



AGENDA
NEWMAN CITY COUNCIL
REGULAR MEETING OCTOBER 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**
 - a. Recognition Of Pacific Gas & Electric Company For Skate Plaza Grant Award.
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 October 14, 2014 Meetings. ([View Minutes](#))
 - d. Adopt Resolution 2014- , Approving The Local Transportation Fund Claim For Fiscal Year 2014/2015 Other Purposes And Authorize The Finance Director To Execute The Claim On Behalf Of The City Of Newman. ([View Report](#))
9. **Public Hearings**
 - a. Adopt Resolution No. 2014- , A Resolution Declaring The Existence Of A Public Nuisance Under Ordinance No. 95-4. ([View Report](#))
 - b. Second Reading And Adoption Of Ordinance No. 2014- , Amending Title 1 Administrative, Title 4 Building Regulations, Title 6 Subdivisions, Title 8 Health And Sanitation And Title 11 Public Ways And Property Of The Newman Municipal Code And Authorize Staff To Publish A Summary Of Said Ordinance. ([View Report](#))
10. **Regular Business**
 - a. Report On Newman Chamber Of Commerce Tree Lighting Event At The Downtown Plaza. ([View Report](#))
 - b. Adopt Resolution No. 2014- , Awarding The CNG Fast Fill Fueling Station Project To Marko Construction And Amending The Fiscal Year 2014-2015 CMAQ Budget Amount To \$500,000.00 For The CNG Fast Fill Fueling Station Project. ([View Report](#))

- c. Report On Memorandum Of Understanding With Stanislaus Business Alliance.
([View Report](#))

11. Items From District Five Stanislaus County Supervisor.

12. Items From The City Manager And Staff.

13. Items From City Council Members.

14. Adjournment.

Calendar of Events

October 28 – City Council - 7:00 P.M.

October 31 – Halloween.

November 4 – Election Day

November 11 – Veteran’s Day - City Offices Closed.

November 11 – City Council - Cancelled.

November 13 – Recreation Commission - 7:00 P.M.

November 18 – Special City Council Meeting - 7:00 P.M.

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

November 20 – Planning Commission - 7:00 P.M.

November 25 – City Council – Cancelled.

November 27-28 – Thanksgiving Holiday– City Offices Closed.



City of Newman
Recreation Department Office
Memorandum

Date: October 22, 2014
To: Newman City Council
From: Stephanie House, Recreation Coordinator

Subject: Recognition Of Pacific Gas & Electric Company For Skate Plaza Grant Award

Pacific Gas and Electric Company is committed to preserving and building on what makes California great: thriving neighborhoods and natural habitats, diversity, and opportunity. In an effort to assist our community build an amenity that facilitates PG&E goals, PG&E has awarded the City a \$2000 grant towards construction of City's new skate plaza. Mr. Thomas Reeves will be in attendance on behalf of PG&E.



AP Check Register October 24, 2014

Vendor	Fund-Dept-Acct	Check #	Amount	Check date	Description
Advanced Building Cleaners, Inc.	10-33-6200	106316	\$ 3,634.02	10/24/2014	Power sweeping service/Sept 2014
		106316 Total	\$ 3,634.02		
AUS Sacramento MC Lockbox	10-07-6200	106317	\$ 145.20	10/24/2014	Uniform cleaning/mat rental/towels/Sept 2014
AUS Sacramento MC Lockbox	10-21-6200	106317	\$ 110.86	10/24/2014	Uniform cleaning/mat rental/towels/Sept 2014
AUS Sacramento MC Lockbox	10-22-6200	106317	\$ 51.68	10/24/2014	Uniform cleaning/mat rental/towels/Sept 2014
AUS Sacramento MC Lockbox	10-33-6200	106317	\$ 166.03	10/24/2014	Uniform cleaning/mat rental/towels/Sept 2014
AUS Sacramento MC Lockbox	10-44-6200	106317	\$ 110.69	10/24/2014	Uniform cleaning/mat rental/towels/Sept 2014
AUS Sacramento MC Lockbox	60-50-6200	106317	\$ 166.03	10/24/2014	Uniform cleaning/mat rental/towels/Sept 2014
AUS Sacramento MC Lockbox	63-56-6200	106317	\$ 110.69	10/24/2014	Uniform cleaning/mat rental/towels/Sept 2014
		106317 Total	\$ 861.18		
Atkinson, Andelson, Loya, Ruud and Romo	10-15-6200	106318	\$ 525.00	10/24/2014	Legal services/Sept 2014
		106318 Total	\$ 525.00		
AT&T MOBILITY	10-02-6420	106319	\$ 33.47	10/24/2014	Cell phone usage 09/06/14 to 10/05/14
AT&T MOBILITY	10-03-6420	106319	\$ 31.31	10/24/2014	Cell phone usage 09/06/14 to 10/05/14
AT&T MOBILITY	10-06-6420	106319	\$ 91.51	10/24/2014	Cell phone usage 09/06/14 to 10/05/14
AT&T MOBILITY	10-07-6420	106319	\$ 8.72	10/24/2014	Cell phone usage 09/06/14 to 10/05/14
AT&T MOBILITY	10-14-6420	106319	\$ 42.39	10/24/2014	Cell phone usage 09/06/14 to 10/05/14
AT&T MOBILITY	10-21-6420	106319	\$ 410.43	10/24/2014	Mobile access for patrol units 9-3-14 to 10-02-14/PD
AT&T MOBILITY	10-21-6420	106319	\$ 456.33	10/24/2014	Cell phone usage 09/06/14 to 10/05/14
AT&T MOBILITY	10-22-6420	106319	\$ 25.44	10/24/2014	Cell phone usage 09/06/14 to 10/05/14
AT&T MOBILITY	10-33-6420	106319	\$ 33.81	10/24/2014	Cell phone usage 09/06/14 to 10/05/14
AT&T MOBILITY	10-44-6420	106319	\$ 31.43	10/24/2014	Cell phone usage 09/06/14 to 10/05/14
AT&T MOBILITY	10-45-6420	106319	\$ 81.48	10/24/2014	Cell phone usage 09/06/14 to 10/05/14
AT&T MOBILITY	22-20-6420	106319	\$ 3.49	10/24/2014	Cell phone usage 09/06/14 to 10/05/14
AT&T MOBILITY	60-50-6420	106319	\$ 276.08	10/24/2014	Cell phone usage 09/06/14 to 10/05/14
AT&T MOBILITY	63-56-6420	106319	\$ 169.22	10/24/2014	Cell phone usage 09/06/14 to 10/05/14
AT&T MOBILITY	69-47-6420	106319	\$ 10.29	10/24/2014	Cell phone usage 09/06/14 to 10/05/14
AT&T MOBILITY	73-70-6420	106319	\$ 31.45	10/24/2014	Cell phone usage 09/06/14 to 10/05/14
		106319 Total	\$ 1,736.85		
AT&T	10-07-6665	106320	\$ 15.99	10/24/2014	Fire alarm line/museum/SCADA/WWTP fax/PD fax lines 9-13-14 to 10
AT&T	10-14-6420	106320	\$ 5.86	10/24/2014	Analog line @ city hall 9-13-14 to 10-12-14
AT&T	10-14-6420	106320	\$ 48.04	10/24/2014	Fire alarm line/museum/SCADA/WWTP fax/PD fax lines 9-13-14 to 10
AT&T	10-21-6420	106320	\$ 19.32	10/24/2014	Fire alarm line/museum/SCADA/WWTP fax/PD fax lines 9-13-14 to 10
AT&T	60-50-6420	106320	\$ 5.86	10/24/2014	Analog line @ city hall 9-13-14 to 10-12-14
AT&T	60-50-6420	106320	\$ 17.08	10/24/2014	Fire alarm line/museum/SCADA/WWTP fax/PD fax lines 9-13-14 to 10
AT&T	63-56-6420	106320	\$ 5.85	10/24/2014	Analog line @ city hall 9-13-14 to 10-12-14
AT&T	63-56-6420	106320	\$ 47.51	10/24/2014	Fire alarm line/museum/SCADA/WWTP fax/PD fax lines 9-13-14 to 10
		106320 Total	\$ 165.51		
Avid Identification Systems, Inc	10-21-6308	106321	\$ 298.95	10/24/2014	Animal identification chips



AP Check Register October 24, 2014

Vendor	Fund-Dept-Acct	Check #	Amount	Check date	Description
		106321 Total	\$ 298.95		
BERTOLOTTI DISPOSAL	10-33-6220	106322	\$ 389.51	10/24/2014	Dump fess for 40 yrd trash bin @ corp yard/Sept 2014
BERTOLOTTI DISPOSAL	69-47-6220	106322	\$ 200.00	10/24/2014	Dump fess for 40 yrd trash bin @ corp yard/Sept 2014
		106322 Total	\$ 589.51		
Bill's Safe & Lock Security Center	10-21-6300	106323	\$ 68.21	10/24/2014	5 key fobs/PD
		106323 Total	\$ 68.21		
BUSINESS CARD	10-21-6200	106324	\$ 10.00	10/24/2014	ScheduleBase 10-20-14 to 11-19-14/PD
BUSINESS CARD	10-21-6300	106324	\$ 45.26	10/24/2014	Cleaning supplies for guns @ PD
BUSINESS CARD	10-21-6530	106324	\$ 12.00	10/24/2014	Car washPD
BUSINESS CARD	10-21-6690	106324	\$ 2.00	10/24/2014	Parking fee/PD
BUSINESS CARD	10-45-6735	106324	\$ 23.68	10/24/2014	Supplies for youth soccer
BUSINESS CARD	10-45-6735	106324	\$ 51.62	10/24/2014	Supplies for youth soccer
BUSINESS CARD	10-45-6739	106324	\$ 100.62	10/24/2014	Supplies for teen center snack bar
BUSINESS CARD	10-45-6740	106324	\$ 13.52	10/24/2014	Supplies for teen center
		106324 Total	\$ 258.70		
CALIF BUILDING STANDARDS	10-00-2620	106325	\$ 159.00	10/24/2014	SB 1473 fees payable/Jul-Sept 2014
CALIF BUILDING STANDARDS	10-00-5310	106325	\$ (15.90)	10/24/2014	SB 1473 fees payable/Jul-Sept 2014/retention
		106325 Total	\$ 143.10		
C B MERCHANT SERVICES,INC	63-56-6637	106326	\$ 6.85	10/24/2014	Bad debt payable/Sept 2014
		106326 Total	\$ 6.85		
CDW GOVERNMENT, INC	10-21-7105	106327	\$ 1,650.96	10/24/2014	HPProLiant Gen8 server/PD conversion to City of Oakdale
CDW GOVERNMENT, INC	10-21-7105	106327	\$ 4,089.76	10/24/2014	7) HP memory module kit Gen8/PD conversion to City of Oakdale
CDW GOVERNMENT, INC	10-21-7105	106327	\$ 466.56	10/24/2014	MicroSoft SLD win remote/PD
		106327 Total	\$ 6,207.28		
Ceiling Experts, Inc	10-00-5830	106328	\$ 40.00	10/24/2014	Refund of occupancy inspection fee not required/Ceiling Experts
		106328 Total	\$ 40.00		
Central Calif Irrigation District	60-50-6200	106329	\$ 768.57	10/24/2014	Cleaning of Miller Ditch/10/1/13 to 9/30/14
		106329 Total	\$ 768.57		
Chevron & Texaco Business Card Services	10-07-6500	106330	\$ 70.63	10/24/2014	Gas and diesel purchases 9-15-14 to 10-14-14
Chevron & Texaco Business Card Services	10-21-6500	106330	\$ 4,086.39	10/24/2014	Gas and diesel purchases 9-15-14 to 10-14-14
Chevron & Texaco Business Card Services	10-22-6500	106330	\$ 376.18	10/24/2014	Gas and diesel purchases 9-15-14 to 10-14-14
Chevron & Texaco Business Card Services	10-33-6500	106330	\$ 156.39	10/24/2014	Gas and diesel purchases 9-15-14 to 10-14-14
Chevron & Texaco Business Card Services	10-44-6500	106330	\$ 269.83	10/24/2014	Gas and diesel purchases 9-15-14 to 10-14-14
Chevron & Texaco Business Card Services	60-50-6500	106330	\$ 341.96	10/24/2014	Gas and diesel purchases 9-15-14 to 10-14-14
Chevron & Texaco Business Card Services	63-56-6500	106330	\$ 933.55	10/24/2014	Gas and diesel purchases 9-15-14 to 10-14-14
Chevron & Texaco Business Card Services	69-47-6500	106330	\$ 122.59	10/24/2014	Gas and diesel purchases 9-15-14 to 10-14-14
		106330 Total	\$ 6,357.52		
Churchwell White, LLP	10-15-6200	106331	\$ 1,500.00	10/24/2014	Legal services/August 2014
Churchwell White, LLP	10-15-6200	106331	\$ 2,177.27	10/24/2014	Legal services/July 2014



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		106331 Total	\$ 3,677.27		
City National Bank	60-50-8125	106332	\$ 9,804.60	10/24/2014	Interest payment/refinancing of 1999 COP for wastewater improvem
		106332 Total	\$ 9,804.60		
CSG Consultants, Inc	10-23-6215	106333	\$ 5,386.31	10/24/2014	Building permit issuance/Sept 2014
CSG Consultants, Inc	10-23-6215	106333	\$ 1,436.77	10/24/2014	Plan check services/Sept 2014
CSG Consultants, Inc	10-23-6215	106333	\$ 250.00	10/24/2014	CASp Inspects-Newman Mini Mart & Auto store/Sept 2014
CSG Consultants, Inc	10-23-6243	106333	\$ 75.00	10/24/2014	Bus lic inspects-Sunblest-Leo Auto Detail-CEAM/Sept 2014
		106333 Total	\$ 7,148.08		
CWEA Membership	63-56-6635	106334	\$ 156.00	10/24/2014	Calif Water Environment Assoc renewal/Millan
		106334 Total	\$ 156.00		
Dave's Drain Cleaning & Plumbing	10-07-6200	106335	\$ 150.00	10/24/2014	Ran the Hydro jetter numerous time from clean-out @ sidewalk/PD
		106335 Total	\$ 150.00		
Del Toro Ana	10-00-2841	106336	\$ 20.00	10/24/2014	Refund Pioneer Park deposit/Ana Del Toro
		106336 Total	\$ 20.00		
EARLE (NT) CHAD	10-21-6695	106337	\$ 30.00	10/24/2014	Per diem/POST Terroism training/Earle
		106337 Total	\$ 30.00		
ENVIRONMENTAL TECHNIQUES	60-50-6300	106338	\$ 3,540.00	10/24/2014	60 ProOxidizer/WWTP
		106338 Total	\$ 3,540.00		
Falco Construction	62-60-6225	106339	\$ 4,300.00	10/24/2014	Storm Water Lift station repairs @ Canyon Creek
		106339 Total	\$ 4,300.00		
FERGUSON ENTERPRISES, INC	63-56-6300	106340	\$ 474.39	10/24/2014	2 Breakable flange/8 barrel bolts & nuts/gaskets/couplings
		106340 Total	\$ 474.39		
FIREHOUSE MAGAZINE	10-22-6300	106341	\$ 49.95	10/24/2014	Two-year subscription to Firehouse Magazine
		106341 Total	\$ 49.95		
FRANKLIN PET CEMETERY & C	10-21-6208	106342	\$ 70.00	10/24/2014	Animal disposal clinic
FRANKLIN PET CEMETERY & C	10-21-6208	106342	\$ 7.60	10/24/2014	Animal disposal clinic
		106342 Total	\$ 77.60		
GEOANALYTICAL LAB, INC.	60-50-6200	106343	\$ 355.00	10/24/2014	BODD/TSS/Nitrate testing/WWTP/Sept 2014
GEOANALYTICAL LAB, INC.	63-56-6200	106343	\$ 440.00	10/24/2014	Weekly bacti/nitrate testing/Sept 2014
		106343 Total	\$ 795.00		
GOLDEN BY-PRODUCTS SCRAP	17-41-6200	106344	\$ 650.00	10/24/2014	28' trailer service for tire amnesty program during Fall Cleanup
		106344 Total	\$ 650.00		
GOSSELIN JASON	10-21-6695	106345	\$ 30.00	10/24/2014	Per diem "Terrorism training"/Gosselin
		106345 Total	\$ 30.00		
Gouveia Engineering, Inc	10-31-6200	106346	\$ 1,092.00	10/24/2014	Coordination with surveyor/The Villas Tentative map review
Gouveia Engineering, Inc	10-31-6200	106346	\$ 451.50	10/24/2014	Meeting with PW director-Rule 20A and CNG project
Gouveia Engineering, Inc	10-31-6200	106346	\$ 49.88	10/24/2014	Research prevailing wage for CNG project
Gouveia Engineering, Inc	10-31-6200	106346	\$ 496.13	10/24/2014	Researched PG&E easements Rule 20A
Gouveia Engineering, Inc	18-32-7739	106346	\$ 141.75	10/24/2014	Professional services Hwy 33 & Inyo



