



AGENDA
NEWMAN CITY COUNCIL
REGULAR MEETING MAY 12, 2015
CITY COUNCIL CHAMBERS, 7:00 P.M., 938 FRESNO STREET

1. **Call To Order.**
2. **Pledge Of Allegiance.**
3. **Invocation.**
4. **Roll Call.**
5. **Declaration Of Conflicts Of Interest.**
6. **Ceremonial Matters.**
7. **Items from the Public - Non-Agenda Items.**
8. **Consent Calendar**
 - a. Waive All Readings Of Ordinances And Resolutions Except By Title.
 - b. Approval Of Warrants. ([View Warrant Register](#))
 - c. Approval Of Minutes Of The April 28, 2015 Meeting. ([View Minutes](#))
9. **Public Hearings.**
10. **Regular Business**
 - a. First Reading And Introduction Of Ordinance No. 2015- , Amending Title 11 Public Ways And Property, Adding Chapter 11.05A Water Conservation And Education And Rescinding Section 11.05.230 Irrigation Of Lawns And Landscaping Of The Newman City Code Complying With State Emergency Water Conservation Regulations.
([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

May 10 - Mother's Day.

May 11 - NCLUSD Board Meeting - 6:00 P.M.

May 11 - Community Committee Meeting - 6:00 P.M.

May 12 - City Council - 7:00 P.M.

May 14 - Recreation Commission - Cancelled

May 21 - Planning Commission - Cancelled

May 25 - Memorial Day Holiday - City Offices Closed.

May 25 - Community Committee Meeting - 6:00 P.M.

May 26 - City Council - 7:00 P.M.



ACH Register for Council April 30, 2015

Vendor Number	Vendor Name	Account No	Invoice No	Description	Amount	ACH Check	Check date
SJV01	SJVIA	10-00-2260	May-15	Health Insurance premium/May 2015	\$ 13,625.34	TRUE	4/30/2015
					\$ 13,625.34	TRUE Total	
					\$ 13,625.34	Grand Total	



AP Check Register May 08, 2015

Vendor	Fund-Dept-Acct	Check #	Amount	Check date	Description
Advanced Building Cleaners, Inc.	10-33-6200	107305	\$ 3,634.02	5/8/2015	Power sweeping service/
		107305 Total	\$ 3,634.02		
AT&T	10-21-6420	107306	\$ 9.20	5/8/2015	Final billing/T1 line @ PD
AT&T	10-21-6420	107306	\$ 1,950.90	5/8/2015	Installation & monthly charge for lines to Oakdale/3-20to4-19-15
AT&T	10-21-6420	107306	\$ 139.21	5/8/2015	Emergency dispatch line to Oakdale /3-20to4-19-15
		107306 Total	\$ 2,099.31		
Avid Identification Systems, Inc	10-21-6308	107307	\$ 297.76	5/8/2015	2 paks Friendchip/Animal control
		107307 Total	\$ 297.76		
Baker Supplies and Repairs	10-33-6200	107308	\$ 48.77	5/8/2015	Replaced primer bulb & crank seal in Stihl blower
Baker Supplies and Repairs	10-44-6200	107308	\$ 48.78	5/8/2015	Replaced primer bulb & crank seal in Stihl blower
		107308 Total	\$ 97.55		
BERTOLOTTI DISPOSAL	10-00-5080	107309	\$ (11,517.76)	5/8/2015	Franchise fees/April 2015
BERTOLOTTI DISPOSAL	10-00-5730	107309	\$ 15,631.25	5/8/2015	Reclass street sweeping & franchise fees/April 2015
BERTOLOTTI DISPOSAL	10-00-5733	107309	\$ (4,113.49)	5/8/2015	Street sweeping fees/April 2015
BERTOLOTTI DISPOSAL	10-41-6200	107309	\$ 61,702.31	5/8/2015	Garbage service/April 2015
		107309 Total	\$ 61,702.31		
BJ's Consumers Choice Pest Control, Inc	10-07-6200	107310	\$ 145.63	5/8/2015	Pest control service
BJ's Consumers Choice Pest Control, Inc	10-07-6665	107310	\$ 60.63	5/8/2015	Pest control service
BJ's Consumers Choice Pest Control, Inc	10-21-6200	107310	\$ 60.63	5/8/2015	Pest control service
BJ's Consumers Choice Pest Control, Inc	10-22-6200	107310	\$ 60.62	5/8/2015	Pest control service
BJ's Consumers Choice Pest Control, Inc	10-44-6660	107310	\$ 50.62	5/8/2015	Pest control service
BJ's Consumers Choice Pest Control, Inc	10-44-6670	107310	\$ 50.62	5/8/2015	Pest control service
BJ's Consumers Choice Pest Control, Inc	63-56-6200	107310	\$ 55.62	5/8/2015	Pest control service
BJ's Consumers Choice Pest Control, Inc	73-70-6672	107310	\$ 50.63	5/8/2015	Pest control service
		107310 Total	\$ 535.00		
Bohannon Insurance Group	10-00-2260	107311	\$ 789.20	5/8/2015	Professional services rendered/April 2015
		107311 Total	\$ 789.20		
BUSINESS CARD	10-21-6200	107312	\$ 10.00	5/8/2015	ScheduleBase 3-19-15 to 4-19-25 (18 people)
BUSINESS CARD	10-21-6530	107312	\$ 34.35	5/8/2015	100 watt clear replacement spot lamp
BUSINESS CARD	10-21-6635	107312	\$ 218.40	5/8/2015	Registration fees/Explorers
BUSINESS CARD	10-21-6690	107312	\$ 46.30	5/8/2015	Meals/oral board
BUSINESS CARD	10-21-6690	107312	\$ 26.96	5/8/2015	Lunch with Modesto PD chief
BUSINESS CARD	10-21-6690	107312	\$ 2.00	5/8/2015	Parking
BUSINESS CARD	10-21-6690	107312	\$ 35.16	5/8/2015	Meal/PDf
BUSINESS CARD	10-21-6695	107312	\$ 482.35	5/8/2015	POST training lodging/PD
BUSINESS CARD	10-45-6739	107312	\$ 116.61	5/8/2015	Supplies for teen center snack bar
BUSINESS CARD	63-56-6690	107312	\$ 57.31	5/8/2015	Lunch for interview panal for Maintenance Worker
		107312 Total	\$ 1,029.44		
CALIFORNIA CONSULTING, LL	10-02-6200	107313	\$ 1,000.00	5/8/2015	Grant writing/Lobbying



