2019 LEGISLATIVE HISTORY

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MINUTES

City of Modesto

ECONOMIC DEVELOPMENT COMMITTE / COUNCIL WORKSHOP

Second Floor, Rom 2008
Tenth Street Place, 1010 10th Street
Modesto, California

Monday, January 7, 2019, at 5:00 p.m.

Roll Call: Present: Councilmembers Zoslocki, Ridenour (alternate), and Madrigal (arrived at 5:02 p.m.)
Absent: Mayor Brandvold
Also Present: Councilmember Kenoyer

PUBLIC COMMENTS

None.

CONSENT

Consent

1. Consider approving the rebranding of the Modesto Area Dial-A-Ride service and forwarding to Council for approval. (Funding Source: Transit Funds)

   Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Motion (Kenoyer/Ridenour; 3/0) approving the rebranding of the Modesto Area

Dial-A-Ride service and forwarding to Council for approval.

Consent

2. Consider approving the submission of a funding request to the Stanislaus Council of Governments for a new Modesto Area Express route, using $537,600 in Measure L funds, and forwarding to Council for approval. (Funding Source: Transit Funds)

   Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Motion (Kenoyer/Ridenour; 3/0) approving the submission of a funding request to the Stanislaus Council of Governments for a new Modesto Area Express route, using $537,600 in Measure L funds, and forwarding to Council for approval.

Consent

3. Consider rejecting all bids received for Request for Bid No. 1819-08 for LED Information Signs, authorizing staff to reissue the RFB at a future date, and forwarding to Council for approval. (Funding Source: Transit Funds)

   Public Works; Steve Fischio, 342-2222, sfischio@modestogov.com

ACTION: Motion (Kenoyer/Ridenour; 3/0) rejecting all bids received for Request for Bid No. 1819-08 for LED Information Signs, authorizing staff to reissue the RFB at a future date, and forwarding to Council for approval.

Consent

4. Consider approving a Professional Services Agreement with George Osner, AICP, San Anselmo, CA, for On-Call Environmental Planning Support Services for an annual cost not to exceed $45,000, with two one-year extension options, at the City's discretion, for a total amount not to exceed $135,000 and forwarding to Council for approval. (Funding Source: Various Capital Improvement Program Projects)

   Utilities; Jim Alves, 571-5557, jalves@modestogov.com

ACTION: Motion (Kenoyer/Ridenour; 3/0) approving a Professional Services Agreement with George Osner, AICP, San Anselmo, CA, for On-Call Environmental Planning Support Services for an annual cost not to exceed $45,000, with two one-year extension options, at the City's discretion, for a total amount not to exceed $135,000 and forwarding to Council for approval.

Councilmember Madrigal arrived at 5:02 p.m.

NEW BUSINESS

5. Consider approving the Second Amendment increasing the Agreement amount with Aaronson Management Group, Inc. (DBA StoryPowered), for Phase II work on the Convention and Visitor's Bureau transition to an independent agency by $50,000 from $102,000 to a new total amount of $152,000, and extending the term of the Agreement from January 31, 2019 to June 30, 2019, and forwarding to Council for approval. (Funding Source: Transient Occupancy Tax)

   Parks, Recreation & Neighborhoods; Laurie Smith, 577-5347, lsmith@modestogov.com

ACTION: Motion (Madrigal/Ridenour; 3/0) approving the Second Amendment increasing the Agreement amount with Aaronson Management Group, Inc. (DBA StoryPowered), for Phase II work on the Convention and Visitor's Bureau transition to an independent agency by $50,000 from $102,000 to a new total amount of $152,000, and extending the term of the Agreement from January 31, 2019 to June 30, 2019, and forwarding to Council for approval.

6. Consider approving a mid-year rate adjustment to the Maximum Rate Schedule for City Solid Waste Collection Services for an increase of $1.40 per month for residential services, $2.38 per cubic yard per month for commercial services, and $22.79 per pull for industrial services to become effective January 1, 2019, and rescinding Resolution No. 2018-475, and forwarding to Council for approval. (Funding Source: Solid Waste Fund, Geer Road Landfill Fund)

   Public Works; Karin Neep, 577-5453, kneep@modestogov.com

ACTION: Motion (Ridenour/Madrigal; 3/0) approving a mid-year rate adjustment to the Maximum Rate Schedule for City Solid Waste Collection Services for an increase of $1.40 per month for residential services, $2.38 per cubic yard per month for commercial services, and $22.79 per pull for industrial services to become effective January 1, 2019, and rescinding Resolution No. 2018-475, and forwarding to Council for approval.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 5:47 p.m.

Attest:_____
Joseph Lopez, City Manager

MINUTES

City of Modesto

SAFETY AND COMMUNITIES COMMITTEE / COUNCIL WORKSHOP

Second Floor, Room 2005
Tenth Street Place, 1010 10th Street
Modesto, California

Monday, January 14, 2019, at 5:00 p.m.

Roll Call – Present: Councilmembers Ah You, Ridenour, Kenoyer
Absent: None

PUBLIC COMMENTS

None.

CONSENT

None.

NEW BUSINESS

1. Consider an informational report concerning a Professional Services Agreement for a Fire Regionalization Study. (Funding Source: Not Applicable)

   Fire; Alan Ernst, 572-9590, aernst@modestofire.com

ACTION: No reportable action.

2. Consider approving a City contribution plan for The Awesome Spot Playground (TASP) and amending the Fiscal Year 2018-2019 Capital Improvement Program Budget in an amount not to exceed $92,000 and forwarding to Council for approval. (Funding Source: General Fund / Awesome Spot CIP project 100984)

   Parks, Recreation & Neighborhoods; Nathan Houx, 571-5526, nhoux@modestogov.com

ACTION: Motion (Ridenour/Kenoyer; 3/0) approving a City contribution plan for The Awesome Spot Playground (TASP) and amending the Fiscal Year 2018-2019 Capital

Improvement Program Budget in an amount not to exceed $92,000 and forwarding to Council for approval.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 5:30 p.m.

Attest:_____
Joseph Lopez, City Manager

MINUTES
City of Modesto
SPECIAL AUDIT COMMITTEE / COUNCIL WORKSHOP
Second Floor, Room 2005
Tenth Street Place, 1010 10th Street
Modesto, California
Thursday, January 17, 2019, at 3:00 p.m.

Roll Call Present: Councilmembers Grewal, Ridenour, and Kenoyer (alternate)
Absent: None
Also Present: Mayor Brandvold

PUBLIC COMMENTS

None.

CONSENT

None.

NEW BUSINESS

1. Consider approving the Auditors' Reports and Schedule of Passenger Facility Charge Revenues and Expenditures for Fiscal Year Ended June 30, 2018, and forwarding to Council for approval. (Funding Source: Not Applicable)
   Finance; Julie Huang, 571-5574, jhuang@modestogov.com

ACTION: Motion (Kenoyer/Grewal; 3/0) approving the Auditors' Reports and Schedule of Passenger Facility Charge Revenues and Expenditures for Fiscal Year Ended June 30, 2018, and forwarding to Council for approval.

2. Consider approving the Fiscal Year 2017-18 Single Audit Reports for the City of Modesto from external auditors Hudson Henderson & Company, Inc. and forwarding to Council for approval. (Funding Source: Not Applicable)
   Finance; Julie Huang, 571-5574, jhuang@modestogov.com

ACTION: Motion (Kenoyer/Grewal; 3/0) approving the Fiscal Year 2017-18 Single Audit Reports for the City of Modesto from external auditors Hudson Henderson & Company, Inc. and forwarding to Council for approval.

3. Consider approving the audited financial statements and various audit reports for Fiscal Year 2017-2018 audited by external auditors Hudson Henderson & Company, Inc. for the City's Comprehensive Annual Financial Report, eleven Community Facilities Districts, and various Joint Powers Agencies and forwarding to Council for approval. (Funding Source: Not Applicable)

Finance; Julie Huang, 571-5574, jhuang@modestogov.com

ACTION: Motion (Kenoyer/Grewal; 3/0) approving the audited financial statements and various audit reports for Fiscal Year 2017-2018 audited by external auditors Hudson Henderson & Company, Inc. for the City's Comprehensive Annual Financial Report, eleven Community Facilities Districts, and various Joint Powers Agencies and forwarding to Council for approval.

4. Consider accepting the City of Modesto Finance Policies that will facilitate the Finance Department to provide other departments with guidance on accounting and financial issues, and forwarding to Council for approval. (Funding Source: Not Applicable)
Finance; Julie Huang, 571-5574, jhuang@modestogov.com

ACTION: Motion (Grewal/Kenoyer; 3/0) accepting the City of Modesto Finance Policies that will facilitate the Finance Department to provide other departments with guidance on accounting and financial issues, and forwarding to Council for approval.

5. Consider approving a Permitting Efficiency Study Final Report, dated January 9, 2019, prepared by Moss Adams LLP, and forwarding to Council for approval. (Funding Source: General Fund)
Auditor; Mark Steranka, (206) 302-6409, mark.steranka@mossadams.com

ACTION: Motion (Grewal/Kenoyer; 3/0) approving a Permitting Efficiency Study Final Report, dated January 9, 2019, prepared by Moss Adams LLP, and forwarding to Council for approval.

Councilmember Grewal left meeting at 3:55 p.m.

6. Consider approving a Fleet Utilization Study Final Report, dated November 5, 2018, prepared by Moss Adams LLP, and forwarding to Council for approval. (Funding Source: Fleet Funds)
Auditor; Mark Steranka, (206) 302-6409, mark.steranka@mossadams.com

ACTION: Motion (Kenoyer/Ridenour; 2/0; Grewal absent) approving a Fleet Utilization Study Final Report, dated November 5, 2018, prepared by Moss Adams LLP, and forwarding to Council for approval.

7. Consider approving a Billing and Accounts Receivable Review Final Report, dated July 12, 2018, prepared by Moss Adams LLP, and forwarding to Council for approval. (Funding Source: Various Funds)
Auditor; Mark Steranka, (206) 302-6409, mark.steranka@mossadams.com

ACTION: Motion (Kenoyer/Ridenour; 2/0; Grewal absent) approving a Billing and Accounts Receivable Review Final Report, dated July 12, 2018, prepared by Moss Adams LLP, and forwarding to Council for approval.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 4:10 p.m.

Attest: _____
Stephanie Lopez, City Clerk

MINUTES

City of Modesto

CITY COUNCIL MEETING

Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday January 22, 2019, at 5:30 p.m.

Roll Call – Present: Councilmembers Ah You, Grewal, Kenoyer, Madrigal, Ridenour, Zoslocki, Mayor Brandvold
Absent: None

Pledge of Allegiance to the Flag

Invocation: Chuck Adams, Optimal Hospice

City Clerk's Announcements: Item 14 - Removed from Consent

Declaration of Conflicts of Interest: Councilmember Grewal - Item 14

Reports from Closed Session: City Attorney Lindgren reported on Closed Session matters

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation of the National Night Out plaque from the National Association of Town Watch for the City of Modesto placing 1st in California and 5th in the nation for cities of its size. (Funding Source: Not Applicable)
   Police; Galen Carroll, 572-9502, carrollg@modestopd.com

ACTION: Chief Carroll and Modesto Police Department staff presented the National Night Out plaque from the National Association of Town Watch for the City of Modesto placing 1st in California and 5th in the nation for cities of its size.

PUBLIC COMMENT PERIOD

- Maggie Countryman spoke regarding Board of Zoning Adjustment hearings, the Chief Building Official and monies owed to her.
- Keenon Krick, United Cerebral Palsy, spoke regarding the bus bench franchise.
- David Boring spoke in support of United Cerebral Palsy and the bus bench franchise.
- Rhonda Allen spoke in support of United Cerebral Palsy and the bus bench franchise.

- Judy Church spoke in support of United Cerebral Palsy and the bus bench franchise.
- Michelle Allen spoke in support of United Cerebral Palsy and the bus bench franchise.
- Michael Wright spoke in support of United Cerebral Palsy and the bus bench franchise.
- Carmen Sabatino announced his radio show location, dates and times; he also spoke regarding future items to be featured on his radio show.
- Loretta Carhart spoke in support of United Cerebral Palsy; she also spoke regarding Sears.
- Cecil Russell spoke in support of United Cerebral Palsy.
- Wendy Heath spoke regarding the need for improvements at properties on 3rd and I Street and also 7th Street; she was referred to Chief Ernst.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED
ACTION CONSENT ITEMS 2-13; 15-29: (Kenoyer/Grewal; 7/0)

CONSENT ITEMS

An item may be removed from consent and discussed at the request of an audience member or Councilmember.

Consent
2. Consider approving the minutes from the December 11, 2018 Council Meeting and December 19, 2018 Special Council meeting. (Funding Source: Not Applicable)
   - Motion approving the minutes from the December 11, 2018 Council Meeting and December 19, 2018 Special Council Meeting.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Grewal; 7/0) approving the minutes from the December 11, 2018 Council Meeting and December 19, 2018 Special Council Meeting.

Consent
3. Consider approving the First Amendment increasing the Agreement amount with Dokken Engineering, for professional design services for the State Route 132 West Freeway/Expressway - Phase 1 Project by $344,096 from $7,000,000 to a total amount of $7,344,096; and amending the Fiscal Year 2018-2019 Capital Improvement Program (CIP) Budget, project #100614, in the amount of $344,096 for the Project. (Funding Source: Streets Capital Facility Fees (CFF), Regional Measure L Funds)
   - Resolution approving the First Amendment increasing the Agreement amount with Dokken Engineering, for professional design services for the State Route 132 West

Freeway/Expressway - Phase 1 Project by $344,096 from $7,000,000 to a total amount of $7,344,096, and authorizing the City Manager, or his designee, to execute the First Amendment.

- Resolution amending the Fiscal Year 2018-2019 Capital Improvement Program (CIP) Budget, project #100614 in the amount of $344,096 for the State Route 132 West Freeway/Expressway - Phase 1 Project and appropriation of funds from the Streets Capital Facility Fees fund reserves, and authorizing the City Manager, or his designee to implement the provisions of this resolution.

Community & Economic Development; Vickey Dion, 571-5542, vdion@modestogov.com

ACTION: Resolution 2019-01 (Kenoyer/Grewal; 7/0) approving the First Amendment increasing the Agreement amount with Dokken Engineering, for professional design services for the State Route 132 West Freeway/Expressway - Phase 1 Project by $344,096 from $7,000,000 to a total amount of $7,344,096, and authorizing the City Manager, or his designee, to execute the First Amendment.

ACTION: Resolution 2019-02 (Kenoyer/Grewal; 7/0) amending the Fiscal Year 2018-2019 Capital Improvement Program (CIP) Budget, project #100614 in the amount of $344,096 for the State Route 132 West Freeway/Expressway - Phase 1 Project and appropriation of funds from the Streets Capital Facility Fees fund reserves, and authorizing the City Manager, or his designee to implement the provisions of this resolution.

Consent

4. Consider approving a Will Serve Letter and Outside Service Agreement for sewer connection for the property located at 212 Crater Avenue in Modesto (APN: 038-026-008). (Funding Source: Sewer Fund)

   - Resolution approving a Will Serve Letter and Outside Service Agreement between the City of Modesto and Alvernaz Investments, LLC, a California limited liability company to connect to the City of Modesto's existing sewer system for the property located at 212 Crater Avenue (APN: 038-026-008), and authorizing the City Manager, or his designee, to sign the Will Serve Letter and execute the Outside Service Agreement.

   Community & Economic Development; Vickey Dion, 571-5542, vdion@modestogov.com

ACTION: Resolution 2019-03 (Kenoyer/Grewal; 7/0) approving a Will Serve Letter and Outside Service Agreement between the City of Modesto and Alvernaz Investments, LLC, a California limited liability company to connect to the City of Modesto's existing sewer system for the property located at 212 Crater Avenue (APN: 038-026-008), and authorizing the City Manager, or his designee, to sign the Will Serve Letter and execute the Outside Service Agreement.

Consent

5. Consider an Ordinance amending Chapter 10, "Modesto Landmark Preservation," of Title 9, Building Regulations, of the Modesto Municipal Code (minor administrative amendments). (Funding Source: General Fund)

- Motion introducing and waiving the first reading of an Ordinance amending Chapter 9-10 of the Modesto Municipal Code, entitled "Modesto Landmark Preservation."

Community & Economic Development; Cindy van Empel, 577-5267, cvanempel@modestogov.com

ACTION: Motion (Kenoyer/Grewal; 7/0) introducing and waiving the first reading of **Ordinance No. 3691-C.S.** amending Chapter 9-10 of the Modesto Municipal Code, entitled "Modesto Landmark Preservation."

Consent

6. Consider amending Section 6 of the Housing and Urban Development Policies and Procedures Manual to address loan modification requests under the Homeowner Rehabilitation Program. (Funding Source: Community Development Block Grant)
   - Resolution amending Section 6 of the Housing and Urban Development Policies & Procedures Manual.

   Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Resolution 2019-04 (Kenoyer/Grewal; 7/0) amending Section 6 of the Housing and Urban Development Policies & Procedures Manual.

Consent

7. Consider approving the recommended budget adjustments to Fiscal Year 2018-19 Annual Operating and Capital Improvement Program Budget. (Funding Source: Fire Department Unrestricted Non-Capital Projects)
   - Resolution amending Fiscal Year 2018-19 Annual Operating and Capital Improvement Project Fund Budgets.

   Finance; Kaceey Culbertson, 577-5479, kculbertson@modestogov.com

ACTION: Resolution 2019-05 (Kenoyer/Grewal; 7/0) amending Fiscal Year 2018-19 Annual Operating and Capital Improvement Project Fund Budgets.

Consent

8. Consider accepting an informational report on the September and October 2018 grant applications and awards. (Funding Source: Not Applicable)
   - Motion accepting an informational report for the September and October 2018 grant application and awards.

   Finance; Julie Huang, 571-5574, jhuang@modestogov.com

ACTION: Motion (Kenoyer/Grewal; 7/0) accepting an informational report for the September and October 2018 grant application and awards.

Consent

9. Consider accepting an informational report for the November 2018 Accounts Payable Payment Register and Void report. (Funding Source: Not Applicable)

- Motion accepting an informational report for the November 2018 Accounts Payable Payment Register and Void report.

Finance; Ryan Blackerby, 577-5219, rblackerby@modestogov.com

ACTION: Motion (Kenoyer/Grewal; 7/0) accepting an informational report for the November 2018 Accounts Payable Payment Register and Void report.

Consent

10. Consider accepting the Monthly Investment Report for October 2018. (Funding Source: Various Funds)
    - Motion accepting the Monthly Investment Report for October, 2018.

    Finance; Ryan Blackerby, 577-5219, rblackerby@modestogov.com

ACTION: Motion (Kenoyer/Grewal; 7/0) accepting the Monthly Investment Report for October, 2018.

Consent

11. Consider approving an Agreement with ZOLL Data Systems, Inc. for hosted server services for both ePCR and FireRMS records management and reporting software in an annual amount of $42,780, and a one-time startup fee for professional services and training in the amount of $12,000, for a total three-year Agreement not to exceed $140,340. (Funding Source: General Fund)
    - Resolution approving an Agreement with ZOLL Data Systems, Inc. for hosted server services for both ePCR and FireRMS records management and reporting software in an annual amount of $42,780, and a one-time startup fee for professional services and training in the amount of $12,000, for a total three-year Agreement not to exceed $140,340 and authorizing the City Manager, or his designee, to execute the Agreement.

    Fire; Tim Tietjen, 572-9869, ttietjen@modestofire.com

ACTION: Resolution 2019-06 (Kenoyer/Grewal; 7/0) approving an Agreement with ZOLL Data Systems, Inc. for hosted server services for both ePCR and FireRMS records management and reporting software in an annual amount of $42,780, and a one-time startup fee for professional services and training in the amount of $12,000, for a total three-year Agreement not to exceed $140,340 and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

12. Consider approving the award of proposal and Agreement for Citywide regulatory safety training and consultation to York Risk Services Group, Inc, Sacramento, California, for a two year Agreement with three one-year extension options, for an annual cost not to exceed $85,120 and a total amount not to exceed $425,600 over five years. (Funding Source: Various Funds)
    - Resolution approving the award of proposal and Agreement for Citywide regulatory safety training and consultation to York Risk Services Group, Inc. a New York Company, Sacramento, California, for a two year Agreement with three

one-year extension options, for an annual cost not to exceed $85,120 and a total amount not to exceed $425,600 over five years; and authorizing the City Manager, or his designee, to execute the Agreement.

Human Resources; Cathy Talongwa, 577-5446, ctalongwa@modestogov.com

ACTION: Resolution 2019-07 (Kenoyer/Grewal; 7/0) approving the award of proposal and Agreement for Citywide regulatory safety training and consultation to York Risk Services Group, Inc. a New York Company, Sacramento, California, for a two year Agreement with three one-year extension options, for an annual cost not to exceed $85,120 and a total amount not to exceed $425,600 over five years; and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

13. Consider approving the submission of the City's Local Transportation Funds Fiscal Year 2018-2019 Claim for Non-motorized Purposes (bike lanes and pedestrian pathways) in the amount of $187,909 to the Stanislaus Council of Governments and amending the Fiscal Year 2018-2019 Capital Improvement Program Budget in an amount not to exceed $187,909. (Funding Source: Local Transportation Funds)
    - Resolution approving the submission of the City's Local Transportation Funds Fiscal Year 2018-2019 Claim for Non-motorized Purposes (bike lanes and pedestrian pathways) in the amount of $187,909 to the Stanislaus Council of Governments (STANCOG).
    - Resolution amending the Fiscal Year 2018-2019 Capital Improvement Project budget to fund various program budgets in an amount not to exceed $187,909 in revenue and to budget expenditures as outlined in Attachment A to fund the project, and authorizing the City Manager, or his designee, to implement the provisions of this Resolution.

    Parks, Recreation & Neighborhoods; Nathan Houx, 571-5526, nhoux@modestogov.com

ACTION: Resolution 2019-08 (Kenoyer/Grewal; 7/0) approving the submission of the City's Local Transportation Funds Fiscal Year 2018-2019 Claim for Non-motorized Purposes (bike lanes and pedestrian pathways) in the amount of $187,909 to the Stanislaus Council of Governments (STANCOG).

ACTION: Resolution 2019-09 (Kenoyer/Grewal; 7/0) amending the Fiscal Year 2018-2019 Capital Improvement Project budget to fund various program budgets in an amount not to exceed $187,909 in revenue and to budget expenditures as outlined in Attachment A to fund the project, and authorizing the City Manager, or his designee, to implement the provisions of this Resolution.

Removed from Consent; Councilmember Grewal absent due to Conflict of Interest

14. Consider approving the Second Amendment increasing the Agreement amount with Aaronson Management Group, Inc. (DBA StoryPowered), for Phase II work on the Convention and Visitor's Bureau transition to an independent agency by $50,000 from $102,000 to a new total amount of $152,000, and extending the term of the Agreement from January 31, 2019 to June 30, 2019. (Funding Source: Transient Occupancy Tax)

- Resolution approving the Second Amendment increasing the Agreement amount with Aaronson Management Group, Inc. (DBA StoryPowered), for Phase II work on the Convention and Visitor's Bureau transition to an independent agency by $50,000 from $102,000 to a new total amount of $152,000, extending the term of the Agreement from January 31, 2019 to June 30, 2019, and authorizing the City Manager, or his designee, to execute the Amendment.

Parks, Recreation & Neighborhoods; Laurie Smith, 577-5347, lsmith@modestogov.com

ACTION: Resolution 2019-10 (Ridenour/Madrigal; 6/0; Grewal absent due to conflict of interest) approving the Second Amendment increasing the Agreement amount with Aaronson Management Group, Inc. (DBA StoryPowered), for Phase II work on the Convention and Visitor's Bureau transition to an independent agency by $50,000 from $102,000 to a new total amount of $152,000, extending the term of the Agreement from January 31, 2019 to June 30, 2019, and authorizing the City Manager, or his designee, to execute the Amendment.

Consent

15. Consider approving the submittal of an application for the 2020 Office of Traffic Safety Selective Traffic Enforcement Program (STEP) Grant in the amount of $652,500. (Funding Source: Not Applicable)
    - Resolution approving the submittal of an application for the 2020 Office of Traffic Safety Selective Traffic Enforcement Program (STEP) Grant in the amount of $652,500, and authorizing the City Manager, or his designee, to execute the necessary documents.

    Police; Galen Carroll, 572-9501, carrollg@modestopd. com

ACTION: Resolution 2019-11 (Kenoyer/Grewal; 7/0) approving the submittal of an application for the 2020 Office of Traffic Safety Selective Traffic Enforcement Program (STEP) Grant in the amount of $652,500, and authorizing the City Manager, or his designee, to execute the necessary documents.

Consent

16. Consider accepting the Congestion Mitigation and Air Quality Grant funds in the amount of $1,059,998 to upgrade the City of Modesto's Automated Traffic Management and Traffic Signal Systems equipment and communications; and amending the Fiscal Year 2018-2019 Capital Improvement Program Budget in the amount of $919,996. (Funding Source: Congestion Mitigation and Air Quality Grant)
    - Resolution accepting the Congestion Mitigation and Air Quality (CMAQ) Grant award in the amount of $1,059,998 to upgrade the City of Modesto's Automated Traffic Management and Traffic Signal Systems equipment and communications software, and authorizing the City Manager, or his designee, to execute the necessary documents.
    - Resolution amending the Fiscal Year 2018-2019 Capital Improvement Program Budget, Project #100970 in the amount of $919,996, to upgrade the City of Modesto's Automated Traffic Management and Traffic Signal Systems equipment and communications software and authorizing the City Manager, or his designee, to

implement the provisions of this resolution.
Public Works; Mark Murphy, 577-5214, mmurphy@modestogov.com

ACTION: Resolution 2019-12 (Kenoyer/Grewal; 7/0) accepting the Congestion Mitigation and Air Quality (CMAQ) Grant award in the amount of $1,059,998 to upgrade the City of Modesto's Automated Traffic Management and Traffic Signal Systems equipment and communications software, and authorizing the City Manager, or his designee, to execute the necessary documents.

ACTION: Resolution 2019-13 (Kenoyer/Grewal; 7/0) amending the Fiscal Year 2018-2019 Capital Improvement Program Budget, Project #100970 in the amount of $919,996, to upgrade the City of Modesto's Automated Traffic Management and Traffic Signal Systems equipment and communications software and authorizing the City Manager, or his designee, to implement the provisions of this resolution.

Consent

17. Consider approving the plans and specifications, accepting the bid, and approving a construction contract with Tim Paxin's Pacific Excavation, Inc. of Elk Grove, CA for the project titled, "Upgrade Traffic Signals 2015" located at the intersections of Paradise Rd. and Martin Luther King Dr., Dale Rd. and Veneman Ave., and Kansas Ave. and North Emerald Ave., in the amount of $518,561, plus $52,000, if needed, for an Agreement total not to exceed $570,561; and amending the Fiscal Year 2018-2019 Capital Improvement Program Budget in the amount of $144,061 for Project #100939 – Upgrade Traffic Signals 2015. (Funding Source: Highway Safety Improvement Program Cycle 6 Grant, Surface Transportation Fund)
    - Resolution approving the plans and specifications, accepting the bid, and approving a construction contract with Tim Paxin's Pacific Excavation, Inc. of Elk Grove, CA, for the project titled, "Upgrade Traffic Signals 2015", in the amount of $518,561, plus $52,000 for additional services, if needed, for an Agreement total not to exceed $570,561, and authorizing the City Manager, or his designee, to execute the Agreement.
    - Resolution amending the Fiscal Year 2018-2019 Capital Improvement Program Budget in the amount of $144,061 for Project #100939 – Upgrade Traffic Signals 2015, and establishing a transfer from Surface Transportation Fund (STF) to the project, and authorizing the City Manager, or his designee, to implement the provisions of this resolution.

    Public Works; Mark Murphy, 577-5214, mmurphy@modestogov.com

ACTION: Resolution 2019-14 (Kenoyer/Grewal; 7/0) approving the plans and specifications, accepting the bid, and approving a construction contract with Tim Paxin's Pacific Excavation, Inc. of Elk Grove, CA, for the project titled, "Upgrade Traffic Signals 2015", in the amount of $518,561, plus $52,000 for additional services, if needed, for an Agreement total not to exceed $570,561, and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: Resolution 2019-15 (Kenoyer/Grewal; 7/0) amending the Fiscal Year 2018-2019 Capital Improvement Program Budget in the amount of $144,061 for Project #100939 –

Upgrade Traffic Signals 2015, and establishing a transfer from Surface Transportation Fund (STF) to the project, and authorizing the City Manager, or his designee, to implement the provisions of this resolution.

Consent

18. Consider approving an Agreement with Iteris, Santa Ana, CA, for the Traffic Signal System Engineering Services project in the amount of $218,378 for the identified scope of services, plus $31,622 for additional services (if needed), for an Agreement total not to exceed $250,000. (Funding Source: Measure L Funds)
    - Resolution approving an Agreement with Iteris, Santa Ana, CA, for the Traffic Signal System Engineering Services project in the amount of $218,378 for the identified scope of services, plus $31,622 for additional services (if needed), for an Agreement total not to exceed $250,000, and authorizing the City Manager, or his designee, to execute the Agreement.

    Public Works; Mark Murphy, 577-5214, mmurphy@modestogov.com

ACTION: Resolution 2019-16 (Kenoyer/Grewal; 7/0) approving an Agreement with Iteris, Santa Ana, CA, for the Traffic Signal System Engineering Services project in the amount of $218,378 for the identified scope of services, plus $31,622 for additional services (if needed), for an Agreement total not to exceed $250,000, and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

19. Consider accepting grant awards for Federal Transit Administration Section 5307 transit funds in the amount of $5,257,527 and Federal Transit Administration Section 5339 transit funds in the amount of $1,014,188; and approving a budget adjustment in the amount of $1,014,188 to fund the rehabilitation of the downtown Transit Center. (Funding Source: Federal Transit Administration Section 5307 and Section 5339)
    - Resolution accepting grant awards for Federal Transit Administration Section 5307 transit funds in the amount of $5,257,527 and Federal Transit Administration Section 5339 transit funds in the amount of $1,014,188, and authorizing the City Manager, or his designee, to execute the grant documents.
    - Resolution amending the Capital budget for the Fiscal Year 2018-19 to adjust the Capital Project 101095 – Facilities Improvements TC Phase 1 budget in the amount of $1,014,188 to fund the construction work for the rehabilitation of the Downtown Transit Center.

    Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Resolution 2019-17 (Kenoyer/Grewal; 7/0) accepting grant awards for Federal Transit Administration Section 5307 transit funds in the amount of $5,257,527 and Federal Transit Administration Section 5339 transit funds in the amount of $1,014,188, and authorizing the City Manager, or his designee, to execute the grant documents.

ACTION: Resolution 2019-18 (Kenoyer/Grewal; 7/0) amending the Capital budget for the Fiscal Year 2018-19 to adjust the Capital Project 101095 – Facilities Improvements TC Phase 1 budget in the amount of $1,014,188 to fund the construction work for the rehabilitation of the Downtown Transit Center.

Consent

20. Consider accepting the award for the State of Good Repair funds in the amount of $32,364 to rehabilitate the Downtown Transit Center, and approving a budget adjustment in the amount of $32,364 to Fiscal Year 2018-2019 Capital Budget. (Funding Source: Senate Bill 1)
    - Resolution accepting the award for the State of Good Repair funds in the amount of $32,364 to rehabilitate the Downtown Transit Center, and authorizing the City Manager, or his designee, to execute the grant documents.
    - Resolution amending the Capital budget for Fiscal Year 2018-19 in the amount of $32,364 to Capital Improvement project 101095-Facilities Improv TC Phase 1, to fund the construction work for the rehabilitation of the downtown Transit Center.

    Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Resolution 2019-19 (Kenoyer/Grewal; 7/0) accepting the award for the State of Good Repair funds in the amount of $32,364 to rehabilitate the Downtown Transit Center, and authorizing the City Manager, or his designee, to execute the grant documents.

ACTION: Resolution 2019-20 (Kenoyer/Grewal; 7/0) amending the Capital budget for Fiscal Year 2018-19 in the amount of $32,364 to Capital Improvement project 101095-Facilities Improv TC Phase 1, to fund the construction work for the rehabilitation of the downtown Transit Center.

Consent

21. Consider approving a Purchasing Agreement with MSC Industrial Supply Co. Inc., Melville, NY, by utilizing the competitive bid process with NASPO ValuePoint, for the purchase and maintenance of bin stock items for a two-year Agreement with three one-year extension options, for an annual cost not to exceed $110,000, and a total amount not to exceed $550,000 over five years. (Funding Source: Fleet & Wastewater Funds)
    - Resolution approving a Purchasing Agreement with MSC Industrial Supply Co., Inc., by utilizing the competitive bid process with NASPO ValuePoint for the purchase and maintenance of bin stock items for a two-year Agreement with three one-year extension options, for an annual cost not to exceed $110,000, and a total amount not to exceed $550,000 over five years, and authorizing the Purchasing Manager, or her designee to issue the Purchasing Agreement.

    Public Works; Steve Fischio, 342-2222, sfischio@modestogov.com

ACTION: Resolution 2019-21 (Kenoyer/Grewal; 7/0) approving a Purchasing Agreement with MSC Industrial Supply Co., Inc., by utilizing the competitive bid process with NASPO ValuePoint for the purchase and maintenance of bin stock items for a two-year Agreement with three one-year extension options, for an annual cost not to exceed $110,000, and a total amount not to exceed $550,000 over five years, and authorizing the Purchasing Manager, or her designee to issue the Purchasing Agreement.

Consent

22. Consider approving an Agreement with West Yost Associates, Pleasanton, CA, for engineering design services for the Sutter Plant Parking and Entrance Project in the

amount of $479,813, plus $47,981 for additional services, if needed, for an Agreement total of $527,794. (Funding Source: Wastewater Fund)

- Resolution approving an Agreement with West Yost Associates, Pleasanton, CA for engineering design services for the Sutter Plant Parking and Entrance Project in the amount of $479,813, plus $47,981 for additional services, if needed, for an Agreement total of $527,794, and authorizing the City Manager, or his designee, to execute the Agreement.

Utilities; Peter Kambel, 577-5444, pkambel@modestogov.com

ACTION: Resolution 2019-22 (Kenoyer/Grewal; 7/0) approving an Agreement with West Yost Associates, Pleasanton, CA for engineering design services for the Sutter Plant Parking and Entrance Project in the amount of $479,813, plus $47,981 for additional services, if needed, for an Agreement total of $527,794, and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

23. Consider approving On-Call Environmental Site Assessment Services Agreements for acquisition of real property for City capital improvement projects with ATC Group Services and Ground Zero Analysis, Inc., in an annual amount not to exceed $45,000, with two one-year extension options per Agreement, and a total not to exceed of $135,000. (Funding Source: Various Capital Improvement Program Projects)

    - Resolution approving an Agreement with ATC Group Services, for On-Call Environmental Site Assessment Services for one year, with two one-year extension options, at the sole discretion of the City, in an amount not to exceed $45,000 per year, for a total not to exceed amount of $135,000 and authorizing the City Manager, or his designee, to execute the Agreement.
    - Resolution approving an Agreement with Ground Zero Analysis, Inc., for On-Call Environmental Site Assessment Services for one year, with two one-year extension options, at the sole discretion of the City, in an amount not to exceed $45,000 per year, for a total not to exceed amount of $135,000 and authorizing the City Manager, or his designee, to execute the Agreement.

    Utilities; Jim Alves, 571-5557, jalves@modestogov.com

ACTION: Resolution 2019-23 (Kenoyer/Grewal; 7/0) approving an Agreement with ATC Group Services, for On-Call Environmental Site Assessment Services for one year, with two one-year extension options, at the sole discretion of the City, in an amount not to exceed $45,000 per year, for a total not to exceed amount of $135,000 and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: Resolution 2019-24 (Kenoyer/Grewal; 7/0) approving an Agreement with Ground Zero Analysis, Inc., for On-Call Environmental Site Assessment Services for one year, with two one-year extension options, at the sole discretion of the City, in an amount not to exceed $45,000 per year, for a total not to exceed amount of $135,000 and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

24. Consider approving an Amendment to the Purchasing Agreement with Subsite, LLC,

Petaluma, CA, for a Closed Circuit Television (CCTV) equipment retrofit by $10,268, from $127,040 to $137,308. (Funding Source: Wastewater Fund)

- Resolution approving an Amendment to the Purchasing Agreement with Subsite, LLC, Petaluma, CA, for a Closed Circuit Television (CCTV) equipment retrofit by $10,268, from $127,040 to $137,308, and authorizing the Purchasing Manager, or her designee, to issue an amended Purchasing Agreement.

Utilities; Robert Englent, 577-6222, renglent@modestogov.com

ACTION: Resolution 2019-25 (Kenoyer/Grewal; 7/0) approving an Amendment to the Purchasing Agreement with Subsite, LLC, Petaluma, CA, for a Closed Circuit Television (CCTV) equipment retrofit by $10,268, from $127,040 to $137,308, and authorizing the Purchasing Manager, or her designee, to issue an amended Purchasing Agreement.

Consent

25. Consider approving the plans and specifications, accepting the bid and awarding a contract to Roadrunner Drilling & Pump Company, Inc. of Woodland CA, for the Well 71 (Replacing Well 226) Project, in the amount of $629,609; and amending the Fiscal Year 2018-19 Capital Improvement Program Budget in the amount of $134,067; and authorizing an increase in the Director's Authority from 10 percent ($62,961) to 25 percent ($157,402) to issue change orders. (Funding Source: Water Fund - CIP)

- Resolution approving the plans and specifications, accepting the bid, and approving a construction contract with Roadrunner Drilling & Pump Company, Inc., of Woodland, CA, for the Well 71 (Replacing Well 226) Project in the amount of $629,609 and authorizing the City Manager or his designee to execute the contract.
- Resolution amending the Fiscal Year 2018-19 Capital Improvement Program Budget in the amount of $134,067 to be transferred into the project from Water Fund Reserves in order to fully fund the construction, contingency, construction administration, City construction forces, and design support during construction for the Well 71 (Replacing Well 226) Project.
- Resolution authorizing an increase in the Director's authority to issue change orders for the Well 71 (Replacing Well 226) Project from 10 percent ($62,961) to 25 percent ($157,402) of the construction contract amount.

Utilities; Robert Davalos, 571-5869, rdavalos@modestogov.com

ACTION: Resolution 2019-26 (Kenoyer/Grewal; 7/0) approving the plans and specifications, accepting the bid, and approving a construction contract with Roadrunner Drilling & Pump Company, Inc., of Woodland, CA, for the Well 71 (Replacing Well 226) Project in the amount of $629,609 and authorizing the City Manager or his designee to execute the contract.

ACTION: Resolution 2019-27 (Kenoyer/Grewal; 7/0) amending the Fiscal Year 2018-19 Capital Improvement Program Budget in the amount of $134,067 to be transferred into the project from Water Fund Reserves in order to fully fund the construction, contingency, construction administration, City construction forces, and design support during construction for the Well 71 (Replacing Well 226) Project.

ACTION: Resolution 2019-28 (Kenoyer/Grewal; 7/0) authorizing an increase in the

Director's authority to issue change orders for the Well 71 (Replacing Well 226) Project from 10 percent ($62,961) to 25 percent ($157,402) of the construction contract amount.

Consent

26. Consider approving the plans and specifications for the La Loma Phase 2B Fire Hydrant Additions Project; accepting the bid and awarding a construction contract with Rolfe Construction Company of Atwater, CA, in the amount of $692,963; and amending the Fiscal Year 2018-2019 Capital Improvement Project Program Budget in the amount of $300,000. (Funding Source: Water Fund and Community Development Block Grant)
    - Resolution approving the plans and specifications for the La Loma Phase 2B Fire Hydrant Additions Project, accepting the bid, and awarding a construction contract with Rolfe Construction Company of Atwater, CA, in the amount of $692,693 and authorizing the City Manager, or his designee, to execute the contract.
    - Resolution amending the Fiscal Year 2018-19 Capital Improvement Program Budget in the amount of $300,000 to be transferred into the project from Water Fund Reserves in order to fully fund the construction, contingency, construction administration, City construction forces, and design support during construction for the La Loma Phase 2B Fire Hydrant Additions Project, and authorizing the City Manager, or his designee, to implement the provisions of this Resolution.

    Utilities; Robert Davalos, 571-5869, rdavalos@modestogov.com

ACTION: Resolution 2019-29 (Kenoyer/Grewal; 7/0) approving the plans and specifications for the La Loma Phase 2B Fire Hydrant Additions Project, accepting the bid, and awarding a construction contract with Rolfe Construction Company of Atwater, CA, in the amount of $692,693 and authorizing the City Manager, or his designee, to execute the contract.

ACTION: Resolution 2019-30 (Kenoyer/Grewal; 7/0) amending the Fiscal Year 2018-19 Capital Improvement Program Budget in the amount of $300,000 to be transferred into the project from Water Fund Reserves in order to fully fund the construction, contingency, construction administration, City construction forces, and design support during construction for the La Loma Phase 2B Fire Hydrant Additions Project, and authorizing the City Manager, or his designee, to implement the provisions of this Resolution.

Consent

27. Consider accepting Tank 6 Recoat and Repairs project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $830,933 to West Coast Industrial Coatings, Inc. of Hemet, CA. (Funding Source: Water Fund)
    - Resolution accepting the Tank 6 Recoat and Repairs project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $830,933 to West Coast Industrial Coatings, Inc., of Hemet, CA.

    Utilities; Collin Yerzy, 571-5860, cyerzy@modestogov.com

ACTION: Resolution 2019-31 (Kenoyer/Grewal; 7/0) accepting the Tank 6 Recoat and Repairs project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $830,933 to West Coast Industrial Coatings, Inc., of Hemet, CA.

Consent

28. Consider accepting Fire Station 11 Garage Door Replacement Project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $49,756 to Scott Redenbaugh Construction, of Modesto CA. (Funding Source: MFD Administration General Fund)
    - Resolution accepting the Fire Station 11 Garage Door Replacement as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $49,756 to Scott Redenbaugh Construction, of Modesto CA.

    Utilities; Collin Yerzy, 571-5860, cyerzy@modestogov.com

ACTION: Resolution 2019-32 (Kenoyer/Grewal; 7/0) accepting the Fire Station 11 Garage Door Replacement as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $49,756 to Scott Redenbaugh Construction, of Modesto CA.

Consent

29. Consider approving a Purchasing Agreement with W.W. Grainger, Inc., Lake Forest, IL, by utilizing the competitive bid process with National Intergovernmental Purchasing Alliance, University of California, Office of the President, for consumable products and supplies necessary for maintenance, repair and operation of City facilities for a two-year Agreement with three one-year extension options, for an annual cost not to exceed $113,500 and a total amount not to exceed $567,500. (Funding Source: Wastewater, Water, Compost, Storm Drain, Airport, Modesto Fire, Parks and Fleet Funds)
    - Resolution approving a Purchasing Agreement with W.W. Grainger, Inc., Lake Forest, IL, by utilizing the competitive bid process with National Intergovernmental Purchasing Alliance (National IPA), University of California, Office of the President, for maintenance, repair and operation supplies for a two-year Agreement with three one-year extension options, for an annual cost not to exceed $113,500 and a total amount not to exceed $567,500, and authorizing the Purchasing Manager, or her designee, to issue the Purchase Agreement.

    Utilities; Laura Anhalt, 342-4502, lanhalt@modestogov.com

ACTION: Resolution 2019-33 (Kenoyer/Grewal; 7/0) approving a Purchasing Agreement with W.W. Grainger, Inc., Lake Forest, IL, by utilizing the competitive bid process with National Intergovernmental Purchasing Alliance (National IPA), University of California, Office of the President, for maintenance, repair and operation supplies for a two-year Agreement with three one-year extension options, for an annual cost not to exceed $113,500 and a total amount not to exceed $567,500, and authorizing the Purchasing Manager, or her designee, to issue the Purchase Agreement.

COUNCIL COMMENTS & REPORTS

Mayor Brandvold spoke regarding his health.

Councilmember Ridenour spoke regarding tours of the Empire Migrant facility, Beard Brook Park, and Turning Point with Supervisor DeMartini.

Councilmember Kenoyer gave an update on her health; she attended the following events: January 11, 2019 - Grand Opening of Medici Pizza, January 12, 2019 - California American Legion Executive Membership meeting, January 17, 2019 - mentoring celebration; January 18, 2019 - Martin Luther King luncheon; January 21, 2019 - Martin Luther King at Christian Love Baptist Church.

Councilmember Madrigal announced the planning committee meetings are beginning for Project Prom; he attended the following events: - West Modesto Community meeting, League of California Cities policy meetings, Martin Luther King luncheon, Martin Luther King event at Christian Love Baptist Church, and a Town Hall meeting with Congressman Josh Harder; he assisted Habitat for Humanity with a site in West Modesto. Councilmember Madrigal requested an additional item be added to the Agenda regarding financial relief for Federal employees, specifically, late payment of utility fees to the City of Modesto:

ACTION; Motion (Madrigal/Ah You; 6/1; Ridenour no) adding a Matter Too late for the Agenda regarding City support for furloughed U.S. Government employees.

Councilmember Zoslocki spoke regarding the Christian Love Baptist Church celebration for Martin Luther King, Jr. birthday.

Councilmember Grewal spoke regarding Mayor Brandvold's health; he also attended events with other Councilmembers.

Councilmember Ah You spoke regarding Mayor Brandvold's health and Councilmember Ridenour's assistance with public safety funerals.

CITY MANAGER COMMENTS & REPORTS

City Manager Lopez introduced new Deputy City Managers Scotty Douglass and Caluha Barnes.

UNFINISHED BUSINESS

30. Consider an informational report regarding homelessness at Beard Brook Park and the use of the Tuolumne River Regional Park Gateway under the Ninth Street Bridge as a temporary outdoor shelter. (Funding Source: Not Applicable)
City Manager; Joseph Lopez, 571-5809, joelopez@modestogov.com

ACTION: Assistant Police Chief Armendariz gave an informational report regarding homelessness at Beard Brook Park and use of the Tuolumne River Regional Park Gateway under the Ninth Street Bridge as a temporary outdoor shelter.

31. Consider approving a Disposition and Development Agreement with EAH Housing Inc., a nonprofit housing corporation, to allow time for the transfer of a City-owned parcel on 9th Street to EAH Housing Inc. for the construction of 74 affordable multifamily units. (Funding Source: Redevelopment Agency Housing Set-Aside)
    - Resolution approving a Disposition and Development Agreement with EAH Housing, Inc., a nonprofit housing corporation, for the transfer of a City-owned parcel on 9th Street to EAH Housing, Inc. for the construction of 74 affordable multifamily units and authorizing the City Manager or his designee to take all actions and execute any documents and/or Agreements related to the Disposition and Development Agreement.

    Community & Economic Development; Jessica Narayan, 577-5321, jnarayan@modestogov.com

ACTION: Resolution 2019-34 (Kenoyer/Ah You; 6/0; Grewal absent) approving a Disposition and Development Agreement with EAH Housing, Inc., a nonprofit housing corporation, for the transfer of a City-owned parcel on 9th Street to EAH Housing, Inc. for the construction of 74 affordable multifamily units and authorizing the City Manager or his designee to take all actions and execute any documents and/or Agreements related to the Disposition and Development Agreement.

HEARINGS

Published in the Modesto Bee on January 7, 2019

32. Hearing to consider approving a Capital Facilities Fees Exemption Agreement in the amount of $737,484 with EAH Housing, Inc. for construction of 74 senior and family units at Archway Commons Phase II located at 1101 Carver Road. (Funding Source: Capital Facilities Fees Funds)
    - Resolution approving a Capital Facilities Fees Exemption Agreement in the amount of $737,484, with EAH Housing, Inc. for 74 Senior and Family Units, located at 1101 Carver Road, Modesto, CA and authorizing the City Manager, or his designee, to execute the Agreement.

    Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Resolution 2019-35 (Kenoyer/Ah You; 6/0; Grewal absent) approving a Capital Facilities Fees Exemption Agreement in the amount of $737,484, with EAH Housing, Inc. for 74 Senior and Family Units, located at 1101 Carver Road, Modesto, CA and authorizing the City Manager, or his designee, to execute the Agreement.

Published in the Modesto Bee on January 12, 2019

33. Hearing to consider approving a mid-year rate adjustment to the Maximum Rate Schedule for City Solid Waste Collection Services for an increase of $1.40 per month for residential services, $2.38 per cubic yard per month for commercial services, and

$22.79 per pull for industrial services retroactive to January 1, 2019, and rescinding Resolution No. 2018-475 for the October 1, 2018 quarterly fuel adjustment. (Funding Source: Solid Waste Fund, Geer Road Landfill Fund)

- Resolution approving a mid-year rate adjustment to the Maximum Rate Schedule for City Solid Waste Collection Services for an increase of $1.40 per month for residential services, $2.38 per cubic yard per month for commercial services, and $22.79 per pull for industrial services retroactive to January 1, 2019, and rescinding Resolution No. 2018-475 for the October 1, 2018 quarterly fuel adjustment.

Public Works; Karin Neep, 577-5453, kneep@modestogov.com

ACTION: Resolution 2019-36 (Ridenour/Grewal; 7/0) approving a mid-year rate adjustment to the Maximum Rate Schedule for City Solid Waste Collection Services for an increase of $1.40 per month for residential services, $2.38 per cubic yard per month for commercial services, and $22.79 per pull for industrial services retroactive to January 1, 2019, and rescinding Resolution No. 2018-475 for the October 1, 2018 quarterly fuel adjustment.

NEW BUSINESS

34. Consider accepting Mayor Brandvold's Proposed Budget Priorities and Direction for Fiscal Year 2019-2020. (Funding Source: Not Applicable)

- Motion accepting Mayor Brandvold's Proposed Budget Priorities and Direction for Fiscal Year 2019-2020.

City Council; Kathy Espinoza, 577-5396, kespinoza1@modestogov.com

ACTION: Motion (Madrigal/Ridenour; 7/0) accepting Mayor Brandvold's Proposed Budget Priorities and Direction for Fiscal Year 2019-2020.

35. Consider approving the use of retired employee, John Bear on a part-time, as needed basis, for the purposes of assisting in the oversight of the operations of the Animal Control Unit of the Modesto Police Department. (Funding Source: General Fund)

- Resolution authorizing the City of Modesto to utilize retired employee, John Bear on a part-time, as needed basis, for the purposes of assisting in the oversight of the operations of the Animal Control Unit of the Modesto Police Department.

Police; Craig Gundlach, 572-9664, gundlachc@modestopd.com

ACTION: Resolution 2019-37 (Ridenour/Ah You; 7/0) authorizing the City of Modesto to utilize retired employee, John Bear on a part-time, as needed basis, for the purposes of assisting in the oversight of the operations of the Animal Control Unit of the Modesto Police Department.

MATTERS TOO LATE FOR THE AGENDA

36. Consider supporting furloughed U.S. Government employees and federally funded businesses providing the City Manager authority to temporarily suspend late fees and other penalties resulting from late payment of utility fees to the City of Modesto.

- **Resolution of Support for furloughed U.S. Government employees and federally**

funded businesses providing the City Manager authority to temporarily suspend late fees and other penalties resulting from late payment of utility fees to the City of Modesto.
City Attorney, Adam Lindgren, 577-5284, alindgren@modestogov.com

ACTION: Resolution 2019-38 (Grewal/Ridenour; 7/0) supporting furloughed U.S. Government employees and federally funded businesses providing the City Manager authority to temporarily suspend late fees and other penalties resulting from late payment of utility fees to the City of Modesto.

ADJOURNMENT

This meeting adjourned at 9:10 p.m.

CLOSED SESSION

All Closed Session Matters heard prior to meeting

PUBLIC COMMENT

- Maggie Countryman spoke regarding the City Clerk, Board of Zoning Adjustment documents, and the Chief Building Official.

CONSENT ITEMS

1. Consider appointing Real Property Negotiators Jaylen French, Director of Community & Economic Development and Adam U. Lindgren, City Attorney for Properties: APN: 106-023-014, 106-023-011, 106-033-006, 106-033-007, 106-330-014, 106-032-010, 106-023-009, 106-037-004, 106-036-004, 106-036-003, 106-023-015 and 106-035-003.

- Motion appointing Real Property Negotiators Jaylen French, Director of Community & Economic Development and Adam U. Lindgren, City Attorney for Properties: APN: 106-023-014, 106-023-011, 106-033-006, 106-033-007, 106-330-014, 106-032-010, 106-023-009, 106-037-004, 106-036-004, 106-036-003, 106-023-015 and 106-035-003.

City Attorney, Adam Lindgren, 577-5284, alindgren@modestogov.com

ACTION: Motion (Kenoyer/.Madrigal; 6/0; Ah You, Zoslocki absent) appointing Real Property Negotiators Jaylen French, Director of Community & Economic Development and Adam U. Lindgren, City Attorney for Properties: APN: 106-023-014, 106-023-011, 106-033-006, 106-033-007, 106-330-014, 106-032-010, 106-023-009, 106-037-004, 106-036-004, 106-036-003, 106-023-015 and 106-035-003.

CLOSED SESSION

PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Pursuant to Section 54957 of the Government Code)
Title: City Clerk

CONFERENCE WITH REAL PROPERTY NEGOTIATORS:
(Pursuant to Section 54956.8 of the Government Code)

Negotiating Parties:

For the City: Jaylen French, Director of Community & Economic Development

Adam U. Lindgren, City Attorney for City of Modesto

For Property Owners: Stanislaus Food Products

Under Negotiation: Price and terms of purchase

1. Property: 134 12th Street – APN 106-023-014
Property Owner: Stanislaus Food Products

2. Property: PO Box 3951 (12th Street) – APN 106-023-011
Property Owner: Stanislaus Food Products

3. Property: PO Box 3951 (Morton Boulevard) – APN 106-033-006
Property Owner: Stanislaus Food Products

4. Property: PO Box 3951 (Morton Boulevard) – APN 106-033-007
Property Owner: Stanislaus Food Products

5. Property: 110 11th Street – APN 106-330-014
Property Owner: Stanislaus Food Products

6. Property: 1202 D Street – APN 106-032-010
Property Owner: Stanislaus Food Products

7. Property: PO Box 3951 (B Street) – APN 106-023-009
Property Owner: Stanislaus Food Products

8. Property: PO Box 3951 (11th Street) – APN 106-037-004
Property Owner: Stanislaus Food Products

9. Property: 231 11th Street – APN 106-036-004
Property Owner: Stanislaus Food Products

10. Property: PO Box 3951 (11th Street) – APN 106-036-003
Property Owner: Stanislaus Food Products

11. Property: PO Box 1113 (12th Street) – APN 106-023-015
Property Owner: Stanislaus Food Products

12. Property: 132 10th Street – APN 106-035-003
Property Owner: Stanislaus Food Products

CONFERENCE WITH REAL PROPERTY NEGOTIATORS:
(Pursuant to Section 54956.8 of the Government Code)
Property & Property Owners:

APN	Address	Owner Name
029-015-008	611 N Franklin St., Modesto, CA	Melton & Olmstead Enterprises, Inc.
101-002-022	522 North Franklin St., Modesto, CA	Ronald & Jo Anne R. Gresham
101-002-007 &008	612 North Franklin St. & 309 Beech St., Modesto CA	William Brent & Stephanie Burnside

Negotiating Parties:
For City: James Staudinger, CPSI
Kent Jorgensen, CPSI

For Property Owner: Property Owners

Under Negotiation: Price and Terms

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCEA
Negotiator: Norma Santoyo

Employee Organization: Modesto City Employees Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Confidential & Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPOA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Officers' Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPNSA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Non-Sworn Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) –MPMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCFFA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Firefighters Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – Unrepresented
Negotiator: Norma Santoyo
Employee Organization: Unrepresented Management and Confidential Employees

Attest:_____
Stephanie Lopez, City Clerk

MINUTES

City of Modesto

SPECIAL APPOINTMENTS COMMITTEE / COUNCIL WORKSHOP

Sixth Floor, Room 6709
Tenth Street Place, 1010 10th Street
Modesto, California

Thursday, January 24, 2019, at 3:00 p.m.

Roll Call: Present: Councilmembers Madrigal (alternate) and Kenoyer
Absent: Mayor Brandvold, Councilmember Grewal

PUBLIC COMMENTS

None.

CONSENT ITEMS

None.

NEW BUSINESS

1. Consider the reappointment of Commissioner Carmen Morad to the City of Modesto Planning Commission and forwarding to Council for approval. (Funding Source: Not Applicable)

   Community & Economic Development; Steve Mitchell, 577-5267, smitchell@modestogov.com

ACTION: Motion (Kenoyer/Madrigal; 2/0; Grewal absent) approving the reappointment of Commissioner Carmen Morad to the City of Modesto Planning Commission and forwarding to Council for approval.

2. Consider recommending the appointment for one vacancy to the Disabled Access Appeals Board and forwarding to Council for approval. (Funding Source: Not Applicable)

   Community & Economic Development; Oscar Diaz, 571-5885, odiaz@modestogov.com

ACTION: Motion (Kenoyer/Madrigal; 2/0; Grewal absent) recommending the appointment of Steven Evans for one vacancy to the Disabled Access Appeals Board (Margie Johnson –

alternate) and forwarding to Council for approval.

3. Consider recommending the reappointment of Philip S. Anselmo Jr. and the appointment for one vacancy to the Disabled Access Appeals Board and forwarding to Council for approval. (Funding Source: Not Applicable)

   Community & Economic Development; Oscar Diaz, 571-5885, odiaz@modestogov.com

ACTION: Motion (Kenoyer/Madrigal; 2/0; Grewal absent) approving the reappointment of Philip S. Anselmo Jr. and the appointment for one vacancy to the Disabled Access Appeals Board and forwarding to Council for approval.

4. Consider recommending appointment to fill a vacancy on the City of Modesto Landmark Preservation Commission and forwarding to Council for approval. (Funding Source: Not Applicable)

   Community & Economic Development; Steve Mitchell, 577-5267, smitchell@modestogov.com

ACTION: Motion (Kenoyer/Madrigal; 2/0; Grewal absent) recommending appointment of Will Crew to fill a vacancy on the City of Modesto Landmark Preservation Commission and forwarding to Council for approval.

5. Consider approving the reappointment of Brad Wungluck to the Board of Building Appeals and forwarding to Council for approval. (Funding Source: Not Applicable)

   Community & Economic Development; Oscar Diaz, 571-5885, odiaz@modestogov.com

ACTION: Motion (Kenoyer/Madrigal; 2/0; Grewal absent) approving the reappointment of Brad Wungluck to the Board of Building Appeals and forwarding to Council for approval.

6. Consider approving the reappointment of Chris Guptill to a second term on the Tuolumne River Regional Park Citizens Advisory Committee (TRRP CAC) through January 1, 2023 and forwarding to Council for approval. (Funding Source: Not Applicable)

   Parks, Recreation and Neighborhoods; Nathan Houx, 571-5526, nhoux@modestogov.com

ACTION: Motion (Madrigal/Kenoyer; 2/0; Grewal absent) approving the reappointment of Chris Guptill to a second term on the Tuolumne River Regional Park Citizens Advisory Committee (TRRP CAC) through January 1, 2023 and forwarding to Council for approval.

7. Consider reappointing Shirley Keyser, Dryden Park Women's Golf Club Representative, to the Golf Courses Advisory Committee for a second term and forwarding to Council for approval. (Funding Source: Not Applicable)

   Parks, Recreation and Neighborhoods; Laurie Smith, 577-5347, lsmith@modestogov.com

ACTION: Motion (Kenoyer/Madrigal; 2/0; Grewal absent) reappointing Shirley Keyser, Dryden Park Women's Golf Club Representative, to the Golf Courses Advisory Committee for a second term and forwarding to Council for approval.

8. Consider appointing Ricardo Semeria, Modesto Golf Club Representative, to the Golf Courses Advisory Committee for a four year term and forwarding to Council for approval. (Funding Source: Not Applicable)

   Parks, Recreation and Neighborhoods; Laurie Smith, 577-5347, lsmith@modestogov.com

ACTION: Motion (Kenoyer/Madrigal; 2/0; Grewal absent) appointing Ricardo Semeria, Modesto Golf Club Representative, to the Golf Courses Advisory Committee for a four year term and forwarding to Council for approval.

9. Consider approving the Airport Advisory Committee member resignation of Martin Campbell from the position of Commercial Provider/ Service Provider; and appointing Jim McKay for the vacant position of Public at Large; Lieutenant Steve Hatzigeorgiou for vacant position Commercial Carrier/ Service Provider; and Shane Cooper for the vacant position of Business Owner, and forwarding to Council for approval. (Funding Source: Not Applicable)

   Public Works; Steve Fischio, 342-2222, sfischio@modestogov.com

ACTION: Motion (Madrigal/Kenoyer; 2/0; Grewal absent) approving the Airport Advisory Committee member resignation of Martin Campbell from the position of Commercial Provider/ Service Provider; and appointing Jim McKay for the vacant position of Public at Large; Lieutenant Steve Hatzigeorgiou for vacant position Commercial Carrier/ Service Provider; and Shane Cooper for the vacant position of Business Owner, and forwarding to Council for approval.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 3:29 p.m.

Attest:_____
Stephanie Lopez, City Clerk

MINUTES

City of Modesto

SPECIAL FINANCE COMMITTE / COUNCIL WORKSHOP

Second Floor, Room 2005
Tenth Street Place, 1010 10th Street
Modesto, California

Monday, January 28, 2019, at 5:00 p.m.

Roll Call: Present: Councilmembers Grewal, Ah You, Zoslocki

PUBLIC COMMENTS

None.

CONSENT

Consent

1. Consider approving the award of bid and agreement for labor and materials to clean up or board up nuisance or unsafe properties to Scott Reddenbaugh Construction, Modesto, CA, for a two year agreement with three one-year extension options, for an annual cost not to exceed $40,000 and a total amount not to exceed $200,000 and forwarding to Council for approval. (Funding Source: Multi Year Abatement Fund 100673)
   Community & Economic Development; Oscar Diaz, 571-5885, odiaz@modestogov.com

ACTION: Motion (Ah You/Grewal; 3/0) approving the award of bid and agreement for labor and materials to clean up or board up nuisance or unsafe properties to Scott Reddenbaugh Construction, Modesto, CA, for a two year agreement with three one-year extension options, for an annual cost not to exceed $40,000 and a total amount not to exceed $200,000 and forwarding to Council for approval.

Consent

2. Consider approving the recommended budget adjustments to Fiscal Year 2018-19 Annual Operating and Capital Improvement Project Budget and forwarding to Council for approval. (Funding Source: Water Fund – CIP Projects and Sewer Operations Fund)
   Finance; Kaceey Culbertson, 577-5479, kculbertson@modestogov.com

ACTION: Motion (Ah You/Grewal; 3/0) approving the recommended budget adjustments to Fiscal Year 2018-19 Annual Operating and Capital Improvement Project Budget and forwarding to Council for approval.

Consent

3. Consider accepting an informational report on the financing options considered during the selection of a six-year, $539,891 loan from the Wastewater Fund to pay for a portion of the replacement cost of the John Thurman Field video board. (Funding Source: Wastewater Fund)
Parks, Recreation & Neighborhoods; Laurie Smith, 577-5347, lsmith@modestogov.com

ACTION: Motion (Ah You/Grewal; 3/0) accepting an informational report on the financing options considered during the selection of a six-year, $539,891 loan from the Wastewater Fund to pay for a portion of the replacement cost of the John Thurman Field video board.

Consent

4. Consider approving a Memorandum of Understanding for the transfer of a Pierce Ladder Truck to the Salida Fire Protection District in exchange for a Chevrolet Silverado Pickup truck, for use by the City of Modesto Fire Department, and forwarding to Council for approval. (Funding Source: Not Applicable)
Public Works; Steve Fischio, 342-2222, sfischio@modestogov.com

ACTION: Motion (Ah You/Grewal; 3/0) approving a Memorandum of Understanding for the transfer of a Pierce Ladder Truck to the Salida Fire Protection District in exchange for a Chevrolet Silverado Pickup truck, for use by the City of Modesto Fire Department, and forwarding to Council for approval.

UNFINISHED BUSINESS

5. Consider accepting an informational report on the 100 Day Committee. (Funding Source: Not applicable)
City Manager; Edgar Garcia, 571-5101, edgarcia@modestogov.com

ACTION: No reportable action.

NEW BUSINESS

6. Consider changing the name of the City of Modesto Financial Policies to the City of Modesto Operating Budget Policy and accepting the updates and modifications to the City of Modesto Operating Budget Policy which guide the City's annual budget process and reserve policy and forwarding to Council for approval. (Funding Source: General Fund)
City Manager; Stephan Christensen, 577-5390, schristensen@modestogov.com

ACTION: Motion (Ah You/Zoslocki; 3/0) changing the name of the City of Modesto Financial Policies to the City of Modesto Operating Budget Policy and accepting the updates and modifications to the City of Modesto Operating Budget Policy which guide the City's annual budget process and reserve policy and forwarding to Council for approval.

7. Consider reviewing an informational report regarding the mid-year financial status of the General Fund operating revenues and expenses, and consider recommending the

proposed budget adjustments and amendments to the Fiscal Year 2018-19 Operating Budgets to the City Council for consideration and approval. (Funding Source: General Fund)
City Manager; Stephan Christensen, 577-5390, schristensen@modestogov.com

ACTION: Motion (Ah You/Grewal; 3/0) reviewing an informational report regarding the mid-year financial status of the General Fund operating revenues and expenses, and consider recommending the proposed budget adjustments and amendments to the Fiscal Year 2018-19 Operating Budgets to the City Council for consideration and approval.

8. Consider accepting the Fiscal Year 2018-19 Maintenance of Effort (MOE) related to Measure L and the Road Repair Accountability Act (Senate Bill 1) and forwarding to Council for approval. (Funding Source: General Fund)
Finance; Kaceey Culbertson, 577-5479, kculbertson@modestogov.com

ACTION: Motion (Ah You/Grewal; 3/0) accepting the Fiscal Year 2018-19 Maintenance of Effort (MOE) related to Measure L and the Road Repair Accountability Act (Senate Bill 1) and forwarding to Council for approval.

9. Consider approving Second Amendments to the Agreements with Gilton Solid Waste Management, Inc. and Bertolotti Modesto Disposal, Inc. to perform billing and collection services for certain solid waste service charges for single-family residential customers within the City limits of Modesto through December 31, 2019 and forwarding to Council for approval. (Funding Source: Water, Wastewater and Storm Drain Funds)
Finance; Jeni Martin, 571-5892, jmartin@modestogov.com

ACTION: Motion (Zoslocki/Ah You; 3/0) approving Second Amendments to the Agreements with Gilton Solid Waste Management, Inc. and Bertolotti Modesto Disposal, Inc. to perform billing and collection services for certain solid waste service charges for single-family residential customers within the City limits of Modesto through December 31, 2019 and forwarding to Council for approval.

10. Consider approving a Citywide Professional Services Agreement for security services with Universal Protection Service LP, (dba, Allied Universal Security Services), for a five year Agreement with two one-year extension options, for an estimated annual cost not to exceed $741,230 for the first year of service, with annual increases ranging from three to eight percent over the seven year period, and a total amount not to exceed $5,880,468, over seven years; and a secondary Agreement for security services with Rank Investigation & Protection, Inc. for a five year Agreement with two one-year options, for an estimated annual cost not to exceed $112,378 for the first year of service, with estimated annual increases ranging from three to eight percent over the seven year period and a total amount not to exceed $891,916 and forwarding to Council for approval. (Funding Source: General Fund, Transit Fund, Water Fund, Wastewater Fund and Parking Fund)
Finance; Cyndi Kline, 577-5412, ckline@modestogov.com

ACTION: Motion (Ah You/Zoslocki; 3/0) approving a Citywide Professional Services Agreement for security services with Universal Protection Service LP, (dba, Allied Universal Security Services), for a five year Agreement with two one-year extension options, for an estimated annual cost not to exceed $741,230 for the first year of service, with annual increases ranging from three to eight percent over the seven year period, and a total amount not to exceed $5,880,468, over seven years; and a secondary Agreement for security services with Rank Investigation & Protection, Inc. for a five year Agreement with two one-year options, for an estimated annual cost not to exceed $112,378 for the first year of service, with estimated annual increases ranging from three to eight percent over the seven year period and a total amount not to exceed $891,916 and forwarding to Council for approval.

ADJOURNMENT

This meeting adjourned at 5:37 p.m.

Attest:_____
Joseph Lopez, City Manager

MINUTES

City of Modesto

CITY COUNCIL MEETING

Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday February 05, 2019, at 5:30 p.m.

Roll Call – Present: Councilmembers Ah You, Grewal, Kenoyer, Madrigal, Ridenour, Zoslocki, Mayor Brandvold
Absent: None

Pledge of Allegiance to the Flag

Invocation: Michael Douglass, Advancing Vibrant Communities

City Clerk's Announcements: None.

Declaration of Conflicts of Interest: Zoslocki – Item 15; Grewal – Item 18

Reports from Closed Session: City Attorney Lindgren reported on Closed Session matters

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation of Proclamation to Joe and Michelle Williams proclaiming February 1, 2019 as Reconciliation Day and February 2019 as Reconciliation Month. (Funding Source: Not Applicable)
   City Council; Kathy Espinoza, 571-5597, kespinoza1@modestogov.com

ACTION: Mayor Brandvold presented a Proclamation to Joe and Michelle Williams proclaiming February 1, 2019 as Reconciliation Day and February 2019 as Reconciliation Month.

MISCELLANEOUS

Legislation
Appointments
Other

2. Consider approving the reappointment of Philip S. Anselmo Jr. to the Disabled Access Appeals Board. (Funding Source: Not Applicable)
   - Resolution approving the reappointment of Philip S. Anselmo Jr. to the Disabled Access Appeals Board to a second four-year term, with a term expiration of February 10, 2023.

   Community & Economic Development; Oscar Diaz, 571-5885,

odiaz@modestogov.com

ACTION: Resolution 2019-39 (Kenoyer/Madrigal; 7/0) approving the reappointment of Philip S. Anselmo Jr. to the Disabled Access Appeals Board to a second four-year term, with a term expiration of February 10, 2023.

PUBLIC COMMENT PERIOD

- Michael Holland, Newman City Manager, spoke regarding the shooting of Officer Ronal Singh; he thanked the Modesto Police Department for their support.

- Jeri Vigil spoke regarding the homeless in Modesto, Beard Brook Park and the Budgetel Motel.

- Maggie Countryman spoke regarding the Community & Economic Development Department staff and Planning Commission.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED
ACTION CONSENT ITEMS: 3-11: (Kenoyer/Ah You; 7/0)

CONSENT ITEMS

An item may be removed from consent and discussed at the request of an audience member or Councilmember.

Consent

3. Consider approving the minutes from the January 22, 2019 Council Meeting. (Funding Source: Not Applicable)
   - Motion approving the minutes from the January 22, 2019 Council Meeting.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Ah You; 7/0) approving the minutes from the January 22, 2019 Council Meeting.

Consent

4. Consider final adoption of **Ordinance No. 3691-C.S.** amending Chapter 10, "Modesto Landmark Preservation," of Title 9, Building Regulations, of the Modesto Municipal Code (minor administrative amendments). (Funding Source: General Fund)
   - Motion approving Ordinance No. 3691-C.S. amending Chapter 9-10 of the Modesto Municipal Code, entitled "Modesto Landmark Preservation."

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Ah You; 7/0) approving final adoption of **Ordinance No. 3691-C.S.** amending Chapter 9-10 of the Modesto Municipal Code, entitled "Modesto Landmark Preservation."

Consent

5. Consider awarding $189,600 in Community Development Block Grant (CDBG) funds to Stanislaus County Affordable Housing Corporation (STANCO) for the acquisition of a 2 bedroom, 1-bath affordable rental housing unit on property located at 615 5th Street, Modesto CA and amending the multi-year project (101143) budget to allocate $189,600 of CDBG Funds to STANCO for acquisition activities and $5,000 for eligible activity delivery costs. (Funding Source: CDBG Entitlement Funds)
   - Resolution awarding $189,600 in Community Development Block Grant funds to Stanislaus County Affordable Housing Corporation for the acquisition of property located at 615 5th Street, Modesto CA, and authorizing the City Manager or his designee to execute the Agreements.
   - Resolution amending the multi-year project 101143 budget to allocate $189,600 of Community Development Block Grant Funds to Stanislaus County Affordable Housing Corporation for acquisition activities and $5,000 for eligible activity delivery costs and authorizing the City Manager, or his designee, to take the necessary steps to implement the provisions of this Resolution.

   Community & Economic Development; Jessica Narayan, 577-5321, jnarayan@modestogov.com

ACTION: Resolution 2019-40 (Kenoyer/Ah You; 7/0) awarding $189,600 in Community Development Block Grant funds to Stanislaus County Affordable Housing Corporation for the acquisition of property located at 615 5th Street, Modesto CA, and authorizing the City Manager or his designee to execute the Agreements.

ACTION: Resolution 2019-41 (Kenoyer/Ah You; 7/0) amending the multi-year project 101143 budget to allocate $189,600 of Community Development Block Grant Funds to Stanislaus County Affordable Housing Corporation for acquisition activities and $5,000 for eligible activity delivery costs and authorizing the City Manager, or his designee, to take the necessary steps to implement the provisions of this Resolution.

Consent

6. Consider accepting the Monthly Investment Report for November 2018. (Funding Source: Various Funds)
   - Motion accepting the Monthly Investment Report for November, 2018.

   Finance; Ryan Blackerby, 577-5219, rblackerby@modestogov.com

ACTION: Motion (Kenoyer/Ah You; 7/0) accepting the Monthly Investment Report for November, 2018.

Consent

7. Consider accepting an informational report for the December 2018 Accounts Payable Payment Register and Void report. (Funding Source: Not Applicable)
   - Motion accepting an informational report for the December 2018 Accounts Payable Payment Register and Void report.

   Finance; Ryan Blackerby, 577-5219, rblackerby@modestogov.com

ACTION: Motion (Kenoyer/Ah You; 7/0) accepting an informational report for the

December 2018 Accounts Payable Payment Register and Void report.

Consent

8. Consider approving a Citywide Professional Services Agreement for security services with Universal Protection Service LP, (dba Allied Universal Security Services), for a five year Agreement with two one-year extension options, for an estimated annual cost not to exceed $741,230 for the first year of service, with annual increases ranging from three to eight percent over the seven year period, and a total amount not to exceed $5,880,468, over seven years; and a secondary Agreement for security services with Rank Investigation & Protection, Inc. for a five year Agreement with two one-year options, for an estimated annual cost not to exceed $112,378 for the first year of service, with estimated annual increases ranging from three to eight percent over the seven year period and a total amount not to exceed $891,916. (Funding Source: General Fund, Transit Fund, Water Fund, Wastewater Fund and Parking Fund)
   - Resolution approving a Citywide Professional Services Agreement for security services, with Universal Protection Service LP (dba Allied Universal Security Services), for a five-year Agreement with two one-year extension options, for an estimated annual cost not to exceed $741,230 for the first year of service, with annual increases ranging from three to eight percent over the seven year period, and a total amount not to exceed $5,880,468, over seven years; and a secondary Citywide Professional Services Agreement for security services with Rank Investigation & Protection, Inc. for a five-year Agreement with two one-year options, for an estimated annual cost not to exceed $112,378 for the first year of service, with estimated annual increases ranging from three to eight percent over the seven year period and a total amount not to exceed $891,916, authorizing the Director of Finance, or her designee, to adjust financial amounts between both providers without exceeding an estimated annual cost of $853,608 and overall cost of $6,772,384, and authorizing the City Manager, or his designee, to execute the Agreements.

   Finance; Cyndi Kline, 577-5412, ckline@modestogov.com

ACTION: Resolution 2019-42 (Kenoyer/Ah You; 7/0) approving a Citywide Professional Services Agreement for security services, with Universal Protection Service LP (dba Allied Universal Security Services), for a five-year Agreement with two one-year extension options, for an estimated annual cost not to exceed $741,230 for the first year of service, with annual increases ranging from three to eight percent over the seven year period, and a total amount not to exceed $5,880,468, over seven years; and a secondary Citywide Professional Services Agreement for security services with Rank Investigation & Protection, Inc. for a five-year Agreement with two one-year options, for an estimated annual cost not to exceed $112,378 for the first year of service, with estimated annual increases ranging from three to eight percent over the seven year period and a total amount not to exceed $891,916, authorizing the Director of Finance, or her designee, to adjust financial amounts between both providers without exceeding an estimated annual cost of $853,608 and overall cost of $6,772,384, and authorizing the City Manager, or his designee, to execute the Agreements.

Consent

9. Consider approving a License Agreement with Modesto On Ice, LLC to operate a

seasonal ice skating rink. (Funding Source: Parking Fund and Community Center Operations Fund)

- Resolution approving a License Agreement with Modesto On Ice, LLC, a California Limited Liability Company, to operate a seasonal ice skating rink and authorizing the City Manager, or his designee, to execute the License Agreement.

Parks, Recreation & Neighborhoods; Laurie Smith, 577-5347, lsmith@modestogov.com

ACTION: Resolution 2019-43 (Kenoyer/Ah You; 7/0) approving a License Agreement with Modesto On Ice, LLC, a California Limited Liability Company, to operate a seasonal ice skating rink and authorizing the City Manager, or his designee, to execute the License Agreement.

Consent

10. Consider rejecting all bids received for Request for Bid No. 1819-08 for LED Information Signs, and authorizing staff to reissue the RFB at a future date. (Funding Source: Transit Funds)
    - Resolution rejecting all bids received for Request for Bid (RFB) No. 1819-08 for LED Information Signs, and authorizing staff to reissue the RFB at a future date.

    Public Works; Steve Fischio, 342-2222, sfischio@modestogov.com

ACTION: Resolution 2019-44 (Kenoyer/Ah You; 7/0) rejecting all bids received for Request for Bid (RFB) No. 1819-08 for LED Information Signs, and authorizing staff to reissue the RFB at a future date.

Consent

11. Consider approving a Professional Services Agreement with George Osner, AICP, San Anselmo, CA, for On-Call Environmental Planning Support Services for an annual cost not to exceed $45,000, with two one-year extension options, at the City's discretion, for a total amount not to exceed $135,000. (Funding Source: Various Capital Improvement Program Projects)
    - Resolution approving a professional services Agreement with George Osner, AICP, San Anselmo, CA, for On-Call Environmental Planning Support Services for an annual cost not to exceed $45,000, with two one-year extension options, at the City's discretion, for a total amount not to exceed $135,000 and authorizing the City Manager, or his designee, to execute the Agreement.

    Utilities; Jim Alves, 571-5557, jalves@modestogov.com

ACTION: Resolution 2019-45 (Kenoyer/Ah You; 7/0) approving a professional services Agreement with George Osner, AICP, San Anselmo, CA, for On-Call Environmental Planning Support Services for an annual cost not to exceed $45,000, with two one-year extension options, at the City's discretion, for a total amount not to exceed $135,000 and authorizing the City Manager, or his designee, to execute the Agreement.

COUNCIL COMMENTS & REPORTS

Councilmember Kenoyer attended the following events: Modesto Prayer Gathering at Redeemer Church; Central Valley Hispanic Chamber of Commerce installation, and the Chinese New Year Celebration.

Councilmember Grewal announced that February is Black History Month.

Councilmember Madrigal attended the South Modesto Businesses United meeting and spoke regarding the importance of the upcoming census in 2020; he also asked for citizens' input for City of Modesto priorities.

Councilmember Ah You spoke regarding her concerns at Beard Brook Park.

CITY MANAGER COMMENTS & REPORTS

None.

WRITTEN COMMUNICATIONS

12. Accept a written communication from Cathy DeLaMare regarding alternate locations for a homeless shelter, as alternatives to the proposed 9th & D Street location discussed at the City Council hearing held on January 22, 2019. (Funding Source: Not Applicable)
City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: No reportable action.

UNFINISHED BUSINESS

13. Consider approving the First Amendment increasing the Agreement amount with Grover Landscape Services, Inc., Modesto, CA, for landscape services by $1,253,264, from $8,331,208 to a new total amount of $9,584,472, for site changes, additional repairs and service level increases. (Funding Source: General Fund – Parks Operations, Community Facilities District Funds, Joint Powers of Authority Tuolumne River Regional Park Fund, Miscellaneous City and Enterprise Funds)
    - Resolution approving the First Amendment increasing the Agreement amount with Grover Landscape Services, Inc., Modesto, CA, for landscape services by $1,253,264, from $8,331,208 to a new total amount of $9,584,472, for site changes, additional repairs and service level increases, and authorizing the City Manager, or his designee, to execute the Amendment.

    Parks, Recreation & Neighborhoods; Kelly Gallagher, 342-2270, kgallagher@modestogov.com

ACTION: Resolution 2019-46 (Kenoyer/Zoslocki; 7/0) approving the First Amendment increasing the Agreement amount with Grover Landscape Services, Inc., Modesto, CA, for landscape services by $1,253,264, from $8,331,208 to a new total amount of $9,584,472, for site changes, additional repairs and service level increases, and authorizing the City Manager,

or his designee, to execute the Amendment.

HEARINGS

Published in the Modesto Bee on January 16, 2019

14. Hearing to consider the application of NRB Investments LLC to rezone 9.42 acres from Low Density Residential Zone, R-1, and Medium High Density Residential Zone, R-3, to Planned Development Zone P-D(606) to allow for a small-lot single family residential subdivision, property located west of Dale Road and north of Vintage Faire Mall. (Funding Source: Developer Funded)
    - Motion introducing and waiving the first reading of an Ordinance amending Section 11-3-8 of the Zoning Map to rezone from Low Density Residential (R-1) Zone and Medium High Density Residential (R-3) Zone to Planned Development Zone P-D(606), property located at west of Dale Road and north of Vintage Faire Mall (NRB Investments LLC).
    - Resolution approving a Development Plan for Planned Development Zone, P-D(606).
    - Resolution finding that the following subsequent project is within the scope of the project covered by the Modesto Urban Area General Plan Master Environmental Impact Report (SCH No. 2007072023): rezone from Low Density Residential (R-1) Zone and Medium High Density Residential (R-3) Zone to Planned Development Zone P-D(606), property located west of Dale Road, north of Vintage Faire Mall.