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Vendor	Fund-Dept-Acct	Check #	Amount	Check date	Description
Gouveia Engineering, Inc	24-32-7727	106346	\$ 190.00	10/24/2014	Prepare log sheets/attend bid opening/sent out plan holders list
Gouveia Engineering, Inc	24-32-7727	106346	\$ 2,831.40	10/24/2014	Work for bid opening of CNG Fast Fill fueling station
Gouveia Engineering, Inc	71-07-7505	106346	\$ 1,365.00	10/24/2014	Bid opening/bid pack review/prepare abstract/results/Memorial BI
		106346 Total	\$ 6,617.66		
Grand Lodge of California	40-07-8120	106347	\$ 1,040.07	10/24/2014	Interest payment on new city hall/Nov 14
Grand Lodge of California	40-07-8130	106347	\$ 598.17	10/24/2014	Principal payment on new city hall/Nov 14
Grand Lodge of California	60-50-8125	106347	\$ 1,040.07	10/24/2014	Interest payment on new city hall/Nov 14
Grand Lodge of California	60-50-8130	106347	\$ 598.16	10/24/2014	Principal payment on new city hall/Nov 14
Grand Lodge of California	63-56-8125	106347	\$ 1,040.07	10/24/2014	Interest payment on new city hall/Nov 14
Grand Lodge of California	63-56-8130	106347	\$ 598.16	10/24/2014	Principal payment on new city hall/Nov 14
		106347 Total	\$ 4,914.70		
HARD DRIVE GRAPHICS	71-21-7010	106348	\$ 409.54	10/24/2014	Black vinyl door& roof graphics/PD unit 510
		106348 Total	\$ 409.54		
HOUSE STEPHANIE	10-45-6739	106349	\$ 52.71	10/24/2014	Reimbursement for teen center snack bar supplies/House
		106349 Total	\$ 52.71		
J&E Janitorial and Handyman	10-07-6200	106350	\$ 200.00	10/24/2014	Cleaned & polished floors/cleaned bathrooms @ city hall
		106350 Total	\$ 200.00		
JORGENSEN & COMPANY	10-22-6200	106351	\$ 143.38	10/24/2014	Semi-annual service on ansul system @ Fire Dept kitchen
		106351 Total	\$ 143.38		
MEDINA AUTO REPAIR	10-44-6530	106352	\$ 43.06	10/24/2014	Oil & filter change/Kamal's truck
MEDINA AUTO REPAIR	60-50-6530	106352	\$ 14.35	10/24/2014	Oil & filter change/Kamal's truck
		106352 Total	\$ 57.41		
Merced County Tax Collector	60-50-6680	106353	\$ 1,081.90	10/24/2014	Property taxes 7/1/14 to 6/30/15/Orest Ro Por w1/2 SEC 21/7/9
Merced County Tax Collector	60-50-6680	106353	\$ 730.46	10/24/2014	Property taxes 7/1/14 to 6/30/15/Orest Ro Port SEC 16/7/9
Merced County Tax Collector	60-50-6680	106353	\$ 3,702.46	10/24/2014	Property taxes 7/1/14 to 6/30/15/Orest Ro Port SEC 16/7/9
Merced County Tax Collector	60-50-6680	106353	\$ 7,371.82	10/24/2014	Property taxes 7/1/14 to 6/30/15/Orest Ro Port S1/2 SEC 16/7/9
Merced County Tax Collector	60-50-6680	106353	\$ 70.92	10/24/2014	Property taxes 7/1/14 to 6/30/15/Orest Ro SOR SE 1/4 SEC 16/7/9
Merced County Tax Collector	60-50-6680	106353	\$ 463.54	10/24/2014	Property taxes 7/1/14 to 6/30/15/Orest Ro SOR SECS 9&16/7/9
Merced County Tax Collector	60-50-6680	106353	\$ 1,695.54	10/24/2014	Property taxes 7/1/14 to 6/30/15/POR Parcel 2 PM 54-18 SEC 17/7
Merced County Tax Collector	60-50-6680	106353	\$ 1,034.54	10/24/2014	Property taxes 7/1/14 to 6/30/15/Orest Ro Por E1/2 SEC 20/7/9
Merced County Tax Collector	60-50-6680	106353	\$ 4,148.98	10/24/2014	Property taxes 7/1/14 to 6/30/15/Orest Ro Por E1/2 of sw1/4 20/
Merced County Tax Collector	60-50-6680	106353	\$ 1,005.18	10/24/2014	Property taxes 7/1/14 to 6/30/15/Orest Ro Por E1/2 SEC 20/7/9
Merced County Tax Collector	60-50-6680	106353	\$ 1,607.16	10/24/2014	Property taxes 7/1/14 to 6/30/15/Orest Ro Por E1/2 of SW1/4 20
		106353 Total	\$ 22,912.50		
MID VALLEY IT, INC	10-14-6200	106354	\$ 715.60	10/24/2014	IT CONTRACT/FIN
MID VALLEY IT, INC	10-21-6200	106354	\$ 1,431.20	10/24/2014	IT CONTRACT/PD/Nov 2014
MID VALLEY IT, INC	60-50-6200	106354	\$ 715.60	10/24/2014	IT CONTRACT/SEWR
MID VALLEY IT, INC	63-56-6200	106354	\$ 715.60	10/24/2014	IT CONTRACT/WATR
		106354 Total	\$ 3,578.00		



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Vendor	Fund-Dept-Acct	Check #	Amount	Check date	Description
Monarrez Elida	10-00-2841	106355	\$ 80.00	10/24/2014	Refund of Sherman Park deposit/Monarrez
		106355 Total	\$ 80.00		
NEWMAN SMOG AND LUBE	10-21-6530	106356	\$ 41.12	10/24/2014	Brake light bulb/2011 Charger
NEWMAN SMOG AND LUBE	10-21-6530	106356	\$ 37.50	10/24/2014	Performed electrical grease repair on shift column/09 Charger
NEWMAN SMOG AND LUBE	10-21-6530	106356	\$ 496.17	10/24/2014	Lube & oil/rear brake rotor/13 Charger
NEWMAN SMOG AND LUBE	10-21-6530	106356	\$ 41.73	10/24/2014	Lube/oil and filter change/11 Chevy Tahoe
		106356 Total	\$ 616.52		
Nino's Auto Repair	60-50-6530	106357	\$ 75.38	10/24/2014	Changed fuse/fixed light bar/Chevy PU
		106357 Total	\$ 75.38		
North Star Engineering Group, Inc	18-32-7739	106358	\$ 6,041.25	10/24/2014	Engineering services on 12-1123 Inyo Ave & Hwy 33 project/Sept 2
		106358 Total	\$ 6,041.25		
CITY OF PATTERSON	10-03-6200	106359	\$ 660.00	10/24/2014	City Council video reimbursement/Sept 2014
		106359 Total	\$ 660.00		
P G & E	10-07-6410	106360	\$ 499.32	10/24/2014	Gas and electric @ 938 Fresno/9/8-10/6/14
P G & E	10-21-6510	106360	\$ 40.35	10/24/2014	Natural gas pumped @ CNG 9/11/14 to 10/10/14
P G & E	10-33-6510	106360	\$ 121.06	10/24/2014	Natural gas pumped @ CNG 9/11/14 to 10/10/14
P G & E	10-44-6510	106360	\$ 80.70	10/24/2014	Natural gas pumped @ CNG 9/11/14 to 10/10/14
P G & E	60-50-6410	106360	\$ 1,943.13	10/24/2014	Electric service 9/13-10/9/14/meter changeout
P G & E	60-50-6410	106360	\$ 499.32	10/24/2014	Gas and electric @ 938 Fresno St/9/8-10/6/14
P G & E	60-50-6510	106360	\$ 40.35	10/24/2014	Natural gas pumped @ CNG 9/11/14 to 10/10/14
P G & E	63-56-6410	106360	\$ (6.57)	10/24/2014	Electric service 8/17/14-9/16/14/meter changeout
P G & E	63-56-6410	106360	\$ 499.32	10/24/2014	Gas and electric @ 938 Fresno St/9/8-10/6/14
P G & E	63-56-6510	106360	\$ 40.34	10/24/2014	Natural gas pumped @ CNG 9/11/14 to 10/10/14
		106360 Total	\$ 3,757.32		
PROFORCE LAW ENFORCEMENT	10-21-6300	106361	\$ 489.64	10/24/2014	1000 rounds 12 gauge buckshot pellets/PD
		106361 Total	\$ 489.64		
R-SAFE SPECIALTY	10-33-6300	106362	\$ 34.44	10/24/2014	2 lime safety vests
R-SAFE SPECIALTY	63-56-6300	106362	\$ 17.22	10/24/2014	1 lime safety vest
		106362 Total	\$ 51.66		
Rist Fire Protection, LLC	10-07-6200	106363	\$ 375.00	10/24/2014	Cleaned kitchen exhaust system @ Memorial Bldg
		106363 Total	\$ 375.00		
SJVAPCD	60-50-6675	106364	\$ 34.00	10/24/2014	Convault annual permit fee @ WWTP
		106364 Total	\$ 34.00		
SHORT BRETT	10-21-6695	106365	\$ 30.00	10/24/2014	Per diem POST training "Terrorism training"/Short
		106365 Total	\$ 30.00		
Soundsapes Electric Security & Audio Video	10-07-6200	106366	\$ 195.00	10/24/2014	Alarm monitoring service @ City Hall Oct-Dec 2014
		106366 Total	\$ 195.00		
SPRINGBROOK SOFTWARE	10-14-6310	106367	\$ 268.67	10/24/2014	Monthly web payment/Sept 2014
SPRINGBROOK SOFTWARE	60-50-6310	106367	\$ 268.67	10/24/2014	Monthly web payment/Sept 2014



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Vendor	Fund-Dept-Acct	Check #	Amount	Check date	Description
SPRINGBROOK SOFTWARE	63-56-6310	106367	\$ 268.66	10/24/2014	Monthly web payment/Sept 2014
		106367 Total	\$ 806.00		
GORDON B. FORD	10-44-6680	106368	\$ 756.64	10/24/2014	Property taxes 2014-2014
GORDON B. FORD	10-44-6680	106368	\$ 756.64	10/24/2014	Property taxes 2014-2014
GORDON B. FORD	60-50-6680	106368	\$ 6,689.76	10/24/2014	Property taxes 2014-2014
GORDON B. FORD	60-50-6680	106368	\$ 1,364.54	10/24/2014	Property taxes 2014-2014
GORDON B. FORD	60-50-6680	106368	\$ 5,992.68	10/24/2014	Property taxes 2014-2014
GORDON B. FORD	69-47-6680	106368	\$ 12.74	10/24/2014	Property taxes 2014-2014
		106368 Total	\$ 15,573.00		
STANISLAUS COUNTY DEPT	10-00-2842	106369	\$ 603.50	10/24/2014	Bus ticket sales Jul-Sept 2014 payable
		106369 Total	\$ 603.50		
STAPLES ADVANTAGE	10-14-6300	106370	\$ 33.08	10/24/2014	paper/mini binder clips/correction tape/rubberbands/calculator t
STAPLES ADVANTAGE	10-21-6300	106370	\$ 212.48	10/24/2014	tape dispenser/copy paper/stapler/batteries/100pk DVD/PD
STAPLES ADVANTAGE	60-50-6300	106370	\$ 33.08	10/24/2014	paper/mini binder clips/correction tape/rubberbands/calculator t
STAPLES ADVANTAGE	63-56-6300	106370	\$ 33.09	10/24/2014	paper/mini binder clips/correction tape/rubberbands/calculator t
		106370 Total	\$ 311.73		
STOMAR EQUIPMENT	60-50-6200	106371	\$ 3,900.00	10/24/2014	Longreach excavating @ WWTP moving dirt and packing cobble stone
STOMAR EQUIPMENT	60-50-6200	106371	\$ 2,015.00	10/24/2014	Longreach excavating storm drain @ Canal School & Inyo
		106371 Total	\$ 5,915.00		
True Blue Veterinary Group	10-21-6208	106372	\$ 100.00	10/24/2014	Ovarian hysterectomy/Roxy
True Blue Veterinary Group	10-21-6208	106372	\$ 175.00	10/24/2014	Ovarian hysterectomy/Maddie/Neuter-Medy
True Blue Veterinary Group	10-21-6208	106372	\$ 75.00	10/24/2014	Neuter-Joe
True Blue Veterinary Group	10-21-6208	106372	\$ 900.00	10/24/2014	Monthly contract fee/Sept 2014
		106372 Total	\$ 1,250.00		
Turlock Journal	60-50-6600	106373	\$ 75.15	10/24/2014	Classified display ad/employment/account clerk 1
Turlock Journal	63-56-6600	106373	\$ 75.15	10/24/2014	Classified display ad/employment/account clerk 1
		106373 Total	\$ 150.30		
MUNOZ GAYLE	63-00-2010	106374	\$ 84.88	10/24/2014	Refund Check
		106374 Total	\$ 84.88		
UNIVAR USA, INC	63-56-6300	106375	\$ 129.23	10/24/2014	50 gals sodium hypochlorite delivered @ well 6
UNIVAR USA, INC	63-56-6300	106375	\$ 566.34	10/24/2014	190 gals sodium hypochlorite delivered @ well 8
UNIVAR USA, INC	63-56-6300	106375	\$ 129.23	10/24/2014	50 gals sodium hypochlorite delivered @ well 6
UNIVAR USA, INC	63-56-6300	106375	\$ 385.44	10/24/2014	120 gals sodium hypochlorite delivered @ well 8
UNIVAR USA, INC	63-56-6300	106375	\$ 465.56	10/24/2014	151 gals sodium hypochlorite delivered @ well 8
UNIVAR USA, INC	63-56-6300	106375	\$ 139.55	10/24/2014	54 gals sodium hypochlorite delivered @ well 6
UNIVAR USA, INC	63-56-6300	106375	\$ 188.64	10/24/2014	73 gals sodium hypochlorite delivered @ well 5
		106375 Total	\$ 2,003.99		
USA BLUEBOOK	60-50-6225	106376	\$ 358.13	10/24/2014	Solberg element filter paper for blowers/WWTP
USA BLUEBOOK	60-50-6300	106376	\$ 430.47	10/24/2014	25lb pail grease control bacteria/WWTP



AP Check Register October 24, 2014

Vendor	Fund-Dept-Acct	Check #	Amount	Check date	Description
USA BLUEBOOK	60-50-6300	106376	\$ 581.65	10/24/2014	4 leather gloves/25lb paid grease control bacteria/Solberg /WWTP
		106376 Total	\$ 1,370.25		
UNITED STATES POSTMASTER	10-21-6330	106377	\$ 98.00	10/24/2014	2 rolls postage stamps/PD
		106377 Total	\$ 98.00		
VULCAN MATERIALS COMPANY	24-32-7727	106378	\$ 227.06	10/24/2014	1 yard concrete for sidewalk repair
		106378 Total	\$ 227.06		
MATTOS NEWSPAPERS, INC.	10-01-6300	106379	\$ 91.48	10/24/2014	250 Business cards/Roberta Davis
MATTOS NEWSPAPERS, INC.	60-50-6600	106379	\$ 34.25	10/24/2014	Employment ad/account clerk 1
MATTOS NEWSPAPERS, INC.	60-50-6600	106379	\$ 30.00	10/24/2014	Public notice solicitation for bid vacuum system
MATTOS NEWSPAPERS, INC.	63-56-6600	106379	\$ 34.25	10/24/2014	Employment ad/account clerk 1
MATTOS NEWSPAPERS, INC.	63-56-6600	106379	\$ 30.00	10/24/2014	Public notice solicitation for bid vacuum system
		106379 Total	\$ 219.98		
YANCEY LUMBER COMPANY	10-21-6307	106380	\$ 50.58	10/24/2014	Nutro Lamb & Rice dog food
		106380 Total	\$ 50.58		
		Grand Total	\$ 132,520.08		



Manual Check Register

October 24, 2014

Vendor	Fund-Dept-Acct	Check #	Amount	Check Date	Description
BUSINESS CARD	10-33-6690	106315	\$ 4.00	10/21/2014	Parking/Kim
		106315 Total	\$ 4.00		
CRWA	60-50-6690	106314	\$ 125.00	10/21/2014	HACH Water training registration 10/29/14/Escatel
		106314 Total	\$ 125.00		
		Grand Total	\$ 129.00		



Manual Check Register

October 28, 2014

Vendor	Fund-Dept-Acct	Amount	Check #	Check Date	Description
Harris Builders, Inc	71-07-7505	\$ 16,387.50	106393	10/24/2014	Memorial Bldg renovation/Application payment #1
		\$ 16,387.50	106393 Total		
		\$ 16,387.50	Grand Total		



MINUTES
NEWMAN CITY COUNCIL
SPECIAL MEETING OCTOBER 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, Candea, Martina And Mayor Katen.
ABSENT: None.
3. **Items From The Public** - None.
4. **Adjourn To Closed Session** - 6:31 P.M.
 - a. Conference With Legal Counsel, Potential Litigation Pursuant To California -Government Code Section 54956.9(d)(2), (1 Case).
 - b. Return To Open Session - 6:58 P.M.

No Reportable Action Was Taken.

5. Adjournment.

ACTION: On Motion By Hutchins Seconded By Candea, The Meeting Was Adjourned At 6:58 P.M. By The Following Vote: AYES: Davis, Hutchins, Candea, Martina And Mayor Katen; NOES: None; ABSENT: None; NOT PARTICIPATING: None.



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

1. **Call To Order** - Mayor Katen 7:03 P.M.
2. **Pledge Of Allegiance.**
3. **Invocation** - Council Member Hutchins.
4. **Roll Call - PRESENT:** Davis, Hutchins, Candea, Martina And Mayor Katen.
ABSENT: None.
5. **Declaration Of Conflicts Of Interest** - None.
6. **Ceremonial Matters** - None.
7. **Items from the Public - Non-Agenda Items** - None.
8. **Consent Calendar**
 - a. Waive All Readings Of Ordinances And Resolutions Except By Title.
 - b. Approval Of Warrants.
 - c. Approval Of Minutes Of The September 23, 2014 Meeting.

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

9. Public Hearings

- a. Adopt Resolution No. 2014-57, A Resolution Declaring The Existence Of A Public Nuisance Under Ordinance No. 95-4.

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

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

ACTION: On Motion By Hutchins Seconded By Davis, Resolution No. 2014-57, A Resolution Declaring The Existence Of A Public Nuisance Under Ordinance No. 95-4, Was Adopted By The Following Vote: **AYES:** Davis, Hutchins, Candea, Martina And Mayor Katen; **NOES:** None; **ABSENT:** None; **NOT PARTICIPATING:** None.

- b. Second Reading And Adoption Of Ordinance No. 2014-8, Amending Title 3, Business Regulations, Chapter 3.03 Peddlers And Solicitors, Of The Newman City Code And Authorize Staff To Publish A Summary Of Said Ordinance.

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

Council Member Hutchins Asked If The City Could Require A Badge Or Some Other Type Of Identification.

City Attorney Goldstein Noted That A Form Of Identification Was Not Included In The Proposed Ordinance For Constitutional Reasons.

Mayor Katen Noted That He Shared Council Member Hutchins Concerns But Stated The City Needed To Remain Within The Confines Of The Law.

Council Member Hutchins Asked Staff To Actively Educate The Community About The New Requirements Of The Ordinance.

There Being No Further Public Comment, Katen Closed The Public Hearing At 7:17 P.M.

ACTION: Ordinance No. 2014-8, Amending Title 3, Business Regulations, Chapter 3.03 Peddlers And Solicitors, Of The Newman City Code, Had Its Second Reading By Title Only. On A Motion By Martina Seconded By Candea, Said Ordinance Was Adopted And Staff Was Authorized To Prepare And Publish A Summary Of The Ordinance By The Following Vote: AYES: Davis, Hutchins, Candea, Martina And Mayor Katen; NOES: None; ABSENT: None; NOT PARTICIPATING: None.

10. Regular Business

- a. Adopt Resolution No. 2014-58, A Resolution Revising The Adopted Building Permit Fee Schedule.

ACTION: On Motion By Candea Seconded By Hutchins, Resolution No. 2014-58 , A Resolution Revising The Adopted Building Permit Fee Schedule, Was Adopted By The Following Vote: AYES: Davis, Hutchins, Candea, Martina And Mayor Katen; NOES: None; ABSENT: None; NOT PARTICIPATING: None.

- b. Adopt Resolution No. 2014-59, A Resolution Approving An Agreement With Tesco Controls, Inc. To Provide Professional Services For The Water And Sewer SCADA Systems Improvement Project And Authorize The City Manager To Execute Said Agreement And Associated Documents.

Chris Abrams With Tesco Systems Noted That His Company Is Proposing That The City Combine The Water And Sewer SCADA Systems. Abrams Stated That The System Came With An Eighteen (18) Month Warranty And That The PLC Actually Had A Twenty (20) Year Warranty.

Council Member Candea Asked What Our Current Cost Annual Costs Were For Our Existing Systems.

City Manager Holland Noted That Staff Did Not Have That Exact Number At That Time.

Public Works Director Him Noted That The New System Would Result In An Annual Savings Of Five-Hundred Seventy-Two (572) Staff Hours.

ACTION: On Motion By Hutchins Seconded By Davis, Resolution No. 2014-59, A Resolution Approving An Agreement With Tesco Controls, Inc. To Provide Professional Services For The Water And Sewer SCADA Systems Improvement Project For An Amount Not To Exceed \$150,000.00 And Authorizing The City Manager To Execute Said Agreement And Associated Documents, Was Adopted By The Following Vote: AYES: Davis, Hutchins, Candea, Martina And Mayor Katen; NOES: None; ABSENT: None; NOT PARTICIPATING: None.

- c. First Reading And Introduction Of Ordinance No. 2014- , Amending Title 1 Administrative, Title 4 Building Regulations, Title 6 Subdivisions, Title 8 Health And Sanitation And Title 11 Public Ways And Property Of The Newman Municipal Code.

ACTION: On Motion By Davis Seconded By Martina, Ordinance No. 2014- , Amending Title 1 Administrative, Title 4 Building Regulations, Title 6 Subdivisions, Title 8 Health And Sanitation And Title 11 Public Ways And Property Of The Newman Municipal Code, Was Introduced By Council Member Davis, And Had Its First Reading By Title Only, By The Following Vote: AYES: Davis, Hutchins, Candea, Martina And Mayor Katen; NOES: None; ABSENT: None; NOT PARTICIPATING: None.

11. Items From District Five Stanislaus County Supervisor.

Supervisor DeMartini Reminded Everyone That The Weigh-Out For The Biggest Loser Contest Would Be On Thursday October 16th In Patterson. DeMartini Mentioned That Stanislaus County Would Be Hosting Two Scoping Meetings Regarding The Crows Landing Air Base. He Stated That The Meetings Would Be On October 23rd And October 30th And That The County Would Be Accepting Comments Regarding The Air Base Until November 13th. DeMartini Concluded By Noting That The Westley Triangle Project Was Approximately Two-Thirds Complete.

12. Items From The City Manager And Staff.

City Manager Holland Reminded Everyone That It Was Citywide Fall Cleanup Week And Noted That The Cleanup Would Conclude On Saturday, October 18th. Holland Stated That The City Would Soon Begin To Advertise The Newly Adopted Do Not Knock Registry. He Mentioned That A Measure Z Informational Flyer Was Now Posted On The City's Website.

Chief Richardson Indicated That Staff From Both Newman And Oakdale Had Met With D.O.J. Staff In Sacramento Regarding The City's Dispatch Changes. Richardson Reported That The Equipment Needed For The Dispatch Conversion Had Been Ordered.

Public Works Director Kim Noted That Approximately Ten (10) Residents Had Asked To Keep Their Trees Along Sherman Ditch.

13. Items From City Council Members.

Mayor Pro Tem Martina Stated That He Liked The Idea Of Body Cameras On Police Officers And That He Thinks The City Should Pursue The Technology. Martina Congratulated The S.F. Giants On Their Most Recent Win.

Mayor Katen Noted That It Was Homecoming Week At The High School. Katen Mentioned That He Had Served As A Moderator For Patterson's Soroptimist Candidate's Night And Enjoyed Serving In That Capacity For The Soroptimist Club..

14. Adjournment.

ACTION: On Motion By Hutchins Seconded By Martina, The Meeting Was Adjourned At 7:59 P.M. By The Following Vote: AYES: Davis, Hutchins, Candea, Martina And Mayor Katen; NOES: None; ABSENT: None; NOT PARTICIPATING: None.

Honorable Mayor and Members
of the Newman City Council

**AUTHORIZATION OF FINANCE DIRECTOR TO SUBMIT LOCAL TRANSPORTATION
FUND CLAIM FOR FISCAL YEAR 2014/15 OTHER PURPOSES**

RECOMMENDATION:

It is recommended that the City Council:

1. Adopt Resolution 2014- , approving the Local Transportation Fund Claim for FY 2014/15 Other Purposes; and
2. Authorize the Finance Director to execute the claim on behalf of the City of Newman.

BACKGROUND:

Each fiscal year, in accordance with the Transportation Development Act, the Stanislaus Council of Governments, acting as administrator, allocates an amount to each City and County for qualified transportation projects. Cities must submit claims based on calculated eligible amounts and budgeted projects. To claim those funds we need to submit this 2014/15 Claim. Once the Newman City Council approves the claim it will be submitted to the StanCOG Policy Board for approval.

ANALYSIS:

The item before the Council is a request for approval to submit the Local Transportation Development Act (TDA) Claim to StanCOG. This process will obtain the City's allocation of Local Transportation Funding for Other Purposes. The claim for \$179,381 is to provide for bicycle and pedestrian facilities, the City's portion of South County Corridor Study, repairs on streets including potholing, and sidewalk repairs at various locations throughout our City.

FISCAL IMPACT:

There is no cost in submitting the claim. The claim will provide the City with a total of \$179,381 to offset costs.

CONCLUSION:

This staff report is submitted for City Council consideration and possible action.

ATTACHMENTS:

1. Resolution 2014- ,
2. StanCOG LTF Claim forms for Fiscal Year 2014/15 Other Purposes

Respectfully submitted,



Lewis A. Humphries
Finance Director

REVIEWED/CONCUR:



Michael E. Holland
City Manager

RESOLUTION NO. 2014-

**A RESOLUTION APPROVING THE LOCAL TRANSPORTATION FUND CLAIM FOR
FY 2014/15 OTHER PURPOSES AND AUTHORIZING THE FINANCE DIRECTOR TO
EXECUTE THE SAME ON BEHALF OF THE CITY OF NEWMAN**

WHEREAS, the Stanislaus Council of Governments has presented to the City Council of the City of Newman the claim form for funds to be paid from the Local Transportation Fund for the fiscal year 2014-15; and

WHEREAS, the City Council of the City of Newman approves said amount and agrees that a claim in said sum should be submitted to the Stanislaus Council of Governments;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newman that the 2014/15 Local Transportation Fund Claim for Other Purposes to the Stanislaus Council of Governments in the amount of \$179,381 is hereby approved, and authorizes the Finance Director to execute the transportation claim on behalf of the City of Newman.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 28th day of October, 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

**TRANSPORTATION DEVELOPMENT ACT
LOCAL TRANSPORTATION FUND
CLAIM FOR FISCAL YEAR 2014/15 OTHER PURPOSES**

TO: Stanislaus Council of Governments
1111 I Street, Suite 308
Modesto, CA 95354

FROM: Applicant: City of Newman
Address: 938 Fresno Street
City: Newman Zip: 95360
Contact Person: Lew Humphries Phone: (209) 862-3725
E-mail Address: lhumphries@cityofnewman.com Fax: (209) 862-3199

The City of Newman hereby requests, in accordance with the Transportation Development Act and applicable rules and regulations, that its claim for other purposes be approved in the amount of \$179,381 for fiscal year 2014/15, to be drawn from the Local Transportation Fund.

When approved, please transmit this claim to the County Auditor for payment. Approval of the claim and payment by the County Auditor to this applicant is subject to such monies being on hand and available for distribution, and to the provisions that such monies will be used only in accordance with the terms contained in the approving resolution to the Stanislaus Council of Governments.

The claimant certifies that this Local Transportation Fund claim and the financial information contained therein is reasonable and accurate to the best of my knowledge and conforms with the requirements of the Transportation Development Act and applicable rules and regulations.

Submitted by: Lew Humphries

Title: Finance Director

Date: _____

StanCOG Board of Directors:

Date of approval: _____

Resolution #: _____

StanCOG Approving Authority

**LOCAL TRANSPORTATION FUND
CLAIM FOR OTHER PURPOSES
FY 2014/15**

TABLE 1

1.	Planning, Local --PUC 99262/99402	\$ -
2.	Transit _____ *	\$ -
3.	Streets and Roads --PUC 99400 (a)	\$ 171,432
4.	Nonmotorized - 2% LTF funds --PUC 99233.2/99234	\$ 7,949
5.	Nonmotorized - Other LTF funds --PUC 99233.2/99234	\$ -
6.	TOTAL CLAIM	\$ 179,381

This table is to be filled out by StanCOG staff

City of Newman**Total LTF available to be claimed for other purposes:**

FY 2014/15 Nonmotorized apportionment	\$ 7,603
FY 2013/14 Nonmotorized supplemental	\$ 346
Total 2% Nonmotorized	\$ 7,949
FY 2014/15 Other Purposes apportionment	\$ 154,470
FY 2013/14 Other Purposes supplemental	\$ 16,962
Total Other Purposes	\$ 171,432
Total available to be claimed at this time	\$ 179,381

* If you have proposed transit expenditures, please fill in the appropriate PUC Code.

**NONMOTORIZED PROJECTS
FY 2014/15**

(Use additional forms if necessary)

**TABLE 2
BREAKDOWN BY PROJECT**

BRIEFLY DESCRIBE PROJECTS AND EXPENDITURES INCLUDED IN THE 3 YEAR PERIOD BELOW										
ID	PROJECT TITLE	MODE			FOR BIKE PROJECTS ONLY		2012/13 ACTUAL EXPENDITURES	2013/14 ESTIMATED EXPENDITURES	2014/15 CLAIM	ACTUAL / ESTIMATED EXPENDITURES FOR 3 YEAR PERIOD
		B I K E	P E D	P L A N	PROJECT IN StanCOG's BIKE PLAN *	PROJECT IN CITY/CO BIKE PLAN *				
	Bicycle Lane Maintenance	X			Yes	Yes	\$4,500.00	\$3,750.00	\$3,974.00	\$12,224.00
	Sidewalk Repair		X				\$3,142.00	\$4,080.00	\$3,975.00	\$11,197.00
							\$0.00	\$0.00	\$0.00	\$0.00
							\$0.00	\$0.00	\$0.00	\$0.00
							\$0.00	\$0.00	\$0.00	\$0.00
TOTAL FUNDS APPROPRIATED TO PROJECTS							\$7,642.00	\$7,830.00	\$7,949.00	\$23,421.00

**TABLE 3
BREAKDOWN BY CATEGORY**

RECORD LTF FUNDS ONLY							
	% of Total Expenditures	2010/11 Actual	2011/12 Actual	2012/13 Actual	2013/14 Estimate	2014/15 Claim	5 Year Total
Bicycle facilities	50.00%	\$4,300.00	\$3,911.00	\$4,500.00	\$3,750.00	\$3,974.00	\$20,435.00
Pedestrian facilities	50.00%	\$6,423.00	\$2,814.00	\$3,142.00	\$4,080.00	\$3,975.00	\$20,434.00
Preparation of Bicycle Plan	0.00%	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL AMOUNT OF BIKE/PED EXPENDITURES		\$10,723.00	\$6,725.00	\$7,642.00	\$7,830.00	\$7,949.00	\$40,869.00

DOES THIS CLAIM MEET THE MINIMUM 50% BICYCLE EXPENDITURE STANCOG PERFORMANCE STANDARD? YES

StanCOG 50% bicycle expenditure requirement: The 5 year bicycle expenditures must be 50% or greater.

**TABLE 4
FUNDS HELD IN RESERVE AT JURISDICTION**

RECORD LTF FUNDS ONLY				
	2010/11	2011/12	2012/13	2013/14
Fiscal year beginning fund balance	\$0.00	\$0.00	\$0.00	\$0.00
Plus fiscal year 2% nonmotorized claim	\$10,723.00	\$6,725.00	\$7,642.00	\$7,830.00
Plus interest	\$0.00	\$0.00	\$0.00	\$0.00
Minus nonmotorized expenditures	(\$10,723.00)	(\$6,725.00)	(\$7,642.00)	(\$7,830.00)
Fiscal year ending fund balance	\$0.00	\$0.00	\$0.00	\$0.00

1. Prior year(s) LTF carryover held by jurisdiction applied towards FY 2014/15 Nonmotorized claim (TABLE 4)	\$0
2. Interest earned on previously paid LTF funds held by jurisdiction (required by State law) (TABLE 4)	\$0
3. FY 2014/15 Nonmotorized 2% funds applied towards FY 2014/15 projects (must match Page 2, Line 4)	\$7,949
4. FY 2014/15 Other LTF funds applied towards Nonmotorized claim (must match Page 2, Line 5)	\$0
5. FY 2014/15 Nonmotorized 2% funds to be held at StanCOG	\$0
6. Total of lines #1 through #5 above	\$7,949

*** SEE PAGE 3b FOR NONMOTORIZED REGULATIONS/POLICIES AND NOTES**

NONMOTORIZED PROJECTS
FY 2014/15
(Continued)

NONMOTORIZED REGULATION/POLICY REMINDERS:

- A. State law allows a jurisdiction to use LTF to update a Bicycle Action Plan once every five years (PUC 99234(h)).
- B. State law allows a jurisdiction to use up to 20% of the amount available each year to restripe Class II bicycle lanes (PUC 99234(h)).
- C. State law allows a jurisdiction to use up to 5% of the amount available each year to supplement moneys from other sources to fund bicycle safety education programs, but the funds shall not be used to fully fund the salary of any one person (PUC 99233.3).
- D. All funds must be spent within five years of receipt. Over the five-year period shown in Table 3, at least 50% of funds must be spent for bicycle purposes. StanCOG will not allocate funds to any jurisdiction which is in violation of these policies.

NOTES:

- * By StanCOG policy, all bike projects must appear in either StanCOG's Bicycle Action Plan, or in a City or County bicycle plan, to be eligible for LTF funding.
- ** Beginning with FY 2003/04, nonmotorized funds will only be allocated by StanCOG for specific projects. If no project is identified, funds will be held in reserve at StanCOG for eventual use by that jurisdiction.

**ANNUAL PROJECT AND FINANCIAL PLAN
PROJECTS FOR OTHER PURPOSES
FY 2014/15**

(Use additional forms as necessary)

TABLE 5

Briefly describe all proposed projects and indicate proposed project expenditures					
Project Title & Brief Description	Will this Project add new travel lanes? Yes or No	Will this Project use Federal Funds? Yes or No	Is this Project consistent with the RTP Yes or No	Total Project Cost	LTF Funds Utilized
City's Portion of the South County Corridor Study	No	No	Yes	\$ 6,000	\$ 6,000
Repairs on streets at various locations including potholing, throughout City.	No	No	Yes	\$ 150,000	\$ 150,000
Repairs on sidewalks including replacement and saw cutting at various locations	No	No	Yes	\$ 15,432	\$ 15,432
TOTAL				171,432.00	171,432.00

- | | |
|---|------------|
| 1. LTF carryover applied towards FY 2014/15 Other Purposes | - |
| 2. Interest earned on LTF carryover (required by State law) | - |
| 3. FY 2014/15 apportionment applied towards FY 2014/15 Other Purposes | 171,432.00 |
| 4. Total of Lines 1, 2 and 3 above | 171,432.00 |

REPORT ON NUISANCE ABATEMENT

RECOMMENDATION:

Adopt Resolution No. 2014- , Declaring The Existence Of A Public Nuisance Under Ordinance No. 95-4.

BACKGROUND:

Abatement notices for property maintenance were sent to several properties in accordance with Ordinance 95-4, Chapter 2, Title 8-2-3.

ANALYSIS:

This notice informs property owners of all nuisance abatement procedures, option and their right to object at a public hearing. It is anticipated that many property owners will comply with the abatement notices prior to the hearing date. A final compliance survey will be done on Monday, October 27, 2014. A list of properties that have not complied with the abatement notice will be handed out at the council meeting prior to the public hearing.

FISCAL IMPACT:

None

CONCLUSION:

This staff report is submitted for City Council consideration and possible future action.

ATTACHMENTS:

1. Resolution No. 2014- , a resolution declaring the existence of a public nuisance
2. Exhibit A – Abatement List

Respectfully submitted,



Randy Richardson
Chief of Police

REVIEWED/CONCUR:



Michael Holland
City Manager

RESOLUTION NO. 2014-

**A RESOLUTION DECLARING THE EXISTENCE OF A PUBLIC NUISANCE UNDER
ORDINANCE NO. 95-4**

WHEREAS, the Chief of Police has reported a nuisance as outlined in Section 8-2-2 of the Newman Municipal Code located and existing upon property in the City of Newman in violation of Ordinance No. 95-4 of the City of Newman, a description of said property being attached hereto and made a part of this resolution by this reference; and,

WHEREAS, the Chief of Police caused notice to be mailed to the respective owners of the subject properties as in said Ordinance provided, said notice giving notice to abate said nuisance and setting a time and place for hearing objections to the proposed abatement; and,

WHEREAS, said hearing was held on October 28, 2014, at 7:00 p.m., as in said notice provided; and,

WHEREAS, no objections to the proposed abatement were received at said hearing.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newman that said City Council of the City of Newman finds that a condition exists with regard to the properties in said City which is dangerous to life, limb and property, and to the public health, safety and morals, in that weeds, rubbish, dirt and rank growth are growing, located and existing upon said property in violation of the provisions of Ordinance No. 95-4 of the City of Newman, which endangers and may injure neighboring property and endangers and injures the welfare of residents in the vicinity of said property, and which is a fire hazard; that a description of said properties is attached hereto and made a part of this resolution by this reference.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 28th day of October, 2014 by Council Member _____, who moved its adoption, which motion was duly seconded and was adopted upon roll call vote.

AYES:
NOES:
ABSENT:

APPROVED:

Mayor

ATTEST:

Deputy City Clerk

City of Newman
Abatement list

1. 673 Fig Lane

There are weeds, trailers and vehicles throughout the front yard and side yard of the property.

2. 407 Parliament

Location of shed in the backyard does not meet Newman Municipal Code standards.



10.21.2014 13:53



10.21.2014 13:53



09.17.2014 11:08



09.17.2014 11:08

REPORT ON PROPOSED ORDINANCE AMENDING TITLE 1 ADMINISTRATIVE, TITLE 4 BUILDING REGULATIONS, TITLE 6 SUBDIVISIONS, TITLE 8 HEALTH AND SANITATION AND TITLE 11 PUBLIC WAYS AND PROPERTY OF THE NEWMAN MUNICIPAL CODE

RECOMMENDATION:

1. Conduct Public Hearing
2. Conduct Second Reading of Ordinance No. 2014- , Amending Title 1 Administrative, Title 4 Building Regulations, Title 6 Subdivisions, Title 8 Health And Sanitation And Title 11 Public Ways And Property, of the Newman Municipal Code (NMC).
3. Adopt Ordinance and authorize staff to publish a summary of said ordinance.

BACKGROUND:

As part of a continuing effort to keep the City's Municipal Code updated, staff has discovered several Municipal Code sections that are in need of amendment. Some of these code sections date back several decades and as the City has grown, the need for revision has increased due to shifted responsibilities, different staffing levels and the creation of new positions. As a result, Staff is proposing amendments to the Municipal Code that will clean-up existing language as well as update fees and deposit amounts in relation to various code sections. The first reading of Ordinance 2014- , amending Title 1 Administrative, Title 4 Building Regulations, Title 6 Subdivisions, Title 8 Health And Sanitation And Title 11 Public Ways And Property, was held on October 14, 2014.

ANALYSIS:

The proposed ordinance will clean-up outdated and incorrect language in the Municipal Code thereby resulting in a code that more accurately reflects the City's current organizational structure and processes. The amendments to Titles 1, 4 and 11 are primarily designed to update and correctly identify the duties of specific positions and/or Departments while the revision to Title 8 is to correct a typographical error. A modification to Title 4 also includes revising House Mover insurance requirements to comply with current RMA insurance standards.

Specific revisions pertaining to fee or deposit amounts are as follows:

- §4.05.021.B Application Fee – was increased from \$100.00 to \$375.00 in keeping with the standard adopted fee structure for Public Hearings (i.e. residential use permits).
- §4.05.031.B. Application Fee - was increased from \$25.00 to \$50.00 to cover the costs associated with processing the application.
- §4.05.034 Procedure for house movers - the deposit was increased from \$150.00 to \$500.00 to better ensure that the deposit amount is sufficient to cover actual costs.
- §4.05.033 House mover's permit, §4.05.042 Procedure for house movers, and §4.05.043 Procedure for house movers – were modified to include language about charging a fully burdened hourly rate instead of the insufficient and out dated specifically identified rates.
- §11.07.080.F. Rights reserved to the City – Appeal filing fee of \$15.00 was increased to \$150.00, to comply with already adopted appeal fee amount.

All of the aforementioned fee/deposit changes were made in an effort to ensure that the charges cover the cost of services provided.

FISCAL IMPACT:

Costs associated with the adoption of this ordinance are nominal and the proposed changes would result in a negligible amount of additional revenue. Any fiscal impact would be positive but immaterial.

CONCLUSION:

The proposed ordinance will clean-up outdated and incorrect language in the Municipal Code thereby resulting in a code that accurately reflects the City's current business practices. Therefore, staff recommends that the Council hold the public hearing, waive the second reading, adopt Ordinance No. 2014- , amending Title 1 Administrative, Title 4 Building Regulations, Title 6 Subdivisions, Title 8 Health And Sanitation And Title 11 Public Ways, of the Newman Municipal Code and authorize staff to publish a summary of said Ordinance.

ATTACHMENTS:

1. Proposed Ordinance No. 2014-

Respectfully submitted,



Mike Maier
Deputy City Clerk

REVIEWED/CONCUR



Michael Holland
City Manager

ORDINANCE NO. 2014-

AN ORDINANCE OF THE CITY OF NEWMAN AMENDING TITLE 1 ADMINISTRATIVE, TITLE 4 BUILDING REGULATIONS, TITLE 6 SUBDIVISIONS, TITLE 8 HEALTH AND SANITATION AND TITLE 11 PUBLIC WAYS AND PROPERTY OF THE NEWMAN MUNICIPAL CODE.

The City Council of the City of Newman does ordain as follows:

SECTION 1.

That Title 1 ADMINISTRATIVE, Section 1.06.020 Administrative head of City, of the Newman City Code be amended as follows:

1.06.020 Administrative head of City.

The City Manager shall be the administrative head of the City government under the direction and control of the Council, except as otherwise provided in this chapter. He shall also serve as the ~~City Clerk~~, Chief Financial Officer and Director of Public Safety. He shall have authority over all department heads and employees except the City Treasurer and City Attorney.

SECTION 2.

That Title 4 BUILDING REGULATIONS, Chapter 4.05 MOVING BUILDINGS, of the Newman City Code be amended as follows:

4.05.010 House mover's and relocation permits.

A. Defined.

1. No person shall move any building or structure or any portion thereof over, upon, along or across any public street, alley or sidewalk without a written permit therefor from the ~~office of the City Clerk~~ *City Planning Department*. Such permit may be referred to as a "house mover's permit."
2. No person shall relocate any building or structure or any portion thereof upon any premises in the City without a permit therefor. Such permit may be referred to as a "relocation permit."

B. Permits Required. No house mover's permit shall be issued until the ~~City Clerk~~ *Planning Director or his/her designee* has first issued to the owner of the premises to which the building is to be moved a relocation permit. No relocation permit shall be required if the building or structure is to be moved to a place located outside the limits of the City or if the building or structure is to be used by a governmental agency for a governmental purpose.

4.05.021 Relocation permits – Application for permit.

A. Every application to the ~~City Clerk~~ *Planning Department* for a relocation permit shall be in writing upon a form furnished by the City ~~Clerk~~ and shall set forth such information as may be reasonably required in order to carry out the purposes of this chapter. The application shall have attached thereto:

1. Photograph of the building of not less than eight inches by 10 inches in dimension of all sides of such building or structure, showing the general architectural design and appearance thereof.
2. Plot plan showing proposed location of building.
3. Plan of reconstruction.
4. Written report of a licensed pest control operator showing whether there is infestation, infection or damage to the building, or any hazardous or dangerous conditions to the structure related to wood-destroying organisms.

B. Such application shall be filed with the ~~City Clerk~~ *Planning Department* accompanied by an application fee of ~~\$100.00~~ \$375.00. The application fee shall be in addition to the regular building permit fee required in the City Building Code.

4.05.022 Relocation permits – Investigation of applicant.

A. Upon the filing of the application, the City Clerk shall refer the matter to the Planning Commission of the City for its review, and no such permit shall be issued until the same has been approved by said body. The Planning Commission shall set a hearing thereon. Written notice of the time and place of such hearing shall be mailed to the known owners of property within a radius of 300 feet of the property to which said building is to be moved, and notice thereof shall also be posted on said proposed location. Such notice mailed and posted shall set forth the character of the building to be moved, and the place from which and the place to which it is to be moved, in addition to the time and place of hearing upon the application. Such mailing and posting of notices shall be completed at least 10 days before the date of said hearing.

B. Any person aggrieved by the decision of the Planning Commission upon any application for a permit as herein provided may, within 15 days from the date said action is taken by the Planning Commission, appeal to the City Council. Said appeal shall be in writing and filed with the City Clerk. Upon the filing of any such appeal the same shall be set for hearing before the City Council and notice of the time and place of such hearing and the purpose thereof shall be given by the mailing of notices to the owners of all property within a radius of 300 feet of the property to which any building or structure is to be moved, and to the applicant. Such mailing of notices shall be completed at least 10 days before the date of said hearing. After such hearing by the City Council, the City Council may grant or deny the application or may modify in any particular the action taken by the Planning Commission.

4.05.023 Relocation permits – Issuance of permit denied.

No permit shall be issued to relocate any building or structure which in the opinion of the Planning Commission is so constructed or in such condition as to be dangerous; or which is infested with pests or unsanitary; or which, if it be a dwelling or habitation, is unfit for human habitation; or which is so dilapidated, defective, unsanitary or in such a condition of deterioration or disrepair that its relocation at the proposed site would be materially detrimental to the property or improvements in the district within a radius of 300 feet from the proposed site; or if the proposed use is prohibited by the zoning laws of the City; or if the structure is of a type prohibited, at the proposed location, by any fire district ordinance, or by any other law or ordinance; provided, however, that if the condition of the building or structure in the judgment of the Planning Commission admits of practicable and effective repair, the permit may be issued subject to appropriate conditions as hereinafter provided. If the unlawful, dangerous or defective condition of the building or structure proposed to be relocated is such that remedy or correction cannot practicably and effectively be made, the permit shall be denied.

4.05.024 Relocation permits – Issuance of permit.

If the granting of a permit is not prohibited by NCC 4.05.023, the Planning Commission may, after the necessary investigation and hearing, authorize the ~~City Clerk~~ *Planning Director* to issue a relocation permit and, in authorizing such permit, may impose such terms and conditions as he may deem reasonable and proper, including but not limited to the requirement of changes, alterations, additions or repairs to be made to or upon the building or structure to the end that the relocation thereof will not be materially detrimental to public welfare or to the property and improvements, or either, in the district within a radius of 300 feet of the proposed site to which it is to be moved.

4.05.025 Relocation permits – Bond required.

A. No relocation permit shall be issued by the ~~City Clerk~~ *Planning Director* unless the applicant therefor shall first post with the City Clerk a bond executed by the owner of the premises where the

building or structure is to be located, as principal, and a surety company, authorized to do business in this State, as surety. The bond, which shall be in form joint and several, shall name the City as obligee and shall be in an amount equal to the cost plus 50 percent of the work required to be done in order to comply with all of the conditions of such relocation permit, as such cost is estimated by the Director of Public Works, *City Engineer and/or City Manager*. In lieu of a surety bond the applicant may post a bond executed by said owner, as principal, and which is secured by a deposit in cash in the amount named above and conditioned as required in the case of a surety bond; such a bond as so secured is hereafter called a "cash bond" for the purposes of this chapter.

B. Any bond executed pursuant to any provision of this chapter shall contain a provision indemnifying and saving harmless the City and each officer or employee thereof from any loss or liability arising out of or resulting from any of the acts done pursuant to the provisions of any such bond or permit.

4.05.026 Relocation permits – Conditions of bond.

Every bond posted pursuant to this chapter shall be conditioned as follows:

A. That each and all of the terms and conditions of the relocation permit shall be complied with to the satisfaction of the Directors of *Planning, Public Works and/or City Engineer*.

B. That all of the work required to be done pursuant to the conditions of the relocation permit shall be fully performed and completed within the time limit specified in the relocation permit; or, if no time limit is specified, within 90 days after the date of the issuance of the house mover's permit elsewhere in this chapter provided for. The time limit herein specified, or the time limit specified in any permit, may be extended for good and sufficient causes by the Director of Public Works. No such extension of time shall be valid unless written and no such extension shall release any surety upon any bond.

4.05.027 Relocation permits – Default in performance of conditions.

A. Whenever the ~~Director of Public Works~~ *Directors of Planning, Public Works and/or City Engineer* shall find that a default has occurred in the performance of any term or condition of any permit, written notice thereof shall be given to the principal and to the surety of the bond.

B. Such notice shall state the work to be done, the estimated cost thereof, and the period of time deemed by the ~~Director of Public Works~~ *Directors of Planning, Public Works and/or City Engineer* to be reasonably necessary for the completion of such work.

C. After receipt of such notice, the surety must, within the time therein specified, either cause the required work to be performed or, failing therein, must pay over to the ~~Director of Public Works~~ *City* the estimated cost of doing the work as set forth in the notice, plus an additional sum equal to 10 percent of the said estimated cost. Upon the receipt of such moneys, the ~~Director of Public Works~~ *City* shall proceed by such mode as ~~he~~ *it* deems convenient to cause the required work to be performed and completed, but no liability shall be insured therein other than for the expenditure of the said sum in hand therefor.

D. If a cash bond has been posted, notice of default as provided above shall be given to the principal and if compliance is not had within the time specified, the ~~Director of Public Works~~ *City* shall proceed without delay and without further notice or proceedings whatever to use the cash deposit, or any portion of such deposit, to cause the required work to be done by contractor or otherwise in the discretion of the ~~Director of Public Works~~ *City Manager or his/her designee*. The balance, if any, of such cash deposit shall, upon the completion of the work, be returned to the depositor, or to his successors or assigns, after deducting the cost of the work plus 10 percent thereof. If upon investigation or failure to secure offers or bids to do said work, it appears that the cash deposit is not adequate to complete the same, the Director of Public Works shall report the facts to the City Council for such action as it shall order after due investigation.

E. When any default has occurred on the part of the principal under the preceding provisions, the surety shall have the option, in lieu of completing the work required, to demolish the building or structure and to clear, clean and restore the site. If the surety defaults, the Director of Public Works shall report the facts to the City Council for its order, which order may include all actions herein placed in the power of the surety. The City Council may, at its discretion, bring suit against the surety and principal and such other defendants as it may be advised to obtain a judgment authorizing demolishing the building or structure or for such other remedies as the court shall decree. Costs of such proceeding shall be paid by the principal and surety and other defendants as the court may decree. Any building or structure maintained after default shall constitute a public nuisance and be subject to abatement as such.

F. In the event of any default in the performance of any term or condition of the relocation permit, the surety, or any person employed or engaged on its behalf, shall have the right to go upon the premises to complete the required work or to remove or to demolish the building or structure.

G. No person shall interfere with or obstruct the ingress or egress to or from any such premises by any authorized representative or agent of any surety engaging in the work of completing, demolishing or removing a building or structure for which a relocation permit has been issued after a default has occurred in the performance of the terms or conditions thereof. The provisions of this subsection as well as all subsections of this section shall also extend to representatives of the City.

4.05.028 Relocation permits – Bond period and termination of bond.

The term of each bond posted pursuant to this chapter shall begin upon the date of the posting thereof, and shall end upon completion to the satisfaction of the ~~Director of Public Works~~ *City* of the performance of all of the terms and conditions of the relocation permit. Such completion shall be evidenced by a statement thereof signed by the Director of Public Works, a copy of which will be sent to any surety or principal upon request. When a cash bond has been posted, the cash shall be returned to the depositor or to his successors or assigns upon the termination of the bond, except any portion thereof that may have been used or deducted as elsewhere in this chapter provided.

4.05.031 House mover's permit – Permit prerequisites.

No house mover's permit shall be granted by the City ~~Clerk~~ *Planning Department* except as follows:

A. The applicant must first furnish evidence that the applicant has already been issued a relocation permit for the particular building or structure when such a permit is required by the provisions of this chapter.

B. The applicant shall pay to the City ~~Clerk~~ an application fee of ~~\$25.00~~ *\$50.00* for each permit requested.

C. A separate application upon a form furnished by the City ~~Clerk~~ must be filed, and a separate permit obtained, for the moving of each separate building or structure or portion of a building or structure.

4.05.032 House mover's permit – Contents of application.

Each application for a house mover's permit must show:

A. The kind of building or structure to be moved.

B. The street location or other identifying description from which it is proposed to be moved if such location is within the City, and the street location or other identifying description to which it is proposed to be moved, and the route over, along, across and upon which such building or structure or section or portion thereof is to be moved.

C. The number of sections in which the building or structure will be moved.

D. The time when it is proposed to be moved and within which removal will be completed.

4.05.033 House mover's permit – Action upon application.

The ~~Director of Public Works~~ *Planning Director*, immediately upon receipt of such application, shall notify the Chief of Police *and Director of Public Works* that such application, has been filed. The Director of Public Works shall investigate the route designated in the application to ascertain whether the moving of the building can be made without damage to the trees adjacent thereto. If the moving would damage such trees, he shall prescribe another route which will not cause such damage. If the moving of the building requires any tree trimming, such tree trimming shall be performed by a street trimmer designated by the Director of Public Works, and a charge of ~~\$10.00 per hour shall be made~~ *an hourly rate equal to the tree trimmer's fully burdened hourly wage* for the services of such tree trimmer.

4.05.034 House mover's permit – Deposits.

~~A. No permit shall be issued to any house mover pursuant to the terms of this chapter until the applicant therefor shall have deposited \$150.00~~ \$500.00 with the City Clerk.

~~B. Any house mover may make and maintain with the City Clerk a general deposit in the sum of \$500.00, which general deposit shall be used for the same purpose as the special deposit mentioned in this section, and while such general deposit is maintained such house mover shall not be required to make the special deposit in this section provided for, but shall be required to comply with all other provisions set forth in this chapter.~~

4.05.041 Procedure for house movers – Conditions of permit.

Where the building or structure is to be moved from one street location to another street location within the City, or from one street location within the City to a place located outside the City, the house mover shall comply with the following conditions with respect to such parcel:

A. Immediately upon removal of said building, securely cap and seal all gas, water and oil pipes disconnected from the building.

B. Securely seal all sewer and other sanitary facilities remaining on the land.

C. Fill with dirt, sand or small rock all openings and excavations in the land, including cesspools and septic tanks, if any.

D. Remove therefrom all refuse, debris, old foundations, walls, slabs, waste material and other impediments.

E. Within 10 days after such removal, the house mover shall file a letter with the Director of Public Works certifying that all of the provisions of this section have been complied with.

4.05.042 Procedure for house movers – Inspection of structures.

Every building or structure or section or portion thereof moved over, upon, along or across any street shall be moved under the inspection and supervision of the Director of Public Works. The Director of Public Works shall appoint an Inspector for the moving of any building or structure and of each section or portion thereof; provided, that in case two or more buildings or structures, or two or more sections or portions thereof, are being moved at the same time along a route or routes so situated that one person can inspect the same, only one person shall be appointed therefor. Such inspection and supervision in each case shall be for such time as the Director of Public Works shall deem necessary for the performance of such service and a charge of ~~\$15.00 for each two hours~~ *an hourly rate equal to the Inspector's fully*

burdened hourly wage or fraction thereof shall be made for the time required for such inspection and supervision.

4.05.043 Procedure for house movers – Police escort.

The Director of Public Works shall notify the Chief of Police of the time of moving the building through the public streets. If the Chief of Police determines that the protection of the public requires a police escort, he shall provide such escort and ~~a charge \$7.50 per hour~~ *charge an hourly rate equal to the City's average fully burdened police officer hourly wage* or fraction thereof shall be made therefor.

4.05.044 Procedure for house movers – Methods of moving.

A. It shall be the duty of any house mover when required by the Director of Public Works to cause boards of sufficient strength to carry the load without breaking to be placed under all of the rolls or wheels to serve as a runway for such rolls or wheels during the moving of any building or structure, or section or portion thereof, along every street improved in any other manner than by portland cement, concrete, asphalt or brick, and at no time shall such rolls or wheels be permitted to revolve, except upon such board runway when the same is required by the Director of Public Works.

B. The Director of Public Works may direct that steel- or rubber-tired dollies may be used when any building or structure is moved on any unimproved or oil, gravel street.

C. In the event that the equipment of the house mover is not sufficient for the work required, or if the street or the use thereof or the property of any public utility will be at any time endangered or damaged by such moving or if such house mover or his servants or employees at any time violate any of the terms, conditions or restrictions of the permit required by NCC 4.05.041 either as to the size or dimensions of the building or structure being moved or the route of such moving, or otherwise, the Inspector shall report such fact to the Director of Public Works and, when properly authorized by the Director of Public Works, the Inspector shall be empowered to stop the progress of such moving.

4.05.045 Procedure for house movers – Damage to streets.

In case of damage to any street by reason of the moving of any building or structure or section or portion thereof, the Director of Public Works shall do such work as may be necessary to restore the street to as good a condition as the same was in prior to such damage, and shall charge the cost thereof to the house mover to whom the permit was issued for the moving of such building or structure or section or portion thereof.

4.05.046 Procedure for house movers – Deposit deductions.

~~A. There shall be deducted from the deposits provided for in NCC 4.05.034 the sum of \$25.00 as a permit fee.~~

~~B. In addition to the above deduction, there~~ *There shall also be deducted from each deposit the cost of the service of the Inspector provided for in NCC 4.05.042, the cost of the tree trimmer provided for in NCC 4.05.033, the cost of the police escort provided for in NCC 4.05.043, and the cost of repairs, if any, made by the Director of Public Works as provided in NCC 4.05.045. The remainder of such deposit, if any, shall be refunded to the person making such deposit or to his assigns. In case the deposit made pursuant to NCC 4.05.034 shall not be sufficient to pay the cost of the service of the Inspector, the police escort, the tree trimmer and the cost of the repairs, if any, the person making such deposit shall, upon demand, pay to the Director of Public Works City a sufficient sum to cover all such costs. Upon failure to pay such sum, it may be recovered by the City in any court of competent jurisdiction. No permit fee shall be required for the moving of temporary buildings or structures over public streets or alleys if such buildings or structures are to be used for a governmental purpose.*

4.05.047 Procedure for house movers – Red light required.

No person moving any building or structure or section or portion thereof over, upon, along or across any street, alley or sidewalk shall fail, neglect or refuse to keep a red light ~~burning~~ *illuminated* at all times between sunset and sunrise at each corner of such building or structure or section or portion thereof, and at the end of any projection thereon while the same or any part thereof is located in or upon any street, alley or sidewalk.

4.05.050 Insurance.

A. No permit to move a building authorized by the ~~Director of Public Works~~ *Planning Director* or other City officer shall be issued until the permittee has filed with the City Clerk a policy of public liability and property damage, or approved certificate thereof, issued by a responsible insurance company authorized to do business in the State of California.

B. Said policy shall insure the permittee and shall inure to the benefit of any and all persons suffering loss or damage either to person or property by reason of wrongful or negligent acts in moving the building. Said policy shall also contain a clause or special endorsement indemnifying and saving harmless the City, its officers, agents and employees against any loss, damage, costs and expenses which may in anywise accrue against the City, its officers, agents or employees in consequence of the granting of the permit for moving any building.

C. Such policy, *at a minimum*, shall ~~insure against loss from the liability imposed by law for injury to, or death of, any person in the amount or limit of \$500,000 on account of injury to, or death of, any one person, and, subject to the same limit as respects injury to, or death of, one person, of \$500,000 on account of any one accident resulting in injury to, or death of, more than one person, and of \$100,000 for damage to property of others resulting from any one accident.~~ *include the following:*

1. *General Liability: (Including operations, products and completed operations.) \$1,000,000 per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.*
2. *Automobile Liability: \$1,000,000 per accident for bodily injury and property damage.*
3. *Workers' Compensation: As required by the State of California.*
4. *Employer's Liability: \$1,000,000 per accident for bodily injury or disease.*

D. Such policy shall certify therein that it shall not be cancelled except upon 30 days' prior written notice thereof to the City Clerk. Said liability insurance shall be a continuing liability up to the full amount thereof notwithstanding any recovery thereon.

E. *The City Manager, in his/her discretion, may require additional insurance coverage(s) and/or higher limits of coverage.*

4.05.060 Appeals.

Any person aggrieved by any decision of the *Planning Director*, Director of Public Works *and/or Chief of Police* in carrying out the provisions of this chapter may, within 10 days after decision, appeal to the City Council by filing a written notice thereof with the City Clerk, and the City Council shall hold a hearing on the matter and its decision thereon shall be final and conclusive.

SECTION 3.

That Title 6 SUBDIVISIONS, Chapter 6.04 FINAL MAP, of the Newman City Code be amended as follows:

6.04.010 Filing of final map.

A. The subdivider or his agent may file a final map within one year after the approval or conditional approval of the tentative map. In any case where a final map is not filed within one year after approval, and where no extension of time has been granted, a new tentative map shall be required.

B. A tracing of the final map shall be filed with the City Clerk together with the checking fee as established by resolution of the City Council, no part of which shall be returnable, at least 21 days prior to the meeting of the City Council at which approval is expected.

C. At the time of the filing of the final map with the City Clerk, the subdivider shall also file traverse sheets showing closures and computations of boundaries and blocks. All closures within the subdivision shall be within the limit of error of one in 5,000.

D. The final map shall be accompanied by a report prepared by a duly authorized title company naming the persons whose consents are necessary to the preparation and recordation of said map and to the dedication of the streets, alleys, and other places shown on the map and certifying that as of the date of the preparation of the report, the persons named therein are all the persons necessary to give clear title to said subdivision. At the time of recording the approved map, there shall be presented to the County Recorder a guarantee executed by a duly authorized title company for the benefit and protection of the City showing that the persons (naming them) consenting to the preparation and recordation of said map and offering for dedication the streets, alleys, and other public places shown thereon are all the persons necessary to pass clear title to said subdivision and to the dedications shown thereon.

6.04.020 Form of final map.

A. The final map shall be legibly drawn, printed or reproduced by a process guaranteeing a permanent record in black on tracing cloth or polyester base film. Certificates, affidavits, and acknowledgements may be legibly stamped or printed upon the map with opaque ink. If ink is used on polyester base film, the ink surface shall be coated with a suitable substance to assure permanent legibility.

B. The size of each sheet shall be 18 by 26 inches. A marginal line shall be drawn completely around each sheet, leaving an entirely blank margin of one inch. The scale of the map shall be large enough to show all details clearly and enough sheets shall be used to accomplish this end. The particular number of the sheets and the total number of sheets comprising the map shall be stated on each of the sheets, and its relation to each adjoining sheet shall be clearly shown.

C. The final map shall contain a title consisting of the name of the tract and a subtitle or general description of all the property being subdivided with reference to maps which have been previously subdivided. In no case shall the title be the same or so nearly the same as to cause confusion, as a name of any existing subdivision previously recorded within Stanislaus County.

D. The final map shall show clearly any stakes, monuments or other evidence found on the ground to determine the boundaries of the tract. The corners of adjoining subdivisions or portions thereof shall be identified by lot and block numbers, subdivision name and proper ties shown.

E. Sufficient data must be shown to determine readily the bearing and length of every lot line, block line and boundary line. Dimensions of lots shall be given as total dimensions, corner to corner, and shall be shown in feet and hundredths of a foot. Lots containing one or more acres shall show a total acreage (exclusive of dedicated rights-of-way) to the nearest hundredth, bearing and length of straight lines, radii, tangent, interior angle and length of all curves.

F. When the City Engineer has established the center line of a street or alley, adjacent to or in the proposed subdivision, the data shall be shown on the final map, indicating all monuments found and

making reference to a field book or map. If the points were reset by ties, the course and detail of all ties shall be shown.

G. The map shall show the location and description of all monuments and bench marks found, used or placed in making the survey of this subdivision with proper reference sufficient for relocation.

H. In addition, the final map shall be prepared in full compliance with the following requirements:

1. The line of high water shall be shown in any case where the subdivision is adjacent to a stream, channel, or body of water.
2. The boundaries of any areas within the proposed subdivision which are subject to periodic inundation by water shall be shown.
3. The boundary of the subdivision shall be designated by a border, one-eighth inch in width and placed contiguous with the inside of the boundary on the reverse side of the tracing and in blue ink.
4. The center and side lines of all streets, the total widths of all streets, the widths of the portion or the portions of any street being dedicated and the widths of existing dedications, the widths each side of the permanent center line, and the width of railroad rights-of-way shall be shown.
5. The map shall show the side lines of all easements to which the lots are subject. The easements must be clearly labeled and identified and if already of record, a statement of such easement must appear on the title sheet. Easements for storm drain, sewers, and other purposes shall be denoted by fine broken lines, with the width, bearings and ties shown thereon. If dedicated, it should be so noted in the subdivider's certificate.
6. City boundary lines shall be clearly designated.
7. Block numbers shall be shown on each block and as assigned by the City Clerk.
8. Lot numbers shall begin with the number "1" in each block and shall be consecutive with no omissions or duplications.
9. The map shall show all other data that is or may hereafter be required by law.
10. The map shall particularly define, delineate, and designate all lots intended for sale or reserved for private purposes, with all dimensions, boundaries, and courses clearly shown and defined in every case.
11. Maps filed for the purpose of reverting subdivided land to acreage shall be conspicuously so designated under the title "The Purpose of This Map is a Reversion to Acreage."

6.04.030 Certificates, tax bond.

A. The following certificates and acknowledgments and others required by law shall appear on the final map; such certificates may be combined where appropriate:

1. A certificate signed and acknowledged by all parties having any title interest in the land subdivided, consenting to the preparation and recording of said map; provided, however, that the signatures of parties owning the following types of interests may be omitted if their names and the nature of their interests are set forth on the map.
 - a. Rights-of-way, easements or other interests, none of which can ripen into a fee.
 - b. Rights-of-way, easements or reversions, which by reason of changed conditions, long disuse or laches appear to be no longer of practical use or value and which signature it is impossible or impractical to obtain. In this case, a reasonable statement of the circumstances preventing the procurement of the signature shall be set forth on the map.
 - c. Any subdivision map including land originally patented by the United States or the State of California, under patent reserving interest to either or both these entities, may be recorded under the provision of this title without the consent of the United States or the State of California thereto, or to dedication made thereon.
2. Dedication Certificate. A certificate signed and acknowledged as above offering for dedication all parcels of land shown on the final map and intended for any public use, except those parcels other than streets which are intended for the exclusive use of the lot owners in the subdivision, their licensees, visitors, tenants, and servants.

3. Engineer's Certificate. A certificate by the civil engineer or licensed land surveyor responsible for the survey and final map. This certificate, unless attested, shall be accompanied by his seal.
4. City Engineer's Certificate. A certificate by the City Engineer showing he has examined the map and found it technically correct and in conformance with State laws and all City ordinances.
5. Certificate for Planning Commission. Certificate for Planning Commission for execution by the Secretary of the Planning Commission.
6. Certificate for City Clerk. Certificate for City Clerk for execution by the City Clerk.
7. Certificate for County Recorder. Certificate for County Recorder for execution by the County Recorder.
8. Certificate of Limited Access. Certificate of limited access to streets of partial width with conditions for permitting access to these part-width streets.
9. Certificate of Tax Collector. Prior to the filing of the final map with the governing body, the subdivider shall file with the City Clerk a certificate from the official computing redemptions for the City, showing that according to the records of his office, there are no liens against the subdivision or any part thereof for unpaid State, County, District, or local taxes or special assessments collected as taxes, except taxes or special assessments not yet due and payable.
10. As to taxes or special assessments collected as taxes not yet payable, the subdivider shall file with the City Clerk a certificate by each proper officer giving his estimate of the amount of taxes and assessments which are a lien, but which are not yet payable. Duplicate copies of the certificates provided for by Section 11600 of the Business and Professions Code may be filed for the purposes of this subsection.

B. Whenever any part of the subdivision is subject to a lien for taxes or special assessments collected as taxes which are not yet payable, the final map shall not be recorded until the owner or subdivider has filed with the Board of Supervisors of Stanislaus County, the bond required by Section 11601 of the Business and Professions Code or made the deposit referred to in said section and has filed with the City Clerk a copy of said bond or a statement of the amount and character of such deposit certified by the Clerk of said Board of Supervisors.

6.04.040 Action on final map.

The Secretary of the Planning Commission upon receiving the final map from the subdivider or his/her agent, shall examine the name to determine whether said map conforms with the tentative map and with all changes and requirements imposed as a condition to the acceptance of said tentative map by the Planning Commission. If it is determined that the final map does not conform, the subdivider shall be advised of the changes or additions that are still required before the final map can be certified by the Secretary. If the map does conform, the Secretary shall certify approval thereon.

A. Approval of the City Engineer. Upon approval by the Secretary of the Planning Commission, the final map and other data shall be submitted to the City Engineer, who shall examine and determine that the subdivision as shown is substantially the same as it appeared on the tentative map and approve that all the provisions of the law and this title applicable at the time of approval of the tentative map have been complied with and that he is satisfied that the map is technically correct. If the City Engineer shall determine that full conformity therewith has been made, he shall so certify on said map, otherwise it shall be immediately returned to the subdivider or his agent for correction.

B. Approval by the City Council, Recordation. At its first regular meeting following the filing of the final map with the City Clerk, the City Council shall consider said map, the plan of subdivision and the offers of dedications. The Council may reject any or all offers of dedications. In the event that all improvements required or conditions imposed upon approval under the terms of this title or by law are not completed before the filing of the final map, the City Council may enter into an agreement with the subdivider for posting a bond or cash deposit to guarantee the making and completion of such improvements. In such cases, when the agreement and bond or deposits have been approved by the

City Attorney as to form, and by the City Engineer as to sufficiency, the City Council may consider the final map.

1. The Council shall approve said map if it is determined to be in conformity to the requirements of this title. The Council shall disapprove said map if it is determined to be not in conformity to this title and shall advise the subdivider of its disapproval, and the reason or reasons therefor. Within 30 days the subdivider may file with the City Engineer a map altered to conform to the requirements of the City Council.
2. The City Clerk, upon the approval of the final map, the receipt of the required fees, and after the signatures and seals have been affixed, shall transmit *or release* the map to the County Recorder for recording. No map shall have any force or effect and no title to any property described in any offer of dedication shall pass until the recordation is complete.
3. After said map has been recorded, the subdivider shall file a certified copy thereof with the City Clerk.

C. Agreement for Improvements. Prior to the approval of the Council of the final map, the subdivider shall execute and file an agreement between himself and the City specifying the period within which he shall complete all improvement work to the satisfaction of the City Engineer and providing that if he shall fail to complete such work within such period the City may complete the work and recover full cost and expense thereof from the subdivider. Such agreement may also provide for construction of improvements in units, the extension of time under conditions specified, progress payment from deposit or bond.

D. Bond. The subdivider shall also file with the aforesaid agreement, to insure his full and faithful performance thereof, a bond in an amount deemed sufficient by the City Engineer, to cover the cost of said improvements, engineering, inspection and incidental expenses. Such bond shall be executed by a surety company authorized to transact a surety business in the State of California and must be satisfactory to and be approved by the City Attorney as to form. In lieu of said bond the subdivider may deposit with the City Clerk a sum of money in an amount fixed as aforesaid by the City Engineer.

1. In the event the subdivider shall fail to complete all improvement work in accordance with the provisions of this title, and the City shall have to complete same or if the subdivider shall fail to reimburse the City for the cost of inspection, engineering, and general expenses, the City shall call on the surety for reimbursement, or shall appropriate, from any cash deposits, funds for reimbursement. If the amount of surety bond or cash deposit shall exceed all cost and expense incurred by the City, it shall release the remainder of such bond or cash deposit and should such bond or deposit be less than the cost and expense incurred by the City, the subdivider shall be liable to the City for such difference.
2. No extension of time, progress payments from cash deposits or release of surety bond or cash deposit shall be made except upon certification by the City Engineer that work covered thereby has been satisfactorily completed and upon approval of the Council.

SECTION 4.

That Title 8 HEALTH AND SANITATION, Chapter 8.06 ADMINISTRATIVE REMEDIES, Section 8.06.160 Recording the lien, of the Newman City Code be amended as follows:

Thirty days following the adoption of a resolution by the City Council imposing a lien, the City Clerk shall file the same as a judgment lien in the Office of County Recorder of ~~Mered~~ Stanislaus County, California. The lien may carry such additional administrative charges as set forth by the resolution of the City Council.

SECTION 5.

That Title 11 PUBLIC WAYS AND PROPERTY, Chapter 11.07 CATV FRANCHISES, Section 11.07.080 F. Rights reserved to the City, of the Newman City Code be amended as follows:

The Council may do all things which are necessary and convenient in the exercise of its jurisdiction under this chapter and may determine any question of fact which may arise during the existence of any franchise granted hereunder. The City ~~Clerk~~ *Manager* is hereby authorized and empowered to adjust, settle or compromise any controversy or charge arising from the operations of any grantee under this chapter, either on behalf of the City, the grantee or any subscriber, in the best interest of the public. Either the grantee or any member of the public who may be dissatisfied with the decision of the ~~Clerk~~ *City Manager* may appeal the matter to the Council for hearing and determination.

The party so appealing to the Council shall file his notice of appeal in writing with the City Clerk setting forth the items in controversy, and shall pay to the City Clerk at the time of filing a fee of ~~\$15.00~~ *\$150.00*.

Any costs or expenses incurred by the City ~~Clerk~~ *Manager* or by the Council in determining the controversy shall be paid by the party against whom the decision is rendered, or by the parties to the dispute, share and share alike, as the City ~~Clerk~~ *Manager* or the Council, as the case may be, may determine, and shall be paid forthwith upon receipt of a statement from the ~~City Clerk~~ *Finance Department* setting forth the items of cost and expense. The Council may accept, reject or modify the decision of the City ~~Clerk~~ *Manager*, and the Council may adjust, settle or compromise any controversy or cancel any charge arising from the operations of any grantee or from any provision of this chapter.

SECTION 6.

All other sections and provisions of Titles 1, 4, 6, 8 and 11 shall remain in full force and effect.

SECTION 7.

That a duly noticed public hearing was held by the City Council.

SECTION 8.

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 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 14th day of October, 2014 by Council Member Davis, and adopted at a regular meeting of said City Council held on the 28th day of October, 2014 by the following vote:

AYES:
NOES:
ABSENT:

APPROVED:

Mayor of the City of Newman

ATTEST:

Deputy City Clerk

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

RECOMMENDATION:

Staff recommends the City Council approve the Newman Chamber of Commerce tree lighting event scheduled at the Downtown Plaza on December 6th 2014 from 3 P.M. to 7 P.M.

BACKGROUND:

The Newman Chamber of Commerce has requested exclusive use of the Downtown Plaza, and the 1300 block of Main Street, on December 6th 2014 from 3 P.M. to 7 P.M. to host the annual tree lighting event. Event organizers have scheduled fire truck rides from 3 P.M. to 4:30 P.M. as well as food and craft booths. There will be a D.J. playing holiday music for the duration of the event and **NO** alcohol will be served or sold. The event date has no apparent conflicts with other potential community events. The event organizers are seeking council approval for this year's event.

ANALYSIS:

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

The Chamber of Commerce has made the following requests:

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

All other Standards for Downtown events will apply.

Event organizers have prepared a configuration for the event which has the 1300 block of Main Street closed to vehicular traffic. The east plaza parking lot will be open for public parking and the west parking lot closed to vehicular traffic for vendor booth set-up.

FISCAL IMPACT:

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

CONCLUSION:

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

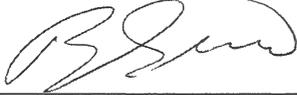
1. Approve the event as indicated, waiving the requested standards.
2. Approve the event with all standards intact.
3. Reject the event in its entirety.

Staff recommends Alternative 1.

ATTACHMENTS:

- 1) Standards for downtown events

Respectfully submitted,



Brett Short
Police Lieutenant

REVIEWED/CONCUR:



Michael Holland
City Manager

STANDARDS FOR DOWNTOWN EVENTS

1. **DAYS:**
One Day Event: Saturday or Sunday preferred.
Two Day Events: Saturday & Sunday or Sunday & Monday may be allowed on holiday weekends.
2. **HOURS:**
Events should be scheduled during daylight hours. Events may not begin prior to 7:00 a.m. or end later than 9:00 p.m. unless approved by the Chief of Police.
3. **STREET USAGE:**
First time event: One block
Anticipated crowd size: 500 or less - one block
500 to 1000 - two blocks
1000 or more - three blocks
4. **INSURANCE:**
Three Million dollar policy naming the City as an additional insured. This must be received by the City three weeks prior to the event.
5. **SECURITY:**
Total cost of security for the event will be the responsibility of the event organizer. One half of the anticipated cost of police services will be deposited with the City Finance Department two weeks prior to the event.

General event: 1 officer per 200 attendees or as deemed necessary by the Chief of Police.

Alcohol/Bands/Dances - 2 officers per 300 attendees or more if required by the Chief of Police.
6. **MUSIC:**
No amplified sound systems before 10 A.M. or after 8 P.M. unless approved by the Chief of Police.
7. **ELECTRICAL:**
If electrical power use is requested, an electrical use fee of \$25.00 will be collected prior to the event date. A diagram of the outlet locations to be used and a plan, consisting of what type of equipment will be used at each outlet location, will be submitted for approval prior to the event date. No more than 20 amps per circuit will be allowed. Extension cords shall be a minimum of 14-3 gauge wire and properly sized for intended

use. The cords shall be protected from abrasions caused by foot traffic and shall be placed so as not to cause a tripping hazard.

8. **EVENT PLAN:**

The applicant is to complete a street closure plan for barricading the downtown streets and provide a site plan for the location of any portable stages, alcohol sales, and other semi-permanent structures. This must be submitted to the Chief of Police or his/her designee 60 days prior to the date of the event. Downtown plaza usage will also require a site plan.

9. **CLEAN UP:**

The event organizer will be responsible for cleaning the streets, sidewalks and other public areas used by the event. A \$1,000.00 deposit will be required. The deposit will be refunded if all city property is cleaned to the satisfaction of the Director of Public Works or his/her designee.

10. **APPROVAL OF AFFECTED BUSINESSES:**

First Time Events: Provide written approval of at least 75 percent of any business affected by the proposed street closure in the blocks involved.

Yearly Events: Provide a flyer making the downtown business community aware of the type of event, date, time and streets to be used.

Notification must be completed at least 45 days prior to the City Council meeting and must be approved by the Chief of Police or his/her designee.

11. **BUSINESS LICENSES:**

All local and out of town vendors/businesses conducting sales of goods or services shall have a business license with the City of Newman prior to participating in the event.

12. **HEALTH PERMITS:**

Food vendors shall obtain a Stanislaus County Health Permit prior to the sale of any food items.

13. **CANOPIES OR OTHER TEMPORARY STRUCTURES:**

All temporary structures including but not limited to stages, platforms and booth structures must be inspected by the City's Building Department on the day of the event. Any direct cost to the City for this service will be the responsibility of the fundraiser/organizer. Any use of canopies must be inspected and approved by a designee of the City on the day of the event. No canopies or temporary structures are to be tethered or anchored, to any tree, structure, or fixture.

14. **BLEACHERS:**

All bleachers must be inspected by the City's Building Department the day of the event. Any direct cost to the City for this service will be the responsibility of the fundraiser/organizer.

15. **ADVERTISING:**

The event organizer shall not advertise or promote the event until the event has been approved by the City Council

16. **ALCOHOL:**

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

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

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

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

18. **STATEMENT OF FUNDS**

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

19. **TRASH RECEPTICALS**

The event coordinator shall provide trash receptacles for the event in an amount not less than one per fifty attendees.

20. **PLAZA USAGE**

The standards for downtown events will apply to the downtown plaza where applicable. Additional plaza-specific standards include:

- A. The East parking lot will remain open for event parking.
- B. Any requests to close the West parking lot will be submitted in the event plan.

- C. Any request to open the plaza restrooms for use will be submitted in the event plan and will be subject to a use fee of \$25.00 collected prior to the event date.
- D. No use of any kind in the planters and other vegetation areas of the plaza.
- E. No anchoring to any trees, vegetation, or other stationary plaza structures.
- F. Use of the stage shall be requested in the event plan.

21. **ADMINISTRATIVE OPTION FOR “PLAZA ONLY” USE**

For smaller events that are contained within the plaza, an administrative option can be utilized with the following conditions:

- A. The event is being hosted by a non-profit group for public benefit.
- B. The event is contained within the pedestrian areas of the plaza.
- C. All parking lots remain open and accessible for vehicle parking.
- D. The event is no longer than three hours in duration.

The administrative option for plaza use will require approval from the City Manager, Chief of Police, and Fire Chief. This option is designed to streamline the process for smaller events that meet the above criteria. All other event standards will still apply, but waivers may be decided by the administrative group.

**AUTHORIZE AN APPROPRIATION OF FY 2014-15 CMAQ BUDGET AND AWARD FOR BID
FOR THE CNG FAST FILL FUELING STATION PROJECT**

RECOMMENDATION:

It is recommended that the Newman City Council:

1. Approve an appropriation of FY 2014/15 Congestion Mitigation and Air Quality (CMAQ) budget from \$400,000.00 to \$500,000.00 to be used for the Compressed Natural Gas (CNG) Fast Fill Fueling Station Project.
2. Adopt Resolution No. 2014- , Awarding the CNG Fast Fill Fueling Station Project to Marko Construction for \$433,902.65.

BACKGROUND:

CMAQ improvement funding program was implemented to support surface transportation projects and other related efforts that contribute air quality improvements and provide congestion relief. The proposed CNG Fast Fill Fueling Station project is eligible for CMAQ funds derived from the applicable regional air quality plan that emphasizes clean fuel technology.

The public works department applied for the CMAQ Improvement Program and the total amount apportioned for said project has been increased to \$500,000 including construction management. Since the CMAQ budget the Newman City Council approved for FY 2014/15 is \$400,000, the CMAQ budget for said project needs to be increased by \$100,000 to match with the approved \$500,000 CMAQ funding.

The CNG Fast Fill Station Project includes improvement of the existing CNG slow fill station, installation of new CNG fast fill station, new chain link fences, and an automated gate to the yard at the Water Tower.

ANALYSIS:

Project bids were advertised for approximately three weeks including a mandatory pre-bid meeting and received bids were opened and read on October 21, 2014 at 2:00pm. A total of four qualifying bids were submitted for this project ranging from \$433,902.65 to \$509,500.00. The Engineer's Estimate for the project base bid is \$410,859.00.

The City Engineer has reviewed the bids and found them to be in proper order. The lowest responsible bidder for this project has been determined to be Marko Construction with a base bid amount of \$433,902.65. This project will be covered by the CMAQ fund approved up to \$500,000.00 including construction management.

Bids:

Marko Construction	\$433,902.65
Go Natural Gas	\$480,000.00
Taylor Backhoe Services, Inc.	\$484,500.00
Hobbs Construction	\$509,500.00

FISCAL IMPACT:

Marko Construction Base Bid: \$433,902.65	14/15 CMAQ Fund: \$500,000.00
	14/15 Local Match: <u>None</u>
	Total Funding: \$500,000.00

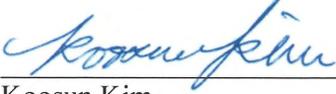
CONCLUSION:

The City of Newman advertised and received bids for the CNG Fast Fill Station Project. Marko Construction has been determined to be the lowest responsible bidder with a base bid amount of \$433,902.65. Therefore, staff recommends City Council approve an appropriation of FY 2014/15 CMAQ budget from \$400,000 to \$500,000 for said project and adopt Resolution No. 2014- , awarding the bid for the CNG Fast Fill Station Project to Marko Construction for \$433,902.65.

ATTACHMENTS:

1. Resolution No. 2014- , Awarding The CNG Fast Fill Station Project to Marko Construction for \$433,902.65.
2. Abstract of Bids
3. CNG Fast Fill Station Project Map

Respectfully Submitted,



Koosun Kim
Director of Public Works

REVIEWED/CONCUR:



Michael E. Holland
City Manager

RESOLUTION NO. 2014-

AWARD FOR BID FOR THE CNG FAST FILL FUELING STATION PROJECT

WHEREAS, the public works department applied for the Congestion Mitigation and Air Quality (CMAQ) Improvement Program and the total amount approved for the Compressed Natural Gas (CNG) Fast Fill Fueling Station Project has been increased to \$500,000 including construction management; and

WHEREAS, since the CMAQ budget the Newman City Council approved for FY 2014/15 is \$400,000, the CMAQ budget for said project needs to be increased by \$100,000 to match with the approved \$500,000 CMAQ funding; and

WHEREAS, the City of Newman staff has recommended that the City Council approve an appropriation of CMAQ budget from \$400,000.00 to \$500,000.00 to be used for said project; and

WHEREAS, the City of Newman staff has recommended that the City Council approve a contract with Marko Construction for the CNG Fast Fill Fueling Station Project; and

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

Bids:

Marko Construction	\$433,902.65
Go Natural Gas	\$480,000.00
Taylor Backhoe Services, Inc.	\$484,500.00
Hobbs Construction.	\$509,500.00

; and

WHEREAS, Marko Construction has been determined to be the apparent lowest responsible bidder with a base bid amount of \$433,902.65; and

WHEREAS, funds for the project are available through a CMAQ funding; and

WHEREAS, the City Council of the City of Newman has determined it would be in the best interest of the City to enter into a contract with Marko Construction.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Newman hereby approves an appropriation of FY 2014/15 CMAQ budget from \$400,000 to \$500,000 for said project and approves the contract with Marko Construction in the amount of \$433,902.65, and authorizes the City Manager to execute said contract for the CNG Fast Fill Fueling Station Project.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 28th day of October, 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:

ATTEST:

Mayor of the City of Newman

Deputy City Clerk of the City of Newman

PROJECT PLANS FOR CONSTRUCTION OF CMAQ - CNG FAST FILL STATION

CML-5172 (022) CITY OF NEWMAN

LEGEND

	EXISTING	PROPOSED
UNDERGROUND GAS LINE	G	— G —
ABOVE GRADE GAS LINE		— G —
CHAINLINK FENCE		— O —
WATER METER	.	
WATERLINE		— W —
POWER POLE		— P —
GUY WIRE		— G —
OVERHEAD LINE		— O —
BOLLARDS		●
REMOVABLE BOLLARDS		●
AREA OF CONCRETE REMOVAL		□
CONCRETE AREA	□	□
GRAVEL AREA		□
ASPHALT CONCRETE (AC)		□
SPOT ELEVATION		.
UTILITY DROP LOCATION		.

FOR CLARITY PURPOSES SYMBOLS SHOWN IN THE LEGEND MAY APPEAR SMALLER THAN SHOWN ON THE PLANS.

GENERAL NOTES

- CONTRACTOR TO EXERCISE EXTREME CAUTION WHILE EXCAVATING IN AREAS NEAR NATURAL GAS, TV, AT&T, AND OTHER EXISTING UTILITIES. CONTRACTOR IS RESPONSIBLE FOR ANY AND ALL COSTS RELATED TO CUT LINES OR DISRUPTED SERVICE CAUSED BY ANY ACTIVITIES AS THEY RELATE TO THIS PROJECT.
- EXISTING UTILITY LOCATIONS ARE SHOWN BASED ON FIELD SURVEY DATA AND RECORD INFORMATION ONLY. ACTUAL BUILT LOCATIONS MAY VARY. CONTRACTOR TO VERIFY ACTUAL DEPTH AND LOCATION OF EXISTING UTILITIES PRIOR TO EXCAVATION ACTIVITIES AND IS RESPONSIBLE FOR ALL COSTS RELATED TO BROKEN LINES OR DISRUPTION OF SERVICE CAUSED BY ANY ACTIVITIES AS THEY RELATE TO THIS PROJECT.
- UTILITY CONFLICTS ARE TO BE WORKED OUT IN THE FIELD WITH THE CITY ENGINEER OR PROJECT OBSERVER.
- CONTRACTOR SHALL RESTORE ALL DISTURBED AND DAMAGED SURFACES TO THEIR ORIGINAL CONDITION AFTER CONSTRUCTION IS COMPLETE AND PRIOR TO CITY ACCEPTANCE.
- CONTRACTOR SHALL EXERCISE CARE TO MINIMIZE DAMAGE TO FACILITIES ADJACENT TO PROJECT IMPROVEMENTS SUCH AS CNG EQUIPMENT AND ANY OTHER EQUIPMENT, FENCING, CONCRETE FLATWORK, LANDSCAPING, LANDSCAPE IRRIGATION, ECT. FACILITIES DAMAGED BY THE CONTRACTOR BEYOND THE LIMITS OF CONSTRUCTION SHALL BE RESTORED BY THE CONTRACTOR TO THEIR PRE-CONSTRUCTION CONDITION AT NO COST TO THE CITY.
- ANY EXISTING GAS SERVICE CONNECTIONS ARE TO BE TRANSFERRED FROM THE EXISTING GAS LINE TO THE PROPOSED GAS LINE BEING INSTALLED.
- ANY EXISTING CNG EQUIPMENT SUCH AS COMPRESSOR, PIPING, DRYER AND CONNECTIONS SHALL BE PROTECTED AT ALL TIMES DURING CONSTRUCTION.

INDEX OF DRAWINGS

- | | |
|---|---|
| 1 | LOCATION MAP AND INDEX OF DRAWINGS |
| 2 | DEMOLITION PLAN |
| 3 | GRADING PLAN |
| 4 | SITE IMPROVEMENT PLAN |
| 5 | CNG STATION LAYOUT AND CONSTRUCTION DETAILS |
| 6 | FENCING AND BOLLARD DETAILS |
| 7 | ELECTRICAL LEGEND AND NOTES |
| 8 | ELECTRICAL SITE PLAN |
| 9 | ELECTRICAL DETAILS |

SIGNATURE BLOCK

REVIEWED AND APPROVED BY THE CITY OF NEWMAN PUBLIC WORKS DEPARTMENT

BY:  DATE: 8/13/2014
KODOSUN KIM
DIRECTOR OF PUBLIC WORKS

BENCHMARK

VERTICAL AND HORIZONTAL DATUM:

VERTICAL AND HORIZONTAL DATUM INFORMATION WAS TAKEN FROM THE MGS DATA SHEET FOR PID H52406.
VERTICAL DATUM: NAVD83
ELEVATION: 90.6'
HORIZONTAL DATUM: NAD83(1986), CALIFORNIA SPCS, ZONE 3

DESCRIPTION: AT NEWMAN, AT THE INTERSECTION OF FRESNO STREET AND Q STREET, AN IRON RING PAINTED WHITE IN THE TOP OF THE CONCRETE BASE SUPPORTING THE SOUTHEAST LEG OF THE CITY WATER TANK, 0.9 FOOT NORTHWEST OF THE SOUTHWEST CORNER OF THE CONCRETE BASE AND ABOUT 1 FOOT ABOVE THE GROUND.



MARIPOSA STREET

KERN STREET

TULARE STREET

FRESNO STREET

MERCED STREET

S STREET

R STREET

Q STREET

P STREET

MAIN STREET

M STREET

PIONEER PARK

STANISLAUS STREET

INYO AVENUE

PROJECT LOCATION



SCALE IN FEET



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CITY OF NEWMAN
CMAQ - CNG FAST FILL STATION - CML-5172(022)
LOCATION MAP AND INDEX OF DRAWINGS

DESIGNED BY	DATE	DRAWING
DGR, BC	3/3/14	C-101 SHEET 1 OF 8 SHEETS PROJECT NUMBER 526.04
DRAWN BY	DATE	
CHECKED BY	DATE	
APPROVED	DATE	

Aug. 15, 2014 - 1:28pm
C:\Users\mkg\Documents\CMAQ-5172.dwg

**ABSTRACT OF BIDS FOR
CITY OF NEWMAN
Re-Bid CNG Fast Fill Fueling Station CML-5172(022)
Bid Opening: October 21, 2014; 2:00 p.m.**

Item No.	Item Description	Quantity and Unit	Engineer's Estimate		Marko Construction 3675 E. Jensen Fresno, CA 93725		Go Natural Gas 26371 Avery Parkway Ste B Mission Viejo, CA 92692		Taylor Backhoe Service, Inc. 1600 Falcon Way Merced, CA 95341		Hobbs Construction 12357 Friant Road Fresno, CA 93730		Unit Price	Amount
			Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount		
1	Mobilization	1 LS	8,000.00	8,000.00	8,000.00	8,000.00	8,000.00	8,000.00	3,000.00	3,000.00	8,000.00	8,000.00		0.00
2	Demolition	1 LS	5,000.00	5,000.00	15,342.01	15,342.01	21,000.00	21,000.00	6,762.00	6,762.00	10,000.00	10,000.00		0.00
3	Site Concrete Work	1 LS	10,000.00	10,000.00	21,141.17	21,141.17	23,000.00	23,000.00	20,918.50	20,918.50	32,000.00	32,000.00		0.00
4	Install Bollards	1 LS	18,400.00	18,400.00	14,690.00	14,690.00	22,500.00	22,500.00	11,859.08	11,859.08	13,000.00	13,000.00		0.00
5	Furnish CNG Compressor	1 LS	146,619.00	146,619.00	167,692.00	167,692.00	164,128.00	164,128.00	131,760.00	131,760.00	121,000.00	121,000.00		0.00
6	Furnish Gas Dryer	1 LS	22,869.00	22,869.00	7,870.45	7,870.45	16,005.00	16,005.00	24,840.00	24,840.00	20,000.00	20,000.00		0.00
7	Furnish Dome Load/Priority Panel	1 LS	21,780.00	21,780.00	11,526.00	11,526.00	20,180.00	20,180.00	17,280.00	17,280.00	20,000.00	20,000.00		0.00
8	Furnish Storage Sphere	2 EA	45,577.00	91,154.00	37,403.00	74,806.00	36,323.00	72,646.00	41,040.00	82,080.00	36,000.00	72,000.00		0.00
9	Furnish Fast Fill Dispenser Post	2 EA	8,470.00	16,940.00	9,110.06	18,220.12	9,417.00	18,834.00	7,560.00	15,120.00	8,000.00	16,000.00		0.00
10	Delivery/Freight	1 LS	12,100.00	12,100.00	20,023.60	20,023.60	12,500.00	12,500.00	13,132.80	13,132.80	10,000.00	10,000.00		0.00
11	Installation, Piping, Electrical and Mechanical Connection	1 LS	20,000.00	20,000.00	16,046.00	16,046.00	68,207.00	68,207.00	116,744.37	116,744.37	139,000.00	139,000.00		0.00
12	Adjust Slow Fill Station and Relocate	1 LS	15,000.00	15,000.00	24,521.00	24,521.00	4,000.00	4,000.00	4,025.00	4,025.00	5,000.00	5,000.00		0.00
13	Startup, Testing and Training	1 LS	6,897.00	6,897.00	10,859.30	10,859.30	10,000.00	10,000.00	12,190.00	12,190.00	10,000.00	10,000.00		0.00
14	Furnish and Install Fence and Sliding Gate	1 LS	6,100.00	6,100.00	10,396.00	10,396.00	7,250.00	7,250.00	12,460.25	12,460.25	6,000.00	6,000.00		0.00
15	Furnish and Install Slide Gate Operator, Card Reader, Access Controller, and Keypad	1 LS	10,000.00	10,000.00	12,769.00	12,769.00	11,750.00	11,750.00	12,328.00	12,328.00	7,500.00	7,500.00		0.00
BID TOTAL				\$410,859.00		\$433,902.65		\$480,000.00		\$484,500.00		\$489,500.00	Submitted	\$509,500.00

Subcontractors Listed: Hensley Paving Dooneen Electric Mann Electric Stockton Fence
 MHK Inc. Compressor Design & Service Jaycox Construction, Inc. History Concrete
 Greenfix Indio Robert Burns Generator Golden Bay Fence Plus Ragsdale & Sons
 Richter RF Fence Iron Works Fresno/s Best Industrial Electric, Inc.
 Valley Entry Systems Kagsdale & Sons Inc.

**ABSTRACT OF BIDS FOR
CITY OF NEWMAN
CNG Fast Fill Fueling Station CML-5172(022)
Bid Opening: September 2, 2014; 2:30 p.m.
ADDITIVE BID SCHEDULE "A"**

			<i>Engineer's Estimate</i>		Marko Construction 3675 E. Jensen Fresno, CA 93725		Go Natural Gas 26371 Avery Parkway Ste B Mission Viejo, CA 92692		Taylor Backhoe Service, Inc. 1600 Falcon Way Merced, CA 95341		Hobbs Construction 12357 Friant Road Fresno, CA 93730			
No.	Item Description	Quantity	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1	Demolition	1 LS	5,000.00	5,000.00	2,034.00	2,034.00	20,000.00	20,000.00	11,758.06	11,758.06	6,600.00	6,600.00		0.00
2	Furnish and Place Asphalt Concrete Pavement	4,410 SF	14.00	61,740.00	7.659	33,776.19	4.79	21,123.90	5.83	25,710.30	7.00	30,870.00		0.00
3	Furnish and Place Drain Rock	78 TON	40.00	3,120.00	82.569	6,440.38	50.45	3,935.10	46.88	3,656.64	65.00	5,070.00		0.00
TOTAL ADDITIVE BID "A"				\$69,860.00		\$42,250.57		\$45,059.00		\$41,125.00		\$42,540.00		\$0.00
Submitted \$42,252.08														

ADDITIVE BID SCHEDULE "B"

			<i>Engineer's Estimate</i>		Marko Construction 3675 E. Jensen Fresno, CA 93725		Go Natural Gas 26371 Avery Parkway Ste B Mission Viejo, CA 92692		Taylor Backhoe Service, Inc. 1600 Falcon Way Merced, CA 95341		Hobbs Construction 12357 Friant Road Fresno, CA 93730			
Item No.	Item Description	Quantity and Unit	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1	Furnish and Install Storage Sphere	1 LS	45,577.00	45,577.00	41,245.00	41,245.00	41,825.00	41,825.00	47,520.00	47,520.00	45,000.00	45,000.00		0.00
TOTAL ADDITIVE BID "B"				\$45,577.00		\$41,245.00		\$41,825.00		\$47,520.00		\$45,000.00		\$0.00

**REPORT ON MEMORANDUM OF UNDERSTANDING WITH
STANISLAUS BUSINESS ALLIANCE**

RECOMMENDATION:

Approval of a Memorandum of Understanding (MOU) with Stanislaus Business Alliance and authorize the City Manager to execute said document.

BACKGROUND:

Recently, the Stanislaus Business Alliance underwent a leadership change. New Chief Executive Officer David White has infused renewed energy into the organization and is utilizing this transitional period to reach out to local municipalities and businesses to receive their input. One program the Alliance started this past summer is Jumpstart Stanislaus. The stated goal of the program is to assist in the generation 1,500 jobs for Stanislaus County.

ANALYSIS:

The Alliance, in conjunction with Stanislaus County and the nine (9) cities, is proposing to develop a 2016-2020 Strategic Plan, including an update to the Countywide Economic Development Plan and Marketing Strategy. The previous Strategic Plan was approved in 2007 while the Development Plan and Marketing Strategy were adopted in 2003. These documents will serve as guiding documents for a countywide approach to attracting employers to Stanislaus County. The documents will also include local strategies for each community.

The Alliance is proposing the attached MOU to facilitate a stronger relationship with the communities it serves. This would be achieved by identifying expectations and commitments from each of the parties; staff is comfortable the City can meet these commitments.

FISCAL IMPACT:

In 2013/14, the City committed \$2,493. The Alliance is requesting an increase to \$7,500 to assist with development of the new strategic plan.

CONCLUSION:

The Alliance plays an important role in helping to attract new employers to the area, assisting employers located within Stanislaus County and provides local agencies with information that can help market their respective community and/or receive grant funding. After reviewing the proposed MOU, staff recommends the Council approve said document and funding request for 2014/15.

Respectfully submitted,



Michael Holland
City Manager



**MEMORANDUM OF UNDERSTANDING
BETWEEN THE STANISLAUS BUSINESS ALLIANCE AND THE CITY OF NEWMAN
REGARDING
THE JOINT IMPLEMENTATION OF THE COUNTYWIDE
ECONOMIC DEVELOPMENT PLAN AND MARKETING STRATEGY**

The Stanislaus Business Alliance (Alliance) and the City of Newman, (CITY) intend to work together through the implementation of the Countywide Economic Development Plan and Marketing Strategy focused on business development activities throughout Stanislaus County. This Memorandum of Understanding (MOU) serves as a guideline to describe the actions that both parties should take in order for the Economic Development Plan and Marketing Strategy to be successful.

The purpose of this Memorandum is to facilitate the Alliance and the City of Newman desire to effectively communicate strategies and information with local and regional partners that will maximize their contribution toward the achievement of Newman economic development goals. Further, this Memorandum of Understanding establishes the parameters for a successful partnership between the Alliance and the City of Newman and outlines the general responsibilities to be carried out by both parties.

This Memorandum of Understanding is a non-binding contract. However this agreement establishes the basic tenements of a collaborative working relationship between the City of Newman and the Alliance to create more jobs for Newman and the region, but does not impose a legal obligation on either party. Together, the City of Newman and the Alliance will:

1. Work together to identify target sectors for joint initiatives including, but not limited to biotechnology, agribusiness, manufacturing, clean energy, environmental sciences, and information and communication technologies;
2. Work together to identify opportunities for strategic partnerships and alliances between private sector companies in Newman and the Stanislaus County Region;
3. Explore opportunities for joint trade promotion and joint promotional activities related to the tourism, cultural and sports sectors;
4. Exchange best practices/lessons learned in assisting the private sector with inland port development;
5. Examine options for co-operative activity to facilitate development of strategic partnerships/ collaborations between the jurisdictions' respective inland ports,

particularly as they relate to value-added and complementary services supporting their respective business communities; and

6. Examine options for co-operative activity in existing and emerging knowledge/innovation economy partnerships in the Midwest; and
7. Leverage collaborative efforts amongst members throughout Stanislaus County and the Region with a particular focus on trade and business development, knowledge/innovation economy development, life sciences, biotechnology, and information technology development.

The City of Newman and the Alliance recognize the benefits of ongoing, regular contact between their respective organizations to promote economic development and job creation and identify areas in which there are opportunities for joint co-operation.

The following are general actions and activities to be undertaken by the Alliance and by the City of Newman in the implementation of the Countywide Economic Development Plan and Marketing Strategy first adopted on August 12, 2003 and the Alliance 2008-2013 Strategic Plan approved on November 19, 2007. The Alliance in conjunction with Stanislaus County and all of the cities will begin work on developing a 2016-2020 Strategic Plan that includes updating the Countywide Economic Development Plan and Marketing Strategy, which is anticipated to be completed within the current budget cycle.

Specifically, the Stanislaus Business Alliance:

1. Will conduct economic development activities to encourage the development of new business opportunities, the attraction of new businesses and the retention and expansion of existing business within the City of Newman;
2. Will continue with the Local Industry Program for the business in Newman and will include representative of the City on those interactive visits.
3. Will provide the City of Newman with on-going market and economic analyses through the Alliance Resource Center on a variety of important business sector topics based on the City of Newman's priorities and goals. Information will be used at the City's discretion (annual budget document, Comprehensive Economic Development Strategy, as well as other reports).
4. Will coordinate collaborative visits, recruitment trips and trade show participation for such events as the Processors Convention, ICSC events, other retail trade shows.
5. Will support and coordinate with the City of Newman on workforce support efforts such as in partnering on hiring events, holding workforce related events to support local employers as well as other types of training for local businesses.
6. Will partner with Newman on Prospect visits by continuing to involve City of Newman in prospect meetings Trade show participation - recruitment trips Retail trade show - support and partnership with ICSC Partner with the Business Alliance on providing support on direct leads to the City of Newman

7. Will support the City of Newman in its applications for EDA grant funds as well as actively participate on the Economic Development Action Committee (EDAC) and assigned responsibilities and coordination (Comprehensive Economic Development Strategy, San Joaquin Valley Economic Development District, Economic Development Administration, etc.);
8. Will facilitate, in a transparent manner all potential development and prospect leads as well as provide an update or status on previous leads that were circulated and responded to by the City of Newman.
9. Will assist the City of Newman in developing its Downtown and promote and serve Downtown Newman businesses and events.
10. Alliance quarterly progress reports shall be submitted on a four times a year basis describing activities in business attraction, business assistance/expansion and business advocacy efforts provided by the Alliance Research Office, the Business Services Unit and the Small Business Development Center. These Quarterly Reports will be submitted on or before the following due dates during this performance cycle:
 - o Quarter #1: September 30, 2014;
 - o Quarter #2: January 5, 2015;
 - o Quarter #3: March 30, 2015; and
 - o Quarter #4: June 30, 2015.

These reports will provide ongoing, updated information to the City of Newman relative to the progress of the aforementioned Marketing Strategy as well as the adopted Alliance Program of Work for Fiscal Year 2014-2015. These reports will include the *current focus of the campaign as well as the number and type of responses received.*

Specifically, the City of Newman:

1. Will assist in providing the required and timely staff support based on the availability of staff resources and the City of Newman's specific priorities in response to stated business needs as they pertain to existing companies or new firms interested in relocation or expansion to the area.
2. Will facilitate ease of access and assistance to all businesses with regards to zoning and permitting in compliance with City of Newman adopted land use regulations and building codes and consistent with Newman's adopted growth and land use policies and objectives.
3. Will provide current data as it relates to changes in land use issues, infrastructure upgrades, zoning, fee structure or any other jurisdictional actions which assist in meeting the stated objectives of this Memorandum of Understanding and that impact the ability to respond to stated business issues and concerns.

4. Will commit to interact with the Alliance Marketing Team to the level of capability based on staffing, time and monetary constraints. Participation will be at a level deemed appropriate based on any restraints as defined.
5. Will encourage elected officials to engage in an active support of business park creation, job creation opportunities, job retention and new business development.

This MOU sets forth the current intentions of the Alliance and the City of Newman with respect to the Fiscal Year 2014-2015 operations of the Alliance. The further intent is to provide a general understanding of the levels of responsibility and interaction for each party to this agreement. The MOU is not a binding contract but rather a document to serve as a guideline for the implementation of the Countywide Economic Development Plan and Marketing Strategy. A critical element of this document is the ability for each party to engage in a level of flexibility in the full implementation of the referenced plans.

In compensation for providing this Fiscal Year 2014-2015 level of activity as outlined in the MOU, the City of Newman will increase its annual investment in the Alliance to be commensurate with the level of service. Specifically, the City of Newman will disperse funds to the Alliance in the amount of \$30,000 for the period of Fiscal Year 2014-2015.

Annual Investment 2013/2014	Proposed Investment 2014/2015
\$ 2,493	\$ 7,500

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by and through their respective officers' thereunto duly authorized. Further, this MOU is consistent with the original intent of the Countywide Economic Development Plan and Marketing Strategy and the responsibilities as outlined, meets with the approval of both parties to this Memorandum of Understanding.

Alliance

Signature: _____

David White, Chief Executive Officer

Date _____

10.16.14

City of Newman

Signature: _____

Michael Holland, City Manager

Date _____