



AGENDA
NEWMAN CITY COUNCIL
REGULAR MEETING FEBRUARY 23, 2016
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. Legislative Update Presentation Provided By Churchwell White LLP.
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 February 9, 2016 Meeting. ([View Minutes](#))
 - d. Adopt Resolution No. 2016- , Declaring Certain Personal Property Surplus Property And Authorizing Disposal And/Or Sale Of Property. ([View Report](#))
 - e. Adopt Resolution No. 2016- , A Resolution Rejecting The Claim Of Melina Garcia. ([View Report](#))
9. Public Hearings.
10. Regular Business
 - a. Report On Comforting Kids Event At Pioneer Park. ([View Report](#))
 - b. Adopt Resolution No. 2016- , Approving Changes To The Employee Home Loan Program For The City Of Newman. ([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

February 23 – City Council - 7:00 P.M.

February 25 – West Side Healthcare Taskforce - 6:00 P.M.

March 7 – CDBG Community Meeting - 5:00 P.M.

March 8 – City Council - 7:00 P.M.

March 14 – NCLUSD Board Meeting - 6:00 P.M.

March 10 – Recreation Commission – 7:00 P.M.

March 15 – Two-On-Two Meeting With The School Board - 4:00 P.M.

March 17 – Planning Commission – 7:00 P.M.

March 22 – City Council - 7:00 P.M.

March 27 – Easter Day

March 31 – Citywide Curbside Leaf & Brush Pick-Up Ends.



AP Check Register February 19, 2016

| Vendor | Fund-Dept-Acct | Amount | Check # | Check date | Description |
|----------------------------------|----------------|--------------------|---------------------|------------|--|
| Accela, Inc #774375 | 10-14-6310 | \$ 335.33 | 108843 | 2/19/2016 | Monthly WEB payments/Jan 2016 |
| Accela, Inc #774375 | 60-50-6310 | \$ 335.33 | 108843 | 2/19/2016 | Monthly WEB payments/Jan 2016 |
| Accela, Inc #774375 | 63-56-6310 | \$ 335.34 | 108843 | 2/19/2016 | Monthly WEB payments/Jan 2016 |
| | | \$ 1,006.00 | 108843 Total | | |
| Advanced Building Cleaners, Inc. | 10-33-6200 | \$ 3,634.02 | 108844 | 2/19/2016 | Power sweeping service/Jan 2016 |
| | | \$ 3,634.02 | 108844 Total | | |
| AUS West Lockbox | 10-07-6200 | \$ 96.80 | 108845 | 2/19/2016 | Mat rental/uniform cleaning/mop heads/Jan 2016 |
| AUS West Lockbox | 10-21-6200 | \$ 71.00 | 108845 | 2/19/2016 | Mat rental/uniform cleaning/mop heads/Jan 2016 |
| AUS West Lockbox | 10-22-6200 | \$ 25.84 | 108845 | 2/19/2016 | Mat rental/uniform cleaning/mop heads/Jan 2016 |
| AUS West Lockbox | 10-33-6200 | \$ 66.05 | 108845 | 2/19/2016 | Mat rental/uniform cleaning/mop heads/Jan 2016 |
| AUS West Lockbox | 10-44-6200 | \$ 44.03 | 108845 | 2/19/2016 | Mat rental/uniform cleaning/mop heads/Jan 2016 |
| AUS West Lockbox | 60-50-6200 | \$ 66.05 | 108845 | 2/19/2016 | Mat rental/uniform cleaning/mop heads/Jan 2016 |
| AUS West Lockbox | 63-56-6200 | \$ 44.04 | 108845 | 2/19/2016 | Mat rental/uniform cleaning/mop heads/Jan 2016 |
| | | \$ 413.81 | 108845 Total | | |
| AT&T MOBILITY | 10-02-6420 | \$ 33.89 | 108846 | 2/19/2016 | Cell phone use 1-06-16 to 2-05-16 |
| AT&T MOBILITY | 10-03-6420 | \$ (19.34) | 108846 | 2/19/2016 | Cell phone use 1-06-16 to 2-05-16 |
| AT&T MOBILITY | 10-06-6420 | \$ (18.68) | 108846 | 2/19/2016 | Cell phone use 1-06-16 to 2-05-16 |
| AT&T MOBILITY | 10-07-6420 | \$ 22.19 | 108846 | 2/19/2016 | Cell phone use 1-06-16 to 2-05-16 |
| AT&T MOBILITY | 10-14-6420 | \$ 18.38 | 108846 | 2/19/2016 | Cell phone use 1-06-16 to 2-05-16 |
| AT&T MOBILITY | 10-21-6420 | \$ 190.42 | 108846 | 2/19/2016 | Cell phone use 1-06-16 to 2-05-16 |
| AT&T MOBILITY | 10-22-6420 | \$ 393.80 | 108846 | 2/19/2016 | Cell phone use 1-06-16 to 2-05-16 |
| AT&T MOBILITY | 10-33-6420 | \$ 18.47 | 108846 | 2/19/2016 | Cell phone use 1-06-16 to 2-05-16 |
| AT&T MOBILITY | 10-44-6420 | \$ 59.38 | 108846 | 2/19/2016 | Cell phone use 1-06-16 to 2-05-16 |
| AT&T MOBILITY | 10-45-6420 | \$ (32.22) | 108846 | 2/19/2016 | Cell phone use 1-06-16 to 2-05-16 |
| AT&T MOBILITY | 22-20-6420 | \$ 5.80 | 108846 | 2/19/2016 | Cell phone use 1-06-16 to 2-05-16 |
| AT&T MOBILITY | 60-50-6420 | \$ 65.31 | 108846 | 2/19/2016 | Cell phone use 1-06-16 to 2-05-16 |
| AT&T MOBILITY | 63-56-6420 | \$ 134.89 | 108846 | 2/19/2016 | Cell phone use 1-06-16 to 2-05-16 |
| AT&T MOBILITY | 69-47-6420 | \$ 20.96 | 108846 | 2/19/2016 | Cell phone use 1-06-16 to 2-05-16 |
| | | \$ 893.25 | 108846 Total | | |
| BERTOLOTTI DISPOSAL | 10-33-6220 | \$ 79.17 | 108847 | 2/19/2016 | Bin rental @ corp yard/Jan 2016 |
| | | \$ 79.17 | 108847 Total | | |
| BUSINESS CARD | 10-00-5830 | \$ 102.26 | 108848 | 2/19/2016 | T-shirts/vest reimbursed |
| BUSINESS CARD | 10-07-6300 | \$ 183.71 | 108848 | 2/19/2016 | 4 Heating elements for tankless water heaters |
| BUSINESS CARD | 10-07-6300 | \$ 183.71 | 108848 | 2/19/2016 | 4 Heating elements for tankless water heaters |
| BUSINESS CARD | 10-07-7105 | \$ 212.13 | 108848 | 2/19/2016 | Satellite communication backup |
| BUSINESS CARD | 10-33-6690 | \$ 2.00 | 108848 | 2/19/2016 | Parking for Stancog meeting |
| BUSINESS CARD | 10-33-6690 | \$ 2.00 | 108848 | 2/19/2016 | Parking for Stancog meeting |



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| BUSINESS CARD | 60-50-7105 | \$ 212.13 | 108848 | 2/19/2016 | Satellite communication backup |
| BUSINESS CARD | 63-56-7105 | \$ 212.13 | 108848 | 2/19/2016 | Satellite communication backup |
| | | \$ 1,110.07 | 108848 Total | | |
| CALIFORNIA CONSULTING, LL | 10-02-6200 | \$ 1,000.00 | 108849 | 2/19/2016 | |
| CALIFORNIA CONSULTING, LL | 60-50-6200 | \$ 1,000.00 | 108849 | 2/19/2016 | |
| CALIFORNIA CONSULTING, LL | 63-56-6200 | \$ 1,000.00 | 108849 | 2/19/2016 | |
| | | \$ 3,000.00 | 108849 Total | | |
| Canon Solutions America, Inc. | 10-14-6200 | \$ 80.90 | 108850 | 2/19/2016 | Copier maintenance/Jan 2016/copy charges |
| Canon Solutions America, Inc. | 10-21-6200 | \$ 105.90 | 108850 | 2/19/2016 | Copier maintenance/Jan 2016/copy charges/PD |
| Canon Solutions America, Inc. | 60-50-6200 | \$ 41.30 | 108850 | 2/19/2016 | Copier maintenance/Jan 2016/copy charges |
| Canon Solutions America, Inc. | 60-50-6200 | \$ 80.90 | 108850 | 2/19/2016 | Copier maintenance/Jan 2016/copy charges |
| Canon Solutions America, Inc. | 63-56-6200 | \$ 41.30 | 108850 | 2/19/2016 | Copier maintenance/Jan 2016/copy charges |
| Canon Solutions America, Inc. | 63-56-6200 | \$ 80.89 | 108850 | 2/19/2016 | Copier maintenance/Jan 2016/copy charges |
| | | \$ 431.19 | 108850 Total | | |
| Canon Financial Services, Inc. | 10-14-6200 | \$ 106.06 | 108851 | 2/19/2016 | Copier contract payment/Feb 2016 |
| Canon Financial Services, Inc. | 10-21-6200 | \$ 196.96 | 108851 | 2/19/2016 | Copier contract payment/Feb 2016 |
| Canon Financial Services, Inc. | 60-50-6200 | \$ 106.06 | 108851 | 2/19/2016 | Copier contract payment/Feb 2016 |
| Canon Financial Services, Inc. | 60-50-6200 | \$ 86.70 | 108851 | 2/19/2016 | Copier contract payment/Feb 2016 |
| Canon Financial Services, Inc. | 63-56-6200 | \$ 106.06 | 108851 | 2/19/2016 | Copier contract payment/Feb 2016 |
| Canon Financial Services, Inc. | 63-56-6200 | \$ 86.70 | 108851 | 2/19/2016 | Copier contract payment/Feb 2016 |
| | | \$ 688.54 | 108851 Total | | |
| CBA (CALIFORNIA BENEFITS) | 10-00-1110 | \$ 10,000.00 | 108852 | 2/19/2016 | Pre-paid dental-vision deposit |
| | | \$ 10,000.00 | 108852 Total | | |
| CBA (ADMIN FEES) | 10-00-2261 | \$ 247.00 | 108853 | 2/19/2016 | Dental-vision admin fees/Feb 2016 |
| | | \$ 247.00 | 108853 Total | | |
| C B MERCHANT SERVICES,INC | 63-56-6637 | \$ 22.86 | 108854 | 2/19/2016 | Bad debt reimbursed/Dec 2015 & Jan 2016 |
| | | \$ 22.86 | 108854 Total | | |
| CDW GOVERNMENT, INC | 10-22-7105 | \$ 988.19 | 108855 | 2/19/2016 | HP POE switch for fire dept |
| CDW GOVERNMENT, INC | 10-22-7105 | \$ 452.02 | 108855 | 2/19/2016 | Wallmount rack/Tripp power strip/fixed rack mount |
| CDW GOVERNMENT, INC | 10-22-7105 | \$ 904.74 | 108855 | 2/19/2016 | Ergotron dual arm side x side/monitor/computer/fire dept |
| | | \$ 2,344.95 | 108855 Total | | |
| Cemex, Inc. | 24-32-7727 | \$ 405.09 | 108856 | 2/19/2016 | 3 yards concrete delivered @ 1005 P St |
| | | \$ 405.09 | 108856 Total | | |
| CENTRAL SANITARY SUPPLY | 10-07-6300 | \$ 51.01 | 108857 | 2/19/2016 | |
| CENTRAL SANITARY SUPPLY | 10-07-6665 | \$ 25.51 | 108857 | 2/19/2016 | |
| CENTRAL SANITARY SUPPLY | 10-21-6300 | \$ 51.00 | 108857 | 2/19/2016 | |
| CENTRAL SANITARY SUPPLY | 10-22-6300 | \$ 25.50 | 108857 | 2/19/2016 | |



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| CENTRAL SANITARY SUPPLY | 10-44-6300 | \$ 25.51 | 108857 | 2/19/2016 | |
| CENTRAL SANITARY SUPPLY | 10-44-6660 | \$ 204.03 | 108857 | 2/19/2016 | |
| CENTRAL SANITARY SUPPLY | 10-44-6670 | \$ 102.02 | 108857 | 2/19/2016 | |
| CENTRAL SANITARY SUPPLY | 10-46-6300 | \$ 25.50 | 108857 | 2/19/2016 | |
| | | \$ 510.08 | 108857 Total | | |
| Chevron & Texaco Business Card Services | 10-07-6500 | \$ 46.34 | 108858 | 2/19/2016 | Gas and diesel purchases 1-15-16 to 2-14-16 |
| Chevron & Texaco Business Card Services | 10-21-6500 | \$ 2,497.89 | 108858 | 2/19/2016 | Gas and diesel purchases 1-15-16 to 2-14-16 |
| Chevron & Texaco Business Card Services | 10-22-6500 | \$ 511.43 | 108858 | 2/19/2016 | Gas and diesel purchases 1-15-16 to 2-14-16 |
| Chevron & Texaco Business Card Services | 10-33-6500 | \$ 126.83 | 108858 | 2/19/2016 | Gas and diesel purchases 1-15-16 to 2-14-16 |
| Chevron & Texaco Business Card Services | 10-44-6500 | \$ 152.35 | 108858 | 2/19/2016 | Gas and diesel purchases 1-15-16 to 2-14-16 |
| Chevron & Texaco Business Card Services | 60-50-6500 | \$ 241.35 | 108858 | 2/19/2016 | Gas and diesel purchases 1-15-16 to 2-14-16 |
| Chevron & Texaco Business Card Services | 63-56-6500 | \$ 740.36 | 108858 | 2/19/2016 | Gas and diesel purchases 1-15-16 to 2-14-16 |
| Chevron & Texaco Business Card Services | 69-47-6500 | \$ 99.26 | 108858 | 2/19/2016 | Gas and diesel purchases 1-15-16 to 2-14-16 |
| | | \$ 4,415.81 | 108858 Total | | |
| Churchwell White, LLP | 10-15-6200 | \$ 1,500.00 | 108859 | 2/19/2016 | Professional services/Dec 2015 |
| Churchwell White, LLP | 10-15-6200 | \$ 1,500.00 | 108859 | 2/19/2016 | Professional services/Jan 2016 |
| | | \$ 3,000.00 | 108859 Total | | |
| City of Turlock | 10-15-6200 | \$ 6,000.00 | 108860 | 2/19/2016 | Services rendered 7-1-15 thru 12-31-15 |
| | | \$ 6,000.00 | 108860 Total | | |
| CROP PRODUCTION SERVICES | 60-50-6230 | \$ 2,164.78 | 108861 | 2/19/2016 | 5 qrts Shark/17 gals Amine/4 gals Activator delivered for WWTP/ |
| | | \$ 2,164.78 | 108861 Total | | |
| CSG Consultants, Inc | 10-23-6215 | \$ 8,612.29 | 108862 | 2/19/2016 | Building permit issuances/Jan 2016 |
| CSG Consultants, Inc | 10-23-6215 | \$ 2,200.00 | 108862 | 2/19/2016 | Plan check fees/Jan 2016 |
| CSG Consultants, Inc | 10-23-6243 | \$ 25.00 | 108862 | 2/19/2016 | Occupancy insp fee-South Bay Naturals/Jan 2016 |
| | | \$ 10,837.29 | 108862 Total | | |
| DEPARTMENT OF MOTOR VEHIC | 10-21-6635 | \$ 68.22 | 108863 | 2/19/2016 | 4 Calif vehicle code books |
| | | \$ 68.22 | 108863 Total | | |
| ENTENMANN-ROVIN CO. | 10-21-6300 | \$ 662.68 | 108864 | 2/19/2016 | 4 Police Officer badges/2 Sergeant badges |
| | | \$ 662.68 | 108864 Total | | |
| FERGUSON ENTERPRISES, INC 1423 | 63-56-6300 | \$ 274.63 | 108865 | 2/19/2016 | Sewer pipe/pvc couplings/tee/shielded couplings/bushings |
| | | \$ 274.63 | 108865 Total | | |
| FRANKLIN PET CEMETERY & C | 10-21-6208 | \$ 28.00 | 108866 | 2/19/2016 | Animal disposal clinic |
| FRANKLIN PET CEMETERY & C | 10-21-6208 | \$ 2.00 | 108866 | 2/19/2016 | Animal disposal clinic |
| | | \$ 30.00 | 108866 Total | | |
| Garcia and Associates | 18-32-7739 | \$ 692.01 | 108867 | 2/19/2016 | Professional services 12-26-15 to 1-29-16/Inyo & Hwy 33 |
| | | \$ 692.01 | 108867 Total | | |
| GEOANALYTICAL LAB, INC. | 60-50-6200 | \$ 355.00 | 108868 | 2/19/2016 | BOD/TSS/Nitrates @ WWTP/Jan 2016 |
| GEOANALYTICAL LAB, INC. | 63-56-6200 | \$ 2,725.75 | 108868 | 2/19/2016 | Chrome levels/EDT, uranium reporting/bacti//Jan 2016 |



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|------------------------------|----------------|--------------------|---------------------|------------|--|
| | | \$ 3,080.75 | 108868 Total | | |
| GOSELIN JASON | 10-21-6695 | \$ 192.00 | 108869 | 2/19/2016 | Per diem/POST FTO update/Gosselin |
| | | \$ 192.00 | 108869 Total | | |
| Gouveia Engineering, Inc | 10-31-6200 | \$ 385.88 | 108870 | 2/19/2016 | Pre-design Inyo & Canal school intersection |
| Gouveia Engineering, Inc | 10-31-6200 | \$ 115.50 | 108870 | 2/19/2016 | Compiled available ADT information for City |
| Gouveia Engineering, Inc | 10-31-6200 | \$ 212.63 | 108870 | 2/19/2016 | Miscellaneous meetings |
| Gouveia Engineering, Inc | 10-31-6200 | \$ 380.63 | 108870 | 2/19/2016 | Abel Oliveira tentative parcel map |
| Gouveia Engineering, Inc | 18-32-7739 | \$ 408.75 | 108870 | 2/19/2016 | Hwy 33 & Inyo intersection |
| Gouveia Engineering, Inc | 24-32-7766 | \$ 1,841.25 | 108870 | 2/19/2016 | CNG Fast Fill fueling station |
| | | \$ 3,344.64 | 108870 Total | | |
| Hansford Economic Consulting | 60-50-6200 | \$ 1,173.75 | 108871 | 2/19/2016 | Sewer rate study/Jan 2016 |
| | | \$ 1,173.75 | 108871 Total | | |
| HARD DRIVE GRAPHICS | 10-33-6200 | \$ 60.00 | 108872 | 2/19/2016 | Repaired 4 downtown banners |
| | | \$ 60.00 | 108872 Total | | |
| Holiday Inn Express | 10-21-6695 | \$ 615.97 | 108873 | 2/19/2016 | Lodging POST trng/FTO update/Gosselin |
| | | \$ 615.97 | 108873 Total | | |
| IMAGE UNIFORMS | 10-21-6300 | \$ 543.43 | 108874 | 2/19/2016 | Uniform pants/shirts/nametag/boots/Jasmine Fragoza |
| | | \$ 543.43 | 108874 Total | | |
| Independent Stationers | 10-14-6300 | \$ 46.25 | 108875 | 2/19/2016 | HP printer toner |
| Independent Stationers | 10-14-6300 | \$ 46.25 | 108875 | 2/19/2016 | HP printer toner |
| Independent Stationers | 60-50-6300 | \$ 46.25 | 108875 | 2/19/2016 | HP printer toner |
| Independent Stationers | 60-50-6300 | \$ 46.25 | 108875 | 2/19/2016 | HP printer toner |
| Independent Stationers | 63-56-6300 | \$ 46.25 | 108875 | 2/19/2016 | HP printer toner |
| Independent Stationers | 63-56-6300 | \$ 46.25 | 108875 | 2/19/2016 | HP printer toner |
| | | \$ 277.50 | 108875 Total | | |
| INFOSEND, INC | 60-50-6200 | \$ 980.65 | 108876 | 2/19/2016 | Utility bill and late notice mailing/Jan 2016 |
| INFOSEND, INC | 63-56-6200 | \$ 980.65 | 108876 | 2/19/2016 | Utility bill and late notice mailing/Jan 2016 |
| | | \$ 1,961.30 | 108876 Total | | |
| JOE'S LANDSCAPING & CONCR | 10-33-6270 | \$ 975.00 | 108877 | 2/19/2016 | Clean-up of 625 Sweetgum Lane |
| JOE'S LANDSCAPING & CONCR | 10-33-6270 | \$ 980.00 | 108877 | 2/19/2016 | Clean-up of 1007 R Street |
| JOE'S LANDSCAPING & CONCR | 24-32-7727 | \$ 26.90 | 108877 | 2/19/2016 | Bend-a-Board |
| JOE'S LANDSCAPING & CONCR | 69-47-6200 | \$ 7,160.00 | 108877 | 2/19/2016 | LLD landscape services/Jan 2016 |
| | | \$ 9,141.90 | 108877 Total | | |
| Juarez-Pineda Marco Vinicio | 10-00-5794 | \$ 180.00 | 108878 | 2/19/2016 | Refund of vehicle release fees/Juarez-Pineda |
| | | \$ 180.00 | 108878 Total | | |
| Lynn Peavey Company | 10-21-6300 | \$ 242.46 | 108879 | 2/19/2016 | Nitrile gloves/zip lock bags/currency bags/PD |
| | | \$ 242.46 | 108879 Total | | |
| MID VALLEY IT, INC | 10-07-7105 | \$ 407.80 | 108880 | 2/19/2016 | Avigilon enterprise license/2 cameras |