    Community & Economic Development; Katharine Martin, 577-5267, kamartin@modestogov.com

ACTION: Motion (Ah You/Madrigal; 7/0) introducing and waiving the first reading of **Ordinance No. 3692-C.S.** amending Section 11-3-8 of the Zoning Map to rezone from Low Density Residential (R-1) Zone and Medium High Density Residential (R-3) Zone to Planned Development Zone P-D(606), property located at west of Dale Road and north of Vintage Faire Mall (NRB Investments LLC).

ACTION: Resolution 2019-47 (Ah You/Madrigal; 7/0) approving a Development Plan for Planned Development Zone, P-D(606).

ACTION: Resolution 2019-48 (Ah You/Madrigal; 7/0) finding that the following subsequent project is within the scope of the project covered by the Modesto Urban Area General Plan Master Environmental Impact Report (SCH No. 2007072023): rezone from Low Density Residential (R-1) Zone and Medium High Density Residential (R-3) Zone to Planned Development Zone P-D(606), property located west of Dale Road, north of Vintage Faire Mall.

Published in the Modesto Bee on January 16, 2019; Councilmember Zoslocki absent due to conflict of interest

15. Hearing to consider the application of Ali Properties LLC and the Angel Family Trust to rezone 2.25 acres from Low Density Residential Zone, R-1, to Planned Development Zone P-D(605) to allow for a 50-unit apartment complex, property located at the northwest corner of Rumble Road and Conant Avenue. (Funding Source: Developer

Funded)

- Motion introducing and waiving the first reading of an Ordinance amending Section 12-3-8 of the Zoning Map to rezone from Low Density Residential (R-1) Zone to Planned Development Zone P-D(605), property located at the northwest corner of Rumble Road and Conant Avenue (Ali Properties LLC/Angel Family Trust).
- Resolution approving a Development Plan for Planned Development Zone, P-D(605).
- Resolution finding that the following subsequent project is within the scope of the project covered by the Modesto Urban Area General Plan Master Environmental Impact Report (SCH No. 2007072023): Amendment to Section 12-3-8 of the Zoning Map to rezone 2.25 acres from (R-1) Zone to Planned Development Zone P-D(605), property located on the northwest corner of Rumble Road and Conant Avenue.

Community & Economic Development; Katharine Martin, 577-5267, kamartin@modestogov.com

ACTION: Motion (Ridenour/Madrigal; 6/0; Zoslocki absent due to conflict) continuing item to a future Council meeting and address issues with Stanislaus Union School District and neighborhood.

NEW BUSINESS

16. Consider accepting United States Department of Transportation (USDOT) grant funds in the amount of $9,000,000, approving a Grant Agreement with the USDOT for the State Route 132 West Freeway/Expressway - Phase 1 Project; and amending the Fiscal Year 2018-2019 Capital Improvement Program (CIP) Budget in the amount of $9,000,000. (Funding Source: US Department of Transportation Grant)

    - Resolution accepting the United States Department of Transportation (USDOT) grant funds in the amount of $9,000,000 and approving a Grant Agreement with the USDOT for the State Route 132 West Freeway/Expressway - Phase 1 Project, and authorizing the City Manager, or his designee, to execute the necessary grant fund documents and Grant Agreement.
    - Resolution amending the Fiscal Year 2018-2019 Capital Improvement Program (CIP) Budget, project #101119 upon receipt of executed USDOT Grant Agreement in the amount of $9,000,000 for the State Route 132 West Freeway/Expressway Construction - Phase 1 Project and authorizing the City Manager, or his designee, to implement the provisions of this Resolution.

    Community & Economic Development; Vickey Dion , 571-5542, vdion@modestogov.com

ACTION: Resolution 2019-49 (Ridenour/Zoslocki; 7/0) accepting the United States Department of Transportation (USDOT) grant funds in the amount of $9,000,000 and approving a Grant Agreement with the USDOT for the State Route 132 West Freeway/Expressway - Phase 1 Project, and authorizing the City Manager, or his designee, to execute the necessary grant fund documents and Grant Agreement.

ACTION: Resolution 2019-50 (Ridenour/Zoslocki; 7/0) amending the Fiscal Year 2018-2019 Capital Improvement Program (CIP) Budget, project #101119 upon receipt of executed USDOT Grant Agreement in the amount of $9,000,000 for the State Route 132 West Freeway/Expressway Construction - Phase 1 Project and authorizing the City Manager, or his designee, to implement the provisions of this Resolution.

17. Consider accepting Trade Corridor Enhancement Program (TCEP) Funds from the California Transportation Commission (CTC) in the amount of $21,000,000 and approving a Memorandum of Understanding (MOU) with the Stanislaus Council of Governments (StanCOG) for the State Route 132 West Freeway/Expressway - Phase 1; establishing and amending the Fiscal Year 2018-2019 Capital Improvement Program (CIP) Budget, Project #101119 in the amount of $21,000,000. (Funding Source: Trade Corridor Enhancement Program Funds)
    - Resolution accepting Trade Corridor Enhancement Program (TCEP) Funds from the California Transportation Commission (CTC) in the amount of $21,000,000 and approving a Memorandum of Understanding with the Stanislaus Council of Governments (StanCOG) for the State Route 132 West Freeway/Expressway - Phase 1 Project, and authorizing the City Manager, or his designee, to execute the Memorandum of Understanding and the necessary funding documents.
    - Resolution establishing and amending the Fiscal Year 2018-2019 Capital Improvement Program (CIP) Budget, project #101119 upon receipt of executed Stanislaus Council of Governments (StanCOG) Agreement in the amount of $21,000,000 for construction of the State Route 132 West Freeway/Expressway - Phase 1 Project and authorizing the City Manager, or his designee, to implement the provisions of this Resolution.

    Community & Economic Development; Vickey Dion, 571-5542, vdion@modestogov.com

ACTION: Resolution 2019-51 (Ridenour/Madrigal; 7/0) accepting Trade Corridor Enhancement Program (TCEP) Funds from the California Transportation Commission (CTC) in the amount of $21,000,000 and approving a Memorandum of Understanding with the Stanislaus Council of Governments (StanCOG) for the State Route 132 West Freeway/Expressway - Phase 1 Project, and authorizing the City Manager, or his designee, to execute the Memorandum of Understanding and the necessary funding documents.

ACTION: Resolution 2019-52 (Ridenour/Madrigal; 7/0) establishing and amending the Fiscal Year 2018-2019 Capital Improvement Program (CIP) Budget, project #101119 upon receipt of executed Stanislaus Council of Governments (StanCOG) Agreement in the amount of $21,000,000 for construction of the State Route 132 West Freeway/Expressway - Phase 1 Project and authorizing the City Manager, or his designee, to implement the provisions of this Resolution.

Councilmember Grewal left meeting at 8:00 p.m.

Councilmember Grewal absent due to conflict of interest

18. Consider ending existing broker services provided for the City's medical insurance coverage plans; approving an agreement with Alliant Insurance Services, Inc. for

insurance broker services for the City's medical coverage plan; and approving a Memorandum of Understanding to join the CSAC excess insurance authority for the purpose of jointly funding and establishing excess and other insurance programs. (Funding Source: Various Funds)

- Resolution ending existing broker services provided for the City's medical insurance coverage plans by Peter C. Foy & Associates Insurance Services, Inc.
- Resolution approving an Agreement with Alliant Insurance Services, Inc. for insurance broker services for the City's medical coverage plan, and authorizing the City Manager or his designee to execute the Agreement.
- Resolution approving a Memorandum of Understanding to join the CSAC excess insurance authority for the purpose of jointly funding and establishing excess and other insurance programs; and authorizing the City Manager, or his designee, to execute the Memorandum of Understanding.

Human Resources; Norma Santoyo, 571-5126, nsantoyo@modestogov.com

ACTION: Resolution 2019-53 (Ridenour/Ah You; 6/0; Grewal absent due to conflict of interest) ending existing broker services provided for the City's medical insurance coverage plans by Peter C. Foy & Associates Insurance Services, Inc.

ACTION: Resolution 2019-54 (Ridenour/Ah You; 6/0; Grewal absent due to conflict of interest) approving an Agreement with Alliant Insurance Services, Inc. for insurance broker services for the City's medical coverage plan, and authorizing the City Manager or his designee to execute the Agreement. **(AMENDED – City Manager is authorized to pay the difference between the old premiums and the new premiums for a period not to exceed 4 months from the Employee Benefits Fund as to minimize the harm or disruption as a result of the unplanned transition in health insurance premiums)**

ACTION: Resolution 2019-55 (Ridenour/Ah You; 6/0; Grewal absent due to conflict of interest) approving a Memorandum of Understanding to join the CSAC excess insurance authority for the purpose of jointly funding and establishing excess and other insurance programs; and authorizing the City Manager, or his designee, to execute the Memorandum of Understanding.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 9:00 p.m.

CLOSED SESSION

All Closed Session Matters heard prior to meeting

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
One Case (Pursuant to Section 54956.9(a) of the Government Code)

Name of case(s): Paige McLaughlin v. City of Modesto
California Workers Compensation Appeals Board
Nos. ADJ650921, ADJ2992750 and ADJ3699533

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Two Cases (Pursuant to Section 54956.9(d)(1) of the Government Code)

Name of case: Doe v. City of Modesto
Case No. 2010602

Civic Partners Modesto, Inc. v. City of Modesto Redevelopment Successor Agency
Case No. 9000266

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Two Cases (Pursuant to Section 54956.9(d)(4) of the Government Code)

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
One Case (Pursuant to Section 54956.9(d)(2) of the Government Code)

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCEA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Employees Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Confidential & Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPOA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Officers' Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPNSA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Non-Sworn Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) –MPMA
Negotiator: Norma Santoyo

Employee Organization: Modesto Police Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCFFA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Firefighters Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – Unrepresented
Negotiator: Norma Santoyo
Employee Organization: Unrepresented Management and Confidential Employees

Attest:_____
Stephanie Lopez, City Clerk

MINUTES

City of Modesto

ECONOMIC DEVELOPMENT COMMITTE / COUNCIL WORKSHOP

Second Floor, Rom 2008
Tenth Street Place, 1010 10th Street
Modesto, California

Monday, February 6, 2019, at 2:00 p.m.

Roll Call: Present: Councilmembers Zoslocki, Mayor Brandvold, and Councilmember Madrigal (arrived at 2:14 p.m.)

PUBLIC COMMENTS

None.

CONSENT

Consent

1. Consider the annexation of Villa D' Este Subdivision to City of Modesto Community Facilities District No. 2004-1 (Village One #2) and forwarding to Council for approval. (Funding Source: CFD No. 2004-1 (Village One #2))
   Community & Economic Development; Jessica Narayan, 577-5321, jnarayan@modestogov.com

ACTION: Motion (Brandvold/Zoslocki; 2/0; Madrigal absent) approving the annexation of Villa D' Este Subdivision to City of Modesto Community Facilities District No. 2004-1 (Village One #2) and forwarding to Council for approval.

Consent

2. Consider approving the finding that the Hetch Hetchy and Claratina Avenue Structural Crossing and Claratina Avenue Widening (McHenry Avenue to Coffee Road, Phase 2) projects are within the scope of the projects covered by the Modesto Urban Area General Master Plan Environmental Impact Report; approving a Grant Deed, Purchase and Sale Agreement for the Hetch Hetchy and Claratina Avenue Structural Crossing Project in the amount of $11,000, and a Grant of Temporary Construction Easement with Ravi K. Gogna and Harjit R. Gogna, Trustees of the Gogna 2017 Trust, and forwarding to Council for approval. (Funding Source: Streets Capital Facilities Fee Fund)
   Community & Economic Development; Charles Covolo, 571-5537, ccovolo@modestogov.com

ACTION: Motion (Brandvold/Zoslocki; 2/0; Madrigal absent) approving the finding that the Hetch Hetchy and Claratina Avenue Structural Crossing and Claratina Avenue Widening (McHenry Avenue to Coffee Road, Phase 2) projects are within the scope of the projects

covered by the Modesto Urban Area General Master Plan Environmental Impact Report; approving a Grant Deed, Purchase and Sale Agreement for the Hetch Hetchy and Claratina Avenue Structural Crossing Project in the amount of $11,000, and a Grant of Temporary Construction Easement with Ravi K. Gogna and Harjit R. Gogna, Trustees of the Gogna 2017 Trust, and forwarding to Council for approval.

Consent

3. Consider approving a Grant Deed and Purchase and Sale Agreement with JoAnne Demattos, et al. for the Hetch Hetchy and Claratina Avenue Structural Crossing Project in the amount of $10,500, and forwarding to Council for approval. (Funding Source: Streets Capital Facilities Fee Fund)
   Community & Economic Development; Charles Covolo, 571-5537, ccovolo@modestogov.com

ACTION: Motion (Brandvold/Zoslocki; 2/0; Madrigal absent) approving a Grant Deed and Purchase and Sale Agreement with JoAnne Demattos, et al. for the Hetch Hetchy and Claratina Avenue Structural Crossing Project in the amount of $10,500, and forwarding to Council for approval.

Consent

4. Consider approving the sole source Agreement with McCain Inc., Vista, CA, for purchase of traffic signal controllers and conflict monitors to upgrade remaining 60 traffic signals for an estimated cost of $149,932, and forwarding to Council for approval. (Funding Source: Measure L Funds)
   Public Works; Mark Murphy, 577-5214, mmurphy@modestogov.com

ACTION: Motion (Brandvold/Zoslocki; 2/0; Madrigal absent) approving the sole source Agreement with McCain Inc., Vista, CA, for purchase of traffic signal controllers and conflict monitors to upgrade remaining 60 traffic signals for an estimated cost of $149,932, and forwarding to Council for approval.

Consent

5. Consider approving an Agreement with Group Seven Laboratory Services of Stockton, CA, for Laboratory Training Services in an amount not to exceed $96,000 and forwarding to Council for approval. (Funding Source: Water and Wastewater Fund)
   Utilities; Jesse Franco, 571-5175, jfranco@modestogov.com

ACTION: Motion (Brandvold/Zoslocki 2/0; Madrigal absent) approving an Agreement with Group Seven Laboratory Services of Stockton, CA, for Laboratory Training Services in an amount not to exceed $96,000 and forwarding to Council for approval.

NEW BUSINESS

6. Consider approving terms and conditions for a new funding Agreement with Modesto Convention & Visitors Bureau and forwarding to Council for approval. (Funding Source: Transient Occupancy Tax)
   Parks, Recreation & Neighborhoods; Laurie Smith, 577-5347, lsmith@modestogov.com

ACTION: Motion (Madrigal/Mayor Brandvold; 3/0) approving terms and conditions for a

new funding Agreement with Modesto Convention & Visitors Bureau and forwarding to Council for approval.

7. Consider approving a Purchasing Agreement with Clark Pest Control, by utilizing the competitive bid process with Stanislaus County General Services Agency, for the purchase of city-wide pest control services, for a five-year Agreement with two one-year extension options, for an annual cost not to exceed $48,275, and a total amount not to exceed $337,925 over seven years, and forwarding to Council for approval. (Funding Source: Building Services Fund, General Fund, Airport Operating Fund, Community Center Operations Fund)
   Public Works; Bill Sandhu, 341-2906, bsandhu@modestogov.com

ACTION: Motion (Mayor Brandvold/Zoslocki; 3/0) approving a Purchasing Agreement with Clark Pest Control, by utilizing the competitive bid process with Stanislaus County General Services Agency, for the purchase of city-wide pest control services, for a five-year Agreement with two one-year extension options, for an annual cost not to exceed $48,275, and a total amount not to exceed $337,925 over seven years, and forwarding to Council for approval.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 2:42 p.m.

Attest:_____
Joseph Lopez, City Manager

MINUTES

City of Modesto

SAFETY AND COMMUNITIES COMMITTEE / COUNCIL WORKSHOP

Second Floor, Room 2005
Tenth Street Place, 1010 10th Street
Modesto, California

Monday, February 11, 2019, at 5:00 p.m.

Roll Call – Present: Councilmembers Ah You, Ridenour, Kenoyer
Absent: None

PUBLIC COMMENTS

None.

CONSENT

Consent

1. Consider approving an Agreement with Mark Thomas & Company, Inc., of Fresno, CA for the preparation of Construction Documentation (Design) for the Virginia Corridor Phase 7 in the amount of $523,899, plus $52,389 for contingency, if needed, for a total not to exceed $576,288; approving a budget adjustment as outlined in Exhibit A and forwarding to Council for approval. (Funding Source: Non-Motorized Local Transportation Funds and Various Grants)
Parks, Recreation & Neighborhoods; Nathan Houx, 571-5526, nhoux@modestogov.com

ACTION: Motion (Ridenour/Kenoyer; 3/0) approving an Agreement with Mark Thomas & Company, Inc., of Fresno, CA for the preparation of Construction Documentation (Design) for the Virginia Corridor Phase 7 in the amount of $523,899, plus $52,389 for contingency, if needed, for a total not to exceed $576,288; approving a budget adjustment as outlined in Exhibit A and forwarding to Council for approval.

Consent

2. Consider approving an Agreement with O'Dell Engineering, Inc., of Modesto, CA for the preparation of construction design documentation for the Neece Drive Boat Launch and River Access Facility in the amount of $131,574, plus $13,157 for contingency, if needed, for an Agreement total not to exceed $144,731; approving a budget adjustment as outlined in Exhibit A and forwarding to Council for approval. (Funding Source: Non-Motorized Boating Facilities Grant Program Funds and TRRP CIP Fund 101071)
Parks, Recreation & Neighborhoods; Nathan Houx, 571-5526,

nhoux@modestogov.com

ACTION: Motion (Ridenour/Kenoyer; 3/0) approving an Agreement with O'Dell Engineering, Inc., of Modesto, CA for the preparation of construction design documentation for the Neece Drive Boat Launch and River Access Facility in the amount of $131,574, plus $13,157 for contingency, if needed, for an Agreement total not to exceed $144,731; approving a budget adjustment as outlined in Exhibit A and forwarding to Council for approval.

NEW BUSINESS

3. Consider accepting options for creating a project to upgrade high voltage street light circuits to low voltage, and forwarding to Council for approval. (Funding Source: Gas Tax Fund)
   Public Works; Mark Murphy, 577-5214, mmurphy@modestogov.com

ACTION: Motion (Ridenour/Kenoyer; 3/0) accepting options for creating a project to upgrade high voltage street light circuits to low voltage, **include 2 light equipment operator positions**, and forwarding to Council for approval.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 5:37 p.m.

Attest:_____
Joseph Lopez, City Manager

MINUTES

City of Modesto

CITY COUNCIL MEETING

Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday February 12, 2019, at 5:30 p.m.

Roll Call – Present: Councilmembers Ah You, Grewal, Kenoyer, Madrigal, Ridenour, Mayor Brandvold
Absent: Councilmember Zoslocki

Pledge of Allegiance to the Flag

Invocation: Michael Schiefelbein, College Avenue United Church of Christ

City Clerk's Announcements: Item 4 - Removed from Consent

Declarations of Conflicts of Interest: Councilmember Ridenour - Items 5 and 6

Reports from Closed Session: City Attorney Lindgren reported on Closed Session matters

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation of Proclamation declaring February 2019 as Black History Month in the City of Modesto. (Funding Source: Not Applicable)
   City Council; Kathy Espinoza, 571-5597, kespinoza1@modestogov.com

ACTION: Mayor Brandvold and the City Council presented a Proclamation to Wendy Byrd declaring February 2019 as Black History Month in the City of Modesto.

PUBLIC COMMENT PERIOD

- Yvonne Wilke spoke regarding the homeless at Beard Brook Park.
- Jeri Vigil also spoke regarding the homeless at Beard Brook Park.
- Frank Johnson recognized Modesto Police Chief Galen Carroll with a plaque and thanked him for his contributions to the community.
- Carmen Sabatino spoke regarding Cecil Russell, the Chamber of Commerce and the Convention and Visitors Bureau.
- Loretta Carhart spoke regarding Veterans in Modesto.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED
ACTION CONSENT ITEMS: 2-3; 7-10: (Kenoyer/Madrigal; 6/0; Zoslocki absent)
ACTION CONSENT ITEM 5-6: (Kenoyer/Grewal; 5/0; Ridenour absent due to conflict of interest; Zoslocki absent)

CONSENT ITEMS

An item may be removed from consent and discussed at the request of an audience member or Councilmember.

Consent

2. Consider approving the minutes from the February 5, 2019 Council Meeting. (Funding Source: Not Applicable)
   - Motion approving the minutes from the February 5, 2019 Council Meeting.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Madrigal; 6/0; Zoslocki absent) approving the minutes from the February 5, 2019 Council Meeting.

Consent

3. Consider final adoption of **Ordinance No. 3692-C.S.** amending Section 11-3-8 of the Zoning Map to rezone from Low Density Residential (R-1) Zone and Medium High Density Residential (R-3) Zone to Planned Development Zone P-D(606), property located at west of Dale Road and north of Vintage Faire Mall (NRB Investments LLC). (Funding Source: Developer Funded)
   - Motion approving final adoption of **Ordinance No. 3692-C.S.** amending Section 11-3-8 of the Zoning Map to rezone from Low Density Residential (R-1) Zone and Medium High Density Residential (R-3) Zone to Planned Development Zone P-D(606), property located at west of Dale Road and north of Vintage Faire Mall (NRB Investments LLC).

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Madrigal; 6/0; Zoslocki absent) approving final adoption of **Ordinance No. 3692-C.S.** amending Section 11-3-8 of the Zoning Map to rezone from Low Density Residential (R-1) Zone and Medium High Density Residential (R-3) Zone to Planned Development Zone P-D(606), property located at west of Dale Road and north of Vintage Faire Mall (NRB Investments LLC).

Removed from Consent

4. Consider approving a Second Amendment to the Restated Legal Services Agreement with Arata, Swingle, Van Egmond, & Goodwin for continued representation in tort cases in the amount of $245,000, for an Agreement total not to exceed $500,000. (Funding Source: General Liability Insurance Fund)
   - Resolution approving a Second Amendment to the restated Legal Services Agreement with Arata, Swingle, Van Egmond & Goodwin in the amount of

$245,000 for a total not to exceed amount of $500,000 to continue representing the City of Modesto in Tort cases, and authorizing the City Manager or his designee to execute the Agreement.

City Attorney; Adam Lindgren, 577-5284, alindgren@modestogov.com

ACTION: Resolution 2019-56 (Ridenour/Madrigal; 6/0; Zoslocki absent) approving a Second Amendment to the restated Legal Services Agreement with Arata, Swingle, Van Egmond & Goodwin in the amount of $245,000 for a total not to exceed amount of $500,000 to continue representing the City of Modesto in Tort cases, and authorizing the City Manager or his designee to execute the Agreement.

Consent – *Councilmember Ridenour absent due to conflict of interest*

5. Consider accepting the Hillglen Parks Subdivision Public Improvements and releasing securities upon expiration of statutory periods. (Funding Source: Not Applicable)
   - Resolution accepting the public improvements for Hillglen Parks Subdivision, located at the intersection of Hillglen Avenue and Caden Drive, authorizing the City Clerk to file a Notice of Completion with the Stanislaus County Recorder's Office, and to release securities upon expiration of statuary periods.

   Community & Economic Development; Daniel England, 571-5586, dengland@modestogov.com

ACTION: Resolution 2019-57 (Kenoyer/Grewal; 5/0; Ridenour absent due to conflict of interest; Zoslocki absent) accepting the public improvements for Hillglen Parks Subdivision, located at the intersection of Hillglen Avenue and Caden Drive, authorizing the City Clerk to file a Notice of Completion with the Stanislaus County Recorder's Office, and to release securities upon expiration of statuary periods.

Consent – *Councilmember Ridenour absent due to conflict of interest*

6. Consider accepting the Lincoln Parks Subdivision Public Improvements and releasing securities upon expiration of statutory periods. (Funding Source: Not Applicable)
   - Resolution accepting the public improvements for Lincoln Parks Subdivision, located in Village One at the south-west corner of the intersection of Kodiak Drive and Lincoln Oak Drive, authorizing the City Clerk to file a Notice of Completion with the Stanislaus County Recorder's Office, and to release securities upon expiration of statutory periods.

   Community & Economic Development; Daniel England, 571-5586, dengland@modestogov.com

ACTION: Resolution 2019-58 (Kenoyer/Grewal; 5/0; Ridenour absent due to conflict of interest, Zoslocki absent) accepting the public improvements for Lincoln Parks Subdivision, located in Village One at the south-west corner of the intersection of Kodiak Drive and Lincoln Oak Drive, authorizing the City Clerk to file a Notice of Completion with the Stanislaus County Recorder's Office, and to release securities upon expiration of statutory periods.

Consent

7. Consider accepting the City of Modesto Finance Policies that will facilitate the Finance Department to provide other departments with guidance on accounting and financial issues. (Funding Source: Not Applicable)
   - Motion accepting City of Modesto Finance Policies that will facilitate the Finance Department to provide other departments with guidance on accounting and financial issues.

   Finance; Julie Huang, 571-5574, jhuang@modestogov.com

ACTION: Motion (Kenoyer/Madrigal; 6/0; Zoslocki absent) accepting City of Modesto Finance Policies that will facilitate the Finance Department to provide other departments with guidance on accounting and financial issues.

Consent

8. Consider approving the recommended budget adjustments to Fiscal Year 2018-19 Annual Operating and Capital Improvement Program Budget. (Funding Source: Water Funds – CIP Projects and Sewer Operations Fund)
   - Resolution amending Fiscal Year 2018-19 Annual Operating and Capital Improvement Project Fund Budgets.

   City Manager; Kaceey Culbertson, 577-5479, kculbertson@modestogov.com

ACTION: Resolution 2019-59 (Kenoyer/Madrigal; 6/0; Zoslocki absent) amending Fiscal Year 2018-19 Annual Operating and Capital Improvement Project Fund Budgets.

Consent

9. Consider approving the plans and specifications for the Mellis Park Improvements Project; awarding the bid and a contract for construction to ANV Contractors, Inc. of Atwater, CA, in the amount of $323,390; and amending the Fiscal Year 2018-2019 Capital Improvement Project (CIP) Program Budget. (Funding Source: Community Development Block Grant)
   - Resolution approving the plans and specifications for the Mellis Park Improvements Project and awarding the bid and a construction contract to ANV Contractors, Inc. of Atwater, CA, in the amount of $323,390 and authorizing the City Manager, or his designee, to execute a contract.
   - Resolution amending the Fiscal Year 2018-2019 Capital Improvement Project Program Budget for Project #101147 – Mellis Park Picnic Area Renovation as outlined in Attachment A and authorizing the City Manager, or his designee to implement the provisions of this Resolution.

   Parks, Recreation & Neighborhoods; Nathan Houx, 571-5526, nhoux@modestogov.com

ACTION: Resolution 2019-60 (Kenoyer/Madrigal; 6/0; Zoslocki absent) approving the plans and specifications for the Mellis Park Improvements Project and awarding the bid and a construction contract to ANV Contractors, Inc. of Atwater, CA, in the amount of $323,390 and authorizing the City Manager, or his designee, to execute a contract.

ACTION: Resolution 2019-61 (Kenoyer/Madrigal; 6/0; Zoslocki absent) amending the

Fiscal Year 2018-2019 Capital Improvement Project Program Budget for Project #101147 – Mellis Park Picnic Area Renovation as outlined in Attachment A and authorizing the City Manager, or his designee to implement the provisions of this Resolution.

Consent

10. Consider approving a payment to the California Department of Tax and Fee Administration, for state and local sales tax of $415,687 for the purchase of five electric buses and associated costs. (Funding Source: California Air Resources Board, Federal Transit Administration and Local Transit Funds)
    - Resolution approving a payment to the California Department of Tax and Fee Administration, for state and local sales tax of $415,687 for the purchase of 5 electric buses and associated costs, and authorizing the Finance Director, or her designee to submit the payment.

    Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Resolution 2019-62 (Kenoyer/Madrigal; 6/0; Zoslocki absent) approving a payment to the California Department of Tax and Fee Administration, for state and local sales tax of $415,687 for the purchase of 5 electric buses and associated costs, and authorizing the Finance Director, or her designee to submit the payment.

COUNCIL COMMENTS & REPORTS

Councilmember Kenoyer attended the following events: the Grand Opening of Valley Children's Hospital and Chinese New Year event.

Councilmember Madrigal attended the South Modesto Partnership gathering for community input and conversation called "Juntos"; he encouraged citizens to fill out the City of Modesto Community Survey; he also announced the Project Prom event through March 30, 2019.

CITY MANAGER COMMENTS & REPORTS

None.

NEW BUSINESS

11. Consider approving the Fiscal Year 2017-2018 Single Audit Report for the City of Modesto from external auditors Hudson Henderson & Company, Inc. (Funding Source: Not Applicable)
    - Resolution approving the Fiscal Year 2017-2018 Single Audit Report for the City of Modesto from external auditors Hudson Henderson & Company, Inc.

    Finance; Julie Huang, 571-5574, jhuang@modestogov.com

ACTION: Resolution 2019-63 (Kenoyer/Ridenour; 6/0; Zoslocki absent) approving the Fiscal Year 2017-2018 Single Audit Report for the City of Modesto from external auditors Hudson Henderson & Company, Inc.

12. Consider approving the audited financial statements and various audit reports for Fiscal

Year 2017-2018 audited by external auditors Hudson Henderson & Company, Inc. for the City's Comprehensive Annual Financial Report, eleven Community Facilities Districts and various Joint Powers Agencies. (Funding Source: Not Applicable)

- Resolution approving the audited financial statements and various audit reports for Fiscal Year 2017-2018 audited by external auditors Hudson Henderson & Company, Inc. for the City's Comprehensive Annual Financial Report, eleven Community Facilities Districts and various Joint Powers Agencies.

Finance; Julie Huang, 571-5574, jhuang@modestogov.com

ACTION: Resolution 2019-64 (Kenoyer/Ridenour; 6/0; Zoslocki absent) approving the audited financial statements and various audit reports for Fiscal Year 2017-2018 audited by external auditors Hudson Henderson & Company, Inc. for the City's Comprehensive Annual Financial Report, eleven Community Facilities Districts and various Joint Powers Agencies.

13. Consider approving the Auditors' Reports and Schedule of Passenger Facility Charge Revenues and Expenditures for Fiscal Year Ended June 30, 2018. (Funding Source: Not Applicable)
    - Resolution approving the Auditors' Reports and Schedule of Passenger Facility Charge Revenues and Expenditures for Fiscal Year Ended June 30, 2018, prepared by external auditors Hudson Henderson & Company, Inc.

    Finance; Julie Huang, 571-5574, jhuang@modestogov.com

ACTION: Resolution 2019-65 (Ridenour/Kenoyer; 6/0; Zoslocki absent) approving the Auditors' Reports and Schedule of Passenger Facility Charge Revenues and Expenditures for Fiscal Year Ended June 30, 2018, prepared by external auditors Hudson Henderson & Company, Inc.

14. Consider approving the Fiscal Year 2018-19 Maintenance of Effort to fund both Measure L and the Road Repair Accountability Act-Road Maintenance and Rehabilitation Account and amending the Fiscal Year 2018-19 Operating Budget in the amount of $1,538,605 to be funded with Fiscal Year 2017-18 General Fund carryover funds. (Funding Source: General Fund)
    - Resolution approving the Fiscal Year 2018-19 Maintenance of Effort to fund both Measure L and the Road Repair Accountability Act - Road Maintenance and Rehabilitation Account and amending the Fiscal Year 2018-19 Operating Budget in the amount of $1,538,605 to be funded with Fiscal Year 2017-18 General Fund carryover funds.

    Finance; Kaceey Culbertson, 577-5479, kculbertson@modestogov.com

ACTION: Resolution 2019-66 (Ridenour/Ah You; 6/0; Zoslocki absent) approving the Fiscal Year 2018-19 Maintenance of Effort to fund both Measure L and the Road Repair Accountability Act - Road Maintenance and Rehabilitation Account and amending the Fiscal Year 2018-19 Operating Budget in the amount of $1,538,605 to be funded with Fiscal Year 2017-18 General Fund carryover funds.

15. Consider approving a City contribution plan for The Awesome Spot Playground (TASP) and amending the Fiscal Year 2018-2019 Capital Improvement Program

Budget in an amount not to exceed $92,000. (Funding Source: General Fund)

- Resolution approving a City contribution plan for The Awesome Spot Playground (TASP) in the amount of $380,000.
- Resolution amending the Fiscal Year 2018-2019 Capital Improvement Program Budget for Project #100984 – The Awesome Spot Playground in Beyer Park, in an amount not to exceed $92,000 and authorizing the City Manager, or his designee to implement the provisions of this Resolution.

Parks, Recreation & Neighborhoods; Nathan Houx, 571-5526, nhoux@modestogov.com

ACTION: Resolution 2019-67 (Madrigal/Kenoyer; 6/0; Zoslocki absent) approving a City contribution plan for The Awesome Spot Playground (TASP) in the amount of $380,000.

ACTION: Resolution 2019-68 (Madrigal/Kenoyer; 6/0; Zoslocki absent) amending the Fiscal Year 2018-2019 Capital Improvement Program Budget for Project #100984 – The Awesome Spot Playground in Beyer Park, in an amount not to exceed $92,000 and authorizing the City Manager, or his designee to implement the provisions of this Resolution.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 7:30 p.m. and returned to Closed Session.

CLOSED SESSION

All Closed Session Matters heard prior to and after meeting

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Four Cases (Pursuant to Section 54956.9(d)(1) of the Government Code)

Name of case: Doe v. City of Modesto
Case No. 2010602

Wright v. City of Modesto
Case No. 9000282

Chipponeri v. City of Modesto
Case No. 2028661

Dorado v. COM
Case No. 2017930

PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Pursuant to Section 54957 of the Government Code)
Title: City Clerk

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCEA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Employees Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Confidential & Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPOA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Officers' Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPNSA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Non-Sworn Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) –MPMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCFFA

Negotiator: Norma Santoyo
Employee Organization: Modesto City Firefighters Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – Unrepresented
Negotiator: Norma Santoyo
Employee Organization: Unrepresented Management and Confidential Employees

Attest:_____
Stephanie Lopez, City Clerk

MINUTES

City of Modesto

SPECIAL FINANCE COMMITTE / COUNCIL WORKSHOP

Second Floor, Room 2005
Tenth Street Place, 1010 10th Street
Modesto, California

Monday, February 25, 2019, at 5:00 p.m.

Roll Call: Present: Councilmembers Grewal, Ah You, Zoslocki
Absent: None

CONSENT

Consent

1. Consider approving the recommended budget adjustments to Fiscal Year 2018-19 Annual Operating and Capital Improvement Project Budget and forwarding to Council for approval. (Funding Source: Downtown Modesto Community Benefit District, General Fund, and Special Fund for Capital Outlay)
   City Manager; Kaceey Culbertson, 577-5479, kculbertson@modestogov.com

ACTION: Motion (Ah You/Zoslocki; 3/0) approving the recommended budget adjustments to Fiscal Year 2018-19 Annual Operating and Capital Improvement Project Budget and forwarding to Council for approval.

Consent

2. Consider accepting State Transportation Improvement Program funds allocated by the California Transportation Commission in the amount of $4,336,000; amending the Fiscal Year 2018-19 Capital Improvement Program Budget; approving a Cooperative Agreement with Caltrans for acquisition of Right-of-Way; approving a Cooperative Agreement with Caltrans for Plans, Specifications and Estimate for the State Route 99/Pelandale Avenue Interchange Reconstruction – Phase 2 project, and forwarding to Council for approval. (Funding Source: State Transportation Improvement Program Funds)
   Community & Economic Development; Charles Covolo, 571-5537, ccovolo@modestogov.com

ACTION: Motion (Ah You/Zoslocki; 3/0) accepting State Transportation Improvement Program funds allocated by the California Transportation Commission in the amount of $4,336,000; amending the Fiscal Year 2018-19 Capital Improvement Program Budget; approving a Cooperative Agreement with Caltrans for acquisition of Right-of-Way; approving a Cooperative Agreement with Caltrans for Plans, Specifications and Estimate for the State Route 99/Pelandale Avenue Interchange Reconstruction – Phase 2 project, and forwarding to Council for approval.

Consent

3. Consider accepting an informational report on the November and December 2018 grant applications and awards and forwarding to Council for approval. (Funding Source: Not Applicable)
   Finance; Julie Huang, 571-5574, jhuang@modestogov.com

ACTION: Motion (Ah You/Zoslocki; 3/0) accepting an informational report on the November and December 2018 grant applications and awards and forwarding to Council for approval.

Consent

4. Consider approving an Agreement with The Public Group by utilizing the competitive bid process with National Intergovernmental Purchasing Alliance (National IPA), City of Tucson, for an online auction service for a two-year Agreement with three one-year extension options, for an estimated annual cost not to exceed $18,000 and a total amount not to exceed $90,000 over five years and forwarding to Council for approval. (Funding Source: General Fund and various Replacement Funds)
   Finance; Julie Huang, 571-5574, jhuang@modestogov.com

ACTION: Motion (Ah You/Zoslocki; 3/0) approving an Agreement with The Public Group by utilizing the competitive bid process with National Intergovernmental Purchasing Alliance (National IPA), City of Tucson, for an online auction service for a two-year Agreement with three one-year extension options, for an estimated annual cost not to exceed $18,000 and a total amount not to exceed $90,000 over five years and forwarding to Council for approval.

Consent

5. Consider approving a Service Agreement with Loomis Armored US, LLC Houston, Texas for armored car transport for a two-year Agreement with three one-year extension options, for an annual cost not to exceed $48,000 for the first year of service, with annual increases estimated at ten percent over the five year period, and a total amount not to exceed $294,000 over five years and forwarding to Council for approval. (Funding Source: Various Funds)
   Finance; Cyndi Kline, 577-5412, ckline@modestogov.com

ACTION: Motion (Ah You/Zoslocki; 3/0) approving a Service Agreement with Loomis Armored US, LLC Houston, Texas for armored car transport for a two-year Agreement with three one-year extension options, for an annual cost not to exceed $48,000 for the first year of service, with annual increases estimated at ten percent over the five year period, and a total amount not to exceed $294,000 over five years and forwarding to Council for approval.

Consent

6. Consider amending the position allocation plan to reclassify one Environmental Review Specialist to one Housing Rehabilitation Supervisor in the Community and Economic Development Department and eleven Police Detectives to eleven Police Officers in the Police Department and forwarding to Council for approval. (Funding Source: Not Applicable)
   Human Resources; Christina Alger, 577-5490, calger@modestogov.com

ACTION: Motion (Ah You/Zoslocki; 3/0) amending the position allocation plan to reclassify

one Environmental Review Specialist to one Housing Rehabilitation Supervisor in the Community and Economic Development Department and eleven Police Detectives to eleven Police Officers in the Police Department and forwarding to Council for approval.

Consent

7. Consider approving a Compost Facility Flexible Sales Pricing Pilot Program to become effective March 15, 2019, for a one year time period, and forwarding to Council for approval. (Funding Source: Compost Funds)
   Public Works; Karin Neep, 577-5453, kneep@modestogov.com

ACTION: Motion (Ah You/Zoslocki; 3/0) approving a Compost Facility Flexible Sales Pricing Pilot Program to become effective March 15, 2019, for a one year time period, and forwarding to Council for approval.

Consent

8. Consider approving the award of a bid for the purchase of 33 half-ton pickup trucks with various configurations to Big Valley Ford, Stockton, CA, for a total amount not to exceed $965,695, and forwarding to Council for approval. (Funding Source: Various Funds)
   Public Works; Steve Fischio, 342-2222, sfischio@modestogov.com

ACTION: Motion (Ah You/Zoslocki; 3/0) approving the award of a bid for the purchase of 33 half-ton pickup trucks with various configurations to Big Valley Ford, Stockton, CA, for a total amount not to exceed $965,695, and forwarding to Council for approval.

Consent

9. Consider approving the award of a bid to Big Valley Ford, Stockton, CA for the purchase of six Ford Police Interceptor All Wheel Drive utility vehicles, and one Police Responder Supercrew 4x4 pick-up truck for the Modesto Police Department for a total cost not to exceed $285,172, and forwarding to Council for approval. (Funding Source: Fleet Replacement Funds)
   Public Works; Steve Fischio, 242-2222, sfischio@modestogov.com

ACTION: Motion (Ah You/Zoslocki; 3/0) approving the award of a bid to Big Valley Ford, Stockton, CA for the purchase of six Ford Police Interceptor All Wheel Drive utility vehicles, and one Police Responder Supercrew 4x4 pick-up truck for the Modesto Police Department for a total cost not to exceed $285,172, and forwarding to Council for approval.

Consent

10. Consider approving the award of bid to Aviate Enterprises, Inc., McClellan, CA for the purchase of one Boom Lift, for performing a variety of maintenance items required by the Federal Transit Administration in and around the Bus Maintenance Facility for a total cost not to exceed $60,817, and forwarding to Council for approval. (Funding Source: Transit Funds)
    Public Works; Steve Fischio, 342-2222, sfischio@modestogov.com

ACTION: Motion (Ah You/Zoslocki; 3/0) approving the award of bid to Aviate Enterprises, Inc., McClellan, CA for the purchase of one Boom Lift, for performing a variety of

maintenance items required by the Federal Transit Administration in and around the Bus Maintenance Facility for a total cost not to exceed $60,817, and forwarding to Council for approval.

Consent

11. Consider the award of bid to JM Equipment, Manteca, CA, for the purchase of a replacement forklift for unloading supplies, for a total cost of $36,982, and forwarding to Council for approval. (Funding Source: Fleet Replacement Funds)
Public Works; Steve Fischio, 342-2222, sfischio@modestogov.com

ACTION: Motion (Ah You/Zoslocki; 3/0) approving the award of bid to JM Equipment, Manteca, CA, for the purchase of a replacement forklift for unloading supplies, for a total cost of $36,982, and forwarding to Council for approval

Consent

12. Consider approving the award of bid for the purchase of four, 2019 medium duty utility trucks with various configurations to Towne Ford, Redwood City, CA, for a total cost not to exceed $489,063, and forwarding to Council for approval. (Funding Source: Various Funds)
Public Works; Steve Fischio, 342-2222, sfischio@modestogov.com

ACTION: Motion (Ah You/Zoslocki; 3/0) approving the award of bid for the purchase of four, 2019 medium duty utility trucks with various configurations to Towne Ford, Redwood City, CA, for a total cost not to exceed $489,063, and forwarding to Council for approval.

NEW BUSINESS

13. Consider approving a First Amendment increasing the Agreement amount with Occu-Med LTD, Fresno, CA, for the occupational medicine services by $390,000 from $577,220 to $967,220 over five years, and forwarding to Council for approval. (Funding Source: Workers Compensation Fund and General Fund)
Finance; DeAnna Christensen, 577-5387, dachristensen@modestogov.com

ACTION: Motion (Ah You/Zoslocki; 3/0) approving a First Amendment increasing the Agreement amount with Occu-Med LTD, Fresno, CA, for the occupational medicine services by $390,000 from $577,220 to $967,220 over five years, and forwarding to Council for approval.

14. Consider approving a Professional Services Agreement Troy & Banks, Buffalo, NY to perform a utility and telecommunication audit and forwarding to Council for approval. (Funding Source: Various Funds)
Finance; Cyndi Kline, 577-5412, ckline@modestogov.com

ACTION: Motion (Zoslocki/Ah You; 3/0) approving a Professional Services Agreement Troy & Banks, Buffalo, NY to perform a utility and telecommunication audit and forwarding to Council for approval.

15. Consider accepting the "Modesto Municipal Golf System Operation Review" by Pro

Forma Advisors, LLC, providing direction to staff, and forwarding to Council for approval. (Funding Source: Golf Fund/General Fund)
Parks, Recreation & Neighborhoods; Laurie Smith, 577-5347, lsmith@modestogov.com

ACTION: Motion (Ah You/Zoslocki; 3/0) directing staff to identify and engage the appropriate stakeholders and return to Finance Committee for consideration.

ADJOURNMENT

This meeting adjourned at 6:12 p.m.

Attest:_____
Joseph Lopez, City Manager

MINUTES

City of Modesto

CITY COUNCIL MEETING

Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday February 26, 2019, at 5:30 p.m.

Roll Call – Present: Councilmembers Ah You, Grewal, Kenoyer, Madrigal, Ridenour, Zoslocki, Mayor Brandvold
Absent: None

Pledge of Allegiance to the Flag

Invocation: Lyn Crase, Emmanuel Lutheran Church

City Clerk's Announcements: None

Declaration of Conflicts of Interest: Grewal – Item 10; Ridenour – Item 17

Reports from Closed Session: City Attorney Lindgren reported on Closed Session matters.

PUBLIC COMMENT PERIOD

- Ella, Up with People, spoke regarding upcoming events in March.
- Corine Cyphers spoke regarding traffic and homeless issues in the La Loma neighborhood.
- Misty Eckert spoke regarding pets belonging to homeless at Beard Brook Park and at the 9th Street Bridge camp.
- Carmen Sabatino spoke regarding his radio show, the election in 2020 and the Modesto 2000 Committee.
- Katherine Borges spoke regarding an increase in graffiti in Modesto.
- Keenon Krick, United Cerebral Palsy, spoke regarding letters sent in support of their organization and the bus bench franchise.
- Howard Carmen spoke regarding animal control in Modesto.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED
ACTION CONSENT ITEMS: 1-9; 11-16; 18: (Kenoyer/Zoslocki; 7/0)
ACTION CONSENT ITEM 10: (Kenoyer/Zoslocki; 6/0; Grewal absent due to conflict of interest)
ACTION CONSENT ITEM 17: (Kenoyer/Grewal; 6/0: Ridenour absent due to conflict of interest)

CONSENT ITEMS

An item may be removed from consent and discussed at the request of an audience member or Councilmember.

Consent

1. Consider approving the minutes from the February 12, 2019 Council Meeting. (Funding Source: Not Applicable)
   - Motion approving the minutes from the February 12, 2019 Council Meeting.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Zoslocki; 7/0) approving the minutes from the February 12, 2019 Council Meeting.

Consent

2. Consider directing staff to prepare and file the 2019-2020 Annual Engineer's Report for Landscape Maintenance Assessment District No. 1. (Funding Source: Landscape Maintenance Assessment District No. 1)
   - Resolution directing staff to prepare and file the 2019-2020 Annual Engineer's Report for City of Modesto Landscape Maintenance Assessment District No. 1.

   Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Resolution 2019-69 (Kenoyer/Zoslocki; 7/0) directing staff to prepare and file the 2019-2020 Annual Engineer's Report for City of Modesto Landscape Maintenance Assessment District No. 1.

Consent

3. Consider directing staff to prepare and file the 2019-2020 Annual Engineer's Report for Landscape Maintenance Assessment District No. 2. (Funding Source: Landscape Maintenance Assessment District No. 2)
   - Resolution directing staff to prepare and file the 2019-2020 Annual Engineer's Report for Landscape Maintenance Assessment District No. 2.

   Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Resolution 2019-70 (Kenoyer/Zoslocki; 7/0) directing staff to prepare and file the 2019-2020 Annual Engineer's Report for Landscape Maintenance Assessment District No. 2.

Consent

4. Consider directing staff to prepare and file the 2019-2020 Annual Engineer's Report for the Shackelford Landscape and Lighting District. (Funding Source: Shackelford Landscape and Lighting District)
   - Resolution directing staff to prepare and file the 2019-2020 Annual Engineer's Report for the Shackelford Landscape and Lighting District.

   Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Resolution 2019-71 (Kenoyer/Zoslocki; 7/0) directing staff to prepare and file the 2019-2020 Annual Engineer's Report for the Shackelford Landscape and Lighting District.

Consent

5. Consider approving a Grant Deed and Purchase and Sale Agreement with JoAnne DeMattos, et al. in the amount of $10,500, for right-of-way necessary for the Hetch Hetchy and Claratina Avenue Structural Crossing Project. (Funding Source: Streets Capital Facilities Fee Fund)
   - Resolution approving a Purchase and Sale Agreement with JoAnne DeMattos, et al. for acquisition of 2,606 square feet (0.060 acres) located at 525 Claratina Avenue, in Modesto, (APN: 082-009-009), in the amount of $10,500, for the Hetch Hetchy and Claratina Avenue Structural Crossing Project, and authorizing the City Manager, or his designee, to execute the Agreement and all documents required to close escrow.
   - Resolution approving the Grant Deed from JoAnne DeMattos, et al. consisting of 2,606 square feet (0.060 acres) located at 525 Claratina Avenue, in Modesto, (APN: 082-009-009), for the Hetch Hetchy and Claratina Avenue Structural Crossing Project, and authorizing the City Manager, or his designee, to sign the Certificate of Acceptance for the Grant Deed.

   Community & Economic Development; Charles Covolo, 571-5537, ccovolo@modestogov.com

ACTION: Resolution 2019-72 (Kenoyer/Zoslocki; 7/0) approving a Purchase and Sale Agreement with JoAnne DeMattos, et al. for acquisition of 2,606 square feet (0.060 acres) located at 525 Claratina Avenue, in Modesto, (APN: 082-009-009), in the amount of $10,500, for the Hetch Hetchy and Claratina Avenue Structural Crossing Project, and authorizing the City Manager, or his designee, to execute the Agreement and all documents required to close escrow.

ACTION: Resolution 2019-73 (Kenoyer/Zoslocki; 7/0) approving the Grant Deed from JoAnne DeMattos, et al. consisting of 2,606 square feet (0.060 acres) located at 525 Claratina Avenue, in Modesto, (APN: 082-009-009), for the Hetch Hetchy and Claratina Avenue Structural Crossing Project, and authorizing the City Manager, or his designee, to sign the Certificate of Acceptance for the Grant Deed.

Consent

6. Consider approving the finding that the "Hetch Hetchy and Claratina Avenue Structural Crossing" and "Claratina Avenue Widening - McHenry to Coffee Phase 2"

projects are within the scope of the projects covered by the Modesto Urban Area General Master Plan Environmental Impact Report; approving a Grant Deed and Purchase and Sale Agreement with Ravi K. Gogna and Harjit R. Gogna, in the amount of $11,000, for the Hetch Hetchy and Claratina Avenue Structural Crossing Project; and approving a Grant of Temporary Construction Easement. (Funding Source: Streets Capital Facilities Fee Fund)

- Resolution finding that the "Hetch Hetchy and Claratina Avenue Structural Crossing" and "Claratina Avenue Widening - McHenry to Coffee Phase 2" projects are within the scope of the projects covered by the Modesto Urban Area General Master Plan Environmental Impact Report (SCH#2007072023).
- Resolution approving a Purchase and Sale Agreement with Ravi K. Gogna and Harjit R. Gogna, Trustees of the Gogna 2017 Trust Dated September 26, 2017, for acquisition of 4,735 square feet (0.109 acres) located at 407 Claratina, Modesto, (APN: 082-009-007), in the amount of $11,000, for the Hetch Hetchy and Claratina Avenue Structural Crossing Project, and authorizing the City Manager, or his designee, to execute the Agreement and all documents required to close escrow.
- Resolution approving the Grant Deed from Ravi K. Gogna and Harjit R. Gogna, Trustees of the Gogna 2017 Trust Dated September 26, 2017 and authorizing the City Manager, or his designee, to sign the Certificate of Acceptance for the Grant Deed, consisting of 4,735 square feet (0.109 acres) located at 407 Claratina, Modesto, (APN: 082-009-007), for the Hetch Hetchy and Claratina Avenue Structural Crossing Project.
- Resolution approving the Grant of Temporary Construction Easement from Ravi K. Gogna and Harjit R. Gogna, Trustees of the Gogna 2017 Trust Dated September 26, 2017 and authorizing the City Manager, or his designee, to sign the Certificate of Acceptance for the Grant of Temporary Construction Easement, consisting of 402 square feet (0.009 acres) located at 407 Claratina Avenue, in Modesto, (APN: 082-009-007), for the Hetch Hetchy and Claratina Avenue Structural Crossing Project.

Community & Economic Development; Charles Covolo, 571-5537, ccovolo@modestogov.com

ACTION: Resolution 2019-74 (Kenoyer/Zoslocki; 7/0) finding that the "Hetch Hetchy and Claratina Avenue Structural Crossing" and "Claratina Avenue Widening - McHenry to Coffee Phase 2" projects are within the scope of the projects covered by the Modesto Urban Area General Master Plan Environmental Impact Report (SCH#2007072023).

ACTION: Resolution 2019-75 (Kenoyer/Zoslocki; 7/0) approving a Purchase and Sale Agreement with Ravi K. Gogna and Harjit R. Gogna, Trustees of the Gogna 2017 Trust Dated September 26, 2017, for acquisition of 4,735 square feet (0.109 acres) located at 407 Claratina, Modesto, (APN: 082-009-007), in the amount of $11,000, for the Hetch Hetchy and Claratina Avenue Structural Crossing Project, and authorizing the City Manager, or his designee, to execute the Agreement and all documents required to close escrow.

ACTION: Resolution 2019-76 (Kenoyer/Zoslocki; 7/0) approving the Grant Deed from Ravi K. Gogna and Harjit R. Gogna, Trustees of the Gogna 2017 Trust Dated September 26, 2017

and authorizing the City Manager, or his designee, to sign the Certificate of Acceptance for the Grant Deed, consisting of 4,735 square feet (0.109 acres) located at 407 Claratina, Modesto, (APN: 082-009-007), for the Hetch Hetchy and Claratina Avenue Structural Crossing Project.

ACTION: Resolution 2019-77 (Kenoyer/Zoslocki; 7/0) approving the Grant of Temporary Construction Easement from Ravi K. Gogna and Harjit R. Gogna, Trustees of the Gogna 2017 Trust Dated September 26, 2017 and authorizing the City Manager, or his designee, to sign the Certificate of Acceptance for the Grant of Temporary Construction Easement, consisting of 402 square feet (0.009 acres) located at 407 Claratina Avenue, in Modesto, (APN: 082-009-007), for the Hetch Hetchy and Claratina Avenue Structural Crossing Project.

Consent

7. Consider accepting an informational report for the January 2019 Accounts Payable Payment Register and Void report. (Funding Source: Not Applicable)
    - Motion accepting an informational report for the January 2019 Accounts Payable Payment Register and Void report.

    Finance; Ryan Blackerby, 577-5219, rblackerby@modestogov.com

ACTION: Motion (Kenoyer/Zoslocki; 7/0) accepting an informational report for the January 2019 Accounts Payable Payment Register and Void report.

Consent

8. Consider accepting the Monthly Investment Report for December 2018. (Funding Source: Various Funds)
    - Motion accepting the Monthly Investment Report for December, 2018.

    Finance; Ryan Blackerby, 577-5219, rblackerby@modestogov.com

ACTION: Motion (Kenoyer/Zoslocki; 7/0) accepting the Monthly Investment Report for December, 2018.

Consent

9. Consider approving Second Amendments to the Agreements with Gilton Solid Waste Management, Inc. and Bertolotti Modesto Disposal, Inc. to perform billing and collection services for certain solid waste service charges for single-family residential customers within the City limits of Modesto through December 31, 2019. (Funding Source: Water, Wastewater and Storm Drain Funds)
    - Resolution approving Second Amendments to the Agreements with Gilton Solid Waste Management, Inc. and Bertolotti Modesto Disposal, Inc. to perform billing and collection services for certain solid waste service charges for single-family residential customers within the City limits of Modesto through December 31, 2019, and authorizing the City Manager, or his designee, to execute the Agreement.

    Finance; Jeni Martin, 571-5892, jmartin@modestogov.com

ACTION: Resolution 2019-78 (Kenoyer/Zoslocki; 7/0) approving Second Amendments to the Agreements with Gilton Solid Waste Management, Inc. and Bertolotti Modesto Disposal, Inc. to perform billing and collection services for certain solid waste service charges for

single-family residential customers within the City limits of Modesto through December 31, 2019, and authorizing the City Manager, or his designee, to execute the Agreement.

Consent –*Councilmember Grewal absent due to conflict of interest*

10. Consider approving a Transient Occupancy Tax Funding Agreement with the Modesto Convention and Visitors Bureau for convention and tourism services. (Funding Source: Transient Occupancy Tax)
    - Resolution approving a Transient Occupancy Tax Funding Agreement with the Modesto Convention and Visitors Bureau for convention and tourism services, and authorizing the City Manager, or his designee, to execute the Agreement.

    Parks, Recreation & Neighborhoods; Laurie Smith, 577-5347, lsmith@modestogov.com

ACTION: Resolution 2019-79 (Kenoyer/Zoslocki; 6/0; Grewal absent due to conflict of interest) approving a Transient Occupancy Tax Funding Agreement with the Modesto Convention and Visitors Bureau for convention and tourism services, and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

11. Consider approving an Agreement with Mark Thomas & Company, Inc., of Fresno, CA for the preparation of Construction Documentation (Design) for the Virginia Corridor Phase 7 in the amount of $523,899, plus $52,389 for contingency, if needed, for a total not to exceed $576,288; approving a budget adjustment as outlined in Attachment A. (Funding Source: Non-Motorized Local Transportation Funds and Various Grants)
    - Resolution approving an Agreement with Mark Thomas & Company, Inc., of Fresno, CA for the preparation of Construction Documentation (Design) for the Virginia Corridor Phase 7 in the amount of $523,899, plus $52,389 for contingency, if needed, for a total not to exceed $576,288, and authorizing the City Manager, or his designee, to execute the Agreement.
    - Resolution amending the Fiscal Year 2018-2019 Capital Improvement program budget for Project 100813 - Virginia Corridor Phase 7 as outlined in Attachment A and authorizing the City Manager, or his designee, to implement the provisions of this Resolution.

    Parks, Recreation & Neighborhoods; Nathan Houx, 571-5526, nhoux@modestogov.com

ACTION: Resolution 2019-80 (Kenoyer/Zoslocki; 7/0) approving an Agreement with Mark Thomas & Company, Inc., of Fresno, CA for the preparation of Construction Documentation (Design) for the Virginia Corridor Phase 7 in the amount of $523,899, plus $52,389 for contingency, if needed, for a total not to exceed $576,288, and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: Resolution 2019-81 (Kenoyer/Zoslocki; 7/0) amending the Fiscal Year 2018-2019 Capital Improvement program budget for Project 100813 - Virginia Corridor Phase 7 as outlined in Attachment A and authorizing the City Manager, or his designee, to implement the provisions of this Resolution.

Consent

12. Consider approving an Agreement with O'Dell Engineering, Inc., of Modesto, CA for the preparation of construction documentation (design) for the Neece Drive Boat Launch and River Access Facility in the amount of $131,574, plus $13,157 for contingency, if needed, for an Agreement total not to exceed $144,731; approving a budget adjustment as outlined in Attachment A. (Funding Source: Non-Motorized Boating Facilities Grant Program Funds and TRRP CIP Fund 101071)
    - Resolution approving an Agreement with O'Dell Engineering, Inc., of Modesto, CA for the preparation of construction documentation for the Neece Drive Boat Launch and River Access Facility in the amount of $131,574, plus $13,157 for contingency, if needed, for an Agreement total not to exceed $144,731, and authorizing the City Manager, or his designee, to execute an Agreement.
    - Resolution amending the Fiscal Year 2018-2019 Capital Improvement Program budget for Project 101017 - TRRP Neece Drive Boat Launch as outlined in Attachment A and authorizing the City Manager, or his designee, to implement the provisions of this Resolution.

    Parks, Recreation & Neighborhoods; Nathan Houx, 571-5526, nhoux@modestogov.com

ACTION: Resolution 2019-82 (Kenoyer/Zoslocki; 7/0) approving an Agreement with O'Dell Engineering, Inc., of Modesto, CA for the preparation of construction documentation for the Neece Drive Boat Launch and River Access Facility in the amount of $131,574, plus $13,157 for contingency, if needed, for an Agreement total not to exceed $144,731, and authorizing the City Manager, or his designee, to execute an Agreement.

ACTION: Resolution 2019-83 (Kenoyer/Zoslocki; 7/0) amending the Fiscal Year 2018-2019 Capital Improvement Program budget for Project 101017 - TRRP Neece Drive Boat Launch as outlined in Attachment A and authorizing the City Manager, or his designee, to implement the provisions of this Resolution.

Consent

13. Consider approving the rebranding of Modesto Area Dial-A-Ride to MAX Mobility, and authorizing staff to begin implementation. (Funding Source: Transit Funds)
    - Resolution approving the rebrand of the Modesto Area Dial-A-Ride to MAX Mobility, and authorizing the Transit Manager to begin implementation.

    Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Resolution 2019-84 (Kenoyer/Zoslocki; 7/0) approving the rebrand of the Modesto Area Dial-A-Ride to MAX Mobility, and authorizing the Transit Manager to begin implementation.

Consent

14. Consider approving the award of bid and Purchasing Agreement for a Global Positioning System and Telematics System for the City's fleet to AssetWorks, LLC,

Wayne, PA for a two-year Agreement with three one-year extension options, for an annual cost not to exceed $116,850, and a total cost not to exceed $594,236 over five years. (Funding Source: Fleet Operating Fund)

- Resolution approving the award of bid and a Purchasing Agreement for a Global Position System (GPS) and Telematics System for the City's fleet to AssetWorks, LLC, Wayne, PA, for a two-year Agreement with three one-year extension options, for an annual cost not to exceed $116,850 and a total cost not to exceed $594,236 over a five year period, and authorizing the Purchasing Manager, or her designee, to issue the Purchasing Agreement.

Public Works; Steve Fischio, 342-2222, sfischio@modestogov.com

ACTION: Resolution 2019-85 (Kenoyer/Zoslocki; 7/0) approving the award of bid and a Purchasing Agreement for a Global Position System (GPS) and Telematics System for the City's fleet to AssetWorks, LLC, Wayne, PA, for a two-year Agreement with three one-year extension options, for an annual cost not to exceed $116,850 and a total cost not to exceed $594,236 over a five year period, and authorizing the Purchasing Manager, or her designee, to issue the Purchasing Agreement.

Consent

15. Consider approving a Memorandum of Understanding for the transfer of a surplus Pierce Ladder Truck to the Salida Fire Protection District in exchange for a Chevrolet Silverado Pickup truck, for use by the City of Modesto Fire Department. (Funding Source: Not Applicable)

    - Resolution approving a Memorandum of Understanding (MOU) for the transfer of a Pierce Ladder Truck to the Salida Fire Protection District in exchange for a 2007 Chevrolet Silverado pickup truck, for use by the Modesto Fire Department, and authorizing the City Manager, or his designee, to execute the Agreement.

    Public Works; Steve Fischio, 342-2222, sfischio@modestogov.com

ACTION: Resolution 2019-86 (Kenoyer/Zoslocki; 7/0) approving a Memorandum of Understanding (MOU) for the transfer of a Pierce Ladder Truck to the Salida Fire Protection District in exchange for a 2007 Chevrolet Silverado pickup truck, for use by the Modesto Fire Department, and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

16. Consider approving an Agreement with Iteris, Santa Ana, CA, for the Traffic Signal Synchronization Outside the Downtown in the amount of $389,384, plus $38,938 for additional services (if needed), for an Agreement total not to exceed $428,322. (Funding Source: Congestion Mitigation and Air Quality)

    - Resolution approving an Agreement with Iteris, Santa Ana, CA, for the Traffic Signal Synchronization Outside the Downtown project in the amount of $389,384 for the identified scope of services, plus $38,938 for additional services (if needed), for an Agreement total not to exceed $428,322, and authorizing the City Manager, or his designee, to execute the Agreement.

    Public Works; Mark Murphy, 577-5214, mmurphy@modestogov.com

ACTION: Resolution 2019-87 (Kenoyer/Zoslocki; 7/0) approving an Agreement with Iteris, Santa Ana, CA, for the Traffic Signal Synchronization Outside the Downtown project in the amount of $389,384 for the identified scope of services, plus $38,938 for additional services (if needed), for an Agreement total not to exceed $428,322, and authorizing the City Manager, or his designee, to execute the Agreement.

Consent – *Councilmember Ridenour absent due to conflict of interest*

17. Consider accepting Sanders and Freedom Neighborhood Parks Renovation Project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $423,104 to Docon Inc., of Modesto, CA. (Funding Source: Village One CFD)
    - Resolution accepting the Sanders and Freedom Neighborhood Parks Renovation Project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $423,104 to Docon Inc., of Modesto, CA.

    Utilities; Collin Yerzy, 571-5860, cyerzy@modestogov.com

ACTION: Resolution 2019-88 (Kenoyer/Grewal; 6/0; Ridenour absent due to conflict of interest) accepting the Sanders and Freedom Neighborhood Parks Renovation Project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $423,104 to Docon Inc., of Modesto, CA.

Consent

18. Consider accepting New Traffic Signals – 2015 at McHenry Avenue and Grecian Avenue project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $403,492 to Tim Paxin's Pacific Excavation Inc. of Elk Grove, CA. (Funding Source: Congestion Mitigation and Air Quality (CMAQ) and Regional Surface Transportation Program Funds (RSTP))
    - Resolution accepting the New Traffic Signals – 2015 at McHenry Avenue and Grecian Avenue project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $403,492 to Tim Paxin's Pacific Excavation Inc. of Elk Grove, CA.

    Utilities; Collin Yerzy, 571-5860, cyerzy@modestogov.com

ACTION: Resolution 2019-89 (Kenoyer/Zoslocki; 7/0) accepting the New Traffic Signals – 2015 at McHenry Avenue and Grecian Avenue project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $403,492 to Tim Paxin's Pacific Excavation Inc. of Elk Grove, CA.

COUNCIL COMMENTS & REPORTS

Councilmember Kenoyer announced that Councilmember Ridenour was elected Second Vice President to the League of California Cities; she attended the Kaiser Hospital Quarterly meeting.

Councilmember Madrigal also attended the Kaiser Quarterly Legislative meeting; he also requested donations for Project Prom.

CITY MANAGER COMMENTS & REPORTS

None.

NEW BUSINESS

19. Consider approving the proposal, to create a project to upgrade high voltage street light circuits to low voltage; amending the position allocation and Streets Maintenance operating budget to add two limited term Equipment Operators, and amending the Fiscal Year 2018-2019 Capital Improvement Program Budget in the amount of $1,000,000 In Gas Tax Reserves and Senate Bill 1 Funds. (Funding Source: Gas Tax Fund and Surface Transportation Fund)
    - Resolution approving a proposal to upgrade High Voltage Street Circuits to Low Voltage by contracting $500,000 of the high voltage work to convert 50 street lights and allocating $500,000 for city staff to convert 100 street lights.
    - Resolution amending the Fiscal Year 2018-2019 Capital Improvement Program budget in the amount of $1,000,000 to establish a new project, and transfer funds from the Gas Tax and Senate Bill 1-Road Maintenance Rehabilitation account funds to the project.
    - Resolution allocating two full-time Equipment Operator positions to the Streets Maintenance Division for a period of three years, amending the position allocation for Fiscal Year 2018-2019 as adopted in the operating budgets, and increasing the Streets Maintenance operating budget by $80,605.

    Public Works; Mark Murphy, 577-5214, mmurphy@modestogov.com

ACTION: Resolution 2019-90 (Kenoyer/Zoslocki; 7/0) approving a proposal to upgrade High Voltage Street Circuits to Low Voltage by contracting $500,000 of the high voltage work to convert 50 street lights and allocating $500,000 for city staff to convert 100 street lights.

ACTION: Resolution 2019-91 (Kenoyer/Zoslocki; 7/0) amending the Fiscal Year 2018-2019 Capital Improvement Program budget in the amount of $1,000,000 to establish a new project, and transfer funds from the Gas Tax and Senate Bill 1-Road Maintenance Rehabilitation account funds to the project.

ACTION: Resolution 2019-92 (Kenoyer/Zoslocki; 7/0) allocating two full-time Equipment Operator positions to the Streets Maintenance Division for a period of three years, amending the position allocation for Fiscal Year 2018-2019 as adopted in the operating budgets, and increasing the Streets Maintenance operating budget by $80,605.

20. Consider accepting Mayor Brandvold's Budget Message as per Charter Section 1302.1 for Fiscal Year 2019-2020. (Funding Source: Not Applicable)
    - Motion accepting Mayor Brandvold's Budget Message as per Charter Section 1302.1 for Fiscal Year 2019-2020.

    City Council; Kathy Espinoza, 577-5396, kespinoza1@modestogov.com

ACTION: Motion (Ridenour/Zoslocki; 7/0) accepting Mayor Brandvold's Budget Message as per Charter Section 1302.1 for Fiscal Year 2019-2020.

21. Consider approving a Memorandum of Understanding, Right of Entry for Procurement and Construction Agreement with the County of Stanislaus and Salvation Army of Modesto to provide infrastructure improvements and operational support for the Salvation Army low-barrier shelter facility located at the southeast corner of the intersection at 9th Street and D Street, Modesto, in an amount not to exceed $378,326; and an associated Ground Lease with the County of Stanislaus for a permanent access center. (Funding Source: Various Funds)
    - Resolution approving a Memorandum of Understanding, Right of Entry Procurement and Construction Agreement with the County of Stanislaus and Salvation Army of Modesto to provide infrastructure improvements and operational support for the Salvation Army low-barrier shelter facility located at the southeast corner of the intersection at 9th Street and D Street, Modesto, in an amount not to exceed $378,326; and an associated Ground Lease with the County of Stanislaus for a permanent access center; and authorize the City Manager, or his designee, to negotiate and execute the Agreements.

    City Manager; Scotty Douglass, 571-5539, sdouglass@modestogov.com

ACTION: Resolution 2019-93 (Kenoyer/Ah You; 7/0) approving a Memorandum of Understanding, Right of Entry Procurement and Construction Agreement with the County of Stanislaus and Salvation Army of Modesto to provide infrastructure improvements and operational support for the Salvation Army low-barrier shelter facility located at the southeast corner of the intersection at 9th Street and D Street, Modesto, in an amount not to exceed $378,326; and an associated Ground Lease with the County of Stanislaus for a permanent access center; and authorize the City Manager, or his designee, to negotiate and execute the Agreements, **and provide Council with semi-annual updates to Council following opening of the shelter. (AS AMENDED)**

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 9:40 p.m.

CLOSED SESSION

All Closed Session Matters heard prior to meeting

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
One Case (Pursuant to Section 54956.9(d)(4) of the Government Code)

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
One Case (Pursuant to Section 54956.9(d)(2) of the Government Code)

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCEA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Employees Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Confidential & Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPOA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Officers' Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPNSA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Non-Sworn Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) –MPMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCFFA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Firefighters Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – Unrepresented
Negotiator: Norma Santoyo
Employee Organization: Unrepresented Management and Confidential Employees

Attest:_____
Stephanie Lopez, City Clerk

MINUTES

City of Modesto

CITY COUNCIL MEETING

Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday March 05, 2019, at 5:30 p.m.

Roll Call – Present: Councilmembers Ah You, Kenoyer, Madrigal, Ridenour, Zoslocki, Mayor Brandvold
Absent: Councilmember Grewal

Pledge of Allegiance to the Flag

Invocation: Jeff Pishney, Love our Cities

City Clerk's Announcements: None

Declaration of Conflicts of Interest: None

Reports from Closed Session: City Attorney Lindgren reported on Closed Session matters

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation by Up With People. (Funding Source: Not Applicable)
City Council; Kathy Espinoza, 571-5597, kespinoza1@modestogov.com

ACTION: Members of Up with People gave a Presentation to Mayor Brandvold and the City Council.

MISCELLANEOUS

Legislation
Appointments
Other

2. Consider approving various resignations, appointments and reappointments to the City's various boards and commissions. (Funding Source: Not applicable)
   - Resolution approving the resignation of Martin Campbell; and the appointments of Jim Mckay, Shane Cooper, and Steve Hatzigeorgiou to the Modesto City-County Airport Advisory Committee with a term expiration of March 20, 2021.
   - Resolution approving the appointment of Amin Vohra as the 2019 Planning Commission representative to the Board of Zoning Adjustment with a term expiration of December 31, 2019.

- Resolution approving the reappointment of Brad Wungluck to the Board of Building Appeals to a second four-year term, with a term expiration of February 10, 2023.
- Resolution approving the appointment of Hank Pollard as the Planning Commission representative to the Citizens Housing and Community Development Committee (CH&CDC) with a term expiration of December 31, 2019.
- Resolution approving the appointment of Steven Evans, as a board member and Margie Johnson as an alternate to the Disabled Access Appeals Board with a term expiration of February 10, 2023.
- Resolution reappointing Shirley Keyser as the Dryden Park Women's Golf Club Representative to the City of Modesto Golf Courses Advisory Committee for a second term with a term expiration of December 31, 2022.
- Resolution appointing Ricardo Semeria as the Modesto Golf Club Representative to the City of Modesto Golf Courses Advisory Committee for a four-year term with a term expiration of December 31, 2022.
- Resolution appointing Will Crew to the City of Modesto Landmark Preservation Commission with a term expiration of January 1, 2023.
- Resolution reappointing Carmen Morad to the City of Modesto Planning Commission with a term expiration of January 1, 2023.
- Resolution approving the reappointment of Chris Guptill to a second term on the Tuolumne River Regional Park Citizens Advisory Committee (TRRP CAC) with a term expiration of January 1, 2023.

City Manager; Edgar Garcia, 571-5101, edgarcia@modestogov.com

ACTION: Resolution 2019-94 (Ah You/Kenoyer; 6/0; Grewal absent) approving the resignation of Martin Campbell; and the appointments of Jim Mckay, Shane Cooper, and Steve Hatzigeorgiou to the Modesto City-County Airport Advisory Committee with a term expiration of March 20, 2021.

ACTION: Resolution 2019-95 (Ah You/Kenoyer; 6/0; Grewal absent) approving the appointment of Amin Vohra as the 2019 Planning Commission representative to the Board of Zoning Adjustment with a term expiration of December 31, 2019.

ACTION: Resolution 2019-96 (Ah You/Kenoyer; 6/0; Grewal absent) approving the reappointment of Brad Wungluck to the Board of Building Appeals to a second four-year term, with a term expiration of February 10, 2023.

ACTION: Resolution 2019-97 (Ah You/Kenoyer; 6/0; Grewal absent) approving the appointment of Hank Pollard as the Planning Commission representative to the Citizens Housing and Community Development Committee (CH&CDC) with a term expiration of December 31, 2019.

ACTION: Resolution 2019-98 (Ah You/Kenoyer; 6/0; Grewal absent) approving the appointment of Steven Evans, as a board member and Margie Johnson as an alternate to the Disabled Access Appeals Board with a term expiration of February 10, 2023.

ACTION: Resolution 2019-99 (Ah You/Kenoyer; 6/0; Grewal absent) reappointing Shirley

Keyser as the Dryden Park Women's Golf Club Representative to the City of Modesto Golf Courses Advisory Committee for a second term with a term expiration of December 31, 2022.

ACTION: Resolution 2019-100 (Ah You/Kenoyer; 6/0; Grewal absent) appointing Ricardo Semeria as the Modesto Golf Club Representative to the City of Modesto Golf Courses Advisory Committee for a four-year term with a term expiration of December 31, 2022.

ACTION: Resolution 2019-101 (Ah You/Kenoyer; 6/0; Grewal absent) appointing Will Crew to the City of Modesto Landmark Preservation Commission with a term expiration of January 1, 2023.

ACTION: Resolution 2019-102 (Ah You/Kenoyer; 6/0; Grewal absent) reappointing Carmen Morad to the City of Modesto Planning Commission with a term expiration of January 1, 2023.

ACTION: Resolution 2019-103 (Ah You/Kenoyer; 6/0; Grewal absent) approving the reappointment of Chris Guptill to a second term on the Tuolumne River Regional Park Citizens Advisory Committee (TRRP CAC) with a term expiration of January 1, 2023.

PUBLIC COMMENT PERIOD

- Catrina Gerard, Modesto Sister Cities, introduced the 2019 Khmelnytskyi, Ukraine delegation.
- Josh Whitfield, Assemblyman Heath Flora's Office, spoke regarding 2019 legislation.
- Ray Pefferini spoke regarding trees in Modesto.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED
ACTION CONSENT ITEMS 3-7: (Kenoyer/Madrigal; 6/0; Grewal absent)

CONSENT ITEMS

An item may be removed from consent and discussed at the request of an audience member or Councilmember.

Consent

3. Consider approving the minutes from the February 26, 2019 Council Meeting. (Funding Source: Not Applicable)
   - Motion approving the minutes from the February 26, 2019 Council Meeting.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Madrigal; 6/0; Grewal absent) approving the minutes from the February 26, 2019 Council Meeting.

Consent

4. Consider approving the 2020 Census Partnership with the United States Census Bureau. (Funding Source: Not Applicable)
   - Resolution approving the 2020 Census Partnership.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Resolution 2019-104 (Kenoyer/Madrigal; 6/0; Grewal absent) approving the 2020 Census Partnership.

Consent

5. Consider approving a First Amendment increasing the Agreement amount with Occu-Med LTD, Fresno, CA, for the occupational medicine services by $390,000 from $577,220 to $967,220 over five years. (Funding Source: Workers Compensation Fund and General Fund)
   - Resolution approving a First Amendment increasing the Agreement amount with Occu-Med LTD, Fresno, CA, for the occupational medicine services by $390,000 from $577,220 to $967,220 over five years; and authorizing the City Manager, or his designee, to execute the Amendment.

   Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Resolution 2019-105 (**Kenoyer/Madrigal; 6/0; Grewal absent**) approving a First Amendment increasing the Agreement amount with Occu-Med LTD, Fresno, CA, for the occupational medicine services by $390,000 from $577,220 to $967,220 over five years; and authorizing the City Manager, or his designee, to execute the Amendment.

Consent

6. Consider approving a Professional Services Agreement with Troy & Banks, Buffalo, NY to perform a utility and telecommunication audit. (Funding Source: Various Funds)
   - Resolution approving a Professional Services Agreement with Troy & Banks, Buffalo, NY to perform a utility and telecommunication audit; and authorizing the City Manager, or his designee, to execute the Amendment.

   Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Resolution 2019-106 (**Kenoyer/Madrigal; 6/0; Grewal absent**) approving a Professional Services Agreement with Troy & Banks, Buffalo, NY to perform a utility and telecommunication audit; and authorizing the City Manager, or his designee, to execute the Amendment.

Consent

7. Consider approving the sole source purchase with McCain Inc., Vista, CA, for the purchase of traffic signal controllers and conflict monitors to upgrade the remaining 60 traffic signals for an estimated cost not to exceed $149,932. (Funding Source: Measure L Funds)
   - Resolution approving the sole source purchase with McCain Inc., Vista, CA, for the purchase of traffic signal controllers and conflict monitors to upgrade the remaining 60 traffic signals for an estimated cost not to exceed $149,932, and authorizing the Purchasing Manager, or her designee, to execute the Agreement.

Public Works; Mark Murphy, 577-5214, mmurphy@modestogov.com

ACTION: Resolution 2019-107 (**Kenoyer/Madrigal; 6/0; Grewal absent**) approving the sole source purchase with McCain Inc., Vista, CA, for the purchase of traffic signal controllers and conflict monitors to upgrade the remaining 60 traffic signals for an estimated cost not to exceed $149,932, and authorizing the Purchasing Manager, or her designee, to execute the Agreement.

COUNCIL COMMENTS & REPORTS

Councilmember Kenoyer attended the following events: Black History event at Modesto Centre Plaza, an event at Stanislaus State regarding human trafficking; the Warriors on the Way event with Modesto Junior College and Stanislaus State; she also helped with putting up tents at the 9th Street Bridge location for homeless.

Councilmember Madrigal spoke regarding the opening of a pharmacy in South Modesto, he also assisted with putting up tents at the 9th Street Bridge location for homeless; he attended the Warriors on the Way event with Modesto Junior College and Stanislaus State; he also announced the Project Prom event.

Councilmember Ridenour thanked employees who assisted with putting up tents at the 9th Street Bridge for homeless.

CITY MANAGER COMMENTS & REPORTS

None.

UNFINISHED BUSINESS

8. Consider approving holding joint meetings with the Modesto City Council and Advisory Bodies or City Councils of the communities surrounding Modesto regarding the upcoming City of Modesto General Plan Comprehensive Update. (Funding Source: Not Applicable)
   - Motion approving holding joint meetings with the Modesto City Council and Advisory Bodies and City Councils of the communities surrounding Modesto regarding the upcoming General Plan Comprehensive Update.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Ridenour/Madrigal; 6/0; Grewal absent) approving holding joint meetings with the Modesto City Council and Advisory Bodies and City Councils of the communities surrounding Modesto regarding the upcoming General Plan Comprehensive Update.

HEARINGS

Published in the Modesto Bee on February 22, 2019

9. Consider certifying the Master Environmental Impact Report (Master EIR) update for the amended Urban Area General Plan (or General Plan as it is more commonly known) and approving an Amendment to the land use and circulation elements of the General Plan (GP). (Funding Source: General Fund)
   - Resolution making certain findings concerning mitigation of environmental impacts, making findings concerning alternatives, adopting a statement of overriding considerations, and certifying the Final Master Environmental Impact Report for the Urban Area General Plan (SCH No. 2014042081).
   - Resolution approving an Urban Area General Plan amendment for Land Use and Circulation Elements.

   Community & Economic Development; Brad Wall, 577-5273, bwall@modestogov.com

ACTION: Motion (Madrigal/Ah You; 2/4; Zoslocki, Kenoyer, Ridenour, Mayor Brandvold no; Grewal absent) directing staff to bring back option/alternative to remove Wood Colony and Salida from upcoming Comprehensive General Plan Update process. (MOTION FAILED)

ACTION: Resolution 2019-108 (Kenoyer/Zoslocki; 4/2; Ah You, Madrigal no, Grewal absent) making certain findings concerning mitigation of environmental impacts, making findings concerning alternatives, adopting a statement of overriding considerations, and certifying the Final Master Environmental Impact Report for the Urban Area General Plan (SCH No. 2014042081).

ACTION: Resolution 2019-109 (Kenoyer/Zoslocki; 4/2; Ah You, Madrigal no, Grewal absent) approving an Urban Area General Plan amendment for Land Use and Circulation Elements.

NEW BUSINESS

10. Consider approving a Lease Agreement with Beard Land Improvement Company for the Modesto Fire Department Administration building located at 409 12th Street, Modesto, CA, for an estimated annual cost not to exceed $102,960 and a total amount not to exceed $706,074 over a seven-year term. (Funding Source: General Fund)
    - Resolution approving a Lease Agreement with Beard Land Improvement Company for the Modesto Fire Department Administration building located at 409 12th Street, Modesto, CA, for an estimated annual cost not to exceed $102,960 annually and a total amount not to exceed $706,074 over a seven-year term, and authorizing the City Manager, or his designee, to execute the Agreement.

