



AGENDA
NEWMAN CITY COUNCIL
REGULAR MEETING MARCH 8, 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. Presentation By Stanislaus County Health And Recovery Services Regarding The Roles And Responsibilities Of The County Mental Health Board. ([View Information](#))
 - b. Presentation By StanCOG Regarding Transportation Expenditure Plan. ([View Information](#))
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 23, 2016 Meeting. ([View Minutes](#))
 - d. Adopt Resolution No. 2016- , A Resolution Approving Amendment To The Joint Powers Agreement Of The Stanislaus Council Of Governments. ([View Report](#))
9. **Public Hearings**
 - a. Adopt Resolution No. 2016- , A Resolution Declaring The Existence Of A Public Nuisance Under Ordinance No. 95-4. ([View Report](#))
 - b. Adopt Resolution No. 2016- , Declaring The Existence Of A Public Nuisance Under Ordinance No. 281 Mistletoe Abatement. ([View Report](#))
10. **Regular Business**
 - a. Report On Newman Crows Landing Unified School District Event At The Downtown Plaza. ([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

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 - Cancelled

March 22 - City Council - 7:00 P.M.

March 27 - Easter Day

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



MENTAL HEALTH BOARD

800 Scenic Drive, Modesto, CA 95350
Phone: 209.525-6225 Fax: 209.558-4326

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

My name is Ritta Sudnikoff, I am a member of the Stanislaus County Mental Health Board. I am on a committee with three others, Kimberly Kennard, Chair; Jack Waldorf, Vice Chair; and Annie Henrich, member.

The goal of this committee is to increase visibility and connect with communities elected officials. We would like to give a fifteen minute presentation explaining to the City Council why the Mental Health Board exists and explain the roles and responsibilities.

Supervisor Terry Withrow plans on sharing a few words about the function of the Stanislaus County Mental Health Board.

We would like to set a date and time that would be convenient for you. I have enclosed a copy of the presentation that will be shared at the meeting.

I can be reached at 209-54-5561 or via e-mail at rittavs@att.net. You can also contact Teresa Garibay, support for the Mental Health Board at 525-6119 or via e-mail at tgaribay@stanbhhs.org.

Thank you in advance,

Ritta Sudnikoff
Annie Henrich
Kimberly Kennard
Jack Waldorf

Enclosure



Member Agencies

MEMO

City of Ceres

TO: Michael Holland, City Manager, Newman

City of Hughson

FROM: Rosa De León Park

City of Modesto

DATE: February 19, 2016

City of Newman

RE: StanCOG Presentation

City of Oakdale

City of Patterson

We would like to arrange a presentation to the Newman City Council at your next available meeting regarding the proposed Expenditure Plan adopted by the StanCOG Policy Board. The StanCOG Board is proposing a ½ cent sales tax measure for the November ballot to fund local and regional transportation projects and programs. The measure is expected to generate approximately \$39 million dollars a year over a 25-year period.

City of Riverbank

City of Turlock

City of Waterford

The purpose of the presentation is to:

Stanislaus County

- Update Council on the proposed components of the Plan,
- Describe the types of projects and programs that may be considered by each agency,
- Outline the coordination between StanCOG and City Staff to identify key projects for inclusion in the Plan, and
- Describe the process moving forward towards the November ballot.

Policy Board Chair

Vito Chiesa

This is an informational item. We will return to the Council in May seeking a resolution of support for the Final Expenditure Plan which will include a detailed list of specific projects and programs relevant to the region and the City.

Policy Board Vice-Chair

Bill Zoslocki

StanCOG Outreach Manager Kendall Flint and I will be in attendance and available to answer any questions Council or staff may have.

Executive Director

Rosa De León Park

Additionally, we are requesting that another item be placed on your agenda. On March 18, 2016, the StanCOG Policy Board adopted amendments to the Joint Powers Agreement (JPA) establishing StanCOG. Based on that amendment, it was determined that an amendment to the bylaws to the JPA was also warranted. Revisions to the Bylaws were adopted by the Policy Board on August 19, 2015.

The amendments made the following changes to the JPA and the Bylaws:

1. Clarified the selection process for the Executive Committee of the Policy Board;
2. Adjusted the term of office of the Chair and Vice-Chair of the Policy Board from a fiscal year to a calendar year to align with elected officials terms of office; and
3. Updated the standing committee descriptions and composition information to more accurately describe the committees.

As a member agency of the StanCOG JPA, you are being asked to ratify the above described amendments by taking the item to your City Council for consideration. The updated JPA and Bylaws are attached as well as a sample resolution.

If both the Transportation Expenditure Plan for the Stanislaus Region and the JPA could be on the same agenda, I would be available to answer any questions. I appreciate your assistance. Should you have any questions, please let me know.



ACH Register for Council February 29, 2016

Vendor	Account No	Invoice No	Description	Amount	ACH Check	Check date
SJV01	10-00-2260	March 2016	Health insurance premium/March 2016	\$ 16,202.77	TRUE	2/29/2016
				\$ 16,202.77	TRUE Total	
				\$ 16,202.77	Grand Total	



Manual Check Register

March 01, 2016

Vendor No	Vendor	Fund-Dept-Acct	Amount	Check #	Check Date	Description
NEW46	NEWMAN SMOG AND LUBE	60-50-6530	\$ 1,581.82	108924	108924	Deposit on new catalytic converter/spark plugs/mass air flow/06
			\$ 1,581.82	108924 Total		
RAB01	Rabobank	10-14-6120	\$ 500.00	108923	108923	2nd half HSA deposit/Faria
RAB01	Rabobank	60-50-6120	\$ 500.00	108923	108923	2nd half HSA deposit/Faria
RAB01	Rabobank	63-56-6120	\$ 500.00	108923	108923	2nd half HSA deposit/Faria
			\$ 1,500.00	108923 Total		
			\$ 3,081.82	Grand Total		



AP Check Register March 04, 2016

Vendor	Fund-Dept-Acct	Amount	Check #	Check date	Description
AMERICAN SOCCER COMPANY,	10-45-6730	\$ 73.53	108926	3/4/2016	Ice packs/youth basketball
		\$ 73.53	108926 Total		
KD ANDERSON & ASSOCIATES,	18-32-7739	\$ 420.00	108927	3/4/2016	Traffic engineering services/Hwy 33& Inyo Ave/Jan 2016
		\$ 420.00	108927 Total		
ARMCO ROOFING	10-07-6200	\$ 100.00	108928	3/4/2016	Repairs to roof flashings @ Pre-school
		\$ 100.00	108928 Total		
Barron Joshua	10-45-6730	\$ 350.00	108929	3/4/2016	Youth basketball referee/J. Barron
		\$ 350.00	108929 Total		
BAY ALARM	10-07-6665	\$ 420.00	108930	3/4/2016	Burglar alarm monitoring 3-1-16 to 3-01-17/Museum
		\$ 420.00	108930 Total		
BERTOLOTTI DISPOSAL	10-00-5080	\$ (11,611.33)	108931	3/4/2016	Garbage service franchise fees/Feb 2016
BERTOLOTTI DISPOSAL	10-00-5730	\$ 15,758.23	108931	3/4/2016	Garbage service reclass franchise/street fees/Feb 2016
BERTOLOTTI DISPOSAL	10-00-5733	\$ (4,146.90)	108931	3/4/2016	Garbage service street sweeping/Feb 2016
BERTOLOTTI DISPOSAL	10-41-6200	\$ 62,203.56	108931	3/4/2016	Garbage service/Feb 2016
		\$ 62,203.56	108931 Total		
B G AUTO	10-07-6300	\$ 39.55	108932	3/4/2016	Battery
B G AUTO	10-44-6300	\$ 39.55	108932	3/4/2016	Battery
B G AUTO	10-44-6530	\$ 4.28	108932	3/4/2016	Battery terminal
B G AUTO	60-50-6300	\$ 12.94	108932	3/4/2016	Rain cap
B G AUTO	62-60-6225	\$ 3.66	108932	3/4/2016	Fitting
B G AUTO	63-56-6300	\$ 45.20	108932	3/4/2016	24 inch adjustable wrench
B G AUTO	63-56-6300	\$ 4.83	108932	3/4/2016	25 pak auto fuse kit
B G AUTO	63-56-6530	\$ 11.59	108932	3/4/2016	3 quarts oil
		\$ 161.60	108932 Total		
Bohannon Insurance Group	10-00-2260	\$ 834.46	108933	3/4/2016	Professional services/insurance administration/Feb 2016
		\$ 834.46	108933 Total		
Bowen Keith	10-22-6300	\$ 25.78	108934	3/4/2016	Picture frames/FD
		\$ 25.78	108934 Total		
California Emergency Physician Med Group	10-21-6200	\$ 302.00	108935	3/4/2016	Medical exam
		\$ 302.00	108935 Total		
Candea Nicholas	10-01-6690	\$ 46.17	108936	3/4/2016	Mileage reimbursement/STANCOG mtg/Candea
		\$ 46.17	108936 Total		
CARTER JEFF	68-68-7722	\$ 100.00	108937	3/4/2016	Parking lot rent/March 2016
		\$ 100.00	108937 Total		
CBA (ADMIN FEES)	10-00-2261	\$ 247.00	108938	3/4/2016	Admin fees dental-vision/March 2016
		\$ 247.00	108938 Total		
Central Valley Toxicology, Inc.	10-21-6200	\$ 78.00	108939	3/4/2016	Abuse screen/drug confirmation



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Vendor	Fund-Dept-Acct	Amount	Check #	Check date	Description
		\$ 78.00	108939 Total		
CENTRAL SANITARY SUPPLY	10-07-6300	\$ 33.35	108940	3/4/2016	
CENTRAL SANITARY SUPPLY	10-07-6665	\$ 16.68	108940	3/4/2016	
CENTRAL SANITARY SUPPLY	10-21-6300	\$ 33.36	108940	3/4/2016	
CENTRAL SANITARY SUPPLY	10-22-6300	\$ 16.67	108940	3/4/2016	
CENTRAL SANITARY SUPPLY	10-44-6300	\$ 16.68	108940	3/4/2016	
CENTRAL SANITARY SUPPLY	10-44-6660	\$ 133.42	108940	3/4/2016	
CENTRAL SANITARY SUPPLY	10-44-6670	\$ 66.72	108940	3/4/2016	
CENTRAL SANITARY SUPPLY	10-46-6300	\$ 16.68	108940	3/4/2016	
		\$ 333.56	108940 Total		
COELHO CARL J. (CHUCK)	10-22-6690	\$ 50.00	108941	3/4/2016	
		\$ 50.00	108941 Total		
COMCAST CABLE	10-14-6200	\$ 41.99	108942	3/4/2016	High speed internet/Finance
COMCAST CABLE	10-21-6420	\$ 146.06	108942	3/4/2016	Internet service from Newman to Oakdale 2-21-16 to 3-20-16
COMCAST CABLE	10-21-6420	\$ 145.99	108942	3/4/2016	Internet service from Oakdale to Newman 2-06-16 to 3-05-16
COMCAST CABLE	60-50-6200	\$ 41.99	108942	3/4/2016	High speed internet/sewer
COMCAST CABLE	63-56-6200	\$ 42.01	108942	3/4/2016	High speed internet/water
		\$ 418.04	108942 Total		
Contreras Anthony Manuel	10-45-6730	\$ 210.00	108943	3/4/2016	Youth basketball referee/Contreras
		\$ 210.00	108943 Total		
CROP PRODUCTION SERVICES	10-33-6270	\$ 107.89	108944	3/4/2016	5 gals Gly Star Plus
CROP PRODUCTION SERVICES	60-50-6300	\$ 998.90	108944	3/4/2016	4 gals activator/15 gals amine/30 gals gly star for WWTP
		\$ 1,106.79	108944 Total		
CSG Consultants, Inc	10-23-6215	\$ 4,857.97	108945	3/4/2016	Permit issuances/Feb 2016
CSG Consultants, Inc	10-23-6215	\$ 1,128.75	108945	3/4/2016	Plan check services/Feb 2016
CSG Consultants, Inc	10-23-6215	\$ 90.00	108945	3/4/2016	Real estate insp-817 Foxglove Ct/Feb 2016
CSG Consultants, Inc	10-23-6243	\$ 25.00	108945	3/4/2016	Business licence insp-Oasis Mini Mart/Feb 2016
		\$ 6,101.72	108945 Total		
Datamatic, Inc	63-56-6200	\$ 4,831.53	108946	3/4/2016	Annual service maintenance & software license renewal/ April 16
		\$ 4,831.53	108946 Total		
Direct Security and Sound, Inc.	60-50-6300	\$ 67.27	108947	3/4/2016	Installed 8 port POE switches inside plastic box @ WWTP
		\$ 67.27	108947 Total		
ENTENMANN-ROVIN CO.	10-21-6300	\$ 124.32	108948	3/4/2016	Badge Newman PD lieutenant
ENTENMANN-ROVIN CO.	10-22-6300	\$ 121.08	108948	3/4/2016	Badge Newman Fire Div Chief
		\$ 245.40	108948 Total		
ENVIRONMENTAL TECHNIQUES	60-50-6300	\$ 3,540.00	108949	3/4/2016	60 ProOxidizer/WWTP
		\$ 3,540.00	108949 Total		
Estrada Magdaleno	10-22-6690	\$ 145.00	108950	3/4/2016	Reimbursement for "Fire Investigation 1A" Estrada



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Vendor	Fund-Dept-Acct	Amount	Check #	Check date	Description
		\$ 145.00	108950 Total		
FERGUSON ENTERPRISES, INC 1423	60-50-6300	\$ 150.63	108951	3/4/2016	2 shielded couplings
FERGUSON ENTERPRISES, INC 1423	63-56-6300	\$ 1,240.01	108951	3/4/2016	10 3/4 T10 water meters
FERGUSON ENTERPRISES, INC 1423	63-56-6300	\$ 308.89	108951	3/4/2016	Squeeze tool
FERGUSON ENTERPRISES, INC 1423	63-56-6300	\$ 673.67	108951	3/4/2016	12 3/4 meter angle key valve
		\$ 2,373.20	108951 Total		
GEORGE W. LOWRY, INC	60-50-6500	\$ 784.59	108952	3/4/2016	400 gallons unleaded gas delivered @ WWTP
		\$ 784.59	108952 Total		
Guerrero's Tire and Auto Repair, LLC	60-50-6530	\$ 20.00	108953	3/4/2016	Mounted 2 tires on Polaris @ WWTP
		\$ 20.00	108953 Total		
Guzman Enrique	10-45-6730	\$ 240.00	108954	3/4/2016	Youth basketball referee/score keeper/Guzman
		\$ 240.00	108954 Total		
Hansford Economic Consulting	60-50-6200	\$ 1,965.00	108955	3/4/2016	Newman sewer rate study/Feb 2016
		\$ 1,965.00	108955 Total		
Housing authority of County of Stanislaus	15-48-7901	\$ 75.00	108956	3/4/2016	Closing account/Carlin
		\$ 75.00	108956 Total		
Hunt Christopher	10-45-6730	\$ 240.00	108957	3/4/2016	Youth basketball referee/score keeper/Hunt
		\$ 240.00	108957 Total		
Inland Potable Services, Inc	63-56-6200	\$ 3,290.00	108958	3/4/2016	Potable water tank inspection & cleaning/aborted
		\$ 3,290.00	108958 Total		
IRRIGATION DESIGN & CONST	10-33-6270	\$ 183.23	108959	3/4/2016	50 pair Tyvek coveralls
IRRIGATION DESIGN & CONST	10-33-6270	\$ 183.23	108959	3/4/2016	50 pair Tyvek coveralls
IRRIGATION DESIGN & CONST	60-50-6300	\$ 68.97	108959	3/4/2016	8 Tyvek coveralls/gloves
		\$ 435.43	108959 Total		
J&E Janitorial and Handyman	10-07-6200	\$ 200.00	108960	3/4/2016	Cleaned, buffed city hall floors/bathrooms
		\$ 200.00	108960 Total		
JORGENSEN & COMPANY	10-21-6200	\$ 267.78	108961	3/4/2016	2 Fire extinguishers/valve stem/6-year service/annual maintenanc
JORGENSEN & COMPANY	10-22-6200	\$ 123.45	108961	3/4/2016	Cartridge exchange ansul system/valve stem/
		\$ 391.23	108961 Total		
KAISER PERMANENTE	10-00-2260	\$ 589.39	108962	3/4/2016	Health insurance premium/April 2016
		\$ 589.39	108962 Total		
Lamphier-Gregory, Inc	40-06-6245	\$ 2,361.25	108963	3/4/2016	Preparation of EIR draft/second admin draft Master Plan 1-29-16
		\$ 2,361.25	108963 Total		
Lopez Mayela	10-45-6730	\$ 310.00	108964	3/4/2016	Youth basketball referee/score keeper/Lopez
		\$ 310.00	108964 Total		
Carver Martin L	40-06-6200	\$ 880.00	108965	3/4/2016	Newman Housing element
		\$ 880.00	108965 Total		



AP Check Register March 04, 2016

Vendor	Fund-Dept-Acct	Amount	Check #	Check date	Description
Modesto Alarm, Inc	10-46-6200	\$ 420.00	108966	3/4/2016	12 months alarm monitoring March 2016 to Feb 2017 @ Corp yard
Modesto Alarm, Inc	63-56-6200	\$ 420.00	108966	3/4/2016	12 months alarm monitoring March 2016 to Feb 2017 @ water tower
		\$ 840.00	108966 Total		
NEWMAN MINI MART	10-21-6530	\$ 29.95	108967	3/4/2016	12 gallons unleaded gas/Fannuchi
		\$ 29.95	108967 Total		
NEWMAN SMOG AND LUBE	10-21-6530	\$ 266.11	108968	3/4/2016	Oil & filter change/rear brake pads/2013 Charger
NEWMAN SMOG AND LUBE	10-21-6530	\$ 47.60	108968	3/4/2016	Oil & filter change/2011 Tahoe
NEWMAN SMOG AND LUBE	10-21-6530	\$ 43.56	108968	3/4/2016	Oil & filter change 05 Honda Civic
NEWMAN SMOG AND LUBE	10-22-6530	\$ 83.22	108968	3/4/2016	Oil & filter change
NEWMAN SMOG AND LUBE	60-50-6530	\$ 904.36	108968	3/4/2016	Balance owed on catalytic converter replacement/06 Chevy Silver
		\$ 1,344.85	108968 Total		
Newman City Tow Service, Inc	10-21-6530	\$ 188.00	108969	3/4/2016	Towing of unit #508 from Newman to Auto Mall-Turlock
		\$ 188.00	108969 Total		
NEWMAN ACE HARDWARE/JACT,	10-07-6300	\$ 156.88	108970	3/4/2016	Sealer/sandpaper/paintbrush/dropcloth/bleach/pvc cement
NEWMAN ACE HARDWARE/JACT,	10-22-6300	\$ 97.86	108970	3/4/2016	Mop bucket/velcro tape/USB cable/door chimes
NEWMAN ACE HARDWARE/JACT,	10-33-6300	\$ 148.17	108970	3/4/2016	Gloves/misc fastners/Simple Green/Stihl oil/glass scraper
NEWMAN ACE HARDWARE/JACT,	10-44-6300	\$ 106.26	108970	3/4/2016	Trimmer line/drive shaft/halogen bulb/pliers
NEWMAN ACE HARDWARE/JACT,	10-46-6300	\$ 35.25	108970	3/4/2016	Turtle wax/key tags/battery/eye light control
NEWMAN ACE HARDWARE/JACT,	60-50-6300	\$ 93.13	108970	3/4/2016	Spraypaint/32 gal trash bags/lock nuts
NEWMAN ACE HARDWARE/JACT,	63-56-6300	\$ 63.92	108970	3/4/2016	Spray paint/bleach/level/elbows/pvc pipe/blade cutoff/gloves
		\$ 701.47	108970 Total		
Nino's Auto Repair	60-50-6530	\$ 50.00	108971	3/4/2016	Mounted and balanced 4 new tires
Nino's Auto Repair	63-56-6530	\$ 50.00	108971	3/4/2016	Mounted and balanced 4 new tires
		\$ 100.00	108971 Total		
OCASIO (NT) STEPHANIE	10-06-6690	\$ 60.00	108972	3/4/2016	Per diem/Resident Engineers Academy-Fresno/Ocasio
		\$ 60.00	108972 Total		
Packet Fusion	10-07-6200	\$ 2,022.00	108973	3/4/2016	Shorecare partner support 2/18/16 thru 2/17/19
Packet Fusion	10-22-7105	\$ 811.70	108973	3/4/2016	3 Shoretel phones/fire dept
Packet Fusion	60-50-6200	\$ 2,022.00	108973	3/4/2016	Shorecare partner support 2/18/16 thru 2/17/19
Packet Fusion	63-56-6200	\$ 2,022.00	108973	3/4/2016	Shorecare partner support 2/18/16 thru 2/17/19
		\$ 6,877.70	108973 Total		
P G & E	10-07-6410	\$ 1,034.73	108974	3/4/2016	Gas and electric 1-14-16 to 2-15-16
P G & E	10-07-6665	\$ 80.69	108974	3/4/2016	Gas and electric 1-14-16 to 2-15-16
P G & E	10-21-6510	\$ 19.48	108974	3/4/2016	Natural gas @ CNG fuel station 1-11-16 to 2-09-16
P G & E	10-22-6410	\$ 424.86	108974	3/4/2016	Gas and electric 1-14-16 to 2-15-16
P G & E	10-33-6410	\$ 5,173.88	108974	3/4/2016	Gas and electric 1-14-16 to 2-15-16
P G & E	10-33-6510	\$ 58.45	108974	3/4/2016	Natural gas @ CNG fuel station 1-11-16 to 2-09-16



AP Check Register March 04, 2016

Vendor	Fund-Dept-Acct	Amount	Check #	Check date	Description
P G & E	10-44-6410	\$ 770.86	108974	3/4/2016	Gas and electric 1-14-16 to 2-15-16
P G & E	10-44-6510	\$ 38.98	108974	3/4/2016	Natural gas @ CNG fuel station 1-11-16 to 2-09-16
P G & E	10-44-6660	\$ 357.59	108974	3/4/2016	Gas and electric 1-14-16 to 2-15-16
P G & E	10-44-6670	\$ 487.81	108974	3/4/2016	Gas and electric 1-14-16 to 2-15-16
P G & E	10-45-6410	\$ 207.83	108974	3/4/2016	Gas and electric 1-14-16 to 2-15-16
P G & E	10-46-6410	\$ 379.63	108974	3/4/2016	Gas and electric 1-14-16 to 2-15-16
P G & E	60-50-6410	\$ 35,841.03	108974	3/4/2016	Gas and electric 1-14-16 to 2-15-16
P G & E	60-50-6510	\$ 19.48	108974	3/4/2016	Natural gas @ CNG fuel station 1-11-16 to 2-09-16
P G & E	62-60-6411	\$ 412.48	108974	3/4/2016	Gas and electric 1-14-16 to 2-15-16
P G & E	62-60-6412	\$ 1,553.36	108974	3/4/2016	Gas and electric 1-14-16 to 2-15-16
P G & E	63-56-6410	\$ 8,019.88	108974	3/4/2016	Gas and electric 1-14-16 to 2-15-16
P G & E	63-56-6510	\$ 19.48	108974	3/4/2016	Natural gas @ CNG fuel station 1-11-16 to 2-09-16
P G & E	69-47-6410	\$ 3,330.06	108974	3/4/2016	Gas and electric 1-14-16 to 2-15-16
		\$ 58,230.56	108974 Total		
RALEY'S IN STORE CHARGE	10-01-6620	\$ 202.43	108975	3/4/2016	Supplies for Westside Healthcare Task force
RALEY'S IN STORE CHARGE	10-14-6300	\$ 6.26	108975	3/4/2016	Sugar/Creamer/dish soap/Coffe Mate/CH
RALEY'S IN STORE CHARGE	10-14-6300	\$ 4.65	108975	3/4/2016	Sugar cubes/Coffee Mate/City hall
RALEY'S IN STORE CHARGE	10-46-6300	\$ 24.57	108975	3/4/2016	Coffee/cups/spoons/corp yard
RALEY'S IN STORE CHARGE	10-46-6300	\$ 25.73	108975	3/4/2016	Coffee/spoons/forks/sweetner/Corp yard
RALEY'S IN STORE CHARGE	42-36-6300	\$ 145.42	108975	3/4/2016	Storm water meeting supplies
RALEY'S IN STORE CHARGE	60-50-6300	\$ 6.26	108975	3/4/2016	Sugar/Creamer/dish soap/Coffe Mate/CH
RALEY'S IN STORE CHARGE	60-50-6300	\$ 4.65	108975	3/4/2016	Sugar cubes/Coffee Mate/City hall
RALEY'S IN STORE CHARGE	63-56-6300	\$ 6.27	108975	3/4/2016	Sugar/Creamer/dish soap/Coffe Mate/CH
RALEY'S IN STORE CHARGE	63-56-6300	\$ 4.66	108975	3/4/2016	Sugar cubes/Coffee Mate/City hall
		\$ 430.90	108975 Total		
RESERVE ACCOUNT	10-14-6330	\$ 166.67	108976	3/4/2016	Re-load postage in postage meter
RESERVE ACCOUNT	60-50-6330	\$ 166.67	108976	3/4/2016	Re-load postage in postage meter
RESERVE ACCOUNT	63-56-6330	\$ 166.66	108976	3/4/2016	Re-load postage in postage meter
		\$ 500.00	108976 Total		
Richardson Jared	10-45-6730	\$ 360.00	108977	3/4/2016	Youthbasketball referee/Richardson
		\$ 360.00	108977 Total		
Richardson Antoinette	10-45-6730	\$ 270.00	108978	3/4/2016	Youth basketball score keeper/Richardson
		\$ 270.00	108978 Total		
Richardson Antoine	10-45-6730	\$ 300.00	108979	3/4/2016	Youth basketball referee/score keeper/Richardson
		\$ 300.00	108979 Total		
Richardson Antonio	10-45-6730	\$ 270.00	108980	3/4/2016	Youth basketball referee/Richardson
		\$ 270.00	108980 Total		
Rivera Electric	10-07-6200	\$ 120.00	108981	3/4/2016	Installed plug for communications router/FD



AP Check Register March 04, 2016

Vendor	Fund-Dept-Acct	Amount	Check #	Check date	Description
		\$ 120.00	108981 Total		
RIVAS FRANK	10-45-6730	\$ 310.00	108982	3/4/2016	Youth basketball referee/Rivas
		\$ 310.00	108982 Total		
ROCHA BACKHOE SERVICE, IN	10-33-6300	\$ 792.50	108983	3/4/2016	13.1 tons cold patch delivered @ corp yard
ROCHA BACKHOE SERVICE, IN	63-56-6300	\$ 792.50	108983	3/4/2016	13.1 tons cold patch delivered @ corp yard
		\$ 1,585.00	108983 Total		
Rodriguez Luis	10-45-6730	\$ 160.00	108984	3/4/2016	Youth basketball score keeper/Rodriguez
		\$ 160.00	108984 Total		
Rodriguez Jasmin Millan	10-45-6730	\$ 230.00	108985	3/4/2016	Youth Basketball score keeper/Rodriguez
		\$ 230.00	108985 Total		
SAFE-T-LITE	10-33-6300	\$ 46.13	108986	3/4/2016	Concrete walking groover/safety glasses/
SAFE-T-LITE	10-33-6300	\$ 15.59	108986	3/4/2016	Ultra-cool lime vests with verbage "City of Newman"
SAFE-T-LITE	10-44-6300	\$ 24.51	108986	3/4/2016	Concrete walking groover/safety glasses/
SAFE-T-LITE	60-50-6530	\$ 343.38	108986	3/4/2016	8 section arrow stik with control
SAFE-T-LITE	63-56-6300	\$ 7.21	108986	3/4/2016	Concrete walking groover/safety glasses/
		\$ 436.82	108986 Total		
Solar Integrated Fund III	60-50-6410	\$ 7,034.60	108987	3/4/2016	Solar production period 12-01-15 to 12-31-15 @ WWTP
Solar Integrated Fund III	60-50-6410	\$ 5,543.53	108987	3/4/2016	Solar production period 1-01-16 to 01-31-16 @ WWTP
		\$ 12,578.13	108987 Total		
Stanislaus County Auditor-Controller	10-33-6530	\$ 921.42	108988	3/4/2016	Emergency repairs to PW CNG car and PW pickup
Stanislaus County Auditor-Controller	10-44-6530	\$ 921.42	108988	3/4/2016	Emergency repairs to PW CNG car and PW pickup
Stanislaus County Auditor-Controller	60-50-6530	\$ 1,393.28	108988	3/4/2016	Emergency repairs to PW CNG car and PW pickup
Stanislaus County Auditor-Controller	63-56-6530	\$ 1,393.28	108988	3/4/2016	Emergency repairs to PW CNG car and PW pickup
Stanislaus County Auditor-Controller	69-47-6530	\$ 921.42	108988	3/4/2016	Emergency repairs to PW CNG car and PW pickup
		\$ 5,550.82	108988 Total		
STANISLAUS COUNTY DEPT	10-00-2842	\$ 396.50	108989	3/4/2016	Bus ticket sales Jan-Feb 2016
		\$ 396.50	108989 Total		
STAPLES ADVANTAGE	10-02-6300	\$ 64.56	108990	3/4/2016	Wireless keyboard and mouse/CM
STAPLES ADVANTAGE	10-14-6300	\$ 6.45	108990	3/4/2016	Staples/optiflow pens
STAPLES ADVANTAGE	60-50-6300	\$ 6.45	108990	3/4/2016	Staples/optiflow pens
STAPLES ADVANTAGE	63-56-6300	\$ 6.46	108990	3/4/2016	Staples/optiflow pens
		\$ 83.92	108990 Total		
STANTEC CONSULTING SERVICE, Inc	60-50-6200	\$ 1,631.00	108991	3/4/2016	Groundwater monitoring services thru 02-12-16
		\$ 1,631.00	108991 Total		
Summers Engineering, Inc	10-00-2840	\$ 75.00	108992	3/4/2016	Memorial building deposit refund/San Joaquin Valley
		\$ 75.00	108992 Total		
Sun Valley Portables	69-47-6200	\$ 155.76	108993	3/4/2016	Portable restroom rental-service
		\$ 155.76	108993 Total		



AP Check Register March 04, 2016

Vendor	Fund-Dept-Acct	Amount	Check #	Check date	Description
TelePacific Communications	10-14-6420	\$ 85.83	108994	3/4/2016	Telephone service 3-1-16 to 3-31-16/long distance/Feb 2016
TelePacific Communications	10-21-6420	\$ 169.10	108994	3/4/2016	Telephone service 3-1-16 to 3-31-16/long distance/Feb 2016
TelePacific Communications	10-45-6420	\$ 85.83	108994	3/4/2016	Telephone service 3-1-16 to 3-31-16/long distance/Feb 2016
TelePacific Communications	60-50-6420	\$ 85.83	108994	3/4/2016	Telephone service 3-1-16 to 3-31-16/long distance/Feb 2016
TelePacific Communications	63-56-6420	\$ 85.84	108994	3/4/2016	Telephone service 3-1-16 to 3-31-16/long distance/Feb 2016
		\$ 512.43	108994 Total		
The Clock Doctor	10-44-6200	\$ 180.00	108995	3/4/2016	Service call to synchronize noon siren clock
		\$ 180.00	108995 Total		
T.H.E. OFFICE CITY	10-06-6300	\$ 15.06	108996	3/4/2016	File folders
T.H.E. OFFICE CITY	10-14-6300	\$ 51.58	108996	3/4/2016	4 cases copy paper
T.H.E. OFFICE CITY	10-22-7105	\$ 3,159.87	108996	3/4/2016	Office furniture for fire dept
T.H.E. OFFICE CITY	60-50-6300	\$ 51.58	108996	3/4/2016	4 cases copy paper
T.H.E. OFFICE CITY	63-56-6300	\$ 51.58	108996	3/4/2016	4 cases copy paper
		\$ 3,329.67	108996 Total		
THOMPSON CHEVROLET-BUICK	63-56-6530	\$ 118.75	108997	3/4/2016	New key and key fob programing
		\$ 118.75	108997 Total		
True Blue Veterinary Group	10-21-6208	\$ 1,045.58	108998	3/4/2016	Monthly animal contract with credits from invoices #70 & 71
		\$ 1,045.58	108998 Total		
TOLBERT RUSSELL	63-00-2010	\$ 12.04	108999	3/4/2016	Refund Check
		\$ 12.04	108999 Total		
WATSON ELIZABETH	63-00-2010	\$ 29.10	109000	3/4/2016	Refund Check
		\$ 29.10	109000 Total		
MILLER CASEY	63-00-2010	\$ 103.95	109001	3/4/2016	Refund Check
		\$ 103.95	109001 Total		
MARTINEZ ELISA	63-00-2010	\$ 27.46	109002	3/4/2016	Refund Check
		\$ 27.46	109002 Total		
ANDERSON ROSS	63-00-2010	\$ 150.00	109003	3/4/2016	Refund Check
		\$ 150.00	109003 Total		
ALEGRIA MARIA	63-00-2010	\$ 48.92	109004	3/4/2016	Refund Check
		\$ 48.92	109004 Total		
VELAZQUEZ ADRIANA	63-00-2010	\$ 38.13	109005	3/4/2016	Refund Check
		\$ 38.13	109005 Total		
HERINGER HOLLY	63-00-2010	\$ 25.82	109006	3/4/2016	Refund Check
		\$ 25.82	109006 Total		
TOLBERT RUSSELL	63-00-2010	\$ 70.00	109007	3/4/2016	Refund Check
		\$ 70.00	109007 Total		
UNITED STATES POSTMASTER	10-14-6330	\$ 56.67	109008	3/4/2016	Annual post office box rental



AP Check Register March 04, 2016

Vendor	Fund-Dept-Acct	Amount	Check #	Check date	Description
UNITED STATES POSTMASTER	60-50-6330	\$ 56.67	109008	3/4/2016	Annual post office box rental
UNITED STATES POSTMASTER	63-56-6330	\$ 56.66	109008	3/4/2016	Annual post office box rental
		\$ 170.00	109008 Total		
VALLEY PARTS SERVICE	10-44-6300	\$ 5.05	109009	3/4/2016	Lock pin
VALLEY PARTS SERVICE	60-50-6300	\$ 6.53	109009	3/4/2016	gas cap
VALLEY PARTS SERVICE	60-50-6530	\$ 258.72	109009	3/4/2016	Door handel/oil & air filters/12 quarts oil
VALLEY PARTS SERVICE	63-56-6300	\$ 17.67	109009	3/4/2016	Hose used for water repairs
		\$ 287.97	109009 Total		
VARGAS GEORGE	10-22-6690	\$ 50.00	109010	3/4/2016	
		\$ 50.00	109010 Total		
Verizon Wireless	10-21-6420	\$ 380.10	109011	3/4/2016	Mobile broadband service 01-19-16 to 02-18-16
		\$ 380.10	109011 Total		
West Stanislaus Fire District	10-22-6200	\$ 235.00	109012	3/4/2016	12 month subscription to Active911 digital messaging system/FD
West Stanislaus Fire District	10-22-6200	\$ 275.00	109012	3/4/2016	50% cost floor stripping & waxing at fire station
		\$ 510.00	109012 Total		
WEST SIDE AERIAL APPLICAT	60-50-6230	\$ 2,485.00	109013	3/4/2016	Aerial pesticide application @ WWTP
		\$ 2,485.00	109013 Total		
ZAM COMM	10-22-7105	\$ 2,988.00	109014	3/4/2016	Installation of CAT6 cable from city hall to fire station
		\$ 2,988.00	109014 Total		
		\$ 202,945.80	Grand Total		



MINUTES
NEWMAN CITY COUNCIL
REGULAR MEETING FEBRUARY 23, 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** – Council Member Day.
4. **Roll Call - PRESENT:** Graham, Day And Mayor Martina.
ABSENT: Davis And Mayor Pro Tem Candea.
5. **Declaration Of Conflicts Of Interest** – None.
6. **Ceremonial Matters**

- a. Legislative Update Presentation Provided By Churchwell White LLP.

Celia Mata, Legislative Advocate With Churchwell White LLP., Provided A 2015 California Legislative Review. Mata Discussed Several Topics Including: Redevelopment, Medical Marijuana, Drought, Water Quality, Groundwater And Transportation.

Mayor Martina Thanked Ms. Mata For Her Presentation.

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

Eileen Wyatt Stockman, 3929 Rickman Way, Ceres, Introduced Herself. Stockman Stated That She Is A Candidate For Stanislaus County District Five Supervisor And Mentioned That She Retired From Stanislaus County After Eighteen Years Of Service. Stockman Stated That Newman Was A Lovely Town And That She Liked The City's West Side Theatre, Plaza And City Hall.

8. **Consent Calendar**

- a. Waive All Readings Of Ordinances And Resolutions Except By Title.
- b. Approval Of Warrants.
- c. Approval Of Minutes Of The February 9, 2016 Meeting.
- d. Adopt Resolution No. 2016-11, Declaring Certain Personal Property Surplus Property And Authorizing Disposal And/Or Sale Of Property.
- e. Adopt Resolution No. 2016-12, A Resolution Rejecting The Claim Of Melina Garcia.

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

9. **Public Hearings** - None.

10. **Regular Business**

- a. Report On Comforting Kids Event At Pioneer Park.

ACTION: On Motion By Day Seconded By Graham And Unanimously Carried The City Council Approved The Comforting Kids Request For An Event At Pioneer Park With The Conditions Listed In The Staff Report By The Following Vote: AYES: Graham, Day And Mayor Martina; NOES: None; ABSENT: Davis And Candea; NOT PARTICIPATING: None.

b. Adopt Resolution No. 2016-13, Approving Changes To The Employee Home Loan Program For The City Of Newman.

Council Member Graham Questioned Why The Payment Start Date Would Begin Within 60 Days As Opposed To The Three Years Allowed For The First Loan.

Finance Director Humphries Noted That The Employee Would Have Most Likely Already Had A Three Year Grace Period With The Initial Loan.

ACTION: On Motion By Graham Seconded By Day, Resolution No. 2016-13, A Resolution Approving Changes To The Employee Home Loan Program For The City Of Newman, Was Adopted By The Following Vote: AYES: Graham, Day And Mayor Martina; NOES: None; ABSENT: Davis And Candea; NOT PARTICIPATING: None..

11. Items From District Five Stanislaus County Supervisor.

Supervisor DeMartini Mentioned That The Next West Side Healthcare Taskforce Meeting Would Be On Thursday, February 25th In Newman At 6:00 PM. DeMartini Noted That The Environmental Impact Report For The Crows Landing Air Base Was Close To Being Completed. He Concluded By Reporting That The County Was Also Close To Signing A Power Purchase Agreement For The 150 Megawatt Solar Project At The Landfill.

12. Items From The City Manager And Staff.

City Manager Holland Mentioned That He Had Recently Met With County Supervisor Withrow And County Staff To Discuss Partnering With The County On A Groundwater Management Plan And A Groundwater Recharge Grant Application. Holland Noted That He Would Soon Have More Meetings With County Staff Regarding Potential Community Pool Funding And A Northwest Quadrant Tax Sharing Agreement.

Finance Director Humphries Noted That The January Treasurer's Reports Had Been Completed And That He Would Soon Begin The Budget Process For The Next Fiscal Year.

Public Works Director Kim Mentioned That He Would Be Presenting More Information Regarding Water Regulations At The Next City Council Meeting.

Chief Bowen Reported That The Fire Department Had Recently Obtained New Radios.

Items From City Council Members.

Council Member Graham Asked About The Proposed Storm Water L.I.D. (Low Impact Development) Project Timeline.

City Manager Holland Responded That The Process Was Just Beginning And That It Would Be At Least Two To Three Years After Grant Funding Was Received Before Significant Changes Would Take Place.

Council Member Graham Asked If The City Had Reached An Agreement With The Lions Club.

City Manager Holland Stated That The City Had Not Yet Reached An Agreement With The Lions Club.

Council Member Day Thanked The Community For Their Support As He And His Family Grieve The Loss Of His Wife.

Mayor Martina Thanked Everyone For Attending The City Council Meeting.

13. Adjournment.

ACTION: On Motion By Graham Seconded By Day And Unanimously Carried, The Meeting Was Adjourned At 7:51 P.M.



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

Date: March 3, 2016
To: Mayor and City Council
From: Michael E. Holland, City Manager *MH*

Subject: Item No. 8.d. – Amendment to Joint Powers Agreement of the StanCOG

The attached Resolution has been submitted on the behalf of StanCOG management and Board. Approval of the Resolution will modify the Agreement to better reflect the make-up of the citizen Committees and modify the terms of the Board Members by changing the selection of the Chairperson and Vice-Chairperson to January (calendar year) from July (fiscal year). These modifications were drafted by StanCOG management and Board and were not reviewed the Management and Finance Committee (City Managers) prior to being submitted for your consideration.

RESOLUTION NO. 2016-

**A RESOLUTION APPROVING AMENDMENT TO THE JOINT POWERS AGREEMENT OF
THE STANISLAUS COUNCIL OF GOVERNMENTS**

WHEREAS, the City of Newman is a party to the Joint Powers Agreement establishing the Stanislaus Council of Governments dated December 12, 2007 (JPA);

WHEREAS, on March 18, 2015, the StanCOG Policy Board approved an amendment to the JPA updating standing committee descriptions and composition information, clarifying the selection process for the Executive Committee of the StanCOG Policy Board, and adjusting the term of office for the Chair and Vice-Chair of the Policy Board from a fiscal year to a calendar year to correspond with elected officials terms of office;

WHEREAS, it was determined that the Bylaws of the JPA also needed to be amended to be consistent with the JPA;

WHEREAS, pursuant to Section 13 of the JPA, the Bylaws of the Stanislaus Council of Governments are those annexed to the JPA as Exhibit A and amendments to all or a portion of the Bylaws may be made in the manner prescribed in the Bylaws;

WHEREAS, Section 26.B of the JPA requires that any amendment to the JPA be ratified by resolution of 75% of the member agencies representing 75% of the population of the County of Stanislaus as determined by the most recent Decennial Census.

NOW, THEREFORE, BE IT RESOLVED that the City of Newman as a party to the JPA, hereby approves the amendments to the JPA and the Bylaws as shown in Attachment A and authorizes the Mayor to execute the same.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 8th day of March, 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

ATTACHMENT A

**AMENDED AND RESTATED JOINT POWERS AGREEMENT
ESTABLISHING THE STANISLAUS COUNCIL OF GOVERNMENTS
(BYLAWS AS EXHIBIT "A" TO THE JPA)**

**AMENDED AND RESTATED JOINT POWERS AGREEMENT ESTABLISHING THE
STANISLAUS COUNCIL OF GOVERNMENTS**

THIS AGREEMENT, made and entered into in the County of Stanislaus, State of California, this _____ day of _____, ~~2011~~2016, is between the Cities of Ceres, Hughson, Modesto, Newman, Oakdale, Patterson, Riverbank, Turlock, and Waterford, all municipal corporations, and the County of Stanislaus, a political subdivision of the State of California. The municipal corporations are sometimes referred to individually as “City” and collectively as “Cities.” The County of Stanislaus is sometimes referred to as “County.” The Cities and County are sometimes referred to individually as a “Party” and collectively as “Parties.”

WITNESSETH:

1. **RECITALS.**

1.1. **Common Power.** Chapter 5 of Division 7 of Title 1 (Sections 6500, et seq.) of the California Government Code authorizes two (2) or more public agencies, by a joint powers agreement entered into respectively by them and authorized by their legislative or governing bodies, to exercise jointly any power or powers common to the contracting parties.

1.2. **Common Authority.** The City of Modesto, by virtue of its charter, and the Cities of Ceres, Hughson, Newman, Oakdale, Patterson, Riverbank, Turlock, and Waterford, by virtue of California Government Code Section 65600 through 65604, inclusive, possess in common the authority:

1.2.1. To study, discuss, and develop solutions to area-wide problems of direct concern to the performance of their constitutional and statutory functions and to establish an area planning organization and expend public funds for these purposes.

1.2.2. To do all acts necessary to participate in federal programs and receive federal funds for health, education, welfare, public works, and community improvement activities, including contracting and cooperating with other agencies.

1.3. **Orderly Development.** The people residing within the incorporated and unincorporated areas of Stanislaus County have an interest in the orderly development of their communities.

1.4. **Independent Agency.** The continued growth and extensive development within the incorporated and unincorporated areas of Stanislaus County evidenced a need to

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create a wholly independent regional agency capable of dealing with area-wide issues and problems.

1.5. Predecessor. The foregoing need led to the creation and establishment of the Stanislaus Area Association of Governments on May 11, 1971, the subsequent approval of a Revised Joint Powers Agreement on May 28, 1974, and a subsequent approval of a Joint Powers Agreement establishing the Stanislaus Council of Governments on June 5, 2001.

1.6. Effects. The establishment of STANISLAUS COUNCIL OF GOVERNMENTS (hereinafter referred to as “StanCOG”) has:

1.6.1. Provided a forum to study and develop solutions to area-wide problems of mutual concern to the various governmental entities in Stanislaus County.

1.6.2. Provided efficiency and economy in governmental operations through the cooperation of member governments and the pooling of common resources.

1.6.3. Provided for the establishment of an agency responsible for identifying, planning, and developing solutions to regional problems requiring multijurisdictional cooperation.

1.6.4. Provided for the establishment of an agency capable of developing regional plans and policies and performing area-wide duties.

1.6.5. Facilitated cooperation among and agreement between local governmental bodies for specific purposes, interrelated development actions, and for the adoption of common policies with respect to issues and problems which are common to its members.

1.7. Amendment. The Cities of Ceres, Hughson, Modesto, Newman, Oakdale, Patterson, Riverbank, Turlock, and Waterford and the County of Stanislaus, at this time, desire to amend that certain joint powers agreement of June 5, 2001, as subsequently amended on December 12, 2007, and enter into this Amended and Restated Agreement in order to establish the duties and powers of the STANISLAUS COUNCIL OF GOVERNMENTS.

NOW, THEREFORE, IT IS MUTUALLY AGREED AS FOLLOWS:

2. STATEMENT OF PURPOSE

The member Cities and the County have joined together to establish the Stanislaus Council of Governments for the following purposes:

2.1. Area-Wide Opportunities. A number of opportunities and issues within the area are either area-wide in nature or have area-wide aspects or implications, including, but not limited to transportation, air quality, land use, economic development, job creation, and the reduction of unemployment.

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2.2. Need. There is a demonstrated need for the establishment of an organization of the Cities and the County within the area to provide a forum for study and development of recommendations to area-wide problems of mutual interest and concern to the Cities and the County and to facilitate the development of policies and action recommendations for the solution of problems.

2.3. Independent Review. The Cities and the County wish to create an area-wide organization which will independently review and make comments to the member Cities and the County regarding projects which receive state or federal funding.

2.4. Elected Officials. The Cities and the County believe that an area-wide planning organization, governed solely by elected officials from the Cities and the County, with a staff independent of any City or the County, is best suited for area-wide planning and review.

2.5. Area-Wide Problems. The Cities and the County, working together through this organization, can exercise initiative, leadership, and responsibility for solving area-wide problems.

2.6. Allocation of Resources. The Cities and the County share common area-wide problems and issues, and at the same time, have different needs and priorities and are affected in different ways by these common area-wide problems and issues. The resources of StanCOG shall be allocated in a manner so that the needs of any portion of the area are not ignored, recognizing, however, that resources are limited and that not all needs can be met, nor all portions of the area assisted equally at any one time.

3. ESTABLISHMENT OF STANISLAUS COUNCIL OF GOVERNMENTS

3.1. Continued Public Entity. Upon the effective date of this Agreement, the Parties hereto hereby continue the STANISLAUS COUNCIL OF GOVERNMENTS, as a public entity separate and distinct from its member entities, as the agent to exercise the common powers provided for in this Agreement and to administer or otherwise execute this Agreement.

3.2. Continuation of Duties. StanCOG is the successor entity to the Area Association of Governments established in 1971, insofar as its predecessor entity has been designated, and insofar as legally authorized, it shall continue to function, without interruption in its duties, as:

3.2.1. The Local Transportation Authority (LTA) as designated by the Stanislaus County Board of Supervisors, pursuant to the Local Transportation Authority and Improvement Act set forth at California Public Utilities Code Sections 180,000, et seq.

3.2.2. The Area-wide Planning Organization (APO) as designated by the U.S. Department of Housing and Urban Development (HUD);

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3.2.3. The Metropolitan Planning Organization (MPO) as designated by the U.S. Department of Transportation; pursuant to Title 23 of United States Code, Section 134 (23 USC 134) and Title 49 of the United States Code, Section 5303(b)(2).

3.2.4. The Regional Transportation Planning Agency (RTPA) as designated by the Secretary of Business and Transportation Agency of the State of California; pursuant to California Government Code Sections 65080, et seq.

3.2.5. The regional planning representative, as designated by the parties hereto, for the purpose of acting upon any appropriate proposals which may be presented to the StanCOG Policy Board of Directors for consideration, or which the StanCOG Policy Board of Directors may elect to take up, and for transmission of proposed recommendations to Federal, State, and local agencies, including, but not limited to the member entities of StanCOG.

3.2.6. The Congestion Management Agency (CMA) as designated by the Stanislaus County Board of Supervisors, pursuant to California Government Code Sections 65088, et seq.

3.2.7. The Abandoned Vehicle Authority (AVA) as designated by the Stanislaus County Board of Supervisors, pursuant to California Vehicle Code, Section 22710(a).

4. COOPERATION

The Parties to this Agreement pledge full cooperation and agree to assign representatives to serve as official members of the StanCOG Policy Board or any committee or subcommittee thereof, which members shall act for and on behalf of their Cities or the County in any and all matters which shall come before StanCOG, subject to any necessary and legal approvals of their acts by the legislative bodies of the Cities and the County.

5. MEMBER AGENCIES.

StanCOG shall be composed of the County of Stanislaus and the Cities of Ceres, Hughson, Modesto, Newman, Oakdale, Patterson, Riverbank, Turlock, and Waterford, together hereinafter referred to as the Member Agencies.

6. BOARD AND VOTING

6.1. Board. The Stanislaus Council of Governments shall be governed by a Board of Directors, herein referred to as the StanCOG Policy Board, the members of which shall be appointed by the Member Agencies as follows.

6.1.1. Five members of the Board of Supervisors of the County of Stanislaus, with each member having one vote.

6.1.2. Three members from the Modesto City Council, with each member having one vote.

6.1.3. One (1) member from each of the City Councils of Ceres, Hughson, Newman, Oakdale, Patterson, Riverbank, Turlock, and Waterford (with the Mayor an eligible member), and each member having one (1) vote.

6.1.4. A representative or his or her alternate must be present to vote.

6.2. Appointment and Term of Office. Members shall be appointed by the governing body of each Party and shall serve at the pleasure of their appointing body or until their respective successors are appointed. The term of office of each representative and alternate representative, should the alternate be an elected official, shall correspond with his or her term of office on the legislative body he or she represents. If a vacancy occurs, it shall be filled by a new appointment made by the appropriate Member Agency.

6.3. Alternate Representatives. Each Member Agency shall designate at least one alternate representative. Said alternates need not be elected officials of the member, however, the County Chief Executive Officer and the Modesto City Manager are not eligible to be designated as alternates. Members may designate more than one alternate for each representative, as deemed prudent by that member. To be eligible to cast the vote of the member, alternates must be designated, and notice of said designation given to the StanCOG Executive Director, at least twenty-four (24) hours prior to the first meeting at which that alternate is to attend on behalf of the Member Agency's designated Representative.

6.4. Quorum and Majority Requirements. The presence of at least one (1) representative, or in the absence of a representative his or her alternate, from a majority of the Member Agencies, shall constitute a quorum. A quorum shall be necessary for the purpose of conducting official business. A two-thirds majority of those present shall be required to approve all expenditures. For all other business, a majority vote of those present shall be sufficient. A roll call vote shall be conducted at the request of any representative.

6.5. Meeting Time and Place. The Stanislaus Council of Governments shall establish a time and place for regular Policy Board meetings. All meetings shall be conducted in accordance with the Ralph M. Brown Act, California Government Code, section 54950 et seq.

7. EXECUTIVE COMMITTEE

7.1. Executive Committee. ~~An Executive Committee shall be constituted from among the representatives of the Member Agencies.~~ The Executive Committee shall consist of five (5) members of the StanCOG Policy Board: Two of the representatives from the County Board of Supervisors, to be appointed by and serve at the pleasure of the County Board of Supervisors; One of the representatives from the City of Modesto, to be appointed by and to serve at the pleasure of the ~~Modesto~~-City ~~Council~~of Modesto and; Two representatives from among the other cities, said representatives to be chosen each year by ~~a caucus of~~ the Policy Board members representing the cities other than Modesto, ~~and serve at the pleasure of, these~~

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~~other cities.~~ The Chairperson and Vice-Chairperson of the Policy Board shall be ex officio two of the five members of the Executive Committee, representing their respective Member Agencies, and shall serve ~~on it~~ as the ~~representatives of their respective political entities~~ Chairperson and Vice-Chairperson of the Executive Committee.

7.2. Powers of Executive Committee. The Executive Committee shall have such powers as are not inconsistent with this Agreement and as delegated to it by the StanCOG By-laws or the StanCOG Policy Board.

7.3. Alternate Representatives. Each representative of the Member Agency that sits on the Executive Committee shall designate at least one alternate representative in the manner set forth in Section 6.3. ~~If the Member Agency has already designated at least one representative as provided in Section 6.3, that alternate shall also be designated the alternate for the Executive Committee.~~ , except that each alternate shall be a member of the StanCOG Policy Board.

8. MANAGEMENT AND FINANCE COMMITTEE.

8.1. Management and Finance Committee. The Management and Finance Committee shall consist of the Chief Administrative Official for the County of Stanislaus, or his or her designee; and the City Manager/Administrator for the Cities of Ceres, Hughson, Modesto, Newman, Oakdale, Patterson, Riverbank, Turlock, and Waterford.

8.2. The Management and Finance Committee shall be operated in accordance with the Bylaws of the Policy Board attached hereto as Exhibit A.

9. SOCIAL SERVICES TRANSPORTATION ADVISORY COUNCIL

9.1. Social Services Transportation Advisory Council. The Social Services Transportation Advisory Council shall consist of the following members who are residents of Stanislaus County:

1. One representative of potential transit users who is 60 years of age or older.
2. One representative of potential transit users who are handicapped.
3. Two representatives of the local social service providers for seniors, including one representative of a social service transportation provider, if one exists.
4. Two representatives of local social service providers for the handicapped, including one representative of a social service transportation provider, if one exists.
5. One representative of a local social service provider for persons of limited means.

6. Two representatives from the local consolidated transportation service agency, designated pursuant to Subdivision (a) of Section 15975 of the Government Code, if one exists, including one representative from an operator, if one exists.

7. Up to two (2) additional representatives, if desired by StanCOG and appointed by the Executive Committee.

~~9.1-9.2. be created and~~ The Social Services Transportation Advisory Council shall be operated in accordance with the Bylaws of the Social Services Transportation Advisory Council attached hereto as Appendix ~~H. Changes or amendments to said Bylaws shall be approved by two thirds (2/3) of the members of that committee, and shall be subject to the majority approval of the Stanislaus Council of Governments Policy Board~~ I.

10. CITIZENS ADVISORY COMMITTEE

10.1. Citizens Advisory Committee. The Citizens Advisory Committee shall be comprised of ten (10) residents of Stanislaus County, one (1) from each of the Member Agencies.

~~10.2. Citizens Advisory Committee.~~ The Citizens Advisory Committee shall be ~~created and~~ operated in accordance with the Bylaws of the Citizens Advisory Committee attached hereto as Appendix ~~III. Changes or amendments to said Bylaws shall be approved by two thirds (2/3) of the members of that committee, and shall be subject to the majority approval of the Stanislaus Council of Governments Policy Board~~ II.

11. BICYCLE / PEDESTRIAN ADVISORY COMMITTEE

11.1. Bicycle / Pedestrian Advisory Committee. The Bicycle/Pedestrian Advisory Committee shall be ~~created and~~ comprised of ten (10) residents of Stanislaus County, one (1) from each of the Member Agencies.

~~11.1-11.2.~~ The Bicycle / Pedestrian Advisory Committee shall be operated in accordance with the Bylaws of the Bicycle / Pedestrian Advisory Committee attached hereto as Appendix ~~IV. Changes or amendments to said Bylaws shall be approved by two thirds (2/3) of the members of that committee, and shall be subject to the majority approval of the Stanislaus Council of Governments Policy Board~~ III.

12. ~~SUSTAINABLE COMMUNITIES STRATEGY~~ VALLEY VISION STANISLAUS STEERING COMMITTEE

12.1. Valley Vision Stanislaus Steering Committee. The Valley Vision Stanislaus Steering Committee shall be comprised of twenty-one (21) residents of Stanislaus County, one (1) from each of the Member Agencies, and one representative from: Citizens Advisory Committee, Policy Board, LAFCO, Health, Agriculture, Environment/Conservation,

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[Economic Development, Building Industry, Transit User/Provider, Education and Environmental Justice.](#)

12.2. The ~~Sustainable Communities Strategy~~[Valley Vision Stanislaus](#) Steering Committee shall be ~~created and~~ operated in accordance with the Bylaws of the ~~Sustainable Communities Strategy~~[Valley Vision Stanislaus](#) Steering Committee attached hereto as Appendix ~~V. Changes or amendments to said Bylaws shall be approved by two-thirds (2/3) of the members of that committee, and shall be subject to the majority approval of the Stanislaus Council of Governments Policy Board~~[IV](#).

13. POWERS AND FUNCTIONS

13.1. Specific Functions. The Stanislaus Council of Governments shall have the common power of the Parties hereto to plan, establish, administer, and operate an independent area planning organization and in the exercise of that power the Stanislaus Council of Governments is authorized in its own name to:

13.1.1. Employ an Executive Director as the chief administrative officer of Stanislaus Council of Governments.

13.1.2. Employ agents and employees and contract for professional services.

13.1.3. Make and enter into contracts.

13.1.4. Acquire, hold and convey real and personal property, including the power to acquire property by eminent domain.

13.1.5. Undertake the planning, design, environmental clearance and construction of transportation and other projects.

13.1.6. Cooperate with other agencies, counties and other local public agencies and participate in joint projects as necessary.

13.1.7. Incur debts, obligations and liabilities.

13.1.8. Accept contributions, grants or loans from any public or private agency or individual, or the United States, the State of California or any department, instrumentality, or agency thereof, for the purpose of financing its activities.

13.1.9. Invest money that is not needed for immediate necessities, in the same manner and upon the same conditions as other local entities in accordance with Section 53601 of the California Government Code.

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13.1.10. Have appointed members and ex-officio members of the Stanislaus Council of Governments serve without compensation from the Stanislaus Council of Governments, except that members of the StanCOG Policy Board may be reimbursed for all reasonable expenses and costs relating to attendance at Stanislaus Council of Governments meetings or other Stanislaus Council of Governments business.

13.1.11. Sue and be sued, in its own name only, but not in the name or stead of any Member Agency.

13.1.12. Exercise any and all other powers as may be provided for in California Government Code Section 6547.

13.1.13. The Stanislaus Council of Governments is hereby designated by the parties to this Agreement as the regional review agency for the purposes of acting on any appropriate proposals which may be presented to it for consideration, and as the sole regional planning representative for transmission of proposed recommendations to the U.S. Department of Housing and Urban Development or such other agency of the Federal Government or State Government as may be designated to receive such recommendations from the Council, and as the area-wide planning organization (APO) for the County of Stanislaus as such APO is defined in pertinent State and/or Federal directives and regulations.

13.1.14. File, within 30 days of the effective date of this Agreement, a Notice of the Agreement with the office of the California Secretary of State, pursuant to California Government Code, section 6503.5

13.1.15. Do all other acts reasonable and necessary to carry out the purposes of this Agreement.

13.2. Limitation. The powers to be exercised by the Stanislaus Council of Governments are subject to such restrictions upon the manner of exercising such powers as are imposed upon the County in the exercise of similar powers.

13.3. Funds. StanCOG shall be held strictly accountable for all funds received, held and disbursed by it.

14. BYLAWS

14.1. Bylaws. The Bylaws of the Stanislaus Council of Governments shall be those attached to this Agreement marked "Exhibit A" and incorporated herein by reference. Amendments to all or a portion of the Bylaws may be made in the manner prescribed in the Bylaws.

15. EXECUTIVE DIRECTOR

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15.1. Powers and Duties. The Executive Director shall be selected by, and shall serve at the pleasure of and upon the terms prescribed by the Stanislaus Council of Governments Policy Board. The powers and duties of the Executive Director are:

15.1.1. To serve as the chief administrative officer of StanCOG and to be responsible to the StanCOG Policy Board for the proper administration of all affairs.

15.1.2. To appoint, supervise, suspend, discipline or remove StanCOG employees subject to those policies and procedures, from time to time, adopted by the StanCOG Policy Board.

15.1.3. To supervise and direct the preparation of the annual budget for the StanCOG and be responsible for its administration after adoption by the StanCOG Policy Board.

15.1.4. To formulate and present to the StanCOG Policy Board plans for StanCOG activities and the means to finance them.

15.1.5. To supervise the planning and implementation of all StanCOG activities.

15.1.6. To attend all meetings of the StanCOG Policy Board and act as the secretary to the StanCOG Policy Board.

15.1.7. To prepare and submit to the StanCOG Policy Board periodic financial reports and, as soon as practicable after the end of each fiscal year, an annual report of the activities of StanCOG for the preceding year.

15.1.8. To have custody and charge of all StanCOG property other than money and securities.

15.1.9. To transmit to the Executive Director's successor all books and records of StanCOG in his or her possession.

15.1.10. To perform such other duties as the StanCOG Policy Board may require in carrying out the policies and directives of the Stanislaus Council of Governments Board.

16. TREASURER

16.1. Treasurer. The Treasurer of the County shall be the Treasurer of StanCOG.

16.2. Duties. The Treasurer shall:

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16.2.1. Receive and receipt all money of StanCOG and place it in the treasury of the County to the credit of StanCOG.

16.2.2. Be responsible upon the Treasurer's official bond for the safekeeping and disbursement of all StanCOG money held by the Treasurer.

16.2.3. Pay, when due, out of money of StanCOG, all sums payable on outstanding bonds and coupons of StanCOG.

16.2.4. Pay any sums due from the StanCOG, from the StanCOG funds held by the Treasurer or any portion thereof, upon warrants of the Auditor-Controller designated herein.

16.2.5. Verify and report in writing as soon as possible after the first day of July, October, January, and April of each year to the StanCOG the amounts of monies the Treasurer holds for the StanCOG, the amount of receipts since the Treasurer's last report, and any interest accrued to those funds.

16.3. Reimbursement. StanCOG shall reimburse the County for the cost of services provided by the Treasurer to the Council on an at-cost basis.

17. AUDITOR-CONTROLLER

17.1. Auditor-Controller. The Auditor-Controller of the County shall be the Auditor -Controller for StanCOG.

17.2. Duties. The Auditor-Controller shall:

17.2.1. Draw warrants to pay demands against StanCOG when the demands have been approved by the StanCOG Policy Board and/or the StanCOG Executive Director. The Auditor -Controller shall be responsible on his/her official bond for the Auditor-Controller's approval of disbursements of StanCOG money.

17.2.2. Keep and maintain records and books of account on the basis of generally accepted accounting practices. The books of account shall include records of assets, liabilities, and contributions made by each Party to this Agreement.

17.2.3. Make available all the financial records of StanCOG to a certified public accountant or public accountant contracted by StanCOG to make an annual audit of the accounts and records of StanCOG. The minimum requirements of the audit shall be those prescribed by the State Controller for special districts under Section 26909 of the California Government Code and shall conform to generally accepted auditing standards.

17.3. Reimbursement. StanCOG shall reimburse the County for the cost of services provided by the Auditor-Controller to StanCOG on an at-cost basis.

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17.4. Approvals. The Executive Director of the StanCOG and the Chairman of StanCOG Policy Board shall together have the power to approve to the auditor demands against StanCOG. The Vice-Chairman of StanCOG Policy Board shall be substituted in the absence or vacancy of either of the above officials.

18. FINANCING

18.1. Allocation of Financing. Each member shall contribute to the financial support of StanCOG. Each city's share of financial support shall be determined by the percentage its population has to the County as a whole. The County's share of financial support shall be determined by the percentage the population of the unincorporated areas of the County have to the County as a whole. Population is to be determined by the latest United States Decennial Census or later California State Department of Finance figures.

18.2. Annual Dues. The Policy Board may provide for annual dues to be paid by each member agency.

18.3. Fiscal Year. The fiscal year of StanCOG shall commence on July 1 of each year and shall terminate on June 30 of the following year. Each member shall deposit its share of financial support with the Treasurer of StanCOG no later than August 1 of each year.

18.4. Support from Member Agencies. A member agency in the exercise of the reasonable discretion of its governing body, may provide support for StanCOG, its staff, and its professional consultants, including providing quarters, janitorial services and maintenance, supplies, printing and duplication, postage, telephone services, transportation services, and the professional and technical assistance as may be agreed upon from time to time by StanCOG and the respective member agencies. All assistance shall be provided on an at-cost basis.

18.5. Other Support and Fees. The Stanislaus Council of Governments shall apply for available state federal, regional, and local support funds, and shall make new and additional applications from time to time as appropriate. If deemed necessary, the Stanislaus Council of Governments Board may also establish and collect filing and processing fees from non-members in connection with matters to be considered by it.

19. BOND REQUIREMENTS

19.1. Bond Requirement. The Executive Director and such other persons employed by the Stanislaus Council of Governments as may be designated by the Stanislaus Council of Governments Policy Board, shall file with the Stanislaus Council of Governments Policy Board an official fidelity bond in a penal sum determined by the Stanislaus Council of Governments Board as security for the safekeeping of the Stanislaus Council of Governments' property entrusted to the employee. However, if the Executive Director or other such persons designated are already bonded by another agency, no additional bonding shall be required by this section. Premiums for any bonds required under this section shall be paid by the Stanislaus Council of Governments.

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20. PARTIES LIABILITY

20.1. The debts, liabilities, and obligations of StanCOG shall not be debts, liabilities, or obligations of the Parties to this Agreement either singly or collectively.

21. ASSIGNABILITY

21.1. Assignability. With the approval of, and upon the terms agreed upon by, the governing body of each Party to this Agreement, all or any of the rights and property subject to this Agreement may be assigned to further the purpose of this Agreement. Provided, however, no right or property of StanCOG shall be assigned without compliance with all conditions imposed by any state or federal entity from which Stanislaus Council of Governments has received financial assistance.

22. WITHDRAWAL OF A PARTY

22.1. Notice. A Party to this Agreement may, at any time, withdraw from the Stanislaus Council of Governments, following 90 days notice to StanCOG and all other Member Agencies of StanCOG, by resolution of intent to withdraw adopted by the governing board of the withdrawing Party.

22.2. Effect of Withdrawal. Upon the effective date of such withdrawal such member shall cease to be bound by this Agreement, but shall continue to provide financial support through the approved percentage of planning funds provided to StanCOG, as Transportation Planning Agency under the provisions of Section 99233.2 of the Transportation Development Act. StanCOG assets representing any accumulated capital contribution of the withdrawing Party shall remain subject to StanCOG control, depreciation and use without compensation to the withdrawing party until termination of this Agreement and distribution of StanCOG assets.

22.3. Resumption of Membership. Any member agency which has withdrawn from StanCOG in accordance with the provisions of this Section 21 may resume its membership upon thirty (30) days' written notice to the then members, which notice may be waived by a majority vote of the StanCOG Policy Board.

23. TERMINATION AND DISSOLUTION

23.1. No Specific Term. This Agreement shall continue in force without specific term.

23.2. Termination. If, at any time, those Cities and County which are members of StanCOG contain less than 55% of the population residing within the area of Stanislaus County, based upon the latest available population estimates by the California Department of Finance, and there are less than a majority of local governments remaining as Member Agencies of StanCOG, StanCOG shall be deemed disestablished and this Agreement shall cease to be operative except for the purpose of payment of any obligations theretofore incurred.

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23.3. Distribution of Assets. If this Agreement is terminated, all real and personal property owned by StanCOG shall be distributed to the Federal, State, or local funding agency or party to this Agreement that supplied the property or whose funding provided for the acquisition of the property unless other distribution is provided by law. Should the origin of any real or personal property be undeterminable, that property shall be disbursed to the Parties to this Agreement in proportion to the size of the jurisdiction as delineated in the latest California Department of Finance estimate of population.

23.4. Continues in Effect until Distribution. This Agreement shall not terminate until all property has been distributed in accordance with this provision.

24. RETURN OF SURPLUS FUNDS

24.1. Return of Surplus Funds. Upon termination of this Agreement, any surplus money on hand shall be returned, pro rata, to the Federal, State, or local agency or the party to this Agreement that provided the funds.

25. ADDITIONAL MEMBERS

25.1. Additional Members. In addition to the Cities identified in this Agreement, any city within Stanislaus County which may hereafter be incorporated and which desires to participate in the activities of StanCOG may do so by executing this Agreement without the prior approval or ratification of the named Parties to this Agreement and shall thereafter be a Party to this Agreement and be bound by all terms and conditions of this Agreement as of the date it executes this Agreement.

26. SUCCESSORS AND ASSIGNS

26.1. Successors and Assigns. This Agreement shall be binding upon and shall inure to the benefit of any successors to or assigns of the Parties.

27. SEVERABILITY

27.1. Severability. Should any part, term, portion, or provision of this Agreement be finally decided to be in conflict with any law of United States or the State of California, or otherwise be unenforceable or ineffectual, the validity of the remaining parts, terms, portions, or provisions shall be deemed severable and shall not be affected thereby, provided such remaining portions or provisions can be construed in substance to constitute the Agreement which the Member Agencies intended to enter into in the first instance.

28. COUNTERPARTS

This Agreement may be executed in any number of counterparts, each of which when executed will be deemed to be an original and all of which, taken together, will be deemed to be one and the same instrument.

29. TITLES AND HEADING.

The Section titles and the headings of this Agreement are for convenience only and shall not be used in interpreting this Agreement.

30. EFFECTIVE DATE OF AGREEMENT

30.1. Effective Date. This Agreement shall become effective upon ratification by resolution of the Stanislaus County Board of Supervisors and each of the city councils of the Cities of Ceres, Hughson, Modesto, Newman, Oakdale, Patterson, Riverbank, Turlock, and Waterford. From and after said date the agreements made establishing the Stanislaus Area Association of Governments dated May 11, 1971 and May 20, 1974, and the Agreement Establishing the Stanislaus Council of Governments dated June 5, 2001 shall be superseded, replaced and terminated by this Agreement and shall be of no further force and effect.

31. AMENDMENTS

31.1. This Agreement may be amended upon ratification by resolution of 75% of the member agencies representing 75% of the population of the County of Stanislaus as determined by the most recent Decennial Census. For this purpose each incorporated city shall represent those people residing within its city limits and the Stanislaus County Board of Supervisors shall represent those people who reside in the unincorporated areas of the County.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the dates shown in the respective signature blocks.

STANISLAUS COUNTY BOARD OF SUPERVISORS

By: _____
[Type Name]
[Type Title]

ATTEST:

By: _____
[Type Name]
Clerk of County Board of Supervisors

Approved as to Legal Form:

By: _____

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[Type Name]
County Counsel

CITY OF CERES

By: _____
[Type Name]
Mayor

ATTEST:

By: _____
[Type Name]
City Clerk

Approved as to Legal Form:

By: _____
[Type Name]
City Attorney

CITY OF HUGHSON

By: _____
[Type Name]
Mayor

ATTEST:

By: _____
[Type Name]
City Clerk

Approved as to Legal Form:

By: _____
[Type Name]
City Attorney

CITY OF MODESTO

By: _____
[Type Name]
Mayor

ATTEST:

By: _____
[Type Name]
City Clerk

Approved as to Legal Form:

By: _____
[Type Name]
City Attorney

CITY OF NEWMAN

By: _____
[Type Name]
Mayor

ATTEST:

By: _____
[Type Name]
City Clerk

Approved as to Legal Form:

By: _____
[Type Name]
City Attorney

CITY OF OAKDALE

By: _____
[Type Name]
Mayor

ATTEST:

By: _____
[Type Name]
City Clerk

Approved as to Legal Form:

By: _____
[Type Name]
City Attorney

CITY OF PATTERSON

By: _____
[Type Name]
Mayor

ATTEST:

By: _____
[Type Name]
City Clerk

Approved as to Legal Form:

By: _____
[Type Name]
City Attorney

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CITY OF RIVERBANK

By: _____
[Type Name]
Mayor

ATTEST:

By: _____
[Type Name]
City Clerk

Approved as to Legal Form:

By: _____
[Type Name]
City Attorney

CITY OF TURLOCK

By: _____
[Type Name]
Mayor

ATTEST:

By: _____
[Type Name]
City Clerk

Approved as to Legal Form:

By: _____
[Type Name]
City Attorney

| -

CITY OF WATERFORD

By: _____
[Type Name]
Mayor

ATTEST:

By: _____
[Type Name]
City Clerk

Approved as to Legal Form:

By: _____
[Type Name]
City Attorney

EXHIBIT "A"

STANISLAUS COUNCIL OF GOVERNMENTS

AMENDED AND RESTATED BYLAWS

RECITALS:

WHEREAS, it is deemed prudent to amend and restate the Bylaws of The Stanislaus Council of Governments. These Amended Bylaws, dated _____, shall supersede the previous Bylaws as amended April 10, 1974; July 10, 1974; ~~and~~ November 10, 1976; and _____.

ARTICLE I
NAME

This joint powers agency shall be known as the STANISLAUS COUNCIL OF GOVERNMENTS (“StanCOG”) and shall exercise its powers within the geographical area of the County of Stanislaus as set forth in the joint powers agreement entered into by the County and the Cities (“Party or collectively “Parties”) establishing StanCOG.

ARTICLE II
MEETINGS

Section 1: Regular and Special Meetings.

A. The StanCOG Policy Board shall hold a regular meeting on the third Wednesday of each month, at 6:00 p.m., or at a time, specified by the StanCOG Policy Board. Such regular meetings shall be for considering reports of the affairs of StanCOG and for transacting such other business as may be properly brought before the meeting. Any regular meeting may be rescheduled on an individual basis as to date, time and place, by motion of the StanCOG Policy Board, in the event of a conflict with holidays, Director’s schedules, or similar matters, or, in the event of a lack of a quorum, as specified below. Notice of regular meetings shall be given to each representative and alternate representative at least ten (10) days prior to each meeting.

B. Special meetings may be called in accordance with the California Ralph M. Brown Act. Special meetings may be called by the Chairperson. No business except that specified in the notice shall be discussed at a special meeting.

C. All meetings shall be conducted in accordance with the Ralph M. Brown Act.

Section 2: Closed Sessions.

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A. All information presented in closed session shall be confidential. Ex-Officio non-voting members shall not be permitted to attend closed sessions.

B. Under Government Code Section 54956.96, StanCOG adopts a joint powers agency limited disclosure policy as follows:

1. All information received by the legislative body of the local agency member in a closed session related to the information presented to StanCOG in closed session shall be confidential. However, a member of the legislative body of a member local agency may disclose information obtained in a closed session that has directed financial or liability implications for that local agency to the following individuals:

a) Legal counsel of that member local agency for purposes of obtaining advise on whether the matter has direct financial or liability implications for that member local agency.

b) Other members of the legislative body of the local agency present in a closed session of that member local agency.

2. Any designated alternate member of the legislative body of the joint powers agency who is also a member of the legislative body of a local agency member and who is attending a properly noticed meeting of the joint powers agency in lieu of a local agency member's regularly appointed member to attend closed sessions of the joint powers agency.

Section 3: Cancellation of Meetings.

The StanCOG Executive Director or the Chairperson of the StanCOG Policy Board may cancel any regular or special meeting of StanCOG except upon objection by any representative.

Section 4: Notice of Meetings.

A. Notice of regular meetings shall be in accordance with the Ralph M. Brown Act. The StanCOG Executive Director or the Chairperson of the StanCOG Policy Board shall direct the publication of notices of all meetings, public hearings, etc., as required by the California Government Code. Such notices shall specify the place, the day, and the hour of the meeting and accompanying the notice shall be a copy of the agenda for that meeting.

B. In the case of special meetings, the written notice shall specify the specific nature of the business to be transacted and shall be in accordance with the Ralph M. Brown Act.

Section 5: Committee Meetings.

Except as herein or otherwise provided, the Standing Committees of StanCOG shall meet on the call of their Chairperson. Notice of committee meetings shall be in accordance with the Ralph M. Brown Act.

Section 6. Quorum.

A quorum for conducting all matters of business shall be the presence of at least one (1) representative, or the alternate, from a majority of the Member Agencies. A two-thirds majority of those present shall be required to approve all expenditures.

Section 7. Voting.

A. Voting shall only be conducted at properly noticed meetings where a quorum has been established and members are physically present, except as provided in Government Code Section 54953 for teleconferencing.

B. Voting shall be by voice, show of hands, or roll call vote. ~~The consent calendar shall be by roll call vote.~~ Any Director may request a roll call vote.

C. In all cases, a vote to “abstain” shall be counted as an “aye” vote unless there is a majority vote to defeat the motion and then the ~~eote~~vote to abstain shall be counted as a “no” vote.

Section 8: Lack of a Quorum.

A. If less than a quorum of the Directors are present at any properly called regular, adjourned regular, special, or adjourned special meeting, the member(s) who are present may adjourn the meeting to a time and place specified in the order of adjournment. A copy of the order or notice of adjournment shall be conspicuously posted on or near the door of the place where the meeting was to have been held within 24 hours after adjournment.

B. If all the members are absent from any regular or adjourned regular meeting, the Executive Director may so adjourn the meeting and post the order or notice of adjournment as provided, and additionally shall cause a written notice of the adjournment to be given in the same manner as for a notice of a special meeting.

C. If the notice or order of adjournment fails to state the hour at which the adjourned meeting is to be held, it shall be held at the hour specified for the regular meeting of StanCOG.

Section 9. Agenda.

Any Director or the Executive Director may cause an item to be placed on the agenda.

Section 10. Adjournment.

Except as provided in Section 8 above, a meeting may be adjourned by the presiding officer's own action; however, any Director may object to such adjournment by the presiding officer and then a motion and action is required in order to adjourn the meeting in accordance with Robert's Rules of Order.

ARTICLE ~~III~~IV
CONDUCT OF MEETINGS

Section 1: General Conduct.

Except as herein or otherwise provided, ROBERTS RULES OF ORDER shall govern all proceedings of the Council. In any event, all proceedings and conduct of the meetings shall be in full compliance with the State of California Government Code.

Section 2. Decorum

All Directors, and staff, shall conduct themselves in accordance with Robert's Rules of Order and in a civil and polite manner toward other board members, employees, and the public. Using derogatory names, interrupting the speaker having the floor, or being disorderly or disruptive, are prohibited actions. If any meeting is willfully interrupted by any individual so as to render the orderly conduct of that meeting infeasible, that individual may be removed from the meeting. If any group or groups of persons willfully interrupts a meeting so as to render the orderly conduct of that meeting infeasible, the presiding officer, or a majority of the Board, may clear the meeting room in accordance with Government Code Section 54957.9.

Section 3: Voting Authorization.

All votes shall be cast by the person or persons authorized to do so by the member which they represent. Such authorization shall be made known to the Executive Director of StanCOG at least twenty-four hours prior to the meeting. No proxy, absentee, or fractional votes may be cast.

ARTICLE ~~IV~~V
EXECUTIVE SESSIONS

Section 1: Executive Sessions.

Executive sessions shall be held in conformance with the Government Code of the State of California.

ARTICLE ~~V~~VI
OFFICERS

Section 1: Chair.

A. The representatives of StanCOG shall elect from among their members a Chair of the Policy Board. The Chair shall serve a one-year term of office beginning at the first regular meeting of each ~~fiscal year~~.calendar year. The Chair may serve more than one (1) term if re-elected by the Policy Board.

B. The Chair shall preside at all meetings of the Policy Board and such other meetings approved by the Policy Board.

C. The Chair shall serve as the official spokesperson for the Policy Board.

D. The Chair shall appoint such committees and other working groups as prescribed by the Policy Board.

E. The Chair shall ~~designated~~designate Directors or others to represent the Policy Board at various meetings, hearings, and conferences.

F. The Chair shall perform such other duties as necessary to carry out the work of the Policy Board or as prescribed by law.

Section 2: Vice-Chair.

A. The representatives of StanCOG shall elect from among their members a Vice-Chair of the Policy Board. The Vice-Chair shall serve a one-year term of office beginning at the first regular meeting in each ~~fiscal year~~.calendar year. The Vice-Chair may serve more than one (1) term if re-elected by the Policy Board.

B. The Vice-Chair shall act in the place of and have all the powers and duties of the Chair in the absence of the Chair.

Section 3: Absences.

In the absence of both the Chair and the Vice-Chair, a majority of the Policy Board shall select a Director to serve as Chair Pro Tem.

Section 4: Secretary.

The Executive Director shall serve as the Secretary of the StanCOG Policy Board. The Secretary shall maintain a public record of the Policy Board's resolutions, transactions, findings, and determinations, and shall prepare agendas and minutes of each Regular and Special meeting of StanCOG.

Section 5: Vacancy.

Upon a vacancy occurring in the office of the Chair, the Vice-Chair shall assume the office of Chair for the balance of the unexpired term. Upon a vacancy occurring in the office of

the Vice-Chair the representatives shall elect, from among their members, a Vice-Chair to serve the balance of the unexpired term.

ARTICLE ~~V~~VI
COMMITTEES

Section 1: Standing Committees.

The Standing Committees of the Council shall be:

A. Executive Committee.

~~The Executive Committee shall be constituted from among the representatives of the Member Agencies.~~ The Executive Committee shall consist of five (5) members of the StanCOG Policy Board: Two of the representatives from the Stanislaus County Board of Supervisors, to be appointed by and serve at the pleasure of the Stanislaus County Board of Supervisors; One of the representatives from the City of Modesto, to be appointed by and to serve at the pleasure of the City of Modesto City Council, and; Two representatives from among the other Cities, said representatives to be chosen each year by ~~a caucus of~~ the Policy Board members representing the cities other than Modesto, and serve at the pleasure of; these other cities. The Chairperson ~~of the Stanislaus Council of Governments~~ and Vice-Chairperson of the Policy Board shall be ex officio two of the Chairperson ~~five members~~ of the Executive Committee. ~~The, representing their respective Member Agencies, and shall serve as the Chairperson and Vice-Chairperson of the Stanislaus Council of Governments shall be ex officio a member of the~~ Executive Committee.

The Executive Committee shall be operated in accordance with the Bylaws of the Policy Board.

B. Management and Finance Committee.

The Management and Finance Committee shall consist of the Chief Administrative Official for the County of Stanislaus, or his or her designee; and the City Manager/Administrator for the Cities of Ceres, Hughson, Modesto, Newman, Oakdale, Patterson, Riverbank, Turlock, and Waterford.

~~C. Citizens Advisory Committee.~~

The ~~Citizens Advisory~~ Management and Finance committee shall be operated in accordance with the Bylaws of the ~~Citizens Advisory Committee~~ Policy Board.

~~D~~C. Social Services Transportation Advisory Council.

The Social Services Transportation Advisory Council shall consist of the following members who are residents of Stanislaus County:

- 1. One representative of potential transit users who is 60 years of age or older.
- 2. One representative of potential transit users who is handicapped.
- 3. Two representatives of the local social service providers for seniors, including one representative of a social service transportation provider, if one exists.
- 4. Two representatives of local social service providers for the handicapped, including one representative of a social service transportation provider, if one exists.
- 5. One representative of a local social service provider for persons of limited means.
- 6. Two representatives from the local consolidated transportation service agency, designated pursuant to Subdivision (a) of Section 15975 of the Government Code, if one exists, including one representative from an operator, if one exists.
- 7. Up to two (2) additional representatives, if desired by StanCOG and appointed by the Executive Committee.

The Social Services Transportation Advisory ~~Council~~Committee shall be operated in accordance with the Bylaws of the Social Services Transportation Advisory ~~Council~~Committee.

~~—ED.~~ ~~Sustainable Communities Strategy Steering~~Citizens Advisory Committee.

The Citizens Advisory Committee shall be comprised of ten (10) residents of Stanislaus County, one (1) from each of the Member Agencies.

The ~~Sustainable Communities Strategy Steering Committee~~Citizens Advisory Council shall be operated in accordance ~~with~~ the Bylaws of the ~~Sustainable Communities Strategy Steering Committee~~Citizens Advisory Council.

D. ~~F.~~ Bicycle / Pedestrian Advisory Committee .

The Bicycle/Pedestrian Advisory Committee shall be comprised of ten (10) residents of Stanislaus County, one (1) from each of the Member Agencies.

The Bicycle/Pedestrian Advisory Committee shall be operated in accordance with the Bylaws of the Bicycle/Pedestrian Advisory Committee.

E. Valley Vision Stanislaus Steering Committee.

The Valley Vision Stanislaus Steering Committee shall be comprised of up to twenty-one (21) members which shall consist of Tier I and Tier II members as follows:

Tier I Members: One representative (Planning Director or his/her designee) from each of the ten (10) Member Agencies (Cities of Ceres, Hughson, Modesto, Newman, Oakdale, Patterson, Riverbank, Turlock, Waterford, and Stanislaus County); one (1) representative (Executive Officer or his/her designee) from LAFCO; one (1) representative from the Policy Board.

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Tier II Members: One representative may be appointed as needed from each of the following: Citizens Advisory Committee, Health Industry, Agriculture Industry, Environment/Conservation, Economic Development, Building Industry, Transit User/Provider, Education and Environmental Justice.

The Valley Vision Stanislaus Steering Committee shall be operated in accordance with the Bylaws of the Valley Vision Stanislaus Steering Committee.

Section 2: Special Committees.

The Chair of the Policy Board or Directors may appoint additional committees as may be necessary or desirable.

ARTICLE ~~VI~~VII
FINANCIAL DETERMINATIONS

Section 1: Withdrawal.

A member of ~~the Council~~StanCOG that withdraws from ~~the Council~~StanCOG shall not have its financial contribution refunded.

Section 2: Newly Incorporated Cities.

Any newly incorporated city which becomes a member of ~~the Council~~StanCOG after the commencement of a fiscal year shall not be required to contribute financially to ~~the Council~~StanCOG until the subsequent fiscal year, providing that the said newly incorporated city becomes a member of ~~the Council~~StanCOG within one (1) year of its incorporation date.

Section 3: Other Political Entities.

Any other political entity which becomes a member of ~~the Council~~StanCOG after the commencement of a fiscal year shall contribute to the Council that amount which it would have contributed had it been a member at the commencement of the fiscal year.

ARTICLE ~~VII~~VIII
REFERRALS

StanCOG may accept by letter or resolution referrals for study and report from any duly constituted advisory or legislative body or their representatives. Reports will be made and returned to the referring body within a reasonable time.

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ARTICLE ~~VIII~~IX
REPORTS

~~The Council~~ StanCOG shall render a written report on its activities at the end of each fiscal year of operation to each legislative body which is a Member Agency of StanCOG.

ARTICLE ~~IX~~X
INITIATIVE

~~The Council~~ StanCOG may, upon its own initiative, institute action to carry out any routine or special study or project.

ARTICLE ~~XI~~XI
COORDINATION

It is the policy of ~~the Council~~ StanCOG to establish technical and advisory liaison with all other agencies and bodies seeking to improve the quality of planning, health, safety, welfare and governmental services for the Stanislaus Regional Area.

ARTICLE ~~XII~~XII
TRANSMITTAL OF PLANNING INFORMATION

~~Section 1: The Council~~ StanCOG hereby approves as a regular operating procedure the transmittal of planning information to the individual Boards of Supervisors, City Councils, County and City Planning Commissions, the California State Office of Planning, and any other duly constituted regional area, metropolitan, or other Planning Commission which may request in writing such information.

ARTICLE ~~XIII~~XIII
AMENDMENTS

Section 1: These Bylaws may be amended by a two-thirds vote of those representatives voting at a Regular Meeting of the StanCOG Policy Board.

Section 2: Amendments to these Bylaws may be proposed by any representative of StanCOG.

Section 3: In no case shall a vote on a proposed amendment be conducted unless the proposed amendment has been submitted in writing by the Secretary to the representatives and alternate representatives at least fifteen (15) days prior to the meetings.

APPENDIX I

STANISLAUS COUNCIL OF GOVERNMENTS
SOCIAL SERVICES TRANSPORTATION ADVISORY COUNCIL
BYLAWS

ARTICLE I
FUNCTION

Section 1: The Social Services Transportation Advisory Council ([SSTAC](#)) shall be a standing committee of the Stanislaus Council of Governments. The Committee shall advise the StanCOG Policy Board and have the following responsibilities:

1. Annually participate in the identification of transit needs in the jurisdiction, including unmet transit needs that may exist within the jurisdiction of the Stanislaus Council of Governments, and that may be reasonable to meet by establishing or contracting for new public transportation or specialized transportation services or by expanding existing services.
2. Annually review and recommend action by StanCOG for the area within StanCOGs jurisdiction which finds by resolution, that:
 - A. there are no unmet transit needs; or
 - B. there are no unmet transit needs that are reasonable to meet; or
 - C. there are unmet transit needs, including needs that are reasonable to meet.
3. Advise StanCOG on any other major transit issues, including the coordination and consolidation of specialized transportation services.

ARTICLE II
MEMBERSHIP

Section 1: The Social Services Transportation Advisory Council shall consist of the following members who are residents of Stanislaus County:

1. One representative of potential transit users who is 60 years of age or older.
2. One representative of potential transit users who ~~are~~[is](#) handicapped.

3. Two representatives of the local social service providers for seniors, including one representative of a social service transportation provider, if one exists.
4. Two representatives of local social service providers for the handicapped, including one representative of a social service transportation provider, ~~if~~ one exists.
5. One representative of a local social service provider for persons of limited means.
6. Two representatives from the local consolidated transportation service agency, designated pursuant to Subdivision (a) of Section 15975 of the Government Code, if one exists, including one representative from an operator, if one exists.
7. Up to two (2) additional representatives, if desired by StanCOG and appointed by the Executive Committee.

Section 2: A quorum shall constitute one-half (1/2) plus one (1) of the current membership.

Section 3: Any qualified resident of Stanislaus County may apply for membership on the Social Services Transportation Advisory Council. The Secretary of StanCOG shall maintain a current list of all applicants. Each application for membership on the Social Services Transportation Advisory Council shall be valid for a period of two years. After this time, the applicant's name may be removed from the list of applicants.

Section 4: The Executive Committee of StanCOG shall appoint, from the list of applicants, the members of the Social Services Transportation Advisory Council.

~~Section 5: Additional nominees for the Social Services Transportation Advisory Council may be supplied by the Commission on Aging, the Mayor's Committee for Employment of Persons with Disabilities, and the United Way.~~

ARTICLE III **TERM OF OFFICE**

Section 1: Of the initial appointments to the Social Services Transportation Advisory Council, one-third of them shall be for a one-year term, one-third shall be for a two-year term, and one-third shall be for a three-year term.

Section 2: Subsequent to the initial appointment, the term of appointment shall be for three years, which may be renewed for ~~an~~ additional three-year ~~term~~ terms.

~~Section 3: In no case shall any member of the Council serve on the Council longer than eight consecutive years.~~

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**ARTICLE IV
MEETINGS**

| Section 1: The Policy Board ~~Executive Committee~~ shall establish a regular place and time for meetings of the Social Services Transportation Advisory Council, in consultation of the Committee members.

| Section 2: The Executive ~~Committee~~ Director may designate agenda items for any meetings of the Committee. The members of the Committee may also designate agenda items for consideration by the Committee.

**ARTICLE V
ATTENDANCE**

The members of the Social Services Transportation Advisory Council will be expected to attend the meetings of the Council on a regular basis. Any member of the Council who has three consecutive un-notified absences, four consecutive notified absences, or five absences in any one calendar year, may be dismissed from the Council.

**ARTICLE VI
REMOVAL**

The Executive Committee of StanCOG may, at any time, recommend the removal of any member of the Social Services Transportation Advisory Council. A majority vote of the members of the Policy Board Executive Committee shall be required to approve any removal.

**ARTICLE VII
OFFICERS, RULES, AND PROCEDURES**

| Section 1: The Social Services Transportation Advisory Council shall elect from among its membership a Chair, and a Vice-Chair, ~~and a Secretary~~. The term of office shall be for one year.

Section 2: The Social Services Transportation Advisory Council shall adopt rules and procedures for its meetings. These rules and procedures shall be subject to approval by the StanCOG Policy Board. The Social Services Transportation Advisory Council shall conduct all proceedings in conformity with Robert’s Rules of Order and the Brown Act.

Section 3: All references to “year” shall refer to the StanCOG fiscal year, July 1 through June 30.

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ARTICLE VIII
STAFF

| ~~An appointed member~~ The Executive Director of StanCOG, ~~or his or her appointee,~~ shall serve as the ~~liaison between the Policy Board and~~ Secretary of the Social Services Transportation Advisory Council and shall provide the Social Services Transportation Advisory Council with appropriate staff assistance.

ARTICLE IX
FINANCING

Section 1: Except as specifically provided by the StanCOG Policy Board, the members of the Social Services Transportation Advisory Council shall receive no compensation for their service.

Section 2: The Policy Board shall provide the Committee with the financial support StanCOG deems necessary for the successful functioning of the Social Services Transportation Advisory Council.

ARTICLE X
AMENDMENT OF BYLAWS

| Changes or amendments to these Bylaws shall be approved by two-thirds (2/3) of the members of the Social Services Transportation Advisory Council present and voting at a regular meeting of the Social Services Transportation Advisory Council, and shall be subject to the majority approval of the Stanislaus Council of Governments Policy Board members present and voting at a regular meeting of the StanCOG Policy Board. In no case shall a vote on a proposed amendment be conducted unless the said proposed amendment has been submitted in writing to the members of the Social Services Transportation Advisory Council at least ~~thirty~~ fifteen (3015) days prior to the meeting at which a vote is to be taken.

APPENDIX III

STANISLAUS COUNCIL OF GOVERNMENTS

CITIZENS ADVISORY COMMITTEE BYLAWS

ARTICLE I
FUNCTION

Section 1: The Citizens Advisory Committee ([CAC](#)) shall be a standing committee of the Stanislaus Council of Governments. The Committee shall advise [the](#) StanCOG [Policy Board](#) on matters related to transportation from the public’s perception and transportation activities affecting the general public.

ARTICLE II
MEMBERSHIP

Section 1: The Citizens Advisory Committee shall be comprised of ten (10) residents of Stanislaus County. A quorum shall ~~consist of~~[constitute](#) one-half (1/2) plus one (1) of the current membership.

Section 2: The ten members of the Committee shall consist of one representative from each of the following jurisdictions:

- | | |
|-----------------------------------|-----------------------------------|
| City of Ceres | City of Hughson |
| City of Modesto | City of Newman |
| City of Oakdale | City of Patterson |
| City of Riverbank | City of Turlock |
| City of Waterford | Stanislaus County |
| City of Ceres | City of Hughson |
| City of Modesto | City of Newman |
| City of Oakdale | City of Patterson |
| City of Riverbank | City of Turlock |
| City of Waterford | Stanislaus County |

Section 3: Any resident of Stanislaus County may apply for membership on the Citizens Advisory Committee. The Secretary of StanCOG shall maintain a current list of all applicants. Each application for membership on the Committee shall be valid for a period of two (2) years. After this time, the applicant’s name may be removed from the list of applicants.

Section 4: The Policy Board’s Executive Committee shall appoint from the list of applicants the members of the Citizens Advisory Committee.

Section 5: When making Citizen’s Advisory Committee appointments, the Policy Board’s Executive Committee shall attempt to fill vacancies on the Committee by appointing

members from an agency or jurisdiction that is not already represented on the Committee. The Executive Committee shall also consider obtaining a balance of views and a cross-section of county interests.

ARTICLE III
TERM OF OFFICE

Section 1: ~~Except as provided above,~~ Each appointment to the Committee shall be for a term of four (4) years.

Section 2: In no case shall any member of the Committee serve on the Committee longer than eight (8) consecutive years.

ARTICLE IV
MEETINGS

Section 1: The ~~Executive Committee~~ Policy Board shall establish a regular place and time for meetings of the Committee, in consultation of the Committee members.

Section 2: The Executive ~~Committee~~ Director may designate agenda items for any meetings of the Committee. The members of the Committee may also designate agenda items for consideration by the Committee.

ARTICLE V
ATTENDANCE

The members of the Citizens Advisory Committee will be expected to attend the meetings of the Committee on a regular basis. Any member of the Committee who has three consecutive un-notified absences, four consecutive notified absences, or five absences in any one calendar year, may be dismissed from the Committee.

ARTICLE VI
REMOVAL

The Executive Committee may, at any time, recommend the removal of any member of the Citizens Advisory Committee. A majority vote of the members of the Policy Board Executive Committee shall be required to approve any removal.

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ARTICLE VII
OFFICERS, RULES, AND PROCEDURES

Section 1: The Citizens Advisory Committee shall elect from among its membership a Chair, and a Vice-Chair, ~~and a Secretary~~. The term of office shall be one year.

Section 2: The Citizens Advisory Committee shall adopt rules and procedures for its meetings. These rules and procedures shall be subject to approval by the StanCOG Policy Board. The Committee shall conduct all proceedings in conformity with Robert's Rules of Order and the Brown Act.

Section 3: All references to "year" shall refer to the StanCOG fiscal year, July 1 through June 30.

ARTICLE VIII
STAFF

~~An appointed member~~ The Executive Director of StanCOG, or his or her appointee, shall serve as the ~~liaison between the Policy Board and~~ Secretary of the Citizens Advisory Committee and shall provide the Committee with appropriate staff assistance.

ARTICLE IX
FINANCING

Section 1: Except as specifically provided by the Policy Board, the members of the Citizens Advisory Committee shall receive no compensation for their service.

Section 2: The Policy Board shall provide the Committee with the financial support deemed necessary for the successful functioning of the Committee.

ARTICLE X
AMENDMENT OF BYLAWS

Changes or amendments to these Bylaws shall be approved by two-thirds (2/3) of the members of the Committee present and voting at a regular meeting of the Committee, and shall be subject to the majority approval of the Stanislaus Council of Governments Policy Board members voting at a regular meeting of the StanCOG Policy Board. In no case shall a vote on a proposed amendment be conducted unless the proposed amendment has been submitted in writing to the members of the committee at least ~~thirty~~ fifteen (3015) days prior to the meeting at which a vote is to be taken.

APPENDIX ~~IV~~III

STANISLAUS COUNCIL OF GOVERNMENTS

BICYCLE AND PEDESTRIAN ADVISORY COMMITTEE BYLAWS

ARTICLE I
FUNCTION

~~There is hereby created~~ The Bicycle and Pedestrian Advisory Committee ~~{(BPAC)}~~ ~~which~~ shall be a standing committee of the Stanislaus Council of Governments ~~{StanCOG}~~ ~~(also known as the Policy Board).~~ ~~The BPAC.~~ The Committee shall advise the StanCOG Policy Board on all matters related to bicycle and pedestrian needs or concerns and advise on the development of ~~StanCOG's~~ the StanCOG Non-motorized Transportation Plan.

ARTICLE II
MEMBERSHIP

Section 1: The Bicycle and Pedestrian Advisory Committee shall be comprised of ten (10) residents of Stanislaus County. A quorum shall ~~consist of~~ constitute one-half (1/2) plus one (1) of the current membership.

Section 2: The ten members of the Committee shall consist of one representative from each of the following jurisdictions:

City of Ceres	City of Hughson
City of Modesto	City of Newman
City of Oakdale	City of Patterson
City of Riverbank	City of Turlock
City of Waterford	Stanislaus County

Section 3: Any resident of Stanislaus County may apply for membership on the Bicycle and Pedestrian Advisory Committee. The Secretary of StanCOG shall maintain a current list of all applicants. Each application for membership on the Committee shall be valid for a period of two (2) years. After this time, the applicant's name may be removed from the list of applicants.

Section 4: The Policy Board's Executive Committee shall appoint from the list of applicants the members of the Bicycle and Pedestrian Advisory Committee.

Section 5: When making Bicycle and Pedestrian Advisory Committee appointments, the Policy Board's Executive Committee shall attempt to fill vacancies on the Committee by appointing members from an agency or jurisdiction that is not already represented on the Committee. The Executive Committee shall also consider obtaining a balance of views and a cross-section of county interests.

Section 6: The following agencies are invited to have members attend meetings of the BPAC and share their expertise, as non-voting members.

- Various City agencies having an interest in non-motorized transportation
- Stanislaus County [Department of Public Works, Traffic Engineering, or related departments]
- California Department of Transportation [CalTrans]
- Stanislaus County-based bicycling or pedestrian organizations

Section 7: Any appointment term shall commence as of the date of appointment.

ARTICLE III

TERM OF OFFICE

Section 1: Each appointment to the Committee shall be for a term of four (4) years.

Section 2: In no case shall any member of the Committee serve on the Committee longer than eight (8) consecutive years.

ARTICLE IV

MEETINGS

Section 1: The Policy Board ~~Executive Committee~~ shall establish a regular place and time for meetings of the Committee, in consultation of the Committee members.

Section 2: The Executive ~~Committee~~ Director may designate agenda items for any meetings of the Committee. The members of the Committee may also designate agenda items for consideration by the Committee.

ARTICLE V

ATTENDANCE

The members of the Bicycle and Pedestrian Advisory Committee are expected to attend the meetings of the Committee on a regular basis. Any member of the Committee who has three consecutive un-notified absences, four consecutive notified absences, or five absences in any one calendar year may be dismissed from the Committee.

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ARTICLE VI
REMOVAL

The Policy Board Executive Committee may, at any time, recommend the removal of any member of the Bicycle and Pedestrian Advisory Committee. A majority vote of the members of the Policy Board Executive Committee shall be required to approve any removal.

ARTICLE VII
OFFICERS, RULES, AND PROCEDURES

Section 1: The BPAC shall elect from among its membership a Chair, ~~and~~ a Vice-Chair, ~~and a Secretary~~. The term of office for each shall be one year.

Section 2: The BPAC shall adopt rules and procedures for its meetings. These rules and procedures shall be subject to approval by the StanCOG Policy Board. The Committee shall conduct all proceedings in conformity with Robert's Rules of Order and the Brown Act.

Section 3: All references to "year" shall refer to the California fiscal year, July 1 through June 30.

ARTICLE VIII
STAFF

~~An appointed staff member~~ The Executive Director of StanCOG, ~~or his or her appointee,~~ shall serve as the ~~liaison between the Policy Board and~~ Secretary of the Bicycle and Pedestrian Advisory Committee and shall provide ~~that~~ the Committee with appropriate staff assistance.

ARTICLE IX
FINANCING

Section 1: Except as specifically provided by the Policy Board, the members of the Bicycle and Pedestrian Advisory Committee shall receive no compensation for their service.

Section 2: The Policy Board shall provide the BPAC with the financial support deemed necessary for the successful functioning of the Committee.

ARTICLE X
AMENDMENT OF BYLAWS

Changes or amendments to these Bylaws shall be approved by two-thirds (2/3) of the members of the BPAC voting at a regular meeting of the Committee, and shall be subject to the majority approval of the Stanislaus Council of Governments Policy Board members voting at a

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regular meeting of the StanCOG Policy Board. In no case shall a vote on a proposed amendment be conducted unless the proposed amendment has been submitted, in writing, to the members of the BPAC at least ~~thirty~~fifteen (~~30~~15) days prior to the meeting at which a vote is to be taken.

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APPENDIX ~~V~~IV

STANISLAUS COUNCIL OF GOVERNMENTS

VALLEY VISION STANISLAUS STEERING COMMITTEE BYLAWS

ARTICLE I
FUNCTION

The Valley Vision Stanislaus Steering Committee (VVS) shall be a standing committee of the Stanislaus Council of Governments. The Committee shall advise the StanCOG Policy Board on issues related to the development of the Sustainable Communities Strategy (SCS) as part of the Regional Transportation Plan (RTP).

ARTICLE II
MEMBERSHIP

Section 1: The Valley Vision Stanislaus Steering Committee shall be comprised of up to twenty-one (21) members. A quorum shall consist of one-half (1/2) plus ~~one~~ 1 (1) of the current membership.

Section 2: The twenty-one (21) members of the Committee shall consist of Tier I and Tier II members.

Tier I Members ~~shall be~~:

- One representative (Planning Director or his/her designee) from each of the 10 Member Agencies;

- ~~One member from the Citizens Advisory Committee;~~

<u>City of Ceres</u>	<u>City of Hughson</u>
<u>City of Modesto</u>	<u>City of Newman</u>
<u>City of Oakdale</u>	<u>City of Patterson</u>
<u>City of Riverbank</u>	<u>City of Turlock</u>
<u>City of Waterford</u>	<u>Stanislaus County</u>

- One ~~member~~ representative (Executive Officer or his/her designee) from LAFCO; ~~and~~

- One ~~member~~ representative from the ~~StanCOG~~-Policy Board.

Tier II Members:

~~Tier II Members shall be~~ One representative may be appointed as needed from each of the following:

-

Citizens Advisory Committee

- Health Industry
- Agriculture Industry
- Environment/Conservation
- Economic Development
- Building Industry
- Transit User/Provider
- Stanislaus County Office of Education
- Environmental Justice

~~Each committee member shall be appointed by his/her jurisdiction and the committee, as the case may be, to the Valley Vision Stanislaus Steering Committee and approved by the Policy Board Executive Committee.~~

ARTICLE III
TERM OF OFFICE

Section 1: Tier I appointments shall not be subject to term restrictions or limits. Each Tier II appointment to the Committee shall be for a term of four (4) years.

Section 2: In no case shall any Tier II member of the Committee serve on the Committee longer than eight (8) consecutive years.

Section 3: Any appointment term shall commence as of the date of appointment.

ARTICLE IV
MEETINGS

Section 1: The ~~Valley Vision Stanislaus Steering Committee~~Policy Board shall establish a regular place and time for meetings of the Committee.

Section 2: The Executive ~~Committee~~Director may designate agenda items for any meetings of the Committee. The members of the Committee may also designate agenda items for consideration by the Committee.

ARTICLE V
ATTENDANCE

The members of the Valley Vision Stanislaus Steering Committee are expected to attend the meetings of the Committee on a regular basis. Any Tier II member of the Committee who has three consecutive un-notified absences, four consecutive notified absences, or five absences in any one calendar year may be dismissed from the Committee.

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**ARTICLE VI
REMOVAL**

The Policy Board Executive Committee may, at any time, recommend the removal of any [Tier II](#) member of the Valley Vision Stanislaus [Steering](#) Committee. A majority vote of the members of the Policy Board Executive Committee shall be required to approve any removal.

**ARTICLE VII
OFFICERS, RULES, AND PROCEDURES**

Section 1: The VVS shall elect from among its membership a Chair; [and](#) a Vice-Chair; ~~and a Secretary~~. The term of office for each shall be one year.

Section 2: The VVS shall adopt rules and procedures for its meetings. These rules and procedures shall be subject to approval by the StanCOG Policy Board. The Committee shall conduct all proceedings in conformity with Robert’s Rules of Order and the Brown Act.

Section 3: All references to “year” shall refer to the California fiscal year, July 1 through June 30.

**ARTICLE VIII
STAFF**

~~An appointed staff member~~ [The Executive Director](#) of StanCOG, [or his or her appointee](#), shall serve as the ~~liaison between the Policy Board and~~ [Secretary of](#) the Valley Vision Stanislaus Steering Committee and shall provide ~~that~~ [the](#) Committee with appropriate staff assistance.

**ARTICLE IX
FINANCING**

Section 1: Except as specifically provided by the Policy Board, the members of the Valley Vision Stanislaus Steering Committee shall receive no compensation for their service.

Section 2: The Policy Board shall provide the VVS with the financial support deemed necessary for the successful functioning of the Committee.

**ARTICLE X
AMENDMENT OF BYLAWS**

Changes or amendments to these Bylaws shall be approved by two-thirds (2/3) of the members of the VVS voting at a regular meeting of the Committee, and shall be subject to the

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majority approval of the Stanislaus Council of Governments Policy Board members voting at a regular meeting of the StanCOG Policy Board. In no case shall a vote on a proposed amendment be conducted unless the proposed amendment has been submitted, in writing, to the members of the VVS at least ~~thirty~~thirty ~~fifteen~~ (~~30~~30) days prior to the meeting at which a vote is to be taken.

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REPORT ON NUISANCE ABATEMENT

RECOMMENDATION:

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

BACKGROUND:

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

ANALYSIS:

This notice informs property owners of all nuisance abatement procedures, option and their right to object at a public hearing. It is anticipated that many property owners will comply with the abatement notices prior to the hearing date. A final compliance survey will be done on Monday, March 7, 2016. A list of properties that have not complied with the abatement notice will be handed out at the council meeting prior to the public hearing.

FISCAL IMPACT:

None

CONCLUSION:

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

ATTACHMENTS:

1. Resolution No. 2016- , a resolution declaring the existence of a public nuisance
2. Exhibit A – Abatement List

Respectfully submitted,



Randy Richardson
Chief of Police

REVIEWED/CONCUR:



Michael Holland
City Manager

RESOLUTION NO. 2016-

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

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

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

WHEREAS, said hearing was held on March 8, 2016, at 7:00 p.m., as in said notice provided; and,

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

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

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 8th day of March, 2016 by Council Member _____, who moved its adoption, which motion was duly seconded and was adopted upon roll call vote.

AYES:
NOES:
ABSENT:

APPROVED:

Mayor

ATTEST:

City Clerk

City of Newman
Abatement list

1. 1555 Sandy Creek Dr.

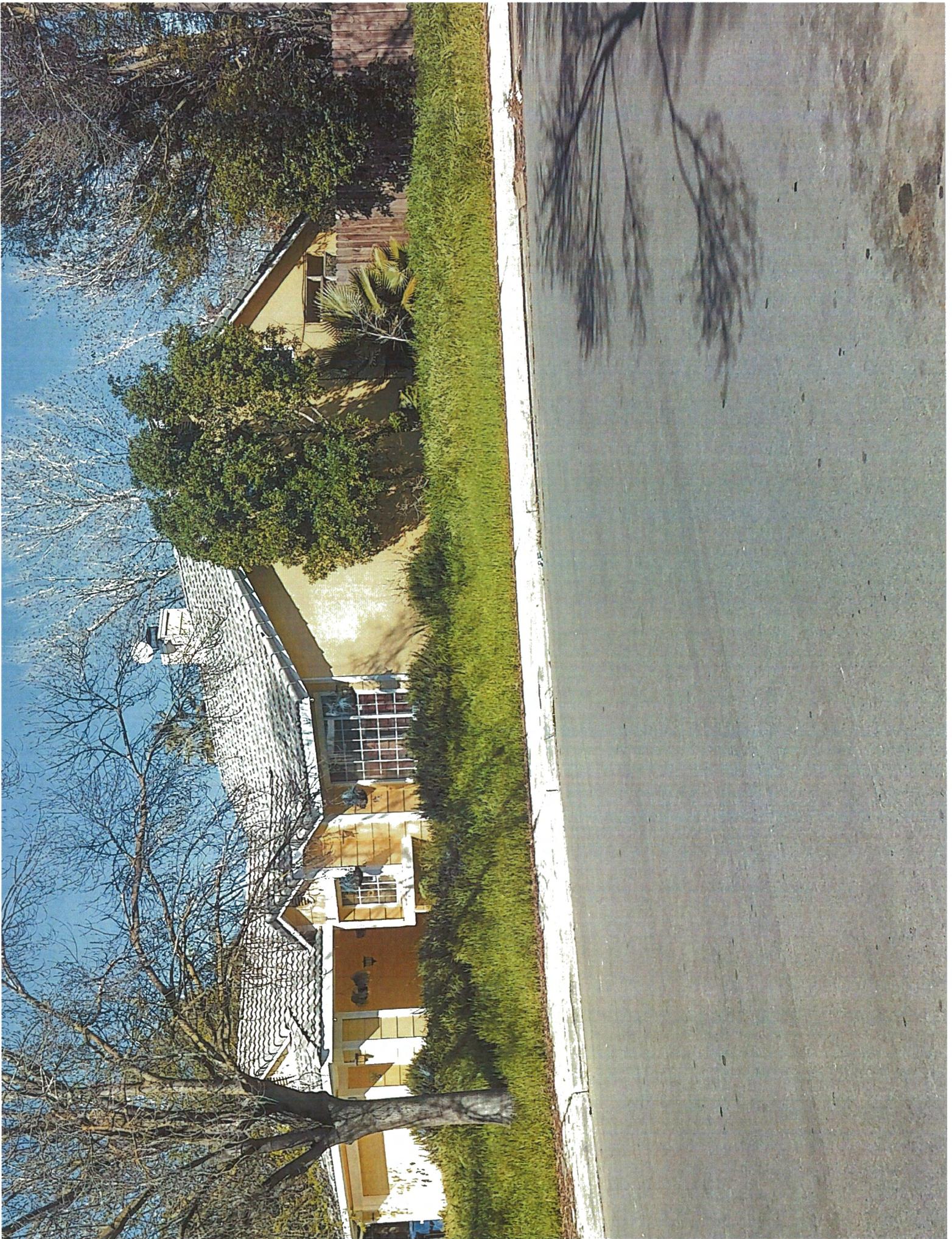
Tall grass and overgrown weeds throughout the front and side yard of property.

2. 2107 Orchard Creek Dr.

Garbage and debris in back yard.









Honorable Mayor and Members
of the Newman City Council

**ADOPT RESOLUTION NO. 2016- , DECLARING THE EXISTENCE OF A PUBLIC NUISANCE
UNDER ORDINANCE NO. 281 MISTLETOE ABATEMENT**

RECOMMENDATION:

It is recommended that the Newman City Council adopt Resolution No. 2016- , a resolution declaring the existence of a public nuisance under Ordinance No. 281 Mistletoe Abatement.

BACKGROUND:

Broadleaf mistletoe is an evergreen parasitic plant that grows on a number of landscape tree species in California. Mistletoe reduces growth in trees by utilizing the host mainly for water and mineral nutrients, and may kill them with heavy infestations. These plants produce small, sticky, whitish berries if they are female or pollen if they are male. The plant is typically spread to other trees from birds, and it is important to remove mistletoe before it is spread to other limbs or trees. The most effective method for control is through complete removal of the branch by mechanical pruning. Mistletoe cannot be completely eradicated; however it can be controlled through complete removal.

ANALYSIS:

Abatement notices for the removal of mistletoe were sent out to 102 properties in accordance with City of Newman Municipal Code Chapter 9.06, Section 9.06.020 Notice to Abate. This notice informs property owners of all nuisance abatement procedures, options and their right to object at a public hearing. It is anticipated that many property owners will comply with the abatement notices prior to the hearing date. A final compliance survey will be done on Tuesday, March 8, 2016. An updated list of properties that have not complied with the abatement notice will be handed out at the council meeting prior to the public hearing.

FISCAL IMPACT:

None

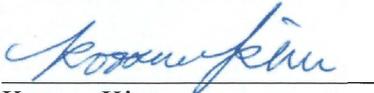
CONCLUSION:

Mistletoe is a parasitic plant afflicting a number of trees in the City. Abatement notices have been sent to the property owners of the infected trees in accordance with City Municipal Code Chapter 9.06. Therefore, staff recommends City Council adopt Resolution 2016- , a resolution declaring the existence of a public nuisance under Ordinance No. 281 Mistletoe Abatement.

ATTACHMENTS:

1. Resolution No. 2016- , A resolution declaring the existence of a public nuisance under Ordinance No. 281 Mistletoe Abatement.
2. Mistletoe Abatement Notice List.
3. Notice to Property Owners (Sample).

Respectfully Submitted,



Koosun Kim
Director of Public Works

REVIEWED/CONCUR:



Michael E. Holland
City Manager

RESOLUTION NO. 2016-

**A RESOLUTION DECLARING THE EXISTENCE OF A PUBLIC NUISANCE UNDER
ORDINANCE NO. 281 MISTLETOE ABATEMENT**

WHEREAS, the Director of Public Works of the City of Newman has reported mistletoe located and existing upon property in the City of Newman not in compliance with Ordinance No 281; and,

WHEREAS, the Director of Public Works caused notice to be mailed to the respective owners of the subject properties in accordance with said Ordinance. Said notice giving notice to abate said nuisance and setting a time and place for hearing objections to the proposed abatement; and,

WHEREAS, said hearing was held on March 8, 2016, at 7:00 p.m., in accordance with said notice; and,

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

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Newman that said City Council finds that there is mistletoe growing and existing upon real property in the City of Newman not in compliance with Ordinance 281. A condition exists with regard to the properties in said City which endangers and may injure neighboring property, and endangers and injures the welfare of residents in the vicinity of said property, and said mistletoe shall be removed, destroyed and abated; and that a description of said property is attached hereto and made a part by reference.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 8th day of March, 2016 by Council Member _____, who moved its adoption, which motion was duly seconded and was adopted upon roll call vote.

AYES:
NOES:
ABSENT:

APPROVED:

Mayor

ATTEST:

City Clerk

City of Newman
2016 Mistletoe Abatement - Notice List

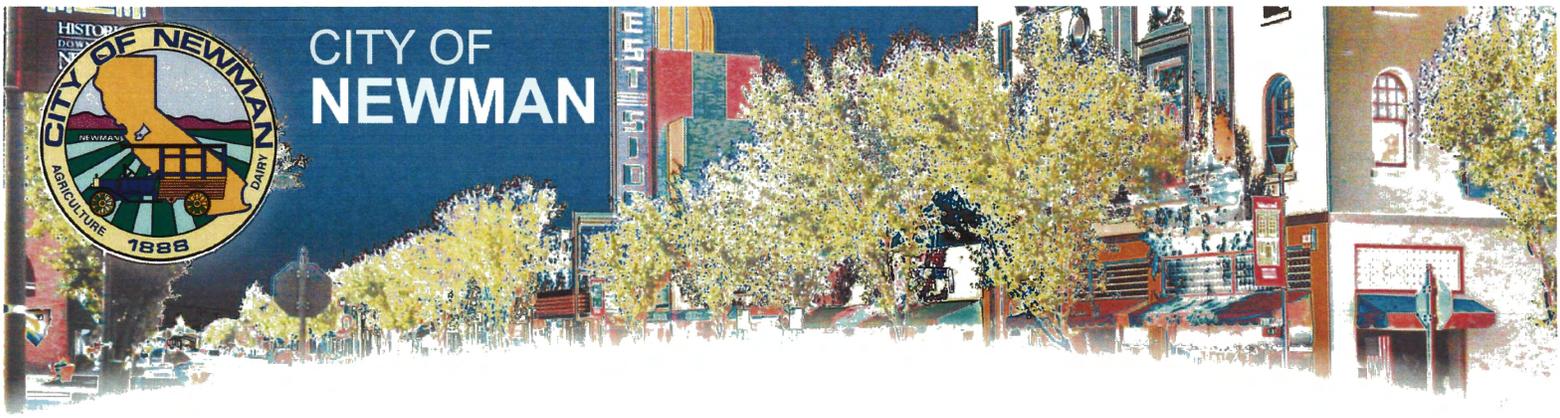
564 Merced StreetHousing Authority, Merced Street
928 Fig LN
920 Lee AVE
915 Balsam DR
898 Fig LN
868 R Street
858 Real AVE
765 Hardin RD
744 Hardin RD
729 Mt Rushmore
728 Mt Rushmore
722 Mt Rushmore
705 Sweetgum LN
700 Real AVE
698 Real AVE
697 Real AVE
687 Real AVE
682 Hagerman Peak DR
668 Mt Rushmore
660 Waxwing
647 Foxglove AVE
642 Merced Street
641 Sweetgum LN
641 Foxglove AVE
638 Ranee CT
633 Sweetgum LN
626 Sweetgum LN
626 Ranee CT
622 Merced Street
619 Ranee CT
617 Foxglove AVE
613 Ranee CT
611 Foxglove AVE
607 Ranee CT
604 Foxglove AVE
574 Fig LN
516 Golden Rod LN
504 Golden Rod LN
452 Sumac LN
404 Sumac LN
2138 Great Falls RD
2112 Canyon View DR
2044 Carlsbad Caverns Ct
2028 Osburn Park RD
2022 Osburn Park RD

City of Newman
2016 Mistletoe Abatement - Notice List

2011 Osburn Park RD
1964 T Street
1956 T Street
1942 Pine Street
1940 Upper RD
1938 S Street
1930 & 1936 Pine Street
1928 S Street
1925 Sydney AVE
1916 Sydney AVE
1903 Pine Street Apartments
1608 Main Street
1537 Langston DR
1524 P Street
1523 Brookheaven DR
1454 R Street
1441 R Street
1420 T Street
1417 Q Street
1405 Eucalyptus (Apartments)
1367 Merganser CT
1365 Patchett DR
1359 Merganser CT
1349 Red Teal DR
1345 L Street
1344 L street
1335 Red Teal DR
1313 L Street
1307 Crabapple
1292 Canvasback CT
1290 Canvasback CT
1272 Amy DR
1246 Duck Blind CIR
1241 Geranium
1239 Duck Blind CIR
1235 Duck Blind CIR
1232 Woodduck CT
1231 Q Street
1184 Canvasback CT
1154 P Street
1143 T Street
1142 Strawbridge DR
1142 Main Street
1138 Balsam DR
1136 Strawbridge DR
1127 Stanislaus Street
1127 Balsam DR

City of Newman
2016 Mistletoe Abatement - Notice List

1121 Balsam DR
1118-1114 Main St-Share Tree-
1115 Balsam DR
1114 -1118 Main Street
1107 Stoneglen DR
1065 Yolo
1041 Grackle CT
1017 P Street
1010 Grackle CT
1002 Blue Bonnet DR



January 29, 2016

Name
Mailing Address
City, State, Zip Code

RE: Location Address, Assessor's Parcel Number

NOTICE IS HEREBY GIVEN TO REMOVE AND DESTROY MISTLETOE
FROM TREE ON PROPERTY

NOTICE IS HEREBY GIVEN THAT:

Pursuant to the provisions of Title 9, Chapter 6 of the City Code of Newman, mistletoe growing or existing on private property must be removed and destroyed.

All persons owning any such property shall, without delay, remove and destroy all such mistletoe from their property or such mistletoe will be removed and destroyed by City authorities, in which case the cost of removal and destruction will be assessed upon the lots and lands from, or on which, such mistletoe was removed and destroyed, and such costs will constitute a lien upon the lots or parcels until paid and will be collected on the next tax roll upon which Municipal taxes are collected.

All property owners having objections to the proposed destruction and removal of mistletoe are hereby notified to attend a meeting of the City Council of the City of Newman to be held on **March 8, 2016**, at **7:00 P.M.**, at which time and place all objections will be heard and given due consideration.

If you have any questions, or are not sure what mistletoe looks like, please contact the office of the Public Works Department at the (209) 862-4448 and someone will assist you with identifying the mistletoe is in your tree.

Respectfully Submitted,

Perfecto Millan

Perfecto Millan,
Public Works Superintendent

Honorable Mayor and Members
of the Newman City Council

**REPORT ON NEWMAN CROWS LANDING UNIFIED SCHOOL DISTRICT EVENT AT THE
DOWNTOWN PLAZA**

RECOMMENDATION:

Staff recommends the City Council approve the Newman Crows Landing Unified School District (NCLUSD) event scheduled at the Downtown Plaza on Saturday August 13th 2016 from 8:30 A.M. to 12:30 P.M.

BACKGROUND:

The NCLUSD has requested exclusive use of the Downtown Plaza on August 13th 2016 from 8:30 A.M. to 12:30 P.M. to host a back to school informational event. Event organizers have partnered with the Family Resource Center to provide resource information to the community, specific back to school information as well as additional services available through the NCLUSD. There will be amplified music for the duration of the event and **NO** alcohol will be served or sold. The event date has no apparent conflicts with other potential community events. The event organizers are seeking council approval for this year's event.

ANALYSIS:

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

The NCLUSD has made the following requests:

- ❖ Exclusive use of the Downtown Plaza
- ❖ Use of Plaza restroom facilities and electrical power at the location.
- ❖ Waive Standards for Downtown Events in the areas of:
 - Clean-up deposit. Downtown standards require a \$1,000.00 deposit refundable upon satisfactory cleaning of the affected area. The NCLUSD will utilize student volunteers to keep the area clean.
 - Business licenses. Downtown standards require all vendors to be licensed for business within the City.
 - Insurance reduction to \$1,000,000.00. Current standards indicated a figure of \$3,000,000.00 naming the City as an additional insured party.
 - Traffic/crowd control device costs. City-owned barricades could be utilized.
 - Amplified music hours. Current standards indicate a 10 A.M. minimum start time.
 - Restroom and electrical power use fees of \$25.00 each.

All other Standards for Downtown events will apply.

FISCAL IMPACT:

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

CONCLUSION:

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

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

Staff recommends Alternative 1.

ATTACHMENTS:

- 1) Standards for downtown events

Respectfully submitted,



Brett Short
Police Lieutenant

REVIEWED/CONCUR:



Michael Holland
City Manager

STANDARDS FOR DOWNTOWN EVENTS

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

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

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

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

8. **EVENT PLAN:**

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

9. **CLEAN UP:**

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

10. **APPROVAL OF AFFECTED BUSINESSES:**

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

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

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

11. **BUSINESS LICENSES:**

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

12. **HEALTH PERMITS:**

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

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

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

14. **BLEACHERS:**

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

15. **ADVERTISING:**

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

16. **ALCOHOL:**

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

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

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

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

18. **STATEMENT OF FUNDS**

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

19. **TRASH RECEPTICALS**

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

20. **PLAZA USAGE**

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

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

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

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

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

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

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



AGENDA
NEWMAN PLANNING COMMISSION
REGULAR MEETING OF MARCH 17, 2016
CITY COUNCIL CHAMBERS, 7:00 P.M., 938 FRESNO STREET

MARCH 17, 2016 MEETING CANCELLED