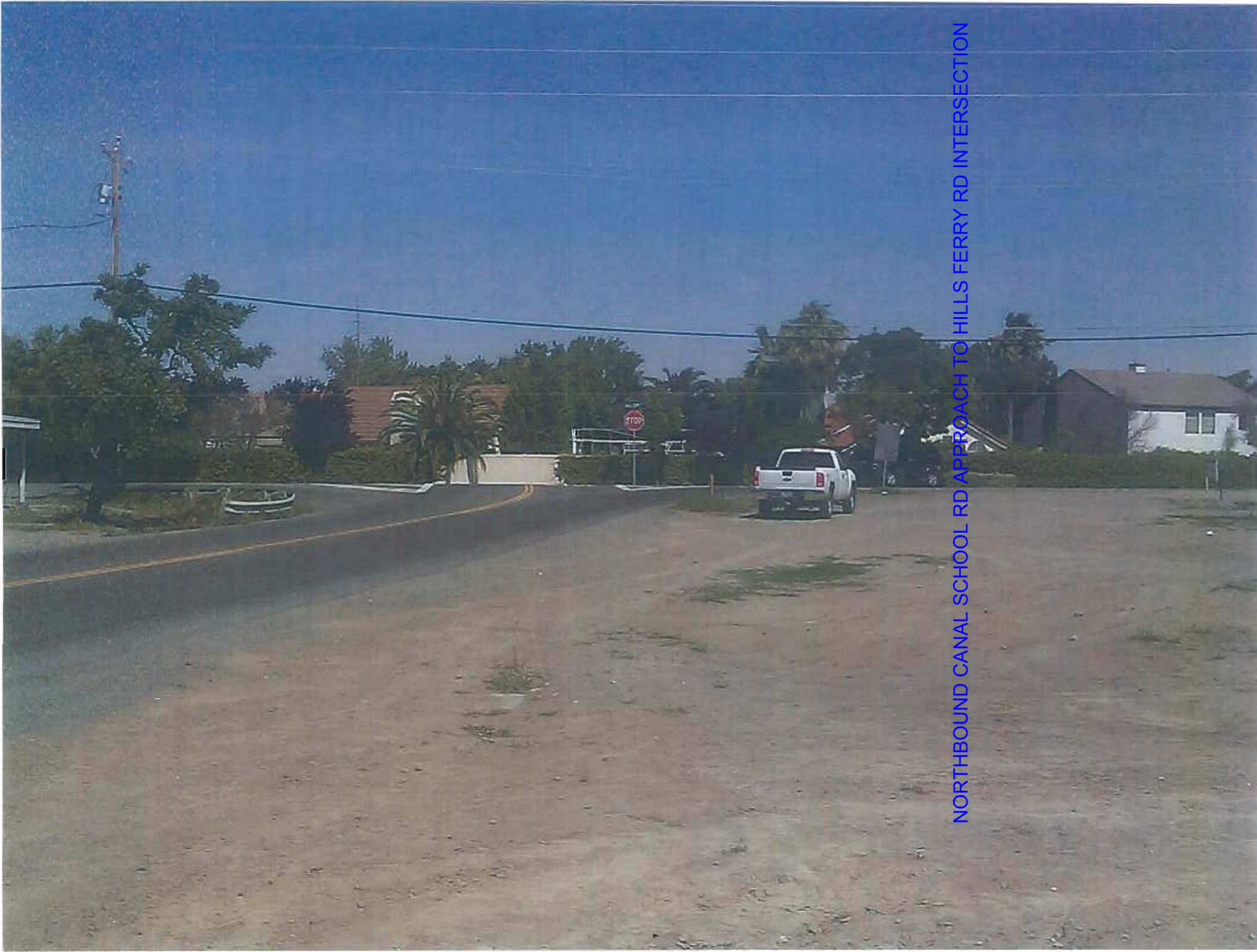
LOOKING SOUTH ON CANAL SCHOOL RD TOWARDS INYO AVE



CANAL SCHOOL RD LOOKING NORTH TO HILLS FERRY RD



CANAL SCHOOL RD LOOKING SOUTH



NORTHBOUND CANAL SCHOOL RD APPROACH TO HILLS FERRY RD INTERSECTION

DO NOT  
ENTER  
WRONG  
WAY

CANAL SCHOOL

HILL'S FERRY RD LOOKING WEST AT CANAL SCHOOL RD





HILLS FERRY RD LOOKING EAST AT CANAL SCHOOL RD



SOUTHWEST CORNER OF CANAL SCHOOL RD / HILLS FERRY RD

A photograph of a paved road with utility poles and houses in the background. The road is asphalt with a double yellow line down the center. On the left side, there are utility poles with wires. On the right side, there are streetlights and a concrete curb. In the background, there are houses and a clear blue sky.

HILLS FERRY RD LOOKING WEST TOWARDS DRISKELL AVE

Honorable Mayor and Members  
of the Newman City Council

**APPROVE FISCAL YEAR 2013-14 ANNUAL BUDGET AS PRESENTED IN  
THE PRELIMINARY BUDGET DOCUMENT**

**RECOMMENDATION:**

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

1. Resolution adopting the 2013-14 Annual Budget
2. Resolution establishing the appropriations limit for Fiscal Year 2013-14.

**BACKGROUND:**

The Fiscal Year 2013-14 Preliminary Budget is being presented to the City Council on June 11<sup>th</sup> at the Budget Workshop. This budget puts forth staffs recommended spending plans of the City for all funds for the 2013-14 Fiscal Year. The budget includes the salaries and benefits of all city employees, operating costs of all city departments, the cost of the year's debt service payments, and the cost of various capital projects to be undertaken during the year.

The appropriations limit is required to be established every year. Proposition 4 passed in 1979 and Proposition 111 passed in 1990, known as the Gann Initiative, creates a restriction on the amount of revenue which can be appropriated in any fiscal year. The limit is based on actual appropriations during the 1978-79 fiscal year (based year), and is allowed to increase each year based upon the calculation using a percentage change in population at of January 1 of each year in conjunction with a change in the cost of living from previous fiscal year. These calculations are provided to us by the California Department of Finance each May. The fiscal year 2013-14 appropriations limit is \$11,631,219. The City's budgeted appropriation subject to limit from proceeds of taxes is \$4,120,765. Therefore, the City's appropriation is under the legal limit by \$7,510,454. The Gann Limit calculation is shown on Exhibit A of the resolution.

**ANALYSIS:**

All funds are projected to end the fiscal year with positive balance; with the exception of Fund 17 – State Grants, Fund 42 – Storm Drain, and Fund 73 – Successor Agency. Fund 17 is due to the timing of receipt of funds. Fund 42 is due to outstanding fee credits which decline as development continues, and Fund 73 is mostly due to prior year SERAF borrowing from Fund 74.

Adoption of the budget includes:

1. Appropriating \$4,120,765 for the General Fund as shown on page 14 of the Preliminary Budget.
2. Appropriating \$3,778,428 for Special Revenue Funds as shown on page 50 of the Preliminary Budget.
3. Appropriating \$3,307,076 for Enterprise Funds as shown on page 90 of the Preliminary Budget.
4. Appropriating \$756,209 for Capital Project Funds as shown on page 102 of the Preliminary Budget.

**FISCAL IMPACT:**

The City's General fund is projected to end the fiscal year with a \$2,613,996 balance as shown on page 5 of the Preliminary Budget. The deficit of \$(426,264) includes a conservative estimate for expenditures and revenues. We expect to achieve a more favorable result by the end of the fiscal year.

**CONCLUSION:**

Staff has worked diligently to alleviate this deficit. Staff recommends that Council approve the preliminary budget as presented. The spending plan for 2013-14 continues to provide the valuable services the citizens of Newman have come to expect and deserve from the City.

**ATTACHMENTS:**

1. Resolution No. 2013- Resolution Adopting City of Newman Budget
2. Resolution No. 2013- Resolution Establishing Appropriation Limit
3. EXHIBIT A - City of Newman - Appropriations Calculations (Gann Limit) and letter from DOF.

Respectfully submitted:

**REVIEWED/CONCUR:**

\_\_\_\_\_  
Lewis A. Humphries  
Finance Director

  
\_\_\_\_\_  
Michael E. Holland  
City Manager

**RESOLUTION NO. 2013-**

**A RESOLUTION ADOPTING THE BUDGET FOR FISCAL YEAR 2013-2014**

**WHEREAS**, the City Council of the City of Newman has reviewed the Final Budget for the Fiscal Year 2013-2014; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Newman hereby adopts the Final Budget for The Fiscal Year 2013-2014.

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

**RESOLUTION NO. 2013-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWMAN ESTABLISHING  
FISCAL YEAR 2013-2014 APPROPRIATIONS LIMITATION**

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

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

NOW, THEREFORE, BE IT RESOLVED that the City of Newman's appropriations limitation for Fiscal Year 2013-2014 shall be \$11,631,219 as per Exhibit "A" attached.

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

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 11th day of June, 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

**EXHIBIT "A"**

**CITY OF NEWMAN  
APPROPRIATIONS LIMITATION**

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

FY 2012-2013 Limitation \$10,972,537

Annual Adjustments:

Change in population (California Department of Finance) = 0..84%

Change in per capita personal income (Department of Finance) = 5.12%

Population Factor Converted to a Ratio  $\frac{0.84+100}{100}$  = 1.0084

Per Capita Factor Converted to a Ratio  $\frac{5.12+100}{100}$  = 1.0512

Calculation of **FY 2013-2014 Limitation**

\$10,972,537 X 1.0084 X 1.0512 = **\$11,631,219**

Honorable Mayor and Members  
of the Newman City Council

Agenda Item: **10.c.**  
City Council Meeting  
of June 11, 2013

**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 20, 2013. Currently, Mayor Katen, Council Member Hutchins and City Manager Holland 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 2013 League of California Cities Conference in September by Mayor Katen, Council Member Hutchins and City Manager Holland. This staff report is submitted for City Council consideration and action.

**ATTACHMENTS:**

1. League of California Cities information regarding Voting Delegates and 2013 Annual Conference Voting Procedures.
2. 2013 Annual Conference Voting Delegates and Alternates Form.

Respectfully submitted,



Mike Maier  
Deputy City Clerk

**REVIEWED/CONCUR:**



Michael E. Holland  
City Manager



1400 K Street, Suite 400 • Sacramento, California 95814  
Phone: 916.658.8200 Fax: 916.658.8240  
[www.cacities.org](http://www.cacities.org)

**Council Action Advised by August 2, 2013**

**PLEASE NOTE:** You are receiving this letter and form earlier than usual because hotel space near the Sacramento Convention Center for the Annual Conference will be especially tight this year. As a result, we want to encourage you to make your hotel reservations early.

April 26, 2013

**TO: Mayors, City Managers and City Clerks**

**RE: DESIGNATION OF VOTING DELEGATES AND ALTERNATES  
League of California Cities Annual Conference – September 18 - 20, Sacramento**

The League's 2013 Annual Conference is scheduled for September 18 - 20 in Sacramento. An important part of the Annual Conference is the Annual Business Meeting (*at the General Assembly*), scheduled for noon on Friday, September 20, at the Sacramento 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 attached Voting Delegate form and return it to the League's office no later than Friday, August 23, 2013. 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 go to our website: [www.cacities.org](http://www.cacities.org). 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 Sacramento Convention Center, will be open at the following times: Wednesday, September 18, 9:00 a.m. – 6:30 p.m.; Thursday, September 19, 7:00 a.m. – 4:00 p.m.; and September 20, 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 Friday, August 23. If you have questions, please call Mary McCullough at (916) 658-8247.

Attachments:

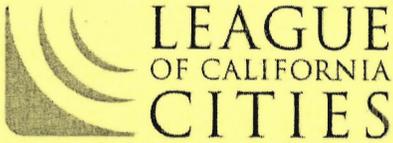
- 2013 Annual Conference Voting Procedures
- Voting Delegate/Alternate Form



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## Annual Conference Voting Procedures 2013 Annual Conference

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.



**CITY:** \_\_\_\_\_

**2013 ANNUAL CONFERENCE  
VOTING DELEGATE/ALTERNATE FORM**

**Please complete this form and return it to the League office by Friday, August 23, 2013. 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 Friday, August 23, 2013**

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

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