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| MID VALLEY IT, INC | 10-14-6200 | \$ 791.60 | 108880 | 2/19/2016 | IT CONTRACT/FIN |
| MID VALLEY IT, INC | 10-21-6200 | \$ 1,583.20 | 108880 | 2/19/2016 | IT CONTRACT/PD/March 2016 |
| MID VALLEY IT, INC | 10-22-7105 | \$ 1,606.94 | 108880 | 2/19/2016 | Ubiquiti wireless nano bridge/configured and installed @ fire st |
| MID VALLEY IT, INC | 60-50-6200 | \$ 791.60 | 108880 | 2/19/2016 | IT CONTRACT/SEWR |
| MID VALLEY IT, INC | 60-50-7105 | \$ 407.80 | 108880 | 2/19/2016 | Avigilon enterprise license/2 cameras |
| MID VALLEY IT, INC | 63-56-6200 | \$ 791.60 | 108880 | 2/19/2016 | IT CONTRACT/WATR |
| MID VALLEY IT, INC | 63-56-7105 | \$ 407.79 | 108880 | 2/19/2016 | Avigilon enterprise license/2 cameras |
| | | \$ 6,788.33 | 108880 Total | | |
| NEWMAN MINI MART | 10-21-6500 | \$ 27.64 | 108881 | 2/19/2016 | Unleaded gas/PD |
| | | \$ 27.64 | 108881 Total | | |
| NEWMAN SMOG AND LUBE | 10-21-6530 | \$ 83.00 | 108882 | 2/19/2016 | Mounted and balanced new tires/2014 Charger |
| | | \$ 83.00 | 108882 Total | | |
| Nino's Auto Repair | 10-33-6530 | \$ 14.25 | 108883 | 2/19/2016 | Installed fuse holder |
| Nino's Auto Repair | 10-33-6530 | \$ 340.99 | 108883 | 2/19/2016 | Replaced starter/solenoid/battery cable |
| Nino's Auto Repair | 10-44-6530 | \$ 14.25 | 108883 | 2/19/2016 | Installed fuse holder |
| Nino's Auto Repair | 63-56-6530 | \$ 626.44 | 108883 | 2/19/2016 | Mount & balance 4 tires |
| Nino's Auto Repair | 69-47-6530 | \$ 14.67 | 108883 | 2/19/2016 | Installed fuse holder |
| | | \$ 1,010.60 | 108883 Total | | |
| North Star Engineering Group, Inc | 18-32-7739 | \$ 3,655.00 | 108884 | 2/19/2016 | Professional services thru Jan 31, 2016/Inyo & Hwy 33 project |
| | | \$ 3,655.00 | 108884 Total | | |
| OPERATING ENGINEERS/ | 10-00-2260 | \$ 749.00 | 108885 | 2/19/2016 | Health insurance premium/March 2016 |
| | | \$ 749.00 | 108885 Total | | |
| OUR LADY OF ROSES #221 YL | 10-01-6620 | \$ 24.00 | 108886 | 2/19/2016 | 48 Council, Planning, Recreation listings on community calendar |
| | | \$ 24.00 | 108886 Total | | |
| PACIFIC WATER RESOURCES | 62-60-6225 | \$ 1,251.27 | 108887 | 2/19/2016 | Vacuum repair kit/check valves/quick disconnects |
| | | \$ 1,251.27 | 108887 Total | | |
| CITY OF PATTERSON | 10-03-6200 | \$ 660.00 | 108888 | 2/19/2016 | City council video reimbursement/Jan 2016 |
| | | \$ 660.00 | 108888 Total | | |
| P G & E | 10-07-6410 | \$ 307.43 | 108889 | 2/19/2016 | Gas and electric @ 938 Fresno St/1-6-16 to 2-03-16 |
| P G & E | 10-21-6510 | \$ 16.26 | 108889 | 2/19/2016 | Natural gas pumped @ CNG 12-11-15 to 1-11-16 |
| P G & E | 10-33-6510 | \$ 48.77 | 108889 | 2/19/2016 | Natural gas pumped @ CNG 12-11-15 to 1-11-16 |
| P G & E | 10-44-6510 | \$ 32.52 | 108889 | 2/19/2016 | Natural gas pumped @ CNG 12-11-15 to 1-11-16 |
| P G & E | 60-50-6410 | \$ 307.43 | 108889 | 2/19/2016 | Gas and electric @ 938 Fresno St/1-6-16 to 2-03-16 |
| P G & E | 60-50-6510 | \$ 16.26 | 108889 | 2/19/2016 | Natural gas pumped @ CNG 12-11-15 to 1-11-16 |
| P G & E | 63-56-6410 | \$ 307.44 | 108889 | 2/19/2016 | Gas and electric @ 938 Fresno St/1-6-16 to 2-03-16 |
| P G & E | 63-56-6510 | \$ 16.26 | 108889 | 2/19/2016 | Natural gas pumped @ CNG 12-11-15 to 1-11-16 |
| | | \$ 1,052.37 | 108889 Total | | |
| Ready Refresh by Nestle | 10-14-6300 | \$ 27.10 | 108890 | 2/19/2016 | Bottled water delivered/Jan 20165 |



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| Ready Refresh by Nestle | 10-21-6300 | \$ 6.12 | 108890 | 2/19/2016 | Bottled water delivered/Jan 20165 |
| Ready Refresh by Nestle | 10-45-6300 | \$ 37.03 | 108890 | 2/19/2016 | Bottled water delivered/Jan 20165 |
| Ready Refresh by Nestle | 60-50-6300 | \$ 27.10 | 108890 | 2/19/2016 | Bottled water delivered/Jan 20165 |
| Ready Refresh by Nestle | 60-50-6300 | \$ 40.90 | 108890 | 2/19/2016 | Bottled water delivered/Jan 20165 |
| Ready Refresh by Nestle | 60-50-6300 | \$ 60.22 | 108890 | 2/19/2016 | Bottled water delivered/Jan 20165 |
| Ready Refresh by Nestle | 63-56-6300 | \$ 27.11 | 108890 | 2/19/2016 | Bottled water delivered/Jan 20165 |
| Ready Refresh by Nestle | 63-56-6300 | \$ 40.89 | 108890 | 2/19/2016 | Bottled water delivered/Jan 20165 |
| | | \$ 266.47 | 108890 Total | | |
| ROCHA BACKHOE SERVICE, IN | 10-33-6300 | \$ 135.00 | 108891 | 2/19/2016 | 12.71 tons gravel delivered to corp yard |
| ROCHA BACKHOE SERVICE, IN | 63-56-6300 | \$ 135.00 | 108891 | 2/19/2016 | 12.71 tons gravel delivered to corp yard |
| | | \$ 270.00 | 108891 Total | | |
| SAFE-T-LITE | 10-07-6300 | \$ 8.16 | 108892 | 2/19/2016 | Hand concrete groover/safety glasses |
| SAFE-T-LITE | 10-33-6300 | \$ 8.17 | 108892 | 2/19/2016 | Hand concrete groover/safety glasses |
| SAFE-T-LITE | 10-44-6300 | \$ 8.17 | 108892 | 2/19/2016 | Hand concrete groover/safety glasses |
| SAFE-T-LITE | 24-32-7727 | \$ 45.19 | 108892 | 2/19/2016 | Hand concrete groover/safety glasses |
| SAFE-T-LITE | 60-50-6300 | \$ 8.17 | 108892 | 2/19/2016 | Hand concrete groover/safety glasses |
| SAFE-T-LITE | 63-56-6300 | \$ 8.17 | 108892 | 2/19/2016 | Hand concrete groover/safety glasses |
| SAFE-T-LITE | 69-47-6300 | \$ 8.17 | 108892 | 2/19/2016 | Hand concrete groover/safety glasses |
| | | \$ 94.20 | 108892 Total | | |
| SCM HEARTHSTONE, LLC | 10-00-5825 | \$ (786.34) | 108893 | 2/19/2016 | Storm and water fee credits |
| SCM HEARTHSTONE, LLC | 42-00-2104 | \$ 12,109.55 | 108893 | 2/19/2016 | Storm and water fee credits |
| SCM HEARTHSTONE, LLC | 42-36-6650 | \$ 149.00 | 108893 | 2/19/2016 | Storm and water fee credits |
| SCM HEARTHSTONE, LLC | 64-00-2101 | \$ 2,831.03 | 108893 | 2/19/2016 | Storm and water fee credits |
| SCM HEARTHSTONE, LLC | 64-56-6650 | \$ 637.34 | 108893 | 2/19/2016 | Storm and water fee credits |
| | | \$ 14,940.58 | 108893 Total | | |
| Singh Ronil | 10-21-6695 | \$ 48.00 | 108894 | 2/19/2016 | Per Diem/POST training/Singh |
| | | \$ 48.00 | 108894 Total | | |
| SOLECON, INC | 10-07-6200 | \$ 1,137.65 | 108895 | 2/19/2016 | Repairs and filter changes to heater @ theater |
| SOLECON, INC | 10-21-6200 | \$ 1,000.00 | 108895 | 2/19/2016 | Replaced blower and blower motor @ PD |
| SOLECON, INC | 10-44-6660 | \$ 1,890.28 | 108895 | 2/19/2016 | Replaced filters on AC-heating unit @ Memorial Bldg |
| | | \$ 4,027.93 | 108895 Total | | |
| South Bay Regional PSTC | 10-21-6695 | \$ 70.00 | 108896 | 2/19/2016 | Registration POST trng/Gosselin |
| | | \$ 70.00 | 108896 Total | | |
| State of Calif Dept of Justice | 10-00-2014 | \$ 856.00 | 108897 | 2/19/2016 | Fingerprint apps/child abuse index/peace officer/CCW initial |
| | | \$ 856.00 | 108897 Total | | |
| Stanislaus County Auditor-Controller | 10-21-6510 | \$ 4.09 | 108898 | 2/19/2016 | Natural gas pumped @ Morgan Rd CNG station |
| Stanislaus County Auditor-Controller | 10-21-6510 | \$ 2.98 | 108898 | 2/19/2016 | Natural gas pumped @ Morgan Rd CNG station |



AP Check Register February 19, 2016

| Vendor | Fund-Dept-Acct | Amount | Check # | Check date | Description |
|--------------------------------------|----------------|---------------------|---------------------|------------|--|
| Stanislaus County Auditor-Controller | 10-33-6510 | \$ 11.64 | 108898 | 2/19/2016 | Natural gas pumped @ Morgan Rd CNG station |
| Stanislaus County Auditor-Controller | 10-33-6510 | \$ 15.44 | 108898 | 2/19/2016 | Natural gas pumped @ Morgan Rd CNG station |
| Stanislaus County Auditor-Controller | 10-33-6530 | \$ 371.40 | 108898 | 2/19/2016 | Repairs to 2 CNG pick-ups |
| Stanislaus County Auditor-Controller | 10-44-6510 | \$ 8.17 | 108898 | 2/19/2016 | Natural gas pumped @ Morgan Rd CNG station |
| Stanislaus County Auditor-Controller | 10-44-6530 | \$ 371.40 | 108898 | 2/19/2016 | Repairs to 2 CNG pick-ups |
| Stanislaus County Auditor-Controller | 63-56-6510 | \$ 1.81 | 108898 | 2/19/2016 | Natural gas pumped @ Morgan Rd CNG station |
| Stanislaus County Auditor-Controller | 69-47-6530 | \$ 371.41 | 108898 | 2/19/2016 | Repairs to 2 CNG pick-ups |
| | | \$ 1,158.34 | 108898 Total | | |
| STAPLES ADVANTAGE | 10-21-6300 | \$ 56.73 | 108899 | 2/19/2016 | Legal pad/highlighters/storage boxes/batteries/gluestick |
| STAPLES ADVANTAGE | 63-56-6300 | \$ 44.60 | 108899 | 2/19/2016 | Document frame |
| | | \$ 101.33 | 108899 Total | | |
| STANISLAUS CNTY SHERIFF'S | 10-21-6695 | \$ 851.00 | 108900 | 2/19/2016 | POST training registration/STOP/Singh |
| | | \$ 851.00 | 108900 Total | | |
| STANTEC CONSULTING SERVICE, Inc | 60-50-6200 | \$ 36,777.58 | 108901 | 2/19/2016 | Water and wastewater on-call 2015-2016 |
| | | \$ 36,777.58 | 108901 Total | | |
| True Blue Veterinary Group | 10-21-6208 | \$ 1,662.52 | 108902 | 2/19/2016 | Animal control services/Trifectant disinfectant/hysterectomies |
| True Blue Veterinary Group | 10-21-6208 | \$ 1,070.17 | 108902 | 2/19/2016 | Animal control services/hysterectomy |
| True Blue Veterinary Group | 10-21-6208 | \$ 1,572.25 | 108902 | 2/19/2016 | Animal control services/laceration repair/hysterectomies |
| True Blue Veterinary Group | 10-21-6208 | \$ 1,405.00 | 108902 | 2/19/2016 | Animal control services/hysterectomies/amputation |
| | | \$ 5,709.94 | 108902 Total | | |
| REYNOSO ARMANDO | 63-00-2010 | \$ 9.67 | 108903 | 2/19/2016 | Refund Check |
| | | \$ 9.67 | 108903 Total | | |
| DUDLEY DAVID | 63-00-2010 | \$ 108.05 | 108904 | 2/19/2016 | Refund Check |
| | | \$ 108.05 | 108904 Total | | |
| AGUILAR-VELAZCO TANYA | 63-00-2010 | \$ 19.87 | 108905 | 2/19/2016 | Refund Check |
| | | \$ 19.87 | 108905 Total | | |
| CORREA PHILIP R | 63-00-2010 | \$ 11.46 | 108906 | 2/19/2016 | Refund Check |
| | | \$ 11.46 | 108906 Total | | |
| USA BLUEBOOK | 42-36-6300 | \$ 51.34 | 108907 | 2/19/2016 | Economy PVC discharge hose |
| USA BLUEBOOK | 63-56-6300 | \$ 350.31 | 108907 | 2/19/2016 | Hydrant traffic repair kit |
| USA BLUEBOOK | 69-47-6300 | \$ 51.35 | 108907 | 2/19/2016 | Economy PVC discharge hose |
| | | \$ 453.00 | 108907 Total | | |
| MATTOS NEWSPAPERS, INC. | 10-01-6620 | \$ 78.90 | 108908 | 2/19/2016 | Display ad/Mel Souza's retirement open house |
| MATTOS NEWSPAPERS, INC. | 10-01-6620 | \$ 39.45 | 108908 | 2/19/2016 | Display ad/Mel Souza's retirement open house |
| MATTOS NEWSPAPERS, INC. | 10-06-6600 | \$ 80.00 | 108908 | 2/19/2016 | Notice of public hearing/GP admendment #16-01 |
| MATTOS NEWSPAPERS, INC. | 10-06-6600 | \$ 48.00 | 108908 | 2/19/2016 | Notice of commission vacancy |
| MATTOS NEWSPAPERS, INC. | 10-06-6600 | \$ 88.00 | 108908 | 2/19/2016 | Notice of public hearing/impact fees |
| MATTOS NEWSPAPERS, INC. | 10-21-6300 | \$ 69.96 | 108908 | 2/19/2016 | 250 Business cards/Jason Hutchins |



Void Check Register February 19, 2016

| Verndor No | Vendor Name | Account | Invoice | Description | Amount | Check Number | Check Date | Selected for Void |
|------------|-------------|------------|---------|--------------------------------------|----------|---------------------|------------|-------------------|
| SAF00 | SAFE-T-LITE | 24-32-7727 | 322420 | Hand concrete groover/safety glasses | \$ 45.19 | 108892 | 2/19/2016 | TRUE |
| SAF00 | SAFE-T-LITE | 10-07-6300 | 322420 | Hand concrete groover/safety glasses | \$ 8.16 | 108892 | 2/19/2016 | TRUE |
| SAF00 | SAFE-T-LITE | 10-33-6300 | 322420 | Hand concrete groover/safety glasses | \$ 8.17 | 108892 | 2/19/2016 | TRUE |
| SAF00 | SAFE-T-LITE | 10-44-6300 | 322420 | Hand concrete groover/safety glasses | \$ 8.17 | 108892 | 2/19/2016 | TRUE |
| SAF00 | SAFE-T-LITE | 63-56-6300 | 322420 | Hand concrete groover/safety glasses | \$ 8.17 | 108892 | 2/19/2016 | TRUE |
| SAF00 | SAFE-T-LITE | 60-50-6300 | 322420 | Hand concrete groover/safety glasses | \$ 8.17 | 108892 | 2/19/2016 | TRUE |
| SAF00 | SAFE-T-LITE | 69-47-6300 | 322420 | Hand concrete groover/safety glasses | \$ 8.17 | 108892 | 2/19/2016 | TRUE |
| | | | | | \$ 94.20 | 108892 Total | | |
| | | | | | \$ 94.20 | Grand Total | | |



MINUTES
NEWMAN CITY COUNCIL
REGULAR MEETING FEBRUARY 9, 2016
CITY COUNCIL CHAMBERS, 7:00 P.M., 938 FRESNO STREET

1. **Call To Order** - Mayor Martina 7:01 P.M.
2. **Pledge Of Allegiance.**
3. **Invocation** - Mayor Martina.
4. **Roll Call** - **PRESENT** Graham, Mayor Pro Tem Candea And Mayor Martina.
ABSENT: Davis And Day.
5. **Declaration Of Conflicts Of Interest** - None.
6. **Ceremonial Matters**

- a. Proclamation - Recognition Of Fire Chief Mel Souza's Forty-Two Years Of Service.

Mayor Martina Read And Presented A Proclamation Recognizing Fire Chief Mel Souza's Forty-Two Years Of Service To The City Of Newman And Sounding Communities.

Chief Bowen Presented Chief Souza With A Commemorative Fireman's Axe And Had The Emergency Dispatch Do A Last Call Tone Out For The Chief Souza.

Mayor Brazil From Gustine Presented Chief Souza With A Certificate Of Appreciation. Brazil Noted That Souza Helped Create A Mutual Aid Agreement Between The Cities of Newman And Gustine And Thanked Him For His Service To Both Communities.

Pat Borrelli, Gustine Fire Chief, Thanked Mel For His Help And Service And Wished Him Luck In His Retirement.

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

Bill Mattos, Newman Lions Club President, Requested The Use Of The City's Teen Center For Lions Club Meetings And Other Functions. Mattos Noted That The Newman Lions Club Had Built The Facility And Dedicated It To The City.

8. **Consent Calendar**

- a. Waive All Readings Of Ordinances And Resolutions Except By Title.
- b. Approval Of Warrants.
- c. Approval Of Minutes Of The January 26, 2016 Meeting.
- d. Adopt Resolution No. 2016-05, A Resolution Of The City Council Of The City Of Newman Authorizing The Purchase Of 2070 Prince Street From The Newman Redevelopment Successor Agency.
- e. Adopt Resolution No. 2016-06, A Resolution Modifying The Policy For The Issuance Of A City Of Newman Fireworks Selling Permit.

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

9. Public Hearings

- a. Adopt Resolution No. 2016-07, A Resolution Declaring The Existence Of A Public Nuisance Under Ordinance No. 95-4.

Mayor Martina Opened The Public Hearing At 7:19 P.M.

There Being No Public Comment, Martina Closed The Public Hearing At 7:19 P.M.

ACTION: On Motion By Candea Seconded By Graham, Resolution No. 2016-07, A Resolution Declaring The Existence Of A Public Nuisance Under Ordinance No. 95-4, Was Adopted By The Following Vote: AYES: Graham, Candea And Mayor Martina; NOES: None; ABSENT: Davis And Day; NOT PARTICIPATING: None.

- b. Adopt Resolution No. 2016-08, A Resolution Authorizing The Automatic Annual Inflation Adjustment For Capital Facility And Impact Fees For The Period Of March 1, 2016 Through February 28, 2017.

Mayor Martina Opened The Public Hearing At 7:21 P.M.

There Being No Public Comment, Martina Closed The Public Hearing At 7:21 P.M.

ACTION: On Motion By Graham Seconded By Candea, Resolution No. 2016-08, A Resolution Authorizing The Automatic Annual Inflation Adjustment For Capital Facility And Impact Fees For The Period Of March 1, 2016 Through February 28, 2017, Was Adopted By The Following Vote: AYES: Graham, Candea And Mayor Martina; NOES: None; ABSENT: Davis And Day; NOT PARTICIPATING: None.

10. Regular Business

- a. Adopt Resolution No. 2016-09, A Resolution Adopting The Midyear Changes For Fiscal Year 2015-2016.

ACTION: On Motion By Candea Seconded By Graham, Resolution No. 2016-09, A Resolution Adopting The Midyear Changes For Fiscal Year 2015-2016, Was Adopted By The Following Vote: AYES: Graham, Candea And Mayor Martina; NOES: None; ABSENT: Davis And Day; NOT PARTICIPATING: None.

- b. Adopt Resolution No. 2016-10, A Resolution Awarding The 2015 Urban Water Management Plan Project To Gouveia Engineering, Inc., And Authorize The City Manager To Execute Said Agreement And Associated Documents.

Council Member Graham Asked About The Disparity Between The Bid Amounts And Specifically Why Gouveia Engineering Bid Was So Much Lower Than The Other Bids.

Public Works Director Kim Noted That Staff Had The Same Questions But Noted That Gouveia Engineering Had Just Completed A Water Management Plan For A Similar Neighboring City. Kim Noted That City Staff Found Gouveia Engineering To Be The Most Qualified Of All The Bidders.

City Manager Holland Noted That Gouveia Engineering Fully Understands The Risk And Stated That They Were Confident They Could Provide The Plan At The Lower Cost.

ACTION: On Motion By Graham Seconded By Candea, Resolution No. 2016-10, A Resolution Awarding The 2015 Urban Water Management Plan Project To Gouveia Engineering, Inc., And Authorize The City Manager To Execute Said Agreement And Associated Documents, Was Adopted By The Following Vote: AYES: Graham, Candea And Mayor Martina; NOES: None; ABSENT: Davis And Day; NOT PARTICIPATING: None.

11. Items From District Five Stanislaus County Supervisor.

Supervisor DeMartini Mentioned That The County Was Working On A Countywide Groundwater Management Plan. DeMartini Noted That The County Was Seeking Grant Funds To Attempt To Use Water Runoff For Groundwater Recharge. He Reminded Everyone That The Next West Side Healthcare Taskforce Meeting Would Be In Newman On February 25th. DeMartini Indicated That A South County Corridor Presentation Could Be Brought Before StanCOG Early The Following Week. He Remarked That The Fink Road Route Was The Cheapest, Easiest And Best Route For The Corridor.

Council Member Graham Pointed Out The Cost Of Fink Road Option Appears To Inflated To Make The Other Routes Look More Appealing.

Supervisor DeMartini Agreed With Council Member Graham's Comments And Stated That He Felt The Same Way.

12. Items From The City Manager And Staff.

City Manager Holland Notified Everyone That All City Offices Would Be Closed On February 15th In Observance Of President's Day. Holland Noted The February Planning Commission Meeting Had Been Cancelled. He Concluded By Mentioning That City Staff Had Recently Met With Stanislaus County Staff To Discuss Countywide Projects As Well As City Of Turlock Staff To Discuss The Northwest Masterplan.

City Planner Ocasio Reported That She Was Working With The Stake Plaza Contractor And That She Hoped They Would Be Able To Break Ground Soon. Ocasio Noted That The Recent Homeless Count Had Tallied Seventeen Homeless Individuals Living In The City Of Newman.

Public Works Director Kim Indicated That The State Is Supposed To Be Ending Its Emergency Water Conservation Regulations But Noted That They Had Instead Extended Said Regulations Until October 2016. Kim Mentioned That The City Water Conservation Program Will Continue Until The City Receives New Direction From The State.

13. Items From City Council Members.

Council Member Graham Thanked The Lions Club For Attending The City Council Meeting And Thanked Chief Souza For His Many Years Of Service. Graham Noted That City Staff Was Working On A Solution For The Proposed Light In The Barrington Park Parking Lot. He Concluded By Stating That He Was Praying For Council Member Day's Family.

Council Member Candea Congratulated Chief Souza On His Retirement, Wished Council Member Day's Family Well And Reminded Public Works Director Kim To Clean Sherman Ditch Ahead Of Any Storms.

Mayor Martina Thanked The Lions Club Members For Attending The City Council Meeting And Congratulated Chief Souza On His Retirement.

14. Adjournment.

ACTION: On Motion By Candea Seconded By Graham And Unanimously Carried, The Meeting Was Adjourned At 7:45 P.M.

Honorable Mayor and Members
of the Newman City Council

DECLARE CERTAIN PROPERTY AS SURPLUS AND APPROVE OF ITS DISPOSAL

RECOMMENDATION:

Adopt Resolution No. 2016- , a resolution declaring certain property as surplus property and authorizing disposal by destruction, auction or specific donation.

BACKGROUND:

The City has property that becomes obsolete, is not repairable, or is no longer of use. In order for the City to legally dispose of this property, it must be declared surplus by the City Council.

ANALYSIS:

The sale of these items will bring in a small amount of revenue and free up much needed space at the facilities where they are currently stored.

FISCAL IMPACT:

The fiscal impact will be a positive influx of revenue for the general fund of a small, undetermined amount.

CONCLUSION:

This staff report is submitted for City Council consideration and action. Staff recommends adoption of Resolution No. 2016- , a resolution declaring certain property as surplus property and authorizing disposal by destruction, auction or specific donation.

ATTACHMENTS:

1. Resolution No. 2016-
2. List of City-owned property for surplus

Respectfully submitted,



Brett Short
Police Lieutenant

REVIEWED/CONCUR:



Michael Holland
City Manager

RESOLUTION NO. 2016-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWMAN DECLARING
CERTAIN PROPERTY AS SURPLUS AND AUTHORIZING DISPOSAL**

WHEREAS, the City has property that becomes obsolete, is not repairable, or is no longer of use;
and

WHEREAS, in order for the City to legally dispose of this property, it must be declared surplus
by the City Council; and

WHEREAS, the sale of these items will bring in a small amount of revenue and free up much
needed space at the facilities where they are currently stored; and

WHEREAS, the fiscal impact will be a positive influx of revenue for the general fund of a small,
undetermined amount.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newman to declare
certain property as surplus property and authorizing disposal by destruction, auction or specific donation.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman
held on the 23rd day of February, 2016 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:

City Clerk

Surplus February 2016

City of Newman

| No. | Item | Description | Asset Tag # | Qty | ID # | Reason |
|-----|------------------------|--|-------------|-----|---|----------------------------------|
| 1 | Motorola Minitor II | Minitor Radio/Pager Chr/Plug | | 4 | MD5XUW23R7 MD5XUQ23R? 646XUE2DC6 646XXP24BB | Obsolete |
| 2 | Motorola Base Charger | Base Radio CHR HT-1000 | | 1 | NTN1171A | Obsolete |
| 3 | Radio Program Software | Programming Software MCS-2000 | | 1 | | Obsolete |
| 4 | Radio Program Software | Programming Software MCS-2000 | | 1 | | Obsolete |
| 5 | Motorola Radio HT1000 | HT1000 Handheld Radio | | 3 | 402AUW4174 402TEG4795 402TEG4775 | Obsolete Obsolete Obsolete |
| 6 | Motorola Radio HT1000 | HT1000 Handheld Radio (STATE GRANT) | | 2 | 34203 34204 | Obsolete Obsolete |
| 7 | Motorola Radio MT2000 | MT2000 Handheld Radio | | 4 | 355ccw1951 355CEW1482 355CEW1475 355CEW1474 | Obsolete |
| 8 | MOTOROLA RADIO JT1000 | JT1000 HANDHELD RADIO | | 1 | 402AXS1345 | Obsolete |
| 9 | MOTOROLA MINITOR II | MINITOR RADIO ONLY | | 1 | NO S/N | Obsolete |
| 10 | MOTOROLA MINITOR II | MINITOR RADIO/CHARGER/PLUG | | 11 | 646XXP24BC 646BTC24GD 646XUE2DC4 MD5XUW23R4 646XXP24BP 646BTC2GC MD5XUW23R3 MD5XUW23R5 646XUE2DC8 646XXP24BN 646KUE2DC7 | Obsolete |
| 11 | MOTOROLA MINITOR II SV | MINITOR RADIO UPGRADED MODEL W/ CHR & PLUG | | 3 | MDSBQL2872 646XYA26HS MD5XUW23QZ | Obsolete |
| 12 | ROLLING CHAIR-GRAY | ROLLING CHAIR GRAY (FIXED ARM/ADJ HEIGHT/RECLINE) | | 18 | | Obsolete |
| 13 | ROLLING CHAIR-GREEN | OFFICE CHAIR GREEN (ROLLING, ADJ ARM & HEIGHT, LUMBAR, RECLINE) | | 4 | | Obsolete |
| 14 | OFFICE CHAIR-GRAY | ROLLING, ADJ ARM & HEIGHT, LUMBAR | | 3 | | Obsolete |
| 15 | Office Chair-Blue | ROLLING, ADJ ARM & HEIGHT, LUMBAR | | 2 | | Obsolete |
| 16 | Conference Chair-Gray | Rolling, Recline | | 9 | | Obsolete |
| 17 | Conference Chair-Red | Rolling, Recline | | 1 | | Obsolete |

Surplus February 2016

City of Newman

| No. | Item | Description | Asset Tag # | Qty | ID # | Reason |
|-----|------------------------------------|---|-------------|-----|--|----------|
| 18 | Wood Briefcase | Antique Custom- Wood Briefcase | | 1 | | Obsolete |
| 19 | Eureka Vacuum | Commercial Vacuum Red Model: C2031 | | 1 | | Obsolete |
| 20 | Suvivair Cylinder Regulator | Box of Suvivair Regulators Out of Svc | | 4 | | Obsolete |
| 21 | Motorola Minitor | First Generation Minitor | | 18 | | Obsolete |
| 22 | Plectron Radio | FM Transistor Radio Model: RC412 | | 2 | R720C234775 R720B274301 | Obsolete |
| 23 | Motorola Base Unit | Charger, Base Speaker Minitor | | 1 | 09854 | Obsolete |
| | MOTOROLA BASE | PORTABLE RADIO BASE UNIT | | 1 | 4266A | |
| 24 | Motorola Battery Conditioner | Battery Maintenance System Model:WPLN4079BR | | 1 | | |
| 25 | MOTOROLA ALERT MINITIOR | RED BOX ALERT MINITOR BASE L03CND7100A | | 7 | N22COL N24C1L N03C8H N22C9L N23C8L N21C7L N22C1L | |
| 26 | FIREFIGHTER SUSPENDERS | BLK/RED PPE SUSPENDERS | | 4 | | |
| 27 | ATT WIRELESS ROUTER | 2WIRE GATEWAY 2701HG-B | | 1 | 271019079576 | |
| 28 | LINKSYS FIREWALL ROUTER | BROADBANK ROUTER 4 PORT SLOT | | 1 | CB10F101801 | |
| 29 | CHIRSTMAS TREE STAND | GREEN/RED STAND | | 1 | | |
| 30 | HAND BAG | NEVADA FIRE CHIEFS ASS BLUE/BLK HANDBAG | | 1 | | |
| 31 | ARCHEROTOR ANTENNA CONTROL | ANTENNA CONTROLLER MODEL:15-1225B | | 1 | | Obsolete |
| 32 | BROTHER INTELLIFAX | INTELLIFAX 2800 LASER PLAIN PAPER FAX | | 1 | CITY ID# 0444 | Broken |
| 33 | Safety Vest Button-Up | safety Vest Aramark Vest | | 6 | | Obsolete |
| 34 | Roll of 1.5" Hose | Cotton W/Brass Couplings | | 1 | | Obsolete |
| 35 | Motorola Minitor W/ CHR | First Generation Minitor W/ Bass Charger | | 3 | | Obsolete |
| 36 | Uniden Radio W/ CHR | Radio, Battery, Charger, Mic Model:FPH54D | | 1 | 7300142 | Obsolete |
| 37 | Uniden Radio W/ CHR | Radio, Battery, Charger, Mic Model: APX1070 | | 1 | | Obsolete |
| 38 | Motorola Radio HT440 W/ CHR | Radio, Battery, Charger Model: H33BBU3123A | | 2 | 402ALN0680 402ALN0681 | Obsolete |
| 39 | Motorola Radio MT500 W/CHR | Radio, Battery, Charger Mic Model: H33BBU3123A | | 1 | 230ACW7382 | Obsolete |
| 40 | Motorola Battery Charger | Motorola Minitor Charger Model: NLN3821A | | 1 | 25-97-06 | Obsolete |
| 41 | SAE Power Adapter | Charger Model: TEAD-48-060900U | | 1 | LR68609 | Obsolete |
| 42 | Motorola Battery Charger | Charger Model: SPS-12-005A | | 1 | 25R75178C02 | Obsolete |
| 43 | Motorola Power Adapter | Charger Model: 2580162R01 | | 1 | LR68809 | Obsolete |
| 44 | Motorola Charger W/Cord | Base Charger For Motorola Radio 6881072C20 | | 1 | NTN1171A | Obsolete |
| 45 | Motorola Intelli-Charger II W/Cord | Base Charger For Motorola Radio AAHTN9001B | | 1 | RPX4747A | Obsolete |
| 46 | Motorola Minitor Charger | Base Charger For Motorola Minitor Model: RLN5703C | | 1 | 09690 | Obsolete |
| 47 | Office Desk Brown Wood | 60"x34"x28 1/2" Desk Wood 6 Drawers W/ Lock Pullout Shelf | | 1 | | Obsolete |

Surplus February 2016

City of Newman

| No. | Item | Description | Asset Tag # | Qty | ID # | Reason |
|-----|-----------------------------------|--|-------------|-----|---|----------|
| 48 | Guest Chair Blk Leather/Wood | Leather & Wood Sitting Chair Blk | | 1 | | Obsolete |
| 49 | Metal Office Desk | 61.5" x 31" x 30" Desk Metal | | 1 | | Obsolete |
| 50 | Metal Office Desk | 61.5" x 31" x 30" Desk Metal WHT w/ Wood Top 6-Drawers | | 1 | | Obsolete |
| 51 | Round Red Warning Light | Large Round Red Warning Light | | 1 | | Obsolete |
| 52 | Brake Light 2-Sided Red | Small round red warning light Sparton 700 Series | | 1 | | Obsolete |
| 53 | DSL Modem | Siemens Speed Stream 4100 | | 1 | 060-d141-a17 | Obsolete |
| 54 | Motorola Radio Speaker | Square Speaker Box for Motorola Radio | | 1 | Blk/Wht | Obsolete |
| 55 | Motorola Base Radio | Motorola Radius M120 Two Channel | | 1 | 799TUCB415 | Obsolete |
| 56 | Motorola Base Radio | Motorola Radius 1st Generation 2-Channel D43LRA73ASBK | | 1 | 7787SW5635 | Obsolete |
| 57 | Satellite TV Receiver | Primestar Satellite Receiver Model: 300D | | 1 | 3655C827263 | Obsolete |
| 58 | Microphone Podium In Box | Hamilton Electronic Microphone System Model: 450 | | 1 | | Obsolete |
| 59 | Motorola Radio HT 1000 W/ Charger | Hand Held Radio Model: HT1000 Desk Top Charger | | 3 | 402TYL8752Z 402TZU5950Z 402TBW1960X | Obsolete |
| 60 | MOTOROLA RADIO HT 1000 NO ANTENNA | HANDHELD RADIO MODEL: HT1000 WITHOUT ANTENNA | | 1 | 402AUW4173Z | Obsolete |
| 61 | MOTOROLA RADIO MT 2000 W/CHARGER | HANDHELD RADIO MT2000 W/ INTELICHARGE 2 BASE | | 1 | 355ACG1683Z | Obsolete |
| 62 | MOTOROLA PAGER IV | MOTOROLA MINITOR PAGER MODEL: MINITOR IV | | 3 | M535EAZDHN M535EAZDHQ M535EAZDK7 | Obsolete |
| 63 | MOTOROLA PAGER III | MOTOROLA MINITOR PAGER MODEL: MINITOR III | | 3 | 253BZEZ6TF 253BAL24DM 253BAL24DN | Obsolete |
| 64 | MOTOROLA RADIO CHARGER | WALL CHARGER FOR MOTOROLA RADIO MODEL:NTN8F31A | | 3 | 4279MK201 | Obsolete |
| 65 | MOTOROLA PAGER CHARGER | PAGER WALL CHARGER MODEL: NYN8346B | | 1 | | Obsolete |
| 66 | MOTOROLA RADIO CHARGER | WALL CHARGER | | 1 | AAHTN9001B | Obsolete |
| 67 | MOTOROLA RADIO CHARGER | WALL CHARGER | | 1 | 6207PDX08 | Obsolete |
| 68 | Motorola Radio Mic | Portable Radio Mic Model:NMN6193C | | 1 | | Obsolete |
| 67 | Realistic PA | 100 Watt Solid State PA amplifier w/ microphone | | 1 | 32-2024A | Obsolete |
| 68 | Hartmann Luggage | Blue Luggage Case | | 1 | | Obsolete |
| 69 | Radio Shack mixer | Radio Shack SSM-1000 Stereo Sound Mixer | | 1 | 305080 | Obsolete |
| 70 | Realistic Wireless Microphone | FM Wireless Microphone System | | 1 | 32-1221A | Obsolete |
| 71 | Optimus Stereo | Stereo Cassette Tape Player | | 1 | 14-647A | Obsolete |
| 72 | Skyway Luggage | Light Blue Luggage Case | | 1 | | Obsolete |
| 73 | Realistic Speaker | Realistic PA-95 100 watt speaker | | 1 | 40-1411A | Obsolete |
| 74 | Mitsumi Keyboard | wired keyboard unit | | 1 | kpq-e99zc-13 | Obsolete |
| 75 | Compaq Keyboard | wired keyboard unit | | 1 | kb-9963 | Obsolete |
| 76 | COMPAQ KEYBOARD | wired keyboard unit | | 1 | B13990N39HC8G0 | Obsolete |
| 77 | HP SCANNER | HP SCAN JET 5P SCANNER S/N SG77N110PR | | 1 | C5110A | Obsolete |
| 78 | IBM COMPUTER | COMPUTER TOWER W/ MOUSE | | 1 | 109002 | Obsolete |
| 79 | COMPAQ COMPUTER | DESKPRO COMPUTER TOWER | | 1 | 6906BW85B448 | Obsolete |

Surplus February 2016

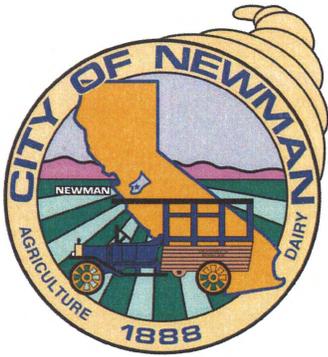
City of Newman

| No. | Item | Description | Asset Tag # | Qty | ID # | Reason |
|-----|------------------------------|--|-------------|-----|--|----------|
| 80 | DELL MONITOR | COMPUTER MONITOR | | 1 | D17265-HS | Obsolete |
| 81 | HP PRINTER | HP LASER 6L PRINTER MODEL: C3990D | | 1 | USDB009535 | Obsolete |
| 82 | CYBER POWER SYSTEM | CYBER POWER-POWER SYSTEM:POWER 99/500A | | 1 | 5000062150 | Obsolete |
| 83 | MITSUBISHI TV | BIG SCREEN PROJECTION TV MODEL:VS-4542 | | 1 | 8515 | Obsolete |
| 84 | TV STAND | LARGE WOOD TV STAND | | 1 | | Obsolete |
| 85 | Dish Receiver W/ Remote | Satellite Receiver Model: 3900 | | 1 | | Obsolete |
| 86 | White Board-Large | Large Cabinet Style White Board W/ Wood Finish | | 1 | | Obsolete |
| 87 | White Board | Large Cabinet Style White Board W/Grey Finish | | 1 | | |
| 88 | Answering Machine | PhoneMate answering Machine | | 1 | 8400 | Obsolete |
| 89 | Rolling Desk Chair | Wood Frame Rolling Desk Chair Olive Green | | 1 | | Obsolete |
| 90 | Rolling Desk Chair | Wood Frame Rolling Desk Chair Leather Back/Brown | | 1 | | Obsolete |
| 91 | Pass Alert Device | Pass Alert Device 1st Generation Black | | 8 | | Obsolete |
| 92 | Pass Alert Device | Pass Alert Device Orange | | 7 | 398698 398697 398907 398870 397249 398864 398717 | |
| 93 | Pass Alert Device | Pass Alert Device Orange-No S/N | | 1 | | Obsolete |
| 94 | RPM Gauge | Motorola RPM Gauge | | 1 | 12AT04 | Obsolete |
| 95 | PSI Gauge | Vanpelt Fire Trucks Small PSI Gauge | | 5 | | Obsolete |
| 96 | Vacuum Gauge | Vanpelt Fire Trucks Vacuum Pressure gauge | | 2 | | Obsolete |
| 97 | Ventilation Fan | Super Vac Ventilating Fan | | 1 | P164SE | Obsolete |
| 98 | Survivair Utility Vacuum | Survivair Salvage Master | | 1 | 9702-00 | Obsolete |
| 99 | Fluorescent Bulbs | U-shaped Fluorescent lamps | | 7 | 14471 | Obsolete |
| 100 | Globe Short-Snorter | Globe Short Snorter Cylinder | | 1 | | Obsolete |
| 101 | Motorola Radio Charger | Motorola Radio Charging Base-No Cord | | 2 | | Obsolete |
| 102 | Motorola Radio MT100 | Motorola Radio MT1000 Model: H43GC37190CN | | 1 | 751ATC0547 | Obsolete |
| 103 | Motorola Radio Batteries | 3 Batteries W/Charger | | 1 | NTN4633C | Obsolete |
| 104 | 2007 Chevrolet Tahoe | Former K9 Patrol Vehicle | | 1 | VIN 1GNEC03047R426909 | Obsolete |
| 105 | HP DC 7700 Tower | Computer | 464 | 1 | mxl74102kx | Obsolete |
| 106 | HP DC 5000 Tower | Computer | 414 | 1 | 2ua5520gpc | Obsolete |
| 107 | HP DC 5800 Small Form Factor | Computer | | 1 | 2ua83408br | Obsolete |
| 108 | Motorola Nextel i700plus | Mobile Phone | | 2 | | Obsolete |
| 109 | Motorola Nextel i760 | Mobile Phone | | 1 | | Obsolete |
| 110 | Motorola Nextel i60 | Mobile Phone | | 1 | | Obsolete |
| 111 | HP 5800 DC Small Form Factor | Computer | | 1 | 2ua83408bp | Obsolete |
| 112 | HP 5800 DC Small Form Factor | Computer | | 1 | mxm822085n | Obsolete |
| 113 | HP 5800 DC Small Form Factor | Computer | | 1 | 2ua92811wz | Obsolete |

Surplus February 2016

City of Newman

| No. | Item | Description | Asset Tag # | Qty | ID # | Reason |
|-----|----------------------------------|---------------------------|-------------|-----|------------------------|----------|
| 114 | HP 5800 DC Small Form Factor | Computer | | 1 | 2u83019pd | Obsolete |
| 115 | HP 5800 DC Small Form Factor | Computer | | 1 | 2ua83408bs | Obsolete |
| 116 | HP 5800 DC Small Form Factor | Computer | | 1 | 2ua83408bm | Obsolete |
| 117 | HP 5800 DC Small Form Factor | Computer | 558 | 1 | 2ua83408bq | Obsolete |
| 118 | HP 5800 DC Small Form Factor | Computer | 555 | 1 | 2ua83408bt | Obsolete |
| 119 | HP 5800 DC Small Form Factor | Computer | | 1 | 2ua92811wy | Obsolete |
| 120 | HP 5800 DC Small Form Factor | Computer | 577 | 1 | 2ua83408bw | Obsolete |
| 121 | HP 5800 DC Small Form Factor | Computer | | 1 | 2ua83408bn | Obsolete |
| 122 | HP 1740 | Computer Monitor | 462 | 1 | cnc6151z6f | Obsolete |
| 123 | HP 1740 | Computer Monitor | 432 | 1 | cnc61021kw | Obsolete |
| 124 | HP 1740 | Computer Monitor | 427 | 1 | cnk5080zjs | Obsolete |
| 125 | HP 1740 | Computer Monitor | 424 | 1 | cnk5080zg5 | Obsolete |
| 126 | Samsung SyncMaster 192N | Computer Monitor | 469 | 1 | nb19hchx224356p | Obsolete |
| 127 | Samsung SyncMaster 172N | Computer Monitor | 486 | 1 | nb17hchx121507n | Obsolete |
| 128 | Acer AL1917 | Computer Monitor | 422 | 1 | etl630c07071910c114054 | Obsolete |
| 129 | Acer AL1917 | Computer Monitor | 448 | 1 | etl73081047140a8114241 | Obsolete |
| 130 | Acer AL1706 | Computer Monitor | 454 | 1 | etl460c148632c51194001 | Obsolete |
| 131 | Acer AL1706 | Computer Monitor | 451 | 1 | etl480b182712049833945 | Obsolete |
| 132 | Acer AL2017 | Computer Monitor | 465 | 1 | etl6909067728005336312 | Obsolete |
| 133 | Acer AL 1916 | Computer Monitor | 416 | 1 | etl490837071606392423d | Obsolete |
| 134 | CTX PV722E | Computer Monitor | 434 | 1 | 2531501669 | Obsolete |
| 135 | Dell 1907FPt | Computer Monitor | | 1 | cn0dc3237161879fgqry | Obsolete |
| 136 | Future Power 17db06 | Computer Monitor (CRT) | | 1 | ap9907bd200199 | Obsolete |
| 137 | Computer Keyboard | Computer Keyboard | | 14 | | |
| 138 | Computer Mouse | Computer Mouse | | 3 | | |
| 139 | HP Color Laser Jet 2600n | Printer | 420 | 1 | cnhc72144x | Broken |
| 140 | 3 Compartment Electrical Panel | Electrical Panel | | 1 | | Obsolete |
| 141 | K-Bomag Virating Plate Compactor | Vibrating Plate Compactor | 110 | 1 | EY18.3W | Obsolete |



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

Date: February 17, 2016
To: City Council
From: Mike Maier *MEM*

Subject: Rejection Of Claim

On January 4, 2016, a claim against the City of Newman was filed by attorney Gilbert Minjares on behalf of Melina Garcia, a minor. The attorney had previously attempted to file the claim against the City in October and November of 2015; the City returned both claim attempts for being insufficient. The claim filed by the attorney on January 4, 2016 appeared to have been filed timely as well as sufficiently. The City's liability claims adjuster has reviewed and investigated the aforementioned claim and based upon her report, staff recommends the Council reject said claim. Attached for your review, please find copies of the claim submitted by Ms. Garcia's attorney, the report from our liability claims adjuster and the proposed resolution rejecting the claim.

Any discussions of the claim must be done in closed session as potential litigation/liability claims.



November 6, 2015

Mike Maier
CITY OF NEWMAN
1162 Main Street
Newman, CA 95360

FIRST REPORT

RE: Insured : City of Newman
Claimant : Garcia, Melina
Claim No. : 16,208
Date of Loss : June 27, 2015
Our File No. : FR96440

ASSIGNMENT & COVERAGE

We received this new claim in our Fresno office on October 21, 2015. Our assignment was to investigate the matter on behalf of the City of Newman to determine their liability exposure.

Coverage appeared to be in order for the subject claim.

GOVERNMENT CODE REQUIREMENTS

On October 21, 2015 the city acknowledged receipt of a Claim Form (via email) from Gilbert Minjares with the Law Offices of Peter Goetsch on behalf of Melina Garcia, a minor.

Although the attempted claim filing was timely, the Claim Form was insufficient for several reasons. First of all, the attorney did not explain *where specifically* the loss occurred in Lions Park nor did he explain *how* and/or *what* happened. Furthermore, the attorney did not indicate what the city did or did not do to create the liability exposure. All the attorney stated in the Claim Form was that the city (presumably) failed to provide an environment free of hazards. The attorney must be more specific as to his theory of liability against the city. What hazards would he be talking about? Also, since the claimant was a minor, the attorney did not provide the names of the child's parents and/or guardians. Lastly, the claim was filed via email. The claim *must* either be filed by personal delivery and/or by U.S. Mail.

With the above being said, we recommended to the city that the claim be returned as

RE: City of Newman
Garcia, Melina (a minor)
November 6, 2015
Page 2

insufficient on Form C. If/when issued, we requested a copy.

On October 22, 2015 the city returned the claim to the attorney on Form C. The city also included a brief memo to the attorney advising of the aforementioned insufficiencies. We were provided with copies.

FACTS OF THE CLAIM

The attorney provided the date of loss as June 27, 2015. The alleged incident occurred at Lions Park. The facts of the claim in the Claim Form were vague. The minor claimant, Melina Garcia sustained a broken tibia and fibula plus additional unknown injuries. The attorney's theory of liability was that the city failed to provide an environment free of hazards. The attorney indicated that the case was an Unlimited Civil Case.

DISCUSSION WITH ATTORNEY

Should the attorney file a timely and sufficient claim with the city, we will contact him at that time to discuss the facts and circumstances of the subject claim.

INVESTIGATION

The city provided us with a copy of the Certificate of Liability Insurance for the insured, Newman Youth Baseball & Softball Association. The City of Newman was listed as an additional insured with "respect to negligent acts or omissions of the Named Insured and only with respect to the Operations of the Insured. The policy period was March 1, 2015 through February 29, 2016.

REMARKS

Once we have determined what actually took place on June 27, 2015 that caused the claimant injury, we will commence with our liability investigation at that time.

DIARY

We have advanced our diary 30 days.

Should the city receive an amended Claim Form in the interim, please advise.

Sincerely,

Suzanne E. Johnson
AIMS Claims Specialist



February 11, 2016

Mike Maier
CITY OF NEWMAN
1162 Main Street
Newman, CA 95360

SECOND REPORT

RE: Insured : City of Newman
Claimant : Garcia, Melina
Claim No. : 16,208
Date of Loss : June 27, 2015
Our File No. : FR96440

GOVERNMENT CODE REQUIREMENTS

On January 5, 2016, the city emailed us a subsequent amended Claim Form that was filed by attorney Gilbert Minjares on behalf of Melina Garcia, a minor. The city received the amended claim on January 4, 2016, via certified mail. Although the attorney did not provide the names of the minor's parents or guardians, he included a Declaration of Client form signed by "Jeana Garcia" or something to that affect (we could not really read the signature properly). The attorney also corrected the insufficiencies. Also, even though the claim was not filed within 6 months from the date of loss, the courts would provide the minor a year in which to file a claim against a Public Entity. Hence, the amended claim filed by the attorney appeared to have been filed timely as well as sufficiently. The claim was also filed by mail this time around rather than by email, as per the previous claim filing attempts.

After review and consideration, it would be our recommendation to consider the claim for rejection. If/when issued, please provide us with a copy.

FACTS OF THE CLAIM

In the sufficiently amended Claim Form, the attorney explained that when his minor client was sliding into home plate during a softball tournament the base instantly dislodged exposing a large metal rod which essentially tore through his client's tibia and fibula causing a significant injury. He advised that the **Rowland v. Christian** case, imposed general liability on every person/entity for injuries occasioned to others by want of ordinary care in the management of property. As owner/possessor of the subject premises, the city was directly responsible for the maintenance of its premises. The attorney again reiterated that it was an Unlimited Civil Case, in excess of \$25,000.00.

RE: City of Newman
Garcia, Melina (a minor)
February 11, 2016
Page 2

INVESTIGATION

The city provided us with a copy of the Certificate of Liability Insurance for the insured, Newman Youth Baseball & Softball Association. The City of Newman was listed as an additional insured with "respect to negligent acts or omissions of the Named Insured and only with respect to the Operations of the Insured." The policy period was March 1, 2015 through February 29, 2016. The subject accident occurred on June 27, 2015, which was within the policy period.

The city advised that in the past they had an agreement with the City of Newman and the Newman Youth Baseball & Softball Association (NYBSA). However, they did not have a signed Agreement for the applicable time period of March 1, 2015 through February 29, 2016. They did have the Certificate of Liability Insurance in place, however.

According to the city, the city was not responsible for setting up and/or installing the subject bases. NYBSA installed the bases and prepared the fields for play. However, Public Works still mowed the grass and maintained the sprinklers, etc.

According to Perfecto Milan, the Public Works Superintendent, Public Works replaced home plate at Matteri Field in March of 2013. Perfecto said that it was replaced properly. Stephanie House, Recreation Department Coordinator sent a Work Order to Public Works requesting that home plate be replaced. Perfecto did not recall the exact condition of the old home plate. He said that the bases were replaced on an as needed basis. Public Works was not asked to replace any other base plates since March of 2013. He was not aware of any other issues with home plate since it was replaced in March of 2013. To his knowledge, there were no complaints made to the city about home plate since it was replaced in March of 2013. He had no idea why the subject home plate dislodged on June 27, 2015. He never saw it dislodged. He also advised that the baseball program took care of the fields. He did not recall Public Works doing any work on this plate or other plates since March of 2013.

We indexed the minor claimant for any prior injuries/claims but no matches were found.

DISCUSSION WITH ATTORNEY

We contacted the attorney by telephone and left a voice mail message. Additionally, we mailed the attorney a contact letter requesting some additional information to assist us with our investigation. A copy of which was provided to the city.

REMARKS

Based upon our preliminary investigation, we found no evidence of negligence and/or liability on the part of the City of Newman because the city had nothing to do with the set-

RE: City of Newman
Garcia, Melina (a minor)
February 11, 2016
Page 3

up and installation of the bases at the subject loss location at the time of the accident. Additionally, there was a Certificate of Liability Insurance that was in place between the City of Newman and the Newman Youth Baseball & Softball Association in which the city was named as an additional insured with "respect to negligent acts or omissions of the Named Insured and only with respect to the Operations of the Insured."

Therefore, we tendered the matter to the Newman Youth Baseball & Softball Association. A copy of our tender letter was provided to the city.

DIARY

We have advanced our diary 60 days.

In the interim, should the city receive any further correspondence, please advise.

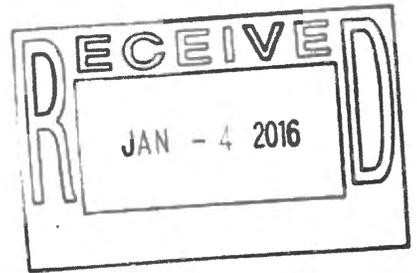
Sincerely,

Suzanne E. Johnson
AIMS Claims Specialist



CITY OF NEWMAN
CLAIM FORM
FORM B

(Please Type Or Print)



CLAIM AGAINST CITY OF NEWMAN
(Name of Entity)

Claimant's name: MELINA GARCIA

Gender: Male Female

Claimant's address: RIVERBANK, CA 95367

Address where notices about claim are to be sent, if different from above: 429 13th St, Modesto, CA 95354

Date of incident/accident: 6/27/15

Date injuries, damages, or losses were discovered: 6/27/15

Location of incident/accident: LIONS PARK

What did entity or employee do to cause this loss, damage, or injury? FAILED TO PROVIDE A WORK ENVIRONMENT FREE OF HAZARUS
(Use back of this form or separate sheet if necessary to answer this question in detail.)

What are the names of the entity's employees who caused this injury, damage, or loss (if known)? JAMES W. ...

What specific injuries, damages, or losses did claimant receive? ...
(Use back of this form or separate sheet if necessary to answer this question in detail.)

What amount of money is claimant seeking or, if the amount is in excess of \$10,000, which is the appropriate court of jurisdiction. Note: If Superior and Municipal Courts are consolidated, you must represent whether it is a "limited civil case" [see Government Code 910(f)] ...

How was this amount calculated (please itemize)? ...

(Use back of this form or separate sheet if necessary to answer this question in detail.)

Date Signed: ... Signature: ...

If signed by representative:
Representative's Name: G. ... Address: ...
Telephone #: ...
Relationship to Claimant: ...



CITY OF NEWMAN
CLAIM FORM
FORM B

(Please Type Or Print)

CLAIM AGAINST CITY OF NEWMAN
(Name of Entity)

Claimant's name: MELINA GARZA

Gender: Male _____ Female

Claimant's address: RIVERBANK, CA
95367

Address where notices about claim are to be sent, if different from above: 429 13th ST, MODESTO, CA 95354

Date of incident/accident: 6/27/15

Date injuries, damages, or losses were discovered: 6/27/15

Location of incident/accident: LIONS PARK

What did entity or employee do to cause this loss, damage, or injury? FAILED TO
PROVIDE AN ENVIRONMENT FREE OF HAZARDS.
(Use back of this form or separate sheet if necessary to answer this question in detail.)

What are the names of the entity's employees who caused this injury, damage, or loss (if known)?
NAMES OF EMPLOYEES UNKNOWN AT THIS TIME

What specific injuries, damages, or losses did claimant receive? CLAIMANT SUSTAINED
A BROKEN TIBULA & FIBULA, ADDITION INJURIES
UNKNOWN AT THIS TIME.
(Use back of this form or separate sheet if necessary to answer this question in detail.)

What amount of money is claimant seeking or, if the amount is in excess of \$10,000, which is the appropriate court of jurisdiction. Note: If Superior and Municipal Courts are consolidated, you must represent whether it is a "limited civil case" [see Government Code 910(f)] THIS IS AN UNLIMITED
CASE WHICH WILL EXCEED \$25,000.00

How was this amount calculated (please itemize)? SURGERIES AND
ADDITIONAL TREATMENT IS ONGOING.
(Use back of this form or separate sheet if necessary to answer this question in detail.)

Date Signed: 10/21/15 Signature: [Signature]

If signed by representative:
Representative's Name GILBERT MINJARES Address 429 13th ST. MODESTO, CA 95354
Telephone # (209) 430-4312
Relationship to Claimant LEGAL REPRESENTATIVE

11/06/15

ADDENDUM TO CITY OF NEWMAN CLAIM FORM

- 4A. The claim form does not provide enough information to determine where and how the incident occurred.

Answer: The incident referenced in our "City of Newman" complaint, happened at Lions Park when the child in question (Melina Garcia) was participating in a weekend softball tournament.

As the child, during the course of the game attempted to slide into home plate, the home plate instantly dislodged exposing a large metal rod which essentially tore through the child's tibia/fibula causing a significant fracture.

- 6A. The claim does not provide enough specific information to determine what, if anything, the public entity did or failed to do to create a liability exposure.

Answer: Liability is predicated upon ordinary negligence and violation of California Civil Code Section 1714(a). The case Rowland v. Christian (1968) 69 Cal.2d 108, which is governed by CC Section 1714(a) imposes general liability on every person/entity for injuries occasioned to others by want of ordinary care in the management of property. The duty of the landowner includes the necessity to conduct reasonable inspections of the premises in order to discover whether any dangers exist and to implement measures and/or precautions which will serve to reasonably prevent the particular risk from injuring third parties.

As owner/possessor of the subject premises, your principal is directly responsible for the maintenance of its premises in order to insure that the same will remain free and clear of any objects which may pose a danger to its patrons. In addition to the foregoing, in determining negligence, the courts have utilized a test based upon a cost-benefit analysis. The benefit to the insured in not implementing safety measures is weighed against the probability of harm and the severity of that harm. If the benefit to your principal is minimal, in comparison to the posed risk and harm, negligence will be imposed.

Law Office of Armando M. Flores

429 13th Street
Modesto, CA 95354
(209) 524-4717
E-mail: amfloreslawoffice@gmail.com

Legal Assistant: (209) 430-4312
Fax (209) 408-0517



October 21, 2015

Mike Maier
City of Newman
P.O. Box 787
Newman, CA 95360

SENT VIA FAX (209) 862-3199

NOTICE TO CARRIER OF REPRESENTATION

RE:
Our Client : Melina Garcia
Your Insured : City of Newman
Date of Accident : June 27, 2015

Dear Mr. Maier,

Please be advised that this office represents the above-named client(s) with regard to the injuries sustained in the accident referenced above. Enclosed please find a Designation of Attorney form signed by our client(s). It is our understanding that your company is the liability carrier for the above party and that this accident was caused by the negligence of same.

Please be assured that our office will furnish you with copies of any "special damages" incurred by our client along with medical and other relevant reports as soon as same are available to us, along with the reasonable settlement request. **In the meantime, it would be appreciated if a representative of your company would furnish this office with a written confirmation of coverage, the limits of such coverage and any other information pertinent to this matter.** Absent such confirmation we will deal directly with the adverse party named above.

This is to further advise and notify your company that by virtue of our agreement with our client(s), this office has a first priority lien on any cause of action or any funds obtained to satisfy said cause of action to secure our fee and any costs obtained by this office on behalf of our client(s).

Thank you for your time and attention in this matter, if you have any questions in regards to the above, please do not hesitate to contact the undersigned.

You are authorized to speak with my legal assistant Gil Minjares to discuss the claim and for further information. His direct phone number is: (209) 430-4312.

Very truly yours,

LAW OFFICE OF ARMANDO M. FLORES

ARMANDO M. FLORES
Attorney at Law

AMF: mg

Enclosure: Designation of Attorney

Law Office of Armando M. Flores

429 13th Street
Modesto, CA 95354
(209) 524-4717

E-mail: amfloreslawoffice@gmail.com

Legal Assistant: (209) 430-4312
Fax (209) 408-0517

DECLARATION OF CLAIMANT

I/We, MELINA GARCIA, pursuant to section 2695.2 of the California Code Regulations, do hereby retain the **LAW OFFICE OF ARMANDO M. FLORES**, to represent my/our interests relevant to a claim for damages arising out of an incident that occurred on 6/27/15, in NEWMAN, California.

Dated: 10/14/15

x Queana Garcia
Claimant

RESOLUTION NO. 2016-

A RESOLUTION REJECTING THE CLAIM OF MELINA GARCIA

WHEREAS, a claim for damages in an amount within the Superior Court jurisdiction was filed against the City of Newman by Melina Garcia, on January 4, 2016 for alleged damages.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newman that it hereby rejects the said claim for alleged damages in an amount within the Superior Court jurisdiction against the City of Newman for alleged damages.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 23rd day of February, 2016, 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

ATTEST:

City Clerk

Honorable Mayor and Members
of the Newman City Council

REPORT ON COMFORTING KIDS EVENT AT PIONEER PARK

RECOMMENDATION:

Staff recommends the City Council approve the Comforting Kids event scheduled at Pioneer Park on June 26th 2016 from 9 A.M. to 4 P.M.

BACKGROUND:

Comforting Kids is a non-profit organization that raises funds to benefit regional children's hospitals and their patients. Comforting Kids has requested exclusive use of Pioneer Park on June 26th 2016 from 9 A.M. to 4 P.M. to host a benefit classic car show. Event organizers will be inviting several vehicles to attend, but do not have an accurate count as to how many will be in attendance. The vehicle estimate could be close to 125 vehicles, all parked within the grass area of the park. There will be a D.J. playing Oldies music during the event's duration and **NO** alcohol will be served or sold. The event date currently has no conflicts with other community events. The event organizers are seeking council approval for the event.

ANALYSIS:

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

Comforting Kids has made the following requests:

- ❖ Exclusive use of Pioneer Park.
- ❖ Use of Pioneer Park restroom facilities and electrical power at the location.

Staff has made the following requests from Comforting Kids:

- ❖ Secure event liability insurance in the amount of \$3,000,000.00, naming the City as an additional insured.
- ❖ Secure additional waste wheelers and position them throughout the park.
- ❖ Cover the cost of one public works employee to assist with vehicle parking.

FISCAL IMPACT:

Staff recommends staffing this event with one on-call public works person to assist with vehicle placement around sensitive irrigation and electrical connections. Projected overtime costs should not exceed \$200.00 for the duration indicated. It is staff's recommendation that any and all applicable costs be invoiced to Comforting Kids.

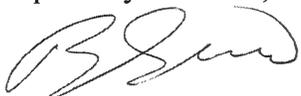
CONCLUSION:

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

1. Approve the event as indicated.
2. Reject the event.

Staff recommends Alternative 1. Staff also recommends that any additional costs be invoiced to Comforting Kids.

Respectfully submitted,



Brett Short, Police Lieutenant

REVIEWED/CONCUR:



Michael Holland, City Manager

Honorable Mayor and Members
of the Newman City Council

**ADOPT RESOLUTION APPROVING THE CHANGES TO THE
EMPLOYEE HOME LOAN PROGRAM**

RECOMMENDATION:

It is recommended that the Newman City Council approve Resolution 2016- approving the changes to the Employee Home Loan Program.

BACKGROUND:

The City of adopted the Employee Home Loan Program on October 9, 2007. Since that time 5 employees have participated in the program. Two of them have paid off their loans and the remaining three are current with their payments. The two that have paid off their loans are still in the City's employ.

ANALYSIS:

The Employee Home Loan Program has been accomplishing what the City Council intended this program to do. After 8 years of having the program in place, staff is recommending one change. The program currently allows a person to transfer their home loan to another property as long as it's transferred directly from one property to another. Staff recognizes that there are events that can take place that would require a participant to sell their home without being able to get into another home immediately; reasons such as divorce, death in the family, personal safety, etc. Staff is requesting a modification to the program to allow the continuation of the program when there will be a time gap in property ownership. In exchange for making the program available under a renewal for the participant, the prior loan must be paid off (no stacking of loans), the time period for repayment is shortened and the interest rate is higher.

FISCAL IMPACT:

No additional fiscal impact would come from adopting this policy. Funds have been set aside since 2007. If an employee participates under the renewal portion of the program the return on investment would be higher than a new participant.

CONCLUSION:

Staff recommends the City approve Resolution No. 2016- approving the changes to the Employee Home Loan Program.

ATTACHMENTS:

1. Resolution No. 2016-
2. Exhibit A: Employee Home Loan Program

Respectfully submitted:



Lewis Humphries
Finance Director

REVIEWED/CONCUR:



Michael Holland
City Manager

RESOLUTION NO. 2016-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWMAN APPROVING CHANGES TO THE EMPLOYEE HOME LOAN PROGRAM FOR THE CITY OF NEWMAN

WHEREAS, the City Council of the City of Newman adopted the Employee Home Loan Program on October 9, 2007; and

WHEREAS, the City Council understands the importance of continuing this program; and

WHEREAS, the City Council recognizes there are events that can cause participants to leave their current residence and secure temporary housing prior to acquiring another home; and

WHEREAS, the City Council desire to modify the existing program to allow an employee under certain circumstances to return to the employee home loan program;

NOW, THEREFORE, BE IT RESOLVED that the City of Newman accepts and implements the changes to the Employee Home Loan Program.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 23rd day of February, 2016 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:

City Clerk of the City of Newman

City of Newman
Home Loan Program
Information and Disclosure Statement

I. OBJECTIVE:

The purpose of the Home Loan Program is to provide City of Newman employees ('Participant') with the financial assistance of a one-time loan by the City of Newman to be used towards the purchase of a principal residence within the City of Newman. The goal of the program is to provide a useful tool which assist employees with the purchase of a home within Newman City limits, while the City secures an employee commitment to his/her job and the community.

II. ELIGIBILITY CRITERIA:

1. A Participant for a City loan under the Program must:
 - a. Be a permanent full-time City of Newman employee with successful completion of probationary period.
 - b. Not been a previous Participant in the Home Loan Program; unless the Participant meets the requirements of II.1.h. below.
 - c. During the term of the Program, purchase real property as a principal residence within the City limits of the City of Newman (the 'Property').
 - d. Occupy the Property purchased as his/her principal residence throughout the term of the City loan provided under this Program. The term 'principal residence' as used herein shall mean the permanent primary home and legal domicile of the Participant.
 - e. Obtain City preapproval with list of conditions, prior to purchase of the Property.
 - f. Purchase Property consisting of a single-family attached or detached dwelling or condominium unit, (mobile homes, duplexes, boats, motorhomes or other recreational vehicles are not eligible for the Program).
 - g. Execute loan application, escrow instructions, loan agreement, Promissory Note, Deed of Trust and such other documents and instruments as may be required by the City.
 - h. The Participant can demonstrate to the satisfaction of the City Manager that the Participant had to relocate within the City: (1) in order to protect the health, safety or security of the Participant or a member of the Participants immediate family, (2) divorce or (3) for other good cause as determined by the City Manager.
Participants that can meet the requirements of this paragraph II.1.h. may reapply under the Loan Renewal Plan portion of the Employee Home Loan Program (see

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section IV below). Qualification for this plan is determined by the City Manager. The employee must have had a substantial reason for leaving the previous property as set forth above, must have paid off the original employee home loan, and must meet the above eligibility criteria of this section II.

2. To remain eligible for the financial assistance under this Program, the Participant must:
 - a. Maintain status as a City of Newman employee.
 - b. Continue to own and occupy the Property purchased as the Participant's principal residence.

III. LOAN TERMS – FIRST TIME PARTICIPANTS:

1. Minimum loan is \$10,000 and maximum loan is \$40,000.
2. Interest will not accrue during the first three (3) years. Beginning the fourth (4th) year, interest begins to accrue as described in Section IX REPAYMENT - Amortized Payments.
3. Monthly payments are not required during the first three (3) years. Monthly principal and interest payments begin in the fourth year.
4. Term not to exceed thirteen (13) years.
5. The loan is NOT ASSUMABLE.
6. The City agrees to subordinate to a deed of trust securing a First Mortgage Loan.
7. At any time the participant refinances the subject property, the loan shall be paid in full.
8. The participant shall not subject the property to loans in excess of 100% of the current appraised value of the property.

IV. LOAN TERMS – RENEWAL PROGRAM PARTICIPANTS

1. Minimum loan is \$10,000 and maximum loan is \$25,000.
2. Interest will not accrue during the first sixty (60) days. Beginning the sixty-first (61st) day, interest begins to accrue as described in Section IX. REPAYMENT - Amortized Payments.
3. Monthly payments are not required during the first sixty (60) days. Monthly principal and interest payments begin on the sixty-first (61st) day.
4. Term not to exceed ten (10) years.

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5. The loan is NOT ASSUMABLE.
6. The City agrees to subordinate to a deed of trust securing a First Mortgage Loan.
7. At any time the participant refinances the subject property, the loan shall be paid in full.
8. The participant shall not subject the property to loans in excess of 100% of the current appraised value of the property.

V. FUNDING SOURCES:

Each application for the Program will be reviewed for eligibility of funding using General Funds.

VI. ASSISTANCE PRIORITY:

If the number of applications received exceeds the amount of funding available, priority will be given as follows:

- First: Employees who are renting, not current homeowners.
- Second: Employees living outside the city limits.
- Third: Employees, current homeowners, living in the city limits.
- Fourth: Employees on Loan Renewal Plan

VII. AGREEMENT:

1. The City will prepare loan documents upon receiving and approving the following:
 - a. Accepted offer to purchase the Real Property.
 - b. Preliminary Title Report of Property being purchased.
 - c. Escrow instructions.
 - d. Appraisal of Property being purchased.
 - e. 1st lenders loan commitment.
2. Participant agrees to execute and deliver into escrow:
 - a. The loan agreement.
 - b. The Promissory Note in favor of the City in the amount of the City's deposit.

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- c. The Deed of Trust to the Property, to secure such Note (which Deed of Trust shall be subordinate to one primary loan executed at the time of original purchase).

Upon approval of the final loan proposal, the City agrees to deposit into such escrow as designated by Participant the sum of loan to be used toward the purchase of the Property.

Home Owner's Insurance. Participant agrees, at his/her sole expense, to secure and maintain throughout the term of the Note, home owner's insurance on the buildings of the Property in an amount at least equal to the market value of such buildings. The Participant shall secure an endorsement to said home owner's insurance policy insuring the City's interest as holder of a Deed of Trust.

VIII. CLOSING COSTS:

Participants may use loan funds toward down payments, closing costs, interest buy-down costs and payment reserves which the lender may require.

IX. REPAYMENT:

The balance of total Principal and Interest is due and payable when any of the following occurs:

1. Upon termination of employment with the City of Newman. Participant agrees to pay within ninety (90) days from date of termination. Upon request by the Participant and demonstration that payment in-full will cause a financial hardship, the City Council, or their designee, may grant additional extensions of ninety (90) days, NOT to exceed a total of 360 days.
2. The purchased property is no longer occupied as the primary residence by the Participant.
3. Sale or transfer of ownership unless participant requests in writing prior to escrow opening on another home purchased in Newman that they desire to transfer the City's lien to the new purchase.
4. Thirteen (13) years from date Deed of Trust was executed.
5. Participant violates any of the Loan terms.

For first time participants; at the lapse of three (3) years, the Participant will then begin making monthly principal and interest payments to pay-off loan. For Renewal Plan participants; at the lapse of sixty (60) days the Participant will then begin making monthly principal and interest payments to pay-off loan. For all participants there are no prepayment penalties.

Amortized Monthly Payments: Those employees who are participating for the first time will pay an interest rate equal to the previous twelve month average of Local Agency Investment Fund (LAIF) rate of return set at the time the loan documents are executed.

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Those employees on the renewal program will pay an interest rate that is one percent (1%) less than the rate on their new primary loan.

Repayment Term: Not to exceed ten (10) years.

X. TAX CONSEQUENCES:

The interest free portion of the loan provided by the City under this Program may have Federal and/or State income tax or other tax consequences to the Participant. Each Participant should consult his/her own tax advisor or attorney concerning such tax consequences. Neither the City of Newman nor any employee or agent thereof makes any representations regarding the taxability or other tax consequences of such loan or any other matters relating to such loan.

XI. DEFAULTED PROPERTY:

When the City is notified and/or is aware of property in default of mortgage payments to any lender or defaulted taxes, the City Attorney will make a recommendation to the City Council for action, which will protect the City's interest in the property.

XII. APPLICATION PROCEDURE:

At the time of application for this Program the Participant should have prequalified with first lender.

Eligible Participants must complete all documents contained in the Program application packet and return such complete application with supporting documentation to the Finance Department.

The Finance Department will review all loan requests and prioritize funding commitment as described in Section V.

Eligible Participants will be notified of loan preapproval and issued a list of conditions and instructions to complete the purchase transaction. If the Participant does not use the money within ninety days from date of preapproval, the City has the right to reassign commitment of funding to another eligible Participant.

Participant:

Date: _____

By: _____

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