    Fire; Alan Ernst, 572-9590, aernst@modestofire.com

ACTION: Resolution 2019-110 (Ridenour/Madrigal; 6/0; Grewal absent) approving a Lease Agreement with Beard Land Improvement Company for the Modesto Fire Department Administration building located at 409 12th Street, Modesto, CA, for an estimated annual cost not to exceed $102,960 annually and a total amount not to exceed $706,074 over a seven-year term, and authorizing the City Manager, or his designee, to execute the Agreement.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 8:15 p.m.

CLOSED SESSION

All Closed Session Matters heard prior to meeting

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
One Case (Pursuant to Section 54956.9(d)(1) of the Government Code)

Name of case: Doe v. City of Modesto
Case No. 2010602

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Two Case (Pursuant to Section 54956.9(d)(4) of the Government Code)

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
One Case (Pursuant to Section 54956.9(d)(2) of the Government Code)

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCEA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Employees Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Confidential & Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPOA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Officers' Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPNSA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Non-Sworn Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) –MPMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCFFA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Firefighters Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – Unrepresented
Negotiator: Norma Santoyo
Employee Organization: Unrepresented Management and Confidential Employees

CONFERENCE WITH REAL PROPERTY NEGOTIATORS:
(Pursuant to Section 54956.8 of the Government Code)

Negotiating Parties:
For the City: Jaylen French, Director of Community & Economic Development
Adam U. Lindgren, City Attorney for City of Modesto
For Property Owners: Stanislaus Food Products
Under Negotiation: Price and terms of purchase

1. Property: 134 12th Street – APN 106-023-014
Property Owner: Stanislaus Food Products

2. Property: PO Box 3951 (12th Street) – APN 106-023-011
Property Owner: Stanislaus Food Products

3. Property: PO Box 3951 (Morton Boulevard) – APN 106-033-006
Property Owner: Stanislaus Food Products

4. Property: PO Box 3951 (Morton Boulevard) – APN 106-033-007
Property Owner: Stanislaus Food Products

5. Property: 110 11th Street – APN 106-330-014
Property Owner: Stanislaus Food Products

6. Property: 1202 D Street – APN 106-032-010
Property Owner: Stanislaus Food Products

7. Property: PO Box 3951 (B Street) – APN 106-023-009
Property Owner: Stanislaus Food Products

8. Property: PO Box 3951 (11th Street) – APN 106-037-004
Property Owner: Stanislaus Food Products

9. Property: 231 11th Street – APN 106-036-004
Property Owner: Stanislaus Food Products

10. Property: PO Box 3951 (11th Street) – APN 106-036-003
Property Owner: Stanislaus Food Products

11. Property: PO Box 1113 (12th Street) – APN 106-023-015
Property Owner: Stanislaus Food Products

12. Property: 132 10th Street – APN 106-035-003
Property Owner: Stanislaus Food Products

Attest:_____
Stephanie Lopez, City Clerk

MINUTES

City of Modesto

ECONOMIC DEVELOPMENT COMMITTE / COUNCIL WORKSHOP

Second Floor, Rom 2005
Tenth Street Place, 1010 10th Street
Modesto, California

Wednesday, March 6, 2019, at 2:00 p.m.

Roll Call: Present: Councilmembers Zoslocki, Mayor Brandvold, and Councilmember Madrigal (arrived at 2:10 p.m.)
Absent: None
Also Present: Councilmember Jenny Kenoyer

PUBLIC COMMENTS

None.

CONSENT

Consent

1. Consider approving a Fifth Amendment to the Agreement with Dokken Engineering for the preparation of the plans, specifications, and estimates and right of way acquisition for the State Route 99/Pelandale Avenue Interchange Reconstruction Project Phase 2 project to increase the existing Agreement by $181,495 for a total Agreement amount of $3,550,327 and forwarding to Council for approval. (Funding Source: Local Capital Facilities Fees (CFF) and State Transportation Improvement Program (STIP) Funds)

   Community & Economic Development; Charles Covolo, 571-5537, ccovolo@modestogov.com

ACTION: Motion (Kenoyer/Zoslocki; 3/0) approving a Fifth Amendment to the Agreement with Dokken Engineering for the preparation of the plans, specifications, and estimates and right of way acquisition for the State Route 99/Pelandale Avenue Interchange Reconstruction Project Phase 2 project to increase the existing Agreement by $181,495 for a total Agreement amount of $3,550,327 and forwarding to Council for approval.

Removed from Consent

2. Consider approving a rehabilitation and lease Agreement with Civil Air Patrol, for Building #2 at the City – County Airport, and forwarding to Council for approval. (Funding Source: Airport Operating Fund)

   Public Works; Steve Fischio, 342-2222, sfischio@modestogov.com

ACTION: Motion (Madrigal/Zoslocki; 3/0) directing staff to bring back item for next Economic Development Committee meeting.

Consent

3. Consider approving an Agreement with BlackWater Consulting Engineers Inc., Modesto, CA, for Engineering Design Services for the Colorado Water Main in the amount $78,588 for the identified scope of services, plus $7,859 in additional services, if needed, for a total not to exceed amount of $86,447 and forwarding to Council for approval. (Funding Source: Water Fund)

   Utilities; Jesse Franco, 571-5175, jfranco@modestogov.com

ACTION: Motion (Kenoyer/Zoslocki; 3/0) approving an Agreement with BlackWater Consulting Engineers Inc., Modesto, CA, for Engineering Design Services for the Colorado Water Main in the amount $78,588 for the identified scope of services, plus $7,859 in additional services, if needed, for a total not to exceed amount of $86,447 and forwarding to Council for approval.

Consent

4. Consider approving a Prequalified Consultant List for On-Call Geotechnical Engineering Services to include Crawford & Associates, Krazan & Associates, Moore Twining Associates, and GEOCON Consultants; approving one On-Call Geotechnical Engineering Services Agreement with Crawford & Associates, Inc., of Modesto, CA, for a one-year Agreement with three one-year extension options, for an annual cost not to exceed $75,000, and a total not to exceed $300,000 over four years and forwarding to Council for approval. (Funding Source: Various Capital Improvement Program Projects)

   Utilities; Robert Davalos, 571-5869, rdavalos@modestogov.com

ACTION: Motion (Kenoyer/Zoslocki; 3/0) approving a Prequalified Consultant List for On-Call Geotechnical Engineering Services to include Crawford & Associates, Krazan & Associates, Moore Twining Associates, and GEOCON Consultants; approving one On-Call Geotechnical Engineering Services Agreement with Crawford & Associates, Inc., of Modesto, CA, for a one-year Agreement with three one-year extension options, for an annual cost not to exceed $75,000, and a total not to exceed $300,000 over four years and forwarding to Council for approval.

Councilmember Madrigal left meeting at 2:45 p.m.

NEW BUSINESS

5. Consider approving a Specific Plan Reimbursement Fee for the Tivoli Specific Plan Area and forwarding to the City Council for approval. (Funding Source: Tivoli Specific Plan Reimbursement Fee)

   Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Motion (Zoslocki/Kenoyer; 3/0) approving a Specific Plan Reimbursement Fee for the Tivoli Specific Plan Area and forwarding to the City Council for approval.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 2:49 p.m.

Attest:_____
Joseph Lopez, City Manager

MINUTES

City of Modesto

SAFETY AND COMMUNITIES COMMITTEE / COUNCIL WORKSHOP

Second Floor, Room 2005
Tenth Street Place, 1010 10th Street
Modesto, California

Monday, March 11, 2019, at 5:00 p.m.

Roll Call – Present: Councilmembers Ah You, Ridenour, Kenoyer
Absent: None

PUBLIC COMMENTS

None.

NEW BUSINESS

1. Consider an Ordinance adding Chapter 13 "Rental Housing Safety Program" to Title 9, "Building Regulations" of the Modesto Municipal Code and forwarding to Council for approval. (Funding Source: General Fund, Registration Fees)

   Community & Economic Development; Oscar Diaz, 571-5885, odiaz@modestogov.com

ACTION: Motion (Ridenour/Kenoyer; 3/0) directing staff to forward to Council with amendment to include a quarterly review after inspections have started for status updates on the program.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 5:47 p.m.

Attest:_____
Joseph Lopez, City Manager

MINUTES

City of Modesto

CITY COUNCIL MEETING

Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday March 12, 2019, at 5:30 p.m.

Roll Call – Present: Councilmembers Ah You, Grewal, Kenoyer, Madrigal, Ridenour, Zoslocki, Mayor Brandvold
Absent: None

Pledge of Allegiance to the Flag

Invocation: Kristi Payne, The Church of Jesus Christ of Latter Day Saints

City Clerk's Announcements: None

Declaration of Conflicts of Interest: None

Reports from Closed Session: City Attorney Lindgren reported on Closed Session matters

PUBLIC COMMENT PERIOD

- Rhonda Allen invited Council to the first Modesto Pollinator Festival at the La Loma Neighborhood Garden on April 7, 2019.
- Israel Avalos spoke regarding assisting the City of Modesto with needs for Spanish-speaking community and working with the Mexican Consulate in Sacramento.
- Keenon Krick, United Cerebral Palsy, spoke regarding the City's bus bench franchise.
- Loretta Carhart announced the Modesto Garden Club meeting on Thursday and the Modesto Camellia Society will be showing camellias on Saturday and Sunday at the Gallo Administration Building.
- Mr. Hansen spoke regarding the closure of Beard Brook Park and camping in public places.
- Dave Pratt announced that Assemblyman Josh Harder will be at the Modesto Veterans Center on Monday at 5:30 p.m.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED
ACTION CONSENT ITEMS 1-12: (Kenoyer/Grewal; 7/0)

CONSENT ITEMS

An item may be removed from consent and discussed at the request of an audience member or Councilmember.

Consent

1. Consider approving the minutes from the March 5, 2019 Council Meeting. (Funding Source: Not Applicable)
   - Motion approving the minutes from the March 5, 2019 Council Meeting.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Grewal; 7/0) approving the minutes from the March 5, 2019 Council Meeting.

Consent

2. Consider approving a Third Amendment to the Outside Counsel Legal Services Agreement with Norton Rose Fulbright US LLP, for continued representation in relation to financing matters, in the amount of $80,000, for an Agreement total not to exceed $415,000. (Funding Source: Redevelopment Successor Agency, General Fund, Employee Benefits Fund, Wastewater, Water, and Golf Fund)
   - Resolution approving a Third Amendment to the Legal Services Agreement dated December 21, 2016 with Norton Rose Fulbright US LLP in an amount not to exceed $80,000, for a total Agreement amount not to exceed $415,000, to continue representing the City in finance matters, and authorizing the City Manager, or his designee, to execute the Agreement.

   City Attorney; Adam Lindgren, 577-5284, alindgren@modestogov.com

ACTION: Resolution 2019-111 (Kenoyer/Grewal; 7/0) approving a Third Amendment to the Legal Services Agreement dated December 21, 2016 with Norton Rose Fulbright US LLP in an amount not to exceed $80,000, for a total Agreement amount not to exceed $415,000, to continue representing the City in finance matters, and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

3. Consider approving the recommended budget adjustments to Fiscal Year 2018-19 Annual Operating and Capital Improvement Program Budget. (Funding Source: Downtown Modesto Community Benefit District, General Fund, Operations Grants Reimbursed and Special Fund for Capital Outlay)
   - Resolution amending Fiscal Year 2018-19 Annual Operating and Capital Improvement Project Fund Budgets.

   City Manager; Kaceey Culbertson, 577-5479, kculbertson@modestogov.com

ACTION: Resolution 2019-112 (Kenoyer/Grewal; 7/0) amending Fiscal Year 2018-19 Annual Operating and Capital Improvement Project Fund Budgets.

Consent

4. Consider accepting State Transportation Improvement Program funds allocated by the California Transportation Commission in the amount of $4,336,000; amending the Fiscal Year 2018-19 Capital Improvement Program Budget; approving a Cooperative Agreement with Caltrans for acquisition of Right-of-Way; and approving a Cooperative Agreement with Caltrans for Plans, Specifications and Estimate for the State Route 99/Pelandale Avenue Interchange Reconstruction – Phase 2 project. (Funding Source: State Transportation Improvement Program Funds)
   - Resolution approving a Cooperative Agreement with the California State Department of Transportation (Caltrans) for the preparation of Plans, Specifications and Estimate (PS&E) for the State Route 99/Pelandale Avenue Interchange Reconstruction – Phase 2 project, and authorizing the City Manager, or his designee, to execute the Agreement.
   - Resolution approving a Cooperative Agreement with the California State Department of Transportation (Caltrans) for acquisition of Right-of-Way for the State Route 99/Pelandale Avenue Interchange Reconstruction – Phase 2 project and authorizing the City Manager, or his designee, to execute the Agreement.
   - Resolution accepting State Transportation Improvement Program funds allocated by the California Transportation Commission in the amount of $4,336,000 for the State Route 99/Pelandale Avenue Interchange Reconstruction – Phase 2 project.
   - Resolution amending the Fiscal Year 2018-19 Capital Improvement Program Budget, project #101063 in the amount of $4,336,000 for State Route 99/Pelandale Avenue Interchange Reconstruction Phase 2 project upon receipt of authorization to proceed (E-76) from Caltrans.

   Community & Economic Development; Charles Covolo, 571-5537, ccovolo@modestogov.com

ACTION: Resolution 2019-113 (Kenoyer/Grewal; 7/0) approving a Cooperative Agreement with the California State Department of Transportation (Caltrans) for the preparation of Plans, Specifications and Estimate (PS&E) for the State Route 99/Pelandale Avenue Interchange Reconstruction – Phase 2 project, and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: Resolution 2019-114 (Kenoyer/Grewal; 7/0) approving a Cooperative Agreement with the California State Department of Transportation (Caltrans) for acquisition of Right-of-Way for the State Route 99/Pelandale Avenue Interchange Reconstruction – Phase 2 project and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: Resolution 2019-115 (Kenoyer/Grewal; 7/0) accepting State Transportation Improvement Program funds allocated by the California Transportation Commission in the amount of $4,336,000 for the State Route 99/Pelandale Avenue Interchange Reconstruction – Phase 2 project.

ACTION: Resolution 2019-116 (Kenoyer/Grewal; 7/0) amending the Fiscal Year 2018-19

Capital Improvement Program Budget, project #101063 in the amount of $4,336,000 for State Route 99/Pelandale Avenue Interchange Reconstruction Phase 2 project upon receipt of authorization to proceed (E-76) from Caltrans.

Consent

5. Consider accepting an informational report on the November and December 2018 grant applications and awards. (Funding Source: Not Applicable)
   - Motion accepting an informational report for the November and December 2018 grant application and awards.

   Finance; Julie Huang, 571-5574, jhuang@modestogov.com

ACTION: Motion (Kenoyer/Grewal; 7/0) accepting an informational report for the November and December 2018 grant application and awards.

Consent

6. Consider approving an Agreement with The Public Group by utilizing the competitive bid process with National Intergovernmental Purchasing Alliance (National IPA), City of Tucson, for an online auction service for a two-year Agreement with three one-year extension options, for an estimated annual cost not to exceed $18,000 and a total amount not to exceed $90,000 over five years. (Funding Source: General Fund and various Replacement Funds)
   - Resolution approving the Agreement with The Public Group for an online auction service for a two-year Agreement with three one-year extension options, for an estimated annual cost not to exceed $18,000 and a total amount not to exceed $90,000 over five years; and authorizing the City Manager, or his designee, to execute the Agreement.

   Finance; Julie Huang, 571-5574, jhuang@modestogov.com

ACTION: Resolution 2019-117 (Kenoyer/Grewal; 7/0) approving the Agreement with The Public Group for an online auction service for a two-year Agreement with three one-year extension options, for an estimated annual cost not to exceed $18,000 and a total amount not to exceed $90,000 over five years; and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

7. Consider approving the extension of termination dates of nine annual Purchasing Agreements. (Funding Source: Various Funds)
   - Resolution approving Purchase Agreements with various vendors as defined under Attachment A; approving termination dates for the services stated herein; and authorizing the Purchasing Manager, or her designee, to issue the identified Annual Purchase Agreements termination dates approved by Council.

   Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Resolution 2019-118 (Kenoyer/Grewal; 7/0) approving Purchase Agreements with various vendors as defined under Attachment A; approving termination dates for the

services stated herein; and authorizing the Purchasing Manager, or her designee, to issue the identified Annual Purchase Agreements termination dates approved by Council.

Consent

8. Consider approving a Service Agreement with Loomis Armored US, LLC Houston, Texas for armored car transport for a two-year Agreement with three one-year extension options, for an annual cost not to exceed $48,000 for the first year of service, with annual increases estimated at ten percent over the five year period, and a total amount not to exceed $294,000 over five years. (Funding Source: Various Funds)
    - Resolution approving a Service Agreement with Loomis Armored US, LLC Houston, Texas for armored car transport for a two-year Agreement with three one-year extension options, for an annual cost not to exceed $48,000 for the first year of service, with annual increases estimated at ten percent over the five year period, and a total amount not to exceed $294,000 over five years; and authorizing the City Manager, or his designee, to execute the Agreement.

    Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Resolution 2019-119 (Kenoyer/Grewal; 7/0) approving a Service Agreement with Loomis Armored US, LLC Houston, Texas for armored car transport for a two-year Agreement with three one-year extension options, for an annual cost not to exceed $48,000 for the first year of service, with annual increases estimated at ten percent over the five year period, and a total amount not to exceed $294,000 over five years; and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

9. Consider approving the award of bid to Aviate Enterprises, Inc., McClellan, CA for the purchase of one Boom Lift, for performing a variety of maintenance items required by the Federal Transit Administration in and around the Bus Maintenance Facility for a total cost not to exceed $60,817. (Funding Source: Transit Funds)
    - Resolution approving a Purchasing Agreement with Aviate Enterprises, Inc., McClellan, CA for the purchase of a Genie Z-30/20N RJ Boom Lift for a total cost not to exceed $60,817, and authorizing the Purchasing Manager, or her designee, to execute the Agreement.

    Public Works; Steve Fischio, 342-2222, sfischio@modestogov.com

ACTION: Resolution 2019-120 (Kenoyer/Grewal; 7/0) approving a Purchasing Agreement with Aviate Enterprises, Inc., McClellan, CA for the purchase of a Genie Z-30/20N RJ Boom Lift for a total cost not to exceed $60,817, and authorizing the Purchasing Manager, or her designee, to execute the Agreement.

Consent

10. Consider the award of bid to JM Equipment, Manteca, CA, for the purchase of a replacement forklift for unloading supplies, for a total cost of $36,982. (Funding Source: Fleet Replacement Funds)
    - Resolution approving the purchase of a replacement forklift for unloading supplies from JM Equipment, Manteca, CA, for a total amount not to exceed $36,982, and

authorizing the Purchasing Manager, or her designee, to execute the Agreement.
Public Works; Steve Fischio, 342-2222, sfischio@modestogov.com

ACTION: Resolution 2019-121 (Kenoyer/Grewal; 7/0) approving the purchase of a replacement forklift for unloading supplies from JM Equipment, Manteca, CA, for a total amount not to exceed $36,982, and authorizing the Purchasing Manager, or her designee, to execute the Agreement.

Consent

11. Consider approving an Agreement with Group Seven Laboratory Services of Stockton, CA, for Laboratory Training Services for the Environmental Laboratory Accreditation Program (ELAP) to The National Institute (TNI) standards, in an amount not to exceed $96,000. (Funding Source: Water & Wastewater Fund)
    - Resolution approving an Agreement with Group Seven Laboratory Services, Stockton, CA for Laboratory Training Services for the ELAP to TNI Standards Transition in the amount of $96,000, and authorizing the City Manager, or his designee, to execute the Agreement.

    Utilities; Jesse Franco, 571-5175, jfranco@modestogov.com

ACTION: Resolution 2019-122 (Kenoyer/Grewal; 7/0) approving an Agreement with Group Seven Laboratory Services, Stockton, CA for Laboratory Training Services for the ELAP to TNI Standards Transition in the amount of $96,000, and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

12. Consider approving the plans and specifications for the Well 72 (Replacing Well 229) Project, the award of a contract to Nor-Cal Pump & Well Drilling, Inc. of Yuba City, CA in the amount of $556,906; approving an agreement with West Yost Associates of Pleasanton, CA, for Hydrogeological and Engineering Services During Construction in an amount not to exceed $209,800 for the identified scope of services, plus $20,980 for additional services (if needed), for a total amount not to exceed $230,780; authorizing an increase in the Director's Authority from 10% to 25% to issue change orders and amending the Fiscal Year 2018-2019 Capital Improvement Project Program Budget in the amount of $88,172. (Funding Source: Water Fund - CIP)
    - Resolution approving the plans and specifications for the Well 72 (Replacing Well 229) Project, accepting the bid, and awarding a construction contract to Nor-Cal Pump & Well Drilling, Inc. of Yuba City, CA in the amount of $556,906, and authorizing the City Manager or his designee, to execute the contract.
    - Resolution approving an Agreement with West Yost Associates, Pleasanton, CA for hydrogeological and engineering design services during construction for the Well 72 (Replacing Well 229) Project, in an amount not to exceed $209,800 for the identified scope of services, plus $20,980 for additional services (if needed), for an amount not to exceed $230,780, and authorizing the City Manager, or his designee, to execute the Agreement.
    - Resolution authorizing an increase in the Director's Authority to issue change orders for the Well 72 (Replacing Well 229) Project from 10 percent ($55,691) to

25 percent ($139,227) of the construction contract amount.

- Resolution amending the Fiscal Year 2018-19 Capital Improvement Program Budget in the amount of $88,172 to be transferred into the project from Water Fund Reserves in order to fully fund the construction, contingency, construction administration, City construction forces, and design support during construction for the Well 72 (Replacing Well 229) Project, and authorizing the City Manager, or his designee, to implement the provisions of this Resolution.

Utilities; Robert Davalos, 571-5869, rdavalos@modestogov.com

ACTION: Resolution 2019-123 (Kenoyer/Grewal; 7/0) approving the plans and specifications for the Well 72 (Replacing Well 229) Project, accepting the bid, and awarding a construction contract to Nor-Cal Pump & Well Drilling, Inc. of Yuba City, CA in the amount of $556,906, and authorizing the City Manager or his designee, to execute the contract.

ACTION: Resolution 2019-124 (Kenoyer/Grewal; 7/0) approving an Agreement with West Yost Associates, Pleasanton, CA for hydrogeological and engineering design services during construction for the Well 72 (Replacing Well 229) Project, in an amount not to exceed $209,800 for the identified scope of services, plus $20,980 for additional services (if needed), for an amount not to exceed $230,780, and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: Resolution 2019-125 (Kenoyer/Grewal; 7/0) authorizing an increase in the Director's Authority to issue change orders for the Well 72 (Replacing Well 229) Project from 10 percent ($55,691) to 25 percent ($139,227) of the construction contract amount.

ACTION: Resolution 2019-126 (Kenoyer/Grewal; 7/0) amending the Fiscal Year 2018-19 Capital Improvement Program Budget in the amount of $88,172 to be transferred into the project from Water Fund Reserves in order to fully fund the construction, contingency, construction administration, City construction forces, and design support during construction for the Well 72 (Replacing Well 229) Project, and authorizing the City Manager, or his designee, to implement the provisions of this Resolution.

COUNCIL COMMENTS & REPORTS

Councilmember Kenoyer attended the following: Day of Respect on March 7, 2019 at Modesto High School, Chrysler Grammar School to read to students, and the Literacy Network Luncheon.

Councilmember Madrigal attended the South Modesto Businesses United monthly meeting at Harvest Hall; he also requested donations for Project Prom.

CITY MANAGER COMMENTS & REPORTS

City Manager Lopez announced City Town Hall meetings regarding the City's Strategic Plan starting next week.

HEARINGS

Published in the Modesto Bee on February 9, 2019 and Vida end el Valle on February 13, 2019

13. Hearing to approve Amendment #2 to City of Modesto Program Year 2018-2019 Annual Action Plan, and amending the Fiscal Year 2018-2019 Operating, Capital and Multi-Year project budgets to re-allocate Community Development Block Grant funds. (Funding Source: Community Development Block Grant, Emergency Solutions Grant and HOME Investment Partnerships funds)
    - Resolution approving Amendment #2 to the City of Modesto Program Year 2018-2019 Annual Action Plan, and authorizing the City Manager, or his designee, to take the necessary steps to implement the provisions of this Resolution.
    - Resolution amending the Fiscal Year 2018-2019 Operating, Capital and Multi-Year project budgets to re-allocate Community Development Block Grant funds as proposed in the program year 2018-2019 Annual Action Plan Amendment #2 and authorizing the City Manager, or his designee, to take the necessary steps to implement the provisions of this Resolution.

    Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Resolution 2019-127 (Madrigal/Ah You; 7/0) approving Amendment #2 to the City of Modesto Program Year 2018-2019 Annual Action Plan, and authorizing the City Manager, or his designee, to take the necessary steps to implement the provisions of this Resolution.

ACTION: Resolution 2019-128 (Madrigal/Ah You; 7/0) amending the Fiscal Year 2018-2019 Operating, Capital and Multi-Year project budgets to re-allocate Community Development Block Grant funds as proposed in the program year 2018-2019 Annual Action Plan Amendment #2 and authorizing the City Manager, or his designee, to take the necessary steps to implement the provisions of this Resolution.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 6:20 p.m.

CLOSED SESSION

All Closed Session Matters heard prior to meeting

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
One Case (Pursuant to Section 54956.9(d)(1) of the Government Code)
Name of case: County of Stanislaus v. City of Modesto (Geer Rd. Landfill)
Case No. 667396

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Two Case (Pursuant to Section 54956.9(d)(4) of the Government Code)

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
One Case (Pursuant to Section 54956.9(d)(2) of the Government Code)

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCEA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Employees Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Confidential & Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPOA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Officers' Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPNSA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Non-Sworn Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) –MPMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCFFA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Firefighters Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – Unrepresented
Negotiator: Norma Santoyo
Employee Organization: Unrepresented Management and Confidential Employees

Attest: _____
Stephanie Lopez, City Clerk

MINUTES

City of Modesto

SPECIAL FINANCE COMMITTE / COUNCIL WORKSHOP

Second Floor, Room 2005
Tenth Street Place, 1010 10th Street
Modesto, California

Monday, March 25, 2019, at 3:00 p.m.

Roll Call: Present: Councilmembers Madrigal (alternate), Ah You, and Mayor Brandvold (alternate)
Absent: Councilmembers Grewal and Zoslocki

PUBLIC COMMENT

None.

CONSENT

Consent

1. Consider approving the recommended budget adjustments to Fiscal Year 2018-19 Annual Operating and Capital Improvement Project Budget and forwarding to Council for approval. (Funding Source: Various Funds)

   City Manager; Kaceey Culbertson, 577-5479, kculbertson@modestogov.com

ACTION: Motion (Ah You/Mayor Brandvold; 3/0) approving the recommended budget adjustments to Fiscal Year 2018-19 Annual Operating and Capital Improvement Project Budget and forwarding to Council for approval.

Removed from Consent

2. Consider accepting Homeless Management Information System (HMIS) Grant in the amount of $173,533 and forwarding to Council for approval. (Funding Source: Continuum of Care Funds)

   Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Motion (Ah You/Mayor Brandvold; 3/0) accepting Homeless Management Information System (HMIS) Grant in the amount of $173,533 and forwarding to Council for approval.

Removed from Consent

3. Consider accepting the Continuum of Care Planning Grant in the amount of $102,947 and forwarding to Council for approval. (Funding Source: Continuum of Care Funds)

   Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Motion (Ah You/Mayor Brandvold; 3/0) accepting the Continuum of Care Planning Grant in the amount of $102,947 and forwarding to Council for approval.

Consent

4. Consider approving the purchase of 60 Samsung Galaxy Tablets including a one-year data plan with AT&T in association with the use of the Computerized Maintenance Management Systems from Lucity, Inc., Overland Park, KS for the Utilities Department Water Division in the amount of $73,496 and forwarding to Council for approval. (Funding Source: Water Fund)

   Finance; DeAnna Christensen, 577-5387, dachristensen@modestogov.com

ACTION: Motion (Ah You/Mayor Brandvold; 3/0) approving the purchase of 60 Samsung Galaxy Tablets including a one-year data plan with AT&T in association with the use of the Computerized Maintenance Management Systems from Lucity, Inc., Overland Park, KS for the Utilities Department Water Division in the amount of $73,496 and forwarding to Council for approval.

Consent

5. Consider approving an Amendment to the Purchasing Agreement with All Season Lawn Landscaping for lawn maintenance services for water wells and tank sites to increase the costs in the first year by an amount of $5,200 and $10,400 for years two through five for a total five-year increase amount not to exceed $46,800 and the revised total amount of the Agreement not to exceed $357,671 over five years and forwarding to Council for approval. (Funding Source: Water Fund)

   Finance; DeAnna Christensen, 577-5387, dachristensen@modestogov.com

ACTION: Motion (Ah You/Mayor Brandvold; 3/0) approving an Amendment to the Purchasing Agreement with All Season Lawn Landscaping for lawn maintenance services for

water wells and tank sites to increase the costs in the first year by an amount of $5,200 and $10,400 for years two through five for a total five-year increase amount not to exceed $46,800 and the revised total amount of the Agreement not to exceed $357,671 over five years and forwarding to Council for approval.

Consent

6. Consider approving the First Amendment increasing the Agreement amount with Varsity Facility Services, Rancho Cordova, CA, for the furnishing of custodial services for City-wide use by $567,497 from $1,991,770 to $2,559,267, and extending the term of the Agreement from July 7, 2019 to January 7, 2020, and forwarding to Council for approval. (Funding Source: Building Services Fund and Centre Plaza)

   Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Motion (Ah You/Mayor Brandvold; 3/0) approving the First Amendment increasing the Agreement amount with Varsity Facility Services, Rancho Cordova, CA, for the furnishing of custodial services for City-wide use by $567,497 from $1,991,770 to $2,559,267, and extending the term of the Agreement from July 7, 2019 to January 7, 2020, and forwarding to Council for approval.

Consent

7. Consider approving the award of bid for the Modesto Police Department (MPD) Records Unit Office Remodel to Warden's Office Inc., Modesto, CA. for a one-time purchase and installation of office furniture with an estimated cost not to exceed $86,802.17 and forwarding to Council for approval. (Funding Source: 16/17 SLESF - State Supplemental Law Enforcement Funds)

   Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Motion (Ah You/Mayor Brandvold; 3/0) approving the award of bid for the Modesto Police Department (MPD) Records Unit Office Remodel to Warden's Office Inc., Modesto, CA. for a one-time purchase and installation of office furniture with an estimated cost not to exceed $86,802.17 and forwarding to Council for approval.

Consent

8. Consider approving the purchase of 45 ethernet switches from Western Pacific Signal, LLC., San Leandro, CA, in the amount of $74,248 to modernize traffic signal communications to our Advanced Traffic Management System and forwarding to Council for approval. (Funding Source: Local Control Measure L Funds)

   Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Motion (Ah You/Mayor Brandvold; 3/0) approving the purchase of 45 ethernet switches from Western Pacific Signal, LLC., San Leandro, CA, in the amount of $74,248 to modernize traffic signal communications to our Advanced Traffic Management System and forwarding to Council for approval.

Consent

9. Consider approving a Purchasing Agreement with DS Services of America, Inc., Atlanta, GA and Nestle Waters North America, for bottled water services, for a two-year Agreement with three one-year extension options, for an annual cost not to exceed $80,000 and $20,000, respectively, for a total combined annual cost not to exceed $100,000 and a total combined five year cost not to exceed $500,000, providing the ability to transfer funds between the two Purchasing Agreements if needed, and forwarding to Council for approval. (Funding Source: Various Funds)

   Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Motion (Ah You/Mayor Brandvold; 3/0) approving a Purchasing Agreement with DS Services of America, Inc., Atlanta, GA and Nestle Waters North America, for bottled water services, for a two-year Agreement with three one-year extension options, for an annual cost not to exceed $80,000 and $20,000, respectively, for a total combined annual cost not to exceed $100,000 and a total combined five year cost not to exceed $500,000, providing the ability to transfer funds between the two Purchasing Agreements if needed, and forwarding to Council for approval.

Consent

10. Consider approving the First Amendment increasing the Agreement amount with Elavon Inc., for merchant services by $340,792 from $1,984,255 to a new total amount of $2,325,047, and extending the term of the Agreement from May 31, 2019 to May 31, 2021 and forwarding to Council for approval. (Funding Source: Various Funds)

    Finance; Gina Brown, 577-5381, gbrown@modestogov.com

ACTION: Motion (Ah You/Mayor Brandvold; 3/0) approving the First Amendment increasing the Agreement amount with Elavon Inc., for merchant services by $340,792 from $1,984,255 to a new total amount of $2,325,047, and extending the term of the Agreement from May 31, 2019 to May 31, 2021 and forwarding to Council for approval.

Consent

11. Consider accepting a report on upcoming Capital Improvement construction projects. (Funding Source: Various CIPs)

    Utilities; Jesse Franco, 571-5175, jfranco@modestogov.com

ACTION: Motion (Ah You/Mayor Brandvold; 3/0) accepting a report on upcoming Capital Improvement construction projects.

NEW BUSINESS

12. Consider reviewing a draft 2019 State and Federal Legislative Platform for the City of Modesto, providing direction to staff, and forwarding to Council for approval. (Funding Source: Not Applicable)

    City Manager; Edgar Garcia, 571-5101, edgarcia@modestogov.com

ACTION: Motion (Ah You/Mayor Brandvold; 3/0) accepting a draft 2019 State and Federal Legislative Platform for the City of Modesto, providing direction to staff, and forwarding to Council for approval.

13. Consider approving a Professional Services Agreement with Townsend Public Affairs for State Advocacy Services, for a two-year Agreement, for an annual cost not to exceed $60,000, and a total two-year cost not to exceed $120,000; a Professional Services Agreement with Holland & Knight for Federal Advocacy Services, for a two-year Agreement, for an annual cost not to exceed $102,000, and a total two-year cost not to exceed $204,000; and forwarding to Council for approval. (Funding Source: Various Funds)

    City Manager; Edgar Garcia, 571-5101, edgarcia@modestogov.com

ACTION: Motion (Ah You/Mayor Brandvold; 3/0) approving a Professional Services Agreement with Townsend Public Affairs for State Advocacy Services, for a two-year Agreement, for an annual cost not to exceed $60,000, and a total two-year cost not to exceed $120,000; a Professional Services Agreement with Holland & Knight for Federal Advocacy Services, for a two-year Agreement, for an annual cost not to exceed $102,000, and a total two-year cost not to exceed $204,000; and forwarding to Council for approval..

14. Consider awarding a Bus Bench Franchise Agreement for a five year period to Creative Outdoor Advertising of America, Tampa, FL, to advertise on Modesto Area Express bus stop benches, and forwarding to Council for approval. (Funding Source: Revenue to Transit Fund)

    Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Motion (Ah You/Mayor Brandvold; 3/0) directing staff to return to Finance Committee next month to provide staff time to revisit the process.

15. Consider approving the submission of a grant application for the Low Carbon Transit Operations Program in the amount of $865,323 for free transit fares for specific dates and events to encourage more ridership on Modesto Area Express buses, and forwarding to Council for approval. (Funding Source: Transit Funds)

    Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Motion (Ah You/Mayor Brandvold; 3/0) approving the submission of a grant application for the Low Carbon Transit Operations Program in the amount of $865,323 for free transit fares for specific dates and events to encourage more ridership on Modesto Area Express buses, and forwarding to Council for approval.

16. Consider approving a list of projects to be funded with Road Repair and Accountability Act tax proceeds in Fiscal Year 2019-20, and forwarding to Council for approval. (Funding Source: Senate Bill 1 Funds)

    Public Works; Steve Fischio, 342-2222, sfischio@modestogov.com

ACTION: Motion (Mayor Brandvold/Ah You; 3/0) approving a list of projects to be funded with Road Repair and Accountability Act tax proceeds in Fiscal Year 2019-20, and forwarding to Council for approval.

ADJOURNMENT

This meeting adjourned at 5:20 p.m.

Attest:_____
Joseph Lopez, City Manager

MINUTES

City of Modesto

CITY COUNCIL MEETING

Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday April 02, 2019, at 5:30 p.m.

Roll Call – Present: Councilmembers Ah You, Grewal, Kenoyer, Madrigal*, Ridenour, Zoslocki, Mayor Brandvold
Absent: None

Pledge of Allegiance to the Flag

Invocation: Scott Nelson, Covenant Grove Church

City Clerk's Announcements: Item 18 – continued to future Council meeting

Declaration of Conflicts of Interest: Councilmember Grewal – Item 20

Reports from Closed Session: City Attorney Lindgren reported on Closed Session matters

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation of the 2019 California Mayors Cyber Cup to Enochs High School. (Funding Source: Not Applicable)
   City Council; Kathy Espinoza, 571-5597, kespinoza1@modestogov.com

ACTION: Mayor Brandvold was presented with the 2019 California Mayors Cyber Cup from Enochs High School.

2. Presentation of Proclamation proclaiming April 7th thru 13th as National Library Week. (Funding Source: Not Applicable)
   City Council; Kathy Espinoza, 571-5597, kespinoza1@modestogov.com

ACTION: Mayor Brandvold presented a Proclamation proclaiming April 7th thru 13th as National Library Week.

MISCELLANEOUS

Legislation
Appointments
Other

3. Consider accepting the resignation of Richard Daniels from the City of Modesto Citizens' Housing and Community Development Committee. (Funding Source: Not Applicable)
   - Resolution accepting the resignation of Richard Daniels from the City of Modesto's Citizens' Housing and Community Development Committee.

   Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Resolution 2019-129 (Kenoyer/Grewal; 7/0) accepting the resignation of Richard Daniels from the City of Modesto's Citizens' Housing and Community Development Committee.

4. Consider accepting the resignation of Gabriella Fierro from the City of Modesto Housing Rehabilitation Loan Committee. (Funding Source: Not Applicable)
   - Resolution accepting the resignation of Gabriella Fierro from the City of Modesto Housing Rehabilitation Loan Committee.

   Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Resolution 2019-130 (Kenoyer/Ah You; 7/0) accepting the resignation of Gabriella Fierro from the City of Modesto Housing Rehabilitation Loan Committee.

PUBLIC COMMENT PERIOD

- Josh Whitfield, Assemblyman Heath Flora's Office, gave an update on upcoming bills in Sacramento.

- Emerson Drake spoke regarding Strategic Plan Town Hall meetings scheduled in the City of Modesto, Meyers Nave attorney's fees and the Chamber of Commerce.

- Howard Carmen spoke regarding animal control in the City of Modesto.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED
ACTION CONSENT ITEMS 5-17; 19: (Kenoyer/Zoslocki; 7/0)

CONSENT ITEMS

An item may be removed from consent and discussed at the request of an audience member or Councilmember.

Consent

5. Consider approving the minutes from the March 12, 2019 Council Meeting. (Funding Source: Not Applicable)
   - Motion approving the minutes from the March 12, 2019 Council Meeting.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Zoslocki; 7/0) approving the minutes from the March 12, 2019 Council Meeting.

Consent

6. Consider approving the award of bid and Purchasing Agreement for clean up or board up of nuisance and unsafe properties to Scott Reddenbaugh Construction, Modesto, CA, for a two-year Agreement with three one-year extension options, for an annual cost not to exceed $40,000 and a total amount not to exceed $200,000 over five years. (Funding Source: Multi Year Abatement Fund 100673)
    - Resolution approving the award of bid, and Purchasing Agreement for clean up or board up of nuisance and unsafe properties to Scott Reddenbaugh Construction, Modesto, CA, for a two-year Agreement with three one-year extension options, for an annual cost not to exceed $40,000 and a total amount not to exceed $200,000 over five years, and authorizing the Purchasing Manager, or her designee to execute the Agreement.

    Community & Economic Development; Oscar Diaz, 571-5885, odiaz@modestogov.com

ACTION: Resolution 2019-131 (Kenoyer/Zoslocki; 7/0) approving the award of bid, and Purchasing Agreement for clean up or board up of nuisance and unsafe properties to Scott Reddenbaugh Construction, Modesto, CA, for a two-year Agreement with three one-year extension options, for an annual cost not to exceed $40,000 and a total amount not to exceed $200,000 over five years, and authorizing the Purchasing Manager, or her designee to execute the Agreement.

Consent

7. Consider accepting the Public Improvements of Hillglen Roselle Subdivision and releasing securities upon expiration of statutory periods. (Funding Source: Not Applicable)
    - Resolution accepting the public improvements for Hillglen Roselle Subdivision, located in Village One at the south-east corner of the intersection of Hillglen Avenue and Roselle Avenue, authorizing the City Clerk to file a Notice of Completion with the Stanislaus County Recorder's Office, and to release securities upon expiration of statutory periods.

    Community & Economic Development; Daniel England, 571-5589, dengland@modestogov.com

ACTION: Resolution 2019-132 (Kenoyer/Zoslocki; 7/0) accepting the public improvements for Hillglen Roselle Subdivision, located in Village One at the south-east corner of the intersection of Hillglen Avenue and Roselle Avenue, authorizing the City Clerk to file a Notice of Completion with the Stanislaus County Recorder's Office, and to release securities upon expiration of statutory periods.

Consent

8. Consider approving a Fifth Amendment to the Agreement with Dokken Engineering

for the preparation of the plans, specifications, and estimates and right of way acquisition for the State Route 99/Pelandale Avenue Interchange Reconstruction Project Phase 2 project to increase the existing Agreement by $181,495 for a total Agreement amount of $3,550,327. (Funding Source: Local Capital Facilities Fees (CFF) and State Transportation Improvement Program (STIP) Funds)

- Resolution approving a Fifth Amendment to the Agreement with Dokken Engineering for the preparation of the plans, specifications, and estimates and right of way acquisition for the State Route 99/Pelandale Avenue Interchange Reconstruction Project Phase 2 project to increase the existing Agreement by $181,495 for a total Agreement amount of $3,550,327, and authorizing the City Manager, or his designee, to execute the Fifth Amendment.

Community & Economic Development; Charles Covolo, 571-5537, ccovolo@modestogov.com

ACTION: Resolution 2019-133 (Kenoyer/Zoslocki; 7/0) approving a Fifth Amendment to the Agreement with Dokken Engineering for the preparation of the plans, specifications, and estimates and right of way acquisition for the State Route 99/Pelandale Avenue Interchange Reconstruction Project Phase 2 project to increase the existing Agreement by $181,495 for a total Agreement amount of $3,550,327, and authorizing the City Manager, or his designee, to execute the Fifth Amendment.

Consent

9. Consider accepting the Monthly Investment Report for January 2019. (Funding Source: Various Funds)
   - Motion accepting the Monthly Investment Report for January, 2019.

   Finance; Ryan Blackerby, 577-5219, rblackerby@modestogov.com

ACTION: Motion (Kenoyer/Zoslocki; 7/0) accepting the Monthly Investment Report for January, 2019.

Consent

10. Consider approving the purchase of 60 Samsung Galaxy Tablets including a one-year data plan with AT&T in association with the use of the Computerized Maintenance Management Systems from Lucity, Inc., Overland Park, KS for the Utilities Department Water Division in the amount of $73,496. (Funding Source: Water Fund)
    - Resolution approving the purchase of 60 Samsung Galaxy Tablets including a one-year data plan with AT&T in association with the use of the Computerized Maintenance Management Systems from Lucity, Inc., Overland Park, KS for the Utilities Department Water Division in the amount of $73,496, and authorizing the Purchasing Manager, or her designee, to execute the purchase order.

    Finance; DeAnna Christensen, 577-5387, dachristensen@modestogov.com

ACTION: Resolution 2019-134 (Kenoyer/Zoslocki; 7/0) approving the purchase of 60 Samsung Galaxy Tablets including a one-year data plan with AT&T in association with the use of the Computerized Maintenance Management Systems from Lucity, Inc., Overland Park, KS for the Utilities Department Water Division in the amount of $73,496, and authorizing the

Purchasing Manager, or her designee, to execute the purchase order.

Consent

11. Consider approving an Amendment to the Purchasing Agreement with All Season Lawn Landscaping for lawn maintenance services for water wells and tank sites to increase the costs in the first year by an amount of $5,200 and $10,400 for years two through five for a total five-year increase amount not to exceed $46,800 and the revised total amount of the Agreement not to exceed $357,671 over five years. (Funding Source: Water Fund)
    - Resolution approving an Amendment to the Purchasing Agreement with All Season Lawn Landscaping for lawn maintenance services for water wells and tank sites to increase the costs in the first year by an amount of $5,200 and $10,400 for years two through five for a total five-year increase amount not to exceed $46,800 and the revised total amount of the Agreement not to exceed $357,671 over five years; and authorizing the Purchasing Manager, or her designee, to execute the Amendment.

    Finance; DeAnna Christensen, 577-5387, dachristensen@modestogov.com

ACTION: Resolution 2019-135 (Kenoyer/Zoslocki; 7/0) approving an Amendment to the Purchasing Agreement with All Season Lawn Landscaping for lawn maintenance services for water wells and tank sites to increase the costs in the first year by an amount of $5,200 and $10,400 for years two through five for a total five-year increase amount not to exceed $46,800 and the revised total amount of the Agreement not to exceed $357,671 over five years; and authorizing the Purchasing Manager, or her designee, to execute the Amendment.

Consent

12. Consider amending the position allocation plan to reclassify one Environmental Review Specialist to one Housing Rehabilitation Supervisor in the Community and Economic Development Department and eleven Police Detectives to eleven Police Officers in the Police Department. (Funding Source: Community Development Block Grant (CDBG), Home Investment Partnership Grant (HOME), and Emergency Solutions Grant (ESG), General Fund)
    - Resolution amending the position allocation plan to reclassify one Environmental Review Specialist to one Housing Rehabilitation Supervisor in the Community and Economic Development Department and eleven Police Detectives to eleven Police Officers in the Police Department.

    Human Resources; Christina Alger, 577-5490, calger@modestogov.com

ACTION: Resolution 2019-136 (Kenoyer/Zoslocki; 7/0) amending the position allocation plan to reclassify one Environmental Review Specialist to one Housing Rehabilitation Supervisor in the Community and Economic Development Department and eleven Police Detectives to eleven Police Officers in the Police Department.

Consent

13. Consider approving the award of bid for the purchase of 33 half-ton pickup trucks with various configurations to Big Valley Ford, Stockton, CA, for a total amount not to exceed $965,695. (Funding Source: Fleet Replacement Fund, General Fund, Water

Fund, Wastewater Fund, Surface Transportation Fund)

- Resolution approving the award of bid for the purchase of 33 - 2019 half-ton pick-up trucks with various configurations, to Big Valley Ford, Stockton, CA, for a total cost not to exceed $965,695, and authorizing the Purchasing Manager, or her designee, to issue a Purchase Order.

Public Works; Steve Fischio, 342-2222, sfischio@modestogov.com

ACTION: Resolution 2019-137 (Kenoyer/Zoslocki; 7/0) approving the award of bid for the purchase of 33 - 2019 half-ton pick-up trucks with various configurations, to Big Valley Ford, Stockton, CA, for a total cost not to exceed $965,695, and authorizing the Purchasing Manager, or her designee, to issue a Purchase Order.

Consent

14. Consider approving the award of bid to Big Valley Ford, Stockton, CA, for the purchase of six Ford Police Interceptor All Wheel Drive utility vehicles and one Police Responder Supercrew 4x4 pick-up truck for the Modesto Police Department for a total cost not to exceed $285,172. (Funding Source: Fleet Replacement Funds)

    - Resolution approving the award of bid for the purchase of six Ford Police Interceptor AWD Utility vehicles and one Ford Responder Supercrew 4x4 to Big Valley Ford, Stockton, CA, for a total cost not to exceed $285,172, and authorizing the Purchasing Manager, or her designee, to issue the Purchasing Order.

    Public Works; Steve Fischio, 342-2222, sfischio@modestogov.com

ACTION: Resolution 2019-138 (Kenoyer/Zoslocki; 7/0) approving the award of bid for the purchase of six Ford Police Interceptor AWD Utility vehicles and one Ford Responder Supercrew 4x4 to Big Valley Ford, Stockton, CA, for a total cost not to exceed $285,172, and authorizing the Purchasing Manager, or her designee, to issue the Purchasing Order.

Consent

15. Consider approving the award of bid for the purchase of four 2019 medium duty utility trucks with various configurations to Towne Ford, Redwood City, CA, for a total cost not to exceed $489,063. (Funding Source: Fleet Replacement Fund, Wastewater Fund, Stormwater Fund)

    - Resolution approving the award of bid for the purchase of four 2019 medium duty utility trucks with various configurations to Towne Ford, Redwood City, CA, for a total cost of $489,063 and authorizing the Purchasing Manager, or her designee, to issue the Purchase Order.

    Public Works; Steve Fischio, 342-2222, sfischio@modestogov.com

ACTION: Resolution 2019-139 (Kenoyer/Zoslocki; 7/0) approving the award of bid for the purchase of four 2019 medium duty utility trucks with various configurations to Towne Ford, Redwood City, CA, for a total cost of $489,063 and authorizing the Purchasing Manager, or her designee, to issue the Purchase Order.

Consent

16. Consider approving a Compost Facility Flexible Sales Pricing Pilot Program to become

effective April 15, 2019, for a one-year trial period. (Funding Source: Compost Fund)

- Resolution approving a Compost Facility Flexible Sales Pricing Pilot Program to become effective April 15, 2019, for a one-year trial period, wherein the Integrated Waste Program Manager would be able to advertise and offer discounted pricing such as seasonal or oversupply specials up to 50% off of the compost product for sale.

Public Works; Karin Neep, 577-5453, kneep@modestogov.com

ACTION: Resolution 2019-140 (Kenoyer/Zoslocki; 7/0) approving a Compost Facility Flexible Sales Pricing Pilot Program to become effective April 15, 2019, for a one-year trial period, wherein the Integrated Waste Program Manager would be able to advertise and offer discounted pricing such as seasonal or oversupply specials up to 50% off of the compost product for sale.

Consent

17. Consider approving the plans and specifications for the Empire Sanitary Sewer Trunk Project and awarding a construction contract with Rolfe Construction Company, Atwater, CA, in the amount of $3,866,093 plus $463,931 for contingency (if needed), for a total amount of $4,330,024; and amending the Fiscal Year 2018-2019 Capital Improvement Project Program Budget in the amount of $2,806,661. (Funding Source: Wastewater Fund)

    - Resolution approving plans and specifications for the Empire Sanitary Sewer Trunk Project, accepting the bid, and approving a construction contract with Rolfe Construction Company, Atwater, CA, in the amount of $3,866,093 plus $463,931 for contingency (if needed) for a total amount of $4,330,024 and authorizing the City Manager, or his designee, to execute the Agreement.
    - Resolution authorizing an increase in the Director's authority to issue change orders for the Empire Sanitary Sewer Trunk Project from 8% ($309,287) to 12% ($463,931) of the construction contract price of $3,866,093 with Rolfe Construction, Atwater, CA.
    - Resolution amending the Fiscal Year 2018-19 Capital Improvement Program Budget in the amount of $2,806,661 to be transferred into the project from Wastewater Reserves to fully fund the construction, contingency, construction administration, city construction forces and design support during construction for the Empire Sanitary Sewer Trunk Project.

    Utilities; Jesse Franco, 571-5175, jfranco@modestogov.com

ACTION: Resolution 2019-141 (Kenoyer/Zoslocki; 7/0) approving plans and specifications for the Empire Sanitary Sewer Trunk Project, accepting the bid, and approving a construction contract with Rolfe Construction Company, Atwater, CA, in the amount of $3,866,093 plus $463,931 for contingency (if needed) for a total amount of $4,330,024 and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: Resolution 2019-142 (Kenoyer/Zoslocki; 7/0) authorizing an increase in the Director's authority to issue change orders for the Empire Sanitary Sewer Trunk Project from 8% ($309,287) to 12% ($463,931) of the construction contract price of $3,866,093 with Rolfe

Construction, Atwater, CA.

ACTION: Resolution 2019-143 (Kenoyer/Zoslocki; 7/0) amending the Fiscal Year 2018-19 Capital Improvement Program Budget in the amount of $2,806,661 to be transferred into the project from Wastewater Reserves to fully fund the construction, contingency, construction administration, city construction forces and design support during construction for the Empire Sanitary Sewer Trunk Project.

Consent – *Continued to future Council meeting*

18. Consider accepting the Grayson Replacement Well 274 project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $413,811 to Maggiora Bros. Drilling, Inc. of Watsonville, California. (Funding Source: Water Fund)
    - Resolution accepting the Grayson Replacement Well 274 as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $413,811 to Maggiora Bros. Drilling, Inc. of Watsonville, CA.

    Utilities; Jesse Franco, 571-5175, jfranco@modestogov.com

ACTION: Item continued to future Council meeting.

Consent

19. Consider approving the plans and specifications for the Groundwater Monitoring Wells Project, and awarding a construction contract to Gregory Drilling, Inc., of Redmond, WA, in the amount of $634,307; approving an Agreement with Ground Zero Analysis, Inc., of Modesto, CA, for Hydrogeological Design Support During Construction in an amount not to exceed $75,454 for the identified scope of services, plus $7,545 in additional services (if needed), for a total amount not to exceed $82,999; and authorizing an increase in the Director's Authority to issue construction change orders from 10 percent ($63,431) to 20 percent ($126,861). (Funding Source: Water Fund - CIP)
    - Resolution approving the plans and specifications for the Groundwater Monitoring Wells Project, accepting the bid and awarding a construction contract with Gregory Drilling, Inc., of Redmond, WA, in the amount of $634,307 and authorizing the City Manager, or his designee, to execute the contract.
    - Resolution approving an Agreement with Ground Zero Analysis, Inc., Modesto, CA, for Hydrogeological Design Support During Construction for the Groundwater Monitoring Wells project in an amount not to exceed $75,454 for the identified scope of services, plus $7,545 in additional services (if needed), for a total not to exceed amount of $82,999 and authorizing the City Manager, or his designee, to execute the Agreement.
    - Resolution authorizing an increase in the Director’s authority to issue change orders for the Groundwater Monitoring Wells Project from 10 percent ($63,431) to 20 percent ($126,861) of the construction contract amount.

    Utilities; Sunny Kler, 577-5423, skler@modestogov.com

ACTION: Resolution 2019-144 (Kenoyer/Zoslocki; 7/0) approving the plans and specifications for the Groundwater Monitoring Wells Project, accepting the bid and awarding a construction contract with Gregory Drilling, Inc., of Redmond, WA, in the amount of $634,307 and authorizing the City Manager, or his designee, to execute the contract.

ACTION: Resolution 2019-145 (Kenoyer/Zoslocki; 7/0) approving an Agreement with Ground Zero Analysis, Inc., Modesto, CA, for Hydrogeological Design Support During Construction for the Groundwater Monitoring Wells project in an amount not to exceed $75,454 for the identified scope of services, plus $7,545 in additional services (if needed), for a total not to exceed amount of $82,999 and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: Resolution 2019-146 (Kenoyer/Zoslocki; 7/0) authorizing an increase in the Director's authority to issue change orders for the Groundwater Monitoring Wells Project from 10 percent ($63,431) to 20 percent ($126,861) of the construction contract amount.

COUNCIL COMMENTS & REPORTS

Councilmember Kenoyer attended the following events: a leadership event at Modesto Junior College on Friday; she completed a 5k run at the Modesto Marathon and Assyrian Flag Raising event on Sunday; and Modesto Nuts Media Day at John Thurman Field today.

Councilmember Ah You attended the Opioid Symposium in Modesto and today she attended the Modesto Sunrise Rotary dedication of the new Musical Flowers at Graceada Park.**;** she announced the May 11, 2019 "Ride for Mom" event and American GI Forum "Black and White Ball" on April 14, 2019.

Councilmember Zoslocki attended meetings and events in Washington, DC last week on behalf of StanCOG; he also announced Strategic Plan Workshop in District 5 on Thursday at La Loma Junior High School.

Councilmember Ridenour attended the Complete Count Census event yesterday in Modesto.

Councilmember Madrigal will attend the next Census Committee meeting on April 20, 2019.

CITY MANAGER COMMENTS & REPORTS

None

Councilmember Grewal left meeting at 6:15 p.m.
City Attorney Lindgren reported a conflict re Item 20; Attorney Craig Labadie sat in his absence

UNFINISHED BUSINESS

Councilmember Grewal absent due to conflict of interest

20. Consider approving a Professional Services Agreement with S&S HealthCare Strategies, Ltd. to negotiate and settle unpaid medical claims, including the reimbursement of employees for claims payments made prior to March 1, 2019 that were the responsibility of Riverstone Capital and authorizing an amount of $2,626,000 to fund claims settlements, fees and employee reimbursement. (Funding Source: Employee Benefits Fund)
    - Resolution approving a Professional Services Agreement with S&S HealthCare Strategies, Ltd. to negotiate and settle medical claims, including the reimbursement of employees for claims payments made prior to March 1, 2019 that were the responsibility of Riverstone and authorizing an amount of $2,626,000 to fund claims settlements, fees and employee reimbursement; and authorizing the City Manager, or his designee, to execute the Agreement.

    Human Resources; Christina Alger, 577-5490, calger@modestogov.com

ACTION: Resolution 2019-147 (Ridenour/Ah You; 6/0; Grewal absent due to conflict of interest) approving a Professional Services Agreement with S&S HealthCare Strategies, Ltd. to negotiate and settle medical claims, including the reimbursement of employees for claims payments made prior to March 1, 2019 that were the responsibility of Riverstone and authorizing an amount of $2,626,000 to fund claims settlements, fees and employee reimbursement; and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: Motion (Ridenour/AH You; 6/0; Grewal absent due to conflict of interest) directing staff to report back to Council in 90 days with an update.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 7:25 p.m.

CLOSED SESSION

All Closed Session Matters heard prior to meeting

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
One Case (Pursuant to Section 54956.9(a) of the Government Code)
Name of case(s): Joseph Mingham v. City of Modesto
California Workers Compensation Appeals Board
Nos. ADJ10101158

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Three Cases (Pursuant to Section 54956.9(d)(2) of the Government Code)

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCEA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Employees Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Confidential & Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPOA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Officers' Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPNSA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Non-Sworn Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) –MPMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCFFA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Firefighters Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – Unrepresented
Negotiator: Norma Santoyo
Employee Organization: Unrepresented Management and Confidential Employees

Attest:_____
Stephanie Lopez, City Clerk

MINUTES

City of Modesto

ECONOMIC DEVELOPMENT COMMITTE / COUNCIL WORKSHOP

Second Floor, Rom 2005
Tenth Street Place, 1010 10th Street
Modesto, California

Wednesday, April 3, 2019, at 2:00 p.m.

The April 3, 2019 Economic Development Committee Meeting

HAS BEEN CANCELLED
AND RESCHEDULED TO:

April 12, 2019 at 10:00 am
Second Floor, Room 2005
Tenth Street Place, 1010 10th Street
Modesto, California

MINUTES

City of Modesto

SAFETY AND COMMUNITIES COMMITTEE / COUNCIL WORKSHOP

Second Floor, Room 2005
Tenth Street Place, 1010 10th Street
Modesto, California

Monday, April 8, 2019, at 5:00 p.m.

Roll Call – Present: Councilmembers Ah You, Ridenour, Kenoyer
Absent: None

PUBLIC COMMENTS

None.

NEW BUSINESS

1. Consider amending the Position Allocation Plan to eliminate one Senior Administrative Office Assistant (Confidential) and one Fire Captain and creating one Battalion Chief in the Modesto Fire Department and forwarding to Council for approval. (Funding Source: General Fund - Fire Department)

   Human Resources; Christina Alger, 577-5490, calger@modestogov.com

ACTION: Motion (Ridenour/Kenoyer; 3/0) amending the Position Allocation Plan to eliminate one Senior Administrative Office Assistant (Confidential) and one Fire Captain and creating one Battalion Chief in the Modesto Fire Department and forwarding to Council for approval.

2. Consider approving a Memorandum of Understanding with the King Kennedy Memorial Center Inc. Board of Directors for the provision of funding for certain events and services, in an amount not to exceed $22,000 over five years, and forwarding to Council for approval. (Funding Source: General Fund)

   Parks, Recreation & Neighborhoods; Ashley Weaver, 577-5428, aweaver@modestogov.com

ACTION: Motion (Kenoyer/Ridenour; 3/0) approving a Memorandum of Understanding with the King Kennedy Memorial Center Inc. Board of Directors for the provision of funding for certain events and services, in an amount not to exceed $22,000 over five years, and forwarding to Council for approval.

3. Consider approving the City's sponsorship of the 21st Annual 2019 North Modesto Kiwanis Graffiti Parade and Car Show, including the waiver of City permit fees, Police Department overtime and vehicle costs, and Streets Division labor and equipment costs (estimated to be $65,027), and forwarding to Council for approval. (Funding Source: General Fund)

   Public Works; Steve Fischio, 342-2222, sfischio@modestogov.com

ACTION: Motion (Ridenour/Kenoyer; 3/0) approving the City's sponsorship of the 21st Annual 2019 North Modesto Kiwanis Graffiti Parade and Car Show, including the waiver of City permit fees, Police Department overtime and vehicle costs, and Streets Division labor and equipment costs (estimated to be $65,027), and forwarding to Council for approval.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 5:18 p.m.

Attest:_____
Joseph Lopez, City Manager

MINUTES

City of Modesto

CITY COUNCIL MEETING

Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday April 09, 2019, at 5:30 p.m.

Roll Call – Present: Councilmembers Ah You, Grewal, Kenoyer, Madrigal, Ridenour, Zoslocki, Mayor Brandvold
Absent: None

Pledge of Allegiance to the Flag

Invocation: Michael Schiefelbein, College Avenue United Church of Christ

Mayor Brandvold requested a moment of silence in memory of Tyrone Hairston

City Clerk's Announcements: Item 7 – Removed from Consent

Declaration of Conflicts of Interest: Councilmember Zoslocki – Item 11

Reports from Closed Session: City Attorney Lindgren reported on Closed Session matters

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation of the City of Modesto's 30th Annual Earth Day in the Park Festival on Saturday, April 20, 2019. (Funding Source: Not Applicable)
   Public Works; Vicki Rice, 577-5495, vrice@modestogov.com

ACTION: Recycling Program Coordinator Vicki Rice gave a Presentation of the City of Modesto's 30th Annual Earth Day in the Park Festival to be held on Saturday, April 20, 2019.

PUBLIC COMMENT PERIOD

- Susan Beasley, Parent Resource Center, announced April is Child Abuse Prevention Month.

- Joel Campos spoke regarding proposed hotel across the street from the Modesto Centre Plaza and requested space for boutiques and small shops.

- Dave Pratt spoke regarding events for Veterans and homeless Veterans in Modesto.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED

ACTION CONSENT ITEMS 2-6; 8-10: (Kenoyer/Madrigal; 7/0)

CONSENT ITEMS

An item may be removed from consent and discussed at the request of an audience member or Councilmember.

Consent

2. Consider approving the minutes from the April 2, 2019 Council Meeting. (Funding Source: Not Applicable)
   - Motion approving the minutes from the April 2, 2019 Council Meeting.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Madrigal; 7/0) approving the minutes from the April 2, 2019 Council Meeting.

Consent

3. Consider approving the recommended budget adjustments to Fiscal Year 2018-19 Annual Operating and Capital Improvement Program Budget. (Funding Source: Various Funds)
   - Resolution amending Fiscal Year 2018-19 Annual Operating and Capital Improvement Project Fund Budgets.

   City Manager; Kaceey Culbertson, 577-5479, kculbertson@modestogov.com

ACTION: Resolution 2019-148 (Kenoyer/Madrigal; 7/0) amending Fiscal Year 2018-19 Annual Operating and Capital Improvement Project Fund Budgets.

Consent

4. Consider accepting an informational report for the February 2019 Accounts Payable Payment Register and Void report. (Funding Source: Not Applicable)
   - Motion accepting an informational report for the February 2019 Accounts Payable Payment Register and Void report.

   Finance; Ryan Blackerby, 577-5219, rblackerby@modestogov.com

ACTION: Motion (Kenoyer/Madrigal; 7/0) accepting an informational report for the February 2019 Accounts Payable Payment Register and Void report.

Consent

5. Consider approving the purchase of 45 ethernet switches from Western Pacific Signal, LLC, San Leandro, CA, in the amount of $74,248 to modernize traffic signal communications to our Advanced Traffic Management System. (Funding Source: Local Control Measure L Funds)
   - Resolution approving the purchase of 45 ethernet switches from Western Pacific Signal, LLC, San Leandro, CA, in the amount of $74,248 to modernize traffic signal communications to our Advanced Traffic Management System, and authorizing the Purchasing Manager, or her designee, to execute the Purchase

Order.
Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Resolution 2019-149 (Kenoyer/Madrigal; 7/0) approving the purchase of 45 ethernet switches from Western Pacific Signal, LLC, San Leandro, CA, in the amount of $74,248 to modernize traffic signal communications to our Advanced Traffic Management System, and authorizing the Purchasing Manager, or her designee, to execute the Purchase Order.

Consent

6. Consider approving the First Amendment increasing the Agreement amount with Varsity Facility Services, Rancho Cordova, CA, for the furnishing of custodial services for City-wide use by $567,497 from $1,991,770 to $2,559,267, and extending the term of the Agreement from July 7, 2019 to January 7, 2020. (Funding Source: Building Services Fund and Centre Plaza)
    - Resolution approving the First Amendment increasing the Agreement amount with Varsity Facility Services, Rancho Cordova, CA, for the furnishing of custodial services for City-wide use by $567,497 from $ 1,991,770 to $2,559,267, and extending the term of the Agreement from July 7, 2019 to January 7, 2020; and authorizing the City Manager, or his designee, to execute the Amendment.

    Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Resolution 2019-150 (Kenoyer/Madrigal; 7/0) approving the First Amendment increasing the Agreement amount with Varsity Facility Services, Rancho Cordova, CA, for the furnishing of custodial services for City-wide use by $567,497 from $ 1,991,770 to $2,559,267, and extending the term of the Agreement from July 7, 2019 to January 7, 2020; and authorizing the City Manager, or his designee, to execute the Amendment.

Removed from Consent

7. Consider approving the submission of an allocation request for the Low Carbon Transit Operations Program in the amount of $865,323 for free transit fares for specific dates and events to encourage more ridership on Modesto Area Express buses. (Funding Source: Transit Funds)
    - Resolution approving the submission of an allocation request for the Low Carbon Transit Operations Program in the amount of $865,323 for free transit fares for specific dates and events to encourage more ridership on Modesto Area Express (MAX) buses, and authorizing the City Manager, or his designee, to execute all grant Agreement documents.

    Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Resolution 2019-151 (Kenoyer/Grewal; 7/0) approving the submission of an allocation request for the Low Carbon Transit Operations Program in the amount of $865,323 for free transit fares for specific dates and events to encourage more ridership on Modesto Area Express (MAX) buses, and authorizing the City Manager, or his designee, to execute all grant Agreement documents.

Consent

8. Consider approving an Agreement with BlackWater Consulting Engineers Inc., Modesto, CA, for Engineering Design Services for the Colorado Water Main Project in the amount $78,588 for the identified scope of services, plus $7,859 in additional services, if needed, for a total not to exceed amount of $86,447 and amending the Fiscal Year 2018-19 Capital Improvement Program Budget in the amount of $96,447. (Funding Source: Water Fund)
   - Resolution approving an agreement with BlackWater Consulting Engineers Inc., Modesto, CA, for Engineering Design Services for the Colorado Water Main Project, in an amount not to exceed $78,588 for the identified scope of services, plus $7,859 in additional services (if needed), for a total not to exceed amount of $86,447 and authorizing the City Manager, or his designee, to execute the Agreement.
   - Resolution amending the Fiscal Year 2018-19 Capital Improvement Program Budget in the amount of $96,447 to be transferred into the project from Water Fund reserves to fund engineering design services for the Colorado Water Main Project.

   Utilities; Jesse Franco, 571-5175, jfranco@modestogov.com

ACTION: Resolution 2019-152 (Kenoyer/Madrigal; 7/0) approving an agreement with BlackWater Consulting Engineers Inc., Modesto, CA, for Engineering Design Services for the Colorado Water Main Project, in an amount not to exceed $78,588 for the identified scope of services, plus $7,859 in additional services (if needed), for a total not to exceed amount of $86,447 and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: Resolution 2019-153 (Kenoyer/Madrigal; 7/0) amending the Fiscal Year 2018-19 Capital Improvement Program Budget in the amount of $96,447 to be transferred into the project from Water Fund reserves to fund engineering design services for the Colorado Water Main Project.

Consent

9. Consider accepting Hahn and Rumble Lift Station Replacement project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $3,129,828 to Mountain Cascade Inc. of Livermore, California. (Funding Source: Wastewater Fund)
   - Resolution accepting the Hahn and Rumble Lift Station project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $3,129,828 to Mountain Cascade, Inc. of Livermore, CA.

   Utilities; Jesse Franco, 571-5175, jfranco@modestogov.com

ACTION: Resolution 2019-154 (Kenoyer/Madrigal; 7/0) accepting the Hahn and Rumble Lift Station project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $3,129,828 to Mountain Cascade, Inc. of Livermore, CA.

Consent

10. Consider approving (i) a Prequalified Consultant List for Geotechnical Engineering Services to Crawford & Associates, Inc., Krazan & Associates, Inc., Moore Twinning Associates, Inc., and GEOCON Consultants, Inc. and (ii) an Agreement with Crawford & Associates, Inc., of Modesto, CA, for On-Call Geotechnical Engineering Services in an amount not to exceed $75,000 for one year, with three one-year extension options, at the City's sole discretion. (Funding Source: Various Capital Improvement Program Projects)
    - Resolution approving the prequalified consultant list, consisting of Crawford & Associates, Inc., Krazan & Associates, Inc., Moore Twinning Associates, Inc., and GEOCON Consultants, Inc. for Geotechnical Engineering Services for various Capital Improvement Program projects for a period of one year, with the possibility of three additional one-year extensions at the written approval of the Department Director.
    - Resolution approving an Agreement with Crawford & Associates, Inc., Modesto, CA for On-call Geotechnical Engineering Services for various City projects for one year, with three one-year extension options, at the sole discretion of the City, in an amount not to exceed $75,000 per year, and authorizing the City Manager, or his designee, to execute the agreement, and up to three one-year extension options.

    Utilities; Robert Davalos, 571-5869, rdavalos@modestogov.com

ACTION: Resolution 2019-155 (Kenoyer/Madrigal; 7/0) approving the prequalified consultant list, consisting of Crawford & Associates, Inc., Krazan & Associates, Inc., Moore Twinning Associates, Inc., and GEOCON Consultants, Inc. for Geotechnical Engineering Services for various Capital Improvement Program projects for a period of one year, with the possibility of three additional one-year extensions at the written approval of the Department Director.

ACTION: Resolution 2019-156 (Kenoyer/Madrigal; 7/0) approving an Agreement with Crawford & Associates, Inc., Modesto, CA for On-call Geotechnical Engineering Services for various City projects for one year, with three one-year extension options, at the sole discretion of the City, in an amount not to exceed $75,000 per year, and authorizing the City Manager, or his designee, to execute the agreement, and up to three one-year extension options.

COUNCIL COMMENTS & REPORTS

Councilmember Kenoyer attended the following events: she went with StanCOG members to meet with legislators on April 3, 2019; she went to the Modesto Fire Department Awards Ceremony on April 4, 2019; and yesterday she attended the McHenry Museum Volunteer Appreciation Luncheon.

Councilmember Ah You announced the Strategic Plan Workshop in District 3 on April 17, 2019 at 5:30 at the Modesto Senior Center.

Councilmember Madrigal attended the following events: Council District 1 Strategic Plan Town Hall meeting and he participated in a South Modesto community meeting to gather additional input for projects the City may pursue using HUD and CDBG funding; he also

announced this year's Project Prom event served over 150 students this year; he invited the community to the Strategic Plan Workshop in District 2 at the King-Kennedy Community Center on Thursday, April 11, 2019.

Councilmember Zoslocki attended a legislative meeting in Sacramento with San Joaquin Regional Policy Council of Governments last Wednesday and discussed the possible threat of losing SB1 funds for cities that don't have affordable housing.

CITY MANAGER COMMENTS & REPORTS

None.

HEARINGS

Continued from the February 5, 2019 City Council Meeting. Published in the Modesto Bee on January 16, 2019 and March 20, 2019; Councilmember Zoslocki absent due to conflict of interest

11. Hearing to consider a rezone of 2.25 acres from Low Density Residential Zone, R-1, to Planned Development Zone P-D(605) to allow for a 50-unit apartment complex on property located at the northwest corner of Rumble Road and Conant Avenue. (Funding Source: Developer Funded)
    - Motion introducing and waiving the first reading of an Ordinance amending Section 12-3-8 of the Zoning Map to rezone from Low Density Residential (R-1) Zone to Planned Development Zone P-D(605), property located at the northwest corner of Rumble Road and Conant Avenue.
    - Resolution approving a Development Plan for Planned Development Zone, P-D(605).
    - Resolution finding that the following subsequent project is within the scope of the project covered by the Modesto Urban Area General Plan Master Environmental Impact Report (SCH No. 2007072023): amendment to Section 12-3-8 of the Zoning Map to rezone 2.25 acres from R-1 Zone to Planned Development Zone P-D(605), property located on the northwest corner of Rumble Road and Conant Avenue.

    Community & Economic Development; Katharine Martin, 577-5267, kamartin@modestogov.com

ACTION: Motion (Kenoyer/Ridenour; 6/0; Zoslocki absent due to conflict of interest) introducing and waiving the first reading of **Ordinance No. 3693-C.S.** amending Section 12-3-8 of the Zoning Map to rezone from Low Density Residential (R-1) Zone to Planned Development Zone P-D(605), property located at the northwest corner of Rumble Road and Conant Avenue.

ACTION: Resolution 2019-157 (Kenoyer/Ridenour; 6/0; Zoslocki absent due to conflict of interest) approving a Development Plan for Planned Development Zone, P-D(605).

ACTION: Resolution 2019-158 (Kenoyer/Ridenour; 6/0; Zoslocki absent due to conflict of interest) finding that the following subsequent project is within the scope of the project

covered by the Modesto Urban Area General Plan Master Environmental Impact Report (SCH No. 2007072023): amendment to Section 12-3-8 of the Zoning Map to rezone 2.25 acres from R-1 Zone to Planned Development Zone P-D(605), property located on the northwest corner of Rumble Road and Conant Avenue.

ACTION: Motion (Kenoyer/Ridenour; 6/0; Zoslocki absent due to conflict of interest) including developers meeting with neighbors regarding landscape screening.

Published in the Modesto Bee on March 20, 2019 and March 27, 2019

12. Hearing to consider waiving the first reading and introducing an ordinance approving a Development Agreement with Stanislaus Food Products for the land exchange of 10th and 11th Streets between D Street and Morton Boulevard; approving the Abandonment of Portions of 11th Street, 12th Street, and B Street between D Street and Morton Boulevard; and approving the Second Amendment to the Land Exchange Agreement with Stanislaus Food Products to extend the time for compliance of certain conditions by two months. (Funding Source: Application Fee)
    - Motion introducing and waiving the first reading of an Ordinance approving a Development Agreement between D Street Partners, LP and Stanislaus Food Products and City of Modesto for the land exchange of 10th and 11th Streets between D Street and Morton Boulevard (Stanislaus Food Products and City of Modesto).
    - Resolution abandoning 11th Street between D Street and Morton Boulevard, 12th Street between B Street and Morton Boulevard, and B Street between 10th and 12th Streets. (Stanislaus Food Products and City of Modesto)
    - Resolution finding that the following subsequent project is within the scope of the project covered by the Modesto Urban Area General Plan Master Environmental Impact Report (SCH NO. 2007072023): Development Agreement and Street Abandonment Regarding the 10th and 11th Streets Land Exchange for Stanislaus Food Products and City of Modesto.
    - Resolution approving the Second Amendment to the Land Exchange Agreement between the City and Stanislaus Food Products and authorizing the City Manager, or his designee to execute the Amendment.

    Community & Economic Development; Adam Lindgren, 577-5288, alindgren@modestogov.com

ACTION: Motion (Grewal/Ah You; 7/0) introducing and waiving the first reading of **Ordinance No. 3694-C.S.** approving a Development Agreement between D Street Partners, LP and Stanislaus Food Products and City of Modesto for the land exchange of 10th and 11th Streets between D Street and Morton Boulevard (Stanislaus Food Products and City of Modesto).

ACTION: Resolution 2019-159 (Grewal/Ah You; 7/0) abandoning 11th Street between D Street and Morton Boulevard, 12th Street between B Street and Morton Boulevard, and B Street between 10th and 12th Streets. (Stanislaus Food Products and City of Modesto)

ACTION: Resolution 2019-160 (Grewal/Ah You; 7/0) finding that the following subsequent

project is within the scope of the project covered by the Modesto Urban Area General Plan Master Environmental Impact Report (SCH NO. 2007072023): Development Agreement and Street Abandonment Regarding the 10th and 11th Streets Land Exchange for Stanislaus Food Products and City of Modesto.

ACTION: Resolution 2019-161 (Grewal/Ah You; 7/0) approving the Second Amendment to the Land Exchange Agreement between the City and Stanislaus Food Products and authorizing the City Manager, or his designee to execute the Amendment.

Published in the Modesto Bee on March 20, 2019

13. Hearing to consider approving the McHenry Coralwood Reorganization consisting of annexation to the City of Modesto and simultaneous detachment from the Stanislaus Consolidated Fire Protection District of approximately 12.7 acres located east of McHenry Avenue and north of Coralwood Road. (Funding Source: Application Fee)
    - Resolution approving the filing of an application with the Stanislaus Local Agency Formation Commission for the McHenry Coralwood reorganization consisting of annexation to the City of Modesto and simultaneous detachment from the Stanislaus Consolidated Fire Protection District of approximately 12.7 acres located east of McHenry Avenue and north of Coralwood Road (owner-initiated—inhabited).
    - Resolution finding that the following subsequent project is within the scope of the project covered by the Modesto Urban Area General Plan Master Environmental Impact Report (SCH NO. 2007072023): McHenry Coralwood Reorganization consisting of annexation to the City of Modesto and simultaneous detachment from the Stanislaus Consolidated Fire Protection District of approximately 12.7 acres located east of McHenry Avenue and north of Coralwood Road.

    Community & Economic Development; Paul Liu, 577-5267, pliu@modestogov.com

ACTION: Resolution 2019-162 (Kenoyer/Grewal; 7/0) approving the filing of an application with the Stanislaus Local Agency Formation Commission for the McHenry Coralwood reorganization consisting of annexation to the City of Modesto and simultaneous detachment from the Stanislaus Consolidated Fire Protection District of approximately 12.7 acres located east of McHenry Avenue and north of Coralwood Road (owner-initiated—inhabited).

ACTION: Resolution 2019-163 (Kenoyer/Grewal; 7/0) finding that the following subsequent project is within the scope of the project covered by the Modesto Urban Area General Plan Master Environmental Impact Report (SCH NO. 2007072023): McHenry Coralwood Reorganization consisting of annexation to the City of Modesto and simultaneous detachment from the Stanislaus Consolidated Fire Protection District of approximately 12.7 acres located east of McHenry Avenue and north of Coralwood Road.

NEW BUSINESS

14. Consider approving a successor Memorandum of Understanding (MOU) between the City of Modesto and Modesto City Fire Fighters Association (MCFFA) for a term of

July 1, 2018 to June 30, 2021, rescinding Resolution Nos. 2017-06, 07 and 78; granting salary changes and benefit offerings to non-sworn unrepresented management and confidential employees including charter officers, executives and unrepresented sworn fire employees; and amending the Fiscal Year 2018-19 Operating Budget. (Funding Source: General Fund)

- Resolution approving a successor Memorandum of Understanding (MOU) between the City of Modesto and Modesto City Fire Fighters Association (MCFFA) for a term of July 1, 2018 to June 30, 2021, rescinding Resolution No. 2017-78, and authorizing the City Manager or his designee to take the necessary administrative action to implement the Agreement.
- Resolution granting salary changes to non-sworn unrepresented management and confidential employees including charter officers and executives and unrepresented sworn fire employees, as of April 16, 2019, rescinding Resolution No. 2017-06, and authorizing the City Manager or his designee to take the necessary administrative action to implement the changes.
- Resolution rescinding Resolution No. 2017-07 to update benefit offerings for unrepresented management and sworn fire employees, and authorizing the City Manager or his designee to take the necessary administrative action to implement the changes.
- Resolution amending the Fiscal Year 2018-19 Operating Budget in the amount of $233,199 for the MCFAA Increases and in the amount of $24,620 for the unrepresented sworn fire personnel increases for total of $257,819.

Human Resources; Norma Santoyo, 571-5126, nsantoyo@modestogov.com

ACTION: Resolution 2019-164 (Ridenour/Madrigal; 7/0) approving a successor Memorandum of Understanding (MOU) between the City of Modesto and Modesto City Fire Fighters Association (MCFFA) for a term of July 1, 2018 to June 30, 2021, rescinding Resolution No. 2017-78, and authorizing the City Manager or his designee to take the necessary administrative action to implement the Agreement.

ACTION: Resolution 2019-165 (Ridenour/Madrigal; 7/0) granting salary changes to non-sworn unrepresented management and confidential employees including charter officers and executives and unrepresented sworn fire employees, as of April 16, 2019, rescinding Resolution No. 2017-06, and authorizing the City Manager or his designee to take the necessary administrative action to implement the changes.

ACTION: Resolution 2019-166 (Ridenour/Madrigal; 7/0) rescinding Resolution No. 2017-07 to update benefit offerings for unrepresented management and sworn fire employees, and authorizing the City Manager or his designee to take the necessary administrative action to implement the changes.

ACTION: Resolution 2019-167 (Ridenour/Madrigal; 7/0) amending the Fiscal Year 2018-19 Operating Budget in the amount of $233,199 for the MCFAA Increases and in the amount of $24,620 for the unrepresented sworn fire personnel increases for total of $257,819.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 8:25 p.m.

CLOSED SESSION

All Closed Session Matters heard prior to meeting

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Two Cases (Pursuant to Section 54956.9(d)(1) of the Government Code)

Name of case City of Modesto, et al. v. The Dow Chemical Company, et al. (PCE)
Court of Appeals of the State of California
Appeal Case No: A134419

City of Modesto v. State Water Resources Control Board
Sacramento County Superior Court
Case No. 34-2019-80003051

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Three Cases (Pursuant to Section 54956.9(d)(4) of the Government Code)

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCEA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Employees Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Confidential & Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPOA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Officers' Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPNSA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Non-Sworn Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) –MPMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCFFA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Firefighters Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – Unrepresented

Negotiator: Norma Santoyo
Employee Organization: Unrepresented Management and Confidential Employees

Attest:_____
Stephanie Lopez, City Clerk

MINUTES

City of Modesto

SPECIAL APPOINTMENTS COMMITTEE / COUNCIL WORKSHOP

Second Floor, Room 2008
Tenth Street Place, 1010 10th Street
Modesto, California

Thursday, April 11, 2019, at 3:00 p.m.

Roll Call: Present: Mayor Brandvold, Councilmembers Madrigal (alternate) and Kenoyer
Absent: Councilmember Grewal

PUBLIC COMMENTS

None.

CONSENT ITEMS

None.

NEW BUSINESS

1. Consider recommending appointments to fill two vacancies on the Citizen's Housing and Community Development Committee and forwarding to Council for approval. (Funding Source: Not Applicable)

   Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Motion (Madrigal/Kenoyer; 3/0) recommending the appointments of Savannah Williams and Rachel Hernandez to fill two vacancies on the Citizen's Housing and Community Development Committee and forwarding to Council for approval.

2. Consider and review Convention and Visitors Bureau Board of Director applications to fill a minimum of seven new Board of Director positions, and forwarding to Council for approval. (Funding Source: Not Applicable)

   Director of Parks, Recreation and Neighborhoods ; Laurie Smith, 577-5437, lsmith@modestogov.com

ACTION: Motion (Kenoyer/Madrigal; 3/0) recommending nine (9) members to serve on the Convention and Visitors Bureau Board of Directors.

ACTION: Motion (Kenoyer/Madrigal; 3/0) appointing the following members to serve on the Convention and Visitors Bureau Board of Directors: Denise Crosby, Thomas Lopes, Chris Murphy, Rodney Cordova, Athondoros Chronis, Lee Lundrigan, Bob Quintella, and Vickey Chu-Hermis and forwarding to Council for approval (with Amended By-Laws).

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 4:20 p.m.

Attest:_____
Stephanie Lopez, City Clerk

MINUTES

City of Modesto

ECONOMIC DEVELOPMENT COMMITTE / COUNCIL WORKSHOP

Second Floor, Rom 2005
Tenth Street Place, 1010 10th Street
Modesto, California

Friday, April 12, 2019, at 10:00 a.m.

Roll Call Present: Mayor Brandvold, Councilmembers Madrigal and Ridenour (alternate)
Absent: Councilmember Zoslocki
Also Present: Councilmember Grewal

PUBLIC COMMENTS

None.

CONSENT

An item may be removed from consent and discussed at the request of an audience member or Committee member.

Consent

1. Consider approving an Amended and Restated Memorandum of Agreement with Stanislaus County for the Preliminary Engineering and Final Design Phase of the 7th Street Bridge Project in an amount not to exceed $344,500 and forwarding to Council for approval. (Funding Source: Capital Facility Fees)
   Community & Economic Development; Charles Covolo, 571-5537, ccovolo@modestogov.com

ACTION: Motion (Ridenour/Madrigal; 3/0) approving an Amended and Restated Memorandum of Agreement with Stanislaus County for the Preliminary Engineering and Final Design Phase of the 7th Street Bridge Project in an amount not to exceed $344,500 and forwarding to Council for approval.

Consent

2. Consider approving the adjustments to various airport rates and fees for specific activities and services at the Modesto City-County Airport, effective July 1, 2019, rescinding Resolution No. 2017-451, and forwarding to Council for approval. (Funding Source: Airport Operating Revenue)

Public Works; Steve Fischio, 342-2222, sfischio@modestogov.com

ACTION: Motion (Ridenour/Madrigal; 3/0) approving the adjustments to various airport rates and fees for specific activities and services at the Modesto City-County Airport, effective July 1, 2019, rescinding Resolution No. 2017-451, and forwarding to Council for approval.

Consent

3. Consider approving the Title VI Program Update for the Transit Division, which ensures the equitable distribution of public transit benefits regardless of race, color or national origin, in compliance with rules established by the Federal Transit Administration, and forwarding to Council for approval. (Funding Source: Transit Funds)
   Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Motion (Ridenour/Madrigal; 3/0) approving the Title VI Program Update for the Transit Division, which ensures the equitable distribution of public transit benefits regardless of race, color or national origin, in compliance with rules established by the Federal Transit Administration, and forwarding to Council for approval.

Consent

4. Consider approving the implementation of a new Modesto Area Express commuter route to Sacramento, CA, and forwarding to Council for approval. (Funding Source: Transit Funds)
   Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Motion (Ridenour/Madrigal; 3/0) approving the implementation of a new Modesto Area Express commuter route to Sacramento, CA, and forwarding to Council for approval.

Consent

5. Consider approving Modesto Area Express fare changes to the half fare for seniors/disabled and others to promote high ridership on public transportation and forwarding to Council for approval. (Funding Source: Transit Funds)
   Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Motion (Ridenour/Madrigal; 3/0) approving Modesto Area Express fare changes to the half fare for seniors/disabled and others to promote high ridership on public transportation and forwarding to Council for approval.

Consent

6. Consider approving the award of bid and Agreement for Transportation of Wastewater Grit to Bertolotti Modesto Disposal Inc., Ceres, CA, for a two-year Agreement with three one-year extension options, for an annual cost not to exceed $45,000 and a total amount not to exceed $245,250 over five years and forwarding to Council for approval. (Funding Source: Wastewater Fund)
   Utilities; Laura Anhalt, 342-4502, lanhalt@modestogov.com

ACTION: Motion (Ridenour/Madrigal; 3/0) approving the award of bid and Agreement for Transportation of Wastewater Grit to Bertolotti Modesto Disposal Inc., Ceres, CA, for a two-year Agreement with three one-year extension options, for an annual cost not to exceed $45,000 and a total amount not to exceed $245,250 over five years and forwarding to Council for approval.

Removed from Consent

7. Consider approving a Memorandum of Understanding between the City of Modesto, Utilities Department and the County of Stanislaus, Department of Environmental Resources, regarding Onsite Wastewater Treatment Systems and forwarding to Council for approval. (Funding Source: Not Applicable)
   Utilities; Thomas Sinclair, 577-6240, tsinclair @modestogov.com

ACTION: Motion (Ridenour/Madrigal; 3/0) approving a Memorandum of Understanding between the City of Modesto, Utilities Department and the County of Stanislaus, Department of Environmental Resources, regarding Onsite Wastewater Treatment Systems and forwarding to Council for approval.

Consent

8. Consider approving an Agreement with Hazen and Sawyer, San Francisco, CA, for Wastewater Treatment Corrosion Evaluation and Process Optimization in the amount $69,850 for the identified scope of services, plus $6,985 in additional services, if needed, for a total not to exceed amount of $76,835 and forwarding to Council for approval. (Funding Source: Wastewater Fund)
   Utilities; Jesse Franco, 571-5175, jfranco@modestogov.com

ACTION: Motion (Ridenour/Madrigal; 3/0) approving an Agreement with Hazen and Sawyer, San Francisco, CA, for Wastewater Treatment Corrosion Evaluation and Process Optimization in the amount $69,850 for the identified scope of services, plus $6,985 in additional services, if needed, for a total not to exceed amount of $76,835 and forwarding to Council for approval.

NEW BUSINESS

Councilmember Grewal absent due to conflict of interest

9. Consider formation of City of Modesto Community Facilities District No. 2019-1 (Village One #3) to adjust the current one-time tax, and forwarding to Council for approval. (Funding Source: CFD No. 2004-1 (Village One #2))
   Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Motion (Grewal/Madrigal; 3/0 – Ridenour absent due to conflict of interest) formation of City of Modesto Community Facilities District No. 2019-1 (Village One #3) to adjust the current one-time tax, and forwarding to Council for approval.

Councilmember Grewal requested a briefing to the Economic Development Committee before going to Council.

10. Consider adopting a Voluntary Land Dedication Program for the Tivoli Specific Plan Area and forwarding to Council for approval. (Funding Source: Tivoli Volunteer Land Dedication Program)
Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Motion (Ridenour/Madrigal; 3/0) adopting a Voluntary Land Dedication Program for the Tivoli Specific Plan Area and forwarding to Council for approval.

11. Consider accepting the "Feasibility Study – Proposed Convention Center Hotel" by HVS Convention, Sports & Entertainment Facilities Consulting, providing direction to staff, and forwarding to Council for approval. (Funding Source: Not Applicable)
Parks, Recreation & Neighborhoods; Laurie Smith, 577-5347, lsmith@modestogov.com

ACTION: Motion (Madrigal/Ridenour; 3/0) accepting the "Feasibility Study – Proposed Convention Center Hotel" by HVS Convention, Sports & Entertainment Facilities Consulting, providing direction to staff, and forwarding to Council for approval.

12. Consider accepting an informational report on the restoration of the Convention and Visitor's Bureau as an independent agency and formation of the proposed Modesto Tourism Marketing District and forwarding to Council for approval. (Funding Source: Not Applicable)
Parks, Recreation & Neighborhoods; Laurie Smith, 577-5347, lsmith@modestogov.com

ACTION: Motion (Ridenour/Madrigal; 3/0) accepting an informational report on the restoration of the Convention and Visitor's Bureau as an independent agency and formation of the proposed Modesto Tourism Marketing District and forwarding to Council for approval.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 11:52 a.m.

Attest: _____
Joseph Lopez, City Manager

MINUTES

City of Modesto

SPECIAL FINANCE COMMITTE / COUNCIL WORKSHOP

Second Floor, Room 2005
Tenth Street Place, 1010 10th Street
Modesto, California

Monday, April 22, 2019, at 3:00 p.m.

Roll Call: Present: Councilmembers Zoslocki, Ah You (arrived at 3:09 p.m.), and Mayor Brandvold (alternate)
Also Present: Councilmember Ridenour
Absent: Councilmember Grewal

PUBLIC COMMENT

None.

CONSENT

Consent

1. Consider approving the recommended budget adjustments to Fiscal Year 2018-19 Annual Operating and Capital Improvement Project Budget and forwarding to Council for approval. (Funding Source: Streets Capital Facility Fees and Fleet Management Fund)
   Finance; Kaceey Culbertson, 577-5479, kculbertson@modestogov.com

ACTION: Motion (Ridenour/Mayor Brandvold; 3/0) approving the recommended budget adjustments to Fiscal Year 2018-19 Annual Operating and Capital Improvement Project Budget and forwarding to Council for approval.

Consent

2. Consider approving the award of bid for the purchase of one 3/4 ton pickup truck with specific configurations to Towne Ford, Redwood City, CA for a total amount not to exceed $28,974 and two 3/4 ton pickup trucks with specific configurations to American Chevrolet, Modesto, CA for a total amount not to exceed $65,746 and forwarding to Council for approval. (Funding Source: Fleet Replacement Fund)
   Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Motion (Ridenour/Mayor Brandvold; 3/0) approving the award of bid for the purchase of one 3/4 ton pickup truck with specific configurations to Towne Ford, Redwood City, CA for a total amount not to exceed $28,974 and two 3/4 ton pickup trucks with specific configurations to American Chevrolet, Modesto, CA for a total amount not to exceed $65,746 and forwarding to Council for approval.

Consent

3. Consider approving a one-time purchase with Municipal Maintenance Equipment

(MME), Sacramento, CA by utilizing "piggybacking" under the competitive bid process with National Joint Powers Alliance (NJPA), for sewer vacuum, hydro-excavation, and street sweeper equipment with related accessories and supplies for a total amount not to exceed $455,917 and forwarding to Council for approval. (Funding Source: Fleet Replacement Fund: 5409)
Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Motion (Ridenour/Mayor Brandvold; 3/0) approving a one-time purchase with Municipal Maintenance Equipment (MME), Sacramento, CA by utilizing "piggybacking" under the competitive bid process with National Joint Powers Alliance (NJPA), for sewer vacuum, hydro-excavation, and street sweeper equipment with related accessories and supplies for a total amount not to exceed $455,917 and forwarding to Council for approval.

Consent

4. Consider approving the award of bid and Agreement for an On-Site Tire Technician to Fleet Tire Inc. dba Brannon Tire, Stockton, CA for a two year Agreement with three one-year extension options for an annual cost not to exceed $88,920 and a total amount not to exceed $444,600 over five years and forwarding to Council for approval. (Funding Source: Fleet Management Fund)
Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Motion (Ridenour/Mayor Brandvold; 3/0) approving the award of bid and Agreement for an On-Site Tire Technician to Fleet Tire Inc. dba Brannon Tire, Stockton, CA for a two year Agreement with three one-year extension options for an annual cost not to exceed $88,920 and a total amount not to exceed $444,600 over five years and forwarding to Council for approval.

Consent

5. Consider accepting an informational report on the January and February 2019 grant applications and awards and forwarding to Council for approval. (Funding Source: Not Applicable)
Finance; Julie Huang, 571-5574, jhuang@modestogov.com

ACTION: Motion (Ridenour/Mayor Brandvold; 3/0) accepting an informational report on the January and February 2019 grant applications and awards and forwarding to Council for approval.

Consent

6. Consider approving the submission of the Transportation Development Act Transit Claim to the Stanislaus Council of Governments for Fiscal Year 2019-20 in the amount of $13,529,650, and a Regional Transit Claim in the amount of $839,769, and forwarding to Council for approval. (Funding Source: Transportation Development Act Funds)
Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Motion (Ridenour/Mayor Brandvold; 3/0) approving the submission of the Transportation Development Act Transit Claim to the Stanislaus Council of Governments for

Fiscal Year 2019-20 in the amount of $13,529,650, and a Regional Transit Claim in the amount of $839,769, and forwarding to Council for approval.

NEW BUSINESS

7. Consider approving an Agreement with Opticos Design to prepare a Downtown Master Plan, in the amount of $210,000 and forwarding to Council for approval. (Funding Source: Measure L Local Control Funds)
   Community & Economic Development; Brad Wall, 577-5267, bwall@modestogov.com

ACTION: Motion (Zoslocki/Ridenour; 3/0) approving an Agreement with Opticos Design to prepare a Downtown Master Plan, in the amount of $210,000 and forwarding to Council for approval.

8. Consider accepting the City's Investment Policy and forwarding to Council for approval. (Funding Source: Not Applicable)
   Finance; Ryan Blackerby, 577-5219, rblackerby@modestogov.com

ACTION: Motion (Ridenour/Zoslocki; 3/0) accepting the City's Investment Policy and forwarding to Council for approval.

9. Consider accepting an update on the City's Debt Management Policy and forwarding to Council for approval. (Funding Source: Not Applicable)
   Finance; Ryan Blackerby, 577-5219, rblackerby@modestogov.com

ACTION: Motion (Ridenour/Zoslocki; 3/0) accepting an update on the City's Debt Management Policy and forwarding to Council for approval.

10. Consider approving a Second Amendment increasing the Agreement amount with Bank of America Merrill Lynch for banking services by $28,200 from $511,034 to $539,234, and extending the term of the Agreement from June 30, 2019 to December 31, 2019 and forwarding to Council for approval. (Funding Source: Various Funds)
    Finance; DeAnna Christensen, 577-5387, dachristensen@modestogov.com

ACTION: Motion (Zoslocki/Ridenour; 3/0) approving a Second Amendment increasing the Agreement amount with Bank of America Merrill Lynch for banking services by $28,200 from $511,034 to $539,234, and extending the term of the Agreement from June 30, 2019 to December 31, 2019 and forwarding to Council for approval.

11. Consider approving a Reimbursement Agreement among Bank of the West, the City of Modesto, and Modesto Public Financing Authority, and a related fee letter; a Supplement to an Official Statement; a Remarketing and Interest Services Agreement by and between Modesto Public Financing Authority and Raymond James & Associates, Inc.; and approving the award of proposal and Agreement for banking services to Bank of the West, Monterey Park, CA, for a four year Agreement with three one-year extension options, for an annual cost not to exceed $30,691 and a total amount not to exceed $213,374 over seven years and forwarding to Council for approval. (Funding Source: General Fund, Redevelopment Successor Agency and Various Funds)

Finance; DeAnna Christensen, 577-5387, dachristensen@modestogov.com

ACTION: Motion (Zoslocki/Ridenour; 3/0) approving a Reimbursement Agreement among Bank of the West, the City of Modesto, and Modesto Public Financing Authority, and a related fee letter; a Supplement to an Official Statement; a Remarketing and Interest Services Agreement by and between Modesto Public Financing Authority and Raymond James & Associates, Inc.; and approving the award of proposal and Agreement for banking services to Bank of the West, Monterey Park, CA, for a four year Agreement with three one-year extension options, for an annual cost not to exceed $30,691 and a total amount not to exceed $213,374 over seven years and forwarding to Council for approval.

12. Consider approving a reimbursement to the California Department of Forestry and Fire Protection in the amount of $55,552 in order to terminate the City of Modesto's Urban and Community Tree Replanting Grant Activity, Agreement No. 8GG14411, and forwarding to Council for approval. (Funding Source: Waste to Energy Fund)
Public Works; Ray Wilson, 342-2231, rwilson@modestogov.com

ACTION: Motion (Zoslocki/Ridenour; 3/0) approving a reimbursement to the California Department of Forestry and Fire Protection in the amount of $55,552 in order to terminate the City of Modesto's Urban and Community Tree Replanting Grant Activity, Agreement No. 8GG14411, and forwarding to Council for approval.

ADJOURNMENT

This meeting adjourned at 4:04 p.m.

Attest:_____
Joseph Lopez, City Manager

* Via Conference Call
Councilmember Grewal
Great Wolf Lodge Garden Grove/Anaheim
12681 Harbor Blvd.
Garden Grove, CA 92840

MINUTES

City of Modesto

CITY COUNCIL MEETING

Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday April 23, 2019, at 5:30 p.m.

Roll Call – Present: Councilmembers Ah You, Grewal*, Kenoyer, Madrigal, Ridenour, Zoslocki, Mayor Brandvold
Absent: None

Pledge of Allegiance to the Flag

Invocation: Jon Allen, The Carpenter's House

City Clerk's Announcements: Items 7, 8 and 19 - Removed from Consent

Declaration of Conflicts of Interest: Zoslocki - Item 4; Grewal - Items 9 and 10

Reports from Closed Session: City Attorney Lindgren reported on Closed Session matters

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation of Proclamation Proclaiming April 26th, 2019 "Arbor Day" in the City of Modesto. (Funding Source: Not Applicable)
City Council; Kathy Espinoza, 571-5597, kespinoza1@modestogov.com

ACTION: Mayor Brandvold and Council presented a Proclamation Proclaiming April 26th, 2019 "Arbor Day" in the City of Modesto.

2. Presentation of Certificate of Recognition to Tejas Mathai for his dedication to our community and writing, Infinity: The Secret of the Diamonds. (Funding Source: Not Applicable)

City Council; Kathy Espinoza, 571-5597, kespinoza1@modestogov.com

ACTION: Mayor Brandvold and Council presented a Certificate of Recognition to Tejas Mathai for his dedication to our community and writing, Infinity: The Secret of the Diamonds.

PUBLIC COMMENT PERIOD

- Sebastian Jones spoke regarding the Modesto Outdoor Emergency Shelter.
- Ron DeLoach spoke regarding a purse donation with toiletries for homeless women in honor of Mother's Day.
- Rhonda Allen spoke regarding tree maintenance in Modesto.
- Dave Pratt spoke regarding the speakers in Council Chambers.
- Howard Carmen spoke regarding dog laws in the City of Modesto.
- Emerson Drake spoke regarding the City of Modesto employee healthcare claims; he also spoke regarding City contracts and misleading information provided by staff.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED
ACTION CONSENT ITEMS 3; 5-6; 11-18; 20-28: (Kenoyer/Madrigal; 7/0)
ACTION CONSENT ITEM 4: (Kenoyer/Ridenour; 6/0; Zoslocki absent due to conflict of interest)
ACTION CONSENT ITEM 9-10: (Kenoyer/Ah You; 6/0; Grewal absent due to conflict of interest)

CONSENT ITEMS

An item may be removed from consent and discussed at the request of an audience member or Councilmember.

Consent
3. Consider approving the minutes from the April 9, 2019 Council Meeting. (Funding Source: Not Applicable)
   - Motion approving the minutes from the April 9, 2019 Council Meeting.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Madrigal; 7/0) approving the minutes from the April 9, 2019 Council Meeting.

Consent – *Councilmember Zoslocki absent due to conflict of interest*
4. Consider final adoption of **Ordinance No. 3693-C.S.** approving the rezone of 2.25

acres from Low Density Residential Zone, R-1, to Planned Development Zone P-D(605) to allow for a 50-unit apartment complex on property located at the northwest corner of Rumble Road and Conant Avenue. (Funding Source: Developer Funded)

- Motion approving final adoption of **Ordinance No. 3693-C.S.** amending Section 12-3-8 of the Zoning Map to rezone from Low Density Residential (R-1) Zone to Planned Development Zone P-D(605), property located at the northwest corner of Rumble Road and Conant Avenue.

City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Ridenour; 6/0; Zoslocki absent due to conflict of interest) approving final adoption of **Ordinance No. 3693-C.S.** amending Section 12-3-8 of the Zoning Map to rezone from Low Density Residential (R-1) Zone to Planned Development Zone P-D(605), property located at the northwest corner of Rumble Road and Conant Avenue.

Consent

5. Consider final adoption of **Ordinance No. 3694-C.S.** approving a Development Agreement between D Street Partners, LP and Stanislaus Food Products and City of Modesto for the land exchange of 10th and 11th Streets between D Street and Morton Boulevard (Stanislaus Food Products and City of Modesto). (Funding Source: Application Fee)

   - Motion approving final adoption of **Ordinance No. 3694-C.S.** approving a Development Agreement between D Street Partners, LP and Stanislaus Food Products and City of Modesto for the land exchange of 10th and 11th Streets between D Street and Morton Boulevard (Stanislaus Food Products and City of Modesto).

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Madrigal; 7/0) approving final adoption of **Ordinance No. 3694-C.S.** approving a Development Agreement between D Street Partners, LP and Stanislaus Food Products and City of Modesto for the land exchange of 10th and 11th Streets between D Street and Morton Boulevard (Stanislaus Food Products and City of Modesto).

Consent

6. Consider approving the City's sponsorship of the 2019 Cinco de Mayo Parade, including the waiver of City permit fees, police overtime costs, and vehicle fee expenses incurred by the Modesto Police Department. (Funding Source: General Fund)

   - Resolution approving the City of Modesto sponsorship of the 2019 Cinco de Mayo Parade, including the waiver of City permit fees, police overtime costs, and vehicle fee expenses incurred by the City of Modesto Police Department, and authorizing the City Manager, or his designee, to execute any documents necessary related to the sponsorship.

   City Council; Mayor Ted Brandvold, 571-5597, tbrandvold@modestogov.com

ACTION: Resolution 2019-168 (Kenoyer/Madrigal; 7/0) approving the City of Modesto sponsorship of the 2019 Cinco de Mayo Parade, including the waiver of City permit fees, police overtime costs, and vehicle fee expenses incurred by the City of Modesto Police

Department, and authorizing the City Manager, or his designee, to execute any documents necessary related to the sponsorship.

Removed from Consent

7. Consider approving the appointment of Mayor Ted Brandvold as the voting member for the City of Modesto on the Stanislaus Homeless Alliance, for a one-year term with a term expiration of April 30, 2020. (Funding Source: Not Applicable)
   - Resolution approving the appointment of Mayor Ted Brandvold as the voting member for the City of Modesto on the Stanislaus Homeless Alliance, for a one-year term, with a term expiration of April 30, 2020.

   City Manager; Edgar Garcia, 571-5101, edgarcia@modestogov.com

ACTION: Resolution 2019-169 (Madrigal/Ah You; 7/0) approving the appointment of Mayor Ted Brandvold as the voting member for the City of Modesto on the Stanislaus Homeless Alliance, for a one-year term, with a term expiration of April 30, 2020.

Removed from Consent

8. Consider approving the 2019 City of Modesto Standing Committees and City Council Committees. (Funding Source: Not Applicable)
   - Motion approving the 2019 City of Modesto Standing Committees and City Council Committees.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Madrigal/Ah You; 4/3; Kenoyer, Ridenour, Zoslocki no) approving the 2019 City of Modesto Standing Committees and City Council Committees. **(Revision to StanCOG Policy Board/Executive Board: Councilmembers Zoslocki, Kenoyer and Madrigal; Mayor Brandvold alternate)**

Consent – *Councilmember Grewal absent due to conflict of interest*

9. Consider approving Fiscal Year 2019-20 Engineer's Report and setting a public hearing for the levy and collection of assessments for landscape maintenance in the public right-of-way, street medians, and areas adjacent to the access control walls in Dry Creek Meadows Subdivisions Nos. 1-6. (Funding Source: Landscape Maintenance District No. 1)
   - Resolution accepting Fiscal Year 2019-2020 Engineer's Report for Landscape Maintenance Assessment District No. 1 for Dry Creek Meadows Subdivisions Nos. 1-6; Notice of Intention to Levy and Collect Assessments for Landscape Maintenance Assessment District No. 1 for Dry Creek Meadows Subdivisions Nos. 1-6 and setting a Public Hearing on June 25, 2019 to Consider the Fiscal Year 2019-2020 Levy and Collection of Assessments Within Landscape Maintenance Assessment District No. 1.

   Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Resolution 2019-170 (Kenoyer/Ah You; 6/0; Grewal absent due to conflict of interest) accepting Fiscal Year 2019-2020 Engineer's Report for Landscape Maintenance

Assessment District No. 1 for Dry Creek Meadows Subdivisions Nos. 1-6; Notice of Intention to Levy and Collect Assessments for Landscape Maintenance Assessment District No. 1 for Dry Creek Meadows Subdivisions Nos. 1-6 and setting a Public Hearing on June 25, 2019 to Consider the Fiscal Year 2019-2020 Levy and Collection of Assessments Within Landscape Maintenance Assessment District No. 1.

Consent – *Councilmember Grewal absent due to conflict of interest*

10. Consider approving the Fiscal Year 2019-20 Engineer's Annual Report and setting a public hearing for the levy and collection of assessment for landscape maintenance in the public right-of-way, street medians, and areas adjacent to the access control walls in Dry Creek Meadows Subdivisions Nos. 7-10, Creekwood Meadows Subdivision, and Yosemite Meadows Subdivisions Units 1 and 2. (Funding Source: Landscape Maintenance District No. 2)
    - Resolution accepting Fiscal Year 2019-20 Engineer's Report for Landscape Maintenance Assessment District No. 2 for Dry Creek Meadows Subdivisions Nos. 7-10, Creekwood Meadows Subdivision, and Yosemite Meadows Subdivision; Notice of Intention to Levy and Collect Assessments for Landscape Maintenance Assessment District No. 2 for Dry Creek Meadows Subdivisions Nos. 7-10, Creekwood Meadows Subdivision, and Yosemite Meadows Subdivision and setting a Public Hearing on June 25, 2019 to consider the levy and collection of assessments within Landscape Maintenance Assessment District No. 2.

    Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Resolution 2019-171 (Kenoyer/Ah You; 6/0; Grewal absent due to conflict of interest) accepting Fiscal Year 2019-20 Engineer's Report for Landscape Maintenance Assessment District No. 2 for Dry Creek Meadows Subdivisions Nos. 7-10, Creekwood Meadows Subdivision, and Yosemite Meadows Subdivision; Notice of Intention to Levy and Collect Assessments for Landscape Maintenance Assessment District No. 2 for Dry Creek Meadows Subdivisions Nos. 7-10, Creekwood Meadows Subdivision, and Yosemite Meadows Subdivision and setting a Public Hearing on June 25, 2019 to consider the levy and collection of assessments within Landscape Maintenance Assessment District No. 2.

Consent

11. Consider approving Fiscal Year 2019-20 Engineer's Report and setting a public hearing for the levy and collection of assessments for the maintenance and service of 77 street lights within the Shackelford Landscape and Lighting District. (Funding Source: Shackelford Landscape and Lighting District)
    - Resolution accepting the Fiscal Year 2019-20 Engineer's Report for the Shackelford Landscape and Lighting District; Notice of Intention to Levy and Collect Assessments for the Shackelford Landscape and Lighting District; and setting a public hearing on the proposed assessments to be held on June 25, 2019 to consider the 2019-20 levy and collection of assessments within Shackelford Landscape and Lighting District.

    Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Resolution 2019-172 (Kenoyer/Madrigal; 7/0) accepting the Fiscal Year 2019-20 Engineer's Report for the Shackelford Landscape and Lighting District; Notice of Intention to Levy and Collect Assessments for the Shackelford Landscape and Lighting District; and setting a public hearing on the proposed assessments to be held on June 25, 2019 to consider the 2019-20 levy and collection of assessments within Shackelford Landscape and Lighting District.

Consent

12. Consider accepting a Homeless Management Information System (HMIS) Grant in the amount of $173,533 for administration of the HMIS program. (Funding Source: Continuum of Care Funds)
    - Resolution accepting a Homeless Management Information System (HMIS) Grant in the amount of $173,533 and authorizing the City Manager or his designee to take the necessary steps to implement the provisions of this Resolution.

    Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Resolution 2019-173 (Kenoyer/Madrigal; 7/0) accepting a Homeless Management Information System (HMIS) Grant in the amount of $173,533 and authorizing the City Manager or his designee to take the necessary steps to implement the provisions of this Resolution.

Consent

13. Consider accepting the Continuum of Care Planning Grant in the amount of $102,947 for the planning and oversight of the regional Continuum of Care funding recipients. (Funding Source: Continuum of Care Funds)
    - Resolution accepting the Continuum of Care Planning Grant in the amount of $102,947 and authorizing the City Manager or his designee to take the necessary steps to implement the provisions of this Resolution.

    Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Resolution 2019-174 (Kenoyer/Madrigal; 7/0) accepting the Continuum of Care Planning Grant in the amount of $102,947 and authorizing the City Manager or his designee to take the necessary steps to implement the provisions of this Resolution.

Consent

14. Consider accepting the 2018 General Plan Annual Progress Report (GPAPR) and authorizing staff to submit it to the State of California. (Funding Source: General Fund)
    - Resolution accepting the 2018 General Plan Annual Progress Report and authorizing staff to submit it to the State of California.

    Community & Economic Development; Cindy van Empel, 577-5267, cvanempel@modestogov.com

ACTION: Resolution 2019-175 (Kenoyer/Madrigal; 7/0) accepting the 2018 General Plan

Annual Progress Report and authorizing staff to submit it to the State of California.

Consent

15. Consider approving a Caltrans required New Public Road Connection (NPRC) for the State Route 132 Freeway to provide access to Needham Street and downtown Modesto. (Funding Source: Not Applicable)
    - Resolution approving the New Public Road Connection to State Route 132 at Needham Street and the Kansas Avenue Extension at approximately post mile (PM) R14.4.

    Community & Economic Development; Vickey Dion, 571-5542, vdion@modestogov.com

ACTION: Resolution 2019-176 (Kenoyer/Madrigal; 7/0) approving the New Public Road Connection to State Route 132 at Needham Street and the Kansas Avenue Extension at approximately post mile (PM) R14.4.

Consent

16. Consider approving Freeway Agreements for State Route 132 and State Route 99 with the State of California, acting by and through the Department of Transportation, and the City of Modesto. (Funding Source: Not Applicable)
    - Resolution approving the Freeway Agreement for State Route 132 with the State of California, acting by and through the Department of Transportation, and authorizing the City Manager, or his designee, to execute the Agreement.
    - Resolution approving the Freeway Agreement for State Route 99 with the State of California, acting by and through the Department of Transportation, and authorizing the City Manager, or his designee, to execute the Agreement.

    Community & Economic Development; Vickey Dion, 571-5542, vdion@modestogov.com

ACTION: Resolution 2019-177 (Kenoyer/Madrigal; 7/0) approving the Freeway Agreement for State Route 132 with the State of California, acting by and through the Department of Transportation, and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: Resolution 2019-178 (Kenoyer/Madrigal; 7/0) approving the Freeway Agreement for State Route 99 with the State of California, acting by and through the Department of Transportation, and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

17. Consider approving the plans and specifications for the Wylie Drive, Floyd Avenue and Carver Road Street Improvements project (Wylie Floyd Carver Street Improvements Project), accepting the bid, and awarding a contract to American Pavement Systems, Inc. of Modesto, California, in the amount of $1,595,915; amending the Fiscal Year 2018-2019 Capital Improvement Program Budget and increasing the transfer in the amount of $400,000; and authorizing the Director of

Utilities to approve change orders up to 10% the cumulative amount of $159,592. (Funding Source: Local Measure L Funds)

- Resolution approving the plans and specifications for the Wylie Floyd Carver Street Improvements project, accepting the bid, and awarding a contract to American Pavement Systems, Inc. of Modesto, California, in the amount of $1,595,915, and authorizing the City Manager, or his designee to execute the Agreement.
- Resolution amending the Fiscal Year 2018-2019 Capital Improvement Program (CIP) Budget for project #101038 and increasing the Measure L Road Tax fund transfer in the amount of $400,000, for the Wylie Floyd Carver Street Improvements Project.
- Resolution authorizing the Director of Utilities to approve change orders up to the cumulative amount of $159,592 (10% of the original contract price) for the Wylie Floyd Carver Street Improvements project.

Community & Economic Development; Phillip Soares, 577-5258, psoares@modestogov.com

ACTION: Resolution 2019-179 (Kenoyer/Madrigal; 7/0) approving the plans and specifications for the Wylie Floyd Carver Street Improvements project, accepting the bid, and awarding a contract to American Pavement Systems, Inc. of Modesto, California, in the amount of $1,595,915, and authorizing the City Manager, or his designee to execute the Agreement.

ACTION: Resolution 2019-180 (Kenoyer/Madrigal; 7/0) amending the Fiscal Year 2018-2019 Capital Improvement Program (CIP) Budget for project #101038 and increasing the Measure L Road Tax fund transfer in the amount of $400,000, for the Wylie Floyd Carver Street Improvements Project.

ACTION: Resolution 2019-181 (Kenoyer/Madrigal; 7/0) authorizing the Director of Utilities to approve change orders up to the cumulative amount of $159,592 (10% of the original contract price) for the Wylie Floyd Carver Street Improvements project.

Consent

18. Consider approving the award of bid for the Modesto Police Department (MPD) Records Unit Office Remodel to Warden's Office Inc., Modesto, CA, for a one-time purchase and installation of office furniture with an estimated cost not to exceed $86,803. (Funding Source: 16/17 SLESF – State Supplemental Law Enforcement Funds)

    - Resolution approving the award of bid for the Modesto Police Department (MPD) Records Unit Office Remodel to Warden's Office Inc., Modesto, CA, for a one-time purchase and installation of office furniture with an estimated cost not to exceed $86,803, and authorizing the Purchasing Manager, or her designee, to execute the Purchase Order.

    Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Resolution 2019-182 (Kenoyer/Madrigal; 7/0) approving the award of bid for the

Modesto Police Department (MPD) Records Unit Office Remodel to Warden's Office Inc., Modesto, CA, for a one-time purchase and installation of office furniture with an estimated cost not to exceed $86,803, and authorizing the Purchasing Manager, or her designee, to execute the Purchase Order.

Removed from Consent

19. Consider approving a Purchasing Agreement with DS Services of America, Inc., Atlanta, GA and Nestle Waters North America, for bottled water services, per OSHA requirements, for a two-year Agreement with three one-year extension options, for an annual cost not to exceed $80,000 and $20,000, respectively, for a total combined annual cost not to exceed $100,000 and a total combined five year cost not to exceed $500,000, providing the ability to transfer funds between the two Purchasing Agreements if needed. (Funding Source: Airport, Building Services, Compost, Surface Transportation, General Fund, Forestry, Parking, Solid Waste, Wastewater and Water Funds)
    - Resolution approving a Purchasing Agreement with DS Services of America, Inc., Atlanta, GA and Nestle Waters North America, for bottled water services, for a two-year Agreement with three one-year extension options, for an annual cost not to exceed $80,000 and $20,000, respectively, for a total combined annual cost not to exceed $100,000 and a total combined five year cost not to exceed $500,000, providing the ability to transfer funds between the two Purchasing Agreements if needed, and authorizing the Purchasing Manager, or her designee, to execute the Purchase Agreements.

    Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Resolution 2019-183 (Kenoyer/Madrigal; 7/0) approving a Purchasing Agreement with DS Services of America, Inc., Atlanta, GA and Nestle Waters North America, for bottled water services, for a two-year Agreement with three one-year extension options, for an annual cost not to exceed $80,000 and $20,000, respectively, for a total combined annual cost not to exceed $100,000 and a total combined five year cost not to exceed $500,000, providing the ability to transfer funds between the two Purchasing Agreements if needed, and authorizing the Purchasing Manager, or her designee, to execute the Purchase Agreements.

Consent

20. Consider accepting the Monthly Investment Report for February 2019. (Funding Source: Various Funds)
    - Motion accepting the Monthly Investment Report for February, 2019.

    Finance; Ryan Blackerby, 577-5219, rblackerby@modestogov.com

ACTION: Motion (Kenoyer/Madrigal; 7/0) accepting the Monthly Investment Report for February, 2019.

Consent

21. Consider approving the First Amendment increasing the Agreement amount with Elavon Inc., for merchant services by $340,792 from $1,984,255 to a new total amount of $2,325,047 and extending the term of the Agreement from May 31, 2019 to May 31,

2021. (Funding Source: Various Funds)

- Resolution approving the First Amendment increasing the Agreement amount with Elavon Inc., Atlanta, GA for merchant services by $ 340,792 from $1,984,255 to a new total amount of $2,325,047 and extending the term of the Agreement from May 31, 2019 to May 31, 2021; and authorizing the City Manager, or his designee, to execute the Amendment.

Finance; Gina Brown, 577-5381, gbrown@modestogov.com

ACTION: Resolution 2019-184 (Kenoyer/Madrigal; 7/0) approving the First Amendment increasing the Agreement amount with Elavon Inc., Atlanta, GA for merchant services by $ 340,792 from $1,984,255 to a new total amount of $2,325,047 and extending the term of the Agreement from May 31, 2019 to May 31, 2021; and authorizing the City Manager, or his designee, to execute the Amendment.

Consent

22. Consider amending the Position Allocation Plan to eliminate one Senior Administrative Office Assistant (Confidential) and one Fire Captain and creating one Battalion Chief in the Modesto Fire Department. (Funding Source: General Fund - Fire Department)

    - Resolution amending the position allocation plan to eliminate one Senior Administrative Office Assistant (Confidential) and one Fire Captain and creating one Battalion Chief in the Modesto Fire Department.

    Human Resources; Christina Alger, 577-5490, calger@modestogov.com

ACTION: Resolution 2019-185 (Kenoyer/Madrigal; 7/0) amending the position allocation plan to eliminate one Senior Administrative Office Assistant (Confidential) and one Fire Captain and creating one Battalion Chief in the Modesto Fire Department.

Consent

23. Consider approving the First Amendment increasing the Agreement amount with HVS Convention, Sports, and Entertainment Facilities Consulting, for a Hotel Feasibility Study by $10,000 from $49,300 to a new total amount of $59,300. (Funding Source: Community Center Operations Fund)

    - Resolution approving the First Amendment increasing the Agreement amount with HVS Convention, Sports, and Entertainment Facilities Consulting, for a Hotel Feasibility Study by $10,000 from $49,300 to a new total amount of $59,300; and authorizing the City Manager, or his designee, to execute the Agreement.

    Parks, Recreation & Neighborhoods; Laurie Smith, 577-5347, lsmith@modestogov.com

ACTION: Resolution 2019-186 (Kenoyer/Madrigal; 7/0) approving the First Amendment increasing the Agreement amount with HVS Convention, Sports, and Entertainment Facilities Consulting, for a Hotel Feasibility Study by $10,000 from $49,300 to a new total amount of $59,300; and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

24. Consider adopting a list of projects to be funded with Road Repair and Accountability Act tax proceeds in Fiscal Year 2019-20. (Funding Source: Senate Bill 1 Funds)
    - Resolution adopting a list of projects to be funded with Road Repair and Accountability Act tax proceeds in Fiscal Year 2019-20.

    Public Works; Steve Fischio, 342-2222, sfischio@modestogov.com

ACTION: Resolution 2019-187 (Kenoyer/Madrigal; 7/0) adopting a list of projects to be funded with Road Repair and Accountability Act tax proceeds in Fiscal Year 2019-20.

Consent

25. Consider approving the Title VI Program Update for the Transit Division, which ensures the equitable distribution of public transit benefits regardless of race, color or national origin, in compliance with rules established by the Federal Transit Administration. (Funding Source: Transit Funds)
    - Resolution approving the 2019 Title VI Program Update, and authorizing the Transit Manager to file the plan with the Federal Transit Administration (FTA) and take any necessary subsequent actions required to receive FTA approval of the plan.

    Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Resolution 2019-188 (Kenoyer/Madrigal; 7/0) approving the 2019 Title VI Program Update, and authorizing the Transit Manager to file the plan with the Federal Transit Administration (FTA) and take any necessary subsequent actions required to receive FTA approval of the plan.

Consent

26. Consider approving an increase in the Director's authority to issue change orders from 20 percent ($193,652) to 52 percent ($503,760) of the original construction contract price of $968,260 with Innovative Construction Solutions of Dublin, CA for unforeseen conditions associated with the Tuolumne River Sheet Pile and Dam Debris Removal Project. (Funding Source: Various Grant Funding Sources)
    - Resolution approving an increase of the Director of Utilities Authority to issue change orders on the Tuolumne River Sheet Pile and Dam Debris Removal Project from 20 percent ($193,652) to 52 percent ($503,760) of the original construction contract price of $968,260 with Innovative Construction Solutions of Dublin, CA.

    Utilities; Jesse Franco, 571-5175, jfranco@modestogov.com

ACTION: Resolution 2019-189 (Kenoyer/Madrigal; 7/0) approving an increase of the Director of Utilities Authority to issue change orders on the Tuolumne River Sheet Pile and Dam Debris Removal Project from 20 percent ($193,652) to 52 percent ($503,760) of the original construction contract price of $968,260 with Innovative Construction Solutions of Dublin, CA.

Consent

27. Consider approving an increase in the Director's authority to issue change orders from 10 percent ($206,774) to 15.2 percent ($315,188) of the original construction contract

price of $2,067,738 with Empire Landscaping, Inc. of Davis, CA for unforeseen conditions associated with the Tuolumne River Regional Park (TRRP) Gateway Parcel – Phase 2 Project; and amending the Fiscal Year 2018-2019 Capital Improvement Program Budget and appropriating a transfer in the amount of $60,000 from Local Transportation Fund (LTF) -Non-Motorized for Project #100599 – TRRP Gateway Phase 2. (Funding Source: Proposition 84 River Parkways Grant Program, Land and Water Conservation Fund Grant, TRRP Special Revenue Fund-CIP and Local Transportation Funds-Non-Motorized)

- Resolution approving an increase of the Director of Utilities Authority to issue change orders on the Tuolumne River Regional Park (TRRP) Gateway Parcel – Phase 2 Project from 10 percent ($206,774) to 15.2 percent ($315,188) of the original construction contract price of $2,067,738 with Empire Landscaping, Inc. of Davis, CA.
- Resolution amending the Fiscal Year 2018-19 Capital Improvement Program Budget and appropriating a transfer in the amount of $60,000 from LTF – Non-Motorized Fund 1520 in order to fully fund Project #100599 - Tuolumne River Regional Park (TRRP) Gateway – Phase 2 as outlined in Attachment A.

Utilities; Jesse Franco, 571-5175, jfranco@modestogov.com

ACTION: Resolution 2019-190 (Kenoyer/Madrigal; 7/0) approving an increase of the Director of Utilities Authority to issue change orders on the Tuolumne River Regional Park (TRRP) Gateway Parcel – Phase 2 Project from 10 percent ($206,774) to 15.2 percent ($315,188) of the original construction contract price of $2,067,738 with Empire Landscaping, Inc. of Davis, CA.

ACTION: Resolution 2019-191 (Kenoyer/Madrigal; 7/0) amending the Fiscal Year 2018-19 Capital Improvement Program Budget and appropriating a transfer in the amount of $60,000 from LTF – Non-Motorized Fund 1520 in order to fully fund Project #100599 - Tuolumne River Regional Park (TRRP) Gateway – Phase 2 as outlined in Attachment A.

Consent

28. Consider approving an increase in Director's authority to issue change orders from 8 percent ($600,687) to 35 percent ($2,628,793) of the original construction contract price of $7,510,835 with Mountain Cascade Inc., of Livermore, CA for unforeseen conditions resulting in a water treatment system necessary for the completion and operation of the Del Rio Tank 14, Well No. 68 and Pump Station Project; and amending the Fiscal Year 2018-2019 Capital Improvement Project Program Budget. (Funding Source: Water Fund)

    - Resolution approving an increase of the Director of Utilities Authority to issue change orders on the Del Rio Tank No. 14, Well No. 68, and Pump Station Project from 8 percent ($600,687) to 35 percent ($2,628,793) of the original construction contract price of $7,510,835 with Mountain Cascade Inc., of Livermore, CA, and increasing staff budget from $312,913 to $450,542.
    - Resolution amending the Fiscal Year 2018-19 Capital Improvement Program Budget in the amount of $435,149 to be transferred into the project from Water Fund CIP in order to fully fund the construction, contingency, construction

administration, and design support during construction for the Del Rio Tank No. 14, Well No. 68, and Pump Station Project.
Utilities; Jesse Franco, 571-5175, jfranco@modestogov.com

ACTION: Resolution 2019-192 (Kenoyer/Madrigal; 7/0) approving an increase of the Director of Utilities Authority to issue change orders on the Del Rio Tank No. 14, Well No. 68, and Pump Station Project from 8 percent ($600,687) to 35 percent ($2,628,793) of the original construction contract price of $7,510,835 with Mountain Cascade Inc., of Livermore, CA, and increasing staff budget from $312,913 to $450,542.

ACTION: Resolution 2019-193 (Kenoyer/Madrigal; 7/0) amending the Fiscal Year 2018-19 Capital Improvement Program Budget in the amount of $435,149 to be transferred into the project from Water Fund CIP in order to fully fund the construction, contingency, construction administration, and design support during construction for the Del Rio Tank No. 14, Well No. 68, and Pump Station Project.

COUNCIL COMMENTS & REPORTS

Councilmember Kenoyer attended the following events: on April 15, 2019 she attended an event honoring National Public Safety Telecommunications Week and Earth Day on Saturday at Graceada Park.

Councilmember Madrigal thanked City staff for their hard work at the District 2 City Town Hall meeting, and also thanked the King-Kennedy Center and Manos Unidos; he also attended Earth Day on Saturday at Graceada Park; he also spoke regarding Council discussions at the dais.

Councilmember Zoslocki also spoke regarding Council discussions at the dais.

Councilmember Grewal left meeting at 7:45 p.m.

CITY MANAGER COMMENTS & REPORTS

None.

UNFINISHED BUSINESS

29. Consider an informational report regarding homelessness at the Tuolumne River Regional Park Gateway under the Ninth Street Bridge, also known as the Modesto Outdoor Emergency Shelter. (Funding Source: Not Applicable)
City Manager; Edgar Garcia, 571-5101, edgarcia@modestogov.com

ACTION: No reportable action.

HEARINGS

Published in the Modesto Bee on April 13, 2019

30. Hearing to consider approving a negative declaration and a General Plan Amendment to redesignate approximately 10.6 acres of land south of Pelandale Avenue and west of McHenry Avenue from R (Residential) to C (Commercial). (Funding Source: Application Fee)
    - Resolution approving a negative declaration for a general plan amendment to change the land use designation from R (Residential) to C (Commercial) for approximately 10.6 acres of land south of Pelandale Avenue and west of McHenry Avenue.
    - Resolution approving an amendment to the land use diagram of the Modesto Urban Area General Plan to change the designation from R (Residential) to C (Commercial) for approximately 10.6 acres of land located south of Pelandale Avenue and west of McHenry Avenue.

    Community & Economic Development; Cindy van Empel, 577-5267, cvanempel@modestogov.com

ACTION: Resolution 2019-194 (Ridenour/Kenoyer; 6/0; Grewal absent) approving a negative declaration for a general plan amendment to change the land use designation from R (Residential) to C (Commercial) for approximately 10.6 acres of land south of Pelandale Avenue and west of McHenry Avenue.

ACTION: Resolution 2019-195 (Ridenour/Kenoyer; 6/0; Grewal absent) approving an amendment to the land use diagram of the Modesto Urban Area General Plan to change the designation from R (Residential) to C (Commercial) for approximately 10.6 acres of land located south of Pelandale Avenue and west of McHenry Avenue.

Published in the Modesto Bee on April 13 and April 18, 2019

31. Hearing to consider adopting a Specific Plan Reimbursement fee for the Tivoli Specific Plan Area. (Funding Source: Tivoli Specific Plan Reimbursement Fee)
    - Resolution approving the Specific Plan Reimbursement Fee for the Tivoli Specific Plan Area.

    Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Resolution 2019-196 (Zoslocki/Ridenour; 6/0; Grewal absent) approving the Specific Plan Reimbursement Fee for the Tivoli Specific Plan Area.

Published in the Modesto Bee on April 13 and April 18, 2019

32. Hearing to consider approving a Voluntary Land Dedication Program for the Tivoli Specific Plan Area. (Funding Source: Tivoli Voluntary Land Dedication Program)
    - Resolution approving a Voluntary Land Dedication Program for the Tivoli Specific Plan area.

    Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Resolution 2019-197 (Ridenour/Zoslocki; 6/0; Grewal absent) approving a Voluntary Land Dedication Program for the Tivoli Specific Plan area.

NEW BUSINESS

33. Consider approving the 2019 State and Federal Legislative Platform for the City of Modesto, to assist with informing and educating the State and Federal Government of the priorities for the City of Modesto. (Funding Source: Not Applicable)
    - Resolution approving the 2019 State and Federal Legislative Platform, and authorizing the City Manager, or his designee, to carry out the necessary steps to help the City achieve the priorities identified in the Platform.

    City Manager; Caluha Barnes, 577-5228, cbarnes@modestogov.com

ACTION: Resolution 2019-198 (Madrigal/Ah You; 6/0; Grewal absent) approving the 2019 State and Federal Legislative Platform, and authorizing the City Manager, or his designee, to carry out the necessary steps to help the City achieve the priorities identified in the Platform. **(AMEND TO INCLUDE STAFF ADVOCATING FOR NEW MARKET TAX CREDITS – ECONOMIC DEVELOPMENT)**

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 8:30 p.m.

CLOSED SESSION

All Closed Session Matters heard prior to meeting

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Two Cases (Pursuant to Section 54956.9(d)(4) of the Government Code)

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Two Cases (Pursuant to Section 54956.9(d)(2) of the Government Code)

CONFERENCE WITH REAL PROPERTY NEGOTIATORS:
(Pursuant to Section 54956.8 of the Government Code)
Property: 2846 Finch Rd. APN: 039-010-220
Property Owners: City of Modesto/Stanislaus County
Negotiating Parties:
For City: Joseph P. Lopez, City Manager
Adam U. Lindgren, City Attorney for City of Modesto
Under Negotiation: Price and Terms

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCEA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Employees Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Confidential & Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPOA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Officers' Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPNSA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Non-Sworn Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) –MPMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCFFA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Firefighters Association

CONFERENCE WITH LABOR NEGOTIATOR:

(Pursuant to Section 54957.6 of the Government Code) – Unrepresented
Negotiator: Norma Santoyo
Employee Organization: Unrepresented Management and Confidential Employees

Attest:_____
Stephanie Lopez, City Clerk

MINUTES

City of Modesto

Special Finance Committee Meetings/ Special City Council Workshop Meetings

Chambers, Basement Level

Tenth Street Place, 1010 10th Street

Modesto, California

BUDGET WORKSHOPS
Monday, April 29, 2019 at 9:00 a.m.

Roll Call - Present: Mani Grewal, Councilmembers Zoslocki and Ridenour
Absent: None
Also Present: Mayor Brandvold, Councilmembers Kenoyer, Ah You (arrived at 9:35 a.m.) and Madrigal (arrived at 9:35 a.m.)

PUBLIC COMMENT PERIOD
Three minute time limit per speaker

- Emerson Drake spoke regarding last Tuesday's Council meeting and former City Auditor Monica Houston.

View the 2019-2020 Proposed Operating Budget

NEW BUSINESS

Finance Committee Budget Workshops Agenda

Monday April 29, 2019

Budget Overview

- **Budget Overview Presentation**
  - **Revenue (Major) and Departmental (General Fund)**
  - **Expenses**
    - **Appropriation Units A, B, and C**
      - **High Level General Fund Departmental Expenses**

City Manager Joe Lopez gave City of Modesto Fiscal Year 2019-20 Presentation and Budget Overview.

Budget Manager Steve Christensen gave Presentation: The Financials, Bridging the Gap

(Options), Fiscal Year 2019-20 General Fund Draft Proposed Revenues; Total General Fund Revenues; General Fund Major Tax Revenues; Construction Revenues; Fiscal Year 2019-20 General Fund Draft Proposed Expenditures; Total General Fund Operating Expenses; Overall General Fund Expense by Appropriation Unit; Fiscal Year 2019-20 General Fund Proforma.

- **Discussion on change to Adoption Process**
  - **Resolution vs Ordinance**

Budget Manager Steve Christensen spoke regarding the Budget Adoption Process: Ordinance Language in City Charter (Section 717); Budget Adoption in City Charter (Section 1304); and Ordinance vs. Resolution.

Fund Presentations

- **General Fund:**
  - **City Manager's Office**

City Manager Joe Lopez gave Presentation: City Manager's Office Overview; City Manager's Office Org Chart; Full-time Employee Count; City Manager's Office Priorities for Fiscal Year 2019-20; City Manager's Office Operating Expenses; Budget Division – Operating Expenses.

- **City Attorney's Office**

City Attorney Adam Lindgren gave Presentation: Department Org Chart; Department Goals for Fiscal Year 2019-20; Full-time Employee Count; Salary and Benefit Expense; Discretionary Expense; What City Departments Utilize the City Attorney Office for General Fund Activities 2018-19 Year to Date; What City Departments Utilize the City Attorney Office for General Fund Activities Last Year; Total Expenses City Attorney Office Department; City-Wide Total Legal Expenses All funds/General fund; all Providers; Legal Services Costs by All Funds Totals; Potential Proposal Additional Full Time Neighborhood Prosecutor; Continued Potential Proposal for Additional Full-time Neighborhood Prosecutor; Department Revenues.

- **City Clerk's Office**

City Clerk Stephanie Lopez gave Presentation: City Clerk's Office Org Chart; City Clerk's Office Goals/Accomplishments; Department Staffing; Expense and Revenue – City Clerk's Office General Fund; Approved Adjustment Requests.

- **Human Resources Department**

Human Resources Director Norma Santoya gave Presentation: Human Resources Department Overview; Department Org Chart; Department Goals/Accomplishments; Full Time Employee Count History; Human Resources Administration Revenue; Human Resources Administration Expenses.

- **Public Works Department**

Public Works Director Bill Sandhu gave Presentation: Public Works Administration Org Chart; Public Works Divisions: Fleet Division, Transit Division, Facilities Division, Solid waste Division, Traffic Engineering and Operations; Public Works Administration Revenues and Expenses; Public Works GoModesto Requests as Portion of total Citywide Requests; Top 10 GoModesto Requests for Public Works Department in 2018-19.

- **Finance Department**

Finance Director DeAnna Christensen gave Presentation: Department Org Chart (Fiscal year 2018-2019); Accomplishments Fiscal Year 2018-2019; Department Goals Fiscal Year 2019-2020; Department Staffing; Department Revenues; Department Expenses; Proposed Adjustment Request #1 – Accounting Division: Training Budget Increase and Temporary Staffing; Proposed Adjustment Request #2 – Restoring Central Stores – 2 new staff positions (Senior Buyer and Maintenance Worker) and part-time staffing; Proposed Reduction – freeze Financial Analyst I/II position valued at $95,219.

Recess at 11:25 a.m.
Reconvened at 12:35 a.m.

- **Community & Economic Development Department**

Community & Economic Development Director Jaylen French gave Presentation: Org Chart; City Manager's Goals; Accomplishments Fiscal Year 2018-19; Goals Fiscal Year 2018-19; Full Time Employees/Division; Revenue History by Division General Fund; General Fund Expense History; Expenses History by Division General Fund; Proposed Adjustments; Summary – CED Adjustments; Proposed Org Chart.

- **Parks, Recreation and Neighborhoods Department**

Parks, Recreation & Neighborhoods Director Laurie Smith gave Presentation: Parks, Recreation & Neighborhoods Organizational Chart; Full time Employee Count Per Division; Department Accomplishments Fiscal Year 2018-19; Department High Level Goals Fiscal Year 2019-20; Department Expense by Division (All Funds); Department Expenses by Fund; Revenue by Division (All Funds); Revenue by Fund; So What Went Up? – (i) General Fund – At a Glance, (ii) Golf – At A Glance, (iii) Modesto Centre Plaza; (iv) JPA-TRRP; Adjustment Consideration; Challenges and Opportunities: Service Levels, Water Use Strategies (Modesto Parks); What we Have Done (Water Reductions); What we Recommend: Turf Reduction; Transient Occupancy Tax; Modesto Municipal Golf System Operations Report; Fund Development Strategies.

- **Fire Department**

Fire Chief Alan Ernst gave Presentation: Department Org Chart; Department Goals/Accomplishments; Department Staffing; Department Revenues; Department Expenses; Reductions.

- **Police Department**

Police Chief Galen Carroll gave Presentation: Department Overview; Department Org Chart; Department Accomplishments; Department Goals; Department Staffing; Department Revenues; Department Expenses.

Recess at 2:02 p.m.
Reconvened at 2:17 p.m.

- **Internal Service Funds:**

- **Information Technology**

Information Technology Director Charlie Haase gave Presentation: Information Technology Department Org Chart; Department Accomplishments; Department Goals; Department Staffing; Department Revenues.

- **Fleet**

Public Works Director Bill Sandhu gave Presentation: Fleet Overview; Fleet Division Org Chart; Department Goals/Accomplishments; Fleet Revenues and Expenses – Fleet Management Fund; Performance Measures Tracked; Fleet Challenges.

Fund Presentations (continued):

- **Solid Waste Fund:**

Public Works Department

Public Works Director Bill Sandhu gave Presentation: Solid Waste Org Chart; Solid Waste Staff Breakdown; Solid Waste Revenues; Solid Waste Expenses; Solid Waste Division Accomplishments Fiscal Year 2018-2019; Solid Waste Division Goals Fiscal Year 2018-2019.

- **Airport Fund:**

Public Works Department

Public Works Director Bill Sandhu gave Presentation: Airport Staffing; Airport Revenue and Expenses; Airport Revenue and Expenses; Airport Revenue Breakdown; Changes in Revenue; Airport Expense Breakdown; Airport Accomplishments/Goals.

Councilmember Grewal left meeting at 2:51 p.m.

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- **Building Services/Parking/Transit:**

Public Works Department

Public Works Director Bill Sandhu gave Presentation: Building Services Overview; Building Services Organizational Chart; Building Services Revenue; Building Services Expenses; Building Services Strategic Plan; Building Services Accomplishments and Goals.

- **Surface Transportation Fund**

Public Works Department

Public Works Director Bill Sandhu gave Presentation: Street Services Org Chart; Traffic Services Org Chart; Staff Breakdown; Revenues; Expenses; Revenues by Sub-Fund; Accomplishments and Goals; Budget Adjustment Requests; Accomplishments and Goals; Traffic Engineering Project Status Update.

- **Utilities Funds (Water, Wastewater, Storm Drain):**
  - **Utilities Department** (will be heard on Monday, April 29, 2019 and continued to April 30, 2019 if necessary)

Utilities Director Will Wong gave Presentation: Department Org Chart – Current Staffing Allocations; Utilities Department Divisions: Administration, Engineering Services Division, Wastewater Division, Water Division; Department Staffing Total Current Allocations by Division; Department Staffing Total Current Allocations by Fund; Department Expense/Revenue Water; Department Expense/Revenue Wastewater; Department Expense/Revenue Storm Drain; Department Expense/Revenue Construction Administration;

Department Goals Business Plan; Department Successes; Proposed Adjustment Requests Water; Proposed Adjustment Requests Wastewater; Proposed Adjustment Requests Engineering; Proposed Adjustment Requests Capital Improvement Services; Proposed Adjustment Requests Construction; Fund 1300-Construction; Proposed Adjustment Requests; Proposed Department Staffing Total Current Allocations by Fund; Department Challenges.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 4:05 p.m.; will reconvene on Tuesday, April 30, 2019 at 3:20 p.m.

Attest: _____
Stephanie Lopez, City Clerk

MINUTES

City of Modesto

Special Finance Committee Meetings/ Special City Council Workshop Meetings

Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California

BUDGET WORKSHOPS
Tuesday, April 30, 2019 at 3:20 p.m.

Roll Call - Present: Mani Grewal, Councilmembers Zoslocki (arrived at 3:32 p.m.) and Ridenour
Absent: None
Also Present: Mayor Brandvold (arrived at 3:32 p.m.), Councilmembers Kenoyer, Ah You, Madrigal (arrived at 3:31 p.m.)

PUBLIC COMMENT PERIOD
Three minute time limit per speaker

View the 2019-2020 Proposed Operating Budget

NEW BUSINESS

Finance Committee Budget Workshops Agenda

Tuesday April 30, 2019: 3:20 PM

Fund Presentations (Continued)

- **Utilities Funds (Water, Wastewater, Storm Drain):**
  - Utilities Department (continued from April 29, 2019 if necessary)

ACTION: Utilities Department Presentation concluded on April 29, 2019.

- **Internal Service Funds (continued):**
  - Human Resources Department
    - Worker's Compensation
  - Liability
  - Employee Benefits

Human Resources Director Norma Santoya gave Presentation: Department Org Chart; Full Time Employee Count History; Workers' Compensation & Liability Fund Cost Allocation Methods; Risk Administration Expenses; Workers' Compensation Financials; Worker's

Compensation Fund History and Projection; General Liability Fund Financials; General Liability Fund History and Projection; Benefits: Employee Benefits Fund Cost Allocation Method; Employee Benefit Fund; Employee Benefit Fund Administration; Employee Benefit Administration Expenses; Employee Benefits Financials; Employee Benefits Fund History and Projection; Rate Relief and Claims Funding.

- Hardware/Software Contracts and Equipment Maintenance Contracts
    - Information Technology/Finance Department Presentation

Finance Director DeAnna Christensen gave Presentation: Background; Types of Equipment; Equipment Agreements-More than $50,000; Equipment Agreements-Less than $50,000; Fiscal Impact

- Software Maintenance Support Agreements-Background

Information Technology Chief Information Officer Charlie Haase gave Presentation: Background; Fiscal Impact; Summary of Total Estimate Costs by Fund.

- Building Services/Parking/Transit/Forestry

Public Works Director Bill Sandhu gave Presentation: (i) Parking: Parking Overview; Parking Services Staffing Chart; Parking Operations Budget; Accomplishments and Goals; (ii) Transit: Division Org Chart; Department Staffing; Department Revenues; Department Expenses; Department Goals/Accomplishments; (iii) Forestry: Forestry Division Staffing Chart; Green Waste Fund and Storm Drain Fund Staff Breakdown; Green Waste Fund Budget; Storm Drain Fund Budget; Green Waste Fund Accomplishments and Goals; Storm Drain Fund Accomplishments and Goals.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 4:40 p.m.; will reconvene on Thursday, May 2, 2019 at 9:00 a.m.

Attest:_____
Stephanie Lopez, City Clerk

MINUTES

City of Modesto
Special Finance Committee Meetings/
Special City Council Workshop Meetings
Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California

BUDGET WORKSHOPS
Thursday, May 2, 2019 at 9:00 a.m.

Roll Call - Present: Councilmembers Zoslocki, Ridenour and Kenoyer (alternate)
Absent: Councilmember Grewal
Also Present: Mayor Brandvold and Councilmember Madrigal

PUBLIC COMMENT PERIOD
Three minute time limit per speaker

None.

View the 2019-2020 Proposed Operating Budget

NEW BUSINESS

Finance Committee Budget Workshops Agenda

Special Presentations:

- **Revenue Manual**

Finance Director DeAnna Christensen gave Presentation: (i) Background-How the Revenue Manual Fits into the Budget Process; Example from the Revenue Manual; Fiscal Year 201702018 Significant Variances (Non-General Fund); Other Fee Changes or Updates Being Considered; (ii) Finance Revenue Recovery Fees-Revenue Recovery Fiscal Year 2019-20; (iii) Solid Waste & Compost Rates and Fees-Solid Waste Division; (iv) Parks Recreation & Neighborhoods Fee Updates: Golf, Centre Plaza, and Recreation Fees-Golf Green Fee Increases; Modesto Golf Rounds & Revenues for Past 3 Years; Green Fees $1 Increase Proforma; Modesto Centre Plaza Rate Review; Recreation Fee Study.

- **Sponsorships**

Parks, Recreation & Neighborhoods Director Laurie Smith gave Presentation: Special Event Sponsorship Directive – Policy, Sponsorship Criteria; Procedure; Existing In-Kind Sponsorships; Existing Direct Contributions.

Recess at 9:41 a.m.

Reconvened at 9:47 a.m.

- **CalPERS/Pension Costs:**
  - Human Resources/Dane Hutchins/Bartel

Human Resources Director Norma Santoya gave Presentation: Background; Workforce-PEPRA vs. Classic History; How We Got Here.
Dane Hutchings, League of California Cities gave Presentation: Why Cities are on the Frontline of Pension Crisis; Why are Cities on the Frontline; CalPers 101: Key Terms; Challenges Ahead: Why is Fiscal Year 2024-2025 So Important; Challenges Ahead League of cities Pension Study: Key Findings; CalPERS City 2006-07 Contr. As % General Fund Budget by County; CalPERS City 2017-2018 Contr. As % General Fund Budget by County; CalPERS City – Projected 2024-2025 Contr. As % General Fund Budget by County; CalPERS City Miscellaneous 2024-2025 Projected Rate Increases by County; CalPERS City Safety 2024-2025 Projected Rate Increases by County; Challenges Ahead: By the Numbers; Challenges Ahead: Political Realities, Legislation, Legal Update; What Can Cities Do Today?

Human Resources Directive gave Presentation: Total City Unfunded Liability; PERS Annual Cost History; Funded Status History; Contribution Projections Miscellaneous Plan; Contribution Projections Safety Plan; Proactively Managing UAL (Unfunded Liability); Options to Accelerate Funding; Numbers of Agencies using ADP's; City's Pension Stabilization Strategy.

- **Capital Improvement Program:**
  - SB 1 and Measure L Highlight

Financial Analyst Kaceey Culbertson gave Presentation re SB 1: Measure L-Local Streets and Roads, Traffic Management, Bike and Pedestrian; Measure L – Road Tax Fund; Senate Bill 1 Activity; Transportation Funding Maintenance Effort

City Engineer Vickey Dion gave Presentation re Measure L: Carpenter Road Pavement Rehabilitation Project; Standiford Avenue Pavement Rehabilitation Project; Lakewood Neighborhood Improvement Project. Highlights of Fiscal Year 2018-2019 Local Streets and Roads Measure L Projects: Claus Road Pavement Rehabilitation Project; Wylie, Floyd and Carver Street Improvement Project; Village One Slurry Seal Project. Proposed Measure L Local Streets and Roads Fiscal Year 2019-2020 Projects: Scenic Drive Phase 1 (Lakewood to Claus); Scenic Drive Phase II (Downey to Lakewood); Tully Road (Yale to Briggsmore); Coffee Road Phase 1 (Norwegian to Sylvan); Bike Pedestrian.
Public Works Director Bill Sandhu gave Presentation re Measure L – SB 1 Projects: Measure L Projects; Traffic Signals and Upgrades; New Traffic Controllers; Installation of Rectangular Rapid Flashing Beacons; Traffic Signal Analysis Study System Wide; School Zone Beacon Improvements; School Zone Beacons; High Intensity Activated Cross Walk (HAWK); SB 1 Funding; High Voltage Circuit Conversion; 2017 Slurry Seal Projects; 2018 Slurry Seal Projects; 2019 Slurry Seal Projects.
Recess at 11:55 a.m.
Reconvened at 1:30 p.m.

- **Capital Improvement Program**

Budget Manager Steven Christensen and Financial Analyst Kaceey Culbertson gave Presentation: Purpose; Overview; % by Category.

Utilities Director Will Wong gave Presentation re Water, Wastewater, Storm Drain: (i) Water Design: Law Loma Phase 2B, Well 70 Subsurface Improvements (Del Rio), Industrial Tank 13 and Pump Station, Well 71 Subsurface Improvements, Water Corporation Yard, Del Rio Tank 14, Well 68 & Pump Station, Groundwater Monitoring Wells; (ii) Soon to Be Under Construction; (iii) Wastewater/Storm Drain Engineering: Cannery Segregation Line Diversion Structure, Hahn Lift Station, Rumble Lift Station, Area 2 Cross Connection Removal – Roosevelt Park, Headworks, Dryden Box, Ceres Trunk Rehabilitation; Soon to Be Under Construction; (iv) What's Next?

Deferred Maintenance

Public Works Director Bill Sandhu gave Presentation: Airport; Traffic & Street Light – Inventory; Street Light Repairs; Replace Damaged or Failed Equipment; Pavement Striping and Thermoplastic Applicators; Streets – Inventory; Street Repairs; Sidewalks; Curbs, Gutters & Sidewalks; Forestry – Pruning, Tree Removal, Stump Removal, Mistletoe Removal; Parking – Inventory, Repairs; Building Services – Inventory, Corporation Yard Repairs, Facility Condition Analysis.

- **Report Back Items**

Budget Manager Steve Christensen gave Presentation: City of Modesto Sales Tax Breakdown; Storm Drain Fund Budget – revised slide with corrected revenue (Public Works Storm Drain Street Sweeping and Leaf Collection)

ACTION: Motion (Ridenour/Kenoyer; 3/0) forwarding the 2019-2020 Draft Budget to the full City Counc consideration, to be scheduled at a time after the Mayor's Final Budget Modifications are delivered to

the City Council under City Charter Section 1303, with such modifications being due at least 30 days prior the new Fiscal Year.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 2:55 p.m.

Attest:_____
Stephanie Lopez, City Clerk

MINUTES

City of Modesto

ECONOMIC DEVELOPMENT COMMITTE / COUNCIL WORKSHOP

Second Floor, Rom 2005
Tenth Street Place, 1010 10th Street
Modesto, California

Wednesday, May 1, 2019, at 2:00 p.m.

Roll Call Present: Councilmembers Zoslocki (arrived at 2:06 p.m.), Doug Ridenour, Sr., and Madrigal
Absent: None
Also Present: Councilmember Kenoyer

PUBLIC COMMENTS

None.

CONSENT

An item may be removed from consent and discussed at the request of an audience member or Committee member.

Consent

1. Consider approving a Resolution of Consideration to make changes to the tax rate for the City of Modesto Community Facilities District No. 2016-2 (The Vintage) due to a change in infrastructure and increased maintenance expenses and forwarding to Council for approval. (Funding Source: Community Facility District No. 2016-2 (The Vintage))
   Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Motion (Madrigal/Kenoyer; 3/0) approving a Resolution of Consideration to make changes to the tax rate for the City of Modesto Community Facilities District No. 2016-2 (The Vintage) due to a change in infrastructure and increased maintenance expenses and forwarding to Council for approval.

Consent

2. Consider approving the First Amendment to the Agreement with Modesto Junior

College and Stanislaus County for a bus pass program to increase the annual revenue from $100,000 to $150,000 each year for the Modesto Area Express fixed route bus system for students at Modesto Junior College, and forwarding to Council for approval. (Funding Source: Transit Funds)
Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Motion (Madrigal/Kenoyer; 3/0) approving the First Amendment to the Agreement with Modesto Junior College and Stanislaus County for a bus pass program to increase the annual revenue from $100,000 to $150,000 each year for the Modesto Area Express fixed route bus system for students at Modesto Junior College, and forwarding to Council for approval

UNFINISHED BUSINESS

3. Consider dockless bicycle / scooter rental program. (Funding Source: General Fund)
Community & Economic Development; Cindy van Empel, 577-5267, cvanempel@modestogov.com

ACTION: Motion (Madrigal/Ridenour; 3/0) directing staff to proceed with a pilot program for scooters with Lime or other scooter provider(s) and explore a bike share program in the future (include: explore and enact regulations to ensure minimal impact on surface streets and the community).

NEW BUSINESS

4. Consider an informational update on a Street Vendor licensing program and Ordinance status update, including an update on new state law restrictions and issues staff is working through to prepare and update the City's code and enforcement program. (Funding Source: Not Applicable)
City Attorney; Adam Lindgren, 577-5284, alindgren@modestogov.com

ACTION: No reportable action.

5. Consider providing staff direction on amending the Modesto Municipal Code regarding accessory dwelling units, accessory buildings and second story units and forwarding to the Planning Commission for recommendation to Council. (Funding Source: General Fund)
Community & Economic Development; Paul Liu, 577-5267, pliu@modestogov.com

ACTION: Motion (Ridenour/Madrigal; 3/0) providing staff direction on amending the Modesto Municipal Code regarding accessory dwelling units, accessory buildings and second story units and forwarding to the Planning Commission for recommendation to Council.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 3:23 p.m.

Attest: _____
Joseph Lopez, City Manager

MINUTES

City of Modesto

CITY COUNCIL MEETING

Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday May 07, 2019, at 5:30 p.m.

Roll Call – Present: Councilmembers Ah You, Grewal, Kenoyer, Madrigal, Ridenour, Zoslocki, Mayor Brandvold
Absent: None

Pledge of Allegiance to the Flag

Invocation: Jon Allen, The Carpenter's House

City Clerk's Announcements: None

Declaration of Conflicts of Interest: Grewal - Items 3, 4 and 28; Ridenour - Item 21

Reports from Closed Session: City Attorney Lindgren reported on Closed Session matters

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation of Certificate of Recognition and acknowledgment of Councilwoman Jenny Kenoyer who received the "2019 Woman of the Year" award presented by Assembly Member Heath Flora on March 4, 2019. (Funding Source: Not Applicable)
City Council; Kathy Espinoza, 571-5597, kespinoza1@modestogov.com

ACTION: Mayor Brandvold, Council and Assembly Member Heath Flora presented a Certificate of Recognition and acknowledgement to Councilwoman Jenny Kenoyer who received the "2019 Woman of the Year" award presented by Assembly Member Heath Flora on March 4, 2019.

MISCELLANEOUS

Legislation
Appointments
Other

2. Consider appointing Savannah Williams and Rachel Hernandez to the Citizen's Housing and Community Development Committee. (Funding Source: Not Applicable)
   - Resolution approving the appointment of Savannah Williams to the Citizen's Housing and Community Development Committee with a term expiration of January 1, 2023.

- Resolution approving the appointment of Rachel Hernandez to the Citizen's Housing and Community Development Committee with a term expiration of January 1, 2023.

Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Resolution 2019-199 (Madrigal/Ah You; 7/0) approving the appointment of Savannah Williams to the Citizen's Housing and Community Development Committee with a term expiration of January 1, 2023.

ACTION: Resolution 2019-200 (Madrigal/Ah You; 7/0) approving the appointment of Rachel Hernandez to the Citizen's Housing and Community Development Committee with a term expiration of January 1, 2023.

Councilmember Grewal absent due to conflict of interest

3. Consider approving the First Amendment to the Amended and Restated Bylaws for the Modesto Convention & Visitors Bureau. (Funding Source: Not Applicable)
   - Resolution approving the First Amendment to the Amended and Restated Bylaws for the Modesto Convention and Visitors Bureau.

   Parks, Recreation & Neighborhoods; Laurie Smith, 577-5347, lsmith@modestogov.com

ACTION: Resolution 2019-201 (Kenoyer/Madrigal; 6/0; Grewal absent due to conflict of interest) approving the First Amendment to the Amended and Restated Bylaws for the Modesto Convention and Visitors Bureau.

Councilmember Grewal absent due to conflict of interest

4. Consider appointing Denise Crosby, Thomas Lopes, Rodney Cordova, Pervez Khan, Behzad (Bert) Tabrizi, Lee Lundrigan, Vickey Chu-Hermis, Chris Murphy and Athinodoros (Theo) Chronis to the Modesto Convention and Visitors Bureau Board of Directors. (Funding Source: Not Applicable)
   - Resolution appointing Denise Crosby, Thomas Lopes, Rodney Cordova, Pervez Khan, Behzad (Bert) Tabrizi, Lee Lundrigan, Vickey Chu-Hermis, Chris Murphy and Athinodoros (Theo) Chronis to the Modesto Convention and Visitors Bureau Board of Directors.

   Parks, Recreation & Neighborhoods; Laurie Smith, 577-5347, lsmith@modestogov.com

ACTION: Resolution 2019-202 (Kenoyer/Ah You; 6/0; Grewal absent due to conflict of interest) appointing Denise Crosby, Thomas Lopes, Rodney Cordova, Pervez Khan, Behzad (Bert) Tabrizi, Lee Lundrigan, Vickey Chu-Hermis, Chris Murphy and Athinodoros (Theo) Chronis to the Modesto Convention and Visitors Bureau Board of Directors.

PUBLIC COMMENT PERIOD

- Maggie Countryman spoke regarding the City's Building Safety Program and Code Enforcement Officers.

- Abbie Dopp spoke regarding Sherwood Manor Senior Apartments, rent control and lack of affordable housing in Modesto.

- Albert Matkins spoke regarding the increase in rent at Sherwood Manor Senior Apartments.

- Sebastian Jones also spoke regarding the increase in rent at Sherwood Manor Senior Apartments.

- Juan Telles also spoke regarding Sherwood Manor Senior Apartments and the owners of the complex.

- Howard Carmen spoke regarding dog laws in the City of Modesto.

- Loretta Carhart spoke regarding the HUD program and roof on her garage.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED
ACTION CONSENT ITEMS: 5-13; 15-20; 22-24: (Kenoyer/Ah You; 7/0)
ACTION CONSENT ITEM 14: (Kenoyer/Madrigal; 5/0; Grewal absent due to conflict of interest; Ridenour absent)
ACTION CONSENT ITEM 21: (Kenoyer/Ah You; 6/0; Ridenour absent due to conflict of interest)

CONSENT ITEMS

An item may be removed from consent and discussed at the request of an audience member or Councilmember.

Consent
5. Consider approving the minutes from the April 23, 2019 Council Meeting. (Funding Source: Not Applicable)
   - Motion approving the minutes from the April 23, 2019 Council Meeting.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Ah You; 7/0) approving the minutes from the April 23, 2019 Council Meeting.

Consent
6. Consider approving the recommended budget adjustments to Fiscal Year 2018-19 Annual Operating and Capital Improvement Program Budget. (Funding Source: Various Funds)
   - Resolution amending Fiscal Year 2018-19 Annual Operating and Capital Improvement Project Fund Budgets.

   Finance; Kaceey Culbertson, 577-5479, kculbertson@modestogov.com

ACTION: Resolution 2019-203 (Kenoyer/Ah You; 7/0) amending Fiscal Year 2018-19 Annual Operating and Capital Improvement Project Fund Budgets.

Consent

7. Consider approving the plans and specifications for the Claus Road Pavement Rehabilitation Phase II project, accepting the bid, and awarding a contract to DSS Company, dba Knife River Construction, of Stockton, California, in the amount of $1,036,423; and authorizing the Director of Utilities to approve change orders up to the cumulative amount of $103,643. (Funding Source: Local Control Measure L Funds)
    - Resolution approving the plans and specifications for the Claus Road Pavement Rehabilitation – Phase II project, accepting the bid, and awarding a contract to DSS Company, dba Knife River Construction, of Stockton, California, in the amount of $1,036,423 and authorizing the City Manager, or his designee to execute the Agreement.
    - Resolution authorizing the Director of Utilities to approve change orders up to the cumulative amount of $103,643 (10% of the original contract price) for the Claus Road Pavement Rehabilitation – Phase II project.

    Community & Economic Development; Michael Sacuskie, 571-5552, msacuskie@modestogov.com

ACTION: Resolution 2019-204 (Kenoyer/Ah You; 7/0) approving the plans and specifications for the Claus Road Pavement Rehabilitation – Phase II project, accepting the bid, and awarding a contract to DSS Company, dba Knife River Construction, of Stockton, California, in the amount of $1,036,423 and authorizing the City Manager, or his designee to execute the Agreement.

ACTION: Resolution 2019-205 (Kenoyer/Ah You; 7/0) authorizing the Director of Utilities to approve change orders up to the cumulative amount of $103,643 (10% of the original contract price) for the Claus Road Pavement Rehabilitation – Phase II project.

Consent

8. Consider approving an Amended and Restated Memorandum of Agreement with Stanislaus County for the Preliminary Engineering and Final Design Phase of the 7th Street Bridge Project in an amount not to exceed $344,500. (Funding Source: Streets Capital Facility Fees)
    - Resolution approving an Amended and Restated Memorandum of Agreement with Stanislaus County for the Preliminary Engineering and Final Design Phase of the 7th Street Bridge Project in an amount not to exceed $344,500 and authorizing the City Manager, or his designee to execute the Memorandum of Agreement.

    Community & Economic Development; Chuck Covolo, 271-5537, ccovolo@modestogov.com,

ACTION: Resolution 2019-206 (Kenoyer/Ah You; 7/0) approving an Amended and Restated Memorandum of Agreement with Stanislaus County for the Preliminary Engineering and Final Design Phase of the 7th Street Bridge Project in an amount not to exceed $344,500

and authorizing the City Manager, or his designee to execute the Memorandum of Agreement.

Consent

9. Consider approving the installation and maintenance of a fixed, permanent Community Identifier Sign facing eastbound traffic on the new SR-132 Freeway/Expressway located on the bridge at Rosemore Avenue. (Funding Source: Streets Capital Facility Fees/Abatement and Public Nuisance Fund)
    - Resolution approving the installation of a fixed, permanent Community Identifier Sign with the construction contract for the SR-132 Freeway/Expressway Phase 1 Project and authorizing the City Manager, or his designee, to execute all documents and cooperative Agreements necessary for this installation and maintenance.

    Community & Economic Development; Vickey Dion, 571-5542, vdion@modestogov.com

ACTION: Resolution 2019-207 (Kenoyer/Ah You; 7/0) approving the installation of a fixed, permanent Community Identifier Sign with the construction contract for the SR-132 Freeway/Expressway Phase 1 Project and authorizing the City Manager, or his designee, to execute all documents and cooperative Agreements necessary for this installation and maintenance.

Consent

10. Consider approving the Second Amendment increasing the Agreement amount with Dokken Engineering, for professional design services by $144,422 from $7,344,096 to a total amount of $7,488,518; and amending the Fiscal Year 2018-2019 Capital Improvement Program (CIP) Budget, project #100614, in the amount of $144,422 for the Project. (Funding Source: Streets Capital Facility Fees (CFF))
    - Resolution approving the Second Amendment increasing the Agreement amount with Dokken Engineering, for professional design services for the State Route 132 West Freeway/Expressway - Phase 1 Project by $144,422 from $7,344,096 to a total amount of $7,488,518, and authorizing the City Manager, or his designee, to execute the Second Amendment.
    - Resolution amending the Fiscal Year 2018-2019 Capital Improvement Program (CIP) Budget, project #100614 in the amount of $144,422 for the State Route 132 West Freeway/Expressway - Phase 1 Project and appropriation of funds from the Streets Capital Facility Fees fund reserves, and authorizing the City Manager, or his designee to implement the provisions of this resolution.

    Community & Economic Development; Vickey Dion, 571-5542, vdion@modestogov.com

ACTION: Resolution 2019-208 (Kenoyer/Ah You; 7/0) approving the Second Amendment increasing the Agreement amount with Dokken Engineering, for professional design services for the State Route 132 West Freeway/Expressway - Phase 1 Project by $144,422 from $7,344,096 to a total amount of $7,488,518, and authorizing the City Manager, or his designee, to execute the Second Amendment.

ACTION: Resolution 2019-209 (Kenoyer/Ah You; 7/0) amending the Fiscal Year 2018-

2019 Capital Improvement Program (CIP) Budget, project #100614 in the amount of $144,422 for the State Route 132 West Freeway/Expressway - Phase 1 Project and appropriation of funds from the Streets Capital Facility Fees fund reserves, and authorizing the City Manager, or his designee to implement the provisions of this resolution.

Consent

11. Consider approving the award of bid and Agreement for an On-Site Tire Technician to Fleet Tire Inc. dba Brannon Tire, Stockton, CA. for tire services, inspection and repairs to City vehicle tires for a two year Agreement with three one-year extension options for an annual cost not to exceed $88,920 and a total amount not to exceed $444,600 over five years. (Funding Source: Fleet Management Fund)
    - Resolution approving an Agreement with Fleet Tire Inc., dba Brannon Tire, Stockton, CA for a two year Agreement with three one-year extension options for an annual cost not to exceed $88,920 and a total amount not to exceed $444,600 and authorizing the City Manager or his designee, to execute the Agreement.

    Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Resolution 2019-210 (Kenoyer/Ah You; 7/0) approving an Agreement with Fleet Tire Inc., dba Brannon Tire, Stockton, CA for a two year Agreement with three one-year extension options for an annual cost not to exceed $88,920 and a total amount not to exceed $444,600 and authorizing the City Manager or his designee, to execute the Agreement.

Consent

12. Consider approving the award of bid for the purchase of one 3/4 ton pickup truck with specific configurations to Towne Ford, Redwood City, CA for a total amount not to exceed $28,974 and two 3/4 ton pickup trucks with specific configurations to American Chevrolet, Modesto, CA for a total amount not to exceed $65,746. (Funding Source: Fleet Replacement Fund)
    - Resolution approving the purchase of one 3/4 ton pickup truck with specific configurations to Towne Ford, Redwood City, CA for a total amount not to exceed $28,974 and two 3/4 ton pickup trucks with specific configurations to American Chevrolet, Modesto, CA for a total amount not to exceed $65,746, and authorizing the Purchasing Manager or her designee, to issue the Purchase Order.

    Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Resolution 2019-211 (Kenoyer/Ah You; 7/0) approving the purchase of one 3/4 ton pickup truck with specific configurations to Towne Ford, Redwood City, CA for a total amount not to exceed $28,974 and two 3/4 ton pickup trucks with specific configurations to American Chevrolet, Modesto, CA for a total amount not to exceed $65,746, and authorizing the Purchasing Manager or her designee, to issue the Purchase Order.

Consent

13. Consider approving a one-time purchase with Municipal Maintenance Equipment (MME), Sacramento, CA. by utilizing "piggybacking" under the competitive bid process with National Joint Powers Alliance (NJPA), for sewer vacuum, hydro-excavation, and street sweeper equipment with related accessories and supplies for a

total amount not to exceed $455,917. (Funding Source: Fleet Replacement Fund: 5409)

- Resolution approving a one-time purchase with Municipal Maintenance Equipment (MME), Sacramento, CA. by utilizing "piggybacking" under the competitive bid process with National Joint Powers Alliance (NJPA), for sewer vacuum, hydro-excavation, and street sweeper equipment with related accessories and supplies for a total amount not to exceed $455,917, and authorizing the Purchasing Manager, or her designee, to issue the Purchase Order.

Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Resolution 2019-212 (Kenoyer/Ah You; 7/0) approving a one-time purchase with Municipal Maintenance Equipment (MME), Sacramento, CA. by utilizing "piggybacking" under the competitive bid process with National Joint Powers Alliance (NJPA), for sewer vacuum, hydro-excavation, and street sweeper equipment with related accessories and supplies for a total amount not to exceed $455,917, and authorizing the Purchasing Manager, or her designee, to issue the Purchase Order.

Consent – *Councilmember Grewal absent due to conflict of interest; Councilmember Ridenour absent*

14. Consider approving a Resolution of Intention to establish the Modesto Tourism Marketing District and fixing the time and place of a public meeting and a public hearing thereon and giving notice thereof. (Funding Source: Transient Occupancy Tax/Tourism Marketing District Assessment)

    - Resolution of the City Council of the City of Modesto declaring its intention to establish the Modesto Tourism Marketing District (MTMD) and fixing the time and place of a public meeting and a public hearing thereon and giving notice thereof.

    Parks, Recreation & Neighborhoods; Laurie Smith, 577-5347, lsmith@modestogov.com

ACTION: Resolution 2019-213 (Kenoyer/Madrigal; 5/0; Grewal absent due to conflict of interest, Ridenour absent) of the City Council of the City of Modesto declaring its intention to establish the Modesto Tourism Marketing District (MTMD) and fixing the time and place of a public meeting and a public hearing thereon and giving notice thereof.

Consent

15. Consider approving Modesto Area Express fare changes to the half fare for seniors/disabled and others to promote high ridership on public transportation. (Funding Source: Transit Funds)

    - Resolution approving Modesto Area Express (MAX) fare changes to the half fare for seniors/disabled and others to promote high ridership on public transportation, and authorizing the City Manager, or his designee, to implement the changes.

    Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Resolution 2019-214 (Kenoyer/Ah You; 7/0) approving Modesto Area Express (MAX) fare changes to the half fare for seniors/disabled and others to promote high ridership

on public transportation, and authorizing the City Manager, or his designee, to implement the changes.

Consent

16. Consider approving the implementation of a new Modesto Area Express commuter route to Sacramento, CA. (Funding Source: Transit Funds)
    - Resolution approving the implementation of a new Modesto Area Express (MAX) commuter route to Sacramento, CA, and authorizing the City Manager, or his designee, to implement the route.

    Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Resolution 2019-215 (Kenoyer/Ah You; 7/0) approving the implementation of a new Modesto Area Express (MAX) commuter route to Sacramento, CA, and authorizing the City Manager, or his designee, to implement the route.

Consent

17. Consider approving the submission of the Transportation Development Act Transit Claim to the Stanislaus Council of Governments for Fiscal Year 2019-20 in the amount of $13,529,650, and a Regional Transit Claim in the amount of $839,769. (Funding Source: Transportation Development Act Funds)
    - Resolution approving the submission of the Transportation Development Act (TDA) Transit Claim to the Stanislaus Council of Governments (StanCOG) for Fiscal Year 2019-20 in the amount of $13,529,650, and a Regional Transit Claim in the amount of $839,769.

    Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Resolution 2019-216 (Kenoyer/Ah You; 7/0) approving the submission of the Transportation Development Act (TDA) Transit Claim to the Stanislaus Council of Governments (StanCOG) for Fiscal Year 2019-20 in the amount of $13,529,650, and a Regional Transit Claim in the amount of $839,769.

Consent

18. Consider approving the adjustments to various airport rates and fees for specific activities and services at the Modesto City-County Airport, effective July 1, 2019, rescinding Resolution No. 2017-451. (Funding Source: Airport Operating Revenue)
    - Resolution approving adjustments to various Airport rates and fees for specific activities and services at the Modesto City-County Airport (Airport), effective July 1, 2019, and rescinding Resolution No. 2017-451.

    Public Works; Steve Fischio, 342-2222, sfischio@modestogov.com

ACTION: Resolution 2019-217 (Kenoyer/Ah You; 7/0) approving adjustments to various Airport rates and fees for specific activities and services at the Modesto City-County Airport (Airport), effective July 1, 2019, and rescinding Resolution No. 2017-451.

Consent

19. Consider approving the City's sponsorship of the 21st Annual 2019 North Modesto

Kiwanis Graffiti Parade and Car Show, including the waiver of City permit fees, Police Department overtime and vehicle costs, and Streets Division labor and equipment costs (estimated to be $65,027). (Funding Source: General Fund)

- Resolution approving the City of Modesto sponsorship of the 21st Annual 2019 North Modesto Kiwanis Graffiti Parade and Car show, including the waiver of City permit fees, Police Department overtime and vehicle costs, and Streets Division labor and equipment costs estimated to be $65,027, and authorizing the City Manager, or his designee, to execute any documents necessary related to the sponsorship.

Public Works; Steve Fischio, 342-2222, sfischio@modestogov.com

ACTION: Resolution 2019-218 (Kenoyer/Ah You; 7/0) approving the City of Modesto sponsorship of the 21st Annual 2019 North Modesto Kiwanis Graffiti Parade and Car show, including the waiver of City permit fees, Police Department overtime and vehicle costs, and Streets Division labor and equipment costs estimated to be $65,027, and authorizing the City Manager, or his designee, to execute any documents necessary related to the sponsorship.

Consent

20. Consider approving the plans and specifications, accepting the bid, and approving a construction contract with United Pavement Maintenance, Inc. of Hughson, CA, for the project titled, "Bus Turnout S.R. 132/Maze Boulevard" in the amount of $74,000, plus $6,000, if needed, for an Agreement total not to exceed $80,000. (Funding Source: Local Transportation Funds)

    - Resolution approving the plans and specifications, accepting the bid, and approving a construction contract with United Pavement Maintenance, Inc. of Hughson, CA for the project titled, "Bus Turnout S.R. 132/Maze Boulevard" in the amount of $74,000, plus $6,000, if needed, for an Agreement total not to exceed $80,000., and authorizing the City Manager, or his designee, to execute the Agreement.

    Public Works; Scott Collins, 577-5431, scollins@modestogov.com

ACTION: Resolution 2019-219 (Kenoyer/Ah You; 7/0) approving the plans and specifications, accepting the bid, and approving a construction contract with United Pavement Maintenance, Inc. of Hughson, CA for the project titled, "Bus Turnout S.R. 132/Maze Boulevard" in the amount of $74,000, plus $6,000, if needed, for an Agreement total not to exceed $80,000., and authorizing the City Manager, or his designee, to execute the Agreement.

Consent – *Councilmember Ridenour absent due to conflict of interest*

21. Consider accepting New Traffic Signals 2013 at Bellharbour and Floyd at Millbrook and Prescott at Mt. Vernon CML5059 (190) project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $917,910 to Tim Paxin's Pacific Excavation, Inc., of Elk Grove, CA. (Funding Source: Congestion Mitigation and Air Quality (CMAQ), CFD Village One No.2, Measure L Fund, and Surface Transportation Funds)

    - Resolution accepting the New Traffic Signals 2013 at Bellharbour and Floyd at Millbrook and Prescott at Mt. Vernon Project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing

payments totaling $917,910 to Tim Paxin's Pacific Excavation, Inc., of Elk Grove, CA.

Utilities; Jesse Franco, 571-5175, jfranco@modestogov.com

ACTION: Resolution 2019-220 (Kenoyer/Ah You; 6/0; Ridenour absent due to conflict of interest) accepting the New Traffic Signals 2013 at Bellharbour and Floyd at Millbrook and Prescott at Mt. Vernon Project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $917,910 to Tim Paxin's Pacific Excavation, Inc., of Elk Grove, CA.

Consent

22. Consider accepting the Bus Maintenance Facility Improvements Canopy Structure project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $579,911 to DOCON, Inc. of Ceres, CA. (Funding Source: State of Good Repair Grant Fund)
    - Resolution accepting the Bus Maintenance Facility Improvements Canopy Structure project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $579,911 to DOCON, Inc., of Ceres, CA.

    Utilities; Jesse Franco, 571-5175, jfranco@modestogov.com

ACTION: Resolution 2019-221 (Kenoyer/Ah You; 7/0) accepting the Bus Maintenance Facility Improvements Canopy Structure project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $579,911 to DOCON, Inc., of Ceres, CA.

Consent

23. Consider approving a Memorandum of Understanding between the City of Modesto, Utilities Department and the County of Stanislaus, Department of Environmental Resources, regarding Onsite Wastewater Treatment Systems. (Funding Source: Not Applicable)
    - Resolution approving a Memorandum of Understanding between the City of Modesto, Utilities Department and the County of Stanislaus, Department of Environmental Resources, regarding Onsite Wastewater Treatment Systems.

    Utilities; Thomas Sinclair, 577-6240, tsinclair@modestgov.com

ACTION: Resolution 2019-222 (Kenoyer/Ah You; 7/0) approving a Memorandum of Understanding between the City of Modesto, Utilities Department and the County of Stanislaus, Department of Environmental Resources, regarding Onsite Wastewater Treatment Systems.

Consent

24. Consider approving the award of bid and Agreement for Transportation of Wastewater Grit to Bertolotti Modesto Disposal Inc., Ceres, CA, for a two-year Agreement with three one-year extension options, for an annual cost not to exceed $45,000 and a total amount not to exceed $245,250 over five years. (Funding Source: Wastewater Fund)

- Resolution approving the award of bid and Agreement for Transportation of Wastewater Grit to Bertolotti Modesto Disposal Inc., Ceres, CA, for a two-year Agreement with three one-year extension options, for an annual cost not to exceed $45,000 and a total amount not to exceed $245,250 over five years, and authorizing the City Manager, or his designee, to execute the Agreement.

Utilities; Laura Anhalt, 342-4502, lanhalt@modestogov.com

ACTION: Resolution 2019-223 (Kenoyer/Ah You; 7/0) approving the award of bid and Agreement for Transportation of Wastewater Grit to Bertolotti Modesto Disposal Inc., Ceres, CA, for a two-year Agreement with three one-year extension options, for an annual cost not to exceed $45,000 and a total amount not to exceed $245,250 over five years, and authorizing the City Manager, or his designee, to execute the Agreement.

COUNCIL COMMENTS & REPORTS

Councilmember Ah You thanked Chris Murphy for his work on the "May the 4th Be With You" event in Downtown Modesto; she also attended the Modesto Taco Festival and Cinco de Mayo Parade; she encouraged members on the dais to be respectful of each other.

Councilmember Kenoyer attended the following: Stand Against Hate at Pittman High School, Arbor Day, Peace Officers Memorial at Lakewood Cemetery, a play regarding war at the State Theatre, Helen White Trail monument; the Learning Quest Graduation, MPOA Awards Dinner and the Special Olympics; she also spoke regarding grants for parks in Modesto: Chavez Park, Mellis Park and Mancini Park.

Councilmember Grewal attended the Modest Police Officers Association dinner and Cinco de Mayo Parade; he spoke regarding the Finance Committee meetings last week and thanked the Mayor and staff; he spoke regarding the HUD audit and thanked staff for their work.

Councilmember Madrigal attended: Grow and Play Open House in Roseburg Square; Peace Officers Memorial at Lakewood Cemetery; Lobby Day in Sacramento; ASPIRE Celebration with Andre Agassi; he met with Parks Recreation and Neighborhoods staff regarding Mellis Park, Chavez Park and Mancini Park grants; First Annual Ballet Folklorio; Modesto Second Annual Taco Festival; Young Latina Conference; Helen White Trail monument dedication, Modesto Police Officers Association banquet, Cinco de Mayor Parade, 24th Annual NAACP Graduation, Finance Committee budget meetings last week and training in South Modesto with the Go Modesto App.

Councilmember Ridenour spoke regarding the Finance Committee meetings last week and the budget for 2019-2020; he thanked the Kiwanis; he also spoke about Public Service Week and thanked City employees.

Councilmember Zoslocki spoke regarding an email he received about a citizen disconnecting his utility service and thanked City staff for resolving the issue.

CITY MANAGER COMMENTS & REPORTS

City Manager Lopez thanked City employees.

NEW BUSINESS

25. Consider approving a Reimbursement Agreement among Bank of the West, the City of Modesto, and Modesto Public Financing Authority, and a related fee letter; a Supplement to an Official Statement; a Remarketing and Interest Services Agreement by and between Modesto Public Financing Authority and Raymond James & Associates, Inc.; and approving the award of proposal and Agreement for banking services to Bank of the West, Monterey Park, CA, for a four-year Agreement with three one-year extension options, for an annual cost not to exceed $30,691 and a total amount not to exceed $213,374 over seven years. (Funding Source: General Fund, Redevelopment Successor Agency and Various Funds)
    - Resolution approving a Reimbursement Agreement among Bank of the West, the City of Modesto and Modesto Public Financing Authority, and a related fee Letter Agreement; a supplement to an official statement; a remarketing and interest services Agreement by and between Modesto Public Finance Authority and Raymond James and Associates, Inc.; and authorizing certain other actions related to authority's Lease Revenue Refunding Bonds, Series 2008.
    - Resolution approving the award of proposal and Agreement for banking services to Bank of the West, Monterey Park, CA, for a four-year Agreement with three one-year extension options, for an annual cost not to exceed $30,691 and a total amount not to exceed $213,374 over seven years; and authorizing the City Manager or his designee, to execute the Agreement.

    Finance; DeAnna Christensen, 577-5387, dachristensen@modestogov.com

ACTION: Resolution 2019-224 (Grewal/Zoslocki; 7/0) approving a Reimbursement Agreement among Bank of the West, the City of Modesto and Modesto Public Financing Authority, and a related fee Letter Agreement; a supplement to an official statement; a remarketing and interest services Agreement by and between Modesto Public Finance Authority and Raymond James and Associates, Inc.; and authorizing certain other actions related to authority's Lease Revenue Refunding Bonds, Series 2008.

ACTION: Resolution 2019-225 (Grewal/Zoslocki; 7/0) approving the award of proposal and Agreement for banking services to Bank of the West, Monterey Park, CA, for a four-year Agreement with three one-year extension options, for an annual cost not to exceed $30,691 and a total amount not to exceed $213,374 over seven years; and authorizing the City Manager or his designee, to execute the Agreement.

26. Consider approving a Second Amendment increasing the Agreement amount with Bank of America Merrill Lynch for banking services by $28,200 from $511,034 to $539,234, and extending the term of the Agreement from June 30, 2019 to December 31, 2019. (Funding Source: Various Funds)
    - Resolution approving a Second Amendment increasing the Agreement amount with Bank of America Merrill Lynch for banking services by $28,200 from $511,034 to $539,234, and extending the term of the Agreement from June 30, 2019 to

December 31, 2019; and authorizing the City Manager, or his designee, to execute the Amendment.

Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: 2019-226 (Grewal/Zoslocki; 7/0) approving a Second Amendment increasing the Agreement amount with Bank of America Merrill Lynch for banking services by $28,200 from $511,034 to $539,234, and extending the term of the Agreement from June 30, 2019 to December 31, 2019; and authorizing the City Manager, or his designee, to execute the Amendment.

27. Consider approving the award of proposal and Agreement for Citywide regulatory safety training and consultation to Du-All Safety, Fremont, California, for a one year Agreement with one one-year extension option, for an annual cost not to exceed $311,859 and a total amount not to exceed $623,718 over two years and approving the termination of the Agreement with York Services effective April 20, 2019. (Funding Source: Various Funds)
    - Resolution approving the award of proposal and Agreement for Citywide regulatory safety training and consultation to Du-All Safety, Fremont, California, for a one-year Agreement with one one-year extension option, for an annual cost not to exceed $311,859 and a total amount not to exceed $623,718 over two years, authorizing the Director of Finance or designee to approve additional training as needed within the not to exceed amount, authorizing the City Manager, or his designee to execute the Agreement; and approving the termination of the Agreement with York Services effective April 20, 2019.

    Human Resources; Michaux Burchard, 577-5466, mburchard@modestogov.com

ACTION: Resolution 2019-227 (Ridenour/Grewal; 7/0) approving the award of proposal and Agreement for Citywide regulatory safety training and consultation to Du-All Safety, Fremont, California, for a one-year Agreement with one one-year extension option, for an annual cost not to exceed $311,859 and a total amount not to exceed $623,718 over two years, authorizing the Director of Finance or designee to approve additional training as needed within the not to exceed amount, authorizing the City Manager, or his designee to execute the Agreement; and approving the termination of the Agreement with York Services effective April 20, 2019.

Councilmember Grewal absent due to conflict of interest

28. Consider accepting the "Feasibility Study – Proposed Convention Center Hotel" by HVS Convention, Sports and Entertainment Facilities Consulting, and authorizing staff to proceed with the next steps. (Funding Source: Community Center Operations Fund)
    - Resolution accepting the "Feasibility Study – Proposed Convention Center Hotel" by HVS Convention, Sports and Entertainment Facilities Consulting, and authorizing staff to proceed with the next steps.

    Parks, Recreation & Neighborhoods; Laurie Smith, 577-5347, lsmith@modestogov.com

ACTION: Resolution 2019-228 (Ah You/Madrigal; 6/0; Grewal absent due to conflict of interest) accepting the "Feasibility Study – Proposed Convention Center Hotel" by HVS

Convention, Sports and Entertainment Facilities Consulting, and authorizing staff to proceed with the next steps.

29. Obtain input from City Councilmembers on vacant City Auditor position and refer to Audit Committee for consideration. (Funding Source: Not Applicable)
    - Forward Mayor and Council comments and input to the Audit Committee to formulate a proposal on filling the City Auditor's position and return to the City Council for review and action.

    City Council; Mayor Ted Brandvold, 571-5597, tBrandvold@modestogov.com

ACTION: Motion (Grewal/Zoslocki; 6/1; Ah You no) to request that Mayor Brandvold contract with a recruiting firm to conduct a national search for hiring the next internal City Auditor.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 10:25 p.m.

CLOSED SESSION

All Closed Session Matters heard prior to meeting

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Two Cases (Pursuant to Section 54956.9(d)(4) of the Government Code)

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Two Cases (Pursuant to Section 54956.9(d)(2) of the Government Code)

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCEA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Employees Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Confidential & Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPOA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Officers' Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPNSA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Non-Sworn Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) –MPMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCFFA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Firefighters Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – Unrepresented
Negotiator: Norma Santoyo
Employee Organization: Unrepresented Management and Confidential Employees

Attest:_____
Stephanie Lopez, City Clerk

MINUTES

City of Modesto

CITY COUNCIL MEETING

Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday May 14, 2019, at 5:30 p.m.

Roll Call – Present: Councilmembers Grewal, Kenoyer, Madrigal, Ridenour, Zoslocki, Mayor Brandvold
Absent: Councilmember Ah You

Pledge of Allegiance to the Flag

Invocation: Ross Briles, Sherwood Bible Church

City Clerk's Announcements: None

Declaration of Conflicts of Interest: None

Reports from Closed Session: City Attorney Lindgren reported on Closed Session matters

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation regarding the North Valley Regional Recycled Water Program Update. (Funding Source: Not Applicable)
Utilities; Will Wong, 577-5213, wwong@modestogov.com

ACTION: Anthea Hansen, Del Puerto Water District, gave an updated Presentation regarding the North Valley Regional Recycled Water Program.

PUBLIC COMMENT PERIOD

- Maggie Countryman spoke regarding a Board of Zoning Adjustment hearing and aging.

- Dan Nickles thanked City staff on the 4th Floor; he also spoke regarding immigrants in Modesto.

- Megan Goin spoke regarding TNK Vegan Cafe's one year anniversary on June 23, 2019.

- Emerson Drake spoke regarding No. 9 ranking in Modesto for heart worm in animals;

he also spoke regarding an incident on May 12, 2019 of a woman being followed by a man in the Garrison Park area; he received a copy of the City Auditor separation agreement and spoke about attorney's fees.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED
ACTION CONSENT ITEMS 2-8: (Kenoyer/Madrigal; 6/0; Ah You absent)

CONSENT ITEMS

An item may be removed from consent and discussed at the request of an audience member or Councilmember.

Consent
2. Consider approving the minutes from the May 7, 2019 Council Meeting. (Funding Source: Not Applicable)
   - Motion approving the minutes from the May 7, 2019 Council Meeting.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Madrigal; 6/0; Ah You absent) approving the minutes from the May 7, 2019 Council Meeting.

Consent
3. Consider approving an Agreement with Opticos Design, Inc., to prepare a Downtown Master Plan, in the amount of $210,000. (Funding Source: Measure L Local Control Funds)
   - Resolution approving an Agreement with Opticos Design, Inc., to prepare a Downtown Master Plan, in the amount of $210,000, and authorizing the City Manager, or his designee, to execute the Agreement.

   Community & Economic Development; Brad Wall, 577-5267, bwall@modestogov.com

ACTION: Resolution 2019-229 (Kenoyer/Madrigal; 6/0; Ah You absent) approving an Agreement with Opticos Design, Inc., to prepare a Downtown Master Plan, in the amount of $210,000, and authorizing the City Manager, or his designee, to execute the Agreement.

Consent
4. Consider accepting an informational report for the March 2019 Accounts Payable Payment Register and Void report. (Funding Source: Not Applicable)
   - Motion accepting an informational report for the March 2019 Accounts Payable Payment Register and Void report.

   Finance; Ryan Blackerby, 577-5219, rblackerby@modestogov.com

ACTION: Motion (Kenoyer/Madrigal; 6/0; Ah You absent) accepting an informational report for the March 2019 Accounts Payable Payment Register and Void report.

Consent
5. Consider approving an agreement with Clark Pest Control Inc., Modesto CA, by utilizing the competitive bid process with Stanislaus County General Services Agency,

for the purchase of city-wide pest control services, for a five-year agreement with two one-year extension options, for an annual cost not to exceed $52,630, and for a total amount, including escalations and additional services not to exceed $269,550 over five years, and authorizing the Director of Finance or her designee, to negotiate any cost increases, site additions, extra services, or service changes. (Funding Source: Building Services Fund, General Fund, Airport Operating Fund, Community Center Operations Fund)

- Resolution approving an Agreement with Clark Pest Control Inc., Modesto CA, by utilizing the competitive bid process with Stanislaus County General Services Agency, for the purchase of city-wide pest control services, for a five-year Agreement with two one-year extension options, for an annual cost not to exceed $42,630 per year for routine pest service in years one and two and $10,000 per year for site additions, site removals, extra services, or service changes, as authorized by the Director of Finance or her designee, with any cost increases in years three through five not to exceed 2% per year and requiring negotiation with the Purchasing Division, for a total amount not to exceed $269,550 over five years, and authorizing the City Manager, or his designee, to execute the Agreement.

Public Works; Patrick Crowley, 342-2274, pcrowley@modestogov.com

ACTION: Resolution 2019-230 (Kenoyer/Madrigal; 6/0; Ah You absent) approving an Agreement with Clark Pest Control Inc., Modesto CA, by utilizing the competitive bid process with Stanislaus County General Services Agency, for the purchase of city-wide pest control services, for a five-year Agreement with two one-year extension options, for an annual cost not to exceed $42,630 per year for routine pest service in years one and two and $10,000 per year for site additions, site removals, extra services, or service changes, as authorized by the Director of Finance or her designee, with any cost increases in years three through five not to exceed 2% per year and requiring negotiation with the Purchasing Division, for a total amount not to exceed $269,550 over five years, and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

6. Consider cancelling all proposals received for Request for Proposals No. 1819-20 for Modesto Area Dial-A-Ride operations, approving an increase to the Agreement with Storer Transit Systems, for Modesto Area Dial-A-Ride operations, by $3,643,138 from $16,171,515 to $19,814,653, for a new total amount not to exceed $19,814,653, approve extending the term of the Agreement from June 28, 2019 to June 30, 2020 and authorizing the City Manager, or his designee, to conduct Agreement negotiations to provide a rate increase. (Funding Source: Transit Funds)

- Resolution cancelling all proposals received for Request for Proposals No. 1819-20 for Modesto Area Dial-A-Ride operations; and authorizing the City Manager, or his designee, to reissue a RFP at a future date, with an amended Scope of Services.
- Resolution approving an increase to the Purchasing Agreement with Storer Transit Systems for Modesto Area Dial-A-Ride operations by $3,643,138 from $16,171,515 to $19,814,653, for a new total amount of $19,814,653 and extending the term of the Agreement from June 28, 2019 to June 30, 2020.
- Resolution authorizing the City Manager, or his designee, to negotiate an

Amendment to the Agreement with Storer Transit Systems for a rate change for the Modesto Area Dial-A-Ride operations and to execute that Amendment.

Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Resolution 2019-231 (Kenoyer/Madrigal; 6/0; Ah You absent) cancelling all proposals received for Request for Proposals No. 1819-20 for Modesto Area Dial-A-Ride operations; and authorizing the City Manager, or his designee, to reissue a RFP at a future date, with an amended Scope of Services.

ACTION: Resolution 2019-232 (Kenoyer/Madrigal; 6/0; Ah You absent) approving an increase to the Purchasing Agreement with Storer Transit Systems for Modesto Area Dial-A-Ride operations by $3,643,138 from $16,171,515 to $19,814,653, for a new total amount of $19,814,653 and extending the term of the Agreement from June 28, 2019 to June 30, 2020.

ACTION: Resolution 2019-233 (Kenoyer/Madrigal; 6/0; Ah You absent) authorizing the City Manager, or his designee, to negotiate an Amendment to the Agreement with Storer Transit Systems for a rate change for the Modesto Area Dial-A-Ride operations and to execute that Amendment.

Consent

7. Consider accepting the Grayson Replacement Well 274 project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $413,811 to Maggiora Bros. Drilling, Inc. of Watsonville, California. (Funding Source: Water Fund)
    - Resolution accepting the Grayson Replacement Well 274 as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $413,811 to Maggiora Bros. Drilling, Inc. of Watsonville, CA.

    Utilities; Jesse Franco, 571-5175, jfranco@modestogov.com

ACTION: Resolution 2019-234 (Kenoyer/Madrigal; 6/0; Ah You absent) accepting the Grayson Replacement Well 274 as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $413,811 to Maggiora Bros. Drilling, Inc. of Watsonville, CA.

Consent

8. Consider approving an Agreement with Hazen and Sawyer, San Francisco, CA, for Wastewater Treatment Corrosion Evaluation and Process Optimization in the amount of $69,850 for the identified scope of services, plus $6,985 in additional services, if needed, for a total not to exceed amount of $76,835. (Funding Source: Wastewater Fund)
    - Resolution approving an Agreement with Hazen and Sawyer, San Francisco, CA, for Wastewater Treatment Corrosion Evaluation and Process Optimization in the amount of $69,850 for the identified scope of services, plus $6,985 in additional services, if needed, for a total not to exceed amount of $76,835 and authorizing the City Manager, or his designee, to execute the Agreement.

Utilities; Jesse Franco, 571-5175, jfranco@modestogov.com

ACTION: Resolution 2019-235 (Kenoyer/Madrigal; 6/0; Ah You absent) approving an Agreement with Hazen and Sawyer, San Francisco, CA, for Wastewater Treatment Corrosion Evaluation and Process Optimization in the amount of $69,850 for the identified scope of services, plus $6,985 in additional services, if needed, for a total not to exceed amount of $76,835 and authorizing the City Manager, or his designee, to execute the Agreement.

COUNCIL COMMENTS & REPORTS

Councilmember Kenoyer attended: a gala for the Women's Justice Center; the American Legion Junior High Awards ceremony, the GI Forum, and the Stanislaus Chinese Association Gourmet Cuisine.

Councilmember Madrigal attended: Mayor Brandvold's State of the City on May 8, 2019. a meeting with leaders of the South Modesto Partnership Group regarding input into the City's Annual Action Plan, and the monthly Census Committee meeting.

CITY MANAGER COMMENTS & REPORTS

None.

UNFINISHED BUSINESS

9. Consider approving Mayor Brandvold contract with a recruiting firm to conduct a national search for hiring the next internal City Auditor. (Funding Source: Not Applicable)
   - Motion approving Mayor Brandvold contract with a recruiting firm to conduct a national search for hiring the next Internal City Auditor.

   City Council; Ted Brandvold, 571-5597, tbrandvold@modestogov.com

ACTION: Motion (Ridenour/Grewal; 6/0; Ah You absent) approving Mayor Brandvold contract with a recruiting firm to conduct a national search for hiring the next Internal City Auditor.

HEARINGS

Published in the Modesto Bee on April 24, 2019

10. Hearing to consider approving a General Plan Amendment, prezone to Planned Development zone, and the filing of an application to the Stanislaus Local Agency Formation Commission to annex approximately 35.19 acres of land designated R (Residential) to the City of Modesto and to detach from the Salida Fire Protection District. (Funding Source: Application Fee)
   - Motion introducing and waiving the first reading of an Ordinance amending Sections 5-3-9 and 8-3-9 of the Zoning Map to prezone 35.19 acres of unincorporated area to Planned Development (P-D) zone, property located west of

McHenry Avenue and south of Pelandale Avenue.

- Resolution approving an Amendment to the Modesto Urban Area General Plan to eliminate the requirement to prepare a specific plan for the Pelandale / McHenry Comprehensive Planning District and related text Amendments.
- Resolution approving a development plan for Planned Development zone, P-D(607).
- Resolution approving the filing of an application with the Stanislaus Local Agency Formation Commission for the Wells Avenue Residential reorganization consisting of annexation to the City of Modesto and simultaneous detachment from the Stanislaus Consolidated Fire Protection District of approximately 35.19 acres located west of McHenry Avenue and south of Pelandale Avenue (Tesoro Homes and Calandev, LLC—uninhabited)
- Resolution finding that the following subsequent project is within the scope of the project covered by the Modesto Urban Area General Plan Master Environmental Impact Report (SCH No. 2014042081): General Plan amendment to eliminate the requirement to prepare a specific plan for the Pelandale / McHenry Comprehensive Planning District, to prezone 35.19 acres to Planned Development (P-D) zone, and to annex the same area to the City of Modesto and simultaneous detachment from the Salida Fire Protection District.

Community & Economic Development; Cindy van Empel, 577-5267, cvanempel@modestogov.com

ACTION: Motion (Ridenour/Madrigal; 6/0; Ah You absent) introducing and waiving the first reading of **Ordinance No. 3695-C.S.** amending Sections 5-3-9 and 8-3-9 of the Zoning Map to prezone 35.19 acres of unincorporated area to Planned Development (P-D) zone, property located west of McHenry Avenue and south of Pelandale Avenue.

ACTION: Resolution 2019-236 (Ridenour/Madrigal; 6/0; Ah You absent) approving an Amendment to the Modesto Urban Area General Plan to eliminate the requirement to prepare a specific plan for the Pelandale / McHenry Comprehensive Planning District and related text Amendments.

ACTION: Resolution 2019-237 (Ridenour/Madrigal; 6/0; Ah You absent) approving a development plan for Planned Development zone, P-D(607).

ACTION: Resolution 2019-238 (Ridenour/Madrigal; 6/0; Ah You absent) approving the filing of an application with the Stanislaus Local Agency Formation Commission for the Wells Avenue Residential reorganization consisting of annexation to the City of Modesto and simultaneous detachment from the Stanislaus Consolidated Fire Protection District of approximately 35.19 acres located west of McHenry Avenue and south of Pelandale Avenue (Tesoro Homes and Calandev, LLC—uninhabited)

ACTION: Resolution 2019-239 (Ridenour/Madrigal; 6/0; Ah You absent) finding that the following subsequent project is within the scope of the project covered by the Modesto Urban Area General Plan Master Environmental Impact Report (SCH No. 2014042081): General Plan amendment to eliminate the requirement to prepare a specific plan for the Pelandale / McHenry Comprehensive Planning District, to prezone 35.19 acres to Planned Development

(P-D) zone, and to annex the same area to the City of Modesto and simultaneous detachment from the Salida Fire Protection District.

Published in the Modesto Bee on March 25, 2019 and Vida en el Valle on March 27, 2019

11. Hearing to consider approving the City of Modesto Program Year 2019-2020 Annual Action Plan, and amending the Fiscal Year 2019-2020 City of Modesto annual operating, multi-year and capital improvement project budgets to reflect the allocation of funds outlined in the program year 2019-2020 Annual Action Plan. (Funding Source: Community Development Block Grant, HOME Investment Partnerships and Emergency Solutions Grant Funds)
    - Resolution approving the City of Modesto Program Year 2019-2020 Annual Action Plan for use of Community Development Block Grant Programs, Emergency Solutions Grant, and HOME Investment Partnership Program funding received from the U.S. Department of Housing and Urban Development and authorizing the City Manager, or his designee, to negotiate and execute any related program agreements, contracts or other documentation required for implementation of the Program Year 2019-2020 Annual Action Plan, and authorization to submit applicable documentation and provide technical alterations, as required by HUD, incorporate comments received prior to the close of the public comment period, and to make the necessary steps to implement the provision of this resolution.
    - Resolution amending the Fiscal Year 2019-20 City of Modesto's annual operating, multi-year and capital improvement project budgets to reflect the allocation of funds outlined in the program year 2019-2020 Annual Action Plan budget proposal submitted to the U.S. Department of Housing and Urban Development and authorizing the City Manager, or his designee, to take the necessary steps to implement the provisions of this resolution.

    Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Resolution 2019-240 (Kenoyer/Madrigal; 6/0; Ah You absent) approving the City of Modesto Program Year 2019-2020 Annual Action Plan for use of Community Development Block Grant Programs, Emergency Solutions Grant, and HOME Investment Partnership Program funding received from the U.S. Department of Housing and Urban Development and authorizing the City Manager, or his designee, to negotiate and execute any related program agreements, contracts or other documentation required for implementation of the Program Year 2019-2020 Annual Action Plan, and authorization to submit applicable documentation and provide technical alterations, as required by HUD, incorporate comments received prior to the close of the public comment period, and to make the necessary steps to implement the provision of this resolution.

ACTION: Resolution 2019-241 (Kenoyer/Madrigal; 6/0; Ah You absent) amending the Fiscal Year 2019-20 City of Modesto's annual operating, multi-year and capital improvement project budgets to reflect the allocation of funds outlined in the program year 2019-2020 Annual Action Plan budget proposal submitted to the U.S. Department of Housing and Urban Development and authorizing the City Manager, or his designee, to take the necessary steps to implement the provisions of this Resolution.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 7:45 p.m.

CLOSED SESSION

All Closed Session Matters heard prior to the meeting

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
One Case (Pursuant to Section 54956.9(d)(4) of the Government Code)

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Two Cases (Pursuant to Section 54956.9(d)(2) of the Government Code)

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCEA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Employees Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Confidential & Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPOA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Officers' Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPNSA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Non-Sworn Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) –MPMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCFFA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Firefighters Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – Unrepresented
Negotiator: Norma Santoyo
Employee Organization: Unrepresented Management and Confidential Employees

Attest:_____
Stephanie Lopez, City Clerk

MINUTES

City of Modesto

SPECIAL FINANCE COMMITTE / COUNCIL WORKSHOP

Second Floor, Room 2005
Tenth Street Place, 1010 10th Street
Modesto, California

Monday, May 20, 2019, at 3:00 p.m.

Roll Call: Present: Councilmembers Zoslocki, Ridenour, and Kenoyer (alternate)
Absent: Councilmember Grewal

PUBLIC COMMENT

None.

CONSENT

Consent

1. Consider a Memorandum of Joint Powers Agreement with Stanislaus County for the Right of Way Acquisition and Utility Relocation Phase of the 7th Street Bridge Project in an amount not to exceed $344,100 and forwarding to Council for approval. (Funding Source: Streets Capital Facility Fees)

   Community & Economic Development; Charles Covolo, 571-5537, ccovolo@modestogov.com

ACTION: Motion (Kenoyer/Ridenour; 3/0) approving a Memorandum of Joint Powers Agreement with Stanislaus County for the Right of Way Acquisition and Utility Relocation Phase of the 7th Street Bridge Project in an amount not to exceed $344,100 and forwarding to Council for approval.

Consent

2. Consider approving the award of bid for the purchase of one Animal Control truck (ACO Body) with specific configurations to Towne Ford, Redwood City, CA for a total amount not to exceed $67,836 and forwarding to Council for approval. (Funding Source: Fleet Replacement Fund)

   Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Motion (Kenoyer/Ridenour; 3/0) approving the award of bid for the purchase of one Animal Control truck (ACO Body) with specific configurations to Towne Ford, Redwood City, CA for a total amount not to exceed $67,836 and forwarding to Council for approval.

Consent

3. Consider approving the award of bid and Purchasing Agreement for ballistic vests to Adamson Police Products, Los Alamitos, CA for a two year Agreement with three one-year extension options for an annual cost not to exceed $62,800, and a total amount not to exceed $314,000 over five years and forwarding to Council for approval. (Funding Source: Police Department General Fund)

   Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Motion (Kenoyer/Ridenour; 3/0) approving the award of bid and Purchasing Agreement for ballistic vests to Adamson Police Products, Los Alamitos, CA for a two year Agreement with three one-year extension options for an annual cost not to exceed $62,800, and a total amount not to exceed $314,000 over five years and forwarding to Council for approval.

Consent

4. Consider approving the award of bid and Agreement to Advanced Building Cleaners, Inc., Modesto, CA, for Street Sweeping services on an as-needed basis for an annual cost not to exceed $75,000, and a total amount not to exceed $375,000 over five years, and forwarding to Council for approval. (Funding Source: Surface Transportation Fund)

   Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Motion (Kenoyer/Ridenour; 3/0) approving the award of bid and Agreement to Advanced Building Cleaners, Inc., Modesto, CA, for Street Sweeping services on an as-needed basis for an annual cost not to exceed $75,000, and a total amount not to exceed $375,000 over five years, and forwarding to Council for approval.

Consent

5. Consider approving the award of proposal and Agreement for collection agency services with Ray Klein, Inc., DBA Professional Credit Services, Springfield, Oregon, for a two-year Agreement with three one-year extension options, for an annual cost not to exceed $50,000 and a total amount not to exceed $250,000 and forwarding to Council for approval. (Funding Source: General Fund, Water Fund, Wastewater Fund

and Storm Drain Fund)

Finance; Jennifer Martin, 571-5892, jmartin@modestogov.com

ACTION: Motion (Kenoyer/Ridenour; 3/0) approving the award of proposal and Agreement for collection agency services with Ray Klein, Inc., DBA Professional Credit Services, Springfield, Oregon, for a two-year Agreement with three one-year extension options, for an annual cost not to exceed $50,000 and a total amount not to exceed $250,000 and forwarding to Council for approval.

Consent

6. Consider approving an Agreement with American Chiller Inc., for scheduled and emergency heating, ventilation, and air conditioning maintenance services for the Modesto Centre Plaza facility for a four-year Agreement, for an annual cost not to exceed $75,000, and a total cost not to exceed $300,000 over four years, and forwarding to Council for approval. (Funding Source: Centre Plaza Fund - Cultural Services Administration – 4700)

   Parks, Recreation & Neighborhoods; Laurie Smith, 577-5347, lsmith@modestogov.com

ACTION: Motion (Kenoyer/Ridenour; 3/0) approving an Agreement with American Chiller Inc., for scheduled and emergency heating, ventilation, and air conditioning maintenance services for the Modesto Centre Plaza facility for a four-year Agreement, for an annual cost not to exceed $75,000, and a total cost not to exceed $300,000 over four years, and forwarding to Council for approval.

Consent

7. Consider approving the award of bid and Agreement for as-needed concrete services at multiple locations throughout the City to Machado & Sons Construction Inc., Turlock, CA, for a five year Agreement, for total cost not to exceed $525,659, and forwarding to Council for approval. (Funding Source: Transit and Traffic Funds)

   Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Motion (Kenoyer/Ridenour; 3/0) approving the award of bid and Agreement for as-needed concrete services at multiple locations throughout the City to Machado & Sons Construction Inc., Turlock, CA, for a five year Agreement, for total cost not to exceed $525,659, and forwarding to Council for approval.

Consent

8. Consider approving an increase to the Purchasing Agreement with Remix Software, Inc., San Francisco, CA, for the transit planning and scheduling software utilized by Modesto Area Express by $41,000 from $194,160 to $235,160, to align with approved Agreement, and forwarding to Council for approval. (Funding Source: Federal Transit Funds)

   Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Motion (Kenoyer/Ridenour; 3/0) approving an increase to the Purchasing Agreement with Remix Software, Inc., San Francisco, CA, for the transit planning and scheduling software utilized by Modesto Area Express by $41,000 from $194,160 to $235,160, to align with approved Agreement, and forwarding to Council for approval.

Consent

9. Consider accepting grant funds for upcoming Capital Improvement Construction Projects for the Traffic Engineering Division within the Public Works Department and forwarding to Council for approval. (Funding Source: Congestion Mitigation and Air Quality Grants, Highway Safety Improvement Program Grant, and Surface Transportation Fund)

   Public Works; Mark Murphy, 577-5214, mmurphy@modestogov.com

ACTION: Motion (Kenoyer/Ridenour; 3/0) Consider accepting grant funds for upcoming Capital Improvement Construction Projects for the Traffic Engineering Division within the Public Works Department and forwarding to Council for approval.

Consent

10. Consider approving the sole source Agreement with East Bay Municipal Utility District for the disposal of gray water for the Utilities Department, Water Services Division, for a two-year Agreement with three one-year extension options, for an annual cost not to exceed $66,150 for the first year of service, with annual increases of $ 0.01 per gallon annually over the five-year period and 15% contingency funds for potential increases, for a total not to exceed $425,250 over five years; and forwarding to Council for approval. (Funding Source: Water Fund)

    Utilities; David Savidge, 342-2217, dsavidge@modestogov.com

ACTION: Motion (Kenoyer/Ridenour; 3/0) approving the sole source Agreement with East Bay Municipal Utility District for the disposal of gray water for the Utilities Department, Water Services Division, for a two-year Agreement with three one-year extension options, for an annual cost not to exceed $66,150 for the first year of service, with annual increases of $ 0.01

per gallon annually over the five-year period and 15% contingency funds for potential increases, for a total not to exceed $425,250 over five years; and forwarding to Council for approval.

UNFINISHED BUSINESS

11. Consider the options for the Bus Stop Bench Franchise Agreement of either cancelling a request for proposals or awarding the Agreement to Creative Outdoor Advertising of America, Tampa, FL, and forwarding to Council for approval. (Funding Source: Revenue to Transit Fund)

    Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Motion (Kenoyer/Zoslocki; 2/1; Ridenour no)

NEW BUSINESS

12. Consider approving a Purchasing Agreement for office supplies to Staples, Modesto, CA as the primary supplier by utilizing the competitively bid process with Sourcewell, formally known as National Joint Powers Association (NJPA); a Purchasing Agreement for office supplies to Office Depot, Modesto, CA as the secondary supplier by utilizing the competitively bid process with National Intergovernmental Purchasing Alliance (National IPA) & OMNIA Partners; and approving a Purchasing Agreement for office furniture to Warden's, Modesto, CA by utilizing the competitively bid process with National Intergovernmental Purchasing Alliance (National IPA) for two-year Agreements, with three one-year options for an annual cost not to exceed $250,000 for a total combined annual cost not to exceed $1,250,000 and forwarding to Council for approval. (Funding Source: Various Funds)

    Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Motion (Kenoyer/Ridenour; 3/0) approving a Purchasing Agreement for office supplies to Staples, Modesto, CA as the primary supplier by utilizing the competitively bid process with Sourcewell, formally known as National Joint Powers Association (NJPA); a Purchasing Agreement for office supplies to Office Depot, Modesto, CA as the secondary supplier by utilizing the competitively bid process with National Intergovernmental Purchasing Alliance (National IPA) & OMNIA Partners; and approving a Purchasing Agreement for office furniture to Warden's, Modesto, CA by utilizing the competitively bid process with National Intergovernmental Purchasing Alliance (National IPA) for two-year Agreements, with three one-year options for an annual cost not to exceed $250,000 for a total combined annual cost not to exceed $1,250,000 and forwarding to Council for approval.

13. Consider approving the award of proposal and Agreement for Education and Government Broadcast Production Services to Final Cut Media, of Modesto, CA , for a five year Agreement with two one-year extension options, for an annual cost not to exceed $233,097 and a total amount not to exceed $1,584,701 over seven years, and forwarding to Council for approval. (Funding Source: Education & Government Cable Fund & Various Funds)

    Information Technology; Kevin Harless , 571-5593, kharless@modestogov.com

ACTION: Motion (Ridenour/Kenoyer; 3/0) approving the award of proposal and Agreement for Education and Government Broadcast Production Services to Final Cut Media, of Modesto, CA , for a five year Agreement with two one-year extension options, for an annual cost not to exceed $233,097 and a total amount not to exceed $1,584,701 over seven years, and forwarding to Council for approval.

14. Consider approving an Agreement with Bertolotti Modesto Disposal Inc., Ceres, CA, to perform garbage removal and disposal services at the Modesto Outdoor Emergency Shelter and for homeless encampment blight removal by the Modesto Police Department Beat Health Unit through May 31, 2021 for a total amount not to exceed $150,000, and forwarding to Council for approval. (Funding Source: General Fund)

    Parks, Recreation & Neighborhoods; Kelly Gallagher, 342-2270, kgallagher@modestogov.com

ACTION: Motion (Ridenour/Kenoyer; 3/0) approving an Agreement with Bertolotti Modesto Disposal Inc., Ceres, CA, to perform garbage removal and disposal services at the Modesto Outdoor Emergency Shelter and for homeless encampment blight removal by the Modesto Police Department Beat Health Unit through May 31, 2021 for a total amount not to exceed $150,000, and forwarding to Council for approval.

ADJOURNMENT

This meeting adjourned at 4:15 p.m.

Attest:_____
Joseph Lopez, City Manager

MINUTES

City of Modesto

SPECIAL APPOINTMENTS COMMITTEE / COUNCIL WORKSHOP

Sixth Floor, Room 6825
Tenth Street Place, 1010 10th Street
Modesto, California

Wednesday, May 22, 2019, at 2:30 p.m.

Roll Call: Present: Councilmembers Madrigal, Mayor Brandvold and Councilmember Kenoyer (alternate)
Absent: Councilmember Grewal

PUBLIC COMMENTS

None.

CONSENT ITEMS

None.

NEW BUSINESS

1. Consider recommending applicants to be interviewed by the Appointments Committee at a future meeting to fill six vacancies on the City of Modesto Entertainment Commission and forwarding to the City Council for approval. (Funding Source: Not Applicable)
   Community & Economic Development; Margaret James, 571-5840, mjames@modestogov.com

ACTION: Motion (Mayor Brandvold/Kenoyer; 3/0) appointing Eduardo Flores as the Business Permit Holder vacancy on the City of Modesto Entertainment Commission.

ACTION: Motion (Kenoyer/Mayor Brandvold; 3/0) appointing Julia Washington as the Event Planning or Marketing Specialist vacancy on the City of Modesto Entertainment Commission.

ACTION: Motion (Mayor Brandvold/Kenoyer; 3/0) appointing Catherine Martinez as the representative from a Board of Directors of an Economic or Tourist organization that promotes Modesto vacancy on the City of Modesto Entertainment Commission.

ACTION: Motion (Kenoyer/Mayor Brandvold; 3/0) appointing Brock Wiley as the At Large Citizen vacancy on the City of Modesto Entertainment Commission.

ACTION: Motion (Mayor Brandvold/Kenoyer; 3/0) appointing Alan Falconer as an Alternate that is a Non-Permit Holder vacancy on the City of Modesto Entertainment Commission.

ACTION: Motion (Mayor Brandvold/Kenoyer; 3/0) appointing Carrie Miller as an Alternate that is a Non-Permit Holder vacancy on the City of Modesto Entertainment Commission.

ACTION: Motion (Kenoyer/Mayor Brandvold; 3/0) recommending appointments listed above and forwarding to Council for approval.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 3:01 p.m.

Attest:_____
Stephanie Lopez, City Clerk

MINUTES

City of Modesto

CITY COUNCIL MEETING

Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday May 28, 2019, at 5:30 p.m.

Roll Call – Present: Councilmembers Ah You, Grewal, Kenoyer, Madrigal, Ridenour, Zoslocki, Mayor Brandvold
Absent: None

Pledge of Allegiance to the Flag

Invocation: Jim Applegate, Redeemer Church

City Clerk's Announcements: Item 4 - Removed from Consent
Item 6 - Removed from Agenda

Declaration of Conflicts of Interest: Ridenour - Item 7

Reports from Closed Session: City Attorney Lindgren reported on Closed Session matters

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation of Proclamation declaring May 19-25, 2019 as National Public Works Week. (Funding Source: Not Applicable)
Public Works; Bill Sandhu, 341-2906, bsandhu@modestogov.com

ACTION: Mayor Brandvold and Councilmembers presented a Proclamation declaring May 19-25, 2019 as National Public Works Week.

PUBLIC COMMENT PERIOD

- Brandon Renfro spoke regarding abortions and Planned Parenthood in Modesto.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED
ACTION CONSENT ITEMS 2-3; 5; 8-13: (Kenoyer/Ah You; 7/0)
ACTION CONSENT ITEM 7 (Kenoyer/Grewal; 6/0; Ridenour absent due to conflict of interest)

CONSENT ITEMS

An item may be removed from consent and discussed at the request of an audience member or Councilmember.

Consent

2. Consider approving the minutes from the May 14, 2019 Council Meeting. (Funding Source: Not Applicable)
   - Motion approving the minutes from the May 14, 2019 Council Meeting.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Ah You; 7/0) approving the minutes from the May 14, 2019 Council Meeting.

Consent

3. Consider final adoption of **Ordinance No. 3695-C.S.** amending Sections 5-3-9 and 8-3-9 of the Zoning Map to prezone 35.19 acres of unincorporated area to Planned Development (P-D) zone, property located west of McHenry Avenue and south of Pelandale Avenue. (Funding Source: Application Fee)
   - Motion approving final adoption of **Ordinance No. 3695-C.S.** amending Sections 5-3-9 and 8-3-9 of the Zoning Map to prezone 35.19 acres of unincorporated area to Planned Development (P-D) zone, property located west of McHenry Avenue and south of Pelandale Avenue.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Ah You; 7/0) approving final adoption of **Ordinance No. 3695-C.S.** amending Sections 5-3-9 and 8-3-9 of the Zoning Map to prezone 35.19 acres of unincorporated area to Planned Development (P-D) zone, property located west of McHenry Avenue and south of Pelandale Avenue.

Removed from Consent

4. Consider approving a First Amendment to the Legal Services Agreement with Van Dermyden Maddux for continued investigative services in the amount of $40,000, for a total Agreement amount not to exceed $70,000. (Funding Source: Surface Transportation Fund)
   - Resolution approving a First Amendment to the Legal Services Agreement with Van Dermyden Maddux to continue attorney services for additional projects that include confidential investigations involving employees in the amount of $40,000, for a total not to exceed amount of $70,000 to and authorizing the City Manager or his designee, to execute the Agreement.

   City Attorney ; Adam Lindgren, 577-5284, alindgren@modestogov.com

ACTION: Resolution 2019-242 (Ridenour/Grewal; 7/0) approving a First Amendment to the Legal Services Agreement with Van Dermyden Maddux to continue attorney services for additional projects that include confidential investigations involving employees in the amount of $40,000, for a total not to exceed amount of $70,000 to and authorizing the City Manager or his designee, to execute the Agreement.

Consent

5. Consider approving the plans and specifications for the Upgrade Traffic Signals - 2013 project, accepting the bid, and awarding the construction contract to St. Francis Electric, LLC of San Leandro, California, in the amount of $736,450. (Funding Source: Congestion Mitigation Air Quality (CMAQ) and Measure L Funds)
   - Resolution approving the plans and specifications for the Upgrade Traffic Signals – 2013 project, accepting the bid, and awarding the construction contract to St. Francis Electric, LLC of San Leandro, California, in the amount of $736,450, and authorizing the City Manager, or his designee to execute the contract.

   Community & Economic Development; Charles Covolo, 571-5537, ccovolo@modestogov.com

ACTION: Resolution 2019-243 (Kenoyer/Ah You; 7/0) approving the plans and specifications for the Upgrade Traffic Signals – 2013 project, accepting the bid, and awarding the construction contract to St. Francis Electric, LLC of San Leandro, California, in the amount of $736,450, and authorizing the City Manager, or his designee to execute the contract.

Removed from Agenda

6. Consider approving a Resolution of Consideration to make changes to the tax rate for the City of Modesto Community Facilities District No. 2016-2 (The Vintage). (Funding Source: Modesto Community Facilities District No. 2016-2 Maintenance Tax)
   - Resolution declaring intention to consider authorizing changes to the Rate and Method of Apportionment of Special Tax for the City of Modesto Community Facilities District No. 2016-2 (The Vintage).

   Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Removed from Agenda.

Consent – *Councilmember Ridenour absent due to conflict of interest*

7. Consider the annexation of 3200 Roselle to City of Modesto Community Facilities District No. 2004-1 (Village One #2), and to Authorize the Levy of a Special Tax Within the Territory Proposed to be Annexed (Annexation #17). (Funding Source: CFD No. 2004-1 (Village One #2))
   - Resolution of Intention to Annex 3200 Roselle to City of Modesto Community Facilities District No. 2004-1 (Village One #2) and to Authorize the Levy of a Special Tax Within the Territory Proposed to be Annexed (Annexation #17).

   Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Resolution of Intention 2019-244 (Kenoyer/Grewal; 6/0; Ridenour absent due to conflict of interest) to Annex 3200 Roselle to City of Modesto Community Facilities District No. 2004-1 (Village One #2) and to Authorize the Levy of a Special Tax Within the Territory Proposed to be Annexed (Annexation #17).

Consent

8. Consider accepting an informational report on the January and February 2019 grant applications and awards. (Funding Source: Not Applicable)
   - Motion accepting an informational report for the January and February 2019 grant application and awards.

   Finance; Julie Huang, 571-5574, jhuang@modestogov.com

ACTION: Motion (Kenoyer/Ah You; 7/0) accepting an informational report for the January and February 2019 grant application and awards.

Consent

9. Consider approving the Annual Investment Policy. (Funding Source: Not Applicable)
   - Resolution adopting the Annual Investment Policy.

   Finance; Ryan Blackerby, 577-5219, rblackerby@modestogov.com

ACTION: Resolution 2019-245 (Kenoyer/Ah You; 7/0) adopting the Annual Investment Policy.

Consent

10. Consider approving an annual update to the City's Debt Management Policy. (Funding Source: Not Applicable)
    - Resolution adopting the revised Debt Management Policy.

    Finance; Ryan Blackerby, 577-5219, rblackerby@modestogov.com

ACTION: Resolution 2019-246 (Kenoyer/Ah You; 7/0) adopting the revised Debt Management Policy.

Consent

11. Consider accepting the Monthly Investment Report for March 2019. (Funding Source: Various Funds)
    - Motion accepting the Monthly Investment Report for March, 2019.

    Finance; Ryan Blackerby, 577-5219, rblackerby@modestogov.com

ACTION: Motion (Kenoyer/Ah You; 7/0) accepting the Monthly Investment Report for March, 2019.

Consent

12. Consider approving the First Amendment to the Agreement with Modesto Junior College and Stanislaus County for a bus pass program to increase the annual revenue from $100,000 to $150,000 each year for the Modesto Area Express fixed route bus system for students at Modesto Junior College. (Funding Source: Transit Funds)
    - Resolution approving the First Amendment to the Agreement with Modesto Junior College and Stanislaus County for a bus pass program for the Modesto Area Express fixed route bus system for students at Modesto Junior College, and authorizing the City Manager, or his designee, to execute the Amendment.

    Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Resolution 2019-247 (Kenoyer/Ah You; 7/0) approving the First Amendment to the Agreement with Modesto Junior College and Stanislaus County for a bus pass program for the Modesto Area Express fixed route bus system for students at Modesto Junior College, and authorizing the City Manager, or his designee, to execute the Amendment.

Consent

13. Consider rejecting all bids for the Sonoma Sanitary Sewer Trunk Extension Project and authorizing staff to re-advertise the project for bids at a future date with an amended scope of work. (Funding Source: Wastewater Fund)
    - Resolution rejecting all bids for the Sonoma Sanitary Sewer Trunk Extension Project and authorizing staff to re-advertise the project for bids at a future date with an amended scope of work.

    Utilities; Cristian Ciotau , 577-5260, cciotau@modestogov.com

ACTION: Resolution 2019-248 (Kenoyer/Ah You; 7/0) rejecting all bids for the Sonoma Sanitary Sewer Trunk Extension Project and authorizing staff to re-advertise the project for bids at a future date with an amended scope of work.

COUNCIL COMMENTS & REPORTS

Councilmember Kenoyer attended the following: Mancini Park, Mellis Park and Cesar Chavez Park community meetings for grant monies, Unity Matters event at The House, Volunteer Appreciation at the Parent Resource Center, Town Hall meeting at the King-Kennedy Center, the blessing of Ramadan, an event at the 7th Street Bridge which recognized servicemen and women who were lost at sea and followed by VFW Memorial Service dedication, and the American Legion Memorial Service at Lakewood Cemetery.

Councilmember Ah You thanked the NAACP for the informative panel held at the King-Kennedy Center regarding the City Auditor position; she is concerned about trees in Modesto and mistletoe.

Councilmember Madrigal also spoke regarding the trees in Modesto and mistletoe and thanked the City tree staff; he also attended: StanCOG Policy Board meeting, South Modesto Business United awards for parade entries for Cinco de Mayo, West Modesto Progressive Baptist Church Youth Fundraiser, weekly Wednesdays at 8:00 am at Helen White Trail clean-up, the Cesar Chavez Community Park forum, and the NAACP forum at King-Kennedy Center regarding selection of the next City Auditor.

CITY MANAGER COMMENTS & REPORTS

None.

WRITTEN COMMUNICATIONS

14. Consider a written communication from Howard Atkins regarding a 911 call and police incident. (Funding Source: Not Applicable)

City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: No reportable action.

UNFINISHED BUSINESS

15. Consider accepting North Valley Regional Recycled Water Program Project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $41,623,872 to Myers-Rados, Santa Ana, CA. (Funding Source: Wastewater Fund and Clean Water State Revolving Fund Loan)
    - Resolution accepting the North Valley Regional Recycled Water Program Project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $41,623,872 to Myers-Rados, a Joint Venture, of Santa Ana, CA.

    Utilities; Jesse Franco, 577-5175, jfranco@modestogov.com

ACTION: Resolution 2019-249 (Zoslocki/Ridenour; 7/0) accepting the North Valley Regional Recycled Water Program Project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $41,623,872 to Myers-Rados, a Joint Venture, of Santa Ana, CA.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 6:49 p.m.

CLOSED SESSION

All Closed Session Matters heard prior to meeting

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Two Case (Pursuant to Section 54956.9(d)(4) of the Government Code)

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Two Cases (Pursuant to Section 54956.9(d)(2) of the Government Code)

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCEA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Employees Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Confidential & Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPOA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Officers' Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPNSA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Non-Sworn Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) –MPMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCFFA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Firefighters Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – Unrepresented
Negotiator: Norma Santoyo
Employee Organization: Unrepresented Management and Confidential Employees

Attest:_____
Stephanie Lopez, City Clerk

MINUTES

City of Modesto

CITY COUNCIL MEETING

Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday June 04, 2019, at 5:30 p.m.

Roll Call – Present: Councilmembers Ah You, Grewal, Kenoyer, Madrigal, Ridenour, Zoslocki, Mayor Brandvold
Absent: None

Pledge of Allegiance to the Flag

Invocation: Jeff Norman, Modesto Covenant Church

City Clerk's Announcements: Item 7 - Removed from Consent

Declaration of Conflicts of Interest: Ridenour – Item 4

Reports from Closed Session: City Attorney Lindgren reported on Closed Session matters

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Acknowledgment of recognition to Utilities Department Staff member, Jennifer Peet, for receiving the P3S Person of the Year award by the California Water Environment Association (CWEA). (Funding Source: Not Applicable)
   Utilities; Will Wong, 571-5801, wwong@modestogov.com

ACTION: Environmental Compliance Inspector II Jennifer Peet was recognized as the California Water Environment Association 2018-19 P3S Person of the Year.

2. Presentation of Certificates of Merit for the City of Modesto's Industrial Pretreatment Program. (Funding Source: Not Applicable)
   Utilities; Tom Sinclair, 577-6240, tsinclair@modestogov.com

ACTION: Mayor Brandvold and Councilmembers presented Certificates of Merit for the City of Modesto's Industrial Pretreatment Program.

PUBLIC COMMENT PERIOD

- Margie Sue Brogdon spoke regarding employment and business opportunities in the City of Modesto.

- Maggie Countryman spoke regarding appeal filed; she requested to meet with the Chief of Police and Community & Economic Director.

- Sebastian Jones spoke regarding a splash pad at the King-Kennedy Center.

- Dave Pratt spoke regarding a job fair held last week; he also spoke about affordable housing.

- Loretta Carhart spoke regarding a meeting at Veteran's Center last week.

- Emerson Drake spoke regarding investigative services item on last week's Agenda.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED
ACTION CONSENT ITEMS 3; 5-6; 8: Kenoyer/Madrigal; 7/0)
ACTION CONSENT ITEM 4: (Kenoyer/Grewal; 6/0; Ridenour absent due to conflict of interest)

CONSENT ITEMS

An item may be removed from consent and discussed at the request of an audience member or Councilmember.

Consent

3. Consider approving the minutes from the May 28, 2019 Council Meeting. (Funding Source: Not Applicable)
   - Motion approving the minutes from the May 28, 2019 Council Meeting.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Madrigal; 7/0) approving the minutes from the May 28, 2019 Council Meeting.

Consent – *Councilmember Ridenour absent due to conflict of interest*

4. Consider approving the plans and specifications for the Village One Slurry Seal project, accepting the bid, and awarding a contract to California Pavement Maintenance Company, Inc. dba C P M, of Sacramento, California, in the amount of $2,094,666; amending the Fiscal Year 2018-2019 Capital Improvement Program Budget and increasing the transfer in the amount of $900,000; and authorizing the Director of Utilities to approve change orders up to the cumulative amount of $209,467. (Funding Source: Local Control Measure L Funds)
   - Resolution approving the plans and specifications for the Village One Slurry Seal project, accepting the bid, and awarding a contract to California Pavement Maintenance, dba C P M, of Sacramento, California, in the amount of $2,094,666 and authorizing the City Manager, or his designee to execute the Agreement.
   - Resolution authorizing the Director of Utilities to approve change orders up to the cumulative amount of $209,467 (10% of the original contract price) for the Village

One Slurry Seal project.

- Resolution amending the Fiscal Year 2018-2019 Capital Improvement Program (CIP) budget and increasing the Measure L Road Tax Fund transfer for Project #101120 in the amount of $900,000 for the Village One Slurry Seal Project.

Community & Economic Development; Michael Sacuskie, 577-5552, msacuskie@modestogov.com

ACTION: Resolution 2019-250 (Kenoyer/Grewal; 6/0; Ridenour absent due to conflict of interest) approving the plans and specifications for the Village One Slurry Seal project, accepting the bid, and awarding a contract to California Pavement Maintenance, dba C P M, of Sacramento, California, in the amount of $2,094,666 and authorizing the City Manager, or his designee to execute the Agreement.

ACTION: Resolution 2019-251 (Kenoyer/Grewal; 6/0; Ridenour absent due to conflict of interest) authorizing the Director of Utilities to approve change orders up to the cumulative amount of $209,467 (10% of the original contract price) for the Village One Slurry Seal project.

ACTION: Resolution 2019-252 (Kenoyer/Grewal; 6/0; Ridenour absent due to conflict of interest) amending the Fiscal Year 2018-2019 Capital Improvement Program (CIP) budget and increasing the Measure L Road Tax Fund transfer for Project #101120 in the amount of $900,000 for the Village One Slurry Seal Project.

Consent

5. Consider approving the award of proposal and Agreement for collection agency services with Ray Klein, Inc., DBA Professional Credit Services, Springfield, Oregon, for a two-year Agreement with three one-year extension options, for an annual cost not to exceed $50,000 and a total amount not to exceed $250,000 over five years. (Funding Source: General Fund, Water Fund, Wastewater Fund and Storm Drain Fund)

   - Resolution approving an Agreement for collection agency services with Ray Klein, Inc., DBA Professional Credit Services, Springfield, Oregon, for a two-year Agreement with three one-year extension options, for an annual cost not to exceed $50,000 and a total amount not to exceed $250,000 over five years; and authorizing the City Manager, or his designee, to execute the Agreement.

   Finance; Jennifer Martin, 571-5892, jmartin@modestogov.com

ACTION: Resolution 2019-253 (Kenoyer/Madrigal; 7/0) approving an Agreement for collection agency services with Ray Klein, Inc., DBA Professional Credit Services, Springfield, Oregon, for a two-year Agreement with three one-year extension options, for an annual cost not to exceed $50,000 and a total amount not to exceed $250,000 over five years; and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

6. Consider approving an Agreement with Bertolotti Modesto Disposal Inc., Ceres, CA, to perform garbage removal and disposal services at the Modesto Outdoor Emergency Shelter and for homeless encampment blight removal by the Modesto Police Department Beat Health Unit through May 31, 2021 for a total amount not to exceed

$150,000. (Funding Source: General Fund)

- Resolution approving the Agreement with Bertolotti Modesto Disposal Inc., Ceres, CA, to perform garbage removal and disposal services at the Modesto Outdoor Emergency Shelter and for homeless encampment blight removal by the Modesto Police Department Beat Health Unit through May 31, 2021 for a total amount not to exceed $150,000; and authorizing the City Manager, or his designee, to execute the Agreement.

Parks, Recreation & Neighborhoods; Kelly Gallagher, 342-2270, kgallagher@modestogov.com

ACTION: Resolution 2019-254 (Kenoyer/Madrigal; 7/0) approving the Agreement with Bertolotti Modesto Disposal Inc., Ceres, CA, to perform garbage removal and disposal services at the Modesto Outdoor Emergency Shelter and for homeless encampment blight removal by the Modesto Police Department Beat Health Unit through May 31, 2021 for a total amount not to exceed $150,000; and authorizing the City Manager, or his designee, to execute the Agreement.

Removed from Consent

7. Consider approving a Memorandum of Understanding with the King Kennedy Memorial Center Inc. Board of Directors for the provision of funding for certain events and services, in an amount not to exceed $22,000 over five years. (Funding Source: General Fund)

    - Resolution approving a Memorandum of Understanding with the King Kennedy Memorial Center Inc. Board of Directors for the provision of funding for certain events and services, in an amount not to exceed $22,000 over five years, and authorizing the City Manager, or his designee, to execute the Memorandum of Understanding.

    Parks, Recreation & Neighborhoods; Ashley Weaver, 577-5428, aweaver@modestogov.com

ACTION: Resolution 2019-255 (Kenoyer/Ah You; 7/0) approving a Memorandum of Understanding with the King Kennedy Memorial Center Inc. Board of Directors for the provision of funding for certain events and services, in an amount not to exceed $22,000 over five years, and authorizing the City Manager, or his designee, to execute the Memorandum of Understanding.

Consent

8. Consider approving a Secondary Agreement for as-needed pre-employment psychological services with Cordico Psychological Corp. for an Agreement term of two years with two, one-year extension options, for an annual cost of $10,000 with a total not to exceed cost of $40,000 for the life of the Agreement term. (Funding Source: General Fund)

    - Resolution approving a Secondary Agreement for as-needed pre-employment psychological services with Cordico Psychological Corp. for an Agreement term of two years with two, one-year extension options, for an annual cost of $10,000 with a total not to exceed cost of $40,000 for the life of the Agreement term, and

authorizing the City Manager, or his designee, to execute the Agreement.
Police; Craig Gundlach, 572-9500, gundlachc@modestopd.com

ACTION: Resolution 2019-256 (Kenoyer/Madrigal; 7/0) approving a Secondary Agreement for as-needed pre-employment psychological services with Cordico Psychological Corp. for an Agreement term of two years with two, one-year extension options, for an annual cost of $10,000 with a total not to exceed cost of $40,000 for the life of the Agreement term, and authorizing the City Manager, or his designee, to execute the Agreement.

COUNCIL COMMENTS & REPORTS

Councilmember Kenoyer attended a Senior Safe Driving Program on May 31, 2019 and a Virginia Corridor Phase VII event yesterday at Woodrow Elementary School.

Councilmember Madrigal attended the Sustainable Ag Conservation Workshop yesterday at the Modesto Centre Plaza; he also thanked the Council for their patience regarding King Kennedy Memorial Center item.

CITY MANAGER COMMENTS & REPORTS

None.

NEW BUSINESS

9. Consider and review the Draft Budget as submitted by the City Manager with the Mayor's Final Budget Modifications and combining the documents into the Proposed Budget for Fiscal Year 2019-20, and noticing a public hearing to be held on June 25, 2019 for Council's consideration and adoption of the Fiscal Year 2019-20 Proposed Budget and related actions. (Funding Source: All City Funds)
   - Resolution combining the City Manager's Draft Budget and the Mayor's Final Budget Modifications into the Proposed Budget for Fiscal Year 2019-20, and noticing a public hearing to be held on June 25, 2019 for Council's consideration and adoption of the Fiscal Year 2019-20 Proposed Budget and related actions.

   City Manager; Stephan Christensen, 577-5390, schristensen@modestogov.com

ACTION: Resolution 2019-257 (Ah You/Grewal; 7/0) combining the City Manager's Draft Budget and the Mayor's Final Budget Modifications into the Proposed Budget for Fiscal Year 2019-20 **(including funding the Modesto Sister Cities program in the amount of $35,000)**, and noticing a public hearing to be held on June 25, 2019 for Council's consideration and adoption of the Fiscal Year 2019-20 Proposed Budget and related actions.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 7:55 p.m.

CLOSED SESSION

All Closed Session Matters Heard prior to meeting

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
One Case (Pursuant to Section 54956.9(d)(4) of the Government Code)

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCEA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Employees Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Confidential & Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPOA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Officers' Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPNSA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Non-Sworn Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) –MPMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCFFA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Firefighters Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – Unrepresented
Negotiator: Norma Santoyo
Employee Organization: Unrepresented Management and Confidential Employees

Attest:_____
Stephanie Lopez, City Clerk

MINUTES

City of Modesto

ECONOMIC DEVELOPMENT COMMITTEE / COUNCIL WORKSHOP

Second Floor, Room 2005
Tenth Street Place, 1010 10th Street
Modesto, California

Wednesday, June 05, 2019, at 2:00 p.m.

Roll Call: Present: Councilmembers Zoslocki, Ridenour, and Madrigal
Absent: None
Also Present: Councilmember Kenoyer

PUBLIC COMMENTS

None.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED: Items 1 through 2

CONSENT

An item may be removed from consent and discussed at the request of an audience member or Committee member.

Consent

1. Consider approving the award of bid for the rental of three DV-400c pumps from United Rentals, Salida, CA, in an amount not to exceed $100,000 to ensure the City has the necessary equipment to mitigate any service disruptions during peak cannery discharge season, and forwarding to Council for approval. (Funding Source: Wastewater Fund)
   Utilities; Robert Englent, 577-6222, renglent@modestogov.com

ACTION: Motion (Ridenour/Madrigal; 3/0) approving the award of bid for the rental of three DV-400c pumps from United Rentals, Salida, CA, in an amount not to exceed $100,000 to ensure the City has the necessary equipment to mitigate any service disruptions during peak cannery discharge season, and forwarding to Council for approval.

Consent

2. Consider approving a Fourth Amendment to existing lease Agreement with Louis Boer, Jr. to lease real property at the corner of Frazine Road and La Coste Lane (APN 014-037-056) in the amount of $5,400 per year, pro-rated to the length of the proposed term expiration (5 months, 10 days) and forwarding to Council for approval. (Funding Source: Water Fund)

Utilities; Ryan Daugherty, 577-5399, rdaugherty@modestogov.com

ACTION: Motion (Ridenour/Madrigal; 3/0) approving a Fourth Amendment to existing lease Agreement with Louis Boer, Jr. to lease real property at the corner of Frazine Road and La Coste Lane (APN 014-037-056) in the amount of $5,400 per year, pro-rated to the length of the proposed term expiration (5 months, 10 days) and forwarding to Council for approval.

NEW BUSINESS

3. Consider reviewing the Comprehensive Fees Task Force recommendations and forwarding a recommendation to City Council for approval. (Funding Source: Development User Fees)
   Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Motion (Ridenour/Madrigal; 3/0) reviewing the Comprehensive Fees Task Force recommendations and forwarding a recommendation to City Council for approval.

4. Consider approving a Master Agreement with E-Z-GO, a Textron Company, for golf carts and service vehicles for a four-year lease Agreement, for an annual cost not to exceed $84,154, and a total amount not to exceed $226,455 over the four years, and forwarding to Council for approval. (Funding Source: Golf Enterprise Fund)
   Parks, Recreation & Neighborhoods; Laurie Smith, 577-5347, lsmith@modestogov.com

ACTION: Motion (Ridenour/Madrigal; 3/0) approving a Master Agreement with E-Z-GO, a Textron Company, for golf carts and service vehicles for a four-year lease Agreement, for an annual cost not to exceed $84,154, and a total amount not to exceed $226,455 over the four years, and forwarding to Council for approval.

Councilmember Ridenour left meeting

5. Consider approving the annual rate adjustment to the Maximum Rate Schedule for City Solid Waste Collection Services for an increase of $0.81 per month for residential services, $2.33 per cubic yard per month for commercial services, and $5.42 per pull for industrial services to become effective July 1, 2019, and rescinding Resolution No. 2019-36, and forwarding to Council for approval. (Funding Source: Solid Waste Funds)
   Public Works; Karin Neep, 577-5453, kneep@modestogov.com

ACTION: Motion (Madrigal/Kenoyer; 3/0) approving the annual rate adjustment to the Maximum Rate Schedule for City Solid Waste Collection Services for an increase of $0.81 per month for residential services, $2.33 per cubic yard per month for commercial services, and $5.42 per pull for industrial services to become effective July 1, 2019, and rescinding Resolution No. 2019-36, and forwarding to Council for approval.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 3:45 p.m.

Attest:_____
Joseph Lopez, City Manager

MINUTES

City of Modesto

SAFETY AND COMMUNITIES COMMITTEE / COUNCIL WORKSHOP

Second Floor, Room 2005
Tenth Street Place, 1010 10th Street
Modesto, California

Monday, June 10, 2019, at 5:00 p.m.

Roll Call – Present: Councilmembers Kenoyer and Ridenour
Absent: Councilmember Ah You

PUBLIC COMMENTS

None.

CONSENT

None.

NEW BUSINESS

1. Consider the submission of 3 grant Applications for César E. Chavez Park, Mellis Park, and Mancini Park to the California Department of Parks and Recreation, for the Statewide Park Development and Community Revitalization Program for up to $8.5 million for each site for a maximum award of $25.5 million, and forwarding to Council for approval. (Funding Source: Statewide Park Development and Community Revitalization Program - Proposition 68)
Parks, Recreation & Neighborhoods; Nathan Houx, 571-5526, nhoux@modestogov.com

ACTION: Motion (Ridenour/Kenoyer; 2/0; Ah You absent) approving the submission of 3 grant Applications for César E. Chavez Park, Mellis Park, and Mancini Park to the California Department of Parks and Recreation, for the Statewide Park Development and Community Revitalization Program for up to $8.5 million for each site for a maximum award of $25.5 million, and forwarding to Council for approval.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 5:05 pm

Attest:_____
Joseph Lopez, City Manager

MINUTES

City of Modesto

CITY COUNCIL MEETING

Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday June 11, 2019, at 5:30 p.m.

Roll Call – Present: Councilmembers Ah You, Grewal, Kenoyer, Madrigal, Ridenour, Mayor Brandvold
Absent: Councilmember Zoslocki

Pledge of Allegiance to the Flag

Invocation: Mark Krieger, Modesto Covenant Church

City Clerk's Announcements: None

Declaration of Conflicts of Interest: Item 18 – Grewal

Reports from Closed Session: City Attorney Lindgren reported on Closed Session matters

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation of Proclamation declaring June 2019 Disability Awareness Month. (Funding Source: Not Applicable)
City Council; Kathy Espinoza, 571-5597, kespinoza1@modestogov.com

ACTION: Mayor Brandvold and Councilmembers presented a Proclamation declaring June 2019 Disability Awareness Month.

2. Proclamation in honor of the 100th anniversary of MoBand. (Funding Source: Not Applicable)
City Council; Kathy Espinoza, 571-5597, kespinoza1@modestogov.com

ACTION: Mayor Brandvold and Councilmembers presented a Proclamation in honor of the 100th Anniversary of MoBand.

PUBLIC COMMENT PERIOD

- Sebastian Jones spoke regarding $22,000 awarded to King-Kennedy Center and $35,000 awarded to Modesto Sister Cities in the City's Fiscal Year budget; he

requested additional money for a splash pad at Mellis Park.

- Joseph Homer invited Council and members of the public to the Valley Improvement Project Social and Environmental Justice Forum on Saturday, June 22, 2019 at 9:00 a.m. at ModSpot on J Street.

- Dave Pratt spoke regarding last week's Council meeting and the City Auditor position.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED
ACTION CONSENT ITEMS 3-16: (Kenoyer/Grewal; 6/0; Zoslocki absent)

CONSENT ITEMS

An item may be removed from consent and discussed at the request of an audience member or Councilmember.

Consent
3. Consider approving the minutes from the June 4, 2019 Council Meeting. (Funding Source: Not Applicable)
   - Motion approving the minutes from the June 4, 2019 Council Meeting.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Grewal; 6/0; Zoslocki absent) approving the minutes from the June 4, 2019 Council Meeting.

Consent
4. Consider approving a Memorandum of Joint Powers Agreement with Stanislaus County for the Right of Way Acquisition and Utility Relocation Phase of the 7th Street Bridge Project in an amount not to exceed $344,100. (Funding Source: Streets Capital Facility Fees)
   - Resolution approving a Memorandum of Joint Powers Agreement with Stanislaus County for the Right of Way Acquisition and Utility Relocation Phase of the 7th Street Bridge Project in an amount not to exceed $344,100 and authorizing the City Manager, or his designee to execute the Memorandum of Joint Powers Agreement.

   Community & Economic Development; Charles Covolo, 571-5537, ccovolo@modestogov.com

ACTION: Resolution 2019-258 (Kenoyer/Grewal; 6/0; Zoslocki absent) approving a Memorandum of Joint Powers Agreement with Stanislaus County for the Right of Way Acquisition and Utility Relocation Phase of the 7th Street Bridge Project in an amount not to exceed $344,100 and authorizing the City Manager, or his designee to execute the Memorandum of Joint Powers Agreement.

Consent
5. Consider approving a Resolution of Consideration to make changes to the tax rate for the City of Modesto Community Facilities District No. 2016-2 (The Vintage). (Funding

Source: Modesto Community Facilities District No. 2016-2 Maintenance Tax)

- Resolution declaring intention to consider authorizing changes to the Rate and Method of Apportionment of Special Tax for the City of Modesto Community Facilities District No. 2016-2 (The Vintage).

Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Resolution 2019-259 (Kenoyer/Grewal; 6/0; Zoslocki absent) declaring intention to consider authorizing changes to the Rate and Method of Apportionment of Special Tax for the City of Modesto Community Facilities District No. 2016-2 (The Vintage).

Consent

6. Consider accepting an informational report for the April 2019 Accounts Payable Payment Register and Void report. (Funding Source: Not Applicable)
   - Motion accepting an informational report for the April 2019 Accounts Payable Payment Register and Void report.

   Finance; Ryan Blackerby, 577-5219, rblackerby@modestogov.com

ACTION: Motion (Kenoyer/Grewal; 6/0; Zoslocki absent) accepting an informational report for the April 2019 Accounts Payable Payment Register and Void report.

Consent

7. Consider approving the award of bid and Agreement for ballistic vests to Adamson Police Products, Los Alamitos, CA for a two year Agreement with three one-year extension options for an annual cost not to exceed $62,800, and a total amount not to exceed $314,000 over five years. (Funding Source: Police Department General Fund)
   - Resolution approving the Purchase Agreement of ballistic vests to Adamson Police Products, Los Alamitos, CA for a two-year Agreement with three one-year extension options, for an annual cost not to exceed $62,800, and a total amount not to exceed $314,000; and authorizing the Purchasing Manager or her designee, to execute the Agreement.

   Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Resolution 2019-260 (Kenoyer/Grewal; 6/0; Zoslocki absent) approving the Purchase Agreement of ballistic vests to Adamson Police Products, Los Alamitos, CA for a two-year Agreement with three one-year extension options, for an annual cost not to exceed $62,800, and a total amount not to exceed $314,000; and authorizing the Purchasing Manager or her designee, to execute the Agreement.

Consent

8. Consider approving the award of bid for the purchase of one Animal Control truck (ACO Body) with specific configurations to Towne Ford, Redwood City, CA for a total amount not to exceed $67,836. (Funding Source: Fleet Replacement Fund)
   - Resolution approving the purchase of one animal control truck (ACO Body) with specific configurations to Towne Ford, Redwood City, CA for a total amount not to exceed $67,836, and authorizing the Purchasing Manager or her designee, to issue

the Purchase Order.
Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Resolution 2019-261 (Kenoyer/Grewal; 6/0; Zoslocki absent) approving the purchase of one animal control truck (ACO Body) with specific configurations to Towne Ford, Redwood City, CA for a total amount not to exceed $67,836, and authorizing the Purchasing Manager or her designee, to issue the Purchase Order.

Consent

9. Consider approving a Purchasing Agreement for office supplies to Staples, Stockton, CA as the primary supplier by utilizing the competitively bid process with Sourcewell, formerly known as National Joint Powers Association (NJPA); approving a Purchasing Agreement for office supplies to Office Depot, Modesto, CA as the secondary supplier by utilizing the competitively bid process with National Intergovernmental Purchasing Alliance (National IPA) & OMNIA Partners; and approving a Purchasing Agreement for office furniture to Warden's, Modesto, CA by utilizing the competitively bid process with National Intergovernmental Purchasing Alliance (National IPA) for two-year Agreements, with three one-year options for an annual cost not to exceed $250,000 for a total combined amount cost of $1,250,000. (Funding Source: Various Funds)
   - Resolution approving the Purchasing Agreement for office supplies to Staples, Modesto, CA as the primary supplier by utilizing the competitively bid process with Sourcewell, formally known as National Joint Powers Association (NJPA); a Purchasing Agreement for office supplies to Office Depot, Modesto, CA. as the secondary supplier by utilizing the competitively bid process with National Intergovernmental Purchasing Alliance (National IPA) & OMNIA Partners; and approving a Purchasing Agreement for office furniture to Warden's, Modesto, CA by utilizing the competitively bid process with National Intergovernmental Purchasing Alliance (National IPA) for two-year Agreements, with three one-year extension options for an annual cost not to exceed $250,000 for a total combined amount cost of $1,250,000 and authorizing the Purchasing Manager, or her designee, to execute the Purchase Agreements.

   Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Resolution 2019-262 (Kenoyer/Grewal; 6/0; Zoslocki absent) approving the Purchasing Agreement for office supplies to Staples, Modesto, CA as the primary supplier by utilizing the competitively bid process with Sourcewell, formally known as National Joint Powers Association (NJPA); a Purchasing Agreement for office supplies to Office Depot, Modesto, CA. as the secondary supplier by utilizing the competitively bid process with National Intergovernmental Purchasing Alliance (National IPA) & OMNIA Partners; and approving a Purchasing Agreement for office furniture to Warden's, Modesto, CA by utilizing the competitively bid process with National Intergovernmental Purchasing Alliance (National IPA) for two-year Agreements, with three one-year extension options for an annual cost not to exceed $250,000 for a total combined amount cost of $1,250,000 and authorizing the Purchasing Manager, or her designee, to execute the Purchase Agreements.

Consent

10. Consider approving the award of proposal and Agreement for Education and Government Broadcast Production Services to Final Cut Media, of Modesto, CA, for a five-year Agreement with two one-year extension options, for an annual cost not to exceed $233,097 and a total amount not to exceed $1,584,701 over seven years. (Funding Source: Education & Government Cable Fund & Various Funds)
    - Resolution approving the award of proposal and Agreement for Education and Government Broadcast Production Services to Final Cut Media, of Modesto, CA, for a five-year Agreement with two one-year extension options, for an annual cost not to exceed $233,097 and a total amount not to exceed $1,584,701 over seven years and authorizing the City Manager, or his designee, to execute the Agreement.

    Information Technology; Kevin Harless, 571-5593, kharless@modestogov.com

ACTION: Resolution 2019-263 (Kenoyer/Grewal; 6/0; Zoslocki absent) approving the award of proposal and Agreement for Education and Government Broadcast Production Services to Final Cut Media, of Modesto, CA, for a five-year Agreement with two one-year extension options, for an annual cost not to exceed $233,097 and a total amount not to exceed $1,584,701 over seven years and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

11. Consider approving an increase to the Agreement with Remix Software, Inc., San Francisco, CA, for the transit planning and scheduling software utilized by Modesto Area Express by $41,000 from $194,160 to $235,160, to align with the approved Agreement. (Funding Source: Transit Funds)
    - Resolution approving an increase to the Agreement with Remix Software, Inc., San Francisco, CA, for the transit planning and scheduling software utilized by Modesto Area Express by $41,000 from $194,160 to $235,160, to align with the approved Agreement.

    Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Resolution 2019-264 (Kenoyer/Grewal; 6/0; Zoslocki absent) approving an increase to the Agreement with Remix Software, Inc., San Francisco, CA, for the transit planning and scheduling software utilized by Modesto Area Express by $41,000 from $194,160 to $235,160, to align with the approved Agreement.

Consent

12. Consider approving the award of bid and Agreement for as-needed concrete services at multiple locations throughout the City to Machado & Sons Construction Inc., Turlock, CA, for a five year Agreement, for total cost not to exceed $525,659. (Funding Source: Transit and Traffic Funds)
    - Resolution approving the award of bid and Agreement for as-needed concrete services at multiple locations throughout the City to Machado & Sons Construction Inc., Turlock, CA, for a five year Agreement, for a total cost not to exceed $525,659 and authorizing the City Manager, or his designee, to execute the Agreement.

    Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Resolution 2019-265 (Kenoyer/Grewal; 6/0; Zoslocki absent) approving the award of bid and Agreement for as-needed concrete services at multiple locations throughout the City to Machado & Sons Construction Inc., Turlock, CA, for a five year Agreement, for a total cost not to exceed $525,659 and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

13. Consider approving the sole source Agreement with East Bay Municipal Utility District for the disposal of gray water for the Utilities Department, Water Services Division, for a two-year Agreement with three one-year extension options, for an annual cost not to exceed $66,150 for the first year of service, with annual increases of $0.01 per gallon annually over the five year period and 15% contingency funds for potential increases, for a total not to exceed $489,037 over five years. (Funding Source: Water Fund)
    - Resolution approving the sole source Agreement with East Bay Municipal Utility District for the disposal of gray water for the Utilities Department, Water Services Division, for a two-year Agreement with three one-year extension options, for an annual cost not to exceed $66,150 for the first year of service, with annual increases of $0.01 per gallon annually over the five year period and 15% contingency funds for potential increases, for a total not to exceed $489,037 over five years; and authorizing the City Manager, or his designee, to execute the Agreement.

    Utilities; David Savidge, 342-2217, dsavidge@modestogov.com

ACTION: Resolution 2019-266 (Kenoyer/Grewal; 6/0; Zoslocki absent) approving the sole source Agreement with East Bay Municipal Utility District for the disposal of gray water for the Utilities Department, Water Services Division, for a two-year Agreement with three one-year extension options, for an annual cost not to exceed $66,150 for the first year of service, with annual increases of $0.01 per gallon annually over the five year period and 15% contingency funds for potential increases, for a total not to exceed $489,037 over five years; and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

14. Consider approving the award of bid for the rental of three DV-400c pumps from United Rentals, Salida, CA, in an amount not to exceed $100,000 to ensure the City has the necessary equipment to mitigate any service disruptions during peak cannery discharge season. (Funding Source: Wastewater Fund)
    - Resolution approving the award of bid for the rental of three DV-400c pumps from United Rentals, Salida, CA, in an amount not to exceed $100,000 to ensure the City has the necessary equipment to mitigate any service disruptions during peak cannery discharge season and authorizing the Purchasing Manager or her designee, to execute the Purchase Order.

    Utilities; Robert Englent, 577-6222, renglent@modestogov.com

ACTION: Resolution 2019-267 (Kenoyer/Grewal; 6/0; Zoslocki absent) approving the award of bid for the rental of three DV-400c pumps from United Rentals, Salida, CA, in an amount not to exceed $100,000 to ensure the City has the necessary equipment to mitigate any

service disruptions during peak cannery discharge season and authorizing the Purchasing Manager or her designee, to execute the Purchase Order.

Consent

15. Consider accepting the Senior Citizens Center and Airport Neighborhood Community Center Kitchen Renovation Project as complete, authorizing all necessary steps to file with the County Recorder, releasing security, and releasing payments to JHK Construction, Inc., Escalon, CA, in the amount of $435,253. (Funding Source: CDBG Funds)
    - Resolution accepting the Senior Citizens Center & Airport Neighborhood Community Center Kitchen Renovation as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $435,253 to JHK Construction, Inc., Escalon, CA.

    Utilities and Parks, Recreation & Neighborhoods; Jesse Franco, 571-5175, jfranco@modestogov.com

ACTION: Resolution 2019-268 (Kenoyer/Grewal; 6/0; Zoslocki absent) accepting the Senior Citizens Center & Airport Neighborhood Community Center Kitchen Renovation as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $435,253 to JHK Construction, Inc., Escalon, CA.

Consent

16. Consider approving an Agreement for a Permanent Utility Easement to Modesto Irrigation District (MID) to cover all existing underground facilities within the Grogan Park (Tivoli) Production Well area, APN: 084-002-046, owned by the City of Modesto. (Funding Source: Water Fund)
    - Resolution approving an Agreement for a Permanent Utility Easement to the Modesto Irrigation District (MID) for the existing and future underground facilities, and authorizing the City Manager or his designee to execute the grant of easement documents.

    Utilities; Ryan Daugherty, 577-5399, rdaugherty@modestogov.com

ACTION: Resolution 2019-269 (Kenoyer/Grewal; 6/0; Zoslocki absent) approving an Agreement for a Permanent Utility Easement to the Modesto Irrigation District (MID) for the existing and future underground facilities, and authorizing the City Manager or his designee to execute the grant of easement documents.

COUNCIL COMMENTS & REPORTS

Councilmember Kenoyer attended the 7th Annual Sikh American Awareness Day, the Graffiti Parade and Law Day Luncheon.

Councilmember Madrigal attended: a planning committee meeting for 4th Annual Trunk or Treat event, the Economic Development Committee meeting, 7th Annual Sikh American Awareness Day, Legends of the Cruise in Downtown Modesto; and Graffiti Parade; he also thanked City staff for meeting with a property owner in West Modesto dealing with code

enforcement issues; he also announced the Juneteenth Celebration next weekend.

Councilmember Ridenour requested staff to look into a splash pad at Mellis Park.

CITY MANAGER COMMENTS & REPORTS

None.

UNFINISHED BUSINESS

17. Consider an informational report regarding homelessness at the Tuolumne River Regional Park Gateway under the Ninth Street Bridge, also known as the Modesto Outdoor Emergency Shelter. (Funding Source: Not Applicable)
City Manager; Edgar Garcia, 571-5101, edgarcia@modestogov.com

ACTION: No Reportable Action.

Councilmember Grewal absent due to conflict of interest

18. Consider accepting an informal report on the status of the establishment of the Modesto Tourism Market District and public comment in preparation of the final public hearing on June 25, 2019. (Funding Source: Not Applicable)
    - Motion accepting an informal report on the status of the establishment of the Modesto Tourism Market District and public comment in preparation of the final public hearing on June 25, 2019.

    Parks, Recreation & Neighborhoods; Laurie Smith, 577-5347, lsmith@modestogov.com

ACTION: No reportable action.

NEW BUSINESS

19. Consider approving an Agreement to provide fire protection services between the City of Modesto, the City of Oakdale and the Oakdale Fire Protection District for a three-year term, with a two-year extension option; approving the side letter to the Modesto City Fire Firefighters Association Memorandum of Understanding as it relates to the Agreement to provide fire protection services between the City of Modesto, the City of Oakdale and the Oakdale Fire Protection District; and amending the Position Allocation for Fiscal Year 2019-20 as adopted in the Operating Budget. (Funding Source: General Fund)
    - Resolution approving an Agreement to provide fire protection services between the City of Modesto, the City of Oakdale and the Oakdale Fire Protection District for a three-year term, with a two-year extension option, and authorizing the City Manager, or his designee, to execute the Agreement.
    - Resolution approving the side letter to the Modesto City Fire Firefighters Association Memorandum of Understanding as it relates to the Agreement to provide fire protection services between the City of Modesto, the City of Oakdale and the Oakdale Fire Protection District, and authorizing the City Manager, or his

designee, to execute the Agreement.
- Resolution amending the Position Allocation for Fiscal Year 2019-20 as adopted in the Operating Budget.

Fire; Alan Ernst, 572-9590, aernst@modestofire.com

ACTION: Resolution 2019-270 (Madrigal/Grewal; 6/0; Zoslocki absent) approving an Agreement to provide fire protection services between the City of Modesto, the City of Oakdale and the Oakdale Fire Protection District for a three-year term, with a two-year extension option, and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: Resolution 2019-271 (Madrigal/Grewal; 6/0; Zoslocki absent) approving the side letter to the Modesto City Fire Firefighters Association Memorandum of Understanding as it relates to the Agreement to provide fire protection services between the City of Modesto, the City of Oakdale and the Oakdale Fire Protection District, and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: Resolution 2019-272 (Madrigal/Grewal; 6/0; Zoslocki absent) amending the Position Allocation for Fiscal Year 2019-20 as adopted in the Operating Budget.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 6:55 p.m.

CLOSED SESSION

All Closed Session Matters heard prior to meeting

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
One Case (Pursuant to Section 54956.9(d)(1) of the Government Code)

Name of case: Doe v. City of Modesto
Case No. 2010602

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCEA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Employees Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Confidential & Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPOA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Officers' Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPNSA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Non-Sworn Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) –MPMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCFFA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Firefighters Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – Unrepresented
Negotiator: Norma Santoyo
Employee Organization: Unrepresented Management and Confidential Employees

Attest:_____
Stephanie Lopez, City Clerk

MINUTES

City of Modesto

SPECIAL FINANCE COMMITTE / COUNCIL WORKSHOP

Second Floor, Room 2005
Tenth Street Place, 1010 10th Street
Modesto, California

Monday, June 24, 2019, at 3:00 p.m.

Roll Call: Present: Councilmembers Zoslocki, Kenoyer (alternate), and Ah You (alternate)
Absent: Councilmembers Grewal, Ridenour

CONSENT

An item may be removed from consent and discussed at the request of an audience member or Committee member.

Consent

1. Consider approving the recommended budget adjustments to Fiscal Year 2018-19 Annual Operating and Capital Improvement Project Budget and forwarding to Council for approval. (Funding Source: Various Funds)
   Finance; Kaceey Culbertson, 577-5479, kculbertson@modestogov.com

ACTION: Motion (Kenoyer/Ah You; 3/0) approving the recommended budget adjustments to Fiscal Year 2018-19 Annual Operating and Capital Improvement Project Budget and forwarding to Council for approval.

Consent

2. Consider approving a two year contract with Eccovia Solutions for Homeless Management Information System (HMIS) Administration Services in an amount not to exceed $115,200 and forwarding to Council for approval. (Funding Source: California Emergency Solutions and Housing Funds)
   Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Motion (Kenoyer/Ah You; 3/0) approving a two year contract with Eccovia Solutions for Homeless Management Information System (HMIS) Administration Services in an amount not to exceed $115,200 and forwarding to Council for approval.

Consent

3. Consider approving the submission of a grant application as the Collaborative Applicant for Continuum of Care funds; and approving a contract with The Center for Common Concerns, Inc. dba HomeBase for assistance with the Continuum of Care Grant in an amount not to exceed a total of $62,000 and forwarding to Council for

approval. (Funding Source: Continuum of Care Funds)
Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Motion (Kenoyer/Ah You; 3/0) approving the submission of a grant application as the Collaborative Applicant for Continuum of Care funds; and approving a contract with The Center for Common Concerns, Inc. dba HomeBase for assistance with the Continuum of Care Grant in an amount not to exceed a total of $62,000 and forwarding to Council for approval.

Consent

4. Consider approving updates to the Change Order Approval Policy for the City of Modesto Capital Improvement Projects (CIP) and forwarding to Council for approval. (Funding Source: Capital Improvement Projects)
Finance; DeAnna Christensen, 577-5387, dachristensen@modestogov.com

ACTION: Motion (Kenoyer/Ah You; 3/0) approving updates to the Change Order Approval Policy for the City of Modesto Capital Improvement Projects (CIP) and forwarding to Council for approval.

Consent

5. Consider approving the award of bid for the purchase of one dump truck 6-7 yard with specific configurations to Interstate Truck Center, Stockton, CA for a total amount not to exceed $109,048 and forwarding to Council for approval. (Funding Source: Fleet Replacement Fund)
Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Motion (Kenoyer/Ah You; 3/0) approving the award of bid for the purchase of two articulating loader with claw bucket flatbed with specific configurations to Volvo Construction Equipment and Services, Turlock, CA for a total amount not to exceed $188,041 and forwarding to Council for approval.

Consent

6. Consider approving the award of bid for the purchase of two articulating loader with claw bucket flatbed with specific configurations to Volvo Construction Equipment and Services, Turlock, CA for a total amount not to exceed $188,041 and forwarding to Council for approval. (Funding Source: Fleet Replacement Fund)
Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Motion (Kenoyer/Ah You; 3/0) approving the award of bid for the purchase of two articulating loader with claw bucket flatbed with specific configurations to Volvo Construction Equipment and Services, Turlock, CA for a total amount not to exceed $188,041 and forwarding to Council for approval.

Consent

7. Consider approving the award of bid for Wireless Network Equipment and Installation Services to NetXperts Inc. of Walnut Creek, CA, for a total amount not to exceed $137,835 and forwarding to Council for approval. (Funding Source: Wastewater Fund)
Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Motion (Kenoyer/Ah You; 3/0) approving the award of bid for Wireless Network Equipment and Installation Services to NetXperts Inc. of Walnut Creek, CA, for a total amount not to exceed $137,835 and forwarding to Council for approval.

Consent

8. Consider approving the award of bid and Purchasing Agreement for Landscape Maintenance, Weed Abatement and Trash Removal Services to Grover Landscape, Modesto, CA for a two year Agreement with three one-year extension options, for an estimated annual cost not to exceed $155,000 and total amount not to exceed $853,000 over five years, and forwarding to Council for approval. (Funding Source: Sewer and Storm Drain Funds)
   Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Motion (Kenoyer/Ah You; 3/0) approving the award of bid and Purchasing Agreement for Landscape Maintenance, Weed Abatement and Trash Removal Services to Grover Landscape, Modesto, CA for a two year Agreement with three one-year extension options, for an estimated annual cost not to exceed $155,000 and total amount not to exceed $853,000 over five years, and forwarding to Council for approval.

Consent

9. Consider approving the award of bid and Purchasing Agreements for Sewer & Storm Drainage Pipe and Fittings to Pace Supply Corporation, Stockton, CA, R&B Company, Manteca, CA and Piranha Pipe & Precast, Chowchilla, CA, for a two-year Agreement with three one-year extension options, for an estimated annual cost not to exceed $414,331, $158,332, and $118,690, respectively, and authorizing the Director of Finance, or her designee to adjust the financial amounts between the three providers without exceeding the estimated combined annual cost of $691,353 and a total combined cost not to exceed $3,802,442 over five years for all vendors and forwarding to Council for approval. (Funding Source: Storm Drain and Sewer Funds)
   Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Motion (Kenoyer/Ah You; 3/0) approving the award of bid and Purchasing Agreements for Sewer & Storm Drainage Pipe and Fittings to Pace Supply Corporation, Stockton, CA, R&B Company, Manteca, CA and Piranha Pipe & Precast, Chowchilla, CA, for a two-year Agreement with three one-year extension options, for an estimated annual cost not to exceed $414,331, $158,332, and $118,690, respectively, and authorizing the Director of Finance, or her designee to adjust the financial amounts between the three providers without exceeding the estimated combined annual cost of $691,353 and a total combined cost not to exceed $3,802,442 over five years for all vendors and forwarding to Council for approval.

Consent

10. Consider approving the award of bid and Purchase Agreement for Variable Frequency Drives to Wille Electric Supply Company, Modesto, CA for a two-year Agreement with three one-year extension options, for an estimated annual cost not to exceed $189,334 and a total amount not to exceed $946,670 over five years, and forwarding to Council for approval. (Funding Source: Water and Wastewater Funds)
    Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Motion (Kenoyer/Ah You; 3/0) approving the award of bid and Purchase Agreement for Variable Frequency Drives to Wille Electric Supply Company, Modesto, CA for a two-year Agreement with three one-year extension options, for an estimated annual cost not to exceed $189,334 and a total amount not to exceed $946,670 over five years, and forwarding to Council for approval.

Consent

11. Consider approving the extension of termination dates of five annual Purchasing Agreements and forwarding to Council for approval. (Funding Source: Various Funds)
Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Motion (Kenoyer/Ah You; 3/0) approving the extension of termination dates of five annual Purchasing Agreements and forwarding to Council for approval.

Consent

12. Consider accepting an informational report on the March and April 2019 grant applications and awards and forwarding to Council for approval. (Funding Source: Not Applicable)
Finance; Julie Huang, 571-5574, jhuang@modestogov.com

ACTION: Motion (Kenoyer/Ah You; 3/0) accepting an informational report on the March and April 2019 grant applications and awards and forwarding to Council for approval.

Consent

13. Consider approving a three-year Agreement with Kidz Love Soccer to provide soccer classes to area youth ending June 30, 2022, with an Agreement to split gross registration program revenue between the City and KLS at 30/70%, and forwarding to Council for approval. (Funding Source: General Fund)
Parks, Recreation & Neighborhoods; Ashley Weaver, 577-5428, aweaver@modestogov.com

ACTION: Motion (Kenoyer/Ah You; 3/0) approving a three-year Agreement with Kidz Love Soccer to provide soccer classes to area youth ending June 30, 2022, with an Agreement to split gross registration program revenue between the City and KLS at 30/70%, and forwarding to Council for approval.

Consent

14. Consider approving an Agreement with Windmill Septic, LLC, Ripon, CA, for portable toilet rentals and services at the Modesto Outdoor Emergency Shelter through December 31, 2019 for a total amount not to exceed $90,000, and forwarding to Council for approval. (Funding Source: General Fund)
Parks, Recreation & Neighborhoods; Kelly Gallagher, 342-2270, kgallagher@modestogov.com

ACTION: Motion (Kenoyer/Ah You; 3/0) approving an Agreement with Windmill Septic, LLC, Ripon, CA, for portable toilet rentals and services at the Modesto Outdoor Emergency Shelter through December 31, 2019 for a total amount not to exceed $90,000, and forwarding to Council for approval.

Consent

15. Consider a 10-year license Agreement with Mad Monk Holdings, Berkeley, CA, for the use of parking spaces for the Modesto Area Express Park and Ride lot at 2800 Sisk Road for a total amount of $6,000 in the initial year and a total not to exceed $63,000 for the term of the Agreement, and forwarding to Council for approval. (Funding Source: Transit Funds)
Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Motion (Kenoyer/Ah You; 3/0) approving a 10-year license Agreement with Mad Monk Holdings, Berkeley, CA, for the use of parking spaces for the Modesto Area Express Park and Ride lot at 2800 Sisk Road for a total amount of $6,000 in the initial year and a total not to exceed $63,000 for the term of the Agreement, and forwarding to Council for approval.

Consent

16. Consider approving the implementation of changes to the Modesto Area Dial-A-Ride system allowing maintenance and operations to be performed at the Bus Maintenance Facility, and forwarding to Council for approval. (Funding Source: Transit Funds)
Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Motion (Kenoyer/Ah You; 3/0) approving the implementation of changes to the Modesto Area Dial-A-Ride system allowing maintenance and operations to be performed at the Bus Maintenance Facility, and forwarding to Council for approval.

Consent

17. Consider approving the First Amendment increasing the Agreement amount with Token Transit, San Francisco, CA, to install automatic mobile ticket validators on buses for mobile ticketing services app used by Modesto Area Express by $144,769 from $178,000 to a new total amount of $322,769, and forwarding to Council for approval. (Funding Source: Transit Funds)
Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Motion (Kenoyer/Ah You; 3/0) approving the First Amendment increasing the Agreement amount with Token Transit, San Francisco, CA, to install automatic mobile ticket validators on buses for mobile ticketing services app used by Modesto Area Express by $144,769 from $178,000 to a new total amount of $322,769, and forwarding to Council for approval.

Consent

18. Consider approving a rehabilitation and lease Agreement with Civil Air Patrol, for Building #2 at the City – County Airport, and forwarding to Council for approval. (Funding Source: Civil Air Patrol Private Funds)
Public Works; Steve Fischio, 342-2222, sfischio@modestogov.com

ACTION: Motion (Kenoyer/Ah You; 3/0) approving a rehabilitation and lease Agreement with Civil Air Patrol, for Building #2 at the City – County Airport, and forwarding to Council for approval.

Consent

19. Consider approving the award of bid of a Purchasing Agreement for the furnishing of asphalt and emulsified asphalt materials for road maintenance on an as-needed basis,

with George Reed, Inc., Escalon, CA, and Calaveras Materials Inc., Hughson, CA for a two-year Agreement with three one-year extension options, for an annual combined cost not to exceed $543,151, and a total combined amount not to exceed $2,715,755 over a five year period, and forwarding to Council for approval. (Funding Source: Surface Transportation Fund)
Public Works; Steve Fischio, 342-2222, sfischio@modestogov.com

ACTION: Motion (Kenoyer/Ah You; 3/0) approving the award of bid of a Purchasing Agreement for the furnishing of asphalt and emulsified asphalt materials for road maintenance on an as-needed basis, with George Reed, Inc., Escalon, CA, and Calaveras Materials Inc., Hughson, CA for a two-year Agreement with three one-year extension options, for an annual combined cost not to exceed $543,151, and a total combined amount not to exceed $2,715,755 over a five year period, and forwarding to Council for approval.

Consent

20. Consider introducing and waiving the first reading of an ordinance amending Section 8-3.102 of the Modesto Municipal Code to authorize the use of design-build procurement (a change in the traditional sequence of project work) for the SCADA System Replacement Project and forwarding to Council for approval. (Funding Source: Water & Wastewater Funds)
Utilities; Jesse Franco, 571-5175, jfranco@modestogov.com

ACTION: Motion (Kenoyer/Ah You; 3/0) approving an Ordinance amending Section 8-3.102 of the Modesto Municipal Code to authorize the use of design-build procurement (a change in the traditional sequence of project work) for the SCADA System Replacement Project and forwarding to Council for approval.

NEW BUSINESS

21. Consider approving a Purchasing Agreement for the furnishing of hot patch work with Patch Crew, Modesto, CA, for an annual estimated cost not to exceed $400,000 and authorizing the Director of Finance, or her designee to adjust the financial amounts between the two providers (United Pavement and Patch Crew) without exceeding the annual estimated cost of $4,306,500, and forwarding to Council for approval. (Funding Source: Water Funds 4100 and 4180, Wastewater Fund 4210, and Stormwater Fund 4480)
Finance; DeAnna Christensen, 577-5387, dachristensen@modestogov.com

ACTION: Motion (Ah You/Kenoyer; 3/0) approving a Purchasing Agreement for the furnishing of hot patch work with Patch Crew, Modesto, CA, for an annual estimated cost not to exceed $400,000 and authorizing the Director of Finance, or her designee to adjust the financial amounts between the two providers (United Pavement and Patch Crew) without exceeding the annual estimated cost of $4,306,500, and forwarding to Council for approval.

22. Consider accepting an informational report on the City's Purchasing review update. (Funding Source: Not Applicable)
Finance; DeAnna Christensen, 577-5387, dachristensen@modestogov.com

ACTION: Motion (Kenoyer/Ah You; 3/0) accepting an informational report on the City's Purchasing review update.

23. Consider a comprehensive update to the City's Injury and Illness Prevention Program and delegating authority for future updates to the City Manager, or designee, and forwarding to Council for approval. (Funding Source: Not Applicable)
Human Resources; Michaux Burchard, 577-5466, mburchard@modestogov.com

ACTION: Motion (Ah You/Kenoyer; 3/0) approving a comprehensive update to the City's Injury and Illness Prevention Program and delegating authority for future updates to the City Manager, or designee, and forwarding to Council for approval.

24. Consider a payment to the Stanislaus Animal Services Agency in the amount of $112,583 for the Fiscal Year 2017-2018 Partner Allocation True-Up, and forwarding to Council for approval. (Funding Source: General Fund)
Police; Craig Gundlach, 572-9500, gundlachc@Modestopd.com

ACTION: Motion (Kenoyer/Ah You; 3/0) approving a payment to the Stanislaus Animal Services Agency in the amount of $112,583 for the Fiscal Year 2017-2018 Partner Allocation True-Up, and forwarding to Council for approval.

25. Consider introducing an Ordinance amending Sections 5-5.103, 5-5.105, 5-5.106, 5-5.107, 5-5.109, 5-5.110, 5-5.111, 5-5.118, 5-5.138, 5-5.141 of Title 5, Chapter 5 of the Modesto Municipal Code relating to Solid Waste Collection, and adding Section 5-5.143 to reflect the new Mandatory Commercial Organic Recycling law implemented by the State Assembly Bill 1826, and Section 5-5.144 Bulky Item Collection Program to reflect the residential program currently utilized by City of Modesto Residential Customers, and forwarding to Council for approval. (Funding Source: Solid Waste Fund)
Public Works; Karin Neep, 577-5453, kneep@modestogov.com

ACTION: Motion (Ah You/Kenoyer; 3/0) approving an Ordinance amending Sections 5-5.103, 5-5.105, 5-5.106, 5-5.107, 5-5.109, 5-5.110, 5-5.111, 5-5.118, 5-5.138, 5-5.141 of Title 5, Chapter 5 of the Modesto Municipal Code relating to Solid Waste Collection, and adding Section 5-5.143 to reflect the new Mandatory Commercial Organic Recycling law implemented by the State Assembly Bill 1826, and Section 5-5.144 Bulky Item Collection Program to reflect the residential program currently utilized by City of Modesto Residential Customers, and forwarding to Council for approval.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 3:45 p.m.

Attest:_____
Joseph Lopez, City Manager

MINUTES

City of Modesto

CITY COUNCIL MEETING

Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday June 25, 2019, at 5:30 p.m.

Roll Call – Present: Councilmembers Ah You, Grewal, Kenoyer, Madrigal, Zoslocki, Mayor Brandvold
Absent: Councilmember Ridenour

Pledge of Allegiance to the Flag

Invocation: Marvin Jacobo, City Ministry Network

City Clerk's Announcements: None

Declaration of Conflicts of Interest: Grewal - Items 29, 30 and 32

Reports from Closed Session: City Attorney Lindgren reported on Closed Session matters

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation regarding Valley Children's Hospital by Tim Curley, the Director of Community and Government Relations. (Funding Source: Not Applicable)
City Council; Kathy Espinoza, 571-5597, kespinoza1@modestogov.com

ACTION: A Presentation regarding Valley Children's Hospital was given by Tim Curley, the Director of Community and Government Relations.

2. Presentation of Certificates of Recognition to Art Mondragon Sr., Art Mondragon Jr., Mark Polkinghorne, and KarRen Davidson. (Funding Source: Not Applicable)
Fire; Alan Ernst, 342-4543, aernst@modestofire.com

ACTION: Fire Chief Alan Ernst and Council presented Certificates of Recognition to Art Mondragon Sr., Art Mondragon Jr., Mark Polkinghorne, and KarRen Davidson.

3. Presentation of donation to Modesto Police Department Explorer Post by the Deputy Dennis Wallace DW61 Foundation. (Funding Source: Not Applicable)
City Council; Kathy Espinoza, 571-5597, kespinoza1@modestogov.com

ACTION: Dave Wallace presented a donation for the Modesto Police Department Explorer

Post from the Deputy Dennis Wallace DW61 Foundation.

MISCELLANEOUS
Legislation
Appointments
Other

4. Consider appointing Eduardo Flores, Julia Washington, Catherine Martinez, Brock Wiley, Alan Falconer and Carrie Miller to the City of Modesto Entertainment Commission. (Funding Source: Not Applicable)
   - Resolution appointing Eduardo Flores, with a term expiration of June 30, 2023, Julia Washington, Catherine Martinez and Alan Falconer, with term expirations of June 30, 2022, and Carrie Mille and Brock Wiley, with term expirations of June 30, 2021 to the Entertainment Commission.

   Community & Economic Development; Margaret James, 571-5566, mbjames@modestogov.com

ACTION: Resolution 2019-273 (Kenoyer/Madrigal; 6/0; Ridenour absent) appointing Eduardo Flores, with a term expiration of June 30, 2023, Julia Washington, Catherine Martinez and Alan Falconer, with term expirations of June 30, 2022, and Carrie Mille and Brock Wiley, with term expirations of June 30, 2021 to the Entertainment Commission.

PUBLIC COMMENT PERIOD

- Terhesa Gamboa spoke regarding illegal activities on Morris Road and requested assistance from the City of Modesto, as well as road barriers due to racing and side shows.

- Chris Villegas, Verizon Wireless, spoke regarding wireless technology and small cells in Modesto.

- Wendy Byrd, NAACP, spoke regarding recommendations from the May 21, 2019 Town Hall for the City Auditor.

- Sebastian Jones spoke regarding splash pads in Modesto and water at MOES (Modesto Outdoor Emergency Shelter).

- Emerson Drake spoke regarding trapping cats and Animal Control in the City of Modesto; he also spoke regarding the healthcare lawsuit and legal fees.

- Breanna Gonzales, on behalf of Congressman Josh Harder, spoke regarding grants and grant workshops.

- Rhonda Allen, La Loma Neighborhood, announced the East La Loma Park Playground Gala on Saturday.

- Juan Telles, Tuolumne River Regional Park, spoke regarding Restoration Day at Dos Rios on Saturday and events in Modesto.

- Howard Carmen spoke regarding Carpenter Road construction work.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED
ACTION CONSENT ITEMS 5-22: (Kenoyer/Ah You; 6/0; Ridenour absent)

CONSENT ITEMS

An item may be removed from consent and discussed at the request of an audience member or Councilmember.

Consent
5. Consider approving the minutes from the June 11, 2019 Council Meeting. (Funding Source: Not Applicable)
   - Motion approving the minutes from the June 11, 2019 Council Meeting.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Ah You; 6/0; Ridenour absent) approving the minutes from the June 11, 2019 Council Meeting.

Consent
6. Consider approving a Will Serve Letter and Outside Service Agreement with Varni Bros, LLC, a California Limited Liability Company for sewer service for the property located at 301 Hosmer Ave (APN: 038-002-005). (Funding Source: Sewer Fund, General Fund)
   - Resolution approving a Will Serve Letter and Outside Service Agreement with Varni Bros, LLC, a California Limited Liability Company to connect to the City of Modesto's existing sewer system for the property located at 301 Hosmer Ave in Modesto (APN: 038-002-005), and authorizing the City Manager, or his designee, to sign the Will Serve Letter and execute the Outside Service Agreement.

   Community & Economic Development; Vickey Dion, City Engineer, 571-5542, vdion@modestogov.com

ACTION: Resolution 2019-274 (Kenoyer/Ah You; 6/0; Ridenour absent) approving a Will Serve Letter and Outside Service Agreement with Varni Bros, LLC, a California Limited Liability Company to connect to the City of Modesto's existing sewer system for the property located at 301 Hosmer Ave in Modesto (APN: 038-002-005), and authorizing the City Manager, or his designee, to sign the Will Serve Letter and execute the Outside Service Agreement.

Consent
7. Consider awarding additional HOME Investment Partnerships (HOME) Program

Community Housing Development Organization (CHDO) Set Aside funds in the amount of $47,557 to Stanislaus County Affordable Housing Corporation (STANCO) for the completion of 522 E. Granger Avenue plus 10% of total project costs for activity delivery. (Funding Source: HOME Funds)

- Resolution approving the award of additional HOME Community Housing Development Organization (CHDO) Set Aside funds in the amount of $47,557 to Stanislaus County Affordable Housing Corporation (STANCO) for the completion of 522 E. Granger Avenue, and authorizing the City Manager or his designee to execute the Agreements.
- Resolution amending the Multi-Year Operating project 100918 Budget to allocate $47,557 in HOME Investment Partnership Program (HOME) Community Housing Development Organization Set-Aside (CHDO-CR) Funds to Stanislaus County Affordable Housing Corporation (STANCO) for the completion of 522 E. Granger Avenue, and up to 10% of total project cost for activity delivery costs in the amount of $61,056 and authorizing the City Manager or his designee, to take the necessary steps to implement the provisions of this Resolution.

Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Resolution 2019-275 (Kenoyer/Ah You; 6/0; Ridenour absent) approving the award of additional HOME Community Housing Development Organization (CHDO) Set Aside funds in the amount of $47,557 to Stanislaus County Affordable Housing Corporation (STANCO) for the completion of 522 E. Granger Avenue, and authorizing the City Manager or his designee to execute the Agreements.

ACTION: Resolution 2019-276 (Kenoyer/Ah You; 6/0; Ridenour absent) amending the Multi-Year Operating project 100918 Budget to allocate $47,557 in HOME Investment Partnership Program (HOME) Community Housing Development Organization Set-Aside (CHDO-CR) Funds to Stanislaus County Affordable Housing Corporation (STANCO) for the completion of 522 E. Granger Avenue, and up to 10% of total project cost for activity delivery costs in the amount of $61,056 and authorizing the City Manager or his designee, to take the necessary steps to implement the provisions of this Resolution.

Consent

8. Consider awarding Emergency Solutions Grant (ESG) funds in an amount not to exceed $55,259 to Community Housing and Shelter Services for Homeless Prevention ($40,000) and Rapid Rehousing ($15,259) activities. (Funding Source: Emergency Solutions Grant Funds)

    - Resolution awarding $55,269 of Emergency Solutions Grant Funds for Homeless Prevention ($40,000) and Rapid Rehousing ($15,259) to Community Housing and Shelter Services, and authorizing the City Manager or his designee to execute the related Agreements.

    Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Resolution 2019-277 (Kenoyer/Ah You; 6/0; Ridenour absent) awarding

$55,269 of Emergency Solutions Grant Funds for Homeless Prevention ($40,000) and Rapid Rehousing ($15,259) to Community Housing and Shelter Services, and authorizing the City Manager or his designee to execute the related Agreements.

Consent

9. Consider awarding Community Development Block Grant (CDBG) funds in an amount not to exceed $100,000 to Opportunity Stanislaus for a CDBG Microenterprise Cottage Food Operator Program, plus 10% of total project costs for activity delivery. (Funding Source: Community Development Block Grant Funds)
    - Resolution approving the award of Community Development Block Grant Funds in an amount not to exceed $100,000 to Opportunity Stanislaus for the CDBG Microenterprise CFO Program, and authorizing the City Manager or his designee to execute related Agreements.
    - Resolution amending the Fiscal Year 2019-20 Multi-Year Operating Project budget to establish a non-capital project to be funded with Community Development Block Grant Funds in the amount of $100,000 to Opportunity Stanislaus and 10% of total project costs for activity delivery for a total of $110,000, and authorizing the City Manager, or his designee, to take the necessary steps to implement the provisions of this Resolution.

    Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Resolution 2019-278 (Kenoyer/Ah You; 6/0; Ridenour absent) approving the award of Community Development Block Grant Funds in an amount not to exceed $100,000 to Opportunity Stanislaus for the CDBG Microenterprise CFO Program, and authorizing the City Manager or his designee to execute related Agreements.

ACTION: Resolution 2019-279 (Kenoyer/Ah You; 6/0; Ridenour absent) amending the Fiscal Year 2019-20 Multi-Year Operating Project budget to establish a non-capital project to be funded with Community Development Block Grant Funds in the amount of $100,000 to Opportunity Stanislaus and 10% of total project costs for activity delivery for a total of $110,000, and authorizing the City Manager, or his designee, to take the necessary steps to implement the provisions of this Resolution.

Consent

10. Consider awarding Community Development Block Grant (CDBG) funds in an amount not to exceed $100,000 and Emergency Solutions Grant (ESG) funds in an amount not to exceed $67,013 to The Salvation Army, Modesto Citadel for the operation of the Berberian Emergency Shelter located at 320 9th Street, Modesto CA 95351. (Funding Source: Community Development Block Grant Funds and Emergency Solutions Grant Funds)
    - Resolution approving the award of CDBG funds in an amount not to exceed $100,000 and ESG funds in an amount not to exceed $67,013 to The Salvation Army, Modesto Citadel, and authorizing the City Manager or his designee to execute all related Agreements.

    Community & Economic Development; Jessica Narayan, 577-5211,

jnarayan@modestogov.com

ACTION: Resolution 2019-280 (Kenoyer/Ah You; 6/0; Ridenour absent) approving the award of CDBG funds in an amount not to exceed $100,000 and ESG funds in an amount not to exceed $67,013 to The Salvation Army, Modesto Citadel, and authorizing the City Manager or his designee to execute all related Agreements.

Consent

11. Consider approving the Fiscal Year 2019-2020 Appropriation Limit, which is an annual spending limit calculation that identifies the maximum amount of appropriations for publicly funded programs. (Funding Source: Not Applicable)
    - Resolution establishing the Appropriation Limit for the Fiscal Year 2019-2020 Annual Budget.

    Finance; Julie Huang, 571-5574, jhuang@modestogov.com

ACTION: Resolution 2019-281 (Kenoyer/Ah You; 6/0; Ridenour absent) establishing the Appropriation Limit for the Fiscal Year 2019-2020 Annual Budget.

Consent

12. Consider approving payment of various equipment maintenance Agreements for Fiscal Year 2019-20 with multiple equipment manufacturers for all City Departments, for an annual cost not to exceed $619,281; and authorizing the City Manager, or his designee to execute equipment maintenance Agreements associated with the items in Exhibit B – Fiscal Year 2019-20 Equipment Maintenance Agreements (more than $50,000). (Funding Source: Various Funds)
    - Resolution approving payment of various equipment maintenance Agreements for Fiscal Year 2019-2020 with multiple equipment manufacturers for all City Departments, for an annual cost not to exceed $619,281; and authorizing the City Manager, or his designee, to execute equipment maintenance Agreements associated with the items in Exhibit B – Fiscal Year 2019-2020 Equipment Maintenance Agreements (more than $50,000).

    Finance; DeAnna Christensen, 577-5387, dachristensen@modestogov.com

ACTION: Resolution 219-282 (Kenoyer/Ah You; 6/0; Ridenour absent) approving payment of various equipment maintenance Agreements for Fiscal Year 2019-2020 with multiple equipment manufacturers for all City Departments, for an annual cost not to exceed $619,281; and authorizing the City Manager, or his designee, to execute equipment maintenance Agreements associated with the items in Exhibit B – Fiscal Year 2019-2020 Equipment Maintenance Agreements (more than $50,000).

Consent

13. Consider approving a Master Agreement with Textron Specialized Vehicles, Inc., a Delaware Corporation, for golf cars and a service vehicle for a four-year lease Agreement, for an annual cost not to exceed $84,154, and a total amount not to exceed $226,455 over the four years. (Funding Source: Golf Enterprise Fund)
    - Resolution approving a Master Agreement with Textron Specialized Vehicles, Inc.,

a Delaware Corporation, for golf cars and a service vehicle for a four-year lease Agreement, for an annual cost not to exceed $84,154, and a total amount not to exceed $226,455 over the four years and authorizing the City Manager, or his designee, to execute the Agreement..

Parks, Recreation & Neighborhoods; Laurie Smith, 577-5347, lsmith@modestogov.com

ACTION: Resolution 2019-283 (Kenoyer/Ah You; 6/0; Ridenour absent) approving a Master Agreement with Textron Specialized Vehicles, Inc., a Delaware Corporation, for golf cars and a service vehicle for a four-year lease Agreement, for an annual cost not to exceed $84,154, and a total amount not to exceed $226,455 over the four years and authorizing the City Manager, or his designee, to execute the Agreement..

Consent

14. Consider approving an Agreement with American Chiller Inc., for scheduled and emergency heating, ventilation, and air conditioning maintenance services for the Modesto Centre Plaza facility for a four-year Agreement, for an annual cost not to exceed $75,000, and a total cost not to exceed $300,000 over four years. (Funding Source: Centre Plaza Fund - Cultural Services Administration – 4700)
    - Resolution approving an Agreement with American Chiller Inc., for scheduled and emergency heating, ventilation, and air conditioning maintenance services for the Modesto Centre Plaza facility for a four-year Agreement, for an annual cost not to exceed $75,000, and a total cost not to exceed $300,000 over four years and authorizing the City Manager, or his designee, to execute the Agreement.

    Parks, Recreation & Neighborhoods; Laurie Smith, 577-5347, lsmith@modestogov.com

ACTION: Resolution 2019-284 (Kenoyer/Ah You; 6/0; Ridenour absent) approving an Agreement with American Chiller Inc., for scheduled and emergency heating, ventilation, and air conditioning maintenance services for the Modesto Centre Plaza facility for a four-year Agreement, for an annual cost not to exceed $75,000, and a total cost not to exceed $300,000 over four years and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

15. Consider approving a reimbursement to the California Department of Forestry and Fire Protection in the amount of $55,552 in order to terminate the City of Modesto's Urban and Community Tree Replanting Grant Activity, Agreement No. 8GG14411. (Funding Source: Waste to Energy Fund)
    - Resolution approving a reimbursement to the California Department of Forestry and Fire Protection in the amount of $55,552 in order to terminate the City of Modesto's Urban and Community Tree Replanting Grant Activity, Agreement No. 8GG14411, and authorizing the City Manager, or his designee, to execute the reimbursement.

    Public Works; Mike Hoesch, 342-2456, mhoesch@modestogov.com

ACTION: Resolution 2019-285 (Kenoyer/Ah You; 6/0; Ridenour absent) approving a

reimbursement to the California Department of Forestry and Fire Protection in the amount of $55,552 in order to terminate the City of Modesto's Urban and Community Tree Replanting Grant Activity, Agreement No. 8GG14411, and authorizing the City Manager, or his designee, to execute the reimbursement.

Consent

16. Consider accepting grant funds for upcoming Capital Improvement Construction Projects for the Traffic Engineering Division within the Public Works Department. (Funding Source: Congestion Mitigation and Air Quality Grants, Highway Safety Improvement Program Grant, and Surface Transportation Fund)
    - Resolution accepting the Congestion Mitigation and Air Quality (CMAQ) grant award, Highway Safety Improvement Program (HSIP) Grant, and Surface Transportation Funds for upcoming Capital Improvement Construction Projects for the Traffic Engineering Division within the Public Works Department, and authorizing the City Manager, or his designee, to execute the necessary documents.

    Public Works; Scott Collins, 577-5431, scollins@modestogov.com

ACTION: Resolution 2019-286 (Kenoyer/Ah You; 6/0; Ridenour absent) accepting the Congestion Mitigation and Air Quality (CMAQ) grant award, Highway Safety Improvement Program (HSIP) Grant, and Surface Transportation Funds for upcoming Capital Improvement Construction Projects for the Traffic Engineering Division within the Public Works Department, and authorizing the City Manager, or his designee, to execute the necessary documents.

Consent

17. Consider rejecting the bid for the Bus Maintenance Facility Parts Storage Room Project and authorizing staff to re-advertise the project for bid at a future date with an amended scope of work. (Funding Source: Bus Fixed Route Fund-4510)
    - Resolution rejecting all bids for the Bus Maintenance Facility- Parts Storage Room Project and authorizing staff to re-advertise the project at a future date with an amended scope of work.

    Utilities and Public Works; Cristian Ciotau, 571-5175, cciotau@modestogov.com

ACTION: Resolution 2019-287 (Kenoyer/Ah You; 6/0; Ridenour absent) rejecting all bids for the Bus Maintenance Facility- Parts Storage Room Project and authorizing staff to re-advertise the project at a future date with an amended scope of work.

Consent

18. Consider approving an Agreement with Consolidated CM, Inc., of Oakland, CA, for construction management, testing and inspection services for the Empire Sanitary Sewer Trunk Project in an amount not to exceed $240,603, plus $24,060 for additional services (if needed), for a total amount not to exceed $264,663 and for the Crows Landing Sewer Trunk Project in an amount not to exceed $215,151, plus $21,515 for additional services (if needed), for a total amount not to exceed $236,666. (Funding Source: Wastewater Fund)
    - Resolution approving an Agreement with Consolidated CM, Inc., of Oakland, CA,

for construction management and inspection services for the Empire Sanitary Sewer Trunk project in an amount not to exceed $240,603 for the identified scope of services, and authorizing the City Manager, or his designee, to execute the Agreement and any Amendments up to a cumulative amount of 10 percent ($24,060).

- Resolution approving an Agreement with Consolidated CM, Inc., of Oakland, CA, for construction management and inspection services for the Crows Landing Sewer Trunk project in an amount not to exceed $215,151 for the identified scope of services, and authorizing the City Manager, or his designee, to execute the Agreement and any Amendments up to a cumulative amount of 10 percent ($21,515).

Utilities; Jesse Franco, 571-5175, jfranco@modestogov.com

ACTION: Resolution 2019-288 (Kenoyer/Ah You; 6/0; Ridenour absent) approving an Agreement with Consolidated CM, Inc., of Oakland, CA, for construction management and inspection services for the Empire Sanitary Sewer Trunk project in an amount not to exceed $240,603 for the identified scope of services, and authorizing the City Manager, or his designee, to execute the Agreement and any Amendments up to a cumulative amount of 10 percent ($24,060).

ACTION: Resolution 2019-289 (Kenoyer/Ah You; 6/0; Ridenour absent) approving an Agreement with Consolidated CM, Inc., of Oakland, CA, for construction management and inspection services for the Crows Landing Sewer Trunk project in an amount not to exceed $215,151 for the identified scope of services, and authorizing the City Manager, or his designee, to execute the Agreement and any Amendments up to a cumulative amount of 10 percent ($21,515).

Consent

19. Consider approving an Agreement with Vali Cooper Associates, Inc., of Sacramento, CA, for construction management, testing and inspection services for the Wylie Drive, Floyd Avenue and Carver Road Street Improvements Project in an amount not to exceed $164,707, plus $16,471 for additional services (if needed), for a total amount not to exceed $181,178 and for the Village One Slurry Seal Project in an amount not to exceed $167,302, plus $16,730 for additional services (if needed), for a total amount not to exceed $184,032. (Funding Source: Local Control Measure L Funds)
    - Resolution approving an Agreement with Vali Cooper Associates, Inc., of Sacramento, CA, for construction management and inspection services for the Wylie Drive, Floyd Avenue and Carver Road Street Improvements project in an amount not to exceed $164,707 for the identified scope of services, and authorizing the City Manager, or his designee, to execute the Agreement and any Amendments up to a cumulative amount of 10 percent ($16,471),
    - Resolution approving an Agreement with Vali Cooper Associates, Inc., of Sacramento, CA, for construction management and inspection services for the Village One Slurry Seal project in an amount not to exceed $167,302 for the identified scope of services, and authorizing the City Manager, or his designee, to execute the Agreement and any Amendments up to a cumulative amount of 10

percent ($16,730).
Utilities; Jesse Franco, 571-1575, jfranco@modestogov.com

ACTION: Resolution 2019-290 (Kenoyer/Ah You; 6/0; Ridenour absent) approving an Agreement with Vali Cooper Associates, Inc., of Sacramento, CA, for construction management and inspection services for the Wylie Drive, Floyd Avenue and Carver Road Street Improvements project in an amount not to exceed $164,707 for the identified scope of services, and authorizing the City Manager, or his designee, to execute the Agreement and any Amendments up to a cumulative amount of 10 percent ($16,471),

ACTION: Resolution 2019-291 (Kenoyer/Ah You; 6/0; Ridenour absent) approving an Agreement with Vali Cooper Associates, Inc., of Sacramento, CA, for construction management and inspection services for the Village One Slurry Seal project in an amount not to exceed $167,302 for the identified scope of services, and authorizing the City Manager, or his designee, to execute the Agreement and any Amendments up to a cumulative amount of 10 percent ($16,730).

Consent

20. Consider accepting the Tuolumne River Regional Park Gateway Parcel – Phase 2 Project as complete, authorizing all necessary steps to file a notice of completion with the County Recorder, releasing security, and releasing payments to Empire Landscaping, Inc. of Davis, CA, in the amount of $2,382,926. (Funding Source: Proposition 84 Statewide Park Development Grant, Land and Water Conservation Fund Grant, TRRP Special Revenue Fund-CIP and Local Transportation Funds-Non-Motorized)
    - Resolution accepting the Tuolumne River Regional Park Gateway Parcel – Phase 2 Project as complete, authorizing all necessary steps to file a notice of completion with the County Recorder, releasing securities, and releasing payments totaling $2,382,926 to Empire Landscaping, Inc. of Davis, CA.

    Utilities and Parks, Recreation & Neighborhoods; Jesse Franco, 571-5175, jfranco@modestogov.com

ACTION: Resolution 2019-292 (Kenoyer/Ah You; 6/0; Ridenour absent) accepting the Tuolumne River Regional Park Gateway Parcel – Phase 2 Project as complete, authorizing all necessary steps to file a notice of completion with the County Recorder, releasing securities, and releasing payments totaling $2,382,926 to Empire Landscaping, Inc. of Davis, CA.

Consent

21. Consider accepting the John Thurman Field Video Board Replacement Project as complete, authorizing all necessary steps to file a notice of completion with the County Recorder, releasing securities, and releasing payments to Daktronics, Inc., of Brookings, South Dakota, in the amount of $567,982. (Funding Source: Wastewater Fund/John Thurman Capital Improvement Fund)
    - Resolution accepting the John Thurman Field Video Board Replacement Project as complete, authorizing all necessary steps to file a notice of completion with the County Recorder, releasing securities, and releasing payments totaling $567,982 to

Daktronics, Inc. of Brookings, South Dakota.
Utilities and Parks, Recreation & Neighborhoods; Jesse Franco, 571-5175, jfranco@modestogov.com

ACTION: Resolution 2019-293 (Kenoyer/Ah You; 6/0; Ridenour absent) accepting the John Thurman Field Video Board Replacement Project as complete, authorizing all necessary steps to file a notice of completion with the County Recorder, releasing securities, and releasing payments totaling $567,982 to Daktronics, Inc. of Brookings, South Dakota.

Consent

22. Consider approving a Fourth Amendment to existing lease Agreement with Louis Boer, Jr. to lease real property at the corner of Frazine Road and La Coste Lane (APN 014-037-056) in the amount of $5,400 per year, pro-rated to the length of the proposed term expiration (5 months, 10 days). (Funding Source: Water Fund)
    - Resolution approving a fourth and final Amendment to Lease Agreement with Louis Boer, Jr. to lease real property in the amount $5,400, pro-rated to $2,400 to cover the extended term of 5 months and 10 days, plus pro-rated irrigation fees and property taxes, for agricultural property at Frazine Road and La Coste Lane (APN 014-037-056), and authorizing the City Manager or his designee to execute the Lease Amendment.

    Utilities; Ryan Daugherty, 577-5399, rdaugherty@modestogov.com

ACTION: Resolution 2019-294 (Kenoyer/Ah You; 6/0; Ridenour absent) approving a fourth and final Amendment to Lease Agreement with Louis Boer, Jr. to lease real property in the amount $5,400, pro-rated to $2,400 to cover the extended term of 5 months and 10 days, plus pro-rated irrigation fees and property taxes, for agricultural property at Frazine Road and La Coste Lane (APN 014-037-056), and authorizing the City Manager or his designee to execute the Lease Amendment.

COUNCIL COMMENTS & REPORTS

Councilmember Kenoyer attended the following events: Night at the Bowl at Graceada Park, the Ground Breaking of the Blue Diamond Plant in Salida, and the Interfaith Prayer event at the Islamic Center on Carpenter Road.

Councilmember Madrigal attended the following events: League of California Cities Policy Committee in Sacramento, the League of California Cities Mayor's meeting hosted by Mayor Brandvold, the Ground Breaking of the Blue Diamond Plant in Salida, the 4th of July Festival Planning Committee; the Mellis Park community input meeting, and the StanCOG Policy Board meeting.

Councilmember Ah You announced riding the Max Bus for free during the month of July.

Councilmember Zoslocki attended the National Association Council of Governments meeting two weeks ago and discussed funding for projects; he also spoke regarding Measure L and SB 1.

CITY MANAGER COMMENTS & REPORTS

None.

WRITTEN COMMUNICATIONS

23. Consider a written communication from CB Merchant Services regarding Collection Agency Services. (Funding Source: Not Applicable)
City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: No action taken.

UNFINISHED BUSINESS

24. Consider approving an Agreement with WSP USA INC. (WSP) for Construction Management Services for the State Route 132 West Freeway/Expressway – Phase 1 Project in an amount not to exceed $8,973,533 plus $897,353 for additional services, if needed, for an Agreement total not to exceed $9,870,886 and amending the Fiscal Year 2018-2019 Capital Improvement Program Budget to establish the project expense budget and Streets Capital Facility Fees fund transfer for Project #101119 in the amount of $9,870,886 until allocated Measure L monies are received. (Funding Source: Streets Capital Facility Fees, Regional Measure L Funds)
    - Resolution approving an Agreement with WSP USA INC. for Construction Management Services for the State Route 132 West Freeway/Expressway – Phase 1 Project in an amount of $8,973,533 for the identified scope of services, plus $897,353 for additional services (if needed), for an Agreement total not to exceed $9,870,886, and authorizing the City Manager, or his designee, to execute the Agreement.
    - Resolution amending the Fiscal Year 2018-2019 Capital Improvement Program (CIP) Budget to establish the project expense budget and Streets Capital Facility Fees fund transfer for Project #101119 in the amount of $9,870,886 for the State Route 132 West Expressway – Construction Phase 1 Project.

    Community & Economic Development; Vickey Dion, 571-5542, vdion@modestogov.com

ACTION: Resolution 2019-295 (Madrigal/Grewal; 6/0; Ridenour absent) approving an Agreement with WSP USA INC. for Construction Management Services for the State Route 132 West Freeway/Expressway – Phase 1 Project in an amount of $8,973,533 for the identified scope of services, plus $897,353 for additional services (if needed), for an Agreement total not to exceed $9,870,886, and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: Resolution 2019-296 (Madrigal/Grewal; 6/0; Ridenour absent) amending the Fiscal Year 2018-2019 Capital Improvement Program (CIP) Budget to establish the project expense budget and Streets Capital Facility Fees fund transfer for Project #101119 in the amount of $9,870,886 for the State Route 132 West Expressway – Construction Phase 1

Project.

25. Consider approving the request for local advanced construction authorization in the amounts of $4.135M for the construction phase and $2.081M for right of way and an Amendment to the Cooperative Agreement with Caltrans for the State Route 132 West Freeway/Expressway – Phase 1 Project to modify the funding table to add $33.124M of regional Measure L funds and $21M in Trade Corridor Enhancement, correct the postmile limits of the Project and to add various standard language necessary to meet the requirements of the Trade Corridor Enhancement grant. (Funding Source: Streets Capital Facility Fees, County Public Facility Fees)
    - Resolution approving the request for local advanced construction authorization in the amounts of $4.135M for the construction phase and $2.081M for right of way for the State Route 132 West Freeway/Expressway – Phase 1 Project and authorizing the City Manager or his designee, to execute the required documents.
    - Resolution approving an Amendment to the Cooperative Agreement with the California Department of Transportation (Caltrans) for the State Route 132 West Freeway/Expressway – Phase 1 Project to correct the Project postmile limits, modify the funding table to add $33.124M of regional Measure L funds and $21M in Trade Corridor Enhancement funds, and add various standard language necessary to meet the requirements of the Trade Corridor Enhancement grant and authorizing the City Manager or his designee to execute the Amendment.

    Community & Economic Development; Vickey Dion, 571-5542, vdion@modestogov.com

ACTION: Resolution 2019-297 (Kenoyer/Zoslocki; 6/0; Ridenour absent) approving the request for local advanced construction authorization in the amounts of $4.135M for the construction phase and $2.081M for right of way for the State Route 132 West Freeway/Expressway – Phase 1 Project and authorizing the City Manager or his designee, to execute the required documents.

ACTION: Resolution 2019-298 (Kenoyer/Zoslocki; 6/0; Ridenour absent) approving an Amendment to the Cooperative Agreement with the California Department of Transportation (Caltrans) for the State Route 132 West Freeway/Expressway – Phase 1 Project to correct the Project postmile limits, modify the funding table to add $33.124M of regional Measure L funds and $21M in Trade Corridor Enhancement funds, and add various standard language necessary to meet the requirements of the Trade Corridor Enhancement grant and authorizing the City Manager or his designee to execute the Amendment.

26. Consider approving the plans and specifications for the Crows Landing Sewer Trunk Project and awarding a construction contract to A. Teichert & Son, Inc., dba Teichert Construction (Teichert), Roseville, CA, in the amount of $2,976,842 plus $297,684 for contingency (if needed), for a total amount not to exceed $3,274,526; and amending the Fiscal Year 2018-19 Capital Improvement Project Program Budget in the amount of $2,161,102. (Funding Source: Wastewater Fund)
    - Resolution approving plans and specifications for the Crows Landing Sewer Trunk Project, accepting the bid, and approving a construction contract to A. Teichert &

Son, Inc. dba Teichert Construction, Roseville, CA, in the amount of $2,976,842 plus $297,684 for contingency (if needed), for a total amount not to exceed $3,274,526 and authorizing the City Manager, or his designee, to execute the Agreement.

- Resolution authorizing an increase in the Director's authority to issue change orders for the Crows Landing Sewer Trunk Project from 8% ($238,147) to 10% ($297,684) of the construction contract price of $2,976,842 with A. Teichert & Son, Inc. dba Teichert Construction, Roseville, CA.
- Resolution amending the Fiscal Year 2018-19 Capital Improvement Program Budget in the amount of $2,161,102 to be transferred into the project from Wastewater Reserves to fully fund the construction, contingency, construction administration, and design support during construction for the Crows Landing Sewer Trunk Project.

Utilities; Jesse Franco, 571-5175, jfranco@modestogov.com

ACTION: Resolution 2019-299 (Grewal/Ah You; 6/0; Ridenour absent) approving plans and specifications for the Crows Landing Sewer Trunk Project, accepting the bid, and approving a construction contract to A. Teichert & Son, Inc. dba Teichert Construction, Roseville, CA, in the amount of $2,976,842 plus $297,684 for contingency (if needed), for a total amount not to exceed $3,274,526 and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: Resolution 2019-300 (Grewal/Ah You; 6/0; Ridenour absent) authorizing an increase in the Director's authority to issue change orders for the Crows Landing Sewer Trunk Project from 8% ($238,147) to 10% ($297,684) of the construction contract price of $2,976,842 with A. Teichert & Son, Inc. dba Teichert Construction, Roseville, CA.

ACTION: Resolution 2019-301 (Grewal/Ah You; 6/0; Ridenour absent) amending the Fiscal Year 2018-19 Capital Improvement Program Budget in the amount of $2,161,102 to be transferred into the project from Wastewater Reserves to fully fund the construction, contingency, construction administration, and design support during construction for the Crows Landing Sewer Trunk Project.

27. Consider approving the plans and specifications for the Bermuda Way Strengthen & Replace Water Main Project and awarding a construction contract with D.A. Wood Construction, Inc., Empire, CA, in the amount of $1,568,250 plus $125,460 for contingency (if needed), for a total amount of $1,693,710 and amending the Fiscal Year 2019-2020 Capital Improvement Project Program Budget in the amount of $468,220. (Funding Source: Water Fund)
    - Resolution approving plans and specifications for the Bermuda Way Strengthen & Replace Water Main, accepting the bid, and approving a construction contract with D.A. Wood Construction, Inc., Empire, CA, in the amount of $1,568,250 plus $125,460 for contingency (if needed) for a total amount of $1,693,710 and authorizing the City Manager, or his designee, to execute the Agreement.
    - Resolution amending the Fiscal Year 2019-20 Capital Improvement Program Budget in the amount of $468,220 to be transferred into the project from Water Reserves in order to fully fund the construction, contingency, construction

administration, city construction forces and design support during construction for the Bermuda Way Strengthen & Replace Water Main Project.

Utilities; Robert Davalos, 571-5869, rdavalos@modestogov.com

ACTION: Resolution 2019-302 (Zoslocki/Kenoyer; 6/0; Ridenour absent) approving plans and specifications for the Bermuda Way Strengthen & Replace Water Main, accepting the bid, and approving a construction contract with D.A. Wood Construction, Inc., Empire, CA, in the amount of $1,568,250 plus $125,460 for contingency (if needed) for a total amount of $1,693,710 and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: Resolution 2019-303 (Zoslocki/Kenoyer; 6/0; Ridenour absent) amending the Fiscal Year 2019-20 Capital Improvement Program Budget in the amount of $468,220 to be transferred into the project from Water Reserves in order to fully fund the construction, contingency, construction administration, city construction forces and design support during construction for the Bermuda Way Strengthen & Replace Water Main Project.

HEARINGS

Published in the Modesto Bee on June 15, 2019

28. Hearing to consider and approve the Final Proposed Fiscal Year 2019-20 Operating and Multi-Year Budget and Capital Improvement Program for the City inclusive of the Mayor's Final Budget Modifications and related Resolutions. (Funding Source: All City Funds)
    - Resolution approving the adoption of the Fiscal Year 2019-20 Annual and Multi-Year Operating Budgets and the 2019-20 Capital Improvement Program for the City of Modesto and the related Inter-Fund Transfers.
    - Resolution approving the Mayor's Final Budget Modifications as outlined in the Mayor's Final Budget Modifications Letter, the Budget Principles, and the Operating Budget Policy as outlined in the Fiscal Year 2019-20 Final Proposed Budget.
    - Resolution amending the Position Allocation for Fiscal Year 2019-20 as adopted in the Operating Budget.
    - Resolution amending the Classification Plan for the City of Modesto to create the classification of Multimedia Designer and to delete the classification of Environmental Review Specialist.

    City Manager; Stephan Christensen, 577-5390, schristensen@modestogov.com

ACTION: Resolution 2019-304 (Grewal/Kenoyer; 6/0; Ridenour absent) approving the adoption of the Fiscal Year 2019-20 Annual and Multi-Year Operating Budgets and the 2019-20 Capital Improvement Program for the City of Modesto and the related Inter-Fund Transfers.

ACTION: Resolution 2019-305 (Grewal/Kenoyer; 6/0; Ridenour absent) approving the Mayor's Final Budget Modifications as outlined in the Mayor's Final Budget Modifications Letter, the Budget Principles, and the Operating Budget Policy as outlined in the Fiscal Year 2019-20 Final Proposed Budget.

ACTION: Resolution 2019-306 (Grewal/Kenoyer; 6/0; Ridenour absent) amending the Position Allocation for Fiscal Year 2019-20 as adopted in the Operating Budget.

ACTION: Resolution 2019-307 (Grewal/Kenoyer; 6/0; Ridenour absent) amending the Classification Plan for the City of Modesto to create the classification of Multimedia Designer and to delete the classification of Environmental Review Specialist.

Published in the Modesto Bee on June 15, 2019 – Councilmember Grewal absent due to conflict of interest

29. Hearing to consider the Fiscal Year 2019-20 annual assessment for Landscape Maintenance Assessment District No. 1 for Dry Creek Meadows Subdivisions Nos. 1-6. (Funding Source: Landscape Maintenance Assessment District No. 1)
    - Resolution confirming the Fiscal Year 2019-20 diagram and assessment, and ordering the levy and collection of charges within Landscape Maintenance Assessment District No. 1 for Dry Creek Meadows Subdivisions Nos. 1-6.

    Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Resolution 2019-308 (Kenoyer/Ah You; 5/0; Grewal absent due to conflict of interest; Ridenour absent) confirming the Fiscal Year 2019-20 diagram and assessment, and ordering the levy and collection of charges within Landscape Maintenance Assessment District No. 1 for Dry Creek Meadows Subdivisions Nos. 1-6.

Published in the Modesto Bee on June 15, 2019– Councilmember Grewal absent due to conflict of interest

30. Hearing to consider the Fiscal Year 2019-20 annual assessment for Landscape Maintenance Assessment District No. 2 for Dry Creek Meadows Subdivisions Nos. 7-10, Creekwood Meadows Subdivision, and Yosemite Meadows Subdivision Units 1 & 2. (Funding Source: Landscape Maintenance Assessment District No. 2)
    - Resolution confirming the Fiscal Year 2019-20 diagram and assessment, and ordering the levy and collection of charges within Landscape Maintenance Assessment District No. 2 for Dry Creek Meadows Subdivisions Nos. 7-10, Creekwood Meadows Subdivision and Yosemite Meadows Subdivision Units 1 & 2.

    Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Resolution 2019-309 (Kenoyer/Ah You; 5/0; Grewal absent due to conflict of interest; Ridenour absent) confirming the Fiscal Year 2019-20 diagram and assessment, and ordering the levy and collection of charges within Landscape Maintenance Assessment District No. 2 for Dry Creek Meadows Subdivisions Nos. 7-10, Creekwood Meadows Subdivision and Yosemite Meadows Subdivision Units 1 & 2.

Published in the Modesto Bee on June 15, 2019

31. Hearing to consider the Fiscal Year 2019-20 annual assessment for the Shackelford Landscape and Lighting District. (Funding Source: Shackelford Landscape and

Lighting District)

- Resolution confirming the Fiscal Year 2019-20 diagram and assessment, and ordering the levy and collection of charges within the Shackelford Landscape and Lighting District.

Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Resolution 2019-310 (Kenoyer/Ah You; 5/0; Grewal, Ridenour absent) confirming the Fiscal Year 2019-20 diagram and assessment, and ordering the levy and collection of charges within the Shackelford Landscape and Lighting District.

Published in the Modesto Bee on June 15, 2019 – Councilmember Grewal absent due to conflict of interest

32. Hearing to consider declaring results of majority protest proceedings and establishing the Modesto Tourism Marketing District (MTMD). (Funding Source: Not Applicable)

    - Resolution declaring results of majority protest proceedings and establishing the Modesto Tourism Market District (MTMD).

    Parks, Recreation & Neighborhoods; Laurie Smith, 577-5347, lsmith@modestogov.com

ACTION: Resolution 2019-311 (Madrigal/Ah You; 5/0; Grewal absent due to conflict of interest; Ridenour absent) declaring results of majority protest proceedings and establishing the Modesto Tourism Market District (MTMD).

NEW BUSINESS

33. Consider approving health insurance contribution increases in the amount of $923,784 for City employees on the City health plan and a sick leave benefit in the amount of $75,000 for Fiscal Year 2019-20 for a total amount of $998,784. (Funding Source: General Fund and Non-General Fund)

    - Resolution approving City health care contribution increases in the amount of $923,784 for City employees on the City health insurance plan and a sick leave benefit in the amount of $75,000 for the Fiscal Year 2019-20.

    Human Resources; Norma Santoyo, 571-5126, nsantoyo@modestogov.com

ACTION: Resolution 2019-312 (Kenoyer/Ah You; 6/0; Ridenour absent) approving City health care contribution increases in the amount of $923,784 for City employees on the City health insurance plan and a sick leave benefit in the amount of $75,000 for the Fiscal Year 2019-20.

34. Consider approving a successor Memorandum of Understanding (MOU) between the City of Modesto and Modesto City Police Officers Association (MPOA) for a term of July 1, 2019 to June 30, 2023; granting salary changes and benefit offerings to MPOA and unrepresented sworn police employees; amending the Class Range Tables for General Police, Police Management, and Unrepresented Sworn Police Management classes; and amending the Fiscal Year 2019-20 Operating Budget in the amount of

$22,889. (Funding Source: General Fund)

- Resolution approving a successor Memorandum of Understanding (MOU) between the City of Modesto and Modesto Police Officers Association (MPOA) for a term of July 1, 2019 to June 30, 2023 and authorizing the City Manager or his designee to take the necessary administrative action to implement the Agreement.
- Resolution granting salary changes to non-sworn unrepresented management and confidential employees including charter officers and executives and unrepresented sworn police employees, as of June 25, 2019, Rescinding Resolution No. 2019-165, and authorizing the City Manager or his designee to take the necessary administrative action to implement the changes.
- Resolution rescinding Resolution No. 2019-166 to update benefit offerings for unrepresented management and sworn police management employees; and authorizing the City Manager or his designee to take the necessary administrative action to implement the changes.
- Resolution amending the Fiscal Year 2019-20 Operating Budget in the amount of $-1,468 for the MPOA increases and in the amount of $24,357 for the unrepresented sworn police personnel increases for total of $22,889.

Human Resources; Norma Santoyo, 571-5126, nsantoyo@modestogov.com

ACTION: Resolution 2019-313 (Madrigal/Ah You; 6/0; Ridenour absent) approving a successor Memorandum of Understanding (MOU) between the City of Modesto and Modesto Police Officers Association (MPOA) for a term of July 1, 2019 to June 30, 2023 and authorizing the City Manager or his designee to take the necessary administrative action to implement the Agreement.

ACTION: Resolution 2019-314 (Madrigal/Ah You; 6/0; Ridenour absent) granting salary changes to non-sworn unrepresented management and confidential employees including charter officers and executives and unrepresented sworn police employees, as of June 25, 2019, Rescinding Resolution No. 2019-165, and authorizing the City Manager or his designee to take the necessary administrative action to implement the changes.

ACTION: Resolution 2019-315 (Madrigal/Ah You; 6/0; Ridenour absent) rescinding Resolution No. 2019-166 to update benefit offerings for unrepresented management and sworn police management employees; and authorizing the City Manager or his designee to take the necessary administrative action to implement the changes.

ACTION: Resolution 2019-316 (Madrigal/Ah You; 6/0; Ridenour absent) amending the Fiscal Year 2019-20 Operating Budget in the amount of $-1,468 for the MPOA increases and in the amount of $24,357 for the unrepresented sworn police personnel increases for total of $22,889.

35. Consider approving the payment of hardware and software maintenance support Agreements for Fiscal Year 2019-2020 for an estimated annual cost not to exceed $4,226,906; and authorizing the City Manager, or his designee to execute routine renewal Agreements associated with the items in Exhibit B - Hardware/ Software Maintenance Support Agreements for Fiscal Year 2019-2020 (Over $50,000). (Funding

Source: Information Technology Fund and Various Funds)

- Resolution approving the payment of hardware and software maintenance support Agreements for Fiscal Year 2019-20 for an estimated annual cost not to exceed $4,226,906; and authorizing the City Manager, or his designee to execute routine renewal Agreements associated with Exhibit B.

Information Technology; Charlie Haase, 577-5229, chaase@modestogov.com

ACTION: Resolution 2019-317 (Madrigal/Zoslocki; 6/0; Ridenour absent) approving the payment of hardware and software maintenance support Agreements for Fiscal Year 2019-20 for an estimated annual cost not to exceed $4,226,906; and authorizing the City Manager, or his designee to execute routine renewal Agreements associated with Exhibit B.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 8:25 p.m.

CLOSED SESSION

All Closed Session Matters heard prior to meeting

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Two Cases (Pursuant to Section 54956.9(a) of the Government Code)

Name of case(s): Bryan Valencia v. City of Modesto
California Workers Compensation Appeals Board
Nos. ADJ10910087

John Wohler v. City of Modesto
California Workers Compensation Appeals Board
Nos. ADJ10676732, ADJ10681057, ADJ10681056
ADJ10680894, ADJ10681054

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
One Case (Pursuant to Section 54956.9(d)(2) of the Government Code)

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCEA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Employees Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Confidential & Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPOA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Officers' Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPNSA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Non-Sworn Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) –MPMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCFFA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Firefighters Association

CONFERENCE WITH LABOR NEGOTIATOR:

(Pursuant to Section 54957.6 of the Government Code) – Unrepresented
Negotiator: Norma Santoyo
Employee Organization: Unrepresented Management and Confidential Employees

Attest:_____
Stephanie Lopez, City Clerk

MINUTES
City of Modesto
SPECIAL AUDIT COMMITTEE / COUNCIL WORKSHOP
Second Floor, Room 2005
Tenth Street Place, 1010 10th Street
Modesto, California
Wednesday, June 26, 2019, at 2:00 p.m.

Roll Call Present: Mayor Ridenour, Councilmembers Ah You (arrived at 2:10 p.m.) and Grewal
Absent: None
Also Present: Councilmember Madrigal

PUBLIC COMMENTS

None.

CONSENT

None.

NEW BUSINESS

1. Consider retaining retired City Auditor Anne Marie Hogan as a Council Consultant, Pro Bono, to work with the Mayor and Council in development of an understanding of Auditor roles and responsibilities, and forwarding to Council for approval. (Funding Source: Not Applicable)
   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Grewal/Madrigal; 3/0) approving retaining retired City Auditor Anne Marie Hogan as a Council Consultant, Pro Bono, to work with the Mayor and Council in development of an understanding of Auditor roles and responsibilities, and forwarding to Council for approval.

2. Consider accepting an informational update on the SR132 Grand Jury Report (Measure L) and forwarding to Council for approval. (Funding Source: Unknown)
   Community & Economic Development; Jaylen French, 571-5566, jfrench@modestogov.com

ACTION: Motion (Grewal/Madrigal; 3/0) accepting an informational update on the SR132 Grand Jury Report (Measure L) and forwarding to Council for approval.

3. Consider approving the Auditors' Reports and Schedule of Measure L Program

Revenues and Expenditures for Fiscal Year Ended June 30, 2018, and forwarding to Council for approval. (Funding Source: Not Applicable)
Finance; Julie Huang, 571-5574, jhuang@modestogov.com

ACTION: Motion (Grewal/Ah You; 3/0) approving the Auditors' Reports and Schedule of Measure L Program Revenues and Expenditures for Fiscal Year Ended June 30, 2018, and forwarding to Council for approval.

4. Consider accepting the City of Modesto Food Purchases, Employee Recognition and Travel Cost informational update and forwarding to Council for approval. (Funding Source: Various Funds)
Finance; DeAnna Christensen, 577-5387, dachristensen@modestogov.com

ACTION: No reportable action. (Staff to return to Committee with more information from other Cities of similar size and Stanislaus County regarding meals, food purchases, and travel expenses.)

5. Consider accepting the results of the "Final Report – City of Modesto, Proposition 1B Audit" for the State Route 99/Pelandale Avenue Interchange Reconstruction Project from the California Department of Finance Office of State Audits and Evaluations and forwarding to Council for approval. (Funding Source: CIP 100786-CED.Land Development Engineering – State Route 99 Proposition 1B Bond Savings)
Public Works; Scott Collins, 577-5431, scollins@modestogov.com

ACTION: Motion (Ah You/Grewal; 3/0) accepting the results of the "Final Report – City of Modesto, Proposition 1B Audit" for the State Route 99/Pelandale Avenue Interchange Reconstruction Project from the California Department of Finance Office of State Audits and Evaluations and forwarding to Council for approval.

6. Consider accepting the Transportation Development Act Triennial Performance Audit conducted by the Stanislaus Council of Governments for transit operations and capital expenses, and forwarding to Council for approval. (Funding Source: Transit Funds)
Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Motion (Grewal/Ah You; 3/0) accepting the Transportation Development Act Triennial Performance Audit conducted by the Stanislaus Council of Governments for transit operations and capital expenses, and forwarding to Council for approval.

MATTERS TOO LATE FOR THE AGENDA

Councilmember Ah You requested the following items be placed on the next Audit Committee Agenda:
1. Total legal fees and settlement amounts paid by the City on tort cases and claims regarding trees.
2. Total legal services and fees paid by the City of Modesto.

ADJOURNMENT

This meeting adjourned at 3:15 p.m.

Attest: _____
Stephanie Lopez, City Clerk

MINUTES

City of Modesto

CITY COUNCIL MEETING

Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday July 02, 2019, at 5:30 p.m.

Roll Call – Present: Councilmembers Ah You, Grewal, Kenoyer, Madrigal, Zoslocki, Mayor Brandvold
Absent: Councilmember Ridenour

Pledge of Allegiance to the Flag

Invocation: Jeremiah Williams, The Revival Center

City Clerk's Announcements: None

Declaration of Conflicts of Interest: Mayor Brandvold – Item 6

Reports from Closed Session: City Attorney Lindgren reported on Closed Session matters

PUBLIC COMMENT PERIOD

- Maggie Countryman spoke regarding a meeting with Chief Carroll and CED Director French regarding a past building permit.

- Ryan Whitmore, a resident of District 3, spoke regarding lack of stop signs at the Virginia Trail and Granger Avenue; he also requested water fountains be installed along the Virginia Trail.

- Jeremiah Williams, Modesto Kiwanis, spoke regarding the Fourth of July Parade on Thursday at 9:30 a.m. (information available at www.modestojulyparade), followed by the All American Festival at 10th Street Place.

- Sebastian Jones requested water for the homeless at Modesto Outdoor Emergency Shelter (MOES).

- Dave Pratt spoke regarding food at the Modesto Outdoor Emergency Shelter (MOES); he also spoke regarding the Fourth of July and Veterans in Modesto.

- Dan Nickles spoke regarding water at the Modesto Outdoor Emergency Shelter (MOES) and giving away things for free.

- Mary Katherine Johnson, a resident of Modesto Operating Emergency Shelter (MOES), spoke regarding jobs and conditions at the site.

- Howard Carmen spoke regarding lack of HUD monies and affordable housing.

- Emerson Drake spoke regarding last week's meeting, the Modesto Tourism and Marketing District and hotels in Modesto; he also spoke regarding Meyers Nave legal fees.

- Loretta Carhart invited Council to MoBand at Graceada Park tomorrow night and banning shopping carts at the park.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED
CONSENT ITEMS 1-4: (Ah You/Madrigal; 6/0; Ridenour absent)

CONSENT ITEMS

An item may be removed from consent and discussed at the request of an audience member or Councilmember.

Consent
1. Consider approving the minutes from the June 25, 2019 Council Meeting. (Funding Source: Not Applicable)
   - Motion approving the minutes from the June 25, 2019 Council Meeting.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Ah You/Madrigal; 6/0; Ridenour absent) approving the minutes from the June 25, 2019 Council Meeting.

Consent
2. Consider appointing a voting delegate for the 2019 League of California Cities Annual Conference to be held in Long Beach, California on October 16-18, 2019. (Funding Source: Not Applicable)
   - Motion approving Mayor Ted Brandvold as a voting delegate and Councilmembers Tony Madrigal and Douglas Ridenour, Sr. as alternates for the 2019 League of California Cities Annual Conference to be held in Long Beach, California on October 16-18, 2019.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Ah You/Madrigal; 6/0; Ridenour absent) approving Mayor Ted Brandvold as a voting delegate and Councilmembers Tony Madrigal and Douglas Ridenour, Sr. as alternates for the 2019 League of California Cities Annual Conference to be held in Long Beach, California on October 16-18, 2019.

Consent

3. Consider approving a one-time purchase with Atlantic Machinery, Inc., Silver Springs, MD. by utilizing "piggybacking" under the competitive bid process with National Joint Powers Alliance (NJPA)/Sourcewell, for a Vac-Con combination sewer and storm drain cleaner mounted on a new Peterbilt 348 6x4 truck chassis for a total amount not to exceed $455,917 and rescinding Resolution No. 2019-212. (Funding Source: Fleet Replacement Fund: 5409)
   - Resolution approving a one-time purchase with Atlantic Machinery, Inc., Silver Springs, MD., by utilizing "piggybacking" under the competitive bid process with National Joint Powers Alliance (NJPA)/Sourcewell for the Vac-Con combination sewer and storm drain cleaner mounted on a new Peterbilt 348 6x4 truck chassis, for a total amount not to exceed $455,917, and authorizing the Purchasing Manager, or her designee, to issue the Purchase Order, and rescinding Resolution No. 2019-212.

   Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Resolution 2019-318 (Ah You/Madrigal; 6/0; Ridenour absent) approving a one-time purchase with Atlantic Machinery, Inc., Silver Springs, MD., by utilizing "piggybacking" under the competitive bid process with National Joint Powers Alliance (NJPA)/Sourcewell for the Vac-Con combination sewer and storm drain cleaner mounted on a new Peterbilt 348 6x4 truck chassis, for a total amount not to exceed $455,917, and authorizing the Purchasing Manager, or her designee, to issue the Purchase Order, and rescinding Resolution No. 2019-212.

Consent

4. Consider approving a payment to the Stanislaus Animal Services Agency in the amount of $112,583 for the Fiscal Year 2017-2018 partner allocation true-up. (Funding Source: General Fund)
   - Resolution approving a payment to the Stanislaus Animal Services Agency in the amount of $112,583 for the Fiscal Year 2017-2018 partner allocation true-up.

   Police; Craig Gundlach, 572-9500, gundlachc@modestopd.com

ACTION: Resolution 2019-319 (Ah You/Madrigal; 6/0; Ridenour absent) approving a payment to the Stanislaus Animal Services Agency in the amount of $112,583 for the Fiscal Year 2017-2018 partner allocation true-up.

COUNCIL COMMENTS & REPORTS

Councilmember Kenoyer attended: the Modesto Kiwanis Fourth of July Volunteer Appreciation Dinner.

Councilmember Madrigal attended: Grand Opening of Aspen Delta dental office; Audit Committee meeting last week; Mellis Park community input meeting; Cesar Chavez community input meeting; listening session for Family Resource Center; the Modesto Kiwanis Fourth of July Volunteer Appreciation Dinner; he also announced the All American Fourth of July Festival immediately following the parade at 10th Street Place.

Councilmember Zoslocki attended the California Transportation Commission meeting

regarding the SR132 Project; the Commission voted and the project is fully funded and beginning of first phase; he received email from CalTrans District 10 giving approval and clearance to start advertising project.

Mayor Brandvold spoke regarding the proper use of Measure L Funds for the Downtown Master Plan and inquiries received from League of Women Voters and Supervisors Chiesa and Withrow. Mayor Brandvold requested City staff review, verify the tasks that fit the criteria for Measure L dollars and locate other funding sources for those tasks that don't fit and return to the Measure L Commission and then City Council.

CITY MANAGER COMMENTS & REPORTS

None.

HEARINGS

Published in the Modesto Bee on June 25, 2019

5. Hearing to consider the annexation of 3200 Roselle to City of Modesto Community Facilities District No. 2004-1 (Village One #2), authorizing the levy of special taxes therein; calling a special election; and declaring the results of the July 2, 2019 special election. (Funding Source: City of Modesto Community Facilities District No. 2004-1)
   - Resolution calling a special election for the City of Modesto to Annex Territory to City of Modesto Community Facilities District No. 2004-1 (Village One #2).
   - Resolution declaring the results of the July 2, 2019 special election and ordering the annexation of the additional territory to City of Modesto Community Facilities District No. 2004-1 (Village One #2).

   Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Resolution 2019-320 (Ah You/Grewal; 6/0; Ridenour absent) calling a special election for the City of Modesto to Annex Territory to City of Modesto Community Facilities District No. 2004-1 (Village One #2).

ACTION: Resolution 2019-321 (Ah You/Grewal; 6/0; Ridenour absent) declaring the results of the July 2, 2019 special election and ordering the annexation of the additional territory to City of Modesto Community Facilities District No. 2004-1 (Village One #2).

Published in the Modesto Bee on June 12, 2019 – Mayor Brandvold absent due to conflict of interest

6. Hearing to consider approving a rezone from Professional Office (P-O) zone to Neighborhood Commercial (C-1) zone, at the northwest corner of Sylvan Avenue and Forest Glenn Drive. (Funding Source: Developer Funded)
   - Motion introducing and waiving the first reading of an Ordinance amending Section 10-03-09 of the zoning map of the City of Modesto to rezone from Professional Office (P-O) to Neighborhood Commercial (C-1), property located at the northwest corner of Sylvan Avenue and Forest Glenn Drive.
   - Resolution finding that the following subsequent project is within the scope of the

project covered by the Modesto Urban Area General Plan Master Environmental Impact Report (SCH NO. 2014042081): rezone from Professional Office (P-O), to Neighborhood Commercial (C-1), property located at the northwest corner of Sylvan Avenue and Forest Glenn Drive.

Community & Economic Development; Paul Liu, 577-5267, pliu@modestogov.com

ACTION: Motion (Grewal/Ah You; 5/0; Ridenour absent; Mayor Brandvold absent due to conflict of interest) introducing and waiving the first reading of **Ordinance No. 3696-C.S.** amending Section 10-03-09 of the zoning map of the City of Modesto to rezone from Professional Office (P-O) to Neighborhood Commercial (C-1), property located at the northwest corner of Sylvan Avenue and Forest Glenn Drive.

A**CTION: Resolution 2019-322 (Grewal/Ah You; 5/0; Ridenour absent; Mayor Brandvold absent due to conflict of interest)** finding that the following subsequent project is within the scope of the project covered by the Modesto Urban Area General Plan Master Environmental Impact Report (SCH NO. 2014042081): rezone from Professional Office (P-O), to Neighborhood Commercial (C-1), property located at the northwest corner of Sylvan Avenue and Forest Glenn Drive.

Published in the Modesto Bee on June 21, 2019

7. Hearing to consider approving the annual rate adjustment to the Maximum Rate Schedule for City Solid Waste Collection Services provided by the garbage haulers, for an increase of $0.81 per month for residential services, $2.33 per cubic yard per month for commercial services, and $5.42 per pull for industrial services retroactive to July 1, 2019, and rescinding Resolution No. 2019-36 for the January 1, 2019 mid-year rate adjustment. (Funding Source: Solid Waste Funds)
   - Resolution approving the annual rate adjustment to the Maximum Rate Schedule for City Solid Waste Collection Services provided by the garbage haulers, for an increase of $0.81 per month for residential services, $2.33 per cubic yard per month for commercial services, and $5.42 per pull for industrial services effective July 1, 2019, and rescinding Resolution No. 2019-36 for the January 1, 2019 mid-year rate adjustment.

   Public Works; Karin Neep, 577-5453, kneep@modestogov.com

ACTION: Resolution 2019-323 (Ah You/Grewal; 6/0; Ridenour absent) approving the annual rate adjustment to the Maximum Rate Schedule for City Solid Waste Collection Services provided by the garbage haulers, for an increase of $0.81 per month for residential services, $2.33 per cubic yard per month for commercial services, and $5.42 per pull for industrial services effective July 1, 2019, and rescinding Resolution No. 2019-36 for the January 1, 2019 mid-year rate adjustment.

NEW BUSINESS

8. Consider directing staff to pursue a dockless scooter / bicycle rental pilot program ("pilot program") and return to City Council with a draft contract for services. (Funding Source: General Fund)
   - Motion directing staff to pursue a dockless scooter / bicycle rental program with an

interested vendor and to return to City Council to report on a draft contract for services.

Community & Economic Development; Jaylen French, 571-5566, jfrench@modestogov.com

ACTION: Motion (Madrigal/Grewal; 6/0; Ridenour absent) directing staff to pursue a dockless scooter / bicycle rental **pilot** program **for 12 months** with an interested vendor, **directing staff to pursue policies and safety program concurrent with the roll out of the program,** and to return to City Council to report on a draft contract for services.

9. Consider awarding a Bus Stop Bench Franchise to Creative Outdoor Advertising of America, Tampa, FL, to maintain and advertise on Modesto Area Express bus stop benches. (Funding Source: Transit Funds)
   - Motion introducing and waiving the first reading of an Ordinance granting an exclusive five-year bus bench franchise to Creative Outdoor Advertising for the right, privilege and permission to operate benches bearing printed matter or signs thereon at designated locations along city streets in the City of Modesto and to lease benches for this purpose from the City of Modesto.

   Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Motion (Kenoyer/Ah You; 6/0; Ridenour absent) directing staff to reject all proposals and send out for a Request for Proposals (RFP).

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 8:50 p.m.

CLOSED SESSION

All Closed Session Matters heard prior to meeting

CONSENT ITEM

1. Consider appointing Real Property Negotiators Jaylen French, Director of Community & Economic Development and Adam U. Lindgren, City Attorney for Properties: APN: 082-023-034.

Motion appointing Real Property Negotiators Jaylen French, Director of Community & Economic Development and Adam U. Lindgren, City Attorney for Properties: APN: 082-023-034. City Attorney, Adam Lindgren, 577-5284, alindgren@modestogov.com

ACTION: Motion (Kenoyer/Grewal; 4/0; Ah You, Ridenour Zoslocki absent) appointing Real Property Negotiators Jaylen French, Director of Community & Economic Development and Adam U. Lindgren, City Attorney for Properties: APN: 082-023-034.

CLOSED SESSION

CONFERENCE WITH REAL PROPERTY NEGOTIATORS:
(Pursuant to Section 54956.8 of the Government Code)

Property: Along the south side of Claratina Avenue, approx. 164 ft. west of the Claratina Avenue/Coffee Road intersection APN: 082-023-034
Property Owners: Pacific Gas & Electric Company (PG&E)

Negotiating Parties:
For City: Jaylen French, Director of Community & Economic Development
Adam U. Lindgren, City Attorney for City of Modesto

For Property Owner: Paul Sensibaugh III

Under Negotiation: Price and Terms

Attest:_____
Stephanie Lopez, City Clerk

* Via Conference Call:
Councilmember Grewal
422 Bowdoin Street 3
Boston, MA 02122

MINUTES

City of Modesto
CITY COUNCIL MEETING
Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday July 09, 2019, at 5:30 p.m.

Roll Call – Present: Councilmembers Ah You, Grewal*, Kenoyer, Madrigal, Ridenour, Zoslocki, Mayor Brandvold
Absent: None

Pledge of Allegiance to the Flag

Invocation: Pastor James Bobo, Bethlehem Christian Center Church

City Clerk's Announcements: Item Nos. 5, 6, 8, 9 and 16 - Removed from Consent
Item 27 - Continued to September 10, 2019 Council meeting

Declaration of Conflicts of Interest: Mayor Brandvold – Item 4

Reports from Closed Session: City Attorney Lindgren reported on Closed Session matters

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation of Proclamation declaring July 2019 as Parks and Recreation Month. (Funding Source: Not Applicable)
City Council; Kathy Espinoza, 571-5597, kespinoza1@modestogov.com

ACTION: Mayor Brandvold and Council presented a Proclamation declaring July 2019 as Parks and Recreation Month.

2. Presentation of Proclamation declaring August 6, 2019, as "National Night Out" in the City of Modesto. (Funding Source: Not Applicable)
City Council; Kathy Espinoza, 571-5597, kespinoza1@modestogov.com

ACTION: Mayor Brandvold and Council presented a Proclamation declaring August 6, 2019,

as "National Night Out" in the City of Modesto.

PUBLIC COMMENT PERIOD

- Catrina Gerard, Modesto Sister Cities, announced student exchange program in Modesto and introduced two students from Laval, France.

- Maggie Countryman spoke regarding perjury, appeal, and permits; she also spoke regarding City staff and Neighborhood Preservation.

- Terhesa Gamboa, Woodland West Neighborhood Association, requested a ban on fireworks in Modesto.

- Emerson Drake spoke regarding Council Agendas, Public Records Act requests, the former City Auditor, Council and City Attorney; he thanked Chief Carroll for his response.

- Rachel Bradley spoke regarding dry grass on properties located on Kansas Avenue and Carpenter Road.

- Ariana Ford spoke regarding concerns about fireworks in Modesto and requested an emergency hotline.

- Sebastian Jones spoke regarding water at the Modesto Outdoor Emergency Shelter (MOES); he also spoke regarding employee food purchases.

- Juan Telles spoke regarding restoration at Dos Rios tomorrow and a West Modesto hike next Saturday; he also thanked Bruce Lockard.

- Dave Pratt spoke regarding illegal fireworks in Ceres.

- Loretta Carhart spoke regarding Ralston Tower and leaves in the street.

- Ron DeLoach spoke regarding the July 30, 2019 closing of Bank of America in West Modesto.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED
ACTION CONSENT ITEMS: 3, 7, 10-15; 17-23: (Kenoyer/Zoslocki; 7/0)
ACTION CONSENT ITEM 4: (Kenoyer/Zoslocki; 6/0; Mayor Brandvold absent due to conflict of interest)

CONSENT ITEMS

An item may be removed from consent and discussed at the request of an audience member or

Councilmember.

Consent

3. Consider approving the minutes from the July 2, 2019 Council Meeting. (Funding Source: Not Applicable)
   - Motion approving the minutes from the July 2, 2019 Council Meeting.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Zoslocki; 7/0) approving the minutes from the July 2, 2019 Council Meeting.

Consent – *Mayor Brandvold absent due to conflict of interest*

4. Consider final adoption of **Ordinance No. 3696-C.S.** approving a rezone from Professional Office (P-O) zone to Neighborhood Commercial (C-1) zone, at the northwest corner of Sylvan Avenue and Forest Glenn Drive. (Funding Source: Developer Funded)
   - Motion approving final adoption of **Ordinance No. 3696-C.S.** amending Section 10-03-09 of the zoning map of the City of Modesto to rezone from Professional Office (P-O) to Neighborhood Commercial (C-1), property located at the northwest corner of Sylvan Avenue and Forest Glenn Drive.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Zoslocki; 6/0; Mayor Brandvold absent due to conflict of interest) approving final adoption of **Ordinance No. 3696-C.S.** amending Section 10-03-09 of the zoning map of the City of Modesto to rezone from Professional Office (P-O) to Neighborhood Commercial (C-1), property located at the northwest corner of Sylvan Avenue and Forest Glenn Drive.

Removed from Consent

5. Consider approving an Eighth Amendment to the Agreement with Skytrek Aviation Fuels, Inc. (Sky Trek), authorizing a 20-year extension set to expire in 2053. (Funding Source: Airport Fund)
   - Resolution approving an Eighth Amendment to the Lease Agreement with Sky Trek Aviation Fuels, Inc., extending the Agreement for 20 years set to expire in 2053, and authorizing the City Manager, or his designee, to execute the Eighth Amendment.

   City Manager; Edgar Garcia, 571-5101, edgarcia@modestogov.com

ACTION: Resolution 2019-324 (Ridenour/Kenoyer; 7/0) approving an Eighth Amendment to the Lease Agreement with Sky Trek Aviation Fuels, Inc., extending the Agreement for 20 years set to expire in 2053, and authorizing the City Manager, or his designee, to execute the Eighth Amendment.

Removed from Consent

6. Consider approving the recommended budget adjustments to Fiscal Year 2018-19 Annual Operating and Capital Improvement Program Budget. (Funding Source: Various Funds)
   - Resolution amending Fiscal Year 2018-19 Annual Operating and Capital Improvement Project Fund Budgets.

   Finance; Kaceey Culbertson, 577-5479, kculbertson@modestogov.com

ACTION: Resolution 2019-325 (Ah You/Ridenour; 7/0) amending Fiscal Year 2018-19 Annual Operating and Capital Improvement Project Fund Budgets.

Consent

7. Consider accepting an informational report for the May 2019 Accounts Payable Payment Register and Void report. (Funding Source: Not Applicable)
   - Motion accepting an informational report for the May 2019 Accounts Payable Payment Register and Void report.

   Finance; Ryan Blackerby, 577-5219, rblackerby@modestogov.com

ACTION: Motion (Kenoyer/Zoslocki; 7/0) accepting an informational report for the May 2019 Accounts Payable Payment Register and Void report.

Removed from Consent

8. Consider approving updates to the Change Order Approval Policy for the City of Modesto Capital Improvement Projects (CIP). (Funding Source: Capital Improvement Projects)
   - Resolution approving updates to the Change Order Approval Policy for the City of Modesto Capital Improvement Projects (CIP).

   Finance; DeAnna Christensen, 577-5387, dachristensen@modestogov.com

ACTION: Resolution 2019-326 (Ridenour/Kenoyer; 7/0) approving updates to the Change Order Approval Policy for the City of Modesto Capital Improvement Projects (CIP).

Removed from Consent

9. Consider approving the Auditors' Reports and Schedule of Measure L Program Revenues and Expenditures for Fiscal Year Ended June 30, 2018. (Funding Source: Not Applicable)
   - Resolution approving the Fiscal Year 2017-2018 Auditor's Report on Compliance of the Measure L: Local Roads First Transportation Funding Measure.

   Finance; DeAnna Christensen, 577-5387, dachristensen@modestogov.com

ACTION: Resolution 2019-327 (Ridenour/Zoslocki; 7/0) approving the Fiscal Year 2017-2018 Auditor's Report on Compliance of the Measure L: Local Roads First Transportation Funding Measure.

Consent

10. Consider accepting an informational report on the March and April 2019 grant applications and awards. (Funding Source: Not Applicable)

- Motion accepting an informational report for the March and April 2019 grant application and awards.

Finance; DeAnna Christensen, 577-5387, dachristensen@modestogov.com

ACTION: Motion (Kenoyer/Zoslocki; 7/0) accepting an informational report for the March and April 2019 grant application and awards.

Consent

11. Consider approving the extension of termination dates of five annual Purchasing Agreements. (Funding Source: Various Funds)
    - Resolution approving Purchase Agreements with various vendors as defined under Attachment A; approving termination dates for the services stated herein; and authorizing the Purchasing Manager, or her designee, to issue the identified Annual Purchase Agreements termination dates approved by Council.

    Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Resolution 2019-328 (Kenoyer/Zoslocki; 7/0) approving Purchase Agreements with various vendors as defined under Attachment A; approving termination dates for the services stated herein; and authorizing the Purchasing Manager, or her designee, to issue the identified Annual Purchase Agreements termination dates approved by Council.

Consent

12. Consider approving the award of bid for the purchase of two articulating loaders with claw bucket with specific configurations to Volvo Construction Equipment and Services, Turlock, CA for a total amount not to exceed $188,041. (Funding Source: Fleet Replacement Fund)
    - Resolution approving the purchase of two articulating loaders with claw bucket with specific configurations to Volvo Construction Equipment and Services, Turlock, CA for a total amount not to exceed $188,041, and authorizing the Purchasing Manager, or her designee, to execute the Purchase Order.

    Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Resolution 2019-329 (Kenoyer/Zoslocki; 7/0) approving the purchase of two articulating loaders with claw bucket with specific configurations to Volvo Construction Equipment and Services, Turlock, CA for a total amount not to exceed $188,041, and authorizing the Purchasing Manager, or her designee, to execute the Purchase Order.

Consent

13. Consider approving the award of bid for the purchase of one dump truck 6-7 yards with specific configurations to Interstate Truck Center, Stockton, CA for a total amount not to exceed $109,048. (Funding Source: Fleet Replacement Fund)
    - Resolution approving the purchase of one dump truck 6-7 yards with specific configurations to Interstate Truck Center, Stockton, CA for a total amount not to exceed $109,048, and authorizing the Purchasing Manager, or her designee, to execute the Purchase Order.

    Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Resolution 2019-330 (Kenoyer/Zoslocki; 7/0) approving the purchase of one dump truck 6-7 yards with specific configurations to Interstate Truck Center, Stockton, CA for a total amount not to exceed $109,048, and authorizing the Purchasing Manager, or her designee, to execute the Purchase Order.

Consent

14. Consider approving the award of bid and Agreement for Street Sweeping services on an as-needed basis to Advanced Building Cleaners, Inc., Modesto, CA, for a one-year Agreement with four one-year extension options, for an estimated annual cost not to exceed $75,000, and a total amount not to exceed $375,000 over five years. (Funding Source: Surface Transportation Fund)
    - Resolution approving the award of bid and Agreement for Street Sweeping services on an as-needed basis to Advanced Building Cleaners, Inc., Modesto, CA, for a one-year Agreement with four one-year extension options, for an estimated annual cost not to exceed $75,000, and a total amount not to exceed $375,000 over five years; and authorizing the City Manager, or his designee, to execute the Agreement.

    Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Resolution 2019-331 (Kenoyer/Zoslocki; 7/0) approving the award of bid and Agreement for Street Sweeping services on an as-needed basis to Advanced Building Cleaners, Inc., Modesto, CA, for a one-year Agreement with four one-year extension options, for an estimated annual cost not to exceed $75,000, and a total amount not to exceed $375,000 over five years; and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

15. Consider approving a three-year Agreement with Kidz Love Soccer to provide soccer classes to area youth ending June 30, 2022, with an Agreement to split gross registration program revenue between the City and KLS at 30/70%. (Funding Source: General Fund)
    - Resolution approving a three-year Agreement with Kidz Love Soccer to provide soccer classes to area youth ending June 30, 2022, with an Agreement to split gross registration program revenue between the City and KLS at 30/70%, and authorizing the City Manager, or his designee, to execute the Agreement.

    Parks, Recreation & Neighborhoods; Ashley Weaver, 577-5428, aweaver@modestogov.com

ACTION: Resolution 2019-332 (Kenoyer/Zoslocki; 7/0) approving a three-year Agreement with Kidz Love Soccer to provide soccer classes to area youth ending June 30, 2022, with an Agreement to split gross registration program revenue between the City and KLS at 30/70%, and authorizing the City Manager, or his designee, to execute the Agreement.

Removed from Consent

16. Consider approving the submission of grant applications for César E. Chavez Park, Mellis Park, and Mancini Park to the California Department of Parks and Recreation,

for the Statewide Park Development and Community Revitalization Program for up to $8.5 million for each site for a maximum award of $25.5 million. (Funding Source: Statewide Park Development and Community Revitalization Program - Proposition 68)

- Resolution approving the application for Statewide Park Development and Community Revitalization Program Grant funds for the César E. Chavez Park Renovation and authorizing the City Manager, or his designee, to conduct all negotiations, sign and submit documents, including, but not limited to applications, Agreement, Amendments, and payment requests, which may be necessary for the completion of the grant scope.
- Resolution approving the application for Statewide Park Development and Community Revitalization Program Grant funds for the Mellis Park Renovation and authorizing the City Manager, or his designee, to conduct all negotiations, sign and submit documents, including, but not limited to applications, Agreement, Amendments, and payment requests, which may be necessary for the completion of the grant scope.
- Resolution approving the application for Statewide Park Development and Community Revitalization Program Grant funds for the Mancini Park Renovation and authorizing the City Manager, or his designee, to conduct all negotiations, sign and submit documents, including, but not limited to applications, Agreement, Amendments, and payment requests, which may be necessary for the completion of the grant scope.

Parks, Recreation & Neighborhoods; Nathan Houx, 571-5526, nhoux@modestogov.com

ACTION: Resolution 2019-333 (Madrigal/Ridenour; 7/0) approving the application for Statewide Park Development and Community Revitalization Program Grant funds for the César E. Chavez Park Renovation and authorizing the City Manager, or his designee, to conduct all negotiations, sign and submit documents, including, but not limited to applications, Agreement, Amendments, and payment requests, which may be necessary for the completion of the grant scope.

ACTION: Resolution 2019-334 (Madrigal/Ridenour; 7/0) approving the application for Statewide Park Development and Community Revitalization Program Grant funds for the Mellis Park Renovation and authorizing the City Manager, or his designee, to conduct all negotiations, sign and submit documents, including, but not limited to applications, Agreement, Amendments, and payment requests, which may be necessary for the completion of the grant scope.

ACTION: Resolution 2019-335 (Madrigal/Ridenour; 7/0) approving the application for Statewide Park Development and Community Revitalization Program Grant funds for the Mancini Park Renovation and authorizing the City Manager, or his designee, to conduct all negotiations, sign and submit documents, including, but not limited to applications, Agreement, Amendments, and payment requests, which may be necessary for the completion of the grant scope.

Consent

17. Consider accepting the Transportation Development Act Triennial Performance Audit conducted by the Stanislaus Council of Governments for transit operations and capital expenses. (Funding Source: Transit Funds)
    - Resolution accepting the Transportation Development Act Triennial Performance Audit conducted by the Stanislaus Council of Governments for transit operations and capital expenses.

    Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Resolution 2019-336 (Kenoyer/Zoslocki; 7/0) accepting the Transportation Development Act Triennial Performance Audit conducted by the Stanislaus Council of Governments for transit operations and capital expenses.

Consent

18. Consider a 10-year license Agreement with Mad Monk Holdings, Berkeley, CA, for the use of parking spaces for the Modesto Area Express Park and Ride lot at 2800 Sisk Road for a total amount of $6,000 in the initial year, and a total not to exceed $63,000 for the term of the Agreement. (Funding Source: Transit Funds)
    - Resolution approving a 10-year license Agreement with Mad Monk Holdings, Berkeley, CA, for the use of parking spaces for the Modesto Area Express Park and Ride lot at 2800 Sisk Road for a total amount of $6,000 in the initial year, and a total not to exceed $63,000 for the term of the Agreement; and authorizing the City Manager or his designee to execute the Agreement.

    Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Resolution 2019-337 (Kenoyer/Zoslocki; 7/0) approving a 10-year license Agreement with Mad Monk Holdings, Berkeley, CA, for the use of parking spaces for the Modesto Area Express Park and Ride lot at 2800 Sisk Road for a total amount of $6,000 in the initial year, and a total not to exceed $63,000 for the term of the Agreement; and authorizing the City Manager or his designee to execute the Agreement.

Consent

19. Consider approving the First Amendment increasing the Agreement amount with Token Transit, San Francisco, CA, to install automatic mobile ticket validators on buses for mobile ticketing services app used by Modesto Area Express by $144,769 from $178,000 to a new total amount of $322,769. (Funding Source: Transit Funds)
    - Resolution approving the First Amendment increasing the Agreement amount with Token Transit, San Francisco, CA, to install automatic mobile ticket validators on buses for mobile ticketing services app used by Modesto Area Express by $144,769 from $178,000 to a new total amount of $322,769, and authorizing the City Manager, or his designee, to execute the Amendment.

    Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Resolution 2019-338 (Kenoyer/Zoslocki; 7/0) approving the First Amendment increasing the Agreement amount with Token Transit, San Francisco, CA, to install automatic mobile ticket validators on buses for mobile ticketing services app used by Modesto Area Express by $144,769 from $178,000 to a new total amount of $322,769, and authorizing the

City Manager, or his designee, to execute the Amendment.

Consent

20. Consider approving the implementation of changes to the Modesto Area Dial-A-Ride system allowing maintenance and operations to be performed at the Bus Maintenance Facility. (Funding Source: Transit Funds)
    - Resolution approving the implementation of changes to the Modesto Area Dial-A-Ride system allowing maintenance and operations to be performed at the Bus Maintenance Facility.

    Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Resolution 2019-339 (Kenoyer/Zoslocki; 7/0) approving the implementation of changes to the Modesto Area Dial-A-Ride system allowing maintenance and operations to be performed at the Bus Maintenance Facility.

Consent

21. Consider approving a rehabilitation and lease Agreement with Civil Air Patrol, a non-profit service provider, for Building #2 at the Modesto City – County Airport for a duration of five years with the option of a five year extension. (Funding Source: Civil Air Patrol Private Funds)
    - Resolution approving a five year lease with the option of a five year extension lease Agreement with Civil Air Patrol (CAP) as a non-profit service provider at the Modesto City-County Airport (MOD), and authorizing the City Manager, or his designee, to execute the Agreement.

    Public Works; Steve Fischio, 342-2222, sfischio@modestogov.com

ACTION: Resolution 2019-340 (Kenoyer/Zoslocki; 7/0) approving a five year lease with the option of a five year extension lease Agreement with Civil Air Patrol (CAP) as a non-profit service provider at the Modesto City-County Airport (MOD), and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

22. Consider rejecting all bids for the 9th Street Storm Drain Basin and authorizing staff to re-advertise the project for bids at a future date with an amended scope of work. (Funding Source: Storm Drain Fund)
    - Resolution rejecting all bids for the 9th Street Storm Drain Basin Project and authorizing staff to re-advertise the project for bids at a future date with an amended scope of work.

    Utilities; Cristian Ciotau, 577-5260, cciotau@modestogov.com

ACTION: Resolution 2019-341 (Kenoyer/Zoslocki; 7/0) rejecting all bids for the 9th Street Storm Drain Basin Project and authorizing staff to re-advertise the project for bids at a future date with an amended scope of work.

Consent

23. Consider approving the plans and specifications for the Modesto Fire Department

Assistance to Firefighters Grant Exhaust Systems Project and awarding a construction contract to Benz Air Engineering Inc., Beaverton, OR, in the amount of $128,080 plus $19,212 for contingency (if needed), for a total amount not to exceed $147,292. (Funding Source: Assistance to Firefighters Grant)

- Resolution approving plans and specifications for the Modesto Fire Department Assistance to Firefighters Grant Exhaust Systems Project, accepting the bid, and approving a construction contract with Benz Air Engineering Inc., Beaverton, OR, in the amount of $128,080 plus $19,212 for contingency (if needed), for a total amount of $147,292 and authorizing the City Manager, or his designee, to execute the Agreement.
- Resolution authorizing an increase in the Director's authority to issue change orders for the Modesto Fire Department Assistance to Firefighters Grant Exhaust Systems Project from 10% ($12,808) to 15% ($19,212) of the construction contract price of $128,080 with Benz Air Engineering Inc., Beaverton, OR.

Utilities and Fire; Cristian Ciotau, 577-5260, cciotau@modestogov.com

ACTION: Resolution 2019-342 (Kenoyer/Zoslocki; 7/0) approving plans and specifications for the Modesto Fire Department Assistance to Firefighters Grant Exhaust Systems Project, accepting the bid, and approving a construction contract with Benz Air Engineering Inc., Beaverton, OR, in the amount of $128,080 plus $19,212 for contingency (if needed), for a total amount of $147,292 and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: Resolution 2019-343 (Kenoyer/Zoslocki; 7/0) authorizing an increase in the Director's authority to issue change orders for the Modesto Fire Department Assistance to Firefighters Grant Exhaust Systems Project from 10% ($12,808) to 15% ($19,212) of the construction contract price of $128,080 with Benz Air Engineering Inc., Beaverton, OR.

COUNCIL COMMENTS & REPORTS

Councilmember Ridenour spoke regarding the process of spending money at the City of Modesto and Council Standing Committees.

Councilmember Kenoyer attended the Fourth of July Parade and the All American Festival following the Parade.

Councilmember Madrigal spoke regarding the Fourth of July All American Festival and thanked Council, Modesto Kiwanis, Convention Visitors Bureau, and the Downtown Improvement District.

Councilmember Ah You thanked Dana Walters, Day Dreams and Nightmares, for contributing the motorcycle she drove in the Fourth of July Parade; she recognized unity and diversity.

CITY MANAGER COMMENTS & REPORTS

None.

UNFINISHED BUSINESS

24. Consider approving a professional services agreement with Ann-Marie Hogan, Retired City Auditor, for services to work with the Mayor and Council in development of an understanding of the roles and responsibilities of the Office of the City Auditor on a Pro Bono basis, plus $1,500 for travel and lodging costs, if needed. (Funding Source: Council Budget Funds)
    - Motion approving Mayor Brandvold to enter into a professional services agreement with Ann-Marie Hogan, Retired City Auditor, for services to work with the Mayor and Council in development of an understanding of the roles and responsibilities of the Office of the City Auditor.

    City Council; Ted Brandvold, 571-5597, tBrandvold@modestogov.com

ACTION: Motion (Ah You/Madrigal; 3 /4; Zoslocki, Kenoyer, Ridenour, Grewal no) approving Mayor Brandvold to enter into a professional services agreement with Ann-Marie Hogan, Retired City Auditor, for services to work with the Mayor and Council in development of an understanding of the roles and responsibilities of the Office of the City Auditor. **(Deleting: SECTION 5 INSURANCE REQUIREMENTS and last sentence of SECTION 7.4 LICENSES AND PERMITS re obtaining a valid business license; and directing staff to schedule a Council Workshop with Retired City Auditor Ann-Marie Hogan.) (MOTION FAILED)**

ACTION: Motion (Madrigal/Ah You; 5/2; Zoslocki, Kenoyer no) approving Mayor Brandvold to enter into a professional services agreement with Ann-Marie Hogan, Retired City Auditor, for services to work with the Mayor and Council in development of an understanding of the roles and responsibilities of the Office of the City Auditor. **(Deleting: SECTION 4. COMPENSATION re payment of $1,500; Section 5 INSURANCE REQUIREMENTS; last sentence of SECTION 7.4 LICENSES AND PERMITS re obtaining a valid business license; and directing staff to schedule a Council Workshop with Retired City Auditor Ann-Marie Hogan.)**

25. Consider approving a Purchasing Agreement for the furnishing of hot patch work with Patch Crew, Modesto, CA, for an annual estimated cost not to exceed $400,000 and authorize the Director of Finance, or her designee to adjust the financial amounts between the two providers (United Pavement and Patch Crew) without exceeding the annual estimated cost of $4,306,500. (Funding Source: Water Funds 4100 and 4180, Wastewater Fund 4210, and Stormwater Fund 4480)
    - Resolution approving a Purchasing Agreement for the furnishing of hot patch work with Patch Crew, Modesto, CA, for an annual estimated cost not to exceed $400,000 and authorizing the Purchasing Manager, or her designee, to issue the Agreement, and authorize the Director of Finance, or her designee to adjust the financial amounts between the two providers (United Pavement and Patch Crew) without exceeding the annual estimated cost of $4,306,500.

    Finance; DeAnna Christensen, 577-5387, dachristensen@modestogov.com

ACTION: Resolution 2019-344 (Ridenour/Ah You; 7/0) approving a Purchasing Agreement for the furnishing of hot patch work with Patch Crew, Modesto, CA, for an annual estimated cost not to exceed $400,000 and authorizing the Purchasing Manager, or her designee, to issue the Agreement, and authorize the Director of Finance, or her designee to adjust the financial amounts between the two providers (United Pavement and Patch Crew) without exceeding the annual estimated cost of $4,306,500.

HEARINGS

Published in the Modesto Bee on June 19, 2019

26. Hearing to consider rezoning 1.45 acres of property located at 1215 and 1225 W. Roseburg Avenue from Low Density Residential (R-1) Zone to Medium Density Residential (R-2) Zone. (Funding Source: Application Fee)
    - Motion introducing and waiving the first reading of an Ordinance amending Section 20-3-9 of the Zoning Map of the City of Modesto to rezone from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, properties located at 1215 and 1225 W. Roseburg Avenue.
    - Resolution finding that the following subsequent project is within the scope of the project covered by the Modesto Urban Area General Plan Master Environmental Impact Report (SCH No. 2014042081): amendment to Section 20-3-9 of the zoning map to rezone from low density residential (R-1) to medium density residential (R-2) properties located at 1215 and 1225 W. Roseburg Avenue.

    Community & Economic Development; Jonnie Lan, 577-5267, jlan@modestogov.com

ACTION: Motion (Ridenour/Madrigal; 7/0) introducing and waiving the first reading of **Ordinance No. 3697-C.S.** amending Section 20-3-9 of the Zoning Map of the City of Modesto to rezone from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, properties located at 1215 and 1225 W. Roseburg Avenue.

ACTION: Resolution 2019-345 (Ridenour/Madrigal; 7/0) finding that the following subsequent project is within the scope of the project covered by the Modesto Urban Area General Plan Master Environmental Impact Report (SCH No. 2014042081): amendment to Section 20-3-9 of the zoning map to rezone from low density residential (R-1) to medium density residential (R-2) properties located at 1215 and 1225 W. Roseburg Avenue.

Published in the Modesto Bee on June 19, 2019 – continued to September 10, 2019 Council meeting

27. Hearing to consider an application for a conditional use permit and Operating Agreement by DSN Outdoor to allow a digital freeway billboard located on the east side of State Highway 99 and southeast of Briggsmore Avenue overpass at 2024 W. Orangeburg Avenue. (Funding Source: Application Fee)
    - Resolution denying a conditional use permit to DSN Outdoor for a digital freeway billboard located at 2024 W. Orangeburg Avenue.
    - Resolution denying an Operating Agreement between the City of Modesto and DSN Outdoor, for the installation of a digital freeway billboard on property located at 2024 W. Orangeburg Avenue.

    Community & Economic Development; Paul Liu, 577-5267, pliu@modestogov.com

ACTION: Item continued to September 10, 2019 Council meeting.

Published in the Modesto Bee on June 28, 2019

28. Hearing to consider approving the applications of Citizen's Medical Response, LLC and The Medic's Plus, Inc. and issuing both entities a permit to operate as non-emergency medical transport services in the City of Modesto. (Funding Source: General Fund)
    - Resolution accepting the applications of Citizen's Medical Response, LLC and The Medic's Plus Inc., and issuing both entities a permit to operate as a non-emergency medical transport company in the City of Modesto.

    Police; Galen Carroll, 572-9501, carrollg@modestopd.com

ACTION: Resolution 2019-346 (Ridenour/Ah You; 7/0) accepting the applications of Citizen's Medical Response, LLC and The Medic's Plus Inc., and issuing both entities a permit to operate as a non-emergency medical transport company in the City of Modesto.

NEW BUSINESS

29. Consider approving the plans and specifications for the Modesto Centre Plaza Entry Door Replacement Project, accepting the bid and awarding a contract to R&S Erection Tri-County, Inc. of Modesto, CA in the amount of $63,500 and authorizing the Director of Utilities to approve change orders up to the cumulative amount of $6,350 (10% of the original Contract price) if needed for a total amount not to exceed $69,850. (Funding Source: Community Center Operations Fund)
    - Resolution approving the plans and specifications for the Modesto Centre Plaza Entry Door Replacement Project, accepting the bid and awarding a contract to R&S Erection Tri-County, Inc of Modesto, CA in the amount of $63,500 and authorizing the Director of Utilities to approve change orders up to the cumulative amount of $6,350 (10% of the original Contract price) if needed for a total amount not to exceed $69,850 and authorizing the City Manager, or his designee to execute the Agreement.

    Parks, Recreation & Neighborhoods; Nathan Houx, 577-5526, nhoux@modestogov.com

ACTION: Resolution 2019-347 (Madrigal/Ah You; 7/0) approving the plans and specifications for the Modesto Centre Plaza Entry Door Replacement Project, accepting the bid and awarding a contract to R&S Erection Tri-County, Inc. of Modesto, CA in the amount of $63,500 and authorizing the Director of Utilities to approve change orders up to the cumulative amount of $6,350 (10% of the original Contract price) if needed for a total amount not to exceed $69,850 and authorizing the City Manager, or his designee to execute the Agreement.

30. Consider approving the award of bid for the furnishing of asphalt and emulsified asphalt materials for road maintenance on an as-needed basis, with George Reed, Inc., Escalon, CA, and Calaveras Materials Inc., Hughson, CA for a two-year agreement with three one-year extension options, for an annual combined cost not to exceed

$543,151, and a total combined amount not to exceed $2,715,755 over a five year period. (Funding Source: Surface Transportation Fund)

- Resolution approving the award of bid for the furnishing of asphalt and emulsified asphalt materials for road maintenance on an as-needed basis, with George Reed, Inc., Escalon, CA, and Calaveras Materials Inc., Hughson, CA for a two-year Agreement with three one-year extension options, for an annual combined cost not to exceed $543,151, and a total combined amount not to exceed $2,715,755 over a five year period, and authorizing the Purchasing Manager, or her designee, to execute the Purchase Agreements.

Public Works; Steve Fischio, 342-2222, sfischio@modestogov.com

ACTION: Resolution 2019-348 (Kenoyer/Ridenour; 7/0) approving the award of bid for the furnishing of asphalt and emulsified asphalt materials for road maintenance on an as-needed basis, with George Reed, Inc., Escalon, CA, and Calaveras Materials Inc., Hughson, CA for a two-year Agreement with three one-year extension options, for an annual combined cost not to exceed $543,151, and a total combined amount not to exceed $2,715,755 over a five year period, and authorizing the Purchasing Manager, or her designee, to execute the Purchase Agreements.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 8:56 p.m.

CLOSED SESSION

All Closed Session Matters heard prior to meeting

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCEA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Employees Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Confidential & Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPOA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Officers' Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPNSA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Non-Sworn Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) –MPMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCFFA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Firefighters Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – Unrepresented
Negotiator: Norma Santoyo
Employee Organization: Unrepresented Management and Confidential Employees

Attest:_____
Stephanie Lopez, City Clerk

MINUTES

City of Modesto

ECONOMIC DEVELOPMENT COMMITTEE / COUNCIL WORKSHOP

Second Floor, Room 2005
Tenth Street Place, 1010 10th Street
Modesto, California

Wednesday, August 7, 2019, at 2:00 p.m.

Roll Call: Present: Councilmembers Zoslocki, Ridenour, and Mayor Brandvold
Absent: Councilmember Madrigal

PUBLIC COMMENTS

None.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED: Items 1 through 6

CONSENT

An item may be removed from consent and discussed at the request of an audience member or Committee member.

Consent

1. Consider authorizing the acceptance of the relinquishment of those portions of State right-of-way along Highway 99 between 0.7 miles south of the Pelandale Avenue Overcrossing and 0.4 miles north of the Pelandale Overcrossing from the State of California to the City of Modesto, and forwarding to Council for approval. (Funding Source: CIP 100786-CED.Land Development Engineering – State Route 99 Proposition 1B Bond Savings)
   Public Works; Bill Sandhu, 341-2906, bsandhu@modestogov.com

ACTION: Motion (Ridenour/Zoslocki; 2/0) authorizing the acceptance of the relinquishment of those portions of State right-of-way along Highway 99 between 0.7 miles south of the Pelandale Avenue Overcrossing and 0.4 miles north of the Pelandale Overcrossing from the State of California to the City of Modesto, and forwarding to Council for approval.

Consent

2. Consider approving the award of Proposal and Agreement for a new video surveillance system for the Modesto Area Express buses to IVS, Inc. dba AngelTrax, Dothan, AL, for a total amount not to exceed $352,720 over five years, and forwarding to Council for approval. (Funding Source: Transit Funds)
   Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Motion (Ridenour/Zoslocki; 2/0) approving the award of Proposal and Agreement for a new video surveillance system for the Modesto Area Express buses to IVS, Inc. dba AngelTrax, Dothan, AL, for a total amount not to exceed $352,720 over five years, and forwarding to Council for approval.

Consent

3. Consider rejecting the bids for the on-call boring service for the High Voltage Upgrades Project, and authorizing staff to re-advertise the project for bid at a future date with an amended scope of work, and forwarding to Council for approval. (Funding Source: Surface Transportation Fund and Senate Bill 1)
   Public Works; Scott Collins, 577-5431, scollins@modestogov.com

ACTION: Motion (Ridenour/Zoslocki; 2/0) rejecting the bids for the on-call boring service for the High Voltage Upgrades Project, and authorizing staff to re-advertise the project for bid at a future date with an amended scope of work, and forwarding to Council for approval.

Consent

4. Consider approving a Purchasing Agreement with Ferrellgas LP, Elk Grove, CA, by utilizing the competitive bid process with the State of California Department of General Services for the purchase of Liquefied Petroleum Gas for the Water Corporation Yard Project for a one year Agreement not to exceed an annual cost of $31,320 and authorizing the Finance Director & City Manager to sign a Bill Code from the State of California to place the order for Liquefied Petroleum Gas and forwarding to Council for approval. (Funding Source: Water Fund & Parks, Recreation & Neighborhoods)
   Utilities; Robert Davalos, 571-5869, rdavalos@modestogov.com

ACTION: Motion (Ridenour/Zoslocki; 2/0) approving a Purchasing Agreement with Ferrellgas LP, Elk Grove, CA, by utilizing the competitive bid process with the State of California Department of General Services for the purchase of Liquefied Petroleum Gas for the Water Corporation Yard Project for a one year Agreement not to exceed an annual cost of $31,320 and authorizing the Finance Director & City Manager to sign a Bill Code from the State of California to place the order for Liquefied Petroleum Gas and forwarding to Council for approval.

Consent

5. Consider approving a sales Agreement with the Alkali Sink Conservation Bank for the Swainson's Hawk for the Water Corporation Yard Project in an amount of $131,100 and for the Del Rio Tank and Wells Project in an amount of $69,000, and forwarding to Council for approval. (Funding Source: Water Fund)
   Utilities; Robert Davalos, 571-5869, rdavalos@modestogov.com

ACTION: Motion (Ridenour/Zoslocki; 2/0) approving a sales Agreement with the Alkali Sink Conservation Bank for the Swainson's Hawk for the Water Corporation Yard Project in an

amount of $131,100 and for the Del Rio Tank and Wells Project in an amount of $69,000, and forwarding to Council for approval.

Consent

6. Consider approving a Cooperation Agreement with Stanislaus County for engineering review and construction inspection services relating to the West Modesto County Area 7 Sewer Infrastructure Project, in an amount not to exceed $48,966 and forwarding to Council for approval. (Funding Source: Capital Improvement Support Services Revenue)
   Utilities; Jesse Franco, 571-5175, jfranco@modestogov.com

ACTION: Motion (Ridenour/Zoslocki; 2/0) approving a Cooperation Agreement with Stanislaus County for engineering review and construction inspection services relating to the West Modesto County Area 7 Sewer Infrastructure Project, in an amount not to exceed $48,966 and forwarding to Council for approval.

NEW BUSINESS

7. Consider accepting an informational City of Modesto Economic Development Report. (Funding Source: Not Applicable)
   Community & Economic Development; Jaylen French, 341-2938, jfrench@modestogov.com

ACTION: Motion (Ridenour/Brandvold; 3/0) accepting an informational City of Modesto Economic Development Report.

8. Consider approving the First Amendment increasing the Agreement amount with Proterra, for inclusion of the sales tax of the purchase of five electric buses and associated costs by $381,647 from $5,278,559 to a new total amount of $5,660,206, and forwarding to Council for approval. (Funding Source: California Air Resources Board, Federal Transit Administration and Local Transit Funds)
   Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Motion (Ridenour/Brandvold; 3/0) approving the First Amendment increasing the Agreement amount with Proterra, for inclusion of the sales tax of the purchase of five electric buses and associated costs by $381,647 from $5,278,559 to a new total amount of $5,660,206, and forwarding to Council for approval.

9. Consider approving an Agreement with Willdan, Fresno, CA, for Traffic Engineering Services in an amount not to exceed $145,000 for up to one year, and forwarding to Council for approval. (Funding Source: Surface Transportation Fund)
   Public Works; Scott Collins, 577-5431, scollins@modestogov.come

ACTION: Motion (Ridenour/Brandvold; 3/0) approving an Agreement with Willdan, Fresno, CA, for Traffic Engineering Services in an amount not to exceed $145,000 for up to one year, and forwarding to Council for approval.

10. Consider reviewing the Revised Enforcement Response Plan for Assessing Violations to Chapter 6 of Title 5 for Non-Compliant Wastewater Discharges to the City's Publicly Owned Treatment Works (POTW) and forwarding to City Council for approval. (Funding Source: Wastewater Fund)
Utilities; Tom Sinclair, 577-6240, tsinclair@modestogov.com

ACTION: Motion (Ridenour/Brandvold; 3/0) reviewing the Revised Enforcement Response Plan for Assessing Violations to Chapter 6 of Title 5 for Non-Compliant Wastewater Discharges to the City's Publicly Owned Treatment Works (POTW) and forwarding to City Council for approval.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 3:00 p.m.

Attest:_____
Joseph Lopez, City Manager

MINUTES

City of Modesto

SPECIAL CITY COUNCIL MEETING

Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Wednesday August 07, 2019, at 5:30 p.m.

Roll Call – Present: Councilmembers Ah You, Grewal, Kenoyer, Madrigal (arrived at 5:50 p.m.), Ridenour, Zoslocki, Mayor Brandvold
Absent: None

Pledge of Allegiance to the Flag

Invocation: Lyn Crase, Emmanuel Lutheran Church

City Clerk's Announcements: None

Declaration of Conflicts of Interest: Ridenour - Item 20

Reports from Closed Session: City Attorney Lindgren reported on Closed Session matters

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Proclamation declaring August 5-9, 2019 as National Health Center Week. (Funding Source: Not Applicable)
   City Council; Kathy Espinoza, 571-5597, kespinoza1@modestogov.com

ACTION: Mayor Brandvold presented a Proclamation declaring August 5-9, 2019 as National Health Center Week.

MISCELLANEOUS

Legislation
Appointments
Other

2. Consider accepting the resignation of Lisa Battista from the City of Modesto Citizens' Housing and Community Development Committee. (Funding Source: Not Applicable)
   - Resolution accepting the resignation of Lisa Battista from the City of Modesto's Citizens' Housing and Community Development Committee.

   Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Resolution 2019-349 (Kenoyer/Ah You; 7/0) accepting the resignation of Lisa

Battista from the City of Modesto's Citizens' Housing and Community Development Committee.

3. Consider accepting the resignation of Savannah Williams from the City of Modesto Citizens' Housing and Community Development Committee. (Funding Source: Not Applicable)
   - Resolution accepting the resignation of Savannah Williams from the City of Modesto's Citizens' Housing and Community Development Committee.

   Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Resolution 2019-350 (Grewal/Kenoyer; 7/0) accepting the resignation of Savannah Williams from the City of Modesto's Citizens' Housing and Community Development Committee.

PUBLIC COMMENT PERIOD

- Catrina Gerard, Modesto Sister Cities, introduced the 2019 exchange students from Kurume, Japan.
- Dave Pratt spoke regarding grant monies for the Veterans Housing and Homeless Prevention Program.
- Lori Wolf, Farmland Working Group, spoke regarding Wood Colony, farmland preservation, the General Plan, and LAFCO.
- Sebastian Jones spoke regarding African Americans, evictions and the need for affordable housing in Modesto.
- Don Grundmann, National Straight Pride Coalition, spoke in support of the event on August 24, 2019 at Graceada Park.
- Freita Reed spoke regarding the Community Impact Central Valley (CICV) program and being homeless in Modesto.
- Cathi Doo spoke regarding a joint task force in opposition to racism and the August 24, 2019 event at Graceada Park.
- Corine Ciphers spoke regarding racism and August 24, 2019 event at Graceada Park.
- Brian Friend spoke in opposition to the August 24, 2019 event at Graceada Park.
- Bob Wiggs spoke in support of the Mason Family and the August 24, 2019 event at

Graceada Park.

- Rebecca Harrington thanked Mayor Brandvold; she also spoke regarding the 7th Street Bridge and an event on October 29, 2019.

- Aleena Gomula-Kruzic spoke in opposition to the event on August 24, 2019 at Graceada Park.

- Carvel Rease spoke regarding racism in America and the need for change.

- John Doornenball spoke in support of the event on August 24, 2019 at Graceada Park.

- Terry Hopkins spoke regarding drunk drivers on Orangeburg Avenue that have hit cars in front of his house.

- May Rico, Haven Women's Center, spoke in opposition to the August 24, 2019 event at Graceada Park.

- Marjorie Sturdy, Modesto Progressive Democratic Club, spoke in opposition to the August 24, 2019 event at Graceada Park.

- Larry Koch spoke regarding allegations against the Straight Pride Group and in favor of the August 24, 2019 event at Graceada Park.

- Jessica Self spoke regarding the First Amendment and safety at the August 24, 2019 event at Graceada Park.

- Matthew Mason spoke in opposition to the August 24, 2019 event at Graceada Park and the potential for violence; he requested the City deny their permit.

- Debbie Soro, MoPride, read a letter regarding the National Straight Pride Coalition.

- Chris Ricci spoke regarding the August 24, 2019 event at Graceada Park, the First Amendment; he requested the City change the location for the event.

- Wendy Byrd, NAACP, spoke in opposition to the August 24, 2019 event at Graceada Park and the need for safety.

- James Varble spoke in opposition to the August 24, 2019 event at Graceada Park and civility.

- Zola Cheyenne Hayes spoke regarding hate in the community and in opposition to the August 24, 2019 event at Graceada Park.

- Elizabeth Talbott, Waterford Councilmember, spoke in opposition to the August 24, 2019 event at Graceada Park.

- Christine Harvey spoke regarding her concerns about the August 24, 2019 event at Graceada Park.
- Samantha Bland spoke in opposition to the August 24, 2019 event at Graceada Park and concerns for safety.
- Steven O'Connor spoke in opposition to the August 24, 2019 event at Graceada Park.
- Gavin Bruce spoke regarding his concerns about the August 24, 2019 event at Graceada Park.
- Diane Kroeze spoke in opposition to the August 24, 2019 event at Graceada Park.
- Corey Ploutz spoke in opposition to the August 24, 2019 event at Graceada Park; he asked the City to to reconsider the location of the event.
- Fernando Leon spoke regarding the August 24, 2019 event at Graceada Park.
- Laurel Jacobs spoke in opposition to the August 24, 2019 event at Graceada Park.
- Karrie Bullock spoke in opposition to the August 24, 2019 event at Graceada Park.
- Ken Schroeder spoke in opposition to the August 24, 2019 event at Graceada Park; he supports love and compassion.
- Katelynn Forney spoke in opposition to the August 24, 2019 event at Graceada Park.
- Shaun Gepley spoke regarding his baby shower being held on August 24, 2019 at Graceada Park.
- Mimsie Farar spoke regarding safety at the August 24, 2019 event at Graceada Park.
- Jake Murray spoke regarding the August 24, 2019 event at Graceada Park.
- Susan Martin spoke regarding the August 24, 2019 event at Graceada Park and safety concerns.
- Chris Holland spoke in opposition to the August 24, 2019 event at Graceada Park.

Recess at 7:36 p.m.
Reconvened at 7:51 p.m.

- John Gunderson spoke regarding the August 24, 2019 event at Graceada Park.
- Kelly Gepply spoke regarding having her baby shower on August 24, 2019 at Graceada

Park on the same day as the Straight Pride Event.

- Joyce Francis spoke in opposition to the August 24, 2019 event at Graceada Park.
- Victor Costa spoke in opposition to the August 24, 2019 event at Graceada Park.
- Nancy Hinton spoke in opposition to the August 24, 2019 event at Graceada Park.
- Roman Scanlon spoke regarding the August 24, 2019 event at Graceada Park.
- Jennifer Machado spoke in opposition to the August 24, 2019 event at Graceada Park and belonging to the Modesto community.
- Maria Guerrero spoke in opposition to the August 24, 2019 event at Graceada Park.
- James Christensen spoke in opposition to the August 24, 2019 event at Graceada Park.
- Courtney Mummert spoke in opposition to the August 24, 2019 event at Graceada Park.
- Raul Segura spoke in opposition to the August 24, 2019 event at Graceada Park.
- Emerson Drake spoke regarding free speech and the August 24, 2019 event at Graceada Park.
- Kevin McClarty spoke in opposition to the August 24, 2019 event at Graceada Park.
- Irene Correo spoke in opposition to the August 24, 2019 event at Graceada Park.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED
ACTION CONSENT ITEMS 4-16: (Kenoyer/Grewal; 7/)

CONSENT ITEMS

An item may be removed from consent and discussed at the request of an audience member or Councilmember.

Consent

4. Consider approving the minutes from the July 9, 2019 Council Meeting. (Funding Source: Not Applicable)
   - Motion approving the minutes from the July 9, 2019 Council Meeting.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Grewal; 7/0) approving the minutes from the July 9, 2019 Council Meeting.

Consent

5. Consider final adoption of **Ordinance No. 3697-C.S.** amending Section 20-3-9 of the Zoning Map of the City of Modesto to rezone from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, properties located at 1215 and 1225 W. Roseburg Avenue. (Funding Source: Application Fee)
   - Motion approving final adoption of **Ordinance No. 3697-C.S.** amending Section 20-3-9 of the Zoning Map of the City of Modesto to rezone from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, properties located at 1215 and 1225 W. Roseburg Avenue.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Grewal; 7/0) approving final adoption of **Ordinance No. 3697-C.S.** amending Section 20-3-9 of the Zoning Map of the City of Modesto to rezone from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, properties located at 1215 and 1225 W. Roseburg Avenue.

Consent

6. Consider approving a two year contract with Eccovia Solutions for Homeless Management Information System (HMIS) Administration Services in an amount not to exceed $115,200. (Funding Source: California Emergency Solutions and Housing Funds)
   - Resolution approving a two year contract with Eccovia Solutions for Homeless Management Information System (HMIS) Administration Services in an amount not to exceed $115,200 and authorizing the City Manager or his designee to execute the Agreement.

   Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Resolution 2019-351 (Kenoyer/Grewal; 7/0) approving a two year contract with Eccovia Solutions for Homeless Management Information System (HMIS) Administration Services in an amount not to exceed $115,200 and authorizing the City Manager or his designee to execute the Agreement.

Consent

7. Consider approving the submission of a grant application as the Collaborative Applicant for Continuum of Care funds; and approving a contract with The Center for Common Concerns, Inc. dba HomeBase for assistance with the Continuum of Care Grant application in an amount not to exceed a total of $62,000. (Funding Source: Continuum of Care Funds)
   - Resolution approving the submission of a grant application as the Collaborative Applicant for Continuum of Care funds; and approving a contract with The Center for Common Concerns, Inc. dba HomeBase for assistance with the Continuum of Care Grant in an amount not to exceed a total of $62,000, and authorizing the City Manager or his designee to execute the Agreement and any related grant documents.

Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Resolution 2019-352 (Kenoyer/Grewal; 7/0) approving the submission of a grant application as the Collaborative Applicant for Continuum of Care funds; and approving a contract with The Center for Common Concerns, Inc. dba HomeBase for assistance with the Continuum of Care Grant in an amount not to exceed a total of $62,000, and authorizing the City Manager or his designee to execute the Agreement and any related grant documents.

Consent

8. Consider approving the First Amendment increasing the Agreement amount with Community Reinvestment Fund (CRF), for continued loan servicing of HUD funded loans by $40,000 from $50,000 to a new total amount of $90,000 and extending the term of the Agreement from May 1, 2020 to June 30, 2023. (Funding Source: HUD Loan Repayments)
   - Resolution approving the First Amendment increasing the Agreement amount with Community Reinvestment Fund (CRF), for continued loan servicing of HUD funded loans by $40,000 from $50,000 to a new total amount of $90,000 and extending the term of the Agreement from May 1, 2020 to June 30, 2023 and authorizing the City Manager or his designee to execute the Amendment.

   Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Resolution 2019-353 (Kenoyer/Grewal; 7/0) approving the First Amendment increasing the Agreement amount with Community Reinvestment Fund (CRF), for continued loan servicing of HUD funded loans by $40,000 from $50,000 to a new total amount of $90,000 and extending the term of the Agreement from May 1, 2020 to June 30, 2023 and authorizing the City Manager or his designee to execute the Amendment.

Consent

9. Consider accepting the Landmark Preservation Commission Annual Report for Fiscal Year 2018 – 2019. (Funding Source: Not Applicable)
   - Resolution accepting the Landmark Preservation Commission Annual Report for Fiscal Year 2018 - 2019.

   Community & Economic Development; Cindy van Emple, 577-5267, cvanemple@modestogov.com

ACTION: Resolution 2019-354 (Kenoyer/Grewal; 7/0) accepting the Landmark Preservation Commission Annual Report for Fiscal Year 2018 - 2019.

Consent

10. Consider accepting the Monthly Investment Report for April 2019. (Funding Source: Various Funds)
    - Motion accepting the Monthly Investment Report for April, 2019.

    Finance; Ryan Blackerby, 577-5219, rblackerby@modestogov.com

ACTION: Motion (Kenoyer/Grewal; 7/0) accepting the Monthly Investment Report for April, 2019.

Consent

11. Consider approving the award of bid and service Agreement for Landscape Maintenance, Weed Abatement and Trash Removal Services to Grover Landscape, Modesto, CA for a two year Agreement with three one-year extension options, for an estimated annual cost not to exceed $155,000 and total amount not to exceed $853,000 over five years. (Funding Source: Sewer and Storm Drain Funds)
    - Resolution approving the award of bid and service Agreement for Landscape Maintenance, Weed Abatement and Trash Removal Services to Grover Landscape, Modesto, CA for a two year Agreement with three one-year extension options, for an estimated annual cost not to exceed $155,000 and total amount not to exceed $853,000 over five years and authorizing the City Manager or his designee, to execute the Agreement.

    Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Resolution 2019-355 (Kenoyer/Grewal; 7/0) approving the award of bid and service Agreement for Landscape Maintenance, Weed Abatement and Trash Removal Services to Grover Landscape, Modesto, CA for a two year Agreement with three one-year extension options, for an estimated annual cost not to exceed $155,000 and total amount not to exceed $853,000 over five years and authorizing the City Manager or his designee, to execute the Agreement.

Consent

12. Consider approving the award of bid and Purchase Agreement for Variable Frequency Drives to Wille Electric Supply Company, Modesto, CA for a two-year Agreement with three one-year extension options, for an estimated annual cost not to exceed $189,334 and a total amount not to exceed $946,670 over five years. (Funding Source: Water and Wastewater Funds)
    - Resolution approving the award of bid and Purchase Agreement for Variable Frequency Drive Units to Wille Electric Supply Company, Modesto, CA, for a two-year Agreement with three one-year extension options, for an estimated annual amount not to exceed $189,334 and total amount not to exceed $946,670 over five years, and authorizing the Purchasing Manager, or her designee, to execute the Purchasing Agreement.

    Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Resolution 2019-356 (Kenoyer/Grewal; 7/0) approving the award of bid and Purchase Agreement for Variable Frequency Drive Units to Wille Electric Supply Company, Modesto, CA, for a two-year Agreement with three one-year extension options, for an estimated annual amount not to exceed $189,334 and total amount not to exceed $946,670 over five years, and authorizing the Purchasing Manager, or her designee, to execute the Purchasing Agreement.

Consent

13. Consider approving the award of bid and Purchasing Agreements for Sewer & Storm Drainage Pipe and Fittings to Pace Supply Corporation, Stockton, CA, R&B Company, Manteca, CA and Piranha Pipe & Precast, Chowchilla, CA, for a two-year Agreement with three one-year extension options, for an estimated annual cost not to exceed $414,331, $158,332, and $118,690, respectively, and authorizing the Director of Finance, or her designee to adjust the financial amounts between the three providers without exceeding the estimated combined annual cost of $691,353 and a total combined cost not to exceed $3,802,442 over five years for all vendors. (Funding Source: Storm Drain and Sewer Funds)
    - Resolution approving the award of bid and Purchasing Agreements for Sewer & Storm Drainage Pipe and Fittings to Pace Supply Corporation, Stockton, CA, R&B Company, Manteca, CA and Piranha Pipe & Precast, Chowchilla, CA, for a two-year Agreement with three one-year extension options, for an estimated annual cost not to exceed $414,331, $158,332, and $118,690, respectively, and authorizing the Director of Finance, or her designee to adjust the financial amounts between the three providers without exceeding the estimated combined annual cost of $691,353 and a total combined cost not to exceed $3,802,442 over five years for all vendors and authorizing the Purchasing Manager or her designee, to execute the Purchase Agreements.

    Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Resolution 2019-357 (Kenoyer/Grewal; 7/0) approving the award of bid and Purchasing Agreements for Sewer & Storm Drainage Pipe and Fittings to Pace Supply Corporation, Stockton, CA, R&B Company, Manteca, CA and Piranha Pipe & Precast, Chowchilla, CA, for a two-year Agreement with three one-year extension options, for an estimated annual cost not to exceed $414,331, $158,332, and $118,690, respectively, and authorizing the Director of Finance, or her designee to adjust the financial amounts between the three providers without exceeding the estimated combined annual cost of $691,353 and a total combined cost not to exceed $3,802,442 over five years for all vendors and authorizing the Purchasing Manager or her designee, to execute the Purchase Agreements.

Consent

14. Consider approving revisions to Council Policy 2.009, "Injury and Illness Prevention Program," to update regulatory references and designate responsibility for the program to the City Manager, or designee. (Funding Source: Not Applicable)
    - Resolution approving revisions to Council Policy 2.009, "Injury and Illness Prevention Program," to update regulatory references and designate responsibility for the program to the City Manager, or designee.

    Human Resources; Michaux Burchard, 248-9641, mburchard@modestogov.com

ACTION: Resolution 2019-358 (Kenoyer/Grewal; 7/0) approving revisions to Council Policy 2.009, "Injury and Illness Prevention Program," to update regulatory references and designate responsibility for the program to the City Manager, or designee.

Consent

15. Consider approving an Agreement with Windmill Septic, LLC, Ripon, CA, for portable toilet rentals and services at the Modesto Outdoor Emergency Shelter through

December 31, 2019 for a total amount not to exceed $90,000. (Funding Source: General Fund)

- Resolution approving an Agreement with Windmill Septic, LLC, Ripon, CA, for portable toilet rentals and services at the Modesto Outdoor Emergency Shelter through December 31, 2019 for a total amount not to exceed $90,000 and authorizing the City Manager, or his designee, to execute the Agreement.

Parks, Recreation & Neighborhoods; Kelly Gallagher, 342-2270, kgallagher@modestogov.com

ACTION: Resolution 2019-359 (Kenoyer/Grewal; 7/0) approving an Agreement with Windmill Septic, LLC, Ripon, CA, for portable toilet rentals and services at the Modesto Outdoor Emergency Shelter through December 31, 2019 for a total amount not to exceed $90,000 and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

16. Consider approving an Eighth Amendment to the Agreement with SCS Engineers, Inc., Modesto, CA, to analyze river flows and produce a No-Rise Certification for the Carpenter Road Landfill project in accordance with Federal Emergency Management Agency Regulations, and the Central Valley Regional Water Quality Control Board Compliance Abatement Order R5-2015-0700, in an amount not to exceed $9,807 through December 31, 2019 or until the project is complete, and for a revised total amount not to exceed $1,506,156. (Funding Source: Carpenter Road Landfill Fund)

    - Resolution approving an Eighth Amendment to the Agreement with SCS Engineers, Inc., Modesto, CA, to analyze river flows and produce a No-Rise Certification for the Carpenter Road Landfill project in accordance with FEMA Regulations, and the Central Valley Regional Water Quality Control Board Compliance Abatement Order R5-2015-0700, in an amount not to exceed $9,807 through December 31, 2019 or until the project is complete, for revised a total amount not to exceed $1,506,156, and authorizing the City Manager, or his designee, to execute the Amendment.

    Public Works; Karin Neep, 577-5453, kneep@modestogov.com

ACTION: Resolution 2019-360 (Kenoyer/Grewal; 7/0) approving an Eighth Amendment to the Agreement with SCS Engineers, Inc., Modesto, CA, to analyze river flows and produce a No-Rise Certification for the Carpenter Road Landfill project in accordance with FEMA Regulations, and the Central Valley Regional Water Quality Control Board Compliance Abatement Order R5-2015-0700, in an amount not to exceed $9,807 through December 31, 2019 or until the project is complete, for revised a total amount not to exceed $1,506,156, and authorizing the City Manager, or his designee, to execute the Amendment.

COUNCIL COMMENTS & REPORTS

Councilmember Kenoyer attended the following: Civil Air Patrol event on August 1, 2019; the Crystal Clear Awards on August 2, 2019; the American Legion Citizen of the Year award on August 3, 2019; the Japanese Exchange Students event on August 5, 2019; and National Night

Out events on August 6, 2019.

Councilmember Zoslocki announced the Assyrian Genocide Remembrance event tonight in Turlock.

Councilmember Madrigal attended the following: meeting with a company regarding economic development opportunities in Modesto and connecting them with staff, Sgt. Steve May Remembrance event, Modesto Police Department Promotion Ceremony, and National Night events last night in South and West Modesto areas; he also spoke regarding the tragic gun shootings in Gilroy, Dayton and El Paso.

CITY MANAGER COMMENTS & REPORTS

City Manager Lopez thanked Modesto Police Department for last night's National Night Out.

WRITTEN COMMUNICATIONS

Councilmember Ridenour absent due to conflict of interest

17. Consider a written communication from Shannon Carpenter regarding a rejected claim for damages. (Funding Source: Not Applicable)
City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: No reportable action.

UNFINISHED BUSINESS

18. Consider accepting the U.S. Department of Housing and Urban Development (HUD), Office of Inspector General's (OIG) final results of the City of Modesto's Community Development Block Grant (CDBG) Program and amending the Fiscal Year 2019-2020 Annual Operating and Multi-Year Project Fund Budgets. (Funding Source: General Fund and Community Development Block Grant Funds)
    - Resolution authorizing the repayment of Community Development Block Grant funds to HUD expended on ineligible activities in the amount of $154,160, reallocating $36,586 from HOME funding for HOME Administration eligible expenses, and $1,570 from NSP2 funding for NSP2 Administration eligible expenses and authorizing the City Manager, or his designee, to execute related documents.
    - Resolution amending the Fiscal Year 2019-2020 Annual Operating and Multi-Year Project Fund Budgets and authorizing the City Manager or his designee, to take the necessary steps to implement the provisions of this Resolution.

    Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Resolution 2019-361 (Ah You/Zoslocki; 7/0) authorizing the repayment of Community Development Block Grant funds to HUD expended on ineligible activities in the amount of $154,160, reallocating $36,586 from HOME funding for HOME Administration

eligible expenses, and $1,570 from NSP2 funding for NSP2 Administration eligible expenses and authorizing the City Manager, or his designee, to execute related documents.

ACTION: Resolution 2019-362 (Ah You/Zoslocki; 7/0) amending the Fiscal Year 2019-2020 Annual Operating and Multi-Year Project Fund Budgets and authorizing the City Manager or his designee, to take the necessary steps to implement the provisions of this Resolution.

HEARINGS

Published in the Modesto Bee on July 25, 2019

19. Hearing to consider amending the Rate & Method of Apportionment (RMA) of the special tax for City of Modesto Community Facilities District No. 2016-2 (The Vintage); Calling a special election; and declaring the results of the August 7, 2019 special election and introduction of ordinance to authorize levy of special tax at revised rate. (Funding Source: City of Modesto Community Facilities District No. 2016-2)
    - Resolution calling a special election Regarding Proposed Changes to Rate and Method of Apportionment for the City of Modesto Community Facilities District No. 2016-2 (The Vintage).
    - Resolution declaring the results of the landowner-voter election and ordering change to Rate and Method of Apportionment for City of Modesto Community Facilities District No. 2016-2 (The Vintage).
    - Motion of the Council of the City of Modesto introducing and waiving the first reading of an Ordinance amending Ordinance No. 3644-C.S. authorizing the levy of special taxes within the City of Modesto Community Facilities District No. 2016-2 (The Vintage) to include revised rate and method of apportionment of special tax.

    Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Resolution 2019-363 (Madrigal/Kenoyer; 7/0) calling a special election Regarding Proposed Changes to Rate and Method of Apportionment for the City of Modesto Community Facilities District No. 2016-2 (The Vintage).

ACTION: Resolution 2019-364 (Kenoyer/Madrigal; 7/0) declaring the results of the landowner-voter election and ordering change to Rate and Method of Apportionment for City of Modesto Community Facilities District No. 2016-2 (The Vintage).

ACTION: Motion (Ridenour/Madrigal; 7/0) of the Council of the City of Modesto introducing and waiving the first reading of **Ordinance No. 3698-C.S.** amending Ordinance No. 3644-C.S. authorizing the levy of special taxes within the City of Modesto Community Facilities District No. 2016-2 (The Vintage) to include revised rate and method of apportionment of special tax.

Published in the Modesto Bee on July 25, 2019

20. Hearing to consider approving an Ordinance amending Modesto Municipal Code to

amend sections 10-2.102, 10-2.109, 10-2.191, 10-3.101, 10-3.201, 10-3.217, 10-4.102, 10-4.107, 10-4.108, 10-4.110 and add sections 10-4.114 and 10-4.115 regarding accessory dwelling units, accessory buildings, and second story units. (Funding Source: General Fund)

- Motion introducing and waiving the first reading of an Ordinance amending Modesto Municipal Code to amend sections 10-2.102, 10-2.109, 10-2.191, 10-3.101, 10-3.201, 10-3.217, 10-4.102, 10-4.107, 10-4.108, 10-4.110 and add sections 10-4.114 and 10-4.115 regarding accessory dwelling units, accessory buildings, and second story units.

Community & Economic Development; Paul Liu, 577-5267, pliu@modestogov.com

ACTION: Motion (Madrigal/Grewal; 7/0) continuing hearing to October 1, 2019 Council meeting.

Published in the Modesto Bee on July 27, 2019

21. Hearing to consider approving an Ordinance amending Sections 5-5.103, 5-5.105, 5-5.106, 5-5.107, 5-5.109, 5-5.110, 5-5.111, 5-5.118, 5-5.138, removing Section 5-5.141 "Unattended Newspaper Recycling Receptacles Prohibited without the Issuance of a Temporary Permit" of Title 5, Chapter 5 of the Modesto Municipal Code relating to Solid Waste Collection, adding and reassigning Section 5-5.142 to reflect the new Mandatory Commercial Organic Recycling law implemented by the State Assembly Bill 1826, and adding Section 5-5.143 Bulky Item Collection Program to reflect the residential program currently utilized by City of Modesto Residential Customers. (Funding Source: Solid Waste Fund)

    - Motion introducing and waiving the first reading of an Ordinance amending Sections 5-5.103, 5-5.105, 5-5.106, 5-5.107, 5-5.109, 5-5.110, 5-5.111, 5-5.118, 5-5.138, removing Section 5-5.141 "Unattended Newspaper Recycling Receptacles Prohibited without the Issuance of a Temporary Permit" of Title 5, Chapter 5 of the Modesto Municipal Code relating to Solid Waste Collection, adding and reassigning Section 5-5.142 to reflect the new Mandatory Commercial Organic Recycling law implemented by the State Assembly Bill 1826, and adding Section 5-5.143 Bulky Item Collection Program to reflect the residential program currently utilized by City of Modesto Residential Customers.

    Public Works; Karin Neep, 577-5453, kneep@modestogov.com

ACTION: Motion (Ridenour/Madrigal; 7/0) introducing and waiving the first reading of **Ordinance No. 3699-C.S.** amending Sections 5-5.103, 5-5.105, 5-5.106, 5-5.107, 5-5.109, 5-5.110, 5-5.111, 5-5.118, 5-5.138, removing Section 5-5.141 "Unattended Newspaper Recycling Receptacles Prohibited without the Issuance of a Temporary Permit" of Title 5, Chapter 5 of the Modesto Municipal Code relating to Solid Waste Collection, adding and reassigning Section 5-5.142 to reflect the new Mandatory Commercial Organic Recycling law implemented by the State Assembly Bill 1826, and adding Section 5-5.143 Bulky Item Collection Program to reflect the residential program currently utilized by City of Modesto Residential Customers.

MATTERS TOO LATE FOR THE AGENDA

ACTION: City Manager Lopez spoke regarding permits for park use in Modesto. City Attorney Lindgren spoke regarding free speech in Modesto. Mayor Brandvold also spoke regarding First Amendment rights for the August 24, 2019 event in Modesto.

ADJOURNMENT

This meeting adjourned at 10:10 p.m.

CLOSED SESSION

All Closed Session Matters heard prior to meeting

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Three Cases (Pursuant to Section 54956.9(d)(1) of the Government Code)

Name of case: Chipponeri v. City of Modesto
Case No. 2028661

Dorado v. COM
Case No. 2017930

Lamb v. City of Modesto
Case No. CV-18-2019

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
One Case (Pursuant to Section 54956.9(d)(2) of the Government Code)

CONFERENCE WITH REAL PROPERTY NEGOTIATORS:
(Pursuant to Section 54956.8 of the Government Code)
Property: Along the south side of Claratina Avenue, approx. 164 ft. west of the Claratina Avenue/Coffee Road intersection APN: 082-023-034
Property Owners: Pacific Gas & Electric Company (PG&E)

Negotiating Parties:
For City: Jaylen French, Director of Community & Economic Development
Adam U. Lindgren, City Attorney for City of Modesto
For Property Owner: Paul Sensibaugh III

Under Negotiation: Price and Terms

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCEA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Employees Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Confidential & Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPOA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Officers' Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPNSA
Negotiator: Norma Santoyo

Employee Organization: Modesto Police Non-Sworn Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) –MPMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCFFA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Firefighters Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – Unrepresented
Negotiator: Norma Santoyo
Employee Organization: Unrepresented Management and Confidential Employees

Attest:_____
Stephanie Lopez, City Clerk

MINUTES

City of Modesto

SAFETY AND COMMUNITIES COMMITTEE / COUNCIL WORKSHOP

Second Floor, Room 2005
Tenth Street Place, 1010 10th Street
Modesto, California

Monday, August 12, 2019, at 5:00 p.m.

Roll Call – Present: Councilmembers Ah You, Kenoyer and Ridenour
Absent: None

PUBLIC COMMENTS

None.

CONSENT

An item may be removed from consent and discussed at the request of an audience member or Committee member.

Consent

1. Consider Supporting the Reducing Crime and Keeping California Safe Act of 2020 and forwarding to Council for approval. (Funding Source: Not Applicable)
   Police; Galen Carroll, 572-9501, carrollg@modestopd.com

ACTION: Motion (Kenoyer/Ridenour; 3/0) supporting the Reducing Crime and Keeping California Safe Act of 2020 and forwarding to Council for approval.

Consent

2. Consider approving the Office of Traffic Safety 2020 Selective Traffic Enforcement Program (STEP) Grant in the amount of $600,000 and amending the Fiscal Year 2019-20 Operating and Multi-Year budget and forwarding to Council for approval. (Funding Source: Grants - Police)
   Police; Galen Carrol, 572-9501, carrollg@modestopd.com

ACTION: Motion (Kenoyer/Ridenour; 3/0) approving the Office of Traffic Safety 2020 Selective Traffic Enforcement Program (STEP) Grant in the amount of $600,000 and amending the Fiscal Year 2019-20 Operating and Multi-Year budget and forwarding to Council for approval.

NEW BUSINESS

3. Consider approving an Agreement with Yosemite Community College District for use of the Modesto Junior College Regional Fire Training Center, for an estimated annual cost not to exceed $30,000 and a total amount not to exceed $150,000 over a five-year term, and forwarding to Council for approval. (Funding Source: General Fund)
   Fire; Alan Ernst, 572-9590, aernst@modestofire.com

ACTION: Motion (Ridenour/Kenoyer; 3/0) approving an Agreement with Yosemite Community College District for use of the Modesto Junior College Regional Fire Training Center, for an estimated annual cost not to exceed $30,000 and a total amount not to exceed $150,000 over a five-year term, and forwarding to Council for approval.

4. Consider approving a Memorandum of Understanding for service between the City of Ceres, the City of Modesto and the Salida Fire Protection District for Fire Department Training Services and forwarding to Council for approval. (Funding Source: Not Applicable)
   Fire; Alan Ernst, 572-9590, aernst@modestofire.com

ACTION: Motion (Ridenour/Kenoyer; 3/0) approving a Memorandum of Understanding for service between the City of Ceres, the City of Modesto and the Salida Fire Protection District for Fire Department Training Services and forwarding to Council for approval.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 5:15 pm

Attest:_____
Joseph Lopez, City Manager

MINUTES

City of Modesto

CITY COUNCIL MEETING

Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday August 13, 2019, at 5:30 p.m.

Roll Call – Present: Councilmembers Ah You, Grewal, Kenoyer, Madrigal, Ridenour, Zoslocki, Mayor Brandvold
Absent: None

Pledge of Allegiance to the Flag

Invocation: Mark Hammond, Celebration Center

City Clerk's Announcements: Item 4 - Removed from Consent

City Attorney Lindgren announced changes to Item #16

Declaration of Conflicts of Interest: Grewal - Item 14

Reports from Closed Session: City Attorney Lindgren reported on Closed Session matters

PUBLIC COMMENT PERIOD

- Sebastian Jones spoke regarding the need for an investigation of the Community Impact Central Valley (CICV) program and homeless people.
- John Carvalho spoke regarding homeless near the Briggsmore overpass and the effect on businesses in the area.
- Howard Carmen spoke regarding grants for Robinson Park and the closure of bathrooms.
- Rhonda Allen spoke regarding the challenges in Modesto and that Council is appreciated for their hard work.
- Loretta Carhart spoke regarding her illness and need for assistance.
- Emerson Drake spoke regarding his Public Records Act request and the City 's response.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED

ACTION CONSENT ITEMS 1-3; 5-9: (Kenoyer/Madrigal; 7/0)

CONSENT ITEMS

An item may be removed from consent and discussed at the request of an audience member or Councilmember.

Consent

1. Consider approving the minutes from the August 7, 2019 Council Meeting. (Funding Source: Not Applicable)
   - Motion approving the minutes from the August 7, 2019 Council Meeting.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Madrigal; 7/0) approving the minutes from the August 7, 2019 Council Meeting.

Consent

2. Consider final adoption of **Ordinance No. 3698-C.S.** amending Ordinance No. 3644-C.S. authorizing the levy of special taxes within the City of Modesto Community Facilities District No. 2016-2 (The Vintage) to include revised rate and method of apportionment of special tax. (Funding Source: City of Modesto Community Facilities District No. 2016-2)
   - Motion approving final adoption of **Ordinance No. 3698-C.S.** amending Ordinance No. 3644-C.S. authorizing the levy of special taxes within the City of Modesto Community Facilities District No. 2016-2 (The Vintage) to include revised rate and method of apportionment of special tax.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Madrigal; 7/0) approving final adoption of **Ordinance No. 3698-C.S.** amending Ordinance No. 3644-C.S. authorizing the levy of special taxes within the City of Modesto Community Facilities District No. 2016-2 (The Vintage) to include revised rate and method of apportionment of special tax.

Consent

3. Consider final adoption of **Ordinance No. 3699-C.S.** amending Sections 5-5.103, 5-5.105, 5-5.106, 5-5.107, 5-5.109, 5-5.110, 5-5.111, 5-5.118, 5-5.138, removing Section 5-5.141 "Unattended Newspaper Recycling Receptacles Prohibited without the Issuance of a Temporary Permit" of Title 5, Chapter 5 of the Modesto Municipal Code relating to Solid Waste Collection, adding and reassigning Section 5-5.142 to reflect the new Mandatory Commercial Organic Recycling law implemented by the State Assembly Bill 1826, and adding Section 5-5.143 Bulky Item Collection Program to reflect the residential program currently utilized by City of Modesto Residential Customers. (Funding Source: Solid Waste Fund)
   - Motion approving final adoption of **Ordinance No. 3699-C.S**. amending Sections 5-5.103, 5-5.105, 5-5.106, 5-5.107, 5-5.109, 5-5.110, 5-5.111, 5-5.118, 5-5.138,

removing Section 5-5.141 "Unattended Newspaper Recycling Receptacles Prohibited without the Issuance of a Temporary Permit" of Title 5, Chapter 5 of the Modesto Municipal Code relating to Solid Waste Collection, adding and reassigning Section 5-5.142 to reflect the new Mandatory Commercial Organic Recycling law implemented by the State Assembly Bill 1826, and adding Section 5-5.143 Bulky Item Collection Program to reflect the residential program currently utilized by City of Modesto Residential Customers.

City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Madrigal; 7/0) approving final adoption of **Ordinance No. 3699-C.S.** amending Sections 5-5.103, 5-5.105, 5-5.106, 5-5.107, 5-5.109, 5-5.110, 5-5.111, 5-5.118, 5-5.138, removing Section 5-5.141 "Unattended Newspaper Recycling Receptacles Prohibited without the Issuance of a Temporary Permit" of Title 5, Chapter 5 of the Modesto Municipal Code relating to Solid Waste Collection, adding and reassigning Section 5-5.142 to reflect the new Mandatory Commercial Organic Recycling law implemented by the State Assembly Bill 1826, and adding Section 5-5.143 Bulky Item Collection Program to reflect the residential program currently utilized by City of Modesto Residential Customers.

Removed from Consent

4. Consider approving a Third Amendment to the Restated Legal Services Agreement with Arata, Swingle, Van Egmond, & Goodwin in the amount of $150,000, for a total amount not to exceed $650,000 for continued representation, a First Amendment to the Legal Services Agreement with Allen, Glaessner, Hazelwood & Werth, LLP in the amount of $215,000, for a total amount not to exceed $245,000 for continued representation, a Second Amendment to the Legal Services Agreement with Bartkiewicz, Kronick & Shanahan, P.C. in the amount of $50,000, for a total amount not to exceed $142,300 for continued representation, and a First Amendment to the Legal Services Agreement with Sloan, Sakai, Yeung and Wong, LLP in the amount of $50,000, for a total amount not to exceed $250,000 for additional services. (Funding Source: General Liability Insurance Fund and other various funds)
   - Resolution approving a Third Amendment to the Restated Legal Services Agreement with Arata, Swingle, Van Egmond & Goodwin in the amount of $150,000, for a total not to exceed amount of $650,000 to continue representing the City of Modesto in tort cases, and authorizing the City Manager or his designee, to execute the Agreement.
   - Resolution approving a First Amendment to the Legal Services Agreement with Allen, Glaessner, Hazelwood & Werth, LLP in the amount of $215,000, for a total amount not to exceed $245,000, for continued representation and authorizing the City Manager or his designee, to execute the Agreement.
   - Resolution approving a Second Amendment to the Legal Services Agreement with Bartkiewicz, Kronick & Shanahan, P.C. in the amount of $50,000, for a total amount not to exceed $142,300, for continued representation and authorizing the City Manager or his designee, to execute the Agreement.
   - Resolution approving a First Amendment to the Legal Services Agreement with Sloan, Sakai, Yeung and Wong, LLP in the amount of $50,000, for a total amount not to exceed $250,000 for additional services and authorizing the City Manager or

his designee, to execute the Agreement.
City Attorney; Adam Lindgren, 577-5284, alindgren@modestogov.com

ACTION: Resolution 2019-365 (Zoslocki/Ah You; 7/0) approving a Third Amendment to the Restated Legal Services Agreement with Arata, Swingle, Van Egmond & Goodwin in the amount of $150,000, for a total not to exceed amount of $650,000 to continue representing the City of Modesto in tort cases, and authorizing the City Manager or his designee, to execute the Agreement.

ACTION: Resolution 2019-366 (Zoslocki/Ah You; 7/0) approving a First Amendment to the Legal Services Agreement with Allen, Glaessner, Hazelwood & Werth, LLP in the amount of $215,000, for a total amount not to exceed $245,000, for continued representation and authorizing the City Manager or his designee, to execute the Agreement.

ACTION: Resolution 2019-367 (Zoslocki/Ah You; 7/0) approving a Second Amendment to the Legal Services Agreement with Bartkiewicz, Kronick & Shanahan, P.C. in the amount of $50,000, for a total amount not to exceed $142,300, for continued representation and authorizing the City Manager or his designee, to execute the Agreement.

ACTION: Resolution 2019-368 (Zoslocki/Ah You; 7/0) approving a First Amendment to the Legal Services Agreement with Sloan, Sakai, Yeung and Wong, LLP in the amount of $50,000, for a total amount not to exceed $250,000 for additional services and authorizing the City Manager or his designee, to execute the Agreement.

Consent
5. Consider accepting an informational report for the June 2019 Accounts Payable Payment Register and Void report. (Funding Source: Not Applicable)
   - Motion accepting an informational report for the June 2019 Accounts Payable Payment Register and Void report.

   Finance; Stacey Pratt, 571-2918, spratt@modestogov.com

ACTION: Motion (Kenoyer/Madrigal; 7/0) accepting an informational report for the June 2019 Accounts Payable Payment Register and Void report.

Consent
6. Consider accepting the Monthly Investment Report for May 2019. (Funding Source: Various Funds)
   - Motion accepting the Monthly Investment Report for May, 2019.

   Finance; Calogero Maniscalco, 577-5379, cmaniscalco@modestogov.com

ACTION: Motion (Kenoyer/Madrigal; 7/0) accepting the Monthly Investment Report for May, 2019.

Consent
7. Consider approving an Agreement with Willdan, Fresno, CA, for Traffic Engineering Services in an amount not to exceed $145,000 for up to one year. (Funding Source: Surface Transportation Fund)

- Resolution approving an Agreement with Willdan, Fresno, CA, for Traffic Engineering Services in an amount not to exceed $145,000 for up to one year, and authorizing the City Manager, or his designee, to execute the Agreement.

Public Works; Scott Collins, 577-5431, scollins@modestogov.com

ACTION: Resolution 2019-369 (Kenoyer/Madrigal; 7/0) approving an Agreement with Willdan, Fresno, CA, for Traffic Engineering Services in an amount not to exceed $145,000 for up to one year, and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

8. Consider accepting the results of the "Final Report – City of Modesto, Proposition 1B Audit" for the State Route 99/Pelandale Avenue Interchange Reconstruction Project from the California Department of Finance Office of State Audits and Evaluations. (Funding Source: CIP 100786-CED.Land Development Engineering – State Route 99 Proposition 1B Bond Savings)
   - Resolution accepting the results of the "Final Report – City of Modesto, Proposition 1B Audit" for the State Route 99/Pelandale Avenue Interchange Reconstruction Project from the California Department of Finance Office of State Audits and Evaluations, and remitting $13,167 of Proposition 1B expenses.

   Public Works; Scott Collins, 577-5431, scollins@modestogov.com

ACTION: Resolution 2019-370 (Kenoyer/Madrigal; 7/0) accepting the results of the "Final Report – City of Modesto, Proposition 1B Audit" for the State Route 99/Pelandale Avenue Interchange Reconstruction Project from the California Department of Finance Office of State Audits and Evaluations, and remitting $13,167 of Proposition 1B expenses.

Consent

9. Consider introducing and waiving the first reading of an Ordinance amending Section 8-3.102 of the Modesto Municipal Code to authorize the use of design-build procurement (a change in the traditional sequence of project work) for the Supervisory Control and Data Acquisition (SCADA) System Replacement Project. (Funding Source: Water & Wastewater Funds)
   - Motion introducing and waiving the first reading of an Ordinance amending Section 8-3.102 of Article 1, of Chapter 3 of Title 8 of the Modesto Municipal Code to authorize the use of design-build procurement for the SCADA System Replacement Project.

   Utilities; Jesse Franco, 571-5175, jfranco@modestogov.com

ACTION: Motion (Kenoyer/Madrigal; 7/0) introducing and waiving the first reading of **Ordinance No. 3700-C.S.** amending Section 8-3.102 of Article 1, of Chapter 3 of Title 8 of the Modesto Municipal Code to authorize the use of design-build procurement for the SCADA System Replacement Project.

COUNCIL COMMENTS & REPORTS

Councilmember Kenoyer attended: the Latino Community Roundtable luncheon, the Building Industry Association (BIA) Stanislaus Policy Makers Reception, and the Modesto Police Officers Academy graduation. She also announced that she will be participating in "Over the Edge" benefiting Hospice on August 17, 2019.

Councilmember Madrigal announced there was a Back to School free haircuts event for children at Well Blended Barbershop on Carpenter Road; he also announced another free haircut event for children tomorrow and Thursday at Modesto Barber Academy on Maze Boulevard.

Councilmember Ah You is concerned about the high temperatures this week and requested the Deputy City Managers to make sure the Modesto Outdoor Emergency Shelter (MOES) residents have adequate water.

CITY MANAGER COMMENTS & REPORTS

None.

UNFINISHED BUSINESS

10. Consider approving a Letter of Agreement amending the Memorandum of Understanding (MOU) between the City of Modesto and Modesto Police Management Association (MPMA) for the term of July 1, 2017 through September 3, 2019 to correct the language in Section 4, Salary to adjust the August 20, 2019 effective date for a salary range increase to an effective date of June 25, 2019; granting the same to Unrepresented Sworn Police Management employees; and amending the class range tables for Police Management and Unrepresented Sworn Police Management Classes. (Funding Source: Not Applicable)
    - Resolution approving a Letter of Agreement amending the Memorandum of Understanding (MOU) between the City of Modesto and Modesto Police Management Association (MPMA) for the term of July 1, 2017 through September 3, 2019 to correct the language in Section 4, Salary to adjust the August 20, 2019 effective date for a salary range increase to an effective date of June 25, 2019 and amending the class range tables for Police Management Classes and authorizing the City Manager or designee to take the necessary administrative action to implement the Agreement.
    - Resolution granting salary changes to Non-Sworn Unrepresented Management and Confidential employees including Charter Officers and Executives and Unrepresented Sworn Police employees, as of June 25, 2019, rescinding Resolution No. 2019-314, and authorizing the City Manager or his designee to take the necessary administrative action to implement the changes.

    Human Resources; Norma Santoyo, 571-5126, nsantoyo@modestogov.com

ACTION: Resolution 2019-371 (Ridenour/Ah You; 7/0) approving a Letter of Agreement amending the Memorandum of Understanding (MOU) between the City of Modesto and Modesto Police Management Association (MPMA) for the term of July 1, 2017 through September 3, 2019 to correct the language in Section 4, Salary to adjust the August 20, 2019

effective date for a salary range increase to an effective date of June 25, 2019 and amending the class range tables for Police Management Classes and authorizing the City Manager or designee to take the necessary administrative action to implement the Agreement.

ACTION: Resolution 2019-372 (Ridenour/Ah You; 7/0) granting salary changes to Non-Sworn Unrepresented Management and Confidential employees including Charter Officers and Executives and Unrepresented Sworn Police employees, as of June 25, 2019, rescinding Resolution No. 2019-314, and authorizing the City Manager or his designee to take the necessary administrative action to implement the changes.

HEARINGS

Published in the Modesto Bee on August 3, 2019

11. Consider approving a commercial cannabis cultivation 3A business permit for Farm 209 Cultivation, located at 901 E. Whitmore Avenue, with appropriate conditions. (Funding Source: Cannabis Business Permit Fees)
    - Resolution approving a commercial cannabis cultivation 3A business permit for Farm 209 Cultivation, located at 901 E. Whitmore Avenue, with appropriate conditions.

    Community & Economic Development; Brad Wall, 577-5273, bwall@modestogov.com

ACTION: Resolution 2019-373 (Grewal/Madrigal; 7/0) approving a commercial cannabis cultivation 3A business permit for Farm 209 Cultivation, located at 901 E. Whitmore Avenue, with appropriate conditions.

ACTION: Motion (Grewal/Madrigal; 7/0) directing staff to schedule a workshop to discuss revenues.

Published in the Modesto Bee on August 3, 2019

12. Consider approving a commercial cannabis manufacturing 2-7 business permit for Farm 209 Manufacturing, located at 901 E. Whitmore Avenue, with appropriate conditions. (Funding Source: Cannabis Business Permit Fees)
    - Resolution approving a commercial cannabis manufacturing 2-7 business permit for Farm 209 Manufacturing, located at 901 E. Whitmore Avenue, with appropriate conditions.

    Community & Economic Development; Brad Wall, 577-5273, bwall@modestogov.com

ACTION: Resolution 2019-374 (Madrigal/Ah You; 6/1; Zoslocki no) approving a commercial cannabis manufacturing 2-7 business permit for Farm 209 Manufacturing, located at 901 E. Whitmore Avenue, with appropriate conditions.

Published in the Modesto Bee on August 3, 2019

13. Consider approving a commercial cannabis cultivation 1A business permit for Patient Care Services of California, Inc. (VIP), located at 1404 N. Carpenter Road, with appropriate conditions. (Funding Source: Cannabis Business Permit Fees)
    - Resolution approving a commercial cannabis cultivation 1A business permit for

Patient Care Services of California, Inc. (VIP), located at 1404 N. Carpenter Road, with appropriate conditions.

Community & Economic Development; Brad Wall, 577-5273, bwall@modestogov.com

ACTION: Resolution 2019-375 (Kenoyer/Madrigal; 6/1; Zoslocki no) approving a commercial cannabis cultivation 1A business permit for Patient Care Services of California, Inc. (VIP), located at 1404 N. Carpenter Road, with appropriate conditions.

NEW BUSINESS

Councilmember Grewal absent due to conflict of interest

14. Consider approving the plans and specifications for the Del Rio Well 70 (Replacing Well 271) Surface Improvements project, accepting the bid, and approving a construction contract with Conco-West, Inc., of Manteca, CA, in the amount of $2,320,450 plus $185,636 for contingency (if needed), for a total amount of $2,506,086. (Funding Source: Water Fund-CIP)
    - Resolution approving the plans and specifications for the Del Rio Well 70 (Replacing Well 271) Surface Improvements project, accepting the bid, and approving a construction contract with Conco-West, Inc., of Manteca, CA, in the amount of $2,320,450 plus $185,636 for contingency (if needed) for a total amount of $2,506,086 and authorizing the City Manager, or his designee, to execute the Agreement.

    Utilities; Robert Davalos, 571-5869, rdavalos@modestogov.com

ACTION: Resolution 2019-376 (Madrigal/Ridenour; 6/0; Grewal absent due to conflict of interest) approving the plans and specifications for the Del Rio Well 70 (Replacing Well 271) Surface Improvements project, accepting the bid, and approving a construction contract with Conco-West, Inc., of Manteca, CA, in the amount of $2,320,450 plus $185,636 for contingency (if needed) for a total amount of $2,506,086 and authorizing the City Manager, or his designee, to execute the Agreement.

Recess at 7:20 p.m.
Reconvened at 7:30 p.m.

15. Consider a Resolution supporting inclusion and embracing diversity. (Funding Source: Not Applicable)
    - Resolution supporting inclusion and embracing diversity.

    City Manager; Edgar Garcia, 571-5101, edgarcia@modestogov.com

ACTION: Resolution 2019-377 (Kenoyer/Ah You; 7/0) supporting inclusion and embracing diversity. **(AS AMENDED)**

16. Motion introducing, waiving the first reading, and adopting an Urgency Ordinance Amending Title 4, "Public Welfare, Safety and Health" of the Modesto Municipal

Code by adding Chapter 23 to Impose Certain Time, Place And Manner Regulations As To Public Assemblies, and introducing and waiving the first reading of a Non-Urgency Ordinance Amending Title 4, "Public Welfare, Safety and Health" of the Modesto Municipal Code by adding Chapter 23 To Impose Certain Time, Place And Manner Regulations As To Public Assemblies. (Funding Source: Not Applicable)

- Motion introducing, waiving the first reading, and adopting an Urgency Ordinance Amending Title 4, "Public Welfare, Safety and Health" of the Modesto Municipal Code by adding Chapter 23 to Impose Certain Time, Place And Manner Regulations As To Public Assemblies
- Motion introducing and waiving the first reading of a Non-Urgency Ordinance Amending Title 4, "Public Welfare, Safety and Health" of the Modesto Municipal Code by adding Chapter 23 To Impose Certain Time, Place And Manner Regulations As To Public Assemblies.

Police Department; Galen Carroll, 572-9501, carrollg@modestogov.com

ACTION: Motion (Ah You/Ridenour; 7/0) introducing, waiving the first reading, and adopting Urgency **Ordinance No. 3701-C.S.** amending Title 4, "Public Welfare, Safety and Health" of the Modesto Municipal Code by adding Chapter 23 to Impose Certain Time, Place And Manner Regulations As To Public Assemblies. **(AS AMENDED)**

ACTION: Motion (Ah You/Ridenour; 7/0) introducing and waiving the first reading of Non-Urgency **Ordinance No 3702-C.S.** amending Title 4, "Public Welfare, Safety and Health" of the Modesto Municipal Code by adding Chapter 23 To Impose Certain Time, Place And Manner Regulations As To Public Assemblies**. (AS AMENDED)**

ACTION: Motion (Ah You/Ridenour; 7/0) directing staff to return to the Safety and Communities Committee in 60 days for follow-up, update, and receive additional direction.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 10:20 p.m.

CLOSED SESSION

All Closed Session Matters heard prior to meeting

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
One Case (Pursuant to Section 54956.9(d)(1) of the Government Code)

Name of case: City of Modesto v. State Water Resources Control Board
Sacramento County Superior Court
Case No. 34-2019-80003051

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCEA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Employees Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Confidential & Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPOA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Officers' Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPNSA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Non-Sworn Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) –MPMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCFFA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Firefighters Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – Unrepresented
Negotiator: Norma Santoyo
Employee Organization: Unrepresented Management and Confidential Employees

Attest:_____
Stephanie Lopez, City Clerk

MINUTES

City of Modesto

SPEICAL CITY COUNCIL AUDITOR WORKSHOP

Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Friday August 23, 2019, at 9:00 a.m.

Roll Call – Present: Councilmembers Ah You (arrived at 9:18 a.m.), Kenoyer, Ridenour, Zoslocki, Mayor Brandvold
Absent: Councilmembers Grewal, Madrigal

PUBLIC COMMENT PERIOD

None.

NEW BUSINESS

1. Discussion of the duties of the City Auditor. (Funding Source: Not Applicable)
   - Retired City Auditor Ann-Marie Hogan will work with the Mayor and Council in development of an understanding of the roles and responsibilities of the Office of the City Auditor.

   City Council; Ted Brandvold, 571-5169, tbrandvold@modestogov.com

Recess at 11:05 p.m.
Reconvened at 11:20 a.m.

ACTION: No reportable action.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 12:46 p.m.

Attest:_____
Stephanie Lopez, City Clerk

MINUTES

City of Modesto

SPECIAL FINANCE COMMITTE / COUNCIL WORKSHOP

Second Floor, Room 2005
Tenth Street Place, 1010 10th Street
Modesto, California

Monday, August 26, 2019, at 3:00 p.m.

Roll Call: Present: Councilmember Grewal, Ridenour, Kenoyer (alternate), and Zoslocki (arrived at 3:20 p.m.)
Absent: None

CONSENT

An item may be removed from consent and discussed at the request of an audience member or Committee member.

Consent

1. Consider approving a First Amendment extending the term of the Agreement with Slate Communications for on-call graphic design services for one additional year with three one-year extension options, and increasing the Agreement amount by $200,000 from $50,000 to $250,000 and forwarding to Council for approval. (Funding Source: Various Funds)
   City Manager; Thomas Reeves, 571-5809, treeves@modestogov.com

ACTION: Motion (Ridenour/Kenoyer; 3/0) approving a First Amendment extending the term of the Agreement with Slate Communications for on-call graphic design services for one additional year with three one-year extension options, and increasing the Agreement amount by $200,000 from $50,000 to $250,000 and forwarding to Council for approval.

Consent

2. Consider approving the recommended budget adjustments to Fiscal Year 2018-19 and Fiscal Year 2019-20 Annual Operating and Capital Improvement Project Budgets and forwarding to Council for approval. (Funding Source: Various Funds)
   Finance; Kaceey Culbertson, 577-5479, kculbertson@modestogov.com

ACTION: Motion (Ridenour/Kenoyer; 3/0) Consider approving the recommended budget adjustments to Fiscal Year 2018-19 and Fiscal Year 2019-20 Annual Operating and Capital Improvement Project Budgets and forwarding to Council for approval.

Consent

3. Consider approving the award of proposal and contracts for professional assistance with plan review and inspection services to Interwest Consulting Group and 4-Leaf Inc. for a two year professional services Agreement with three one-year extension options at the sole discretion of the City, for an estimated annual cost of $53,000 not to exceed $265,000 over five years, and forwarding to Council for approval. (Funding Source: Building Permit Fees/General Fund)
   Community & Economic Development; Oscar Diaz, 571-5885,

odiaz@modestogov.com

ACTION: Motion (Ridenour/Kenoyer; 3/0) approving the award of proposal and contracts for professional assistance with plan review and inspection services to Interwest Consulting Group and 4-Leaf Inc. for a two year professional services Agreement with three one-year extension options at the sole discretion of the City, for an estimated annual cost of $53,000 not to exceed $265,000 over five years, and forwarding to Council for approval.

Consent

4. Consider accepting an informational report on the May and June 2019 grant applications and awards and forwarding to Council for approval. (Funding Source: Not Applicable)
   Finance; DeAnna Christensen, 577-5387, dachristensen@modestogov.com

ACTION: Motion (Ridenour/Kenoyer; 3/0) accepting an informational report on the May and June 2019 grant applications and awards and forwarding to Council for approval.

Consent

5. Consider accepting a report detailing City personal property sold, donated, or disposed of during Fiscal Year 2018-19 and forwarding to Council for approval. (Funding Source: Airport Operating, Community Center Operations, Solid Waste, Storm Drain, Sewer Operations, Bus Fixed Route Max Operations, Water, & General Funds)
   Finance; DeAnna Christensen, 577-5387, dachristensen@modestogov.com

ACTION: Motion (Ridenour/Kenoyer; 3/0) accepting a report detailing City personal property sold, donated, or disposed of during Fiscal Year 2018-19 and forwarding to Council for approval.

Consent

6. Consider accepting a report on Fiscal Year 2018-2019 unclaimed funds of $28,037 that can be transferred to the General Fund and forwarding to Council for approval. (Funding Source: General Fund)
   Finance; DeAnna Christensen, 577-5387, dachristensen@modestogov.com

ACTION: Motion (Ridenour/Kenoyer; 3/0) accepting a report on Fiscal Year 2018-2019 unclaimed funds of $28,037 that can be transferred to the General Fund and forwarding to Council for approval.

Consent

7. Consider accepting the Fiscal Year 2018-19 Write-off and Adjustments reports through Fiscal Year-End June 30, 2019 in the total amount of $1,101,988 and forwarding to Council for approval. (Funding Source: Abatement and Public Nuisance Fund, General Fund, Solid Waste Fund, Water Fund, Storm Drain Fund, and Wastewater Fund)
   Finance; DeAnna Christensen, 577-5387, dachristensen@modestogov.com

ACTION: Motion (Ridenour/Kenoyer; 3/0) accepting the Fiscal Year 2018-19 Write-off and Adjustments reports through Fiscal Year-End June 30, 2019 in the total amount of $1,101,988 and forwarding to Council for approval.

Consent

8. Consider approving the award of bid and Service Agreement for the painting of water well and tank sites to HB Restoration of Rio Linda, CA, for a two-year Agreement with three one-year extension options, for an estimated annual cost not to exceed $79,500 and a total amount not to exceed $423,500 over five years, and forwarding to Council for approval. (Funding Source: Water Fund)
   Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Motion (Ridenour/Kenoyer; 3/0) approving the award of bid and Service Agreement for the painting of water well and tank sites to HB Restoration of Rio Linda, CA, for a two-year Agreement with three one-year extension options, for an estimated annual cost not to exceed $79,500 and a total amount not to exceed $423,500 over five years, and forwarding to Council for approval.

Consent

9. Consider approving the award of bid for the purchase of a 1 ton Dual Rear Wheel (DRW) truck with flatbed with specific configurations to Towne Ford, Redwood City, CA for a total amount not to exceed $54,218 and forwarding to Council for approval. (Funding Source: Fleet Replacement Fund)
   Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Motion (Ridenour/Kenoyer; 3/0) approving the award of bid for the purchase of a 1 ton Dual Rear Wheel (DRW) truck with flatbed with specific configurations to Towne Ford, Redwood City, CA for a total amount not to exceed $54,218 and forwarding to Council for approval.

Consent

10. Consider approving the award of proposal and Agreement for SB-90 state mandates reimbursement claims processing services to Local Governmental Consultants, LLC, Roseville, CA for a two year Agreement with three one-year extension options, for an annual estimated cost not to exceed $11,900 and a total amount not to exceed $59,500 over five years and forwarding to Council for approval. (Funding Source: General Fund)
    Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Motion (Ridenour/Kenoyer; 3/0) approving the award of proposal and Agreement for SB-90 state mandates reimbursement claims processing services to Local Governmental Consultants, LLC, Roseville, CA for a two year Agreement with three one-year extension options, for an annual estimated cost not to exceed $11,900 and a total amount not to exceed $59,500 over five years and forwarding to Council for approval.

Consent

11. Consider approving the award of bid for the purchase of nine Stake Side Dump Trucks with specific configurations to American Chevrolet, Modesto, CA for a total amount not to exceed $508,113 and forwarding to Council for approval. (Funding Source: Fleet Replacement Fund)
    Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION; Motion (Ridenour/Kenoyer; 3/0) approving the award of bid for the purchase of nine Stake Side Dump Trucks with specific configurations to American Chevrolet, Modesto, CA for a total amount not to exceed $508,113 and forwarding to Council for approval.

Consent

12. Consider approving the award of bid and Agreement for the purchase of rock, sand and gravel to West Coast Sand & Gravel, Modesto, CA, as primary supplier, and California Landscape Supply, Ceres, CA as the secondary supplier for a two-year period with three one-year extension options for an estimated annual cost not to exceed $606,000, and a total cost not to exceed $3,030,000 over five years and forwarding to Council for approval. (Funding Source: Wastewater, Water, Compost, Surface Transportation Fund, and General Fund)
Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Motion (Ridenour/Kenoyer; 3/0) approving the award of bid and Agreement for the purchase of rock, sand and gravel to West Coast Sand & Gravel, Modesto, CA, as primary supplier, and California Landscape Supply, Ceres, CA as the secondary supplier for a two-year period with three one-year extension options for an estimated annual cost not to exceed $606,000, and a total cost not to exceed $3,030,000 over five years and forwarding to Council for approval.

Consent

13. Consider approving the extension of termination dates of eight annual Purchasing and Consultant Agreements and forwarding to Council for approval. (Funding Source: Various Funds)
Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Motion (Ridenour/Kenoyer; 3/0) approving the extension of termination dates of eight annual Purchasing and Consultant Agreements and forwarding to Council for approval.

Consent

14. Consider approving the award of proposal and agreement for the purchase of Desktop Computers, Laptops, Tablets, Software and Services to Dell Technologies, of Round Rock, TX, for a three-year agreement, for an initial estimated cost not to exceed $1.35M and a total amount not to exceed $1.95M over three-years and approving the purchase of additional Microsoft Software and Licensing from the current Microsoft Enterprise Agreement (MSEA) with Insight Public Sector Inc., Tempe, AZ, for a total amount not to exceed $300,000 and forwarding to Council for approval. (Funding Source: Information Technology Fund and Various Department Funds)
Information Technology; Kevin Harless, 571-5593, kharless@modestogov.com

ACTION: Motion (Ridenour/Kenoyer; 3/0) approving the award of proposal and agreement for the purchase of Desktop Computers, Laptops, Tablets, Software and Services to Dell Technologies, of Round Rock, TX, for a three-year agreement, for an initial estimated cost not to exceed $1.35M and a total amount not to exceed $1.95M over three-years and approving the purchase of additional Microsoft Software and Licensing from the current Microsoft Enterprise Agreement (MSEA) with Insight Public Sector Inc., Tempe, AZ, for a total amount not to exceed $300,000 and forwarding to Council for approval.

Consent

15. Consider approving one-time software implementation costs associated with the Computerized Maintenance Management Systems from Lucity, Inc., Overland Park, KS, for $70,500, and ESRI GIS from Environmental Systems Research Institute, Inc., Redlands, CA, for $2,000, and forwarding to Council for approval. (Funding Source: Surface Transportation Funds and Community Forestry Fund)
Public Works; Bill Sandhu, 341-2906, bsandhu@modestogov.com

ACTION: Motion (Ridenour/Kenoyer; 3/0) approving one-time software implementation costs associated with the Computerized Maintenance Management Systems from Lucity, Inc., Overland Park, KS, for $70,500, and ESRI GIS from Environmental Systems Research Institute, Inc., Redlands, CA, for $2,000, and forwarding to Council for approval.

NEW BUSINESS

16. Consider accepting requirements for annual training of certain City of Modesto employees and officials regarding municipal disclosure responsibilities and forwarding to Council for approval. (Funding Source: Not Applicable)
Finance; DeAnna Christensen, 577-5387, dachristensen@modestogov.com

ACTION: Motion (Ridenour/Kenoyer; 3/0) accepting requirements for annual training of certain City of Modesto employees and officials regarding municipal disclosure responsibilities and forwarding to Council for approval.

17. Consider approving purchasing agreements for equipment and vehicle parts to Motor Parts Distribution, Modesto CA, Napa Modesto Auto and Truck Parts, Modesto, CA, Interstate Truck Center, Turlock, CA and Fleet Pride Inc., Modesto, CA for a one year agreement with four one-year extension options, for an estimated annual cost not to exceed $100,000, $60,000, $100,000 and $75,000, respectively, and authorizing the Director of Finance, or her designee to adjust the amounts between the four providers without exceeding a combined annual estimated cost of $335,000 for a total combined authorization limit of $1,675,000 over five years and forwarding to Council for approval. (Funding Source: Fleet Fund)
Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Motion (Ridenour/Kenoyer; 3/0) approving purchasing agreements for equipment and vehicle parts to Motor Parts Distribution, Modesto CA, Napa Modesto Auto and Truck Parts, Modesto, CA, Interstate Truck Center, Turlock, CA and Fleet Pride Inc., Modesto, CA for a one year agreement with four one-year extension options, for an estimated annual cost not to exceed $100,000, $60,000, $100,000 and $75,000, respectively, and authorizing the Director of Finance, or her designee to adjust the amounts between the four providers without exceeding a combined annual estimated cost of $335,000 for a total combined authorization limit of $1,675,000 over five years and forwarding to Council for approval.

18. Consider approving Purchasing Agreements for Electrical Parts and Supplies to Platt Electric, Modesto CA, Wille Electric, Modesto CA and Consolidated Electric Distributors, Modesto CA for one year Agreements with four one-year extension options, for an estimated annual cost not to exceed $130,000, $95,000, and $30,000, respectively, and authorizing the Director of Finance, or her designee to adjust the financial amounts between the three providers without exceeding the estimated

combined annual cost of $255,000 and a total combined cost not to exceed $1,275,000 over five years for all vendors and forwarding to Council for approval. (Funding Source: Surface Transportation Fund, Water Fund, Wastewater Fund)
Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Motion (Ridenour/Zoslocki; 3/0) approving Purchasing Agreements for Electrical Parts and Supplies to Platt Electric, Modesto CA, Wille Electric, Modesto CA and Consolidated Electric Distributors, Modesto CA for one year Agreements with four one-year extension options, for an estimated annual cost not to exceed $130,000, $95,000, and $30,000, respectively, and authorizing the Director of Finance, or her designee to adjust the financial amounts between the three providers without exceeding the estimated combined annual cost of $255,000 and a total combined cost not to exceed $1,275,000 over five years for all vendors and forwarding to Council for approval.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 3:30 p.m.

Attest:_____
Joseph Lopez, City Manager

MINUTES

City of Modesto

CITY COUNCIL MEETING

Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday September 03, 2019, at 5:30 p.m.

Roll Call – Present: Councilmembers Ah You, Grewal, Kenoyer, Madrigal, Ridenour, Zoslocki, Mayor Brandvold
Absent: None

Pledge of Allegiance to the Flag

Invocation: Father Ramon Bejarano, St. Joseph's Catholic Church

City Clerk's Announcements: Item Nos. 7, 8, 9, 10, 11 and 14 - Removed from Consent

Declaration of Conflicts of Interest: Grewal – Item 28

Reports from Closed Session: City Attorney Lindgren reported on Closed Session matters

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation by Alex Chetley, Deputy Director of Engineering for the San Joaquin County Department of Public Works, regarding the McHenry Avenue Bridge Replacement Project. (Funding Source: Not Applicable)
   City Council; Kathy Espinoza, 571-5597, kespinoza1@modestogov.com

ACTION: Alex Chetley, Deputy Director of Engineering for the San Joaquin County Department of Public Works, gave a Presentation regarding the McHenry Avenue Bridge Replacement Project.

2. Presentation of Certificate of Achievement for Excellence in Financial Reporting by the Government Finance Officers Association of the United States and Canada for the Comprehensive Annual Financial Report for Fiscal Year ending June 30, 2018. (Funding Source: Not Applicable)
   Finance; DeAnna Christensen, 577-5387, dachristensen@modestogov.com

ACTION: City Manager Lopez announced the Certificate of Achievement for Excellence in Financial Reporting by the Government Finance Officers Association of the United States and Canada for the Comprehensive Annual Financial Report for Fiscal Year ending June 30, 2018.

3. Presentation of the 4th Year for the Popular Annual Financial Reporting Award

received by the Government Finance Officers Association of the United States and Canada for Fiscal Year ending June 30, 2018. (Funding Source: Not Applicable)
Finance; DeAnna Christensen, 577-5387, dachristensen@modestogov.com

ACTION: City Manager Lopez announced the 4th year for the Popular Annual Financial Reporting Award received by the Government Finance Officers Association of the United States and Canada for Fiscal Year ending June 30, 2018.

4. Proclamation declaring September 2019 as National Senior Center Month. (Funding Source: Not Applicable)
Parks, Recreation & Neighborhoods; Laurie Smith, 577-5347, lsmith@modestogov.com

ACTION: Mayor Brandvold and Council presented a Proclamation declaring September 2019 as National Senior Center Month.

PUBLIC COMMENT PERIOD

- Ed Bearden, Modesto's 5th Poet Laureate, spoke about promoting poetry throughout Stanislaus County; he read a poem "Riding the Tractor."
- Sebastian Jones spoke regarding landlords and evictions in Modesto.
- Hector Cortez spoke regarding commercial vehicle parking in residential neighborhoods; he was referred to Deputy City Manager Douglass.
- Emerson Drake spoke regarding the City Attorney and legal fees.
- Dave Pratt thanked the Modesto Police Department for their handling of the Modesto Straight Pride event.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED
ACTION CONSENT ITEMS 5, 6, 12, 13; 15-27: (Kenoyer/Madrigal; 7/0)

CONSENT ITEMS

An item may be removed from consent and discussed at the request of an audience member or Councilmember.

Consent
5. Consider approving the minutes from the August 13, 2019 Council Meeting. (Funding Source: Not Applicable)
   - Motion approving the minutes from the August 13, 2019 Council Meeting.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Madrigal; 7/0) approving the minutes from the August 13, 2019 Council Meeting.

Consent

6. Consider final adoption of **Ordinance No. 3700-C.S.** amending Section 8-3.102 of the Modesto Municipal Code to authorize the use of design-build procurement (a change in the traditional sequence of project work) for the Supervisory Control and Data Acquisition (SCADA) System Replacement Project. (Funding Source: Water & Wastewater Funds)
   - Motion approving final adoption of **Ordinance No. 3700-C.S.** amending Section 8-3.102 of Article 1, of Chapter 3 of Title 8 of the Modesto Municipal Code to authorize the use of design-build procurement for the SCADA System Replacement Project.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Madrigal; 7/0) approving final adoption of **Ordinance No. 3700-C.S.** amending Section 8-3.102 of Article 1, of Chapter 3 of Title 8 of the Modesto Municipal Code to authorize the use of design-build procurement for the SCADA System Replacement Project.

Removed from Consent

7. Consider final adoption of Non-Urgency **Ordinance No. 3702-C.S.** amending Title 4, "Public Welfare, Safety and Health" of the Modesto Municipal Code by adding Chapter 23 To Impose Certain Time, Place And Manner Regulations As To Public Assemblies. (Funding Source: Not Applicable)
   - Motion approving final adoption of Non-Urgency **Ordinance No. 3702-C.S.** amending Title 4, "Public Welfare, Safety and Health" of the Modesto Municipal Code by adding Chapter 23 To Impose Certain Time, Place And Manner Regulations As To Public Assemblies.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Madrigal/Kenoyer; 7/0) approving final adoption of Non-Urgency **Ordinance No. 3702-C.S.** amending Title 4, "Public Welfare, Safety and Health" of the Modesto Municipal Code by adding Chapter 23 To Impose Certain Time, Place And Manner Regulations As To Public Assemblies.

Removed from Consent

8. Consider approving the recommended budget adjustments to Fiscal Year 2018-19 and Fiscal Year 2019-20 Annual Operating and Capital Improvement Program Budgets. (Funding Source: Various Funds)
   - Resolution amending Fiscal Year 2018-19 and Fiscal Year 2019-20 Annual Operating and Capital Improvement Program Fund Budgets.

   Finance; Kaceey Culbertson, 577-5479, kculbertson@modestogov.com

ACTION: Resolution 2019-378 (Ridenour/Grewal; 7/0) amending Fiscal Year 2018-19 and Fiscal Year 2019-20 Annual Operating and Capital Improvement Program Fund Budgets.

Removed from Consent

9. Consider approving the final map of Vintage Square subdivision, approving the Subdivision Agreement and authorizing the City Manager, or his designee, to execute a Subdivision Agreement with the owner, NRB Investments, LLC and the developer, Modesto Roselle, LLC and authorizing the City Clerk to certify the final map and record it with the Stanislaus County Recorder's Office. (Funding Source: Developer Fees)
    - Resolution approving the Final Map of Vintage Square Subdivision, approving the Subdivision Agreement and authorizing the City Manager, or his designee, to execute a Subdivision Agreement with the owner, NRB Investments, LLC and the developer, Modesto Roselle, LLC, and authorizing the City Clerk to certify the final map and record it with the Stanislaus County Recorder's Office.

    Community & Economic Development; Daniel England, 571-5589, dengland@modestogov.com

ACTION: Resolution 2019-379 (Ridenour/Kenoyer; 7/0) approving the Final Map of Vintage Square Subdivision, approving the Subdivision Agreement and authorizing the City Manager, or his designee, to execute a Subdivision Agreement with the owner, NRB Investments, LLC and the developer, Modesto Roselle, LLC, and authorizing the City Clerk to certify the final map and record it with the Stanislaus County Recorder's Office.

Removed from Consent

10. Consider approving the final map of Vintage Unit Two subdivision, approving the Subdivision Agreement and authorizing the City Manager, or his designee, to execute a Subdivision Agreement with the owner, NRB Investments, LLC and the developer, Modesto Roselle, LLC, and authorizing the City Clerk to certify the final map and record it with the Stanislaus County Recorder's Office. (Funding Source: Developer Fees)
    - Resolution approving the Final Map of Vintage Unit Two Subdivision, approving the Subdivision Agreement and authorizing the City Manager, or his designee, to execute a Subdivision Agreement with the owner, NRB Investments, LLC and the developer, Modesto Roselle, LLC, and authorizing the City Clerk to certify the final map and record it with the Stanislaus County Recorder's Office.

    Community & Economic Development; Daniel England, 571-5589, dengland@modestogov.com

ACTION: Resolution 2019-380 (Ridenour/Madrigal; 7/0) approving the Final Map of Vintage Unit Two Subdivision, approving the Subdivision Agreement and authorizing the City Manager, or his designee, to execute a Subdivision Agreement with the owner, NRB Investments, LLC and the developer, Modesto Roselle, LLC, and authorizing the City Clerk to certify the final map and record it with the Stanislaus County Recorder's Office.

Removed from Consent

11. Consider accepting an informational report on the May and June 2019 grant applications and awards. (Funding Source: Not Applicable)
    - Motion accepting an informational report for the May and June 2019 grant application and awards.

Finance; DeAnna Christensen, 577-5387, dachristensen@modestogov.com

ACTION: Motion (Madrigal/Zoslocki; 7/0) accepting an informational report for the May and June 2019 grant application and awards.

Consent

12. Consider accepting an informational report for the July 2019 Accounts Payable Payment Register and Void report. (Funding Source: Not Applicable)
    - Motion accepting an informational report for the July 2019 Accounts Payable Payment Register and Void report.

    Finance; Stacey Pratt, 341-2918, spratt@modestogov.com

ACTION: Motion (Kenoyer/Madrigal; 7/0) accepting an informational report for the July 2019 Accounts Payable Payment Register and Void report.

Consent

13. Consider approving the award of proposal and Agreement for SB-90 state mandates reimbursement claims processing services to Local Governmental Consultants, LLC, Roseville, CA for two year Agreement with three one-year extension options, for an annual estimated cost not to exceed $11,900 and a total amount not to exceed $59,500 over five years. (Funding Source: General Fund)
    - Resolution approving the award of proposal and Agreement for SB-90 state mandates reimbursement claims processing services to Local Governmental Consultants, LLC, Roseville, CA for two year Agreement with three one-year extension options, for an annual estimated cost not to exceed $11,900 and a total amount not to exceed $59,500 over five years and authorizing the City Manager or his designee, to execute the Agreement.

    Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Resolution 2019-381 (Kenoyer/Madrigal; 7/0) approving the award of proposal and Agreement for SB-90 state mandates reimbursement claims processing services to Local Governmental Consultants, LLC, Roseville, CA for two year Agreement with three one-year extension options, for an annual estimated cost not to exceed $11,900 and a total amount not to exceed $59,500 over five years and authorizing the City Manager or his designee, to execute the Agreement.

Removed from Consent

14. Consider approving the extension of termination dates of nine annual Purchasing and Consultant Agreements. (Funding Source: Various Funds)
    - Resolution approving Purchasing and Consultant Agreements with various vendors as defined under Attachment A; approving termination dates for the services stated herein; and authorizing the Purchasing Manager, or her designee, to issue the identified Purchase and Consultant Agreements termination dates approved by Council.

    Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Resolution 2019-382 (Zoslocki/Madrigal; 7/0) approving Purchasing and Consultant Agreements with various vendors as defined under Attachment A; approving termination dates for the services stated herein; and authorizing the Purchasing Manager, or her designee, to issue the identified Purchase and Consultant Agreements termination dates approved by Council.

Consent

15. Consider approving an Agreement with Yosemite Community College District for use of the Modesto Junior College Regional Fire Training Center, for an estimated annual cost not to exceed $30,000 and a total amount not to exceed $150,000 over a five-year term. (Funding Source: General Fund)
    - Resolution approving an Agreement with Yosemite Community College District for use of the Modesto Junior College Regional Fire Training Center, for an estimated annual cost not to exceed $30,000 and a total amount not to exceed $150,000 over a five-year term, and authorizing the City Manager, or his designee, to execute the Agreement.

    Fire; Alan Ernst, 572-9590, aernst@modestofire.com

ACTION: Resolution 2019-383 (Kenoyer/Madrigal; 7/0) approving an Agreement with Yosemite Community College District for use of the Modesto Junior College Regional Fire Training Center, for an estimated annual cost not to exceed $30,000 and a total amount not to exceed $150,000 over a five-year term, and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

16. Consider approving a Memorandum of Understanding for service between the City of Ceres, the City of Modesto and the Salida Fire Protection District for Fire Department Training Services. (Funding Source: Not Applicable)
    - Resolution approving a Memorandum of Understanding for service between the City of Ceres, the City of Modesto and the Salida Fire Protection District for Fire Department Training Services and authorizing the City Manager, or his designee, to execute the Agreement.

    Fire; Alan Ernst, 572-9590, aernst@modestofire.com

ACTION: Resolution 2019-384 (Kenoyer/Madrigal; 7/0) approving a Memorandum of Understanding for service between the City of Ceres, the City of Modesto and the Salida Fire Protection District for Fire Department Training Services and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

17. Consider approving the First Amendment increasing the Agreement amount with Proterra, for the sales tax of the purchase of five electric buses and associated costs by $381,647 from $5,278,559 to a new total amount of $5,660,206. (Funding Source: California Air Resources Board, Federal Transit Administration and Local Transit Funds)
    - Resolution approving the First Amendment increasing the Agreement amount with

Proterra, for the sales tax of the purchase of five electric buses and associated costs by $381,647 from $5,278,559 to a new total amount of $5,660,206; and authorizing the City Manager, or his designee to execute the Agreement.

Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Resolution 2019-385 (Kenoyer/Madrigal; 7/0) approving the First Amendment increasing the Agreement amount with Proterra, for the sales tax of the purchase of five electric buses and associated costs by $381,647 from $5,278,559 to a new total amount of $5,660,206; and authorizing the City Manager, or his designee to execute the Agreement.

Consent

18. Consider approving the award of proposal and Agreement for a new video surveillance system for the Modesto Area Express buses to IVS, Inc. dba AngelTrax, Dothan, AL, for a total amount not to exceed $352,720 over five years; and amending Fiscal Year 2019-2020 Capital Improvement Budget, project 101151- Video Surveillance System – MAX, in the amount of $242,614. (Funding Source: Transit Funds)
    - Resolution approving the award of proposal and Agreement for a new video surveillance system for the Modesto Area Express buses to IVS, Inc. dba AngelTrax, Dothan, AL, for a five year Agreement, for an estimated cost in the first year not to exceed $333,520 for equipment, installation, service, hosting, warranty and support, and a total amount not to exceed $352,720 over five years for on-going service, hosting, warranty and support; and authorizing the City Manager, or his designee to execute the Agreement.
    - Resolution amending Fiscal Year 2019-2020 Capital Improvement Program budget for project 101151 – Video Surveillance System – MAX in the amount of $242,614 to fund the Agreement with IVS, Inc. DBA Angeltrax, Dothan, AL, for a new video surveillance system for the Modesto Area Express Buses.

    Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Resolution 2019-386 (Kenoyer/Madrigal; 7/0) approving the award of proposal and Agreement for a new video surveillance system for the Modesto Area Express buses to IVS, Inc. dba AngelTrax, Dothan, AL, for a five year Agreement, for an estimated cost in the first year not to exceed $333,520 for equipment, installation, service, hosting, warranty and support, and a total amount not to exceed $352,720 over five years for on-going service, hosting, warranty and support; and authorizing the City Manager, or his designee to execute the Agreement.

ACTION: Resolution 2019-387 (Kenoyer/Madrigal; 7/0) amending Fiscal Year 2019-2020 Capital Improvement Program budget for project 101151 – Video Surveillance System – MAX in the amount of $242,614 to fund the Agreement with IVS, Inc. DBA Angeltrax, Dothan, AL, for a new video surveillance system for the Modesto Area Express Buses.

Consent

19. Consider approving the plans and specifications for the Well 295 Salt Tank Platforms project and awarding a construction contract with Smith Construction Company, Inc., Fresno, CA, in the amount of $76,600 plus $15,000 for contingency (if needed), for a

total amount not to exceed $91,600 and amending the Fiscal Year 2019-20 Capital Improvement Program Budget. (Funding Source: Water Fund-CIP)

- Resolution approving plans and specifications for the Well 295 Salt Tank Platforms, accepting the bid, and approving a construction contract to Smith Construction Company, Inc., Fresno, CA, in the amount of $76,600 plus $15,000 for contingency (if needed) for a total amount not to exceed $91,600 and authorizing the City Manager, or his designee, to execute the Agreement.
- Resolution authorizing an increase in the Director's authority to issue change orders for the Well 295 Salt Tank Platforms Project from 10% ($7,660) to 19.6% ($15,000) of the construction contract price of $76,000 with Smith Construction Company, Inc., Fresno, CA.
- Resolution amending the Fiscal Year 2019-2020 Capital Improvement Program Budget in the amount of $151,600 to establish the budget of 101205 – UPP Engineering Design "Well 295 Salt Tank Platforms" from Water Fund Reserves in order to fund the construction, contingency, construction administration, city construction forces, engineering design support and administration.

Utilities; Robert Davalos, 571-5869, rdavalos@modestogov.com

ACTION: Resolution 2019-388 (Kenoyer/Madrigal; 7/0) approving plans and specifications for the Well 295 Salt Tank Platforms, accepting the bid, and approving a construction contract to Smith Construction Company, Inc., Fresno, CA, in the amount of $76,600 plus $15,000 for contingency (if needed) for a total amount not to exceed $91,600 and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: Resolution 2019-389 (Kenoyer/Madrigal; 7/0) authorizing an increase in the Director's authority to issue change orders for the Well 295 Salt Tank Platforms Project from 10% ($7,660) to 19.6% ($15,000) of the construction contract price of $76,000 with Smith Construction Company, Inc., Fresno, CA.

ACTION: Resolution 2019-390 (Kenoyer/Madrigal; 7/0) amending the Fiscal Year 2019-2020 Capital Improvement Program Budget in the amount of $151,600 to establish the budget of 101205 – UPP Engineering Design "Well 295 Salt Tank Platforms" from Water Fund Reserves in order to fund the construction, contingency, construction administration, city construction forces, engineering design support and administration.

Consent

20. Consider approving an Agreement with the Alkali Sink Conservation Bank for the Purchase of Swainson's Hawk conservation mitigation credits for the project impacts of the Water Corporation Yard Project in an amount of $131,100 and for the Del Rio Tank and Wells Project in an amount of $69,000. (Funding Source: Water Fund)
    - Resolution approving an Agreement with the Alkali Sink Conservation Bank for the Purchase of Swainson's Hawk conservation mitigation credits for the project impacts of the Water Corporation Yard Project in an amount of $131,100 and for the Del Rio Tank and Wells Project in an amount of $69,000.and authorizing the City Manager, or his designee, to execute the Agreement.

    Utilities; Robert Davalos, 571-5869, rdavalos@modestogov.com

ACTION: Resolution 2019-391 (Kenoyer/Madrigal; 7/0) approving an Agreement with the Alkali Sink Conservation Bank for the Purchase of Swainson's Hawk conservation mitigation credits for the project impacts of the Water Corporation Yard Project in an amount of $131,100 and for the Del Rio Tank and Wells Project in an amount of $69,000.and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

21. Consider approving a Purchasing Agreement with Ferrellgas LP, Elk Grove, CA, by utilizing the competitive bid process with the State of California Department of General Services for the purchase of Liquefied Petroleum Gas for the Water Corporation Yard Project for a one year Agreement not to exceed an annual cost of $31,320 and authorizing the Finance Director & City Manager to sign a Bill Code from the State of California to place the order for Liquefied Petroleum Gas. (Funding Source: Water Fund & Parks, Recreation & Neighborhoods)
    - Resolution approving a Purchasing Agreement with Ferrellgas LP, Elk Grove, CA, by utilizing the competitive bid process with the State of California Department of General Services for the purchase of Liquefied Petroleum Gas for the Water Corporation Yard Project for a one year Agreement not to exceed an annual cost of $31,320 and authorizing the Purchasing Manager, or her designee, to execute a Purchasing Agreement.
    - Resolution authorizing the Finance Director & City Manager to sign a Bill Code from the State of California to place the order for Liquefied Petroleum Gas.

    Utilities; Robert Davalos, 571-5869, rdavalos@modestogov.com

ACTION: Resolution 2019-392 (Kenoyer/Madrigal; 7/0) approving a Purchasing Agreement with Ferrellgas LP, Elk Grove, CA, by utilizing the competitive bid process with the State of California Department of General Services for the purchase of Liquefied Petroleum Gas for the Water Corporation Yard Project for a one year Agreement not to exceed an annual cost of $31,320 and authorizing the Purchasing Manager, or her designee, to execute a Purchasing Agreement.

ACTION: Resolution 2019-393 (Kenoyer/Madrigal; 7/0) authorizing the Finance Director & City Manager to sign a Bill Code from the State of California to place the order for Liquefied Petroleum Gas.

Consent

22. Consider accepting the La Loma Phase 2B Fire Hydrant Additions Project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $675,929 to Rolfe Construction Company of Atwater, CA. (Funding Source: Water Fund & Community Development Block Grant)
    - Resolution accepting the La Loma Neighborhood Phase 2B Fire Hydrant Additions Project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $675,929 to Rolfe Construction Company of Atwater, CA.

    Utilities; Jesse Franco, 571-5175, jfranco@modestogov.com

ACTION: Resolution 2019-394 (Kenoyer/Madrigal; 7/0) accepting the La Loma Neighborhood Phase 2B Fire Hydrant Additions Project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $675,929 to Rolfe Construction Company of Atwater, CA.

Consent

23. Consider accepting the Carpenter Road Street Improvements Project as complete, authorizing all necessary steps to file with the County Recorder, releasing security, and releasing payments to DSS Company, dba Knife River Construction, of Stockton, CA, in the amount of $2,315,031. (Funding Source: Measure L)
    - Resolution accepting the Carpenter Road Street Improvements Project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $2,315,031 to DSS Company, dba Knife River Construction of Stockton, CA.

    Utilities; Jesse Franco, 571-5175, jfranco@modestogov.com

ACTION: Resolution 2019-395 (Kenoyer/Madrigal; 7/0) accepting the Carpenter Road Street Improvements Project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $2,315,031 to DSS Company, dba Knife River Construction of Stockton, CA.

Consent

24. Consider accepting the CML 5059 (191) Expansion of Advanced Traffic Management System (ATMS) and Closed Circuit TV (CCTV) Along Briggsmore Avenue from Oakdale Road to Claus Road Project as complete, authorizing all necessary steps to file with the County Recorder, releasing security, and releasing payments to Carl Joseph Bartaldo Construction of Palo Cedro, CA, in the amount of $320,930. (Funding Source: Congestion Mitigation and Air Quality (CMAQ) 100%))
    - Resolution accepting the CML 5059 (191) Expansion of Advanced Traffic Management System (ATMS) and Closed Circuit TV (CCTV) Along Briggsmore Avenue from Oakdale Road to Claus Road Project as complete, authorizing all necessary steps to file with the County Recorder, releasing security, and releasing payments to Carl Joseph Bartaldo Construction of Palo Cedro, CA, in the amount of $320,930.

    Utilities; Jesse Franco, 571-5175, jfranco@modestogov.com

ACTION: Resolution 2019-396 (Kenoyer/Madrigal; 7/0) accepting the CML 5059 (191) Expansion of Advanced Traffic Management System (ATMS) and Closed Circuit TV (CCTV) Along Briggsmore Avenue from Oakdale Road to Claus Road Project as complete, authorizing all necessary steps to file with the County Recorder, releasing security, and releasing payments to Carl Joseph Bartaldo Construction of Palo Cedro, CA, in the amount of $320,930.

Consent

25. Consider accepting the Highway Safety Improvement Program (221) High Friction Surface Treatment Project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $205,852 to

American Civil Constructors West Coast LLC, of Benicia, CA. (Funding Source: Highway Safety Improvement Program Cycle 6 Grant, Surface Transportation Fund)

- Resolution accepting the Highway Safety Improvement Program (221) High Friction Surface Treatment Project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $205,852 to American Civil Constructors West Coast LLC, of Benicia, CA.

Utilities; Jesse Franco, 571-5175, jfranco@modestogov.com

ACTION: Resolution 2019-397 (Kenoyer/Madrigal; 7/0) accepting the Highway Safety Improvement Program (221) High Friction Surface Treatment Project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $205,852 to American Civil Constructors West Coast LLC, of Benicia, CA.

Consent

26. Consider approving an Agreement with Stanislaus County for engineering review and construction inspection services relating to the West Modesto County Area 7 Sewer Infrastructure Project, in an amount not to exceed $48,966. (Funding Source: Capital Improvement Support Services Revenue)

    - Resolution approving an Agreement with Stanislaus County for engineering review and construction inspection services relating to the West Modesto County Area 7 Sewer Infrastructure Project, in an amount not to exceed $48,966 and authorizing the City Manager, or his designee, to execute the Agreement.

    Utilities; Jesse Franco, 571-5175, jfranco@modestogov.com

ACTION: Resolution 2019-398 (Kenoyer/Madrigal; 7/0) approving an Agreement with Stanislaus County for engineering review and construction inspection services relating to the West Modesto County Area 7 Sewer Infrastructure Project, in an amount not to exceed $48,966 and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

27. Consider adopting the Revised Enforcement Response Plan (ERP) for Assessing Violations to Chapter 6 of Title 5 for Non-Compliant Wastewater Discharges to the City's Publicly Owned Treatment Works (POTW). (Funding Source: Wastewater Fund)

    - Resolution adopting the Revised Enforcement Response Plan for Assessing Violations to Chapter 6 of Title 5 for Non-Compliant Wastewater Discharges to the City's Publicly Owned Treatment Works (POTW).

    Utilities; Thomas Sinclair, 577-6240, tsinclair@modestgov.com

ACTION: Resolution 2019-399 (Kenoyer/Madrigal; 7/0) adopting the Revised Enforcement Response Plan for Assessing Violations to Chapter 6 of Title 5 for Non-Compliant Wastewater Discharges to the City's Publicly Owned Treatment Works (POTW).

COUNCIL COMMENTS & REPORTS

Councilmember Ridenour attended a technology pathway program today at Enochs High

School.

Councilmember Kenoyer attended: a retirement event for UC Stanislaus Chancellor Leland, Kaiser Hospital Quarterly Luncheon meeting, the Stockton Airport ribbon cutting event, "Over the Edge" event in Stockton supporting Hospice; a human trafficking workshop, the State of the Region hosted by the Chamber of Commerce, the City Auditor Workshop, a Kaiser Hospital event at the King-Kennedy Memorial Center, and the Kendall Center 18th Birthday celebration.

Councilmember Madrigal attended: the County-wide Census Complete meeting, the StanCog Policy Board meeting, a meeting with the Barbour Family regarding a possible Children's Museum in Modesto; he met with the Chief Executive Officer of Self-Help Enterprises regarding affordable housing; he also thanked City staff for their responses to clean-up in Modesto.

CITY MANAGER COMMENTS & REPORTS

City Manager Lopez thanked City departments for their assistance with the Straight Pride event in Modesto.

Recess at 7:37 p.m.
Reconvened at 7:45 p.m.

HEARINGS

Published in the Modesto Bee on August 14, 2019; Councilmember Grewal absent due to conflict of interest

28. Hearing to consider an Ordinance adding Chapter 13 "Rental Housing Safety Program" to Title 9, "Building Regulations" of the Modesto Municipal Code. (Funding Source: General Fund, Registration Fees)
    - Motion introducing and waiving the first reading of an Ordinance adding Chapter 13 "Rental Housing Safety Program" to Title 9, "Building Regulations" of the Modesto Municipal Code.

    Community & Economic Development; Oscar Diaz, 571-5885, odiaz@modestogov.com

ACTION: Motion (Madrigal/Ridenour; 7/0) continuing item to September 10, 2019.

NEW BUSINESS

29. Consider accepting the Annual Investment Report for Fiscal Year 2018-2019. (Funding Source: Not Applicable)
    - Motion accepting the Annual Investment Report for Fiscal Year 2018-2019.

    Finance; Calogero Maniscalco, 577-5379, cmaniscalco@modestogov.com

ACTION: Motion (Ridenour/Ah You; 7/0) accepting the Annual Investment Report for

Fiscal Year 2018-2019.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 8:02 p. m.

CLOSED SESSION

All Closed Session Matters heard prior to meeting

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Two Cases (Pursuant to Section 54956.9(d)(2) of the Government Code)

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
One Case (Pursuant to Section 54956.9(d)(4) of the Government Code)

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Two Cases (Pursuant to Section 54956.9(d)(1) of the Government Code)

Name of Case: City of Modesto, et al. v. The Dow Chemical Company, et al. (PCE)
Court of Appeals of the State of California
Appeal Case No: A134419

Name of Case: City of Modesto v. California State Water Resources Control Board
Superior Court of California, County of Sacramento
Sacramento County Case No: 34-2019-80003051

CONFERENCE WITH REAL PROPERTY NEGOTIATORS:
(Pursuant to Section 54956.8 of the Government Code)
Property: 2846 Finch Rd. APN: 039-010-220
Property Owners: City of Modesto/Stanislaus County
Negotiating Parties:
For City: Joseph P. Lopez, City Manager
Adam U. Lindgren, City Attorney for City of Modesto
Under Negotiation: Price and Terms

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCEA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Employees Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Confidential & Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPOA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Officers' Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPNSA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Non-Sworn Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) –MPMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCFFA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Firefighters Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – Unrepresented
Negotiator: Norma Santoyo
Employee Organization: Unrepresented Management and Confidential Employees

Attest:_____
Stephanie Lopez, City Clerk

MINUTES

City of Modesto

ECONOMIC DEVELOPMENT COMMITTEE / COUNCIL WORKSHOP

Second Floor, Room 2005
Tenth Street Place, 1010 10th Street
Modesto, California

Wednesday, September 4, 2019, at 2:00 p.m.

Roll Call: Present: Councilmembers Zoslocki, Ridenour, and Madrigal
Absent: None

PUBLIC COMMENTS

None.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED: Items 1 through 6

CONSENT

An item may be removed from consent and discussed at the request of an audience member or Committee member.

Consent

1. Consider approving the Modesto Tourism Marketing District Owners' Association Agreement and forwarding to Council for approval. (Funding Source: Modesto Tourism Marketing District Assessments)
   Parks, Recreation & Neighborhoods; Laurie Smith, 577-5347, lsmith@modestogov.com

ACTION: Motion (Madrigal/Ridenour; 3/0) approving the Modesto Tourism Marketing District Owners' Association Agreement and forwarding to Council for approval.

Consent

2. Consider approving an increase in the authority that may be spent under the Agreement with Fong & Fong Printers and Lithographers, for the printing of the Modesto Area Express ride guide by $42,000 from $121,725 to a new total amount of $163,725 through the remainder of the five year contract ending on August 31, 2020, and forwarding to Council for approval. (Funding Source: Transit Funds)
   Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Motion (Madrigal/Ridenour; 3/0) approving an increase in the authority that may be spent under the Agreement with Fong & Fong Printers and Lithographers, for the printing of the Modesto Area Express ride guide by $42,000 from $121,725 to a new total amount of $163,725 through the remainder of the five year contract ending on August 31, 2020, and forwarding to Council for approval.

Consent

3. Consider approving the Second Amendment increasing the Agreement amount with Avail Technologies, Inc., State College, PA, for spare cellular modems and mobile data terminals utilized in the Modesto Area Express fleet, by $7,897 from $342,794 to a new total amount of $350,691, and forwarding to Council for approval. (Funding Source: Transit Funds)
   Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Motion (Madrigal/Ridenour; 3/0) approving the Second Amendment increasing the Agreement amount with Avail Technologies, Inc., State College, PA, for spare cellular modems and mobile data terminals utilized in the Modesto Area Express fleet, by $7,897 from $342,794 to a new total amount of $350,691, and forwarding to Council for approval.

Consent

4. Consider approving a cost sharing Agreement with the City of Turlock in an amount not to exceed $357,450 to fund expenses associated with the road section improvements on Jennings Road from West Main Street to West Monte Vista Avenue as part of the Turlock North Valley Regional Recycled Water Program and forwarding to Council for approval. (Funding Source: Wastewater Fund)
   Utilities; Jesse Franco, 571-5175, mogas@modestogov.com

ACTION: Motion (Madrigal/Ridenour; 3/0) approving a cost sharing Agreement with the City of Turlock in an amount not to exceed $357,450 to fund expenses associated with the road section improvements on Jennings Road from West Main Street to West Monte Vista Avenue as part of the Turlock North Valley Regional Recycled Water Program and forwarding to Council for approval.

Consent

5. Consider authorizing the submittal of a grant application on behalf of the Stanislaus and Tuolumne Rivers Groundwater Basin Association Groundwater Sustainability Agency to the Department of Water Resources for Round 3 Sustainable Groundwater Management Planning Grant Program Funding and forwarding to Council for approval. (Funding Source: Water Fund)
   Utilities; Miguel Alvarez, 577-5348, malvaerz@modestogov.com

ACTION: Motion (Madrigal/Ridenour; 3/0) authorizing the submittal of a grant application on behalf of the Stanislaus and Tuolumne Rivers Groundwater Basin Association Groundwater Sustainability Agency to the Department of Water Resources for Round 3 Sustainable Groundwater Management Planning Grant Program Funding and forwarding to Council for approval.

Consent

6. Consider authorizing the submittal of a grant application to the State Department of Water Resources (DWR) for the Proposition 1 Storm Water Grant Program (Prop 1 Grant) and forwarding to Council for approval. (Funding Source: Wastewater Fund)
Utilities; Miguel Alvarez, 577-5348, malvarez@modestogov.com

ACTION: Motion (Madrigal/Ridenour; 3/0) Consider authorizing the submittal of a grant application to the State Department of Water Resources (DWR) for the Proposition 1 Storm Water Grant Program (Prop 1 Grant) and forwarding to Council for approval.

NEW BUSINESS

7. Consider approving a State of California Senate Bill 2 planning grant application in the amount of $625,000 for the purpose of funding various housing-related planning projects, and forwarding to Council for approval. (Funding Source: Not Applicable)
Community & Economic Development; Brad Wall, 577-5267, bwall@modestogov.com

ACTION: Motion (Ridenour/Madrigal; 3/0) approving a State of California Senate Bill 2 planning grant application in the amount of $625,000 for the purpose of funding various housing-related planning projects, and forwarding to Council for approval. (

8. Consider accepting the timeline and budget to explore the potential development of a hotel located in downtown Modesto, providing direction to staff, and forwarding to Council for approval. (Funding Source: Not Applicable)
Parks, Recreation & Neighborhoods; Laurie Smith, 577-5347, lsmith@modestogov.com

ACTION: Motion (Ridenour/Madrigal; 3/0) accepting the timeline and budget to explore the potential development of a hotel located in downtown Modesto, providing direction to staff, and forwarding to Council for approval.

9. Consider approving the submission of a project list for Senate Bill 1 also known as the Road Repair and Accountability Act of 2017 for the Modesto Area Express bus system, and forwarding to Council for approval. (Funding Source: Transportation Development Act Funds)
Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Motion (Madrigal/Ridenour; 3/0) approving the submission of a project list for Senate Bill 1 also known as the Road Repair and Accountability Act of 2017 for the Modesto Area Express bus system, and forwarding to Council for approval.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 3:06 p.m.

Attest:_____
Joseph Lopez, City Manager

MINUTES

City of Modesto

SAFETY AND COMMUNITIES COMMITTEE / COUNCIL WORKSHOP

Second Floor, Room 2005
Tenth Street Place, 1010 10th Street
Modesto, California

Monday, September 9, 2019, at 5:00 p.m.

Roll Call – Present: Councilmembers Ridenour, Grewal (alternate), and Mayor Brandvold (alternate)
Absent: Councilmembers Ah You, Kenoyer

PUBLIC COMMENTS

None.

CONSENT

An item may be removed from consent and discussed at the request of an audience member or Committee member.

Consent

1. Consider approving a Memorandum of Understanding with the La Loma Neighborhood Association and Modesto Neighborhoods, Inc. regarding the design and construction of the East La Loma Park Playground Project and forwarding to Council for approval. (Funding Source: Community Donations and Parks Fund)
   Parks, Recreation & Neighborhoods; Nathan Houx, 571-5526, nhoux@modestogov.com

ACTION: Motion (Grewal/Mayor Brandvold; 3/0) approving a Memorandum of Understanding with the La Loma Neighborhood Association and Modesto Neighborhoods, Inc. regarding the design and construction of the East La Loma Park Playground Project and forwarding to Council for approval.

Consent

2. Consider approving the Agreement for the transfer of canine, Ronin, by its owner, the Modesto Police Canine Association (MPCA), to the City of Modesto for use as a police canine and forwarding to Council for approval. (Funding Source: Not Applicable)
   Police; Galen Carroll, 572-9501, carrollg@modestopd.com

ACTION: Motion (Grewal/Mayor Brandvold; 3/0) approving the Agreement for the transfer of canine, Ronin, by its owner, the Modesto Police Canine Association (MPCA), to the City of Modesto for use as a police canine and forwarding to Council for approval.

Consent

3. Consider approving a Memorandum of Agreement with Stanislaus County for a joint application for funding of License Plate Readers and POD (Portable Observation Device) Cameras in the amount of $174,853 through the Edward Byrne Justice Assistance Grant (JAG) Formula Program and forwarding to Council for approval. (Funding Source: Grants - Police)
Police; Galen Carroll, 572-9501, carrollg@modestopd.com

ACTION: Motion (Grewal/Mayor Brandvold; 3/0) approving a Memorandum of Agreement with Stanislaus County for a joint application for funding of License Plate Readers and POD (Portable Observation Device) Cameras in the amount of $174,853 through the Edward Byrne Justice Assistance Grant (JAG) Formula Program and forwarding to Council for approval.

UNFINISHED BUSINESS

4. Consider an informational report on the status and progress of the Downtown Streets Team, a nonprofit aimed at providing individuals experiencing homelessness with access to permanent employment by volunteering their time to perform litter abatement activities across the City. (Funding Source: Not Applicable)
City Manager; Edgar Garcia, 571-5101, edgarcia@modestogov.com

ACTION: No reportable action.

NEW BUSINESS

5. Consider adopting Plumbing, Electrical, and Mechanical Ordinances by reference of the 2019 California Building Code and consider amending various sections of Chapters 1, 2, 3, 7, and 11 of Title 9 of the Modesto Municipal Code and forwarding to Council for approval. (Funding Source: General Fund/Building Permit Fees)
Community & Economic Development; Oscar Diaz, 571-5885, odiaz@modestogov.com

ACTION: Motion (Grewal/Mayor Brandvold; 3/0) adopting Plumbing, Electrical, and Mechanical Ordinances by reference of the 2019 California Building Code and consider amending various sections of Chapters 1, 2, 3, 7, and 11 of Title 9 of the Modesto Municipal Code and forwarding to Council for approval.

6. Consider approving an Agreement with AT&T FirstNet Network for cellular service for the Modesto Police Department for a two year Agreement with three one-year extensions options, for an annual estimated cost of $207,636 and a total not to exceed $1,109,077 including one-time expenses, and forwarding to Council for approval.

(Funding Source: General Fund)
Police; Craig Gundlach, 572-9500, gundlachc@modestopd.com

ACTION: Motion (Grewal/Mayor Brandvold; 3/0) approving an Agreement with AT&T FirstNet Network for cellular service for the Modesto Police Department for a two year Agreement with three one-year extensions options, for an annual estimated cost of $207,636 and a total not to exceed $1,109,077 including one-time expenses, and forwarding to Council for approval.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 5:32 pm

Attest:_____
Joseph Lopez, City Manager

*Via Conference Call:
Councilmembers Kenoyer & Zoslocki
Hyatt Regency Washington on Capitol Hill
Grand Canyon Meeting Room
400 New Jersey Avenue, NW
Washington, DC 20001

MINUTES

City of Modesto

CITY COUNCIL MEETING

Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday September 10, 2019, at 5:30 p.m.

Roll Call – Present: Councilmembers Grewal, Kenoyer*, Madrigal, Ridenour, Zoslocki*, Mayor Brandvold
Absent: Councilmember Ah You

Pledge of Allegiance to the Flag

Invocation: Michael Douglass, Advancing Vibrant Communities

City Clerk's Announcements: Item 8 – continued to November 12, 2019 Council meeting

Declaration of Conflicts of Interest: Grewal, Zoslocki – Item 7

Reports from Closed Session: City Attorney Lindgren reported on a Closed Session matter

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation on Economic Development by Opportunity Stanislaus Chief Executive Officer David L. White. (Funding Source: Not Applicable)
City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Opportunity Stanislaus Chief Executive Officer David L. White gave a Presentation on Economic Development.

2. Presentation of Modesto Champion Award to Nancy Young for her dedication and inspiration during her 46 years leading the Modesto Downtown Improvement District. (Funding Source: Not Applicable)
City Council; Kathy Espinoza, 571-5597, kespinoza1@modestogov.com

ACTION: Chris Murphy presented the Modesto Champion Award to Nancy Young for her dedication and inspiration during her 46 years leading the Modesto Downtown Improvement District.

PUBLIC COMMENT PERIOD

- Debra Harper spoke regarding the Modesto Police Department.
- Howard Carmen spoke regarding Congressman Josh Harder and the lack of housing in Modesto.
- Ron DeLoach, West Modesto People of Action, thanked Mayor Brandvold, Councilmembers Madrigal and Ridenour for attending a meeting today regarding the need for a Bank in West Modesto.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED
ACTION CONSENT ITEMS 3-5: (Madrigal/Grewal; 6/0; Ah You absent)

CONSENT ITEMS

An item may be removed from consent and discussed at the request of an audience member or Councilmember.

Consent
3. Consider approving the minutes from the September 3, 2019 Council Meeting. (Funding Source: Not Applicable)
   - Motion approving the minutes from the September 3, 2019 Council Meeting.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Madrigal/Grewal; 6/0; Ah You absent) approving the minutes from the September 3, 2019 Council Meeting.

Consent
4. Consider authorizing the acceptance of the relinquishment of those portions of State right-of-way along Highway 99 between 0.7 miles south of the Pelandale Avenue Overcrossing, and 0.4 miles north of the Pelandale Overcrossing from the State of California to the City of Modesto. (Funding Source: CIP 100786-CED.Land Development Engineering – State Route 99 Proposition 1B Bond Savings)
   - Resolution authorizing the acceptance of the relinquishment of those portions of State right-of-way along Highway 99 between post mile 21.0 and post mile 22.1 from the State of California to the City of Modesto.

   Public Works; Scott Collins, 577-5431, scollins@modestogov.com

ACTION: Resolution 2019-400 (Madrigal/Grewal; 6/0; Ah You absent) authorizing the acceptance of the relinquishment of those portions of State right-of-way along Highway 99 between post mile 21.0 and post mile 22.1 from the State of California to the City of Modesto.

Consent

5. Consider approving one-time software implementation costs associated with the Computerized Maintenance Management Systems from Lucity, Inc., Overland Park, KS, for $70,500, and ESRI GIS from Environmental Systems Research Institute, Inc., Redlands, CA, for $2,000. (Funding Source: Surface Transportation Funds and Community Forestry Fund)
   - Resolution approving one-time software implementation costs associated with the Computerized Maintenance Management Systems from Lucity, Inc., Overland Park, KS, for $70,500, and ESRI GIS from Environmental Systems Research Institute, Inc., Redlands, CA, for $2,000.

   Public Works; Bill Sandhu, 341-2906, bsandhu@modestogov.com

ACTION: Resolution 2019-401 (Madrigal/Grewal; 6/0; Ah You absent) approving one-time software implementation costs associated with the Computerized Maintenance Management Systems from Lucity, Inc., Overland Park, KS, for $70,500, and ESRI GIS from Environmental Systems Research Institute, Inc., Redlands, CA, for $2,000.

COUNCIL COMMENTS & REPORTS

6. Consider approving the process to initiate the review of the Modesto City Charter. (Funding Source: Not Applicable)
   - Motion: (i) authorizing the process to initiate review of the City Charter; (ii) each Councilmember to nominate one person to serve as members of the Charter Review Committee with the Mayor's appointee serving as the Chair and the Vice Mayor's appointee serving as the Vice Chair of the Committee; (iii) the initial seven (7) Committee members are authorized to nominate up to four (4) additional members to the Committee from the community and forward them to Council for ratification; (iv) City staff is authorized to post and publicize information requests, volunteer applicants for the City of Modesto; and (iv) Mayor to appoint one (1) Councilmember to serve as an ad hoc, non-voting member of the Committee, and, may appoint up to two (2) ad hoc, non-voting members to represent regional issues.

   Council; Ted Brandvold, 571-5597, tBrandvold@modestogov.com

ACTION: Motion (Grewal/Ridenour; 6/0; Ah You absent) (i) authorizing the process to initiate review of the City Charter; (ii) each Councilmember to nominate one person to serve as members of the Charter Review Committee with the Mayor's appointee serving as the Chair and the Vice Mayor's appointee serving as the Vice Chair of the Committee; (iii) the initial seven (7) Committee members are authorized to nominate up to four (4) additional members to the Committee from the community and forward them to Council for ratification; (iv) City staff is authorized to post and publicize information requests, volunteer applicants for the City of Modesto; and (iv) Mayor to appoint one (1) Councilmember to serve as an ad hoc, non-voting member of the Committee, and, may appoint up to two (2) ad hoc, non-voting members to represent regional issues.

ACTION: Motion (Grewal/Ridenour; 6/0; Ah You absent) Each Councilmember will

nominate a member of the Committee. Each Councilmember will provide a nomination of one individual to serve on the Charter Review Committee to Mayor Brandvold no later than **October 2, 2019.**

Councilmember Kenoyer spoke regarding the Partnerships for Schools Program in Southern California.

Councilmember Grewal announced the September 11, 2019 "Love Not Hate" Event at Fire Station No. 1 tomorrow at 9:00 a.m.

Councilmember Madrigal attended the Economic Development Committee meeting and discussion regarding the hotel project next door to the Modesto Centre Plaza and exploring other sites in Modesto; he attended the community meeting today at King-Kennedy Memorial Center with the Office of the Comptroller of the Currency regarding the impact of the closure of Bank of America in West Modesto; he attended the Modesto City Schools District Board meeting in support of community leaders to name a school after Martin Luther King, Jr.

Councilmember Ridenour acknowledged the Enochs High School Government class.

CITY MANAGER COMMENTS & REPORTS

None.

HEARINGS

Published in the Modesto Bee on August 14, 2019, Continued from the September 3, 2019 Council Meeting – Councilmembers Grewal and Zoslocki absent due to conflict of interest

7. Hearing to consider an Ordinance adding Chapter 13 "Rental Housing Safety Program" to Title 9, "Building Regulations" of the Modesto Municipal Code. (Funding Source: General Fund, Registration Fees)
   - Motion introducing and waiving the first reading of an Ordinance adding Chapter 13 “Rental Housing Safety Program” to Title 9, “Building Regulations” of the Modesto Municipal Code.

   Community & Economic Development; Oscar Diaz, 571-5885, odiaz@modestogov.com

ACTION: Motion (Madrigal/Ridenour; 4/0; Ah You absent; Grewal, Zoslocki absent due to conