AGENDA
NEWMAN CITY COUNCIL
REGULAR MEETING APRIL 9, 2024
CITY COUNCIL CHAMBERS, 7:00 P.M., 938 FRESNO STREET

NOTICE: THIS MEETING WILL BE HELD IN ACCORDANCE WITH THE RALPH M. BROWN ACT (CALIFORNIA GOVERNMENT CODE SECTION 54950, ET SEQ.) AND THE FEDERAL AMERICANS WITH DISABILITIES ACT

1. **Call To Order.**
2. **Pledge Of Allegiance.**
3. **Invocation.**
4. **Roll Call.**
5. **Declaration Of Conflicts Of Interest.**
6. **Ceremonial Matters.**
7. **Items from the Public - Non-Agenda Items.**
8. **Consent Calendar**
   - **a.** Waive All Readings Of Ordinances And Resolutions Except By Title.
   - **b.** Approval Of Warrants. (View Warrant/Check Register)
   - **c.** Approval Of Minutes Of The March 26, 2024 Meeting. (View Minutes)
9. **Public Hearings.**
10. **Regular Business.**
    - **a.** Adopt Resolution No. 2024- , A Resolution Approving The Calculation Of The Maximum Garbage Collection Rates Per Prior Contractual Agreement. (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

April 9 – City Council - 7:00 P.M.
April 15 – Tax Day.
April 15–20 – Spring Clean-Up Week.
April 18 – Planning Commission – Cancelled.
April 23 – City Council - 7:00 P.M.

AP Check Register
March 21, 2024 through April 2, 2024

Vendor	Fund-Dept-Acct		Amount	Check #	Check date	Description
American Car Ports	63-56-7505	$	1,180.00	124149	3/29/2024	Deposit for Carports
		$	**1,180.00**	**124149 Total**		
Aramark	60-50-6200	$	157.15	124110	3/25/2024	Uniform Cleaning/Mat Rental/Shop Towels/ February 2024
Aramark	10-21-6200	$	160.62	124110	3/25/2024	Uniform Cleaning/Mat Rental/Shop Towels/ February 2024
Aramark	10-44-6200	$	104.77	124110	3/25/2024	Uniform Cleaning/Mat Rental/Shop Towels/ February 2024
Aramark	10-22-6200	$	89.03	124110	3/25/2024	Uniform Cleaning/Mat Rental/Shop Towels/ February 2024
Aramark	10-07-6200	$	123.04	124110	3/25/2024	Uniform Cleaning/Mat Rental/Shop Towels/ February 2024
Aramark	10-33-6200	$	157.15	124110	3/25/2024	Uniform Cleaning/Mat Rental/Shop Towels/ February 2024
Aramark	63-56-6200	$	104.77	124110	3/25/2024	Uniform Cleaning/Mat Rental/Shop Towels/ February 2024
		$	**896.53**	**124110 Total**		
AT&T	10-14-6200	$	9.79	124112	3/25/2024	Alarm 2-13-24 to 3-12-24
AT&T	60-50-6200	$	9.78	124112	3/25/2024	Alarm 2-13-24 to 3-12-24
AT&T	10-07-6420	$	28.18	124112	3/25/2024	Landlines 2-13-24 to 3-12-24
AT&T	10-21-6420	$	363.78	124112	3/25/2024	Circuit Line Between Fresno St to Ceres 2-13-24 to 3-12-24
AT&T	10-21-6420	$	29.95	124112	3/25/2024	Landlines 2-13-24 to 3-12-24
AT&T	63-56-6420	$	85.37	124112	3/25/2024	Landlines 2-13-24 to 3-12-24
AT&T	10-14-6420	$	85.12	124112	3/25/2024	Landlines 2-13-24 to 3-12-24
AT&T	63-56-6200	$	9.78	124112	3/25/2024	Alarm 2-13-24 to 3-12-24
		$	**621.75**	**124112 Total**		
AT&T MOBILITY	63-56-6420	$	438.18	124111	3/25/2024	Cell Phone Use 1-03-24 to 3-02-24
AT&T MOBILITY	10-44-6420	$	98.40	124111	3/25/2024	Cell Phone Use 1-03-24 to 3-02-24
AT&T MOBILITY	10-21-6420	$	654.28	124111	3/25/2024	Cell Phone Use 1-03-24 to 3-02-24
AT&T MOBILITY	10-33-6420	$	102.84	124111	3/25/2024	Cell Phone Use 1-03-24 to 3-02-24
AT&T MOBILITY	10-07-6420	$	23.66	124111	3/25/2024	Cell Phone Use 1-03-24 to 3-02-24
AT&T MOBILITY	10-45-6420	$	33.43	124111	3/25/2024	Cell Phone Use 1-03-24 to 3-02-24
AT&T MOBILITY	10-03-6420	$	75.90	124111	3/25/2024	Cell Phone Use 1-03-24 to 3-02-24
AT&T MOBILITY	69-47-6420	$	84.67	124111	3/25/2024	Cell Phone Use 1-03-24 to 3-02-24
AT&T MOBILITY	10-22-6420	$	227.02	124111	3/25/2024	Cell Phone Use 1-03-24 to 3-02-24
AT&T MOBILITY	10-06-6420	$	61.51	124111	3/25/2024	Cell Phone Use 1-03-24 to 3-02-24
AT&T MOBILITY	60-50-6420	$	439.04	124111	3/25/2024	Cell Phone Use 1-03-24 to 3-02-24
AT&T MOBILITY	73-70-6420	$	11.33	124111	3/25/2024	Cell Phone Use 1-03-24 to 3-02-24
AT&T MOBILITY	22-20-6420	$	9.22	124111	3/25/2024	Cell Phone Use 1-03-24 to 3-02-24
AT&T MOBILITY	10-02-6420	$	19.51	124111	3/25/2024	Cell Phone Use 1-03-24 to 3-02-24
		$	**2,278.99**	**124111 Total**		
Blades Aerial Applicators	60-50-6230	$	4,408.00	124113	3/25/2024	Aerial App of Herbicide to McPike 3, Front 66, McPike 3
		$	**4,408.00**	**124113 Total**		
Canon Financial Services, Inc.	60-50-6200	$	101.08	124114	3/25/2024	Contract Charges February 2024/Copy Charges March 2024
Canon Financial Services, Inc.	63-56-6200	$	101.34	124114	3/25/2024	Contract Charges February 2024/Copy Charges March 2024

AP Check Register
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Vendor	Fund-Dept-Acct	Amount	Check #	Check date	Description
Canon Financial Services, Inc.	10-21-6200	$ 262.68	124114	3/25/2024	Contract Charges February 2024/Copy Charges March 2024
Canon Financial Services, Inc.	10-22-6200	$ 290.72	124114	3/25/2024	Contract Charges February 2024/Copy Charges March 2024
Canon Financial Services, Inc.	60-50-6200	$ 101.33	124114	3/25/2024	Contract Charges February 2024/Copy Charges March 2024
Canon Financial Services, Inc.	10-14-6200	$ 101.08	124114	3/25/2024	Contract Charges February 2024/Copy Charges March 2024
Canon Financial Services, Inc.	63-56-6200	$ 101.07	124114	3/25/2024	Contract Charges February 2024/Copy Charges March 2024
		$ 1,059.30	**124114 Total**		
COMCAST CABLE	63-56-6200	$ 69.90	124115	3/25/2024	High speed internet/water
COMCAST CABLE	60-50-6200	$ 69.88	124115	3/25/2024	High speed internet/sewer
COMCAST CABLE	10-21-6200	$ 69.88	124115	3/25/2024	High speed internet/PD
COMCAST CABLE	10-21-6420	$ 161.66	124115	3/25/2024	High Speed Internet 3-6-24 to 4-5-24 /PD
		$ 371.32	**124115 Total**		
CSG Consultants, Inc	10-23-6215	$ 702.00	124116	3/25/2024	Building Permit Issuance/ January 20024
CSG Consultants, Inc	10-23-6215	$ 4,909.00	124116	3/25/2024	Building Services January 2024
CSG Consultants, Inc	10-23-6215	$ 780.00	124116	3/25/2024	Building Permit Issuance/ January 2024
CSG Consultants, Inc	10-23-6215	$ 6,325.50	124116	3/25/2024	Building Services January 2024
		$ 12,716.50	**124116 Total**		
CSJVRMA	63-56-6631	$ 19,449.33	124117	3/25/2024	Workers Compensation/Liability Program 2023-2024 4th Quarter
CSJVRMA	10-00-2292	$ 70,431.00	124117	3/25/2024	Workers Compensation/Liability Program 2023-2024 4th Quarter
CSJVRMA	10-15-6631	$ 19,449.34	124117	3/25/2024	Workers Compensation/Liability Program 2023-2024 4th Quarter
CSJVRMA	60-50-6631	$ 19,449.33	124117	3/25/2024	Workers Compensation/Liability Program 2023-2024 4th Quarter
		$ 128,779.00	**124117 Total**		
Davey Resource Group, Inc	17-44-7756	$ 8,136.25	124118	3/25/2024	Professional Services Rendered Through 1-27-24
Davey Resource Group, Inc	17-44-7756	$ 5,010.00	124118	3/25/2024	Professional Services Rendered Through 2-24-24
		$ 13,146.25	**124118 Total**		
FERGUSON ENTERPRISES, INC 1423	63-56-6300	$ 372.76	124119	3/25/2024	Water Repair Parts
FERGUSON ENTERPRISES, INC 1423	63-56-6300	$ 815.44	124119	3/25/2024	Water Repair Parts
FERGUSON ENTERPRISES, INC 1423	63-56-6300	$ 3,105.14	124119	3/25/2024	Water Repair Parts
		$ 4,293.34	**124119 Total**		
Gouveia Engineering, Inc	18-56-7771	$ 7,679.18	124120	3/25/2024	Project 525.12D Jensen Rd Utilities
Gouveia Engineering, Inc	10-31-6200	$ 291.11	124120	3/25/2024	Project 595.05 CMAQ Applications
Gouveia Engineering, Inc	24-32-7781	$ 817.80	124120	3/25/2024	Project 545.180 Main St & Stanislaus
Gouveia Engineering, Inc	18-32-7768	$ 2,063.67	124120	3/25/2024	Project 545 07C STPL-5172 (026) Inyo Canal School
Gouveia Engineering, Inc	10-31-6200	$ 170.10	124120	3/25/2024	Project 585.15 McDonalds Plan Review
Gouveia Engineering, Inc	10-31-6200	$ 228.38	124120	3/25/2024	Project 510.02 Annual DBE/QAP Program
Gouveia Engineering, Inc	17-36-7779	$ 317.50	124120	3/25/2024	Project 555.05C Newman Wetlands
Gouveia Engineering, Inc	10-31-6200	$ 291.11	124120	3/25/2024	Project 595.11 STBG Applications
Gouveia Engineering, Inc	17-36-7780	$ 3,982.25	124120	3/25/2024	Project 555.04-3.2 NEWS Construction Implement
Gouveia Engineering, Inc	18-32-7739	$ 1,684.50	124120	3/25/2024	Project 525.02 STPL-5172 (024) Highway 33/ Inyo
Gouveia Engineering, Inc	10-31-6200	$ 541.01	124120	3/25/2024	Project 525.01 Public Works General

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Gouveia Engineering, Inc	17-33-7745	$ 2,491.13	124120	3/25/2024	Project 520.03 T St Specific Plan
Gouveia Engineering, Inc	10-00-2545	$ 491.93	124120	3/25/2024	Project 580.04 Mattos Ranch PH1 Con Observe
		$ 21,049.67	**124120 Total**		
HARD DRIVE GRAPHICS	60-50-6300	$ 174.38	124150	3/29/2024	Deposit for T Shirts
HARD DRIVE GRAPHICS	63-56-6300	$ 198.94	124150	3/29/2024	Deposit for T Shirts
HARD DRIVE GRAPHICS	10-33-6300	$ 120.34	124150	3/29/2024	Deposit for T Shirts
HARD DRIVE GRAPHICS	69-47-6300	$ 126.72	124150	3/29/2024	Deposit for T Shirts
HARD DRIVE GRAPHICS	10-07-6300	$ 40.76	124150	3/29/2024	Deposit for T Shirts
HARD DRIVE GRAPHICS	10-44-6300	$ 75.64	124150	3/29/2024	Deposit for T Shirts
		$ 736.78	**124150 Total**		
HOLLAND (NT) MICHAEL	10-07-6300	$ 135.75	124121	3/25/2024	Reimbursement for Key Fobs
HOLLAND (NT) MICHAEL	10-07-6300	$ 32.00	124121	3/25/2024	Reimbursement for Key Fobs
		$ 167.75	**124121 Total**		
Landeros Zeke	10-00-2840	$ 300.00	124122	3/25/2024	Memorial Building Rental Deposit Refund/ Landeros
		$ 300.00	**124122 Total**		
LOPEZ EDGAR	10-21-6695	$ 60.00	124123	3/25/2024	POST Training Per Diem/ Lopez
		$ 60.00	**124123 Total**		
MARRIOTT JOHN E.	10-21-6695	$ 60.00	124124	3/25/2024	POST Training Per Diem/ Marriott
		$ 60.00	**124124 Total**		
Mello Justin	10-22-6690	$ 500.00	124125	3/25/2024	Reimbursement for Training/ Mello
		$ 500.00	**124125 Total**		
MID VALLEY IT, INC	60-50-6200	$ 1,518.40	124126	3/25/2024	IT CONTRACT/SEWR
MID VALLEY IT, INC	10-14-6200	$ 1,518.40	124126	3/25/2024	IT CONTRACT/FIN
MID VALLEY IT, INC	10-21-6200	$ 3,036.80	124126	3/25/2024	IT CONTRACT/PD
MID VALLEY IT, INC	63-56-6200	$ 1,518.40	124126	3/25/2024	IT CONTRACT/WATR
		$ 7,592.00	**124126 Total**		
Modesto Junior College Ag Department	10-21-6210	$ 862.00	124127	3/25/2024	Catch & Release Program February 2024
Modesto Junior College Ag Department	10-21-6208	$ 2,508.00	124127	3/25/2024	Animal Shelter/ February 2024
		$ 3,370.00	**124127 Total**		
NEWMAN FIREFIGHTERS, INC.	10-22-6300	$ 49.96	124128	3/25/2024	Reimbursement for Coffee
		$ 49.96	**124128 Total**		
NEWMAN SMOG AND LUBE	63-56-6530	$ 78.55	124129	3/25/2024	Oil Change 2012 Ford F250/ PW
		$ 78.55	**124129 Total**		
One Step GPS LLC	10-22-6200	$ 69.75	124130	3/25/2024	GPS Fleet Tracking Software
One Step GPS LLC	60-50-6200	$ 153.45	124130	3/25/2024	GPS Fleet Tracking Software
One Step GPS LLC	63-56-6200	$ 153.45	124130	3/25/2024	GPS Fleet Tracking Software
One Step GPS LLC	10-21-6200	$ 209.25	124130	3/25/2024	GPS Fleet Tracking Software
		$ 585.90	**124130 Total**		
Owen Equipment Sales	10-33-6530	$ 65.09	124131	3/25/2024	Connector, Nozzle

AP Check Register
March 21, 2024 through April 2, 2024

Vendor	Fund-Dept-Acct		Amount	Check #	Check date	Description
Owen Equipment Sales	69-47-6530	$	65.09	124131	3/25/2024	Connector, Nozzle
		$	**130.18**	**124131 Total**		
P G & E	10-21-6510	$	71.49	124133	3/25/2024	Natural Gas Pumped @ CNG Fueling Station 2-9-24 to 3-11-24
P G & E	10-44-6510	$	285.98	124133	3/25/2024	Natural Gas Pumped @ CNG Fueling Station 2-9-24 to 3-11-24
P G & E	10-33-6510	$	571.99	124133	3/25/2024	Natural Gas Pumped @ CNG Fueling Station 2-9-24 to 3-11-24
P G & E	10-07-6410	$	680.93	124133	3/25/2024	Gas & Electric @ City Hall 2-5-24 to 3-6-24
P G & E	69-47-6510	$	357.44	124133	3/25/2024	Natural Gas Pumped @ CNG Fueling Station 2-9-24 to 3-11-24
P G & E	60-50-6410	$	36.28	124133	3/25/2024	Electrical Charges for Solar Meter @ WWTP 2-8-24 to 3-10-24
P G & E	60-50-6410	$	680.93	124133	3/25/2024	Gas & Electric @ City Hall 2-5-24 to 3-6-24
P G & E	63-56-6510	$	71.49	124133	3/25/2024	Natural Gas Pumped @ CNG Fueling Station 2-9-24 to 3-11-24
P G & E	63-56-6410	$	680.92	124133	3/25/2024	Gas & Electric @ City Hall 2-5-24 to 3-6-24
P G & E	60-50-6510	$	71.49	124133	3/25/2024	Natural Gas Pumped @ CNG Fueling Station 2-9-24 to 3-11-24
		$	**3,508.94**	**124133 Total**		
Pernsteiner & Sons Fabrication	60-50-6300	$	533.70	124132	3/25/2024	Sewer Grates
Pernsteiner & Sons Fabrication	63-56-6300	$	300.00	124132	3/25/2024	Lid Hooks
		$	**833.70**	**124132 Total**		
Quick Start	10-22-6200	$	1,715.35	124134	3/25/2024	Repair on Treadmill/ FD
Quick Start	10-22-6200	$	150.00	124134	3/25/2024	Repair on Treadmill/ FD
		$	**1,865.35**	**124134 Total**		
ROCHA BACKHOE SERVICE, IN	10-33-6300	$	427.50	124135	3/25/2024	25.45 Tons of Cold Blacktop
ROCHA BACKHOE SERVICE, IN	63-56-6300	$	427.50	124135	3/25/2024	25.45 Tons of Cold Blacktop
		$	**855.00**	**124135 Total**		
Rowe's Auto & Furniture Upholstery	63-56-7505	$	1,180.00	124152	3/29/2024	Deposit for Car Ports
		$	**1,180.00**	**124152 Total**		
Sandoval Martha	10-00-5435	$	50.00	124136	3/25/2024	Reimbursement of Citation #6671/ Martha Sandoval
		$	**50.00**	**124136 Total**		
STAN COUNTY SHERIFF'S REG	10-21-6695	$	1,692.00	124139	3/25/2024	POST STOP Trainig/ Lopez, Marriott
		$	**1,692.00**	**124139 Total**		
Stanislaus County Dept of Environmental Resources	60-50-6675	$	211.50	124151	3/29/2024	Business Plan Fee, CESQG, CUPA,CERS/WWTP
Stanislaus County Dept of Environmental Resources	63-56-6675	$	120.25	124151	3/29/2024	Business Plan Fee, CESQG, CUPA, GERS/ Corp Yard
Stanislaus County Dept of Environmental Resources	60-50-6675	$	120.25	124151	3/29/2024	Business Plan Fee, CESQG, CUPA, GERS/ Corp Yard
		$	**452.00**	**124151 Total**		
STAPLES ADVANTAGE	10-14-6300	$	9.46	124138	3/25/2024	Binder Clips, Scissors
STAPLES ADVANTAGE	63-56-6300	$	9.46	124138	3/25/2024	Binder Clips, Scissors
STAPLES ADVANTAGE	60-50-6300	$	29.74	124138	3/25/2024	Toner
STAPLES ADVANTAGE	60-50-6300	$	9.46	124138	3/25/2024	Binder Clips, Scissors
STAPLES ADVANTAGE	63-56-6300	$	29.74	124138	3/25/2024	Toner
STAPLES ADVANTAGE	63-56-6300	$	158.83	124138	3/25/2024	Toner
STAPLES ADVANTAGE	60-50-6300	$	158.83	124138	3/25/2024	Toner

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Vendor	Fund-Dept-Acct	Amount	Check #	Check date	Description
		$ 405.52	**124138 Total**		
State of Calif Dept of Justice	10-00-2014	$ 1,322.00	124137	3/25/2024	Fingerprint Apps/FBI/Child Abuse Index
		$ 1,322.00	**124137 Total**		
Steve P. Rados, Inc	17-50-7782	$ 206,625.00	124140	3/25/2024	McPike 1 Improvements & Influent Trunk Sewer Progress Payment
Steve P. Rados, Inc	61-55-7550	$ 111,862.50	124140	3/25/2024	McPike 1 Improvements & Influent Trunk Sewer Progress Payment
		$ 318,487.50	**124140 Total**		
UNITED STATES POSTMASTER	10-14-6330	$ 121.34	124142	3/25/2024	P.O. Box 787 Annual Fee 2024
UNITED STATES POSTMASTER	63-56-6330	$ 121.33	124142	3/25/2024	P.O. Box 787 Annual Fee 2024
UNITED STATES POSTMASTER	60-50-6330	$ 121.33	124142	3/25/2024	P.O. Box 787 Annual Fee 2024
		$ 364.00	**124142 Total**		
USA BLUEBOOK	63-56-6300	$ 1,134.94	124141	3/25/2024	Pumps
		$ 1,134.94	**124141 Total**		
Valley Smog	60-50-6530	$ 39.75	124143	3/25/2024	Smog 2014 Ford F150
Valley Smog	60-50-6530	$ 9.94	124143	3/25/2024	Smog 2008 Chevy Silverado
Valley Smog	10-22-6530	$ 39.75	124143	3/25/2024	Smog 2011 Ford F150
Valley Smog	69-47-6530	$ 9.94	124143	3/25/2024	Smog 2008 Chevy Silverado
Valley Smog	10-44-6530	$ 19.87	124143	3/25/2024	Smog 2008 Chevy Silverado
		$ 119.25	**124143 Total**		
Warden's	60-50-6300	$ 140.23	124144	3/25/2024	Office Chair
Warden's	63-56-6300	$ 140.23	124144	3/25/2024	Office Chair
Warden's	10-14-6300	$ 140.24	124144	3/25/2024	Office Chair
		$ 420.70	**124144 Total**		
West Coast Pet Memorial Services	10-21-6208	$ 31.83	124146	3/25/2024	Disposal Clinic
		$ 31.83	**124146 Total**		
Westside Connect	10-01-6600	$ 50.00	124145	3/25/2024	Single Box Ad
Westside Connect	63-56-6600	$ 40.00	124145	3/25/2024	Single Box Ad
Westside Connect	60-50-6600	$ 40.00	124145	3/25/2024	Single Box Ad
Westside Connect	60-50-6600	$ 50.00	124145	3/25/2024	Single Box Ad
Westside Connect	63-56-6600	$ 50.00	124145	3/25/2024	Single Box Ad
Westside Connect	10-01-6600	$ 40.00	124145	3/25/2024	Single Box Ad
		$ 270.00	**124145 Total**		
White Brenner, LLP	10-15-6200	$ 164.60	124147	3/25/2024	Professional Srvcs Rendered Through Feb 2024 Martinez
White Brenner, LLP	63-56-6200	$ 11.60	124147	3/25/2024	Professional Srvcs Rendered Through Feb 2024 Cal Sport v De
		$ 176.20	**124147 Total**		
YBA Shirts, Inc	10-45-6730	$ 142.88	124148	3/25/2024	Basketball Team Uniforms
		$ 142.88	**124148 Total**		
		$ 537,743.58	**Grand Total**		

MINUTES
NEWMAN CITY COUNCIL
REGULAR MEETING MARCH 26, 2024
CITY COUNCIL CHAMBERS, 7:00 P.M., 938 FRESNO STREET

NOTICE: THIS MEETING WILL BE HELD IN ACCORDANCE WITH THE RALPH M. BROWN ACT (CALIFORNIA GOVERNMENT CODE SECTION 54950, ET SEQ.) AND THE FEDERAL AMERICANS WITH DISABILITIES ACT

1. **Call To Order** - Mayor Graham 7:00 P.M.

2. **Pledge Of Allegiance.**

3. **Invocation** – Council Member McDonald.

4. **Roll Call - PRESENT:** McDonald, Mayor Pro Tem Ball, Tomlinson, And Mayor Graham.
   ABSENT: Pimentel.

5. **Declaration Of Conflicts Of Interest –** None.

6. **Ceremonial Matters** – None.

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

Gavin Cline, Field Representative For Congressman Duarte, Reported That Congressman Duarte Introduced A Bipartisan High Drug Trafficking Bill That Provides Over Three Hundred Million Dollars Annually To Help Stop The Spread Of Fentanyl. Cline Explained That Congressman Duarte Had Also Introduced The Confidence And Clean Water Permit Act That Successfully Passed Through The House Of Representatives And Explained That The EPA's Permit Language Often Allows For Loopholes And Lawsuits That Congressman Duarte's Provision Closes Said Loopholes And Reduces Lawsuits.

Mayor Graham Thanked Cline For Attending The Council Meeting.

8. **Consent Calendar**
   - **a.** Waive All Readings Of Ordinances And Resolutions Except By Title.
   - **b.** Approval Of Warrants.
   - **c.** Approval Of Minutes Of The March 12, 2024 Meeting.
   - **d.** Appointment To Fill The Historical Society Vacancy On The Architectural Review Committee.

ACTION: On A Motion By McDonald Seconded By Tomlinson, The Consent Calendar Was Approved By The Following Vote: AYES: McDonald, Ball, Tomlinson, And Mayor Graham; NOES: None; ABSENT: Pimentel; NOT PARTICIPATING: None.

Mayor Graham Thanked Brian Thompson For Applying For The Architectural Review Committee And Noted That Volunteers Were Vital To The Community.

9. **Public Hearings**
   - **a.** Adopt Resolution No. 2024-09 , Declaring The Existence Of A Public Nuisance Under Ordinance No. 281 Mistletoe Abatement.

Council Member McDonald Asked If It Would Be Cheaper For The Residents To Have The City Remove The Mistletoe Rather Than A Contractor.

Public Works Superintendent Millan Explained That The City Does Not Directly Remove The Mistletoe But Rather Contracts With Local Landscape Companies To Abate The Mistletoe.

Council Member Tomlinson Asked If After Removing The Mistletoe They Spray To Eliminate It From Coming Back.

Public Works Superintendent Millan Pointed Out That The City Had A Proactive Program And By Spraying It Would Only Kill The Leaf Not The Root The Only Way To Eliminate Mistletoe Was To Remove The Infected Branch.

Council Member McDonald Asked If There Was An Ordinance Restricting Residents From Removing Infected Trees.

City Manager Holland Pointed Out That Property Owners Could Remove Trees On Private Property But That Trees Belonging To The City, Could Not Be Removed By Property Owners.

Mayor Graham Opened The Public Hearing At 7:13 P.M.

There Being No Public Comment, Graham Closed The Public Hearing At 7:13 P.M.

ACTION: On A Motion By Ball Seconded By McDonald, Resolution No. 2024-09, A Resolution Declaring The Existence Of A Public Nuisance Under Ordinance No. 281 Mistletoe Abatement, Was Adopted By The Following Vote: AYES: McDonald, Ball, Tomlinson, And Mayor Graham; NOES: None; ABSENT: Pimentel; NOT PARTICIPATING: None.

10. Regular Business

- **a.** Authorize City Manager To Execute A Lease Agreement For The Newman Preschool Facility Located At 1147 "R" Street.

Council Member McDonald Confirmed That The Tenant Would Be Responsible For All Utilities.

ACTION: On A Motion By Tomlinson Seconded By McDonald, The Council Authorized City Manager To Execute A Lease Agreement For The Newman Preschool Facility Located At 1147 "R" Street, By The Following Roll Call Vote: AYES: McDonald, Ball, Tomlinson, And Mayor Graham; NOES: None; ABSENT: Pimentel; NOT PARTICIPATING: None.

- **b.** Adopt Resolution No. 2024-10, A Resolution Awarding A Bid For New Fencing At 1147 "R" Street (Old Orestimba School House) To Titan Fence And Authorize The City Manager To Execute An Agreement.

ACTION: On A Motion By Tomlinson Seconded By Ball, Resolution No. 2024-10, A Resolution Awarding A Bid For New Fencing At 1147 "R" Street (Old Orestimba School House) To Titan Fence And Authorizing The City Manager To Execute An Agreement Was Adopted, By The Following Roll Call Vote: AYES: McDonald, Ball, Tomlinson, And Mayor Graham; NOES: None; ABSENT: Pimentel; NOT PARTICIPATING: None.

11. Items From District Five Stanislaus County Supervisor – None.

12. Items From The City Manager And Staff.

City Manager Holland Reported That Earlier In The Day There Had Been A Newman Corridors Project Advisory Group Meeting To Review The Results Regarding The Drawings And Charrettes Presented To The Public For Said Project. Holland Stated That There Would Be Additional Public Outreach And Present The Project To The Community Again Through Social Media, Surveys, And A Variety Of Other Methods. He Noted That The City's Current Housing Element Update Was Almost Ready To Be Sent To The State For Review. Holland Explained That The City Was Continuing To Move Forward With The Jensen Road Project And Indicated That Said Project Would Be Going Out To Bid In Early Summer. He Thanked Brian Thompson For Volunteering To Serve On The Architectural Review Committee. Holland Mentioned That The Proposed McDonald's Restaurant Project Had Been Approved At The Southeast Corner Of Highway 33 And Merced Street. He Explained That With Said Project They Would Be Putting In Full Street Frontage With New Curb, Gutter, And Sidewalk On Highway 33 And Widening Merced Street Creating A Much Better Turning Radius At Said Corner. Holland Concluded By Stating That Congressman Duarte Had Requested That Cities Submit Projects For Funding Requests And That Newman Would Be Submitting The Main Street Foster Farms Site And The Proposed Economic Development Jobs Center At The McBride Building. He Wished Everyone A Happy Easter.

Recreation Director/Community Liaison Mendoza Reported That The Upcoming Weekend Would Be The Final Week Of The Youth Basketball Season. Mendoza Noted That Kajukenbo Program Had Resumed On Thursday Evenings At The L.J. Newman Memorial Center.

Mayor Graham Asked When The Downtown Market Events Would Start.

Recreation Director/Community Liaison Mendoza Stated That The Said Market Would Run Four Consecutive Fridays In June, Then Pause And Resume In Mid-September, And Conclude In Mid-October.

Chief Richardson Reported That April Was National Distracted Drivers Month And Along With Other Agencies In The County The Newman Police Department Would Be Targeting Distracted Drivers. Richardson Mentioned That Tickets Were Still Available For The K9 Crab Feed In April.

Finance Director Humphries Reported That The Auditors From StanCOG Had Audited The City's Measure "L" Funds And Indicated That The City Had Received A Positive Audit.

Chief Bowen Reported That Engine 255 Had Been Down Due To An Oil Leak And The Repair Shop Had Been Waiting For Parts But Noted That The Engine Should Be Completed Soon. Bowen Pointed Out That The Newman Firefighters Would Be Hosting Their Annual Pancake Breakfast On Saturday, March 30th. He Noted That The Fire Department Had Participated In The Hurd Barrington Elementary School Career Day Event. Bowen Explained That The Fire Department Would Have An Explorer Orientation On Thursday, March 28th At The Crows Landing Fire Station For Anyone Interested In Joining Said Program.

13. Items From City Council Members.

Mayor Graham Stated That He Had The Opportunity To Participate In Senior Interviews At Orestimba High School And Noted That It Was A Great Process With Great Students.

14. Adjournment.

ACTION: On A Motion By Ball Seconded By Tomlinson And Unanimously Carried, The Meeting Was Adjourned At 7:23 P.M.

Agenda Item: 10.a.

Honorable Mayor and Members
of the Newman City Council

City Council Meeting
of April 9, 2024

RESOLUTION APPROVING THE CALCULATION OF THE MAXIMUM GARBAGE COLLECTION RATES PER PRIOR CONTRACTUAL AGREEMENT

RECOMMENDATION:
It is recommended that City Council adopt Resolution No. 2024– , approving the calculation of the maximum garbage collection rates per prior contractual agreement.

BACKGROUND:
The City contracted in April of 2010 with Bertolotti Disposal Incorporated to provide solid waste collection and curbside recycling services to Newman residents and businesses. According to the agreement, the City does not set the rates for collection services, but only calculates the maximum rate that Bertolotti can charge our residents and businesses for their services. This maximum rate recalculates every 2 years. The agreement also allows Bertolotti to contract with the City to include Bertolotti's customer charges on our monthly utility bills; which they do. The City is paid a percentage of the amount billed each month for billing Bertolotti's customers for them.

ANALYSIS:
The agreement with Bertolotti automatically adjusts the maximum rates every other year. The formula is as follows:

80% of the current rate is adjusted by the 12-month average of the Consumer Price Index (CPI), and
20% of the current rate is adjusted by the Stanislaus County Waste to Energy and Fink Road Landfill Tipping Fees.

Since 2022 the change in the average CPI was an increase of 12.48%. The Fink Road Landfill tipping fees increased by 4.22% (average between SCWEFT & SCFRLT). When calculating the new maximum rate for a standard 90 Gallon Trash Can Bertolotti's billing rate will increase by $2.64 per month. This rate change takes place on July 1, 2024.

FISCAL IMPACT:
The increase in rates will generate a small increase to the City's General Fund.

CONCLUSION:
Staff recommends the approval of Resolution No. 2024– , approving the calculation of the maximum garbage collection rates per prior contractual agreement.

ATTACHMENTS:
1. Resolution No. 2024- , Approving the Calculation of the Maximum Garbage Collection Rates
2. Spreadsheet – Calculation of Refuse Fee Change
3. Spreadsheet – U.S. Department of Labor Consumer Price Index Historical Rates

Respectfully submitted:

Lewis Humphries

Lewis Humphries
Finance Director

REVIEWED/CONCUR:

Michael Holland
City Manager

RESOLUTION NO. 2024-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWMAN APPROVING THE CALCULATION OF THE MAXIMUM GARBAGE COLLECTION RATES PER PRIOR CONTRACTUAL AGREEMENT

WHEREAS, the City of Newman renewed a contract with Bertolotti Disposal, Inc., for collection of garbage and refuse on April 1, 2010; and

WHEREAS, according to said contract, Bertolotti sets the rates for refuse collection services and contracts with the City of Newman to collect Bertolotti's fees for refuse services; and

WHEREAS, our City Ordinance 8.01.100 B states, "The City shall not engage in rate making with respect to charges for solid waste collection service except to set maximum rates"; and

WHEREAS, the maximum rate that Bertolotti can charge the residents of our City for the collection of garbage and refuse is set by formula in the contract, with the actual rate set by Bertolotti, which can be lower than the calculated rate; and

WHEREAS, the City Council has reviewed the calculation of the maximum rates Bertolotti can charge effective July 1, 2024;

NOW, THEREFORE, BE IT RESOLVED that the City of Newman approves the calculations of the maximum rates for refuse services found in Exhibit A, which become effective on of July 1, 2024.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Newman held on the 9th day of April, 2024 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:
ABSTAIN:

APPROVED:

____
Casey Graham,
Mayor of the City of Newman,
County of Stanislaus, State of California

ATTEST:

____
Mike Maier,
City Clerk of the City of Newman,
County of Stanislaus, State of California

Calculation of Maximum Refuse Fee Change

Change Dates: July 1 of Every Even Numbered Year
80% of the rates and charges may be adjusted by any increase or decrease of the 12 month average of Consumer Price Index for the previous 24 months
20% of the rates and charges may be adjusted by any increase or decrease in the Stanislaus County Waste to Energy Facility Tipping Fee and
the Stanislaus County Fink Road Landfill Tipping Fee.

		Dump Ratio
CPI	See CPI History	12.48%
SCWEFT	Was $41.00 and is increasing to $43.00	4.88%
SCFRLT	Was $28.00 and is increasing to $29.00	3.57%

Service Code	Description	Current Rate	80%	Average CPI Rate	Adjusted 80%	20%	Average Tipping Rate	Adjusted 20%	New Total Rate	Proposed Rate Increase
1	1 90 GAL CAN	$ 24.34	$ 19.47	12.48%	$ 21.90	$ 4.87	4.22%	$ 5.08	$ 26.98	$ 2.64
2	1 60 GAL CAN	$ 16.63	$ 13.30	12.48%	$ 14.96	$ 3.33	4.22%	$ 3.47	$ 18.43	$ 1.80
4	60 GAL WALK-IN DISABLED	$ 16.63	$ 13.30	12.48%	$ 14.96	$ 3.33	4.22%	$ 3.47	$ 18.43	$ 1.80
5	90 GAL WALK-IN DISABLED	$ 24.34	$ 19.47	12.48%	$ 21.90	$ 4.87	4.22%	$ 5.08	$ 26.98	$ 2.64
6	2 60 GAL CANS	$ 33.25	$ 26.60	12.48%	$ 29.92	$ 6.65	4.22%	$ 6.93	$ 36.85	$ 3.60
7	2 90 GAL CANS	$ 48.70	$ 38.96	12.48%	$ 43.82	$ 9.74	4.22%	$ 10.15	$ 53.97	$ 5.27
9	(3) 90 GAL CANS	$ 73.06	$ 58.45	12.48%	$ 65.74	$ 14.61	4.22%	$ 15.23	$ 80.97	$ 7.91
10	(3) 60 GAL CANS	$ 49.90	$ 39.92	12.48%	$ 44.90	$ 9.98	4.22%	$ 10.40	$ 55.30	$ 5.40
11	(16) 90 GAL CANS	$ 389.66	$ 311.73	12.48%	$ 350.63	$ 77.93	4.22%	$ 81.22	$ 431.85	$ 42.19
12	(4) 90 GAL CANS	$ 97.41	$ 77.93	12.48%	$ 87.66	$ 19.48	4.22%	$ 20.30	$ 107.96	$ 10.55
15	1 CU YD BIN	$ 55.79	$ 44.63	12.48%	$ 50.20	$ 11.16	4.22%	$ 11.63	$ 61.83	$ 6.04
16	2 CU YD BIN	$ 90.32	$ 72.26	12.48%	$ 81.28	$ 18.06	4.22%	$ 18.82	$ 100.10	$ 9.78
17	3 CU YD BIN	$ 124.69	$ 99.75	12.48%	$ 112.20	$ 24.94	4.22%	$ 25.99	$ 138.19	$ 13.50
18	4 CU YD BIN	$ 159.63	$ 127.70	12.48%	$ 143.64	$ 31.93	4.22%	$ 33.28	$ 176.92	$ 17.29
19	(2) 3 YARD&(1) 4 YARD x1 WEEK	$ 409.02	$ 327.22	12.48%	$ 368.06	$ 81.80	4.22%	$ 85.26	$ 453.32	$ 44.30
20	1 CUBIC YARD BIN - 2 X WEEK	$ 94.74	$ 75.79	12.48%	$ 85.25	$ 18.95	4.22%	$ 19.75	$ 105.00	$ 10.26
21	2 CU YD BIN/2 X WK	$ 168.30	$ 134.64	12.48%	$ 151.44	$ 33.66	4.22%	$ 35.08	$ 186.52	$ 18.22
22	3 CU YD BIN/2 X WK	$ 241.56	$ 193.25	12.48%	$ 217.37	$ 48.31	4.22%	$ 50.35	$ 267.72	$ 26.16
23	4 CU YD BIN/2 X WK	$ 315.47	$ 252.38	12.48%	$ 283.88	$ 63.09	4.22%	$ 65.76	$ 349.64	$ 34.17
24	1/2 OF 1 YARD BIN X1	$ 27.89	$ 22.31	12.48%	$ 25.09	$ 5.58	4.22%	$ 5.82	$ 30.91	$ 3.02
26	1/6 OF 2 YD BIN	$ 15.06	$ 12.05	12.48%	$ 13.55	$ 3.01	4.22%	$ 3.14	$ 16.69	$ 1.63
28	1/2 OF 2 YD BIN	$ 45.16	$ 36.13	12.48%	$ 40.64	$ 9.03	4.22%	$ 9.41	$ 50.05	$ 4.89
29	1/2 2YD BIN X 2WK	$ 84.13	$ 67.30	12.48%	$ 75.70	$ 16.83	4.22%	$ 17.54	$ 93.24	$ 9.11
30	(1) 3 CU YD BIN & (1) 60 GAL	$ 141.32	$ 113.06	12.48%	$ 127.17	$ 28.26	4.22%	$ 29.45	$ 156.62	$ 15.30
31	1/2 of 4 YD BIN	$ 79.82	$ 63.86	12.48%	$ 71.83	$ 15.96	4.22%	$ 16.63	$ 88.46	$ 8.64
40	[1] 4 YD & [1] 2 YD	$ 249.14	$ 199.31	12.48%	$ 224.18	$ 49.83	4.22%	$ 51.94	$ 276.12	$ 26.98
42	(2) 90GAL (1) 60GAL	$ 65.34	$ 52.27	12.48%	$ 58.79	$ 13.07	4.22%	$ 13.62	$ 72.41	$ 7.07
43	(1) 60GAL (1) 90GAL	$ 40.96	$ 32.77	12.48%	$ 36.86	$ 8.19	4.22%	$ 8.54	$ 45.40	$ 4.44
44	(2) 60 GAL (1) 90 GAL	$ 57.61	$ 46.09	12.48%	$ 51.84	$ 11.52	4.22%	$ 12.01	$ 63.85	$ 6.24
49	(1) 4 YARD & (2) 3 YARD X2	$ 798.54	$ 638.83	12.48%	$ 718.56	$ 159.71	4.22%	$ 166.46	$ 885.02	$ 86.48
50	[2] 2 YARD BINS	$ 180.62	$ 144.50	12.48%	$ 162.53	$ 36.12	4.22%	$ 37.65	$ 200.18	$ 19.56
51	(2) 2 CU YD BIN 2X WEEK	$ 336.55	$ 269.24	12.48%	$ 302.84	$ 67.31	4.22%	$ 70.15	$ 372.99	$ 36.44
60	[2] 3 YARD BINS - 2 X WEEK	$ 483.07	$ 386.46	12.48%	$ 434.69	$ 96.61	4.22%	$ 100.69	$ 535.38	$ 52.31
61	[2] 3 YARD BINS	$ 249.40	$ 199.52	12.48%	$ 224.42	$ 49.88	4.22%	$ 51.99	$ 276.41	$ 27.01
62	[2] 3 YDS & [1] 2 YDS - 2 X WEEK	$ 651.36	$ 521.09	12.48%	$ 586.12	$ 130.27	4.22%	$ 135.77	$ 721.89	$ 70.53
63	(2) 4YD BINS - 2 X WEEK	$ 630.95	$ 504.76	12.48%	$ 567.75	$ 126.19	4.22%	$ 131.52	$ 699.27	$ 68.32
64	[2] 4 YDS & [1] 2 YD - 2X WEEK	$ 799.24	$ 639.39	12.48%	$ 719.19	$ 159.85	4.22%	$ 166.60	$ 885.79	$ 86.55
65	[2] 3 YDS & [2] 4 YDS - 2 X WEEK	$ 1,114.05	$ 891.24	12.48%	$ 1,002.47	$ 222.81	4.22%	$ 232.22	$ 1,234.69	$ 120.64
66	(4)4YD BINS X2WK	$ 1,261.92	$ 1,009.54	12.48%	$ 1,135.53	$ 252.38	4.22%	$ 263.04	$ 1,398.57	$ 136.65
67	(4)3YD BINS X2WK	$ 966.16	$ 772.93	12.48%	$ 869.39	$ 193.23	4.22%	$ 201.39	$ 1,070.78	$ 104.62
68	(4) 3 CU YD BINS - 1 X WEEK	$ 483.08	$ 386.46	12.48%	$ 434.69	$ 96.62	4.22%	$ 100.70	$ 535.39	$ 52.31
69	6 YARD BIN - 2 X WEEK	$ 467.34	$ 373.87	12.48%	$ 420.53	$ 93.47	4.22%	$ 97.42	$ 517.95	$ 50.61
70	6 CU YD BIN X 1	$ 246.67	$ 197.34	12.48%	$ 221.97	$ 49.33	4.22%	$ 51.41	$ 273.38	$ 26.71
74	[2] 6 CU YD X 2	$ 934.65	$ 747.72	12.48%	$ 841.04	$ 186.93	4.22%	$ 194.83	$ 1,035.87	$ 101.22
75	[2] 4 CU YD X 1	$ 319.25	$ 255.40	12.48%	$ 287.27	$ 63.85	4.22%	$ 66.55	$ 353.82	$ 34.57
76	[1] 4 YD & [1] 3 YD - 2 X WEEK	$ 557.01	$ 445.61	12.48%	$ 501.22	$ 111.40	4.22%	$ 116.11	$ 617.33	$ 60.32
77	[1] 6 YD & [1] 4 YD - 2 X WEEK	$ 782.79	$ 626.23	12.48%	$ 704.38	$ 156.56	4.22%	$ 163.17	$ 867.55	$ 84.76
78	4YD/ 2X WK-SENIOR	$ 283.92	$ 227.14	12.48%	$ 255.49	$ 56.78	4.22%	$ 59.18	$ 314.67	$ 30.75
79	[3] 4 YARD BINS - 2 X WEEK	$ 946.43	$ 757.14	12.48%	$ 851.63	$ 189.29	4.22%	$ 197.29	$ 1,048.92	$ 102.49
80	[1] 6 YD & [1] 4 YD BIN	$ 406.31	$ 325.05	12.48%	$ 365.62	$ 81.26	4.22%	$ 84.69	$ 450.31	$ 44.00
81	[2] 4 YD & [2] 2 YD - 2 X WEEK	$ 967.53	$ 774.02	12.48%	$ 870.62	$ 193.51	4.22%	$ 201.69	$ 1,072.31	$ 104.78
82	(3)4YD & (1)2YD X2WK	$ 1,114.72	$ 891.78	12.48%	$ 1,003.07	$ 222.94	4.22%	$ 232.36	$ 1,235.43	$ 120.71
83	(2)2YD & (2)4YD X2WK	$ 967.53	$ 774.02	12.48%	$ 870.62	$ 193.51	4.22%	$ 201.69	$ 1,072.31	$ 104.78
84	(3)4YD & (1)2YD X2WK	$ 1,114.72	$ 891.78	12.48%	$ 1,003.07	$ 222.94	4.22%	$ 232.36	$ 1,235.43	$ 120.71
85	1 4 YD & 1/2 4 YD X 1	$ 239.45	$ 191.56	12.48%	$ 215.47	$ 47.89	4.22%	$ 49.91	$ 265.38	$ 25.93
86	(2) 2 YRD & (1) 4 YRD - X 2 WEEK	$ 652.04	$ 521.63	12.48%	$ 586.73	$ 130.41	4.22%	$ 135.92	$ 722.65	$ 70.61
87	(5) 4 YRD BINS - 2 X WEEK	$ 1,577.38	$ 1,261.90	12.48%	$ 1,419.39	$ 315.48	4.22%	$ 328.81	$ 1,748.20	$ 170.82
GBG00	NON-USER	$ -	$ -	12.48%	$ -	$ -	4.22%	$ -	$ -	$ -

CONSUMER PRICE INDEX FOR ALL URBAN CONSUMERS (CPI-U)
(not seasonally adjusted)

ALL ITEMS (1982-84=100)	U.S. City Average											
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Consumer Price Index												
2013	230.280	232.166	232.773	232.531	232.945	233.504	233.596	233.877	234.149	233.546	233.069	233.049
2014	233.916	234.781	236.293	237.072	237.900	238.343	238.250	237.852	238.031	237.433	236.151	234.812
2015	233.707	234.722	236.119	236.599	237.805	238.638	238.654	238.316	237.945	237.838	237.336	236.525
2016	236.916	237.111	238.132	239.261	240.229	241.018	240.628	240.849	241.428	241.729	241.353	241.432
2017	242.839	243.603	243.801	244.524	244.733	244.955	244.786	245.519	246.819	246.663	246.669	246.524
2018	247.867	248.991	249.554	250.546	251.588	251.989	252.006	252.146	252.439	252.885	252.038	251.233
2019	251.712	252.776	254.202	255.548	256.092	256.143	256.571	256.558	256.759	257.346	257.208	256.974
2020	257.971	258.678	258.115	256.389	256.394	257.797	259.101	259.918	260.280	260.388	260.229	260.474
2021	261.582	263.014	264.877	267.054	269.195	271.696	273.003	273.567	274.310	276.589	277.948	278.802
2022	281.148	283.716	287.504	289.109	292.296	296.311	296.276	296.171	296.808	298.012	297.711	296.797
2023	299.170	300.840	301.836	303.363	304.127	305.109	305.691	307.026	307.789	307.671	307.051	306.746