AP Check Register May 08, 2015

Vendor	Fund-Dept-Acct	Check #	Amount	Check date	Description
CALIFORNIA CONSULTING, LL	60-50-6200	107313	\$ 1,000.00	5/8/2015	Grant writing/Lobbying
CALIFORNIA CONSULTING, LL	63-56-6200	107313	\$ 1,000.00	5/8/2015	Grant writing/Lobbying
		107313 Total	\$ 3,000.00		
CARTER JEFF	68-68-7722	107314	\$ 100.00	5/8/2015	
		107314 Total	\$ 100.00		
Cause for Paws	10-00-5825	107315	\$ 77.00	5/8/2015	Reimbursement for "Cause for Paws" donations
		107315 Total	\$ 77.00		
CBA (ADMIN FEES)	10-00-2261	107316	\$ 227.50	5/8/2015	Admin fees dental-vision benefits/May 2015
		107316 Total	\$ 227.50		
CDW GOVERNMENT, INC	10-06-7105	107317	\$ 1,400.00	5/8/2015	HP Designjet printer
CDW GOVERNMENT, INC	60-50-7105	107317	\$ 4,115.80	5/8/2015	HP Designjet printer
CDW GOVERNMENT, INC	63-56-7105	107317	\$ 180.00	5/8/2015	3 year printerscanaio repair & maintenance plan
CDW GOVERNMENT, INC	63-56-7105	107317	\$ 3,935.79	5/8/2015	HP Designjet printer
		107317 Total	\$ 9,631.59		
CENTRAL SANITARY SUPPLY	10-07-6300	107318	\$ 101.29	5/8/2015	
CENTRAL SANITARY SUPPLY	10-07-6300	107318	\$ 22.72	5/8/2015	
CENTRAL SANITARY SUPPLY	10-07-6300	107318	\$ 11.15	5/8/2015	
CENTRAL SANITARY SUPPLY	10-07-6665	107318	\$ 50.64	5/8/2015	
CENTRAL SANITARY SUPPLY	10-07-6665	107318	\$ 11.36	5/8/2015	
CENTRAL SANITARY SUPPLY	10-07-6665	107318	\$ 5.57	5/8/2015	
CENTRAL SANITARY SUPPLY	10-21-6300	107318	\$ 101.28	5/8/2015	
CENTRAL SANITARY SUPPLY	10-21-6300	107318	\$ 22.73	5/8/2015	
CENTRAL SANITARY SUPPLY	10-21-6300	107318	\$ 11.14	5/8/2015	
CENTRAL SANITARY SUPPLY	10-22-6300	107318	\$ 50.65	5/8/2015	
CENTRAL SANITARY SUPPLY	10-22-6300	107318	\$ 11.36	5/8/2015	
CENTRAL SANITARY SUPPLY	10-22-6300	107318	\$ 5.58	5/8/2015	
CENTRAL SANITARY SUPPLY	10-44-6300	107318	\$ 50.64	5/8/2015	
CENTRAL SANITARY SUPPLY	10-44-6300	107318	\$ 11.37	5/8/2015	
CENTRAL SANITARY SUPPLY	10-44-6300	107318	\$ 5.57	5/8/2015	
CENTRAL SANITARY SUPPLY	10-44-6660	107318	\$ 405.14	5/8/2015	
CENTRAL SANITARY SUPPLY	10-44-6660	107318	\$ 90.90	5/8/2015	
CENTRAL SANITARY SUPPLY	10-44-6660	107318	\$ 44.58	5/8/2015	
CENTRAL SANITARY SUPPLY	10-44-6670	107318	\$ 202.57	5/8/2015	
CENTRAL SANITARY SUPPLY	10-44-6670	107318	\$ 45.46	5/8/2015	
CENTRAL SANITARY SUPPLY	10-44-6670	107318	\$ 22.29	5/8/2015	
CENTRAL SANITARY SUPPLY	10-46-6300	107318	\$ 50.64	5/8/2015	
CENTRAL SANITARY SUPPLY	10-46-6300	107318	\$ 11.36	5/8/2015	
CENTRAL SANITARY SUPPLY	10-46-6300	107318	\$ 5.57	5/8/2015	
		107318 Total	\$ 1,351.56		
CISEC, Inc	42-36-6635	107319	\$ 135.00	5/8/2015	Exam and training manual/Millan



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Vendor	Fund-Dept-Acct	Check #	Amount	Check date	Description
CISEC, Inc	60-50-6635	107319	\$ 185.00	5/8/2015	Exam and training manual/Millan
CISEC, Inc	63-56-6635	107319	\$ 185.00	5/8/2015	Exam and training manual/Millan
		107319 Total	\$ 505.00		
City of Oakdale	10-21-6615	107320	\$ 15,500.00	5/8/2015	Emergency dispatch services/May 2015
		107320 Total	\$ 15,500.00		
COELHO CARL J. (CHUCK)	10-22-6690	107321	\$ 50.00	5/8/2015	
		107321 Total	\$ 50.00		
Comcast	10-21-6420	107322	\$ 148.65	5/8/2015	Internet connection to City of Oakdale 4-21-15 to 5-20-15
		107322 Total	\$ 148.65		
COMCAST CABLE	10-21-6200	107323	\$ 41.28	5/8/2015	High speed internet/PD
COMCAST CABLE	60-50-6200	107323	\$ 41.28	5/8/2015	High speed internet/sewer
COMCAST CABLE	63-56-6200	107323	\$ 41.28	5/8/2015	High speed internet/water
		107323 Total	\$ 123.84		
DASH Medical Gloves	10-21-6300	107324	\$ 137.36	5/8/2015	Black Maxx nitrile exam gloves/PD
		107324 Total	\$ 137.36		
Department of Consumer Affairs	60-50-6635	107325	\$ 115.00	5/8/2015	Renewal of Civil Engineer certification/Kim
		107325 Total	\$ 115.00		
DISH NETWORK	10-22-6200	107326	\$ 932.28	5/8/2015	Dish TV 5-11-15 to 6-10-16/12 months Fire Dept
		107326 Total	\$ 932.28		
ENVIRONMENTAL TECHNIQUES	60-50-6300	107327	\$ 3,540.00	5/8/2015	60 ProOxidizer/WWTP
		107327 Total	\$ 3,540.00		
GARTON TRACTOR	10-44-6530	107328	\$ 56.16	5/8/2015	Gauge pin/bolt/washer/nut
GARTON TRACTOR	10-44-6530	107328	\$ 115.70	5/8/2015	Wheel assembly/collar
		107328 Total	\$ 171.86		
GEMPLERS ACCT #5224757	60-50-6300	107329	\$ 419.44	5/8/2015	12 volt pump/overalls/googles
		107329 Total	\$ 419.44		
Gouveia Engineering, Inc	10-31-6200	107330	\$ 330.00	5/8/2015	Public works general
Gouveia Engineering, Inc	10-31-6200	107330	\$ 2,130.00	5/8/2015	Mattos Ranch engineering thru 3-31-15
Gouveia Engineering, Inc	18-32-7739	107330	\$ 2,385.00	5/8/2015	Hwy 33/Inyo intersction thru 3-31-15
Gouveia Engineering, Inc	20-32-7776	107330	\$ 832.50	5/8/2015	CDBG Waterline replacement thru 3-31-15
Gouveia Engineering, Inc	20-32-7776	107330	\$ 2,397.61	5/8/2015	CDBG Waterline replacement thru 3-31-15
Gouveia Engineering, Inc	24-32-7766	107330	\$ 1,277.50	5/8/2015	CNG fast fill fueling station thru 3-31-15
Gouveia Engineering, Inc	60-50-7306	107330	\$ 1,766.63	5/8/2015	M Street Waterline & sewer line replacement
Gouveia Engineering, Inc	71-07-7505	107330	\$ 475.00	5/8/2015	LJ Newman construction services thru 3-31-15
Gouveia Engineering, Inc	71-07-7505	107330	\$ 853.13	5/8/2015	LJ Newman construction services thru 3-31-15
		107330 Total	\$ 12,447.37		
HARLEY ENTERPRISES	10-33-6200	107331	\$ 1,700.00	5/8/2015	Asphalt patching on Inyo Ave @ Canal School Road
		107331 Total	\$ 1,700.00		
Holt Ag Solutions	60-50-6530	107332	\$ 387.44	5/8/2015	Convertor/WWTP
		107332 Total	\$ 387.44		



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Vendor	Fund-Dept-Acct	Check #	Amount	Check date	Description
Humphries Lewis	60-50-6300	107333	\$ 96.83	5/8/2015	Plantronics convertible wireless headset
Humphries Lewis	63-56-6300	107333	\$ 96.84	5/8/2015	Plantronics convertible wireless headset
		107333 Total	\$ 193.67		
Independent Stationers	10-14-6300	107334	\$ 50.93	5/8/2015	legal pads/highlighters/folders/paper/pencils
Independent Stationers	10-14-6300	107334	\$ 5.50	5/8/2015	Ready tab folders
Independent Stationers	60-50-6200	107334	\$ 4.60	5/8/2015	legal pads/highlighters/folders/paper/pencils
Independent Stationers	60-50-6300	107334	\$ 50.93	5/8/2015	legal pads/highlighters/folders/paper/pencils
Independent Stationers	60-50-6300	107334	\$ 5.50	5/8/2015	Ready tab folders
Independent Stationers	63-56-6200	107334	\$ 4.59	5/8/2015	legal pads/highlighters/folders/paper/pencils
Independent Stationers	63-56-6300	107334	\$ 50.93	5/8/2015	legal pads/highlighters/folders/paper/pencils
Independent Stationers	63-56-6300	107334	\$ 5.49	5/8/2015	Ready tab folders
		107334 Total	\$ 178.47		
J&E Janitorial and Handyman	10-07-6200	107335	\$ 85.00	5/8/2015	Special cleaning & sanitizing of men's restroom
		107335 Total	\$ 85.00		
KAISER PERMANENTE	10-00-2260	107336	\$ 3,988.41	5/8/2015	Health insurance premium/June 2015
		107336 Total	\$ 3,988.41		
McAuley Ford	63-56-6530	107337	\$ 2,713.91	5/8/2015	Repairs to damaged 2012 Ford Pickup
		107337 Total	\$ 2,713.91		
Medina Auto Repair	10-33-6530	107338	\$ 842.57	5/8/2015	Recondition hydraulic pump/fuel/hose/labor/Dump truck
Medina Auto Repair	10-33-6530	107338	\$ 295.36	5/8/2015	New wheel cylinders/front brakes/1971 Dump truck
Medina Auto Repair	10-33-6530	107338	\$ 821.83	5/8/2015	Labor to remove & replace cylinder block/engine block/water pump
Medina Auto Repair	10-44-6530	107338	\$ 821.83	5/8/2015	Labor to remove & replace cylinder block/engine block/water pump
Medina Auto Repair	60-50-6530	107338	\$ 168.50	5/8/2015	New fuel pump/2003 Chevy
Medina Auto Repair	63-56-6530	107338	\$ 229.25	5/8/2015	Oil and filter change/labor on door wiring/flash signal
Medina Auto Repair	69-47-6530	107338	\$ 168.50	5/8/2015	New fuel pump/2003 Chevy
Medina Auto Repair	69-47-6530	107338	\$ 846.73	5/8/2015	Labor to remove & replace cylinder block/engine block/water pump
		107338 Total	\$ 4,194.57		
NEWMAN SMOG AND LUBE	10-21-6530	107339	\$ 410.61	5/8/2015	Replaced idle air control valve on 2002 Ford pickup
		107339 Total	\$ 410.61		
NEWMAN ACE HARDWARE/JACT,	10-07-6300	107340	\$ 71.03	5/8/2015	LED bulb/mouse trap/flex connector/bushings
NEWMAN ACE HARDWARE/JACT,	10-21-6300	107340	\$ 3.76	5/8/2015	shelf support
NEWMAN ACE HARDWARE/JACT,	10-33-6300	107340	\$ 162.61	5/8/2015	qwik fix coupling/pvc saw/pvc cement/baracade tape/shovel
NEWMAN ACE HARDWARE/JACT,	10-44-6300	107340	\$ 150.26	5/8/2015	light control/riser cutoff/dripper flag/trimmer line/broom
NEWMAN ACE HARDWARE/JACT,	10-44-6670	107340	\$ 85.55	5/8/2015	sharkbite connector/splywtrhrtr/tubing cutter/duplex recptcle
NEWMAN ACE HARDWARE/JACT,	10-46-6300	107340	\$ 8.88	5/8/2015	Misc fastners/screwdrivers
NEWMAN ACE HARDWARE/JACT,	24-32-7727	107340	\$ 26.87	5/8/2015	Cement trowel/mahogany float
NEWMAN ACE HARDWARE/JACT,	60-50-6300	107340	\$ 36.04	5/8/2015	Batteries/baracade tape
NEWMAN ACE HARDWARE/JACT,	63-56-6300	107340	\$ 184.98	5/8/2015	Valve globe/pipe sealant/tape/copper tubing/screwdriver set/coup
NEWMAN ACE HARDWARE/JACT,	69-47-6300	107340	\$ 196.49	5/8/2015	PVC elbows/gas can/paint/batteries/paint brushes
NEWMAN ACE HARDWARE/JACT,	71-07-7505	107340	\$ 45.95	5/8/2015	Misc screws/nut driver/Qwik fix coupling/pvc primer



AP Check Register May 08, 2015

Vendor	Fund-Dept-Acct	Check #	Amount	Check date	Description
		107340 Total	\$ 972.42		
NORMAC, INC.	69-47-6300	107341	\$ 25.37	5/8/2015	Misc pvc sprinkler supplies
NORMAC, INC.	69-47-6300	107341	\$ 413.87	5/8/2015	PEB valve/pvc union/pvc nipple
		107341 Total	\$ 439.24		
O'Dell Engineering	17-44-7521	107342	\$ 1,040.00	5/8/2015	Professional services/skate park thru 4-5-15
		107342 Total	\$ 1,040.00		
OPERATING ENGINEERS/	10-00-2260	107343	\$ 731.00	5/8/2015	Health insurance premium/June 2015
		107343 Total	\$ 731.00		
OTTMAN FARMS, INC	60-50-6230	107344	\$ 1,463.00	5/8/2015	Spread fertilizer on alfalfa @ WWTP
		107344 Total	\$ 1,463.00		
P G & E	10-07-6410	107345	\$ 1,019.25	5/8/2015	Electric and gas 3-18-15 to 4-16-15
P G & E	10-07-6665	107345	\$ 43.32	5/8/2015	Electric and gas 3-18-15 to 4-16-15
P G & E	10-22-6410	107345	\$ 302.71	5/8/2015	Electric and gas 3-18-15 to 4-16-15
P G & E	10-33-6410	107345	\$ 4,794.94	5/8/2015	Electric and gas 3-18-15 to 4-16-15
P G & E	10-44-6410	107345	\$ 540.48	5/8/2015	Electric and gas 3-18-15 to 4-16-15
P G & E	10-44-6660	107345	\$ 87.61	5/8/2015	Electric and gas 3-18-15 to 4-16-15
P G & E	10-44-6670	107345	\$ 180.77	5/8/2015	Electric and gas 3-18-15 to 4-16-15
P G & E	10-45-6410	107345	\$ 286.48	5/8/2015	Electric and gas 3-18-15 to 4-16-15
P G & E	10-46-6410	107345	\$ 259.11	5/8/2015	Electric and gas 3-18-15 to 4-16-15
P G & E	60-50-6410	107345	\$ 15,312.37	5/8/2015	Electric and gas 3-18-15 to 4-16-15
P G & E	62-60-6411	107345	\$ 247.68	5/8/2015	Electric and gas 3-18-15 to 4-16-15
P G & E	62-60-6412	107345	\$ 886.26	5/8/2015	Electric and gas 3-18-15 to 4-16-15
P G & E	63-56-6410	107345	\$ 9,707.10	5/8/2015	Electric and gas 3-18-15 to 4-16-15
P G & E	69-47-6410	107345	\$ 3,356.28	5/8/2015	Electric and gas 3-18-15 to 4-16-15
		107345 Total	\$ 37,024.36		
PIONEER DRUG	63-56-6300	107346	\$ 9.65	5/8/2015	Bleach and plastic bags/water dept
		107346 Total	\$ 9.65		
Precision Emprise, Inc	24-32-7727	107347	\$ 656.04	5/8/2015	Sidewalk improvement @ Ladyslipper Lane
		107347 Total	\$ 656.04		
Rabobank	10-33-6120	107348	\$ 375.00	5/8/2015	2nd half of HSA deposit/Millan
Rabobank	60-50-6120	107348	\$ 675.00	5/8/2015	2nd half of HSA deposit/Millan
Rabobank	63-56-6120	107348	\$ 450.00	5/8/2015	2nd half of HSA deposit/Millan
		107348 Total	\$ 1,500.00		
RALEY'S IN STORE CHARGE	10-01-6690	107349	\$ 157.74	5/8/2015	Supplies for Healthcare Task Force meeting
RALEY'S IN STORE CHARGE	10-14-6300	107349	\$ 4.56	5/8/2015	Coffee/Coffee Mate
RALEY'S IN STORE CHARGE	60-50-6300	107349	\$ 4.56	5/8/2015	Coffee/Coffee Mate
RALEY'S IN STORE CHARGE	63-56-6300	107349	\$ 4.56	5/8/2015	Coffee/Coffee Mate
		107349 Total	\$ 171.42		
Romero Leigh Ann	10-00-2841	107350	\$ 80.00	5/8/2015	Refund of Sherman Park deposit/Romero
		107350 Total	\$ 80.00		



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Vendor	Fund-Dept-Acct	Check #	Amount	Check date	Description
SAFE-T-LITE	10-33-6300	107351	\$ 107.07	5/8/2015	12 slotted X-pieces for street signs
		107351 Total	\$ 107.07		
STAPLES ADVANTAGE	10-21-6300	107352	\$ 69.26	5/8/2015	Binders
STAPLES ADVANTAGE	10-21-6300	107352	\$ 533.97	5/8/2015	Office chair/binder clips/batteries/clasp envelopes/HP ink
		107352 Total	\$ 603.23		
Sun Valley Portables	69-47-6200	107353	\$ 155.76	5/8/2015	Portable restroom rental-service/April 2015
		107353 Total	\$ 155.76		
TelePacific Communications	10-14-6420	107354	\$ 104.89	5/8/2015	Telephone service/May 2015 and long distance/April 2015
TelePacific Communications	10-21-6420	107354	\$ 206.65	5/8/2015	Telephone service/May 2015 and long distance/April 2015
TelePacific Communications	10-45-6420	107354	\$ 104.89	5/8/2015	Telephone service/May 2015 and long distance/April 2015
TelePacific Communications	60-50-6420	107354	\$ 104.89	5/8/2015	Telephone service/May 2015 and long distance/April 2015
TelePacific Communications	63-56-6420	107354	\$ 104.88	5/8/2015	Telephone service/May 2015 and long distance/April 2015
		107354 Total	\$ 626.20		
T.H.E. OFFICE CITY	10-03-6300	107355	\$ 10.36	5/8/2015	Highlighters/adding tape/envelopes/cash register tape
T.H.E. OFFICE CITY	10-14-6300	107355	\$ 20.10	5/8/2015	Highlighters/adding tape/envelopes/cash register tape
T.H.E. OFFICE CITY	10-14-6300	107355	\$ 53.72	5/8/2015	5 cases copy paper
T.H.E. OFFICE CITY	10-14-6300	107355	\$ 15.70	5/8/2015	Pen/disinfectant wipes/paper/printer ribbon
T.H.E. OFFICE CITY	10-14-6300	107355	\$ 13.99	5/8/2015	Custom ink pad
T.H.E. OFFICE CITY	60-50-6300	107355	\$ 20.10	5/8/2015	Highlighters/adding tape/envelopes/cash register tape
T.H.E. OFFICE CITY	60-50-6300	107355	\$ 53.72	5/8/2015	5 cases copy paper
T.H.E. OFFICE CITY	60-50-6300	107355	\$ 15.70	5/8/2015	Pen/disinfectant wipes/paper/printer ribbon
T.H.E. OFFICE CITY	60-50-6300	107355	\$ 13.99	5/8/2015	Custom ink pad
T.H.E. OFFICE CITY	63-56-6300	107355	\$ 20.10	5/8/2015	Highlighters/adding tape/envelopes/cash register tape
T.H.E. OFFICE CITY	63-56-6300	107355	\$ 53.73	5/8/2015	5 cases copy paper
T.H.E. OFFICE CITY	63-56-6300	107355	\$ 27.97	5/8/2015	Avery labels
T.H.E. OFFICE CITY	63-56-6300	107355	\$ 15.71	5/8/2015	Pen/disinfectant wipes/paper/printer ribbon
T.H.E. OFFICE CITY	63-56-6300	107355	\$ 13.99	5/8/2015	Custom ink pad
		107355 Total	\$ 348.88		
THOMPSON CHEVROLET-BUICK	10-22-6530	107356	\$ 48.42	5/8/2015	Dash mat for 2014 GMC Sierra
		107356 Total	\$ 48.42		
TOSTA BARBARA J.	10-45-6725	107357	\$ 180.00	5/8/2015	Young @ Heart instructor/April 2015
		107357 Total	\$ 180.00		
True Blue Veterinary Group	10-21-6208	107358	\$ 1,015.00	5/8/2015	Monthly contract services/Animal control
		107358 Total	\$ 1,015.00		
UNIVAR USA, INC	63-56-6300	107359	\$ 630.93	5/8/2015	215 gallons sodium hypochlorite delivered to well #7
UNIVAR USA, INC	63-56-6300	107359	\$ 734.31	5/8/2015	255 gals sodium hypochlorite delivered to well #8
		107359 Total	\$ 1,365.24		
VALLEY PARTS SERVICE	10-22-6530	107360	\$ 6.07	5/8/2015	FL hose/fire dept
VALLEY PARTS SERVICE	10-44-6530	107360	\$ 5.33	5/8/2015	lock ring for Kubota mower
VALLEY PARTS SERVICE	10-44-6530	107360	\$ 4.92	5/8/2015	Clevis pin/flat washer for Kubota mower



AP Check Register May 08, 2015

Vendor	Fund-Dept-Acct	Check #	Amount	Check date	Description
VALLEY PARTS SERVICE	60-50-6530	107360	\$ 102.67	5/8/2015	FL hose/hose clamp/oil & oil filter/air filter
		107360 Total	\$ 118.99		
VARGAS GEORGE	10-22-6690	107361	\$ 50.00	5/8/2015	
		107361 Total	\$ 50.00		
Verizon Wireless	10-21-6420	107362	\$ 342.09	5/8/2015	Mobile broadband 4-19-15 to 5-18-15/PD
		107362 Total	\$ 342.09		
Westside Landscape & Concrete	10-33-6200	107363	\$ 568.00	5/8/2015	Installed manhole @ corner of Sherman & Hills Ferry Roads
		107363 Total	\$ 568.00		
		Grand Total	\$ 182,131.13		



Manual Check Register

May 07, 2015

Vendor	Fund-Dept-Acct	Amount	Check #	Check Date	Description
FedEx Office	17-44-7521	\$ 674.99	107303	4/29/2015	Skate Plaza bid packet preparation
		\$ 674.99	107303 Total		
Joaquin Painting	71-07-7505	\$ 1,082.50	107304	4/29/2015	Deposit on painting of L.J. Newman Bldg
		\$ 1,082.50	107304 Total		
		\$ 1,757.49	Grand Total		



MINUTES
NEWMAN CITY COUNCIL
REGULAR MEETING APRIL 28, 2015
CITY COUNCIL CHAMBERS, 7:00 P.M., 938 FRESNO STREET

1. **Call To Order** - Mayor Katen 7:00 P.M.
2. **Pledge Of Allegiance.**
3. **Invocation** - Mayor Pro Tem Martina.
4. **Roll Call** - **PRESENT:** Davis, Graham, Candeia, Martina And Mayor Katen.
ABSENT: None.
5. **Declaration Of Conflicts Of Interest** - None.
6. **Ceremonial Matters**
 - a. Proclamation - Safe Digging Month.

Mayor Katen Presented A Proclamation Declaring April As Safe Digging Month In The City Of Newman.

- b. Proclamation - Bike To Work Month.

Mayor Katen Presented A Proclamation Commemorating May As National Bike To Work Month And Declaring Wednesday, May 12, 2015 As Bike To Work Day In The City Of Newman.

Regina Valentine, Associate Planner With StanCOG, Accepted The Proclamation And Thanked The City For Its Support. Valentine Invited Everyone To Attend The Newman Bike To Work Event On May 12th And Encouraged Everyone To Pledge Their Participation.

7. Items from the Public - Non-Agenda Items

Dionne Blythe, On Behalf On The Newman FFA, Requested That A City Council Member Other Than Council Member Candeia Serve As A Volunteer Judge For Salsa And Chili Making Contest At The FFA Carnival To Be Held On May 16th.

Council Member Martina Volunteered To Be A Judge At The Event.

Blythe Then Challenged Council Member Candeia To Enter Into The Salsa Making Contest And Presented Him With An Entry Form.

8. Consent Calendar

- a. Waive All Readings Of Ordinances And Resolutions Except By Title.
- b. Approval Of Warrants.
- c. Approval Of Minutes Of The April 14, 2015 Meeting.

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

9. Public Hearings

- a. Adopt Resolution No. 2015-19, A Resolution Declaring The Existence Of A Public Nuisance Under Ordinance No. 95-4.

Mayor Katen Opened The Public Hearing At 7:09 P.M.

There Being No Public Comment, Katen Closed The Public Hearing At 7:10 P.M.

ACTION: On Motion By Candea Seconded By Martina, Resolution No. 2015-19, A Resolution Declaring The Existence Of A Public Nuisance Under Ordinance No. 281 Mistletoe Abatement, Was Adopted By The Following Vote: AYES: Davis, Graham, Candea, Martina And Mayor Katen; NOES: None; ABSENT: None; NOT PARTICIPATING: None.

10. Regular Business

- a. Consider Appointment Of A Candidate To Fill The Vacant City Treasurer Position.

The Council Agreed Not To Conduct Interviews.

ACTION: On A Motion By Candea Seconded By Martina And Unanimously Carried, The Council Appointed Mary Moore To Fill The City Treasurer Vacancy By The Following Vote: AYES: Davis, Graham, Candea, Martina And Mayor Katen; NOES: None; ABSENT: None; NOT PARTICIPATING: None.

- b. Adopt Resolution No. 2015-20, A Resolution Approving A Regional Solid Waste Disposal Plan Memorandum Of Understanding Between The City Of Newman And Stanislaus County, And Authorize The Mayor To Execute The Memorandum Of Understanding.

Mayor Katen Noted That He Wanted To Ensure That The City Would Meet The Minimum Tonnage Requirements.

City Manager Holland Noted That He Had Spoken With The City's Contracted Refuse Hauler And He Was Assured That The City Would Have No Issues Meeting The Contract Requirements.

ACTION: On Motion By Graham Seconded By Davis, Resolution No. 2015-20, A Resolution Approving A Regional Solid Waste Disposal Plan Memorandum Of Understanding Between The City Of Newman And Stanislaus County, And Authorize The Mayor To Execute The Memorandum Of Understanding, Was Adopted By The Following Vote: AYES: Davis, Graham, Candea, Martina And Mayor Katen; NOES: None; ABSENT: None; NOT PARTICIPATING: None.

11. Items From District Five Stanislaus County Supervisor.

Supervisor DeMartini Thanked The City For Hosting The Last West Side Healthcare Taskforce Meeting. DeMartini Noted That The Taskforce Was Preparing For The West Side Walks Campaign That Begins In June And The Health Summit In August. DeMartini Concluded By Mentioning The Upcoming South County Corridor Meetings In Patterson, Newman And Turlock.

12. Items From The City Manager And Staff.

City Manager Holland Explained That The South County Corridor Project Was Important And Noted That How It Connects To Interstate 5 Had Yet To Be Determined. Holland Reminded Everyone That The City Would Be Hosting A Low-Cost Animal Clinic At Pioneer Park On May 7th. He Mentioned That The City Was Partnering With Morning Star To Host A Job Fair On May 5th. Holland Concluded By Noting That The City Is Working With NBS On The Potential Community Facilities District.

Public Works Director Kim Reported That The Public Works Department Would Again Be Cleaning Sherman Ditch On Friday, May 1st. Kim Reported That The FEMA CRS Program Would Be Effective May 1st And Entitled Residents With Flood Insurance To A 5% Discount On Their Flood Insurance Rates. He Noted That The City Of Newman's Water Conservation Goal For 2015 Would Be To Use 24% Less Water Than In 2013.

13. Items From City Council Members.

Council Member Martina Commented That The Maintenance Of The City's Landscape Areas Had Been Improving.

14. Adjournment.

ACTION: On Motion By Candea Seconded By Martina And Unanimously Carried, The Meeting Was Adjourned At 7:27 P.M.

Honorable Mayor and Members
of the Newman City Council

INTRODUCTION AND FIRST READING OF ORDINANCE NO. 2015- , AMENDING TITLE 11 PUBLIC WAYS AND PROPERTY, ADDING CHAPTER 11.05A WATER CONSERVATION AND EDUCATION AND RESCINDING SECTION 11.05.230 IRRIGATION OF LAWNS AND LANDSCAPING OF THE NEWMAN CITY CODE

RECOMMENDATION:

It is recommended that the City Council introduce by title and waive first reading of Ordinance No. 2015- , Amending Title 11 Public Ways and Property, adding Chapter 11.05A Water Conservation and Education and Rescinding Section 11.05.230 Irrigation Of Lawns And Landscaping, of the Newman City Code – complying with State Emergency Water Conservation Regulations.

BACKGROUND:

In response to the Governor’s January 17, 2014 drought emergency proclamation, the State Water Resources Control Board (SWRCB) at its July 15th, 2014 meeting approved emergency regulations to ensure water agencies, their customers, and state residents increase conservation in urban settings, with a specific emphasis on outdoor irrigation. On April 1, 2015, Governor Brown signed Executive Order B-29-15, directing the State Water Board to impose restrictions to achieve a statewide 25 percent reduction in potable urban water usage through February 2016, as compared to the amount used in 2013.

The SWRCB’s emergency regulations also require urban water suppliers, such as the City of Newman, to implement all requirements and actions of the stage of its water shortage contingency plan that imposes mandatory restrictions on outdoor irrigation. Urban water suppliers are also required to submit a monthly monitoring report to the SWRCB that includes the amount of potable water produced in the prior month, and the gallons of water used per capita in its service territory.

Since the water shortage contingency plan, which is part of the Urban Water Management Plan (UWMP), is under development, the proposed Water Conservation and Education ordinances will establish the City’s Water Shortage Plan; identifying various stages of restrictions on outdoor watering as well as a water conservation program.

ANALYSIS:

The City’s new Water Conservation and Education ordinance specifies what actions the City can take in response to different stages of water shortage emergencies. There is a need for some flexibility in selecting the exact strategy to be used to respond to a particular water shortage situation. As such, although all five of the different stages are listed below, staff’s expectation is that the exact stage would be based upon the severity of the conditions, the amount of conservation realized under the current stage, and other factors that impact the City’s ability to meet the goals set by the State.

The proposed Ordinance includes elements that restrict outdoor irrigation. These outdoor irrigation restrictions are directly responsive to the current situation, in which the State has adopted emergency water regulations and directed outdoor irrigation restrictions.

- Stage 1: No outdoor watering between 1 pm and 6 pm (From March 1st to October 31st)
- Stage 2: Three-Day Outdoor Watering
 - Address ending in an even number: Tuesday, Thursday, and Saturday
 - Address ending in an odd number: Wednesday, Friday, and Sunday
- Stage 3: Two-Day Outdoor Watering
 - Address ending in an even number: Tuesday and Saturday
 - Address ending in an odd number: Wednesday and Sunday
- Stage 4: One-Day Outdoor Watering
 - Address ending in an even number: Saturday
 - Address ending in an odd number: Sunday
- Stage 5: Prohibit All Outdoor Watering

In an effort to comply with the SWRCB directive, staff believes that implementation of Stage 2 standards will help the City achieve the State mandated 24% reduction in water usage. Should the Council adopt the proposed Ordinance, it is anticipated that the new Stage 2 regulations will go into effect on July 1, 2015.

FISCAL IMPACT:

Adoption of this Ordinance will not have a direct fiscal impact. However, water conservation by residents and business will have an impact on the Water Fund as less revenue will be collected. This impact will be lessened by a reduction in energy costs associated with pumping the water.

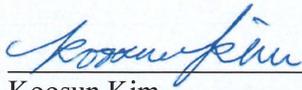
CONCLUSION:

It is recommended that the City Council introduce by title and waive first reading of Ordinance No. 2015- , Amending Title 11 Public Ways and Property, adding Chapter 11.05A Water Conservation and Education and Rescinding Section 11.05.230 Irrigation Of Lawns And Landscaping, of the Newman City Code to comply with the State's Emergency Water Conservation Regulations.

ATTACHMENTS:

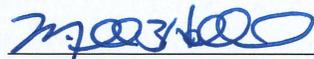
1. Ordinance No. 2015- , Amending Title 11 Public Ways and Property, adding Chapter 11.05A Water Conservation and Education of the Newman City Code and Rescinding Section 11.05.230 Irrigation Of Lawns And Landscaping, of the Newman City Code

Respectfully submitted,



Koosun Kim
Director of Public Works

REVIEWED/CONCUR:



Michael E. Holland
City Manager

ORDINANCE NO. 2015-

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEWMAN, CALIFORNIA,
AMENDING TITLE 11 PUBLIC WAYS AND PROPERTY, ADDING CHAPTER 11.05A
WATER CONSERVATION AND EDUCATION AND RESCINDING SECTION 11.05.230
IRRIGATION OF LAWNS AND LANDSCAPING OF THE NEWMAN CITY CODE
COMPLYING WITH STATE EMERGENCY WATER CONSERVATION REGULATIONS**

WHEREAS, in response to the Governor's January 17, 2014 drought emergency proclamation, the State Water Resources Control Board (SWRCB) at its July 15th, 2014 meeting approved emergency regulations to ensure water agencies, their customers, and state residents increase conservation in urban settings, with a specific emphasis on outdoor irrigation; and

WHEREAS, on April 1, 2015, Governor Brown signed Executive Order B-29-15, directing the State Water Board to impose restrictions to achieve a statewide 25 percent reduction in potable urban water usage through February 2016, as compared to the amount used in 2013.

WHEREAS, the SWRCB's emergency regulations require urban water suppliers to implement all requirements and actions of the stage of its water shortage contingency plan that imposes mandatory restrictions on outdoor irrigation and to submit monthly monitoring reports to the SWRCB that include the amount of potable water produced in the prior month, and the gallons of water used per capita in its service territory; and

WHEREAS, the City's new Water Conservation and Education ordinance specifies what actions the City may take in response to different stages of water shortage emergencies; and

WHEREAS, the new Water Conservation and Education ordinance provides flexibility in selecting the exact strategy to be used to respond to a particular water shortage situation; and

WHEREAS, the City's new Water Conservation and Education ordinance includes comparable requirements to those outlined in Section 11.05.230 Irrigation of lawns and landscaping of the Newman City Code thereby making Section 11.05.230 obsolete; and

WHEREAS, in order to comply with the SWRCB directive, it is recommended City Council adopt said Ordinance implementing the Water Conservation and Education Program; and

WHEREAS, the City of Newman held a Public Hearing on May 26, 2015 as noticed, to allow the City Council to hear and consider all protests and objections concerning the proposed Water Conservation and Education ordinances; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NEWMAN DOES ORDAIN AS FOLLOWS:

SECTION 1

The recitals above are true and correct, and the City Council hereby makes the findings set forth herein

SECTION 2

That Section 11.05.230 Irrigation of lawns and landscaping of the Newman City Code be rescinded as follows:

11.05.230 — Irrigation of lawns and landscaping.

~~A. All outside watering, including lawns and landscaping, shall be prohibited between the hours of 1:00 p.m. and 6:00 p.m. It shall be unlawful for any person, firm or corporation to conduct outside watering during said times, unless approval, for good cause, has been granted by the Public Works Director.~~

~~B. Whenever landscaping or a landscape plan is required by this title, water efficient landscaping shall be required. Guidelines shall conform to the standards contained in the "Water Efficient Landscape Guidelines" as promulgated by the Public Works Director and adopted herein by reference.~~

~~C. Driveways, sidewalks, building exteriors and parking lots may be hosed down with the use of a quick acting, shut off hose nozzle.~~

~~D. Wastewater shall include the use of lawn sprinklers when it is raining and the watering of lawns, ground cover, shrubbery and trees in a manner or to an extent which allows substantial amounts of excess water to run off the area being watered.~~

~~E. Quick acting shut off hose nozzles shall be required for car washing.~~

~~F. Any violation of the provisions of this section shall constitute an infraction and shall be punished by a fine of \$25.00 for the first violation after a warning in writing, \$50.00 for a second violation within one year, and a fine of \$100.00 for each additional violation within one year. The City may, at its option, discontinue the service after the third violation after giving the customer written notice. (Ord. 93-2, 3-23-1993; Ord. 92-19, 12-8-1992)~~

(deletions as ~~strikeouts~~)

SECTION 3

That Title 11 of the Newman City Code be amended to add Chapter 11.5A Water Conservation And Education as stated in Attachment "A", attached hereto and made a part hereof by this reference.

SECTION 4

All other sections and provisions of Title 11 shall remain in full force and effect.

SECTION 5

This Ordinance shall take effect 30 days after the date of its adoption, and prior to the expiration of 15 days from the passage thereof shall be published at least once in the West Side Index, a newspaper of general circulation, published and circulated in the City of Newman and thenceforth and thereafter the same shall be in full force and effect.

Introduced at a regular meeting of the City Council of the City of Newman held on the 12th day of May, 2015 by Council Member _____ and adopted at a regular meeting of said City Council held on the 26th day of May, 2015 by the following vote:

AYES:
NOES:
ABSENT:

APPROVED:

ATTEST:

Mayor of the City of Newman

City Clerk of the City of Newman

ATTACHMENT “A”
TITLE 11 PUBLIC WAYS AND PROPERTY
CHAPTER 11.5A WATER CONSERVATION AND EDUCATION

Article I. Purpose

11.5A.010 Purpose.

11.5A.020 Findings.

Article II. Education

11.5A.030 Education.

Article III. Water Conservation Schedule and Prohibitions

11.5A.040 Outdoor Landscape Watering.

11.5A.050 Prohibitions.

Article IV. Emergency Water Shortage Plan

11.5A.060 Title.

11.5A.070 Declaration of Policy: Purpose.

11.5A.080 City Manager: Authorized Action.

11.5A.090 Application.

11.5A.100 Water Conservation Stages.

11.5A.110 Mandatory Water Conservation Compliance Phase Implementation.

11.5A.120 Water Wasting Prohibited.

11.5A.130 Acts Constituting Water Wasting.

11.5A.140 Notice Of Acts Constituting Water Wasting.

11.5A.150 Penalty Fee Assessment For Water Wasting.

11.5A.160 Appeal.

11.5A.170 Appeal Hearing Request.

11.5A.180 Failure to Pay Penalty Fee.

Article I. Purpose

11.5A.010 Purpose.

The purpose and intent of the Council in enacting this Chapter is to protect the health, safety, welfare and interest of the public, and of patrons of establishments regulated by this Code by requiring that the patrons, establishments and persons conserve and not waste water by requiring that such establishments and persons conform to the water conservation procedures set forth in this chapter.

11.5A.020 Findings.

- A. As a result of the drought and the understanding that water is a precious resource, the City Council finds that any ordinance relating to the conservation of water is an urgency matter for the health, safety and general welfare of the public;
- B. The Constitution of the State of California and California Case Law provide that water shall not be wasted;
- C. To prevent the waste of water it is the intent of the City Council of the City of Newman to adopt reasonable rules regulating the use of water for outdoor landscape watering and other ancillary uses;
- D. The City Council is mindful of the importance of conserving water.

Article II. Education

11.5A.030 Education.

- A. The City Council, as part of supplementation of this Chapter, will provide information to the public through the City Manager and City departments regarding the proper use to minimize the volume of water needed for a given function.
- B. The Council, in an effort to carry out its findings and legislative purpose, sponsors this educational program with the intent that through proper education and implementation of water conservation procedures persons and establishments may continue to function with a significant savings in the volume of water.

Article III. Water Conservation Schedule and Prohibitions

11.5A.040 Outdoor Landscape Watering.

All users of water within the City limits of the City of Newman are subject to the following regulation:

- A. From March 1st to October 31st, all outside watering, including lawns and landscaping, shall be prohibited between the hours of 1:00 p.m. and 6:00 p.m. It shall be unlawful for any person, firm or corporation to conduct outside watering during said times, unless approval, for good cause, has been granted by the Public Works Director.

11.5A.050 Prohibitions.

- A. Newly planted lawns may be allowed daily watering only until the second mowing has been completed upon notification of the Public Works Department to planting.
- B. The washing down or hosing of recreational vehicles, sidewalks, gutters, outside structures, or other exterior surfaces without prior written consent of the City Manager or his designee is prohibited and a violation of this chapter. Sweeping or brushing is required unless prior approval for water use is obtained.
- C. The filling of wading pools is permitted, but "slip-n-slides" and other recreational activities requiring a constant flow of water are prohibited.
- D. The washing of vehicles at a residence is allowed only if a quick-acting automatic positive shut-off valve is used and in proper operating condition including the discharge of treated wash waters, and is limited to one (1) such washing per week per vehicle during designated watering days and times. This section is subject to the provisions of Newman Municipal Code Chapter 11.12 Storm Water management and Discharge Control.

Article IV. Emergency Water Shortage Plan

11.5A.060 Title.

There is hereby established the "City of Newman Emergency Water Shortage Plan."

11.5A.070 Declaration of Policy: Purpose.

- A. Declaration of policy. The City Council hereby declares that the general welfare requires that the water resources available to the City be put to the maximum beneficial use to the extent to which the City is capable, and that the waste of, unreasonable use of, or unreasonable method of use of water be prevented. The conservation of such water is to insure the reasonable and beneficial use thereof in the interests of the people of the City of Newman and for the public welfare.
- B. Purpose. The City Council finds and declares that consolidating the various provisions of Ordinance associated with water conservation into one readily accessible document shall provide a more professional and usable work product as well as promote a better public understanding of the various procedures and provisions of the Newman Emergency Water Shortage Plan. Additionally, adding provisions prohibiting water wasting and defining the acts which so constitute water wasting advances the purpose and policy of the Newman Emergency Water Shortage Plan.

11.5A.080 City Manager: Authorized Action.

The City Manager, or his or her designee, is hereby authorized and directed to implement the provisions of this chapter upon a determination that same is necessary to protect the public welfare and safety.

11.5A.090 Application.

The provisions of this chapter shall apply to all persons, customers and property served by the City of Newman.

11.5A.100 Water Conservation Stages.

A. STAGE 1 – MANDATORY WATER CONSERVATION.

Stage 1 calls for a low level of informational outreach and enforcement of the permanent water use ordinances. Customers of the City of Newman are hereby directed to limit the amount of water used on a year round basis. Due to the characteristics of the current City of Newman water system, additional water conservation is needed between March 1st and October 31st each year as established by Section 11.05A.040.

B. STAGE 2 – MANDATORY WATER CONSERVATION COMPLIANCE: WARNING.

Upon implementation of this chapter by the City Manager pursuant to Section 11.5A.080 of this Code, and publication of notice that Stage 2 Mandatory Conservation Compliance Measures are in effect, the following mandatory conservation compliance measures shall apply:

- (1) Outdoor landscape watering. Outdoor landscape watering shall be limited to three times per week on an odd-even basis in accordance with Section 11.5A.100 B(2). If the address ends in an even number, the water days shall be Tuesday, Thursday and Saturday. If the address ends in an odd number, the watering days will be Wednesday, Friday and Sunday.
- (2) Large commercial landscapes and City parks shall have individual watering schedules approved by the Public Works Department.
- (3) Residential vehicle washing. Residents shall be allowed to wash their vehicles as established by Section 11.05A.050 D.

C. STAGE 3 – MANDATORY WATER CONSERVATION COMPLIANCE: WARNING.

Upon implementation of this Chapter by the City Manager pursuant to Section 11.5A.080 of this Code, and publication of notice that Stage 3 Mandatory Conservation Compliance Measures are in effect, the following Mandatory Water Conservation Compliance Measures shall apply:

- (1) Outdoor Landscaping Watering. Outdoor landscape watering shall be limited to two times per week in accordance with Section 11.5A.100 B(2). If the address ends in an even number, the watering days shall be Tuesday and Saturday. If the address ends in an odd number, the watering days shall be Wednesday and Sunday.
- (2) Large commercial landscapes and City parks shall also be limited to two days per week, as scheduled by the Public Works Department.
- (3) Residential vehicle washing. Residents shall be allowed to wash their vehicles as established by Section 11.05A.050 D.
- (4) Further use of decorative fountains or reflection ponds shall be disconnected until further notice.

D. STAGE 4 – MANDATORY WATER CONSERVATION COMPLIANCE: WARNING.

Upon implementation of this Chapter by the City Manager pursuant to Section 11.5A.080 and publication of notice that Stage 4 Mandatory Conservation Compliance Measures are in effect, the following mandatory conservation compliance measures shall apply:

- (1) Outdoor landscape watering shall be limited to one day per week. If the address ends in an even number, the watering day shall be Saturday. If the address ends in an odd number, the watering day shall be Sunday. Watering hours shall be in accordance with Section 11.05A.100 B(2). No outdoor landscaping watering Monday through Friday.
- (2) Large commercial landscaping and City parks shall be limited to one (1) day per week, as scheduled by the Public Works Department.
- (3) Filling newly constructed or drained swimming pools with City water shall be prohibited.
- (4) Construction water from City fire hydrants shall be banned but treated effluent water from the wastewater treatment plant may be made available for construction water purposes.
- (5) Further use of decorative fountains or reflection ponds shall be discontinued until further notice.
- (6) Washing of automobiles, trucks, trailers, boats, airplanes and other types of mobile equipment not occurring upon the immediate premises of commercial car washes and commercial service stations and not in immediate interest of the public health, safety, and welfare shall be prohibited.

E. STAGE 5 – MANDATORY WATER CONSERVATION COMPLIANCE: WARNING.

Upon implementation of this Chapter by the City Manager pursuant to Section 11.5A.080 of this Code, and publication of notice that Stage 5 Mandatory Conservation Compliance Measures are in effect, the following mandatory conservation compliance measures shall apply:

- (1) Outdoor landscape watering shall be prohibited. This includes multi-purpose commercial landscapes and City parks and median strips.
- (2) Industry and commercial businesses shall be required to curtail consumption in order to maintain adequate supplies of water for health and safety.
- (3) If there is total well failure, disaster relief from outside the City of Newman shall be required.

11.5A.110 Mandatory Water Conservation Compliance Phase Implementation.

- A. The Director of Public Works, or his or her designee, shall monitor the projected supply and demand for water by its customers, with heightened emphasis during the months of April through October;
- B. The Director of Public Works, or his or her designee, shall recommend to the City Manager the extent of the Conservation Compliance Stage required in order for the City to prudently plan for and supply water to its customers.
- C. The City Manager may order that the appropriate Stage of water conservation be implemented or terminated in accordance with the applicable provisions of this Chapter. When implementing Mandatory Water Conservation Compliance Stage 2, 3, and 4, said order shall be made by public announcement and shall be published a minimum of one (1) time in a daily newspaper of general circulation and shall become effective immediately upon such publication.

11.5A.120 Water Wasting Prohibited.

Water wasting, as defined by Section 11.5A.130 of this Code, is prohibited.

11.5A.130 Acts Constituting Water Wasting.

For the purposes of this title, acts constituting water wasting shall mean and include, but shall not be limited to, any of the following acts:

- A. Failure to comply with the City of Newman Emergency Water Shortage Plan, any conservation stage declared thereunder, and/or any guidelines or outdoor landscape watering schedules in effect pursuant thereto.
- B. Watering outdoor landscaping areas or gardens such that excess water leaves the property or area being watered.
- C. Watering outdoor landscaping while raining and within 48 hours following any measurable rainfall.
- D. Washing vehicles, boats, or equipment during restricted days or hours; and/or using an open hose not equipped with a quick-action automatic shut-off valve while so doing.
- E. Hosing down driveways, streets, sidewalks, parking lots, and building exteriors without the prior written consent of the Public Works Director or his designee. If consent is given, any restrictions on the frequency, timing or method would remain in effect unless a health or safety condition existed.
- F. Having leaky faucets, irrigation valves, sprinkler heads or plumbing fixtures on the premises.
- G. Operating evaporated coolers which are not equipped with a recirculating pump.

11.5A.140 Notice of Acts Constituting Water Wasting.

- A. Any utility customer, or person using the utilities with the consent of or actual or constructive knowledge of the customer, continue to commit acts which constitute the wasting of water, as provided in Section 11.5A.130 of this Code, shall be served Notice of Acts Constituting Water Wasting.
- B. This Notice of Acts Constituting Water Wasting shall serve as a first warning and first Notice of Acts Constituting Water Wasting shall:
 - (1) Identify the date, time and circumstances of the violation;
 - (2) State the amount of the potential penalty fee for water wasting;
 - (3) Advise the customer of his or her appeal rights as provided herein;
- C. The Notice of Acts Constituting Water Wasting shall be served to any utility customer, or person using the utilities with the consent of or actual or constructive knowledge of the customer, continue to commit acts which constitute the wasting of water, as provided in Section 11.5A.130.

11.5A.150 Penalty Fee Assessment For Water Wasting.

- A. A penalty fee in the sum of Twenty-five and no/100ths (\$25.00) Dollars shall be assessed to the utility customer's account for a first violation within one (1) year after being served with a Notice of Acts Constituting Water Wasting, pursuant to Section 11.5A.140 of this Code.
- B. A penalty fee in the sum of Fifty and no/100ths (\$50.00) Dollars shall be assessed to the utility customer's account for a second violation within said one (1) year after being served with a Notice of Acts Constituting Water Wasting, pursuant to Section 11.5A.140 of this Code.
- C. A penalty fee in the sum of One Hundred and no/100ths (\$100.00) Dollars shall be assessed to the utility customer's account for a third violation within said one (1) year after being served with a Notice of Intention to Impose a Penalty Fee for Water Wasting, pursuant to Section 11.5A.140 of this Code.
- D. The City may, at its option, discontinue the service after the third violation after giving the customer written notice.

11.5A.160 Appeal.

- A. A utility customer shall have the right to appeal to the City Manager, or his or her designee, the Notice of Acts Constituting Water Wasting, or any water wasting penalty fee assessed to his or her account.
- B. The appeal hearing shall be held before the City Manager, or his or her designee. After hearing all of the evidence presented, he or she shall make the final administrative determination regarding the matter.
- C. The customer shall be allowed to present such witnesses and evidence as he or she may desire.
- D. Such appeal hearing is an administrative hearing and the rules of evidence shall not apply.

11.5A.170 Appeal Hearing Request.

- A. The utility customer must request an appeal hearing in writing within fifteen (15) calendar days from the date of service of the Notice of Acts Constituting Water Wasting, or any water wasting penalty fee assessed to his or her account, unless the fifteenth day falls on a weekend day or City observed holiday.
- B. The request for hearing shall be addressed to the City Manager and shall be deemed served only when received by the City. Failure to properly serve the request for hearing within the fifteen (15) calendar day period shall be deemed a waiver of the right to appeal the matter and the penalty fee will be assessed against the customer's account unless the fifteenth day falls on a weekend day or City observed holiday.
- C. The hearing officer shall give written notice by mail to the utility customer of the date, time, and location of the appeal hearing, which hearing shall be held no sooner than ten (10) days from receipt of the request for hearing and no longer than thirty (30) days from receipt of such request.
- D. The decision of the hearing officer shall be final. If the Notice of Acts Constituting Water Wasting, or any water wasting penalty fee assessed to an account is upheld, the penalty fee shall be assessed to the customer's account.

11.5A.180 Failure to Pay Penalty Fee.

Failure of any utility customer to pay the penalty fees imposed pursuant to this article as required shall be grounds to discontinue utility service until compliance is obtained.