



**AGENDA**  
**NEWMAN CITY COUNCIL**  
**REGULAR MEETING JANUARY 28, 2014**  
**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.
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 January 14, 2014 Meeting. ([View Minutes](#))
9. Public Hearings
  - a. Second Reading And Adoption Of Ordinance No. 2014- , An Ordinance Amending Title 11 Public Ways And Property, Adding Chapter 11.120 Storm Water Management And Discharge Control To The Newman City Code - Complying With The NPDES Phase II Permit Effective March 1, 2014 And Authorize Staff To Publish A Summary Of Said Ordinance. ([View Report](#))
10. Regular Business
  - a. Adopt Resolution No. 2014- , A Resolution Adopting Building Permit Fees. ([View Report](#))
  - b. Adopt Resolution No. 2014- , A Resolution Adopting The Midyear Changes For Fiscal Year 2013-2014. ([View Report](#))
  - c. Adopt Resolution No. 2014- , A Resolution Approving A Grant Application For Land And Water Conservation Funds For The Skate Plaza Project And Commit Funds To The Skate Plaza Project. ([View Report](#))
  - d. Report On Potential Voter Approved Residential Urban Limit. ([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**

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

February 4 - NCLUSD Board Meeting - 6:00 P.M.

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

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

February 17 - Presidents' Day Holiday - City Offices Closed.

February 18 - Two-On-Two Meeting With The School Board - 4:00 P.M.

February 20 - Planning Commission - 7:00 P.M.

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

# Accounts Payable

## Computer Check Proof List by Vendor



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

User: efaria  
Printed: 01/24/2014 - 8:50AM  
Batch: 00005.01.2014

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: SJV01	SJVIA			Check Sequence: 1	ACH Enabled: True
Feb 2014	Health insurance premium/Feb 2014	17,431.16	01/24/2014	10-00-2260	
	Check Total:	17,431.16			
	Total for Check Run:	17,431.16			
	Total of Number of Checks:	1			

# Accounts Payable

## Void Check Proof List



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

User: efaria  
Printed: 01/24/2014 - 12:23PM

Account Number	Amount	Invoice No	Inv Date	Description	Reference	Task Label	Type	PONumber	Close PO?	Line Item
Vendor: PRE02		PRECISION INSPECTION, IN								
Check No: 104879		Check Date: 01/23/2014								
10-33-6200	8,357.00	45686	12/31/2013	Sidewalk improvements Lucas Ranch/						0
Check Total:	8,357.00									
Vendor Total:	8,357.00									
Report Total:	8,357.00									

# Accounts Payable

## AP Check Register for Council



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

User: efaria

Printed: 01/21/2014 - 12:33 PM

Name	Account	Check Date	Check Num	Description	Amount	ACH Che
CBA (CALIFORNIA BENEFITS)	10-00-1110	01/21/2014	104838	Pre-paid dental-vision deposit	8,500.00	No
CPR Services	10-14-6310	01/09/2014	104839		364.43	No
CPR Services	60-50-6310	01/09/2014	104839		364.43	No
CPR Services	63-56-6310	01/09/2014	104839		364.43	No
					9,593.29	

# Accounts Payable

## AP Check Register for Council



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

User: efaria

Printed: 01/23/2014 - 3:55 PM

Name	Account	Description	Check Nu	Check D	ACH C	Amount
Advanced Building Cleaners, Inc.	10-33-62	Street sweeping services/Dec 2013	104851	01/23/201	No	3,634.02
ARROWHEAD MOUNTAIN SPRING	10-45-63	Bottled water deliveries/Dec 2013	104852	01/23/201	No	8.59
ARROWHEAD MOUNTAIN SPRING	60-50-63	Bottled water deliveries/Dec 2013	104852	01/23/201	No	2.80
AT&T MOBILITY	10-21-64	Cell phone usage 12/6/13 to 1/5/14	104853	01/23/201	No	418.14
AT&T MOBILITY	63-56-64	Cell phone usage 12/6/13 to 1/5/14	104853	01/23/201	No	165.75
AT&T MOBILITY	10-44-64	Cell phone usage 12/6/13 to 1/5/14	104853	01/23/201	No	26.12
AT&T MOBILITY	69-47-64	Cell phone usage 12/6/13 to 1/5/14	104853	01/23/201	No	9.75
AT&T MOBILITY	60-50-64	Cell phone usage 12/6/13 to 1/5/14	104853	01/23/201	No	268.26
AT&T MOBILITY	10-07-64	Cell phone usage 12/6/13 to 1/5/14	104853	01/23/201	No	8.27
AT&T MOBILITY	10-22-64	Cell phone usage 12/6/13 to 1/5/14	104853	01/23/201	No	24.53
AT&T MOBILITY	10-33-64	Cell phone usage 12/6/13 to 1/5/14	104853	01/23/201	No	30.78
AT&T MOBILITY	10-02-64	Cell phone usage 12/6/13 to 1/5/14	104853	01/23/201	No	33.01
AT&T MOBILITY	10-45-64	Cell phone usage 12/6/13 to 1/5/14	104853	01/23/201	No	80.56
AT&T MOBILITY	10-03-64	Cell phone usage 12/6/13 to 1/5/14	104853	01/23/201	No	30.81
AT&T MOBILITY	10-14-64	Cell phone usage 12/6/13 to 1/5/14	104853	01/23/201	No	41.23
AT&T MOBILITY	73-70-64	Cell phone usage 12/6/13 to 1/5/14	104853	01/23/201	No	30.94
AT&T MOBILITY	22-20-64	Cell phone usage 12/6/13 to 1/5/14	104853	01/23/201	No	3.31
AT&T MOBILITY	10-06-64	Cell phone usage 12/6/13 to 1/5/14	104853	01/23/201	No	90.45
AT&T MOBILITY	10-21-64	Mobile access/PD 12/3/13 to 1/2/14	104853	01/23/201	No	374.99
BUSINESS CARD	60-50-65	12 car washed/PW Civic	104854	01/23/201	No	48.00
BUSINESS CARD	63-56-65	12 car washed/PW Civic	104854	01/23/201	No	48.00
BUSINESS CARD	63-56-66	Stormwater Best Management practice handbook	104854	01/23/201	No	300.25
BUSINESS CARD	63-56-63	Cell phone case/charging dock/OtterBox defender case	104854	01/23/201	No	53.57
BUSINESS CARD	60-50-63	Cell phone case/charging dock/OtterBox defender case	104854	01/23/201	No	53.57
BUSINESS CARD	60-50-63	Organizational chart/PW	104854	01/23/201	No	19.73
BUSINESS CARD	63-56-63	Organizational chart/PW	104854	01/23/201	No	19.73
BUSINESS CARD	10-33-63	Organizational chart/PW	104854	01/23/201	No	19.72
BUSINESS CARD	10-07-63	Heating element for tankless water heater @ city hall	104854	01/23/201	No	97.83
BUSINESS CARD	68-68-66	Christmas tree decorations/downtown	104854	01/23/201	No	6.99
BUSINESS CARD	68-68-66	Garland for Christmas tree	104854	01/23/201	No	18.17
BUSINESS CARD	68-68-66	Christmas lights/ornaments/downtown	104854	01/23/201	No	175.53
BUSINESS CARD	10-00-58	Polo shirts with City logo/reimbursed	104854	01/23/201	No	80.98
CALIF BUILDING STANDARDS	10-00-26	SB 1473 fees payable Oct-Dec 2013	104855	01/23/201	No	89.00
CALIF BUILDING STANDARDS	10-00-53	SB 1473 fees payable Oct-Dec 2013	104855	01/23/201	No	-8.90
Canon Financial Services, Inc.	10-14-62	Contract services for copier @ city hall 1/1/14 to 1/31/14	104856	01/23/201	No	106.06
Canon Financial Services, Inc.	60-50-62	Contract services for copier @ city hall 1/1/14 to 1/31/14	104856	01/23/201	No	106.06
Canon Financial Services, Inc.	63-56-62	Contract services for copier @ city hall 1/1/14 to 1/31/14	104856	01/23/201	No	106.06
Canon Financial Services, Inc.	60-50-62	Contract services for copier @ city hall 1/1/14 to 1/31/14	104856	01/23/201	No	86.70
Canon Financial Services, Inc.	63-56-62	Contract services for copier @ city hall 1/1/14 to 1/31/14	104856	01/23/201	No	86.70
Canon Financial Services, Inc.	10-21-62	Contract services for copier @ PD 1/1/14 to 1/31/14	104856	01/23/201	No	196.96
CDW GOVERNMENT, INC	63-56-71	1) HP 1910 POE + switch	104857	01/23/201	No	248.73
CDW GOVERNMENT, INC	63-56-71	HP Micro Gen8 base	104857	01/23/201	No	575.63
CDW GOVERNMENT, INC	63-56-71	SEA 3TB BARR	104857	01/23/201	No	1,159.25
Chevron & Texaco Business Card Serv	10-33-65	Gas and diesel purchases 12/15/13 to 1/14/14	104858	01/23/201	No	61.06
Chevron & Texaco Business Card Serv	10-44-65	Gas and diesel purchases 12/15/13 to 1/14/14	104858	01/23/201	No	54.02

Name	Account	Description	Check Nu	Check D	ACH C	Amount
Chevron & Texaco Business Card Serv	63-56-650	Gas and diesel purchases 12/15/13 to 1/14/14	104858	01/23/201	No	468.52
Chevron & Texaco Business Card Serv	60-50-650	Gas and diesel purchases 12/15/13 to 1/14/14	104858	01/23/201	No	129.85
Chevron & Texaco Business Card Serv	10-21-650	Gas and diesel purchases 12/15/13 to 1/14/14	104858	01/23/201	No	3,412.63
Chevron & Texaco Business Card Serv	10-22-650	Gas and diesel purchases 12/15/13 to 1/14/14	104858	01/23/201	No	442.78
Chevron & Texaco Business Card Serv	69-47-650	Gas and diesel purchases 12/15/13 to 1/14/14	104858	01/23/201	No	23.67
Chevron & Texaco Business Card Serv	10-07-650	Gas and diesel purchases 12/15/13 to 1/14/14	104858	01/23/201	No	47.35
CSG Consultants, Inc	10-23-62	Building permit issuance/Dec 2013	104859	01/23/201	No	793.27
CSG Consultants, Inc	10-23-62	Plan check fees/Dec 2013	104859	01/23/201	No	5,540.50
DEPART. OF CONSERVATION	10-00-260	SMOT fee payable/Oct -Dec 2013	104860	01/23/201	No	234.40
DEPART. OF CONSERVATION	10-00-53	SMOT fee payable/Oct -Dec 2013	104860	01/23/201	No	-11.72
ENVIRONMENTAL TECHNIQUES	60-50-630	60 ProOxidizer/WWTP	104861	01/23/201	No	3,540.00
ENVIRONMENTAL TECHNIQUES	60-50-630	Bio-Dredging Service/sludge reduction in cel #2/WWTP	104861	01/23/201	No	8,861.44
GARTON TRACTOR	60-50-710	New Holland Tractor/WWTP	104862	01/23/201	No	35,198.22
G BAR N VETERINARY CLINIC	10-21-620	Monthly animal control services/Dec 2013	104863	01/23/201	No	530.00
GEOANALYTICAL LAB, INC.	60-50-620	BOD/TSS/Nitrates/WWTP	104864	01/23/201	No	300.00
GEOANALYTICAL LAB, INC.	63-56-620	Nitrates/Bacti testing/Water/Dec 2013	104864	01/23/201	No	490.00
GEORGE W. LOWRY, INC	60-50-650	400 gallons unleaded gas delivered to WWTP	104865	01/23/201	No	1,419.31
GOLDEN STATE WARRIORS	10-45-670	131 Junior Warriors basketball uniforms/22 coaches shirts	104866	01/23/201	No	1,645.00
Grand Lodge of California	40-07-810	Principal payment on new city hall/Feb 2014	104867	01/23/201	No	571.90
Grand Lodge of California	60-50-810	Principal payment on new city hall/Feb 2014	104867	01/23/201	No	571.90
Grand Lodge of California	63-56-810	Principal payment on new city hall/Feb 2014	104867	01/23/201	No	571.90
Grand Lodge of California	40-07-810	Interest payment on new city hall/Feb 2014	104867	01/23/201	No	1,066.34
Grand Lodge of California	60-50-810	Interest payment on new city hall/Feb 2014	104867	01/23/201	No	1,066.33
Grand Lodge of California	63-56-810	Interest payment on new city hall/Feb 2014	104867	01/23/201	No	1,066.33
HOUSE STEPHANIE	10-45-670	2 Dalco referee shirt reimbursements	104868	01/23/201	No	53.79
Housing authority of County of Stanisla	73-70-810	First payment of Housing contract	104869	01/23/201	No	50,000.00
INFOSEND, INC	60-50-620	Utility bill and late notice mailing/Dec 2013	104870	01/23/201	No	919.72
INFOSEND, INC	63-56-620	Utility bill and late notice mailing/Dec 2013	104870	01/23/201	No	919.71
IN-SYNCH SYSTEMS	10-21-620	Monthly RMS subscription/2/1/14 to 2/28/14/PD	104871	01/23/201	No	1,020.00
IRRIGATION DESIGN & CONST	10-44-630	Corona 4" trenching shovel	104872	01/23/201	No	10.77
IRRIGATION DESIGN & CONST	10-33-630	Corona 4" trenching shovel	104872	01/23/201	No	5.38
IRRIGATION DESIGN & CONST	69-47-630	Corona 4" trenching shovel	104872	01/23/201	No	5.38
IRRIGATION DESIGN & CONST	69-47-630	Compression couplings	104872	01/23/201	No	19.33
Matthew Bender & Co., Inc	10-21-660	2014 Edition Calif Penal code	104873	01/23/201	No	237.96
Merced County Tax Collector	60-50-660	Property tax 2013-2014	104874	01/23/201	No	978.12
Merced County Tax Collector	60-50-660	Property tax 2013-2014	104874	01/23/201	No	1,645.60
Merced County Tax Collector	60-50-660	Property tax 2013-2014	104874	01/23/201	No	7,133.70
MID VALLEY IT, INC	10-21-620	IT CONTRACT/PD	104875	01/23/201	No	1,273.20
MID VALLEY IT, INC	10-14-620	IT CONTRACT/FIN	104875	01/23/201	No	636.60
MID VALLEY IT, INC	63-56-620	IT CONTRACT/WATR	104875	01/23/201	No	636.60
MID VALLEY IT, INC	60-50-620	IT CONTRACT/SEWR	104875	01/23/201	No	636.60
NEWMAN SMOG AND LUBE	10-21-650	Motorcraft 100 month battery/2003 Crown Vic	104876	01/23/201	No	129.10
NEWMAN SMOG AND LUBE	10-21-650	Lube/oil & oil filter change/2011 Charger	104876	01/23/201	No	37.69
CITY OF PATTERSON	10-22-620	Fire data input/Nov 2013	104877	01/23/201	No	250.00
CITY OF PATTERSON	10-03-620	Video Reimbursement for Council/Dec 2013	104877	01/23/201	No	660.00
P G & E	10-21-650	Natural gas usage 12/05/13 to 1/07/14	104878	01/23/201	No	22.23
P G & E	10-33-650	Natural gas usage 12/05/13 to 1/07/14	104878	01/23/201	No	66.66
P G & E	10-44-650	Natural gas usage 12/05/13 to 1/07/14	104878	01/23/201	No	44.46
P G & E	60-50-650	Natural gas usage 12/05/13 to 1/07/14	104878	01/23/201	No	22.23
P G & E	63-56-650	Natural gas usage 12/05/13 to 1/07/14	104878	01/23/201	No	22.23
P G & E	10-07-640	Natural gas usage 12/05/13 to 1/07/14	104878	01/23/201	No	414.83
P G & E	60-50-640	Natural gas usage 12/05/13 to 1/07/14	104878	01/23/201	No	414.83
P G & E	63-56-640	Natural gas usage 12/05/13 to 1/07/14	104878	01/23/201	No	414.82
P G & E	10-07-640	Gas and electric 12/16/13 to 1/14/14	104878	01/23/201	No	1,027.22
P G & E	10-22-640	Gas and electric 12/16/13 to 1/14/14	104878	01/23/201	No	314.17

Name	Account	Description	Check Nu	Check D	ACH C	Amount
PG & E	10-33-64	Gas and electric 12/16/13 to 1/14/14	104878	01/23/201	No	7,629.43
PG & E	10-44-64	Gas and electric 12/16/13 to 1/14/14	104878	01/23/201	No	341.15
PG & E	10-45-64	Gas and electric 12/16/13 to 1/14/14	104878	01/23/201	No	67.13
PG & E	10-46-64	Gas and electric 12/16/13 to 1/14/14	104878	01/23/201	No	275.32
PG & E	10-44-66	Gas and electric 12/16/13 to 1/14/14	104878	01/23/201	No	304.81
PG & E	10-07-66	Gas and electric 12/16/13 to 1/14/14	104878	01/23/201	No	180.62
PG & E	10-44-66	Gas and electric 12/16/13 to 1/14/14	104878	01/23/201	No	406.66
PG & E	60-50-64	Gas and electric 12/16/13 to 1/14/14	104878	01/23/201	No	19,751.60
PG & E	62-60-64	Gas and electric 12/16/13 to 1/14/14	104878	01/23/201	No	245.87
PG & E	62-60-64	Gas and electric 12/16/13 to 1/14/14	104878	01/23/201	No	715.86
PG & E	63-56-64	Gas and electric 12/16/13 to 1/14/14	104878	01/23/201	No	9,265.21
PG & E	69-47-64	Gas and electric 12/16/13 to 1/14/14	104878	01/23/201	No	2,885.68
PG & E	73-70-66	Gas and electric 12/16/13 to 1/14/14	104878	01/23/201	No	84.38
PG & E	73-70-66	Gas and electric 12/16/13 to 1/14/14	104878	01/23/201	No	330.45
PRECISION INSPECTION, INC	10-33-62	Sidewalk improvements Lucas Ranch/R St and Upper Road	104879	01/23/201	No	8,357.00
R-SAFE SPECIALTY	60-50-63	Safety glasses	104880	01/23/201	No	8.61
R-SAFE SPECIALTY	60-50-63	Jacket and knee pads/Estrada	104880	01/23/201	No	77.38
RELIABLE OFFICE SUPPLIES	60-50-63	HP ePrinter/ink/WWTP	104881	01/23/201	No	170.52
Singh Ronil	10-21-66	Per diem for POST training/Singh	104882	01/23/201	No	40.00
SPRINGBROOK SOFTWARE	63-56-63	Monthly web payment monitoring/Dec 2013	104883	01/23/201	No	252.67
SPRINGBROOK SOFTWARE	60-50-63	Monthly web payment monitoring/Dec 2013	104883	01/23/201	No	252.67
SPRINGBROOK SOFTWARE	10-14-63	Monthly web payment monitoring/Dec 2013	104883	01/23/201	No	252.66
Stanislaus County Auditor-Controller	10-00-26	Oct-Dec 2013 County impact fees payable	104884	01/23/201	No	31,042.93
Stanislaus County Auditor-Controller	10-00-53	Oct-Dec 2013 County impact fees payable	104884	01/23/201	No	-310.43
STAN COUNTY SHERIFF'S REG	10-21-66	POST training registration/Singh	104885	01/23/201	No	838.00
STANTEC CONSULTING SERVICE,	60-50-62	Newman water & wastewater on-call 2013-2014	104886	01/23/201	No	701.00
SWRCB ACCOUNTING OFFICE	60-50-66	Annual Permit fee 1/1/14 to 12/31/14/WWTP	104887	01/23/201	No	1,791.00
T&R ENTERPRISES	64-56-75	Made 3 camera extension brackets	104888	01/23/201	No	51.66
T&R ENTERPRISES	61-55-75	Made 3 camera extension brackets	104888	01/23/201	No	51.66
T&R ENTERPRISES	71-46-75	Made 3 camera extension brackets	104888	01/23/201	No	51.66
MANNING JOSH	63-00-20	Refund Check	104889	01/23/201	No	82.30
GRISSOM LISA	63-00-20	Refund Check	104890	01/23/201	No	52.72
ROSE JACQUELINE	63-00-20	Refund Check	104891	01/23/201	No	17.96
UNIVAR USA, INC	63-56-63	200 gallons sodium hypochloride delivered @ well #8	104892	01/23/201	No	516.83
UNIVAR USA, INC	63-56-63	50 gallons sodium hypochloride delivered @ well #6	104892	01/23/201	No	193.81
MATTOS NEWSPAPERS, INC.	10-06-66	Notice of Commission vacancies/2014 seats	104893	01/23/201	No	60.00
MATTOS NEWSPAPERS, INC.	10-21-66	Christmas greeter ad/Newman PD	104893	01/23/201	No	60.00
MATTOS NEWSPAPERS, INC.	10-21-63	500 Notice to Appear forms/ PD	104893	01/23/201	No	361.22
MATTOS NEWSPAPERS, INC.	10-21-63	1000 #10 envelopes/ PD	104893	01/23/201	No	166.82
MATTOS NEWSPAPERS, INC.	62-60-62	Shipping of computer part from Lift Station/laminated water	104893	01/23/201	No	19.37
MATTOS NEWSPAPERS, INC.	63-56-63	Shipping of computer part from Lift Station/laminated water	104893	01/23/201	No	1.43
YANCEY LUMBER COMPANY	10-33-63	Concrete/rebar weld/pail/bolt cutter/	104894	01/23/201	No	70.20
YANCEY LUMBER COMPANY	10-44-63	Concrete/rebar weld/pail/bolt cutter/	104894	01/23/201	No	64.88
YANCEY LUMBER COMPANY	60-50-63	gloves/nitrile gloves/pigskin gloves	104894	01/23/201	No	35.14
YANCEY LUMBER COMPANY	68-68-66	Command clear hooks/outdoor cords	104894	01/23/201	No	53.80
YANCEY LUMBER COMPANY	63-56-63	Garden trowel	104894	01/23/201	No	9.00
YANCEY LUMBER COMPANY	10-21-63	Dog food/K-9	104894	01/23/201	No	50.58
YANCEY LUMBER COMPANY	10-21-65	4 hex bolts	104894	01/23/201	No	2.91
YANCEY LUMBER COMPANY	10-21-62	Plywood/screws for boarding of 907 Fig Ln	104894	01/23/201	No	304.63
Zoll Data Systems, Inc	10-22-62	Rescuent maintenance 2/1/14 to 1/31/15	104895	01/23/201	No	560.00

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135,841.32

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**MINUTES**  
**NEWMAN CITY COUNCIL**  
**SPECIAL MEETING JANUARY 14, 2014**  
**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, Martina And Mayor Katen.  
**ABSENT:** Candea (Excused).
3. **Items From The Public** - None.
4. **Adjourn To Closed Session** - 6:34 P.M.
  - a. Conference With Legal Counsel - Potential Litigation – Stanislaus County – One Case - G.C. 54956.9.
  - b. Return To Open Session - 6:49 P.M.

**ACTION:** On Motion By Hutchins Seconded By Davis, The City Council Approved A Settlement Agreement With Stanislaus County Regarding The Property Tax Administration Fee Dispute By The Following Vote: AYES: Davis, Hutchins, Martina And Katen; NOES: None; ABSENT: Candea; NOT PARTICIPATING: None.

5. **Adjournment.**

**ACTION:** On Motion By Hutchins Seconded By Davis, The Meeting Was Adjourned At 6:50 P.M. By The Following Vote: AYES: Davis, Hutchins, Martina And Katen; NOES: None; ABSENT: Candea; NOT PARTICIPATING: None.



**MINUTES**  
**NEWMAN CITY COUNCIL**  
**REGULAR MEETING JANUARY 14, 2014**  
**CITY COUNCIL CHAMBERS, 7:00 P.M., 938 FRESNO STREET**

1. **Call To Order** - Mayor Katen 7:00 P.M.
2. **Pledge Of Allegiance.**
3. **Invocation** - Council Member Hutchins.
4. **Roll Call** - **PRESENT:** Davis, Hutchins, Martina And Mayor Katen.  
**ABSENT:** Canda (Excused).
5. **Declaration Of Conflicts Of Interest** - None.
6. **Ceremonial Matters** - None.
7. **Items from the Public - Non-Agenda Items** - None.
8. **Consent Calendar**
  - a. Waive All Readings Of Ordinances And Resolutions Except By Title.
  - b. Approval Of Warrants.
  - c. Approval Of Minutes Of The December 10, 2013 Meeting.
  - d. Adopt Resolution 2014-01, Approving The Local Transportation Fund Claim For FY 2013/14 Other Purposes And Authorize The Finance Director To Execute The Claim On Behalf Of The City Of Newman.
  - e. Adopt Resolution No. 2014- 02, Supporting The Healthy Eating, Active Living (HEAL) Campaign.

**ACTION:** On A Motion By Hutchins Seconded By Davis, The Consent Calendar Was Approved By The Following Vote: AYES: Davis, Hutchins, Martina And Katen; NOES: None; ABSENT: Canda; NOT PARTICIPATING: None.

**9. Public Hearings**

- a. Second Reading And Adoption Of Ordinance No. 2014- 1, An Ordinance Amending Title 5, Zoning And Accompanying Zoning Maps Of The City Of Newman And Authorizing Staff To Publish A Summary Of Said Ordinance.

Mayor Katen Continued The Public Hearing At 7:08 P.M.

Steve Mothersell, President Of SCM Homes, Stated That He Was The Manager Of The Villas, LLC And Owner Of The Property In Question. Mothersell Mentioned That The Project Initially Contained A Very Aggressive Land Plan But Noted That It Must Now Be Modified To Meet The Needs Of The Current Economic Climate. He Explained That His Company And Their Engineer Have Worked With City Staff To Address The Council's Traffic Concerns. Mothersell Reminded The Council That The Project Has Already Been Approved And Noted That They Are Just Lowering The Density. He Asked That The Council Support The Project.

Council Member Martina Inquired As To If Any Boundary Or Border Would Be Installed Along Hills Ferry Road.

Mothersell Responded That No Boundary Would Be Installed.

Council Member Hutchins Inquired If The Wall Near The Southeast Corner Of The Project Would Remain.

Mothersell And Engineer Ryan Carol Responded That The Wall Would Remain.

There Being No Further Public Comment, Katen Closed The Public Hearing At 7:22 P.M.

**ACTION:** Ordinance No. 2013-1 , An Ordinance Amending Title 5, Zoning And Accompanying Zoning Maps Of The City Of Newman And Authorizing Staff To Publish A Summary Of Said Ordinance, Had Its Second Reading By Title Only. On A Motion By Hutchins Seconded By Katen, Said Ordinance Was Adopted And Staff Was Authorized To Prepare And Publish A Summary Of Said Ordinance By The Following Vote: AYES: Hutchins, Martina And Katen; NOES: Davis; ABSENT: Candea; NOT PARTICIPATING: None.

## **10. Regular Business**

- a. Adopt Resolution No. 2014-3, A Resolution Consenting To Inclusion Of Properties Within The City's Jurisdiction In The California HERO Program To Finance Distributed Generation Renewable Energy Sources, Energy And Water Efficiency Improvements And Electric Vehicle Charging Infrastructure And Approving The Amendment To A Certain Joint Powers Agreement Related Thereto.

Council Member Hutchins Inquired About How This Program Differed From PG&E Programs.

John Law, Hero Program Director Of Municipal Development, Noted That The HERO Program Is More Of A Financing Mechanism As Opposed To A Rebate Program But Noted That The Hero Program Is Compatible With Most Of Those Other Programs. Law Cited High Satisfaction Levels From His Customers As Proof Of The Success Of The Program.

**ACTION:** On Motion By Martina Seconded By Davis, Resolution No. 2013-3, A Resolution Consenting To Inclusion Of Properties Within The City's Jurisdiction In The California HERO Program To Finance Distributed Generation Renewable Energy Sources, Energy And Water Efficiency Improvements And Electric Vehicle Charging Infrastructure And Approving The Amendment To A Certain Joint Powers Agreement Related Thereto, Was Adopted By The Following Vote: AYES: Davis, Hutchins, Martina And Katen; NOES: None; ABSENT: Candea; NOT PARTICIPATING: None.

- b. First Reading And Introduction Of Ordinance 2014- , An Ordinance Amending Title 11 Public Ways And Property, Adding Chapter 11.120 Storm Water Management And Discharge Control To The Newman City Code-Complying With The NPDES Phase II Permit Effective March 1, 2014.

Council Member Martina Asked If There Was A Way Of Measuring Storm Water Contaminates.

Public Works Director Kim Noted That There Are Methods To Measure Contamination.

**ACTION:** On Motion By Martina Seconded By Hutchins, Ordinance No. 2013- , An Ordinance Amending Title 11 Public Ways And Property, Adding Chapter 11.120 Storm Water Management And Discharge Control To The Newman City Code-Complying With The NPDES Phase II Permit Effective March 1, 2014 Was Introduced By Council Member Martina And Had Its First Reading By Title Only, By The Following Vote: AYES: Davis, Hutchins, Martina And Katen; NOES: None; ABSENT: Candea; NOT PARTICIPATING: None.

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

Supervisor DeMartini Stated That He Was Glad That The Cities And The County Had Reached Agreements Regarding The Property Tax Administration Fee Dispute. DeMartini Thanked The Council For Supporting The HEAL Campaign And Noted That The Next West Side Healthcare Meeting Would Take Place On January 30<sup>th</sup> In Patterson.

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

City Manager Holland Noted That City Offices Would Be Closed On Monday January 20<sup>th</sup> In Honor Of Martin Luther King Jr. Day. Holland Reported That The Youth Basketball Season Was Underway And That The City Was Currently Hiring For A Part-Time Recreation Assistant. He Mentioned That City Staff Would Be Attending A Meeting Regarding The Development Of The Crows Landing Air Base.

Public Works Director Kim Reported That He Has Scheduled A Meeting With FEMA In Early May Regarding The CRS Program.

Finance Director Humphries Reported That W-2s Were Sent Out And Mentioned That Here Had Been Increased Use Of The City's Online Payment Program. Humphries Explained That Another RDA Audit Had Recently Been Completed. He Noted That The Long Range Property Management Plan Has Been Accepted.

City Planner Ocasio Reported That The Architectural Review Committee Will Be Reviewing The Proposed Memorial Building Renovation And SCM Villas Elevations. Ocasio Noted That Staff Was Currently Preparing For Several 2014 Projects.

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

Council Member Hutchins Wished Everyone A Happy New Year And Noted That He Would Be Attending The First 2014 League Of California Cities Committee Meetings The Following Week.

Council Member Martina Thanked Staff For Preparing Food For The West Side Healthcare Taskforce Meetings.

Mayor Katen Stated That He Too Was Glad That An Agreement Was Reached Regarding The Property Tax Administration Fee Dispute. Katen Mentioned That He Would Judging A Cub Scout Pinewood Derby Contest On Saturday.

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

**ACTION:** On Motion By Martina And Seconded By Davis, The Meeting Was Adjourned At 7:58 P.M. By The Following Vote: AYES: Davis, Hutchins, Martina And Katen; NOES: None; ABSENT: Candea; NOT PARTICIPATING: None.

Honorable Mayor and Members  
of the Newman City Council

**SECOND READING AND ADOPTION OF ORDINANCE NO. 2014- AMENDING TITLE 11 PUBLIC WAYS AND PROPERTY, ADDING CHAPTER 11.12 STORM WATER MANAGEMENT AND DISCHARGE CONTROL TO THE NEWMAN CITY CODE – COMPLYING WITH NPDES PHASE II STORMWATER PERMIT EFFECTIVE MARCH 1, 2014, AND AUTHORIZE STAFF TO PUBLISH A SUMMARY OF SAID ORDINANCE**

**RECOMMENDATION:**

It is recommended that

1. Conduct a Public Hearing regarding proposed Ordinances amendments to Title 11 Public Ways and Property, adding Chapter 11.12 Storm Water Management and Discharge Control – complying with National Pollutant Discharge Elimination System (NPDES) Phase II Stormwater Permit effective March 1, 2014.
2. Adopt said Ordinance and authorize staff to publish a summary of said Ordinance.

**BACKGROUND:**

US EPA promulgated regulations, known as Phase II NPDES, requiring small Municipal Separate Storm Sewer Systems (MS4s) to obtain permits for stormwater discharges. On July 1, 2013, the City submitted a Notice of Intent (NOI) under the State Water Resources Control Board General Permit. The permit requires MS4s to adopt an ordinance prohibiting pollutant discharges into the Storm Drain System. This ordinance will establish minimum stormwater management requirements and controls to protect and safeguard the general health, safety, and welfare of the public residing in watersheds within the City of Newman.

At the January 14, 2014 Council meeting the introduction of the ordinance and first reading was conducted.

**ANALYSIS:**

Since the City became the NPDES Phase II Stormwater Permittee on July 1, 2013, the City has completed all the necessary procedures as required by the permit. The next step is to conduct a public hearing, second reading, and adoption of the Ordinance Amendment to establish stormwater management and discharge control to protect the community. The proposed new ordinances are attached to this staff report.

**FISCAL IMPACT:**

None

**CONCLUSION:**

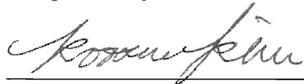
Staff recommends that City Council:

1. Conduct a second reading of the ordinance,
2. Conduct a public hearing,
3. Adopt Ordinance 2014- and
4. Authorize staff to publish a summary of said ordinance.

**ATTACHMENTS:**

1. Ordinance No. 2014-

Respectfully submitted,



Koosun Kim

Director of Public Works

**REVIEWED/CONCUR:**



Michael E. Holland  
City Manager

**ORDINANCE NO. 2014-2**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEWMAN, CALIFORNIA,  
AMENDING TITLE 11 PUBLIC WAYS AND PROPERTY, ADDING CHAPTER 11.120  
STORM WATER MANAGEMENT AND DISCHARGE CONTROL-OF THE NEWMAN CITY  
CODE-COMPLYING WITH THE NPDES PHASE II PERMIT EFFECTIVE MARCH 1, 2014**

WHEREAS, the City Council, in compliance with the National Pollutant Discharge Elimination System (NPDES) Phase II Stormwater Permit, notified the public; and

WHEREAS, the City of Newman held a Public Hearing on January 28, 2014 as noticed, to allow the City Council to hear and consider all protests and objections concerning the proposed Storm Water Management and Discharge Control ordinances; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Newman DOES HEREBY RESOLVE as follows:

1. The above recitals are all true and correct.
2. That Title 11 of the Newman City Code be amended as stated in Attachment "A", attached hereto and made a part hereof by this reference.
3. All other sections and provisions of Title 11 shall remain in full force and effect.
4. This Ordinance shall take effect 30 days after the date of its adoption, and prior to the expiration of 15 days from the passage thereof shall be published at least once in the West Side Index, a newspaper of general circulation, published and circulated in the City of Newman and thenceforth and thereafter the same shall be in full force and effect.

Introduced at a regular meeting of the City Council of the City of Newman held on the 14<sup>th</sup> day of January, 2014 by Council Member Martina and adopted at a regular meeting of said City Council held on the 28<sup>th</sup> day of January, 2014 by the following vote:

AYES:  
NOES:  
ABSENT:

APPROVED:

ATTEST:

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

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

## **Attachment “A”**

### **Title 11 Public Ways and Property Chapter 11.12 Storm Water Management and Discharge Control**

- 11.12.010 Purpose.
- 11.12.015 Ultimate responsibility of discharger.
- 11.12.020 Definitions.
- 11.12.030 Prohibition of illegal discharges.
- 11.12.035 Exceptions to discharge prohibitions.
- 11.12.040 Prohibition of illicit connections.
- 11.12.050 Waste disposal prohibitions.
- 11.12.060 Discharges in violation of industrial or construction activity NPDES storm water discharge permit.
- 11.12.070 Requirement to prevent, control and reduce storm water pollutants.
- 11.12.080 Landscaping and stabilization requirements.
- 11.12.090 Requirement to monitor and analyze.
- 11.12.100 Spill prevention and response plan.
- 11.12.110 Prohibition of spills.
- 11.12.120 Notification of spills.
- 11.12.130 Authority to inspect.
- 11.12.140 Authority to sample, establish sampling devices, test and photograph.
- 11.12.150 Notice of violation.
- 11.12.160 Appeal.
- 11.12.170 Abatement by city.
- 11.12.180 Charging cost of abatement/liens.
- 11.12.190 Urgency abatement.
- 11.12.200 Violations.
- 11.12.205 Strict liability.
- 11.12.210 Compensatory action.
- 11.12.220 Violations deemed a public nuisance.
- 11.12.230 Acts potentially resulting in violation of Clean Water Act and/or California Porter-Cologne Act.

### **11.12.010 Purpose.**

The purpose of this chapter is to establish minimum storm water management requirements and controls to protect and safeguard the general health, safety and welfare of the public residing in watersheds within the city of Newman. This chapter seeks to meet that purpose through the following objectives:

- A. To comply with all federal and state laws, lawful standards and orders applicable to storm water and urban runoff pollution control;
- B. To prohibit any discharge which may interfere with the operation of, or cause any damage to the storm drain system or impair the beneficial use of the receiving waters;
- C. To prohibit illicit discharges into the storm drain system;
- D. To reduce non-storm water discharge to the storm drain system to the maximum extent practicable;
- E. Minimize increases in storm water runoff from any development in order to reduce flooding, siltation and stream bank erosion and maintain the integrity of drainage channels;
- B. Minimize increases in non-point source pollution caused by storm water runoff from development that would otherwise degrade local water quality;
- C. Minimize the total annual volume of surface water runoff that flows from any specific site during and following development to not exceed the pre-development hydrologic regime to the maximum extent practicable; and
- D. Reduce storm water runoff rates and volumes, soil erosion and non-point source pollution wherever possible, through storm water management controls and to ensure that these management controls are properly maintained and pose no threat to public safety.

### **11.12.015 Ultimate responsibility of discharger.**

The standards set forth herein and promulgated pursuant to this chapter are minimum standards. Therefore, this chapter does not intend nor imply that compliance by any person will ensure that there will be no contamination, pollution, nor unauthorized discharge of pollutants into waters of the United States caused by such person. This chapter shall not create liability on the part of the city of Newman, or any agent, or employee thereof for any damages that result from any discharger's reliance on this chapter or any administrative decision lawfully made thereunder.

### **11.12.020 Definitions.**

For purposes of this chapter the following terms have the following meanings:

“Accelerated erosion” means erosion caused by development activities that exceeds the natural processes by which the surface of the land is worn away by the action of water, wind or chemical action.

“Best management practices” or “BMPs” means activities, practices, facilities and/or procedures that when implemented to their maximum efficiency will prevent or reduce pollutants in discharges and any program, technology, process, siting criteria, operational methods or measures or engineered systems that when implemented prevent, control, remove or reduce pollution. Examples of BMPs may include: public education and outreach, proper planning of development projects, proper cleaning of catch basin inlets and proper sludge or waste-handling and disposal, among others.

“Building” means any structure, either temporary or permanent, having walls and a roof, designed for the shelter of any person, animal or property and occupying more than one hundred square feet of area.

“Channel” means a natural or artificial watercourse with a definite bed and banks that conducts continuously or periodically flowing water.

“City” means the city of Newman.

“Detention” means the temporary storage of storm runoff in a storm water management practice with the goals of controlling peak discharge rates and providing gravity settling of pollutants.

“Developer” means a person who undertakes land disturbance activities.

“Development” means any construction, rehabilitation, redevelopment or reconstruction of any public or private residential project (whether single-family, multi-unit or planned unit development); industrial, commercial, retail and other non-residential projects, including public agency projects: or mass grading for future construction. It does not include routine maintenance to maintain original line and grade, hydraulic capacity or original purposes of facility, nor does it include emergency construction activities required to immediately protect public health and safety.

“Director” means the director of the city of Newman’s department of public works.

“Discharge” means any addition of any pollutant to the city storm drain system, including creeks, ditches, culverts and gutters, from any point source.

“Erosion and sediment control plan” means a plan that is designed to minimize the accelerated erosion and sediment runoff at a site during construction activities.

“Hazardous material” means any material that, because of its quantity, concentration or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment.

“Hazardous waste” means any hazardous waste having the characteristics identified under or listed pursuant to Section 6921 of Title 42 of the United States Code, but not including any waste the regulation of which has been suspended under the Solid Waste Disposal Act (42 U.S.C. Sec. 6901 et seq.) by act of Congress.

“Illegal discharges” means any discharge to the MS4 system that is prohibited under local, state or federal statutes, chapters, codes or regulations. This includes all non-storm water discharges except discharges pursuant to a separate NPDES permit and discharges that are exempted or conditionally exempted in accordance with State Water Resources Control Board Water Quality Order No. 2013-0001-DWQ, National Pollution Discharge Elimination System (NPDES) General Permit No. CAS 000004, Waste Discharge Requirements for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4s) (General Permit).

“Illicit connections” means any human-made conveyance that is connected to the MS4 system without a permit, excluding roof drains and other similar types of connections. Examples include channels, pipelines, conduits, inlets or outlets that are connected directly to the MS4 system.

“Infiltration” means the process of percolating storm water into the subsoil.

“Maintenance agreement” means a legally recorded document that acts as a property deed restriction and which provides for long-term maintenance of storm water management practices.

“Material” means any substance including but not limited to: garbage and debris; lawn clippings, leaves and other vegetation; biological and fecal waste; sediment and sludge; oil and grease; gasoline; paints, solvents, cleaners and any fluid or solid containing chemicals.

“Municipal separate storm sewer system” or “MS4” means streets, gutters, conduits, natural or artificial drains, channels and watercourses or other facilities that are owned, operated, maintained or controlled by the city and used for the purpose of collecting, storing, transporting or disposing of storm water.

“Notice of intent” (“NOI”) means a document filed with the State Water Resources Control Board which can be used to clearly identify the responsible parties, locations, and scope of operations of dischargers covered by the general NPDES permit and to document the discharger’s knowledge of the requirements for a SWPPP.

“Non-point source pollution” means pollution from any source other than from any discernible, confined and discrete conveyances and includes but is not limited to pollutants from agricultural, mining, construction, subsurface disposal and urban runoff sources.

“NPDES permit” means a National Pollutant Discharge Elimination System (NPDES) Permit administered by the State of California, through its various regional water quality control boards.

“Non-stormwater discharge” means any discharge that is not entirely composed of stormwater except those exemptions noted within an NPDES permit and this chapter.

“Person” means any natural person, corporation, association, partnership or other entity.

“Pollutant” means those “pollutants” defined in Section 502(6) of the Federal Clean Water Act (33 U.S.C. § 1362(6)) or incorporated into California Water Code § 13373. Examples of pollutants include but are not limited to the following:

1. Commercial and industrial waste such as fuels, solvents, detergents, plastic pellets, hazardous substances, fertilizers, pesticides, slag, ash and sludge;
2. Metals such as cadmium, lead, zinc, copper, silver, nickel and chromium and non-metals such as phosphorus and arsenic;
3. Petroleum hydrocarbons such as fuels, lubricants, surfactants, waste oils, solvents, coolants and grease);
4. Excessive eroded soils, sediment and particulate materials in amounts which may adversely affect the beneficial use of the receiving waters, flora or fauna of the state;
5. Animal wastes such as discharge from confinement facilities, kennels, pens, recreational facilities, stables and show facilities; and
6. Substances having characteristics such as pH less than six or greater than nine or unusual coloration or turbidity or excessive levels of fecal coliform, fecal streptococcus or enterococcus.

The term “pollutant” shall not include uncontaminated storm water, potable water or reclaimed water generated by a lawfully permitted water treatment facility.

The term “pollutant” also shall not include any substance identified in this definition if, through compliance with the best management practices (“BMPs”) available, the discharge of such substance has been reduced or eliminated to the maximum extent practicable. In an enforcement action, the burden shall be on the person who is the subject of such action to establish the reduction or elimination of the discharge to the maximum extent practicable through compliance with the available BMPs.

“Redevelopment” means any land disturbing activity occurring on existing developed property.

“CCID shared facilities” means facilities owned by the Central California Irrigation District (CCID) that are also used by the city of Newman for storm drainage.

“Spill” means to cause, allow or permit the flowing, running or falling, especially in an accidental manner, of any liquid, semi-liquid or solid substance or material.

“Storm drain system” means publicly owned facilities operated by the city by which stormwater is collected and/or conveyed, including, but not limited to, any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures which are within the city and are not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR Section 122.2.

“Stormwater” means any surface flow, runoff, and drainage consisting entirely of water from rain or other precipitation events.

“Storm water management” means the use of structural or non-structural practices that are designed to reduce storm water runoff pollutant loads, discharge volumes and/or peak flow discharge rates.

“Storm water runoff” means water flow on the surface of the ground as the result of precipitation.

“Urban runoff” means any flow of water originating from urban areas including but not limited to rain, irrigation, wash water and air conditioning condensate.

“Watercourse” means a permanent or intermittent stream or other body of water, either natural or man-made, which gathers or carries surface water.

“Waters of the United States” means surface watercourses and water bodies as defined in 40 CFR, Section 122.2, including all natural waterways and definite channels and depressions in the earth that may carry water, even though such waterways may only carry water during rains and storms and may not carry stormwater at and during all times and seasons.

#### **11.12.030 Prohibition of illegal discharges.**

No person shall discharge, permit to be discharged or cause to be discharged any materials including but not limited to pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards into either any part of the MS4 or any part of a water course.

A. It is prohibited to throw, deposit, place, leave, maintain, keep or permit to be thrown, deposited, placed, left, maintained or kept any refuse, rubbish, garbage or any other discarded or abandoned objects, articles or accumulations in or upon any street, alley, sidewalk, storm drain, inlet, catch basin conduit or drainage structure, business place or upon any public or private plot of land in the city, so that the same might be or become a pollutant. No person shall throw or deposit litter in any fountain, pond, lake, stream or other body of water within the city. This subsection shall not apply to refuse, rubbish or garbage deposited in containers, bags or other appropriate receptacles which are placed in designated locations for regular solid waste pick up and disposal.

B. It is prohibited to intentionally dispose of leaves, dirt or other landscape debris into the MS4.

C. No person shall discharge or allow the discharge of any of the following types of non-storm water discharges into the MS4, unless done pursuant to the terms and conditions of a separate NPDES permit or pursuant to an exemption issued by either the Central Valley Regional Water Quality Control Board (“regional board”) or the State Water Resources Control Board:

1. The discharge of untreated wash waters when gas stations, auto repair garages or other type of automotive service facilities are cleaned;

2. The discharge of untreated waste water from mobile auto washing, steam cleaning, mobile carpet cleaning and other such mobile commercial and industrial operations;

3. To the maximum extent practicable, discharges from areas where repair of machinery and equipment, including motor vehicles, which are visibly leaking oil, fluid or antifreeze, is undertaken;
4. Discharges of untreated runoff from storage areas of materials containing grease, oil or other hazardous substances and uncovered receptacles containing hazardous materials;
5. Discharges of commercial/municipal swimming pool filter backwash;
6. Discharges of untreated runoff from the washing of toxic materials from paved or unpaved areas; provided, however, that non-industrial and non-commercial activities which incidentally generate urban runoff, such as the hosing of sidewalks and the non-commercial hand-washing of cars, shall be excluded from this prohibition;
7. To the maximum extent practicable, discharges from washing impervious surfaces in industrial/commercial areas which results in a discharge of untreated runoff, unless specifically required by state's, city's or Stanislaus County's health and safety codes or permitted under a separate NPDES permit;
8. Discharges from the washing out of concrete trucks;
9. Discharges of any pesticide, fungicide or herbicide banned by the United States Environmental Protection Agency ("USEPA") or the California Department of Pesticide Regulation; or
10. The disposal of hazardous wastes into trash containers used for municipal trash disposal, where such disposal causes or threatens to cause a direct or indirect discharge to the MS4.

**11.12.035 Exceptions to discharge prohibitions.**

The following discharges are excepted from the prohibitions set forth under Section 11.12.030:

- A. Discharges from the following activities will not be considered a source of pollutants to the MS4 system and to waters of the United States when properly managed to ensure that no potential pollutants are present and therefore they shall not be considered illegal discharges unless determined to cause a violation of the provisions of the Porter-Cologne Act, Clean Water Act or this chapter: water line flushing, landscape irrigation, diverted stream flows, rising groundwater, uncontaminated groundwater infiltration (as defined at 40 CFR 35.2005(20)) to the MS4 system, uncontaminated pumped groundwater, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, springs, water from crawl space pumps, footing drains, lawn watering, flows from riparian habitats and wetlands, dechlorinated/treated swimming pool discharges and discharges or flows from firefighting activities.
- B. The prohibition shall not apply to any non-storm water discharge permitted under an NPDES permit, waiver or waste discharge order issued to the discharger and administered by the State of California under the authority of the USEPA, provided that the discharger is in full compliance with all requirements of the permit, waiver or order and other applicable laws and regulations and provided that written approval has been granted by the city for any discharge to the MS4.
- C. The prohibition shall not apply to irrigation and drainage waters under control of the Central California Irrigation District (CCID) that are being transported by CCID shared facilities.
- D. With written concurrence of the Regional Board, the city may exempt in writing other non-storm water discharges which are neither a source of pollutants to the MS4 system nor waters of the United States.

**11.12.040 Prohibition of illicit connections.**

- A. The construction, use, maintenance or continued existence of illicit connections to the MS4 system is prohibited.
- B. This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

**11.12.050 Waste disposal prohibitions.**

No person shall throw, deposit, leave, maintain, keep or permit to be thrown, deposited, left or maintained in or upon any public or private property, driveway, parking area, street, alley, sidewalk, component of the MS4 system or water of the United States any refuse, rubbish, garbage, litter or other discarded or abandoned objects, articles and accumulations, so that the same may cause or contribute to pollution. Wastes deposited in streets in proper waste receptacles for the purposes of collection are exempted from this prohibition.

**11.12.060 Discharges in violation of industrial or construction activity NPDES storm water discharge permit.**

- A. Any person subject to an industrial NPDES storm water discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the director upon inspection of the facility, during any enforcement proceeding or action or for any other reasonable cause.
- B. Any person subject to a construction activity NPDES storm water discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the director prior to or as a condition of a subdivision map, site plan, building permit or development or improvement plan; upon inspection of the facility; during any enforcement proceeding or action; or for any other reasonable cause. Prior to issuance of a construction permit, permittees shall electronically file a Notice of Intent (NOI) and the Storm Water Pollution Prevention Plan (SWPPP) via the State Water Board's Storm Water Multi-Application Reporting and Tracking System (SMARTS). Permittees shall submit Annual Reports electronically using the SMARTS to evaluate the implementation of Permittees' storm water program, the effectiveness of BMPs and Measuring Goals, the Permittees' improvement opportunities to achieve the Maximum Extent Practicable (MEP), and any supplemental information required by a Regional Water Board in accordance with the Regional Water Board's specific requirements.

**11.12.070 Requirement to prevent, control and reduce storm water pollutants.**

- A. Authorization to Adopt and Impose Best Management Practices (BMP). The city will adopt requirements identifying best management practices for any activity, operation or facility which may cause or contribute to pollution or contamination of storm water, the MS4 system or waters of the United States as a separate BMP Guidance Series. Where best management practice requirements are promulgated by the city or any federal, state of California or regional agency for any activity, operation or facility which would otherwise cause the discharge of pollutants to the MS4 system or water of the United States, every person undertaking such activity or operation or owning or operating such facility shall comply with such requirements.
- B. New Development and Redevelopment. The city may adopt requirements identifying appropriate design standards and best management practices to control the volume, rate and potential pollutant load of storm water runoff from new development and redevelopment projects as may be appropriate to minimize the generation, transport and discharge of pollutants. The city shall incorporate such requirements in any land use entitlement and construction or building-related permit to be issued relative to such development or

redevelopment. The owner and developer shall comply with the terms, provisions and conditions of such land use entitlements and building permits as required in this chapter.

C. **Responsibility to Implement Best Management Practices.** Notwithstanding the presence or absence of requirements promulgated pursuant to subsections A and B, any person engaged in activities or operations or owning facilities or property which will or may result in pollutants entering storm water. The MS4 system or waters of the United States shall implement best management practices to the extent they are technologically achievable to prevent and reduce such pollutants. The owner or operator of a commercial or industrial establishment shall provide reasonable protection from accidental discharge of prohibited materials or other wastes into the MS4 or watercourses. facilities to prevent accidental discharge of prohibited materials or other wastes shall be provided and maintained at the owner or operator's expense. Best management practices required by the city can be obtained from the public works department by requesting the BMP manual appropriate to a commercial or industrial activity from the BMP Guidance Series.

D. **Maintenance Agreements.** All structural and non-structural permanent storm water BMPs not in the control of the city shall have an enforceable maintenance agreement to ensure the system functions as designed. The agreement shall include any and all maintenance easements required to access and inspect the storm water BMPs and to perform routine maintenance as required. Such agreements shall specify the parties responsible for the proper maintenance of all storm water BMPs.

#### **11.12.080 Landscaping and stabilization requirements.**

Any area of land, not covered by an impervious surface, from which the natural vegetative cover has been either partially or wholly cleared or removed by development activities shall be landscaped within ten days from the substantial completion of such clearing and construction. No person shall use or otherwise employ impervious material, such as plastic, placed under decorative rock, bark or other landscape covers in meeting the landscaping requirements under this section. Backyards of residential single-family dwellings which would otherwise be covered by this section are exempt where storm water is contained on the property.

#### **11.12.090 Requirement to monitor and analyze.**

The director may require by written notice that any person engaged in any activity and/or owning or operating any facility which may cause or contribute to storm water pollution, illegal discharges and/or non-storm water discharges to the MS4 or to the waters of the United States is to undertake at said person's expense such monitoring and analyses and to furnish such reports to the city as the director shall deem necessary for determining that person's compliance with this chapter.

#### **11.12.100 Spill prevention and response plan.**

Any person subject to an Industrial NPDES storm water discharge permit shall maintain a spill prevention and response plan as part of their Storm Water Pollution Prevention Plan (SWPPP). The methods, procedures, mechanisms and facilities established and utilized for the purpose of preventing accidental discharges or spills of materials with pollution potential shall be provided and maintained at the owner's or user's own cost and expense. The SWPPP shall outline the user's spill prevention and response procedure, describe the nature and location of any chemicals stored on the user's premises and shall contain procedures for immediately notifying the city and preventing adverse impacts of any discharge of chemicals, substances or materials.

**11.12.110 Prohibition of spills.**

No person shall allow a spill to discharge into the MS4 or any watercourse.

**11.12.120 Notification of spills.**

Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or may result in illegal discharges or pollutants discharging into storm water, the MS4 or water of the United States from said facility, said person shall take all necessary steps to ensure the discovery, containment and cleanup of such release. In the event that a responsible person becomes aware of a release of hazardous materials, they shall immediately notify emergency response officials of the release via emergency dispatch services (i.e., by calling 911). In the event of a release of non-hazardous materials, the responsible person shall notify the city's public works department in person, by phone or facsimile not later than five p.m. of the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the city's public works department within three business days of the phone notice, lithe discharge of hazardous materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years.

**11.12.130 Authority to inspect.**

Whenever necessary to make an inspection to enforce any provision of this chapter or whenever the director has cause to believe that there exists or potentially exists, in or upon any premises within the city, any condition which constitutes a violation of this chapter, the director is authorized to enter such premises at all reasonable times for the purpose of inspecting said premises. The director is further authorized to inspect and copy all records at a facility which are related to storm water compliance. In the event that the owner or occupant of the premises refuses to allow either the director or persons authorized by the director to enter said premises for the purposes of conducting an inspection authorized by this chapter after the director or a person authorized by the director has asked the owner or occupant of said property to enter thereon for the purposes authorized by this chapter, the city may seek the assistance of a court of competent jurisdiction in order to facilitate the purposes of this section.

**11.12.140 Authority to sample, establish sampling devices, test and photograph.**

During any inspection as provided herein, the director may take any samples, perform any testing deemed necessary and take photographs to aid in the pursuit of the inquiry or to record site activities.

**11.12.150 Notice of violation.**

Whenever the director finds that a person has violated or otherwise failed to meet a requirement of this chapter, the director may order a person to comply with this chapter by either personally serving that person with a written notice or by sending written notice to that person by certified mail. Such notice may require without limitation:

- A. The performance of monitoring, analyses and reporting;
- B. The elimination of illicit connections or discharges;
- C. That violating discharges, practices or operations shall cease and desist;

- D. The abatement or remediation of storm water pollution or contamination hazards and the restoration of any affected property;
- E. Payment of a fine to cover administrative and remediation costs; and/or
- F. The implementation of source control or treatment BMPs.

If abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline by which such remediation or restoration shall be completed. Said notice shall further advise that, if the violator fails to complete the remediation or restoration described in the written notice provided for under this Section within the time provided for therein, the city or a contractor designated by the director shall complete the work specified in the notice, and the city shall charge all expenses related to the city or contractor's performance of said work to the responsible person as provided for under Section 11.12.180.

#### **11.12.160 Appeal.**

Notwithstanding the provisions of Section 11.12.190, any person receiving a notice of violation under Section 11.12.150 may appeal the director's determination to the city manager. The notice of appeal must be received by the city manager within five days from the date of the notice of violation. Hearing on the appeal before the city manager or his or her designee shall take place within fifteen days from the date of city's receipt of the notice of appeal. The decision of the city manager or designee shall be final.

#### **11.12.170 Abatement by city.**

If the violation has not been corrected pursuant to the requirements set forth in the notice of violation or, in the event of an appeal under Section 11.12.160, within ten days of the decision of the city manager upholding the decision of the director, then the city or a contractor designated by the director shall enter upon the subject private property and is authorized to take any and all measures necessary to abate the violation and/or restore the property. It is unlawful for any person, owner, agent or person in possession of any premises to refuse to allow the city or designated contractor to enter upon the premises for the purposes set forth above.

#### **11.12.180 Charging cost of abatement/liens.**

Within thirty days after abatement of the nuisance by city, the director shall notify the property owner of the property of the cost of abatement, including administrative costs. The property owner may file a written protest objecting to the amount of the assessment with the city clerk within fifteen days. The city clerk shall set the matter for public hearing by the city council. The decision of the city council shall be set forth by resolution and shall be final.

If the amount due is not paid within ten days of the decision of the city council or the expiration of the time in which to file an appeal under this section, the charges shall become a special assessment against the property and shall constitute a lien on the property for the amount of the assessment. A copy of the resolution shall be turned over to the county auditor so that the auditor may enter the amounts of the assessment against the parcel as it appears on the current assessment roll, and the tax collector shall include the amount of the assessment on the bill for taxes levied against the parcel of land.

#### **11.12.190 Urgency abatement.**

The director is authorized to require the immediate abatement of any violation of this chapter that constitutes an immediate threat to the health, safety or well-being of the public. If any such violation is not abated immediately as directed by the director, the city is authorized to enter onto private property and to take any and all measures required to remediate the violation. Any expense related to such remediation undertaken by the city shall be fully reimbursed by the property owner and/or responsible party. Any relief obtained under this section shall not prevent city from seeking other and further relief authorized under this chapter.

**11.12.200 Violations.**

It is unlawful for any person to violate any provision or fail to comply with any of the requirements of this chapter. A violation of or failure to comply with any of the requirements of this chapter shall constitute a misdemeanor and shall be punishable as set forth in California Penal Code Section 19.

**11.12.205 Strict liability.**

By securing a permit from the city of Newman for development, encroachment, or the construction of a work improvement the permittee shall be strictly liable, in any criminal proceeding, for allowing or failing to prevent a violation of this chapter by the permittee, its employees, subcontractors or material men.

In any prosecution for a violation of this chapter against a permittee based on the act or omissions of an employee, subcontractor, or material men it shall only be required that it be shown that the permittee was issued a development, encroachment, or construction permit and that a violation of this chapter occurred at the site for which a permit was issued.

**11.12.210 Compensatory action.**

In lieu of enforcement proceedings, penalties and remedies authorized by this chapter, the director may impose upon a violator alternative compensatory action, such as storm drain stenciling, attendance at compliance workshops, creek cleanup, etc.

**11.12.220 Violations deemed a public nuisance.**

In addition to the enforcement processes and penalties herein before provided, any condition caused or permitted to exist in violation of any of the provisions of this chapter is a threat to public health, safety and welfare, is declared and deemed a nuisance and may be summarily abated or restored by the city at the violator's expense, and/or a civil action to abate, enjoin or otherwise compel the cessation of such nuisance may be taken by the city.

**11.12.230 Acts potentially resulting in violation of Clean Water Act and/or California Porter-Cologne Act.**

Any person who violates any provision of this chapter or any provision of any requirement issued pursuant to this chapter, may also be in violation of the Clean Water Act and/or the Porter-Cologne Act and may be subject to the sanctions of those acts, including civil and criminal penalties. Any enforcement action authorized under this chapter shall also include written notice to the violator of such potential liability.

Honorable Mayor and Members  
of the Newman City Council

**REPORT ON PROPOSED CHANGES TO THE BUILDING PERMIT FEE SCHEDULE**

**RECOMMENDATION:**

It is recommended that the Newman City Council adopt Resolution No. 2014- , amending the Building Permit Fee Schedule to utilize a cost per square foot multiplier.

**BACKGROUND:**

Established in 2008, the City of Newman Building Department building permit fee schedule originated from the 1997 Uniform Building Code (UBC) and 1997 Uniform Administrative Code (UAC) fee schedules (Attachment A). These codes mandate a fee calculation method that is cumbersome and not always reflective of services. The new (2013) California Building Code allows for fees to be paid, as required, in accordance with the fee schedule as established by the applicable governing authority; giving the City an opportunity to revise fee calculation methodology in order to:

1. Allow for easier calculations by staff and customers;
2. Enable the public to calculate fees online; representing the first phase in providing a more efficient process and establishing a foundation for future electronic permit submittals;
3. Allow builders, contractors and homeowners to more accurately predict permit fees.

**ANALYSIS:**

Fees are currently determined by a complex equation computed throughout the permitting process Attachment C). The fee calculation is initiated by using the valuation of a project and comparing that figure to valuation tables within the fee structure in Table 3-A. The “base permit fee” is a result of a portion of the total valuation. The remaining portion of the total valuation is multiplied in increments to a set multiplier and then added to the “base permit fee”, establishing the “building structure permit fee.” Added to this is a “plan review fee,” which is established by a percentage ranging from 25 to 65 percent of the “building permit fee.” Finally, after the plan is approved, staff determines the “actual building permit fee” by counting all individual plumbing, mechanical and electrical fixtures and devices.

The proposed “cost per square-foot multiplier” was established by determining the average Building Permit Fee (by permit type) from historical data over the past five years and current costs for delivery of service. The proposed fee schedule reflects all-inclusive charges based on total fees charged under the current system. For example, the permit fee for a 2,000 square foot. house is the multiplier (in this case, \$0.95) times the square footage of the building. Furthermore, when compared to the old method, the results are similar (Attachment D). Fee determination using this method is faster, easy to understand and predictable over time. For projects that do not include a square footage multiplier (water heater change-out, etc.) a cost recovery method is used. For example; a water heater permit usually consists of one inspection, so the \$71.25 fee is based on the following (\$30.00 per/hour x .25 hours processing + \$85.00 per/hour x .75 hours inspection).

Currently, Building Department fees are adjusted annually based on the Consumer Price Index (CPI) for our Region. The new method will also be adjusted annually with the regional CPI, this will allow developers, engineers, and builders to more accurately predict future costs and avoid large increases in fees when they are not adjusted on an annual basis.

**FISCAL IMPACT:**

Positive: Increased cost recovery.

**CONCLUSION:**

Staff believes that amending the Building Permit fee determination method to utilize a “cost per square foot multiplier” instead of the current UBC/UAC method will not only simplify the permitting process but also allow customers, property owners and developers an easier way to calculate fees in addition to increasing the City’s cost recovery for Building-related services. The proposed fee methodology amendment will also enable the public to calculate fees online and establish the foundation for future online permit submittal and payment capabilities. Therefore, staff recommends that the City Council adopt Resolution No. 2014- amending the Building Permit Fee Schedule to utilize a cost per square foot multiplier.

**ATTACHMENTS:**

- A. Current Building Permit Fee Schedule
- B. Proposed Building Permit Fee Schedule
- C. Fee calculation example of a new 2,000 square-foot. house using existing Fee Schedule
- D. Comparison of various permit costs between existing and proposed Fee Schedules
- E. Comparison of permit cost in cities within Stanislaus County
- F. Resolution 2014- , Amending The Building Permit Fee Schedule To Utilize A Cost Per Square Foot Multiplier

Respectfully submitted,



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Mike Brinkman  
Chief Building Official

**REVIEWED/CONCUR**



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Michael Holland  
City Manager

**Attachment "A"**

TABLE 3-A  
TABLE 3-B

1997 UNIFORM ADMINISTRATIVE CODE

TABLE 3-A—BUILDING PERMIT FEES

TOTAL VALUATION		FEE
\$1.00 to \$500.00	\$31.00	<del>\$23.50</del>
\$501.00 to \$2,000.00	\$31.00	<del>\$23.50</del> for the first \$500.00 plus \$3.05 for each additional \$100.00, or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$76.75	<del>\$69.25</del> for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$398.75	<del>\$391.75</del> for the first \$25,000.00 plus \$10.10 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$651.25	<del>\$643.75</del> for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$1001.25	<del>\$993.75</del> for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3241.25	<del>\$3,233.75</del> for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$5616.25	<del>\$5,608.75</del> for the first \$1,000,000.00 plus \$3.65 for each additional \$1,000.00, or fraction thereof
<b>Other Inspections and Fees:</b>		
1. Inspections outside of normal business hours (minimum charge—two hours)		\$62.00 <del>\$47.00</del> per hour*
2. Reinspection fees assessed under provisions of Section 305.8		\$62.00 <del>\$47.00</del> per hour*
3. Inspections for which no fee is specifically indicated (minimum charge—one-half hour)		\$62.00 <del>\$47.00</del> per hour*
4. Additional plan review required by changes, additions or revisions to plans (minimum charge—one-half hour)		\$62.00 <del>\$47.00</del> per hour*
5. For use of outside consultants for plan checking and inspections, or both		Actual costs**

\*Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

\*\*Actual costs include administrative and overhead costs.

TABLE 3-B—ELECTRICAL PERMIT FEES

<b>Permit Issuance</b>		
1. For the issuance of each electrical permit		<del>\$23.50</del> \$31.00
2. For the issuing of each supplemental permit for which the original permit has not expired, been canceled, or limited		<del>\$7.25</del> 9.57
<b>System Fee Schedule</b>		
<i>(Note: The following do not include permit-issuing fee.)</i>		
<b>1. New Residential Buildings</b>		
The following fees shall include all wiring and electrical equipment in or on each building, or other electrical equipment on the same premises constructed at the same time.		
Multifamily. For new multifamily buildings (apartments and condominiums) having three or more dwelling units constructed at the same time, not including the area of garages, carports and accessory buildings, per square foot (0.09 m <sup>2</sup> )	<del>0.050</del>	0.066
Single- and two-family. For new single- and two-family residential buildings constructed at the same time and not including the area of garages, carports and accessory buildings, per square foot (0.09 m <sup>2</sup> )	<del>0.050</del>	0.074
For other types of residential occupancies and for alterations, additions and modifications to existing residential buildings, use the Unit Fee Schedule.		
<b>2. Private Swimming Pools</b>		
For new private, in-ground swimming pools for single-family and multifamily occupancies, including a complete system of necessary branch circuit wiring, bonding, grounding, underwater lighting, water pumping and other similar electrical equipment directly related to the operation of a swimming pool, each pool	<del>49.56</del>	65.34
<b>3. Carnivals and Circuses</b>		
Carnivals, circuses, or other traveling shows or exhibitions utilizing transportable-type rides, booths, displays and attractions.		
For electrical generators and electrically driven rides, each	<del>23.50</del>	31.00
For mechanically driven rides and walk-through attractions or displays having electric lighting, each	<del>7.25</del>	9.57
For a system of area and booth lighting, each	<del>7.25</del>	9.57
For permanently installed rides, booths, displays and attractions, use the Unit Fee Schedule.		
<b>4. Temporary Power Service</b>		
For a temporary service pole or pedestal, including all pole or pedestal-mounted receptacle outlets and appurtenances, each	<del>23.50</del>	31.00
For a temporary distribution system and temporary lighting and receptacle outlets for construction sites, decorative lights, Christmas tree sales lots, fireworks stands, etc., each	<del>12.30</del>	16.24
<b>Unit Fee Schedule</b>		
<i>(Note: The following do not include permit-issuing fee.)</i>		
<b>1. Receptacle, Switch and Light Outlets</b>		
For receptacle, switch, light or other outlets at which current is used or controlled, except services, feeders and meters:		
First 20 fixtures, each	<del>1.10</del>	1.45
Additional fixtures, each	<del>0.73</del>	0.96
Note: For multioutlet assemblies, each 5 feet (1524 mm) or fraction thereof may be considered as one outlet.		
<b>2. Lighting Fixtures</b>		
For lighting fixtures, sockets or other lamp-holding devices:		
First 20 fixtures, each	<del>1.10</del>	1.45
Additional fixtures, each	<del>\$ 0.73</del>	0.96

**Attachment "A"**

1997 UNIFORM ADMINISTRATIVE CODE

TABLE 3-B

For pole or platform-mounted lighting fixtures, each .....	<del>++0</del>	1.45
For theatrical-type lighting fixtures or assemblies, each .....	<del>++0</del>	1.45
<b>3. Residential Appliances</b>		
For fixed residential appliances or receptacle outlets for same, including wall-mounted electric ovens; counter-mounted cooking tops; electric ranges; self-contained room, console or through-wall air conditioners; space heaters; food waste grinders; dishwashers; washing machines; water heaters; clothes dryers; or other motor-operated appliances not exceeding 1 horsepower (HP) (746 W) in rating, each .....	<del>4.75</del>	6.27
Note: For other types of air conditioners and other motor-driven appliances having larger electrical ratings, see Power Apparatus.		
<b>4. Nonresidential Appliances</b>		
For nonresidential appliances and self-contained factory-wired, nonresidential appliances not exceeding 1 horsepower (HP), kilowatt (kW) or kilovolt-ampere (kVA), in rating, including medical and dental devices; food, beverage and ice cream cabinets; illuminated show cases; drinking fountains; vending machines; laundry machines; or other similar types of equipment, each .....	<del>4.75</del>	6.27
Note: For other types of air conditioners and other motor-driven appliances having larger electrical ratings, see Power Apparatus.		
<b>5. Power Apparatus</b>		
For motors, generators, transformers, rectifiers, synchronous converters, capacitors, industrial heating, air conditioners and heat pumps, cooking or baking equipment and other apparatus, as follows:		
Rating in horsepower (HP), kilowatts (kW), kilovolt-amperes (kVA) or kilovolt-amperes-reactive (kVAR):		
Up to and including 1, each .....	<del>4.75</del>	6.27
Over 1 and not over 10, each .....	<del>12.50</del>	16.24
Over 10 and not over 50, each .....	<del>24.50</del>	32.47
Over 50 and not over 100, each .....	<del>49.50</del>	65.34
Over 100, each .....	<del>74.50</del>	98.34
Notes:		
1. For equipment or appliances having more than one motor, transformer, heater, etc., the sum of the combined ratings may be used.		
2. These fees include all switches, circuit breakers, contactors, thermostats, relays and other directly related control equipment.		
<b>6. Busways</b>		
For trolley and plug-in-type busways, each 100 feet (30 480 mm) or fraction thereof .....	<del>7.25</del>	9.57
Note: An additional fee is required for lighting fixtures, motors and other appliances that are connected to trolley and plug-in-type busways. A fee is not required for portable tools.		
<b>7. Signs, Outline Lighting and Marquees</b>		
For signs, outline lighting systems or marquees supplied from one branch circuit, each .....	<del>24.50</del>	32.47
For additional branch circuits within the same sign, outline lighting system or marquee, each .....	<del>4.75</del>	6.27
<b>8. Services</b>		
For services of 600 volts or less and not over 200 amperes in rating, each .....	<del>50.50</del>	40.26
For services of 600 volts or less and over 200 amperes to 1,000 amperes, each .....	<del>62.15</del>	82.04
For services over 600 volts or over 1,000 amperes in rating, each .....	<del>124.30</del>	164.08
<b>9. Miscellaneous Apparatus, Conduits and Conductors</b>		
For electrical apparatus, conduits and conductors for which a permit is required but for which no fee is herein set forth .....	<del>18.20</del>	24.02
Note: This fee is not applicable when a fee is paid for one or more services, outlets, fixtures, appliances, power apparatus, busways, signs or other equipment.		
<b>Other Inspections and Fees:</b>		
1. Inspections outside of normal business hours, per hour (minimum charge—two hours) .....	\$65.34*	<del>\$49.50*</del>
2. Reinspection fees assessed under provisions of Section 305.8, per inspection .....	\$65.34*	<del>\$49.50*</del>
3. Inspections for which no fee is specifically indicated, per hour (minimum charge—one-half hour) .....	\$65.34*	<del>\$49.50*</del>
4. Additional plan review required by changes, additions or revisions to plans or to plans for which an initial review has been completed (minimum charge—one-half hour) .....	\$65.34*	<del>\$49.50*</del>
*Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.		

**Attachment "A"**

TABLE 3-C

1997 UNIFORM ADMINISTRATIVE CODE

TABLE 3-C—MECHANICAL PERMIT FEES

<b>Permit Issuance and Heaters</b>		
1. For the issuance of each mechanical permit .....	<del>\$98.50</del>	\$31.00
2. For issuing each supplemental permit for which the original permit has not expired, been canceled or finalized .....	<del>1.25</del>	9.57
<b>Unit Fee Schedule</b>		
<i>(Note: The following do not include permit-issuing fee.)</i>		
<b>1. Furnaces</b>		
For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance, up to and including 100,000 Btu/h (29.3 kW) .....	<del>14.80</del>	19.54
For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance over 100,000 Btu/h (29.3 kW) .....	<del>18.20</del>	24.02
For the installation or relocation of each floor furnace, including vent .....	<del>14.80</del>	19.54
For the installation or relocation of each suspended heater, recessed wall heater or floor-mounted unit heater .....	<del>14.80</del>	19.54
<b>2. Appliance Vents</b>		
For the installation, relocation or replacement of each appliance vent installed and not included in an appliance permit .....	<del>7.25</del>	9.57
<b>3. Repairs or Additions</b>		
For the repair of, alteration of, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption or evaporative cooling system, including installation of controls regulated by the Mechanical Code .....	<del>13.70</del>	18.08
<b>4. Boilers, Compressors and Absorption Systems</b>		
For the installation or relocation of each boiler or compressor to and including 3 horsepower (10.6 kW), or each absorption system to and including 100,000 Btu/h (29.3 kW) .....	<del>14.70</del>	19.40
For the installation or relocation of each boiler or compressor over 3 horsepower (10.6 kW) to and including 15 horsepower (52.7 kW), or each absorption system over 100,000 Btu/h (29.3 kW) to and including 500,000 Btu/h (146.6 kW) .....	<del>27.15</del>	35.84
For the installation or relocation of each boiler or compressor over 15 horsepower (52.7 kW) to and including 30 horsepower (105.5 kW), or each absorption system over 500,000 Btu/h (146.6 kW) to and including 1,000,000 Btu/h (293.1 kW) .....	<del>37.25</del>	49.17
For the installation or relocation of each boiler or compressor over 30 horsepower (105.5 kW) to and including 50 horsepower (176 kW), or each absorption system over 1,000,000 Btu/h (293.1 kW) to and including 1,750,000 Btu/h (512.9 kW) .....	<del>55.45</del>	73.19
For the installation or relocation of each boiler or compressor over 50 horsepower (176 kW), or each absorption system over 1,750,000 Btu/h (512.9 kW) .....	<del>92.65</del>	122.30
<b>5. Air Handlers</b>		
For each air-handling unit to and including 10,000 cubic feet per minute (cfm) (4719 L/s), including ducts attached thereto .....	<del>10.65</del>	14.06
<i>Note: This fee does not apply to an air-handling unit which is a portion of a factory-assembled appliance, cooling unit, evaporative cooler or absorption unit for which a permit is required elsewhere in the Mechanical Code.</i>		
For each air-handling unit over 10,000 cfm (4719 L/s) .....	<del>18.10</del>	23.89
<b>6. Evaporative Coolers</b>		
For each evaporative cooler other than portable type .....	<del>10.65</del>	14.06
<b>7. Ventilation and Exhaust</b>		
For each ventilation fan connected to a single duct .....	<del>7.25</del>	9.57
For each ventilation system which is not a portion of any heating or air-conditioning system authorized by a permit .....	<del>10.65</del>	14.06
For the installation of each hood which is served by mechanical exhaust, including the ducts for such hood .....	<del>10.65</del>	14.06
<b>8. Incinerators</b>		
For the installation or relocation of each domestic-type incinerator .....	<del>10.20</del>	24.02
For the installation or relocation of each commercial or industrial-type incinerator .....	<del>14.50</del>	19.14
<b>9. Miscellaneous</b>		
For each appliance or piece of equipment regulated by the Mechanical Code but not classed in other appliance categories, or for which the fee is listed in the table .....	<del>10.65</del>	14.06
<b>Other Inspections and Fees:</b>		
1. Inspections outside of normal business hours, per hour (minimum charge—two hours) .....	<del>\$49.50*</del>	\$65.34*
2. Reinspection fees assessed under provisions of Section 305.8, per inspection .....	<del>\$49.50*</del>	\$65.34*
3. Inspections for which no fee is specifically indicated, per hour (minimum charge—one-half hour) .....	<del>\$49.50*</del>	\$65.34*
4. Additional plan review required by changes, additions or revisions to plans or to plans for which an initial review has been completed (minimum charge—one-half hour) .....	<del>\$49.50*</del>	\$65.34*

\*Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

**Attachment "A"**

1997 UNIFORM ADMINISTRATIVE CODE

TABLE 3-D

**TABLE 3-D—PLUMBING PERMIT FEES**

<b>Permit Issuance</b>			
1.	For the issuance of each plumbing permit .....	<del>\$29.50</del>	\$31.00
2.	For issuing each supplemental permit for which the original permit has not expired, been canceled or finalized .....	<del>7.25</del>	9.57
<b>Unit Fee Schedule</b>			
<i>(Note: The following do not include permit-issuing fee.)</i>			
<b>1. Fixtures and Vents</b>			
	For each plumbing fixture or trap or set of fixtures on one trap (including water, drainage piping and backflow protection thereof) .....	<del>9.80</del>	12.94
	For repair or alteration of drainage or vent piping, each fixture .....	<del>4.75</del>	6.27
<b>2. Sewers, Disposal Systems and Interceptors</b>			
	For each building sewer and each trailer park sewer .....	<del>24.65</del>	32.54
	For each cesspool .....	<del>37.25</del>	49.17
	For each private sewage disposal system .....	<del>94.50</del>	98.34
	For each industrial waste pretreatment interceptor, including its trap and vent, excepting kitchen-type grease interceptors functioning as fixture traps .....	<del>10.00</del>	26.27
	Rainwater systems—per drain (inside building) .....	<del>9.80</del>	12.94
<b>3. Water Piping and Water Heaters</b>			
	For installation, alteration, or repair of water piping or water-treating equipment, or both, each .....	<del>4.35</del>	6.27
	For each water heater including vent .....	<del>12.30</del>	16.24
	For vents only, see Table 3-C.		
<b>4. Gas Piping Systems</b>			
	For each gas piping system of one to five outlets .....	<del>6.15</del>	8.12
	For each additional outlet over five, each .....	<del>1.10</del>	1.45
<b>5. Lawn Sprinklers, Vacuum Breakers and Backflow Protection Devices</b>			
	For each lawn sprinkler system on any one meter, including backflow protection devices thereof .....	<del>14.80</del>	19.54
	For atmospheric-type vacuum breakers or backflow protection devices not included in Item 1:		
	1 to 5 devices .....	<del>12.30</del>	16.24
	Over 5 devices, each .....	<del>2.25</del>	2.97
	For each backflow-protection device other than atmospheric-type vacuum breakers:		
	2 inches (50.8 mm) and smaller .....	<del>12.30</del>	16.24
	Over 2 inches (50.8 mm) .....	<del>24.65</del>	32.54
<b>6. Swimming Pools</b>			
	For each swimming pool or spa:		
	Public pool .....	<del>91.25</del>	120.45
	Public spa .....	<del>60.75</del>	80.19
	Private pool .....	<del>60.75</del>	80.19
	Private spa .....	<del>30.25</del>	39.93
<b>7. Miscellaneous</b>			
	For each appliance or piece of equipment regulated by the Plumbing Code but not classed in other appliance categories, or for which no other fee is listed in this code .....	<del>9.80</del>	12.94
<b>Other Inspections and Fees:</b>			
1.	Inspections outside of normal business hours, per hour (minimum charge—two hours) .....	<del>\$49.50*</del>	\$65.34*
2.	Reinspection fees assessed under provisions of Section 305.8, per inspection .....	<del>\$49.50*</del>	\$65.34*
3.	Inspections for which no fee is specifically indicated, per hour (minimum charge—one-half hour) .....	<del>\$49.50*</del>	\$65.34*
4.	Additional plan review required by changes, additions or revisions to plans or to plans for which an initial review has been completed (minimum charge—one-half hour) .....	<del>\$49.50*</del>	\$65.34*

\*Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

**Attachment "A"**

TABLE 3-E  
TABLE 3-H

1987 UNIFORM ADMINISTRATIVE CODE

**TABLE 3-E—ELEVATOR PERMIT FEES**

**New Installations:**

Passenger or freight elevator, escalator, moving walk:

Up to and including \$40,000.00 of valuation—~~\$89.00~~ ← **\$117.48**

Over \$40,000.00 of valuation—~~\$89.00~~ plus \$1.65 for each \$1,000.00 or fraction thereof over \$40,000.00

Dumbwaiter or private residence elevator:

Up to and including \$10,000 of valuation—~~\$25.00~~ ← **\$33.00**

Over \$10,000.00 of valuation—~~\$25.00~~ plus \$1.65 for each \$1,000.00 or fraction thereof over \$10,000.00

**Major Alterations:**

Fees for major alterations shall be as set forth in Table 3-A. Installation fees include charges for the first year's annual inspection fee and charges for electrical equipment on the conveyance side of the disconnect switch.

**TABLE 3-F—ELEVATOR ANNUAL CERTIFICATES OF INSPECTION FEES**

For each elevator .....	<del>\$41.50</del>	\$54.78
For each escalator or moving walk .....	<del>24.65</del>	32.84
For each commercial dumbwaiter .....	<del>16.75</del>	22.11

(Each escalator or moving walk unit powered by one motor shall be considered as a separate escalator or moving walk.)

**TABLE 3-G—GRADING PLAN REVIEW FEES**

50 cubic yards (38.2 m <sup>3</sup> ) or less .....	No fee	
51 to 100 cubic yards (40 to 76.5 m <sup>3</sup> ) .....	<del>\$23.50</del>	\$31.00
101 to 1,000 cubic yards (77.2 to 764.6 m <sup>3</sup> ) .....	<del>37.00</del>	48.84
1,001 to 10,000 cubic yards (765.3 to 7645.5 m <sup>3</sup> ) .....	<del>49.25</del>	65.01
10,001 to 100,000 cubic yards (7646.3 to 76 455 m <sup>3</sup> )— <del>\$49.25</del> for the first 10,000 cubic yards (7645.5 m <sup>3</sup> ), plus \$24.50 for each additional 10,000 cubic yards (7645.5 m <sup>3</sup> ) or fraction thereof. \$65.01		
100,001 to 200,000 cubic yards (76 456 to 152 911 m <sup>3</sup> )— <del>\$269.75</del> for the first 100,000 cubic yards (76 455 m <sup>3</sup> ), plus \$13.25 for each additional 10,000 cubic yards (7645.5 m <sup>3</sup> ) or fraction thereof. \$286.51		
200,001 cubic yards (152 912 m <sup>3</sup> ) or more— <del>\$482.25</del> for the first 200,000 cubic yards (152 911 m <sup>3</sup> ), plus \$7.25 for each additional 10,000 cubic yards (7645.5 m <sup>3</sup> ) or fraction thereof. \$418.01		

**Other Fees:**

Additional plan review required by changes, additions or revisions to plans or to plans for which an initial review has been completed .....

~~\$56.50\*~~ \$66.66\*

\*Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

**TABLE 3-H—GRADING PERMIT FEES<sup>1</sup>**

50 cubic yards (38.2 m <sup>3</sup> ) or less .....	<del>\$23.50</del>	\$31.00
51 to 100 cubic yards (40 to 76.5 m <sup>3</sup> ) .....	<del>37.00</del>	48.84
101 to 1,000 cubic yards (77.2 to 764.6 m <sup>3</sup> )— <del>\$37.00</del> for the first 100 cubic yards (76.5 m <sup>3</sup> ) plus \$17.50 for each additional 100 cubic yards (76.5 m <sup>3</sup> ) or fraction thereof. \$48.84		
1,001 to 10,000 cubic yards (765.3 to 7645.5 m <sup>3</sup> )— <del>\$194.50</del> for the first 1,000 cubic yards (764.6 m <sup>3</sup> ), plus \$14.50 for each additional 1,000 cubic yards (764.6 m <sup>3</sup> ) or fraction thereof. \$206.34		
10,001 to 100,000 cubic yards (7646.3 to 76 455 m <sup>3</sup> )— <del>\$225.00</del> for the first 10,000 cubic yards (7645.5 m <sup>3</sup> ), plus \$66.00 for each additional 10,000 cubic yards (7645.5 m <sup>3</sup> ) or fraction thereof. \$336.84		
100,001 cubic yards (76 456 m <sup>3</sup> ) or more— <del>\$919.00</del> for the first 100,000 cubic yards (76 455 m <sup>3</sup> ), plus \$36.50 for each additional 10,000 cubic yards (7645.5 m <sup>3</sup> ) or fraction thereof. \$930.84		

**Other Inspections and Fees:**

1. Inspection outside of normal business hours, per hour (minimum charge—two hours) .....	<del>\$50.50<sup>2</sup></del>	\$66.66 <sup>2</sup>
2. Reinspections fees assessed under provisions of Section 305.8, per inspection .....	<del>\$60.50<sup>2</sup></del>	\$66.66 <sup>2</sup>
3. Inspections for which no fee is specifically indicated, per hour (minimum charge—one-half hour) .....	<del>\$50.50<sup>2</sup></del>	\$66.66 <sup>2</sup>

<sup>1</sup>The fee for a grading permit authorizing additional work to that under a valid permit shall be the difference between the fee paid for the original permit and the fee shown for the entire project.

<sup>2</sup>Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.



# City of Newman Building Department

1247 Main Street • Newman, CA 95360 • (209)862-1506  
 Website: <http://www.cityofnewman.com>

## “Attachment B”

### BUILDING PERMIT FEE SCHEDULE

Effective: 4/1/2014

#### **New Commercial Building Permit Fees**

Type of Occupancy	Charge per Square Foot
Churches and Other Religious.....	\$0.52
Apartments.....	\$0.57
Hotels/Motels.....	\$0.51
Industrial/Warehouse up to 4,999 sq.ft.....	\$0.46
Industrial/Warehouse 5,000-10,000 sq.ft.....	\$0.30
Industrial/Warehouse 10,001-40,000 sq.ft.....	\$0.26
Industrial/Warehouse 40,001-50,000 sq.ft.....	\$0.17
Offices/Professional/Retail up to 4,999 sq.ft.....	\$0.74
Offices/Professional/Retail 5,000-10,000 sq.ft.....	\$0.63
Offices/Professional/Retail 10,001-50,000 sq.ft.....	\$0.55
Offices/Professional/Retail 50,001 and up.....	\$0.32
Restaurant – All square footages.....	\$1.27
Shell Buildings up to 4,999 sq.ft.....	\$0.42
Shell Buildings 5,000-25,000 sq.ft.....	\$0.39
Shell Buildings 25,001 and up.....	\$0.33

PME amounts are included in calculation of permit fee.

There will be an additional \$.04 per square foot multiplier for the entire square footage of buildings 2 stories or more.

The Building Official shall classify commercial buildings not listed above in the category most nearly resembling the use.



**Commercial Tenant Improvements**

Type of Occupancy	Charge per Square Foot
Up to 2,000 sq.ft.....	\$0.70
2,001-3,000 sq.ft.....	\$0.62
3,001-5,000 sq.ft.....	\$0.48
5,001-20,000 sq.ft.....	\$0.41
20,000 and up.....	\$0.36
Restaurants – All square footages.....	\$0.90 OR per Commercial worksheet

**\*\*\*The PLAN CHECK FEE for New Buildings and Tenant Improvements will be 65% of the building permit fee and DOUBLED for Expedited Projects\*\*\***

**New Single Family Dwellings and Duplexes Permit Fees (One Story)\***

Square Footage	Charge per Square Foot
Up to 1,580 sq.ft.....	\$1.00 + \$0.25 x garage sq. ft.
1,581-3,350 sq.ft.....	\$0.95 + \$0.25 x garage sq. ft.
3,351-5,000+ sq.ft.....	\$0.85 + \$0.25 x garage sq. ft.
Residential Fire Sprinklers.....	(fixed fee) <b>\$305.00</b> – (\$30.00 x .25 processing + \$85.00 x 3.5 inspection and plan check)

\*There will be an additional \$.04 per square foot multiplier for the entire square footage of buildings 2 stories or more.

The Plan Check Fee will be 65% of the calculated building permit fee (excluding fire sprinkler permits).

Expedited Plan Check Fee will be DOUBLE the calculated plan check fee based on 65% of the building permit fee.

Plan review fees for initial master planned submittals will be 65% of the building permit fee. A \$200.00 processing and planning review fee will be charged per tract home permit issued under each approved master plan.

PME amounts are included in calculation of permit fee.



**Swimming Pools\***

Type	Minimum Fees
Residential – Pool only.....	<b>\$602.50</b> – (\$30.00 x .25 processing + \$85.00 x 6 inspection and plan check)
Residential – Pool & Spa.....	<b>\$772.50</b> - (\$30.00 x .25 processing + \$85.00 x 8 inspection and plan check)
Commercial – Pool only.....	<b>\$815.00</b> - (\$30.00 x .25 processing + \$85.00 x 9.5 inspection and plan check)

**\*Swimming Pool fees are subject to increases based on additional options of project.**

**Re-Roof Permits\***

Type	Minimum Fees
Residential – Tear-off w/new sheathing.....	<b>\$177.50</b> – (\$30.00 x .25 processing + \$85.00 x 2 Inspection)
Residential – Tear-off w/o sheathing.....	<b>\$135.00</b> – (\$30.00 x .25 processing + \$85.00 x 1.5 Inspection)
Residential – Overlay.....	<b>\$135.00</b> – (\$30.00 x .25 processing + \$85.00 x 1.5 Inspection)
Commercial.....	Up to 5,000 sq.ft. x \$0.11 5,001-7,500 sq.ft. x \$0.08 7,501-10,000 sq.ft. x \$0.05

**\*Residential Re-Roofs are priced for all roof sizes; additional fees may be subject to increases based on additional options of project.**



**Residential Additions**

Type	Fees
All square footages.....	\$1.00 per square foot (\$255.00 minimum includes plan check or per worksheet)
The Plan Check fee will be 65% of the building permit fee.	
PME amounts are included in calculation of permit fee	
There will be an additional \$.04 per square foot multiplier for the entire square footage of buildings 2 stories or more.	

**Residential Remodels**

Type	Fees
All square footages.....	<b>\$255.00 min.</b> – (Residential alteration, remodel and repair permit fee calculation worksheet shall be used)

**Fire Damage Repair**

Type	Fees
All square footages.....	<b>\$255.00 min.</b> – (For residential or commercial, the fire damage repair fee calculation worksheet shall be used)

**Sign Permits**

Type	Fees
All Signs.....	<b>\$140.25</b> minimum including plan check – (Commercial sign fee calculation worksheet shall be used)



**Miscellaneous Permit Fees**

Type	Minimum Fees
Gas line repair or replacement.....	\$71.25 – (\$30.00 x .25 processing + \$85.00 x .75 inspection)
Water line replacement.....	\$71.25 – (\$30.00 x .25 processing + \$85.00 x .75 inspection)
Sewer line replacement.....	\$71.25 – (\$30.00 x .25 processing + \$85.00 x .75 inspection)
Water Heater Change-outs.....	\$71.25 – (\$30.00 x .25 processing + \$85.00 x .75 inspection)
Residential Plumbing - (Water Softener; Shower Pans, etc.).....	\$71.25 – (\$30.00 x .25 processing + \$85.00 x .75 inspection)
Temporary power.....	\$71.25 – (\$30.00 x .25 processing + \$85.00 x .75 inspection)
Electrical Panel change-outs up to 200amp.....	\$71.25 – (\$30.00 x .25 processing + \$85.00 x .75 inspection)
Electrical Panel change-outs over 200amp.....	Cost recovery – Use commercial or residential fee worksheet
Roof Mount PV System up to 2 inverters (incl. micro inverters)...	\$220.00 – (\$30.00 x .25 processing + \$85.00 x 2.5 inspection and plan check)
Roof Mount PV System 3 to 5 inverters.....	\$305.00 – (\$30.00 x .25 processing + \$85.00 x 3.5 inspection and plan check)
Roof Mount PV System 6+ inverters.....	\$475.00 – (\$30.00 x .25 processing + \$85.00 x 5.5 inspection and plan check)
HVAC Change-outs.....	\$71.25 – (\$30.00 x .25 processing + \$85.00 x .75 inspection)
HVAC New Units.....	\$135.00 – (\$30.00 x .25 processing + \$85.00 x 1.5 inspection)
Commercial Signs.....	Cost recovery – Use commercial sign fee calculation worksheet
Re-Inspection / Investigation Fee.....	Cost recovery – \$85.00 per inspection hour
Demolition Permit.....	\$71.25 – (\$30.00 x .25 processing + \$85.00 x .75 inspection)
Additional Plan Review.....	Cost recovery – \$85.00 per hour

# ATTACHMENT "B"



## Miscellaneous Permit Fees (cont.)

Type	Minimum Fees
Attached Patio Covers (any size).....	\$177.50 minimum* - (\$30.00 x .25 processing + \$85.00 x 2 inspection and plan check)
Detached Patio Covers, Accessory Structures, Sheds, Garages	
>120 sq.ft. ....	\$177.50 minimum* - (\$30.00 x .25 processing + \$85.00 x 2 inspection and plan check)

**\*Use residential fee worksheet for irregular sized structures, stucco siding, electrical or plumbing added to structure.**

Garage Conversions.....Cost recovery – Use Residential Alteration, Remodel, Repair fee worksheet

**Red Tag Violations:** Subject to double the calculated building permit fee for project.

\*\*\*Miscellaneous Permits for Projects not listed are subject to the Fee Calculation Worksheet and calculated under the discretion of the Chief Building Official.\*\*\*

### Zoning Permits (Accessory Structures & Sheds

<120 sq.ft and Fences under 6ft.)...\$37.25 – (\$30.00 x .25 processing + \$85.00 x .35)

### Hourly Rates:

Inspections and Plan Check per hour.....	\$ 85.00
Permit Processing per hour .....	\$ 30.00
CASp – Certified Access Specialist per hour.....	\$125.00

Example of how to calculate per square footage: New 6,600 sq.ft. Dollar Store –

6,600s.f. x .63 = \$4,158.00 building fee x 65% = \$2,702.70 plan check fee

\$4,158.00 + 2,702.70 = **\$6,860.70** Building Permit Fee\*\*\*

\*\*\*Example does not include any State and Impact/Development Fees\*\*\*



# Commercial Alteration, Remodel, and Repair

## Permit Fee Calculation Worksheet

**NOTE: 6 or more inspections constitutes a tenant improvement and fees will be charged at the per Sq.Ft. rates.**

\*\*\*All figures are estimates and may be adjusted prior to permit issuance\*\*\*

Type of Required Inspection	YES	NO	How Many?
Plan Review - Hours			
Under-Floor Framing and/or Plumbing			
Foundation Inspection			
Shear/Roof Nailing			
Frame Inspection- may include minor rough Elec. Plumb. and Mech. at time of inspection			
Electrical Inspection			
Plumbing Inspection			
Mechanical Inspection			
Gypsum/Lath Inspection			
T-Bar Ceiling Inspection			
Insulation Inspection			
Misc. Inspection			
Final Inspection – C of O			
<b>Sub-Totals</b>	Total Plan Review hrs. _____ x \$85.00=		
	Total Inspections required ____ x \$85.00 =		
	Permit Processing.....		\$ 30.00
<b>PERMIT FEE</b>	*****		\$



# Residential Alteration, Remodel, and Repair

## Permit Fee Calculation Worksheet

\*\*\*All figures are estimates and may be adjusted prior to permit issuance\*\*\*

Type of Required Inspection	YES	NO	How Many?
Plan Review - Hours			
Under-Floor Framing and/or Plumbing			
Foundation Inspection			
Shear/Roof Nailing			
Frame Inspection- may include minor rough Elec. Plumb. and Mech. at time of inspection			
Electrical Inspection			
Plumbing Inspection			
Mechanical Inspection			
Gypsum/Lath Inspection			
Utility Release/Gas Test			
Insulation Inspection			
Misc. Inspection			
Final Inspection			
<b>Sub-Totals</b>	Total Plan Review hrs. _____ x \$85.00=		
	Total Inspections required ____ x \$85.00 =		
	Permit Processing.....		\$ 30.00
<b>PERMIT FEE</b>	*****		\$



## Fire Damage Repair

### Permit Fee Calculation Worksheet

\*\*\*All figures are estimates and may be adjusted prior to permit issuance\*\*\*

Type of Required Inspection	YES	NO	How Many?
Plan Review - Hours			
Pre-Work Inspection			
Roof/Shear Nailing			
Frame Inspection- may include minor rough Elec. Plumb. and Mech. at time of inspection			
Electrical Inspection			
Plumbing Inspection			
Mechanical Inspection			
Gypsum/Lath Inspection			
Utility Release/Gas Test			
Insulation Inspection			
Misc. Inspection			
Final Inspection			
<b>Sub-Totals</b>	Total Plan Review hrs. _____ x \$85.00=		
	Total Inspections required ____ x \$85.00 =		
	Permit Processing.....		\$ 30.00
<b>PERMIT FEE</b>	*****		\$



## Commercial Sign

### Permit Fee Calculation Worksheet

\*\*\*All figures are estimates and may be adjusted prior to permit issuance\*\*\*

Type of Required Inspection	YES	NO	How Many?
Plan Review - Hours			
Foundation/Footing Inspection			
Electrical Inspection			
Misc. Inspection			
Final Inspection			
<b>Sub-Totals</b>	Total Plan Review hrs. _____ x \$85.00=		
	Total Inspections required _____ x \$85.00 =		
	Permit Processing.....		\$ 30.00
<b>PERMIT FEE</b>	*****		\$

**Attachment "C"**

**Example of fee calculation for a new house using existing fee Tables**

**Residential Fee Schedule  
Plan 2 (2,000 s.f.)**

<b>ELECTRICAL</b>				<b>EQUIPMENT PER SQUARE FOOT</b>			
	<b>QTY</b>	<b>FEE</b>	<b>TOTAL</b>		<b>QTY</b>	<b>FEE</b>	<b>TOTAL</b>
Permit Fee	0	31.00	0.00	Air Conditioning	2000	4.50	9,000.00
Supplemental Permit	1	9.57	9.57	Fire Sprinkler System	2500	3.34	8,350.00
200 AMP Service or Less	0	40.26	0.00	<b>EQUIPMENT TOTAL</b>			<b>17,350.00</b>
Electrical (Total Sq.footage B52)	2000	0.074	148.00	<b>TOTAL VALUATION</b>		<b>\$</b>	<b>238,894.00</b>
Outlet	0	1.45	0.00				
<b>ELECTRICAL TOTAL</b>			<b>\$ 157.57</b>				
<b>PLUMBING</b>				<b>Building Fee</b>			
	<b>QTY</b>	<b>FEE</b>	<b>TOTAL</b>				
Permit Fee	0	31.00	0.00	Building Fee		<b>\$</b>	<b>1,779.65</b>
Supplemental Fee	1	9.57	9.57	Electrical Fee		\$	157.57
House Sewer	1	32.54	32.54	Plumbing Fee		\$	234.22
Water Piping (Each Outlet)	3	6.27	18.81	Mechanical Fee		\$	91.28
Tubs/Shower with Tub	2	12.94	25.88	<b>TOTAL PME CONST. FEE</b>		<b>\$</b>	<b>483.07</b>
Laundry Tray/Bar Sink	0	12.94	0.00	<b>TOTAL CONST. FEE</b>		<b>\$</b>	<b>2,262.72</b>
Showers	0	12.94	0.00	Building Plan Check Fee		\$	1,156.77
Sinks (kitchen)	1	12.94	12.94	Electrical Plan Check Fee		\$	39.39
Lavatories (bathroom sink)	3	12.94	38.82	Plumbing Plan Check Fee		\$	58.56
Water Closets (toilet)	2	12.94	25.88	Mechanical Plan Check Fee		\$	22.82
Automatic Washer (clothes)	1	12.94	12.94	<b>TOTAL PLAN CHECK FEE</b>		<b>\$</b>	<b>1,277.54</b>
Vacuum Breaker (dishwasher)	1	12.94	12.94	<b>STRONG MOTION</b>		<b>\$</b>	<b>23.89</b>
Water Heater Vent	1	16.24	16.24	<b>GREEN FEE</b>		<b>\$</b>	<b>11.00</b>
Water Softeners	0	12.94	0.00	<b>PLANNING</b>		<b>\$</b>	<b>-</b>
Lawn Sprinklers	1	19.54	19.54	<b>GRAND TOTAL</b>		<b>\$</b>	<b>3,575.15</b>
Gas Piping (1-5 Outlets)	1	8.12	8.12				
Each Additional Gas Outlet	0	1.45	0.00				
<b>PLUMBING TOTAL</b>			<b>\$ 234.22</b>				
<b>MECHANICAL</b>							
	<b>QTY</b>	<b>FEE</b>	<b>TOTAL</b>				
Permit Fee	0	31.00	0.00				
Supplemental Permit	1	9.57	9.57				
Forced Air Gravity Furnace							
Up to 100,000 BTU'S	1	19.54	19.54				
Over 100,000 BTU'S	0	24.02	0.00				
HVAC Compressors							
Up to 100,000 BTU'S	1	19.40	19.40				
Over 100,000 BTU'S	0	35.84	0.00				
Wall or Floor Furnace	0	19.54	0.00				
Exhaust Fans	3	9.57	28.71				
Fireplace Vent (gas)	0	9.57	0.00				
Range Hood	1	14.06	14.06				
Fireplace (Wood Burning)	0	24.02	0.00				
<b>MECHANICAL TOTAL</b>			<b>91.28</b>				
<b>MODIFIED CONST. VALUATION</b>							
	<b>QTY</b>	<b>FEE</b>	<b>TOTAL</b>				
Type V Masonry	0		0.00				
Type V Masonry (Good)	0	0	0.00				
Type V Wood Frame	2000	101.95	203,900.00				
Type V Wood Frame (Good)	0		0.00				
Apts V Wood Frame	0	93.65	0.00				
Apts V Wood Frame (Good)	0		0.00				
Garage (Wood Frame)	400	39.61	15,844.00				
Covered Patio/Carport	100	18.00	1,800.00				
Total square footage	2500						
<b>CONSTRUCTION VALUATION TOTAL</b>			<b>\$ 221,544.00</b>				

**Attachment “D”**

**Comparison of various permit costs between existing and proposed Fee Schedules**

(These fees do not include any State or Development Impact Fees that may apply to certain projects)

<b>Type of permit</b>	<b>Existing</b>	<b>Proposed</b>	<b>Differences</b>
<b>Water Heater Change-out</b>	\$48.24	\$71.25	+\$23.01
<b>HVAC Change-out</b>	\$70.94	\$71.25	+\$0.31
<b>Re-Roof, Tear-off of 28 squares</b>	\$174.75	\$177.50	+\$2.75
<b>Elec. panel Change-out</b>	\$71.26	\$71.25	-\$0.01
<b>New 6,624 sq.ft. Auto Zone Store</b>	\$6,363.80	\$6,885.65	+\$521.85
<b>New 2,000 sq.ft. House w/ 400sf garage</b>	\$3,575.15	\$3,640.00	+\$64.85
<b>900 sq.ft. residential Room addition</b>	\$1,480.00	\$1,485.00	+\$5.00
<b>In-ground swimming Pool &amp; Spa</b>	\$615.00	\$602.50	-\$12.50

**Attachment “E”**

**Permit costs at other cities in Stanislaus County**

(These fees do not include any State or Development Impact Fees that may apply to certain projects)

Type of Permit	Newman Proposed	Modesto	Turlock	Oakdale	Patterson	Stanislaus County
<b>Water Heater Change-out</b>	\$71.25	\$111.00	\$100.00	\$24.50	\$41.95	\$97.00
<b>HVAC Change-out</b>	\$71.25	\$192.00	\$200.00	\$120.00+/-	\$53.00	\$161.00
<b>Re-Roof 28 squares</b>	\$177.50	\$279.00	\$247.00	\$120.00+/-	\$97.25	\$161.00
<b>Elec. panel Change-out</b>	\$71.25	\$192.00	\$200.00	\$49.50	\$54.00	\$103.00
<b>New 6,624s.f. Auto Zone (or similar bldg)</b>	\$6,885.65	\$14,693.00 (deposit based)	\$7,819.08	\$7,475.00	\$3,713.50	\$6,248.53
<b>New 2,000s.f. House</b>	\$3,640.00	\$2,837.00	\$3,660.34	\$4,000.00+/-	\$1,590.53	\$3,029.73
<b>In-ground swimming pool</b>	\$602.50	\$438.00	\$692.00	\$511.50	\$683.50	\$568.06
<b>Minimum permit fee</b>	\$71.25	\$192.00	\$99.00	\$22.00	\$29.25	\$67.00

**RESOLUTION NO. 2014-**

**A RESOLUTION AMENDING THE BUILDING PERMIT FEE SCHEDULE TO UTILIZE A COST PER SQUARE FOOT MULTIPLIER.**

WHEREAS, the City Council of the City of Newman is desirous of maintaining a sound financial condition; and

WHEREAS, the City Council has identified the new building permit fee schedule (in Attachment "B") which have been established by the Chief Building Official; and

WHEREAS, the City Council has identified the costs associated with these services; and

WHEREAS, the City Council is desirous of recovering costs that are associated with these services (as identified in Attachment "B").

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Newman hereby adopts the building permit fees as listed in Attachment "B" which will be henceforth subject to annual review. These fees shall take effect 60 days after the date of their adoption.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on 28<sup>th</sup> day of January, 2014, 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

**ADOPT RESOLUTION NO. 2014- , A RESOLUTION ADOPTING  
THE MIDYEAR CHANGES FOR FISCAL YEAR 2013-2014**

**RECOMMENDATION:**

It is recommended that the Newman City Council:

1. Review and approve the budget adjustments as proposed in the report.
2. Adopt Resolution No. 2014- , a resolution adopting the midyear changes for Fiscal Year 2013-2014.

**BACKGROUND:**

It is customary for Municipalities, midway through their fiscal year, to review their original budgeted revenue and expense projections. December 31<sup>st</sup> is the midway point of our fiscal year. Revenues and expenditures for the 6 month period ending December 31, 2013 were analyzed.

**ANALYSIS:**

Exhibits A & B compare the budgeted revenues and expenditures to actual amounts received and spent through December 31, 2013; halfway through our fiscal year. Revenues and expenditures do not arrive in 1/12 amounts each month. In Exhibit A, total General Fund Revenues collected are at 36.3% of budget, and revenues for all funds are at 36.5%. It is typical that more revenues are collected in the second half of the year than in the first half.

In Exhibit B, General Fund expenditures at December 31, 2013 are at 44.0% of budget and expenditures for all funds are at 35.1%.

To prepare the proposed adjustments, revenue and expenditure line items were analyzed and discussed with the City Manager and the various department heads and their staff. Exhibits C & D contain the proposed revenue and expenditure budget adjustments by line item. The last column of Exhibit E shows the projected fund balances at June 30, 2014. It should be noted that the original budget, approved last June, only had estimated beginning fund balances; but, at this point, we have and use, actual/audited beginning fund balances to project our ending fund balances.

**FISCAL IMPACT:**

Exhibit C shows no adjustments to revenues at mid-year. General Fund revenues are projected to be near our original budget figures from the beginning of the year with the exception of Sales Tax and Miscellaneous Revenues. After analyzing the detail of the decline in revenues, it's possible these two items may still recover during the 2<sup>nd</sup> half of the fiscal year.

Exhibit D shows the detail of the expenditure budget adjustments totaling \$239,474 across all funds, and \$3,750 of adjustments to our General Fund expenditures. General Fund expenditure increases are due to gas & electric, elevator maintenance and APA conference costs. As a side note, there are numerous General Fund expenditure line items that combined are coming in under budget by nearly \$200,000.

At the beginning of the budget year we projected spending \$426k more than we expected to receive. At this mid-year review we project to reduce that deficit by nearly \$110k.

**CONCLUSION:**

Exhibit E is a projection of the ending fund balances of all funds. Funds typically should have a positive balance. All of our funds are projected to have positive ending balances with the exception of the State Grant, Storm Drain, and the Successor Agency (RDA) funds. The State Grant funds will return to a positive fund balance with the collection of future revenues. The Storm Drain fund negative balance is due to fee credits which will reduce over time. The Successor Agency (RDA) fund has been negative since 2009/2010 fiscal year. Since no new RDA projects are allowed eventually all debts will be retired using future Redevelopment Property Tax Trust Fund (RPTTF) revenues and the fund will be terminated.

The midyear budget review projects a General Fund ending balance of \$2,633,745; a decrease of \$311,250 for the 2013-14 fiscal year. This will put us with 64% General Fund reserves. Even though we are spending more than we are taking in this year, the City has strong reserves and remains in good financial health.

**EXHIBITS:**

1. Resolution No. 2014-
2. Exhibit A: Revenue Analysis by Fund as of Dec 31, 2013
3. Exhibit B: Expenditure Analysis by Fund as of Dec 31, 2013
4. Exhibit C: Revenue Adjustments
5. Exhibit D: Expenditure Adjustments
6. Exhibit E: Fund Balance Analysis

Respectfully submitted,



Lewis A. Humphries  
Finance Director

**REVIEWED/CONCUR:**



Michael Holland, City Manager

**CITY OF NEWMAN  
REVENUE ANALYSIS BY FUND  
FISCAL YEAR JULY 2013-JUNE 2014  
BALANCES AS OF DECEMBER 31, 2013  
50% OF YEAR COMPLETE**

Exhibit A

		BUDGET	ACTUAL	REMAINING BUDGET	Percent Of Budget Collected	
<b>General Fund</b>						
10 5010	Property Taxes	\$ 528,000	\$ 279,536	\$ 248,464	52.9%	Est \$522,000
10 5070	Sales Tax	\$ 435,000	\$ 104,695	\$ 330,305	24.1%	Only 4 Months Received Est \$385,000
10 5095	Business License Taxes	\$ 26,000	\$ 25,416	\$ 584	97.8%	Est \$27,000
10 5080	Franchise Fees	\$ 113,000	\$ 12,518	\$ 100,482	11.1%	Majority of funds come in April & June - Est \$120,500
10 5300's	License & Permits	\$ 48,840	\$ 31,097	\$ 17,743	63.7%	Est \$50,000
10 5400's	Fines & Forfeitures	\$ 72,900	\$ 35,745	\$ 37,155	49.0%	Est \$72,000
10 5500's	Use of Assets	\$ 103,500	\$ 44,235	\$ 59,265	42.7%	Est \$105,000
10 5630	Motor Vehicle Tax	\$ 530,000	\$ 4,592	\$ 525,408	0.9%	Est \$535,000 Payment 1 of 2 arrives in February
10 5600's	Intergovernmental Revenues	\$ 68,500	\$ 41,395	\$ 27,105	60.4%	Est \$80,000
10 5730	Refuse Collection	\$ 960,000	\$ 484,890	\$ 475,110	50.5%	Est \$969,000
10 5700's	Charges for Current Services	\$ 100,170	\$ 41,110	\$ 59,060	41.0%	Est \$80,000
10 5800's	Miscellaneous Revenue	\$ 342,258	\$ 235,086	\$ 107,172	68.7%	Est \$300,000
10 5900	Transfers In	\$ 366,333	\$ -	\$ 366,333	0.0%	Transfers Done at year end. Est \$366,000
<b>Total General Fund Revenues</b>		<b>\$ 3,694,501</b>	<b>\$ 1,340,314</b>	<b>\$ 2,354,187</b>	<b>36.3%</b>	Est Ending Revenues \$3,611,500 (3% Under Budget)
<b>Special Revenue Funds</b>						
15	Grant Program Income	\$ 3,600	\$ 611	\$ 2,989	17.0%	We receive funds at end of year
17	Grants State	\$ 388,034	\$ 104,341	\$ 283,693	26.9%	HRPP funds not received yet and only part SR2S funds rec'd.
18	Grants Federal	\$ 334,810	\$ 880	\$ 333,930	0.3%	RSTP funds not all received yet
20	County CDBG Consortium	\$ 271,049	\$ -	\$ 271,049	0.0%	Funds not received yet
21	Gas Tax	\$ 321,370	\$ 134,584	\$ 186,786	41.9%	Only 5 payments - EST \$320,000 at end of year
22	Abandoned Vehicle Abatement	\$ 11,100	\$ 6,749	\$ 4,351	60.8%	
24	Local Transportation Fund	\$ 514,200	\$ 9,820	\$ 504,380	1.9%	LTF in Rec in June, \$400k Fastfill not received yet
25	Employee Home Loan Program	\$ 3,753	\$ 1,777	\$ 1,976	47.4%	EST \$3335
30	Asset Forfeiture	\$ 15	\$ 21	\$ (6)	142.1%	
62	Lift Station	\$ 90,900	\$ 46,426	\$ 44,474	51.1%	EST \$93,000
68	Business License Surcharge	\$ 11,200	\$ 10,789	\$ 411	96.3%	EST \$11,500
69	Power/Lighting Assessments	\$ 288,388	\$ 2	\$ 288,386	0.0%	Assessments arrive in Jan & May EST \$288,000
70	Contingency Fund	\$ 1,500	\$ 541	\$ 959	36.0%	EST \$1,100
71	Capital Repair & Replacement	\$ 3,000	\$ 1,124	\$ 1,876	37.5%	EST \$2,100
72	COPS Grant	\$ 100,000	\$ 1	\$ 99,999	100.0%	Only 1 Quarter received, Posted Quarterly - EST \$100,000
73	Successor Agency (RDA)	\$ 552,811	\$ 6,580	\$ 546,231	1.2%	RPTTF Received in Jan. and June. Recd \$205,008 in Jan.
74	Successor Housing (LMIHF)	\$ 145,566	\$ -	\$ 145,566	0.0%	AB1484 Delayed SERAF refund until approved by O.B.
<b>Total Special Revenue Fund Revenues</b>		<b>\$ 3,041,296</b>	<b>\$ 324,246</b>	<b>\$ 2,717,050</b>	<b>10.7%</b>	
<b>Enterprise Funds</b>						
60	WWTP/Sewer Fund	\$ 2,345,000	\$ 1,361,117	\$ 983,883	58.0%	EST \$2,800,000
63	Water Fund	\$ 1,243,400	\$ 722,102	\$ 521,298	58.1%	EST \$1,300,000
<b>Total Enterprise Fund Revenues</b>		<b>\$ 3,588,400</b>	<b>\$ 2,083,219</b>	<b>\$ 1,505,181</b>	<b>58.1%</b>	
<b>Capital Projects</b>						
16	Parks Facility Fee	\$ 30,154	\$ 1,417	\$ 28,737	4.7%	
40	Public Facility Fee	\$ 107,637	\$ 63,485	\$ 44,152	59.0%	
41	Supplemental Impact Fees	\$ 12,250	\$ 948	\$ 11,302	7.7%	
42	Storm Drain	\$ 18,026	\$ 9,784	\$ 8,242	54.3%	
61	Sewer Capital	\$ 18,298	\$ 5,305	\$ 12,993	29.0%	
64	Water Capital	\$ 20,397	\$ 12,066	\$ 8,331	59.2%	
<b>Total Capital Project Fund Revenues</b>		<b>\$ 206,762</b>	<b>\$ 93,005</b>	<b>\$ 113,757</b>	<b>45.0%</b>	
<b>All City Grand Total</b>		<b>\$ 10,530,959</b>	<b>\$ 3,840,784</b>	<b>\$ 6,690,175</b>	<b>36.5%</b>	

**CITY OF NEWMAN  
EXPENDITURE ANALYSIS BY FUND  
FISCAL YEAR JULY 2013-JUNE 2014  
BALANCES AS OF DECEMBER 31, 2013  
50% OF YEAR COMPLETE**

**Exhibit B**

			BUDGET	ACTUAL	Remaining BUDGET	% Of Budget Spent	
<b>General Fund</b>							
10	01	City Council	\$ 80,825	\$ 20,086	\$ 60,739	24.9%	Est. \$42,000
10	02	City Manager	\$ 129,609	\$ 59,064	\$ 70,545	45.6%	Est. \$120,000
10	03	City Clerk	\$ 76,606	\$ 31,435	\$ 45,171	41.0%	Est. \$62,000
10	06	Planning	\$ 76,797	\$ 35,936	\$ 40,861	46.8%	Est. \$72,000
10	07	Government Building	\$ 83,030	\$ 37,681	\$ 45,349	45.4%	Est. \$75,000
10	14	Finance	\$ 151,937	\$ 75,948	\$ 75,989	50.0%	Est. \$152,000
10	15	Government Auxillary	\$ 56,101	\$ 71,506	\$ (15,405)	127.5%	Est. \$100,000
10	21	Police	\$ 2,044,387	\$ 905,689	\$ 1,138,698	44.3%	Est. \$1,939,000
10	22	Fire	\$ 141,868	\$ 25,606	\$ 116,262	18.0%	Est. \$87,000
10	23	Building Regulation	\$ 25,900	\$ 23,677	\$ 2,223	91.4%	Est. \$56,000
10	31	Engineering	\$ 20,000	\$ 20,717	\$ (717)	103.6%	Est. \$40,000
10	33	Street Maintenance	\$ 266,333	\$ 92,997	\$ 173,336	34.9%	Est. \$220,000
10	41	Refuse Collection	\$ 720,000	\$ 302,709	\$ 417,291	42.0%	Est. \$728,000
10	44	Parks	\$ 164,424	\$ 67,465	\$ 96,959	41.0%	Est. \$140,000
10	45	Recreation Services	\$ 77,398	\$ 40,655	\$ 36,743	52.5%	Est. \$80,000
10	46	Corporation Yard	\$ 5,550	\$ 2,876	\$ 2,674	51.8%	Est. \$6,000
<b>Total General Fund Expenditures</b>			<b>\$ 4,120,765</b>	<b>\$ 1,814,045</b>	<b>\$ 2,306,720</b>	<b>44.0%</b>	Est. \$3,919,000
<b>Special Revenue Funds</b>							
15		Grant Program Income	\$ 7,000	\$ -	\$ 7,000	0.0%	Annually billed in June
17		State Grants	\$ 371,217	\$ 22,421	\$ 348,796	6.0%	Not all project invoices not received yet
18		Grants Federal	\$ 334,410	\$ 352	\$ 334,058	0.1%	Not all project invoices not received yet
20		County CDBG Consortium	\$ 132,568	\$ 3,247	\$ 129,321	2.4%	Not all project invoices not received yet
21		Gas Tax	\$ 286,133	\$ -	\$ 286,133	0.0%	Transferred at end of fiscal year
22		Abandoned Vehicle Abatement	\$ 12,534	\$ 6,113	\$ 6,421	48.8%	
24		Local Transportation Fund	\$ 585,883	\$ 167,391	\$ 418,492	28.6%	CNG & Street Project not Started yet.
62		Lift Station	\$ 47,519	\$ 16,994	\$ 30,525	35.8%	Equipment repair currently under budget
68		Business License Surcharge	\$ 14,652	\$ 4,696	\$ 9,956	32.1%	Community Promo under budget
69		Power/Lighting Assessments	\$ 287,377	\$ 115,605	\$ 171,772	40.2%	Contract Services and Payroll under budget
71		Capital Repair & Replacement	\$ 413,717	\$ 109,539	\$ 304,178	26.5%	LJN Memorial Bldg Improvements not done yet.
72		COPS Grant	\$ 100,000	\$ -	\$ 100,000	0.0%	Transferred at end of fiscal year
73		Successor Agency (RDA)	\$ 668,677	\$ 261,622	\$ 407,055	39.1%	SERAF Repay not approved yet
74		Successor Housing (LMIHF)	\$ 3,741	\$ 1,871	\$ 1,870	50.0%	
<b>Total Special Revenue Fund Expenditures</b>			<b>\$ 3,265,428</b>	<b>\$ 709,852</b>	<b>\$ 2,555,576</b>	<b>21.7%</b>	
<b>Enterprise Funds</b>							
60		WWTP/Sewer Fund	\$ 2,117,931	\$ 810,000	\$ 1,307,931	38.2%	Sewer constr and bond payment not due yet
63		Water Fund	\$ 1,189,145	\$ 570,636	\$ 618,509	48.0%	
<b>Total Enterprise Fund Expenditures</b>			<b>\$ 3,307,076</b>	<b>\$ 1,380,636</b>	<b>\$ 1,926,440</b>	<b>41.7%</b>	
<b>Capital Projects</b>							
16		Parks Facility Fee	\$ -	\$ -	\$ -	0.0%	
40		Public Facility Fee	\$ 275,339	\$ 39,471	\$ 235,868	14.3%	Still in early stages of master plan development
42		Storm Drain	\$ -	\$ 11,279	\$ (11,279)	0.0%	Calif State Required Storm Water Permit
61		Sewer Capital	\$ 141,870	\$ 41,309	\$ 100,561	29.1%	Site Improvements & Contract Studies not completed
64		Water Capital	\$ 339,000	\$ 25,764	\$ 313,236	7.6%	Well, Tank, Booster design not completed yet
<b>Total Capital Project Fund Expenditures</b>			<b>\$ 756,209</b>	<b>\$ 117,823</b>	<b>\$ 638,386</b>	<b>15.6%</b>	
<b>All City Grand Total</b>			<b>\$ 11,449,478</b>	<b>\$ 4,022,356</b>	<b>\$ 7,427,122</b>	<b>35.1%</b>	



EXPENSE ADJUSTMENTS

Fund	Account	Department	Description	Increase/Decrease Amount	Total by Fund	Explanation
10	6665	07 - Government Bldg.	Building Maintenance	\$ 1,000		Elevator Inspection & Maintenance Costs
10	6690	06 - Planning	Travel/Meetings	\$ 700		City asked to present downtown revitalization - APA Conference
10	6420	06 - Planning	Utilities - Telephone	\$ 50		Slight adjustment to phone expenditures
10	6660	44 - Parks	Memorial Building	\$ 2,000	\$ 3,750.00	Gas & Electric Costs
24	7727	32 - Street Construction	Sidewalk Repairs - LTF	\$ 16,192		Transfer from Street Repair
24	7727	32 - Street Construction	Sidewalk Repairs - LTF	\$ 132,068		Tulare Street Sidewalk Repair
24	7744	32 - Street Construction	Street Repairs - LTF	\$ (16,192)	\$ 132,068.00	Transfer to Sidewalk Repair
42	7751	36 - Storm Drains	Storm Drain Improvements	\$ 4,000	\$ 4,000.00	New Storm Drain Noticing
60	6010	50 - Sewer	Personnel Reg	\$ 11,284		Convert Sewer & Liftstation Part Time to Full Time Sewer
60	6020	50 - Sewer	Personnel PT	\$ (4,000)		Convert Sewer & Liftstation Part Time to Full Time Sewer
60	6100	50 - Sewer	Retirement - PERS	\$ 800		Convert Sewer & Liftstation Part Time to Full Time Sewer
60	6110	50 - Sewer	Social Security & Medicare	\$ (305)		Convert Sewer & Liftstation Part Time to Full Time Sewer
60	6110	50 - Sewer	Social Security & Medicare	\$ 900		Convert Sewer & Liftstation Part Time to Full Time Sewer
60	6120	50 - Sewer	Health Insurance	\$ 5,500		Convert Sewer & Liftstation Part Time to Full Time Sewer
60	6130	50 - Sewer	Unemployment Ins.	\$ (40)		Convert Sewer & Liftstation Part Time to Full Time Sewer
60	6130	50 - Sewer	Unemployment Ins.	\$ 130		Convert Sewer & Liftstation Part Time to Full Time Sewer
60	6140	50 - Sewer	Worker's Comp	\$ (212)		Convert Sewer & Liftstation Part Time to Full Time Sewer
60	6140	50 - Sewer	Worker's Comp	\$ 600		Convert Sewer & Liftstation Part Time to Full Time Sewer
60	6180	50 - Sewer	Dental/Vision Insurance	\$ 500		Convert Sewer & Liftstation Part Time to Full Time Sewer
60	6675	50 - Sewer	Permits & Fees	\$ 2,500		Increased Permit Fees
60	7105	50 - Sewer	Equipment	\$ 36,000		Prior year purchase of Tractor - Invoice arrived this FY
60	7505	50 - Sewer	Building Improvements	\$ 7,500		Correction to Corp Yard Improvements cost sharing with Sewer Fund
60	7519	50 - Sewer	Road Improvements	\$ 5,300	\$ 66,457	Carry over cost from prior year Road Improvements
62	6020	50 - Sewer	Personnel PT	\$ (1,300)		Convert Sewer & Liftstation Part Time to Full Time Sewer
62	6110	50 - Sewer	Social Security & Medicare	\$ (100)		Convert Sewer & Liftstation Part Time to Full Time Sewer
62	6130	50 - Sewer	Unemployment Ins.	\$ (13)		Convert Sewer & Liftstation Part Time to Full Time Sewer
62	6140	50 - Sewer	Worker's Comp	\$ (70)	\$ (1,483)	Convert Sewer & Liftstation Part Time to Full Time Sewer
63	6530	56 - Water	Vehicle Maintenance	\$ 1,000	\$ 1,000	Need to perform repairs to one vehicle
71	7505	07 - Government Bldg.	Building Improvements	\$ 12,682		Engineering Costs LJJ
71	7010	21 - Police	Vehicle	\$ 21,000	\$ 33,682	Replace Chief's Vehicle
<b>TOTAL EXPENDITURE ADJUSTMENTS</b>				<b>\$ 239,474</b>	<b>\$ 239,474</b>	

CITY OF NEWMAN  
MID-YEAR BUDGET REVIEW  
2013-14

Exhibit E

FUND BALANCE ANALYSIS

	Unreserved Fund Balance @ 7/1/13 Per Original Budget	Unreserved Fund Balance @ 7/1/13 Per Audit	Change in Beginning Balance from Original Budget	Revenues less Expenditures Per Budget 13/14	Revenues less Expenditures Projected 13/14	Budget Adjustments Revenues	Budget Adjustments Expenses	Estimated Fund Balance @ 6/30/14 After Audit
10 General Fund	\$ 3,040,260	\$ 2,944,995	\$ (95,265)	\$ (426,264)	\$ (307,500)	\$ -	\$ 3,750	\$ 2,633,745
15 Program Income Grant	\$ 1,219,910	\$ 1,229,802	\$ 9,892	\$ (3,400)	\$ (3,400)	\$ -	\$ -	\$ 1,226,402
16 Park Facility Fee	\$ 429,311	\$ 423,478	\$ (5,833)	\$ 30,154	\$ 30,154	\$ -	\$ -	\$ 453,632
17 State Grants	\$ (105,231)	\$ (100,571)	\$ 4,660	\$ 16,817	\$ 16,817	\$ -	\$ -	\$ (83,754)
18 Grants-Federal	\$ 94,022	\$ 162,848	\$ 68,826	\$ 400	\$ 400	\$ -	\$ -	\$ 163,248
19 Grants-Housing	\$ 3,306,433	\$ 3,306,433	\$ (0)	\$ -	\$ -	\$ -	\$ -	\$ 3,306,433
20 County CDBG Consortium	\$ (4,425)	\$ (37,156)	\$ (32,731)	\$ 138,481	\$ 138,481	\$ -	\$ -	\$ 101,325
21 Gas Tax	\$ 153,415	\$ 127,336	\$ (26,079)	\$ 35,237	\$ 35,237	\$ -	\$ -	\$ 162,573
22 Abandoned Vehicle	\$ 20,058	\$ 20,589	\$ 531	\$ (1,437)	\$ (1,437)	\$ -	\$ -	\$ 19,152
24 Local Transportation Fund	\$ 684,574	\$ 775,403	\$ 90,829	\$ (71,683)	\$ (71,683)	\$ -	\$ 132,068	\$ 571,652
25 Employee Home Loan Program	\$ 211,901	\$ 211,975	\$ 74	\$ 3,753	\$ 3,753	\$ -	\$ -	\$ 215,728
26 Home Consortium	\$ 352,226	\$ 301,697	\$ (50,529)	\$ 25,606	\$ 25,606	\$ -	\$ -	\$ 327,303
30 Asset Forfeiture	\$ 1,006	\$ 7,893	\$ 6,887	\$ 15	\$ 15	\$ -	\$ -	\$ 7,908
40 Public Facility Improvements	\$ 4,335,604	\$ 4,214,555	\$ (121,049)	\$ (167,703)	\$ (167,703)	\$ -	\$ -	\$ 4,046,852
41 Supplemental Impact Fees	\$ 355,793	\$ 357,242	\$ 1,449	\$ 12,250	\$ 12,250	\$ -	\$ -	\$ 369,492
42 Storm Drain	\$ (566,852)	\$ (572,376)	\$ (5,524)	\$ 18,026	\$ 18,026	\$ -	\$ 4,000	\$ (558,350)
60 Sewer Fund	\$ 5,048,252	\$ 6,002,491	\$ 954,239	\$ 227,069	\$ 227,069	\$ -	\$ 66,457	\$ 6,163,103
61 Sewer Wastewater Capital	\$ 4,328,571	\$ 4,311,242	\$ (17,329)	\$ (123,572)	\$ (123,572)	\$ -	\$ -	\$ 4,187,670
62 Lift Station Surcharge	\$ 375,807	\$ 385,281	\$ 9,474	\$ 43,381	\$ 43,381	\$ -	\$ (1,483)	\$ 430,145
63 Water Fund	\$ 508,880	\$ 577,487	\$ 68,607	\$ 54,255	\$ 54,255	\$ -	\$ 1,000	\$ 630,742
64 Capital Water Fee	\$ 1,916,761	\$ 1,887,159	\$ (29,602)	\$ (318,603)	\$ (318,603)	\$ -	\$ -	\$ 1,568,556
68 Business License Surcharge	\$ 16,188	\$ 18,113	\$ 1,925	\$ (3,452)	\$ (3,452)	\$ -	\$ -	\$ 14,661
69 Power/Lighting Assessment	\$ 44,083	\$ 30,255	\$ (13,828)	\$ 1,011	\$ 1,011	\$ -	\$ -	\$ 31,266
70 Contingency Fund	\$ 203,922	\$ 203,725	\$ (197)	\$ 1,500	\$ 1,500	\$ -	\$ -	\$ 205,225
71 Capital Repair & Replacement	\$ 467,103	\$ 485,296	\$ 18,193	\$ (410,717)	\$ (410,717)	\$ -	\$ 33,682	\$ 40,897
72 COPS Grant	\$ 295	\$ 435	\$ 140	\$ -	\$ -	\$ -	\$ -	\$ 435
73 Successor Agency (RDA)	\$ (252,716)	\$ 20,927	\$ 273,643	\$ (115,866)	\$ (115,866)	\$ -	\$ -	\$ (94,939)
74 Successor Housing (LMIHF)	\$ 978,724	\$ 785,831	\$ (192,893)	\$ 141,825	\$ 141,825	\$ -	\$ -	\$ 927,656
Total All Funds	\$ 27,163,875	\$ 28,082,389	\$ 918,514	\$ (892,917)	\$ -	\$ -	\$ 239,474	\$ 27,068,762

Honorable Mayor and Members  
of the Newman City Council

**APPROVAL AND SUPPORT OF THE CITY'S APPLICATION FOR GRANT FUNDS THROUGH  
THE LAND AND WATER CONSERVATION FUND**

**RECOMMENDATION:**

1. Allocate \$306,000.00 in Park Facility Fees towards the Skate Plaza project
2. Adopt Resolution No. 2014- , A Resolution Of The City Of Newman Approving The Application For Land And Water Conservation Fund Grant For The Skate Plaza Project

**BACKGROUND:**

On February 14, 1963, President Kennedy's Administration proposed legislation to establish a "Land and Water Conservation Fund" to assist States in planning, acquisition, and development of recreation lands. With bipartisan support, President Johnson signed it into law on September 3, 1964, as Public Law 88- 578. The LWCF program is currently administered nationally by the National Park Service (NPS). Funds allocated to the State are administered by the California Department of Parks and Recreation (DPR) under the provisions of the California Outdoor Recreation Resources Plan Act of 1967.

When a LWCF project is completed, the land within the approved 6(f)(3) boundary map is placed under federal protection to preserve the public's outdoor recreational use of the site in perpetuity for the benefit of our nation's future generations.

**ANALYSIS:**

The LWCF is a reimbursement-only program, in which the funding sources to "cash-flow" 100% of the total project cost must be identified at the time of application. Therefore, LWCF provides flexibility for a grant request range because NPS will reimburse as high as 50% and as low as 1% of the total project cost depending on the applicant's highest desired and lowest acceptable amount of funding assistance requested through the application. Eligible projects include the acquisition or development of park lands; not both.

Submitting an eligible application does not guarantee funding even at the applicant's minimum amount of the grant request range. However, OGALS may recommend grant funding to NPS for any amount within the grant request range established by the applicant. OGALS will not recommend grant funding to NPS for an amount that is less than or exceeds the grant request range established by the applicant. Establishing a grant request range is voluntary and is not required; however, it is encouraged for this grant program. If an applicant does not want to establish a grant request range, it will signify that the applicant is not willing to accept any amount less than the "maximum grant request"; in the City's case, 50% of the Skate Plaza project cost.

The intent of the above-mentioned program is to award reimbursement grants on a competitive basis for the development of outdoor recreational features. The City's planned Skate Plaza is an eligible project under this program.

The LWCF Program requires projects to meet at least one of the following priorities:

1. Development to provide or improve access to public parks and outdoor recreation resources.
2. Development to provide linkages and seamless delivery of outdoor recreation opportunities.
3. Development to protect and manage natural resources

The Skate Plaza project meets Priority No. 1. Staff is proposing a grant application in the amount of \$153,000.

**FISCAL IMPACT:**

Positive, potential grant award of \$153,000.00, however the City would be responsible for the remaining 50% of the project cost.

Given that the LWCF program is a "reimbursement-only" program and requires that the City certify that it has matching funds from eligible source(s) and can finance 100 percent of the Project, a total project commitment of \$306,000.00 is required. Adequate funds are available in Fund 16 (Park Facility Fees) for said commitment. However, per legal counsel, the Grant Authorizing Resolution has been amended to include the following language:

“City reserves the sole, unfettered, and exclusive right to reallocate and/or withdrawal any and all project funds that have been identified for the project if the LWCF funding does not equal at least 50% of the total Project costs. In addition, City reserves the sole, unfettered and exclusive right to reject the grant and any grant funding if awarded”

This will allow the City to rescind project funding should the LWCF funding be inadequate or not awarded. Current project budget is as follows:

Fund 17 (Remaining Skate Plaza Earmark)	\$65,862
Tony Hawk Grant	\$ 5,000
PG&E Grant	\$ 2,000
<u>Local Fundraising</u>	<u>\$ 3,000</u>
<b>Total Available Funding:</b>	<b>\$75,862</b>
Design Services	\$38,963
<u>Construction Estimate</u>	<u>\$267,037</u>
<b>Estimated Project Cost:</b>	<b>\$306,000</b>

If awarded the LWCF grant, the City’s actual project allocation would be: \$77,138

**CONCLUSION:**

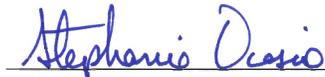
In order to apply for the grant, the City is required to have an authorizing resolution approving the City’s application for grant funds from its governing body; said resolution must have specific program-mandated language. As mentioned above, additional language regarding the City’s project funding committal has been added under legal counsel’s recommendation. It is important to note that modifying the Resolution’s language may delay the City’s application approval if the addition requires DPR’s legal office review or revision.

Therefore, Staff recommends that the City Council allocate \$306,000.00 in Park facility Fees towards the Skate Plaza project and approve the filing of an application for Land and Water Conservation Fund assistance for the proposed Skate Plaza Project through adoption of Resolution No. 2014- . A Resolution Of The City Of Newman Approving The Application For Land And Water Conservation Fund Grant For The Skate Plaza Project.

**ATTACHMENTS:**

1. Exhibit A –Resolution No. 2014- . A Resolution Of The City Of Newman Approving The Application For Land And Water Conservation Fund Grant For The Skate Plaza Project.

Respectfully submitted,



Stephanie Ocasio  
City Planner

**REVIEWED/CONCUR**



Michael Holland  
City Manager

**RESOLUTION NO. 2014-**

**A RESOLUTION OF THE CITY OF NEWMAN APPROVING THE  
APPLICATION FOR LAND AND WATER CONSERVATION FUND GRANT  
FOR THE SKATE PLAZA PROJECT**

WHEREAS, the Congress under Public Law 88-578 has authorized the establishment of a Federal Land and Water Conservation Fund Grant-In-Aid program, providing matching funds to the State of California and its political subdivisions for acquiring lands and developing facilities for public outdoor recreation purposes; and

WHEREAS, the California Department of Parks and Recreation is responsible for administration of the program in the State, setting up necessary rules and procedures governing applications by local agencies under the program; and

WHEREAS, the City of Newman certifies by resolution the approval of the application and the availability of eligible matching funds prior to submission of the application to the State; and

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

1. Approves the filing of an application for Land and Water Conservation Fund assistance for the proposed Skate Plaza Project.
2. Agrees to abide by Section 6(F)(3) of Public Law 88-578 which states "No property acquired or developed with assistance under this section shall, without the approval of the National Secretary of the Interior, be converted to other than public outdoor recreation uses. The Secretary shall approve such conversion only if he finds it to be in accord with the then existing comprehensive statewide outdoor recreation plan and only upon such conditions as he deems necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location."
3. Certifies that said agency has matching funds from eligible source(s) and can finance 100 percent of the Project, which up to half may be reimbursed.
4. Reserves the sole, unfettered, and exclusive right to reallocate and/or withdrawal any and all project funds that have been identified for the project if the LWCF funding does not equal at least 50% of the total Project costs. In addition, City reserves the sole, unfettered and exclusive right to reject the grant and any grant funding if awarded.
5. Appoints the City Manager or his/her designee as agent of the City of Newman to conduct all negotiations and execute and submit all documents, including, but not limited to, applications, contracts, amendments, payment requests, and compliance with all applicable current State and Federal laws which may be necessary for the completion of the aforementioned project.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 28<sup>th</sup> day of January 2014 by Council Member \_\_\_\_\_, who moved its adoption which motion was duly seconded and was upon roll call carried and the resolution adopted by the following vote:

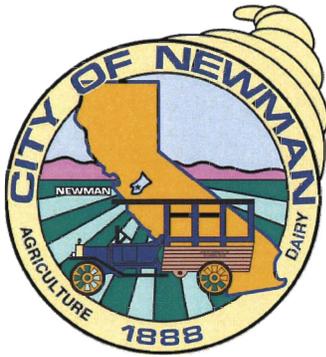
AYES:  
NOES:  
ABSENT:

APPROVED:

ATTEST:

\_\_\_\_\_  
Mayor

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



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

**Date:** January 24, 2014  
**To:** Mayor Katen and City Council  
**From:** Michael E. Holland, City Manager *MEH*

**Subject: Potential Voter Approved Residential Urban Limit.**

In September 2012, the Stanislaus Local Agency Formation Commission (LAFCO) passed an Agricultural Preservation Policy. The new policy requires all Stanislaus County cities to develop a method or strategy for minimizing the loss of agricultural lands when an annexation occurs. One potential strategy identified by LAFCO includes a voter approved urban growth boundary. Staff will lead the discussion and requests Council direction on the matter. Should Council support the concept, staff will work up a time-line for placing an initiative on the November ballot and bring the item back for formal Council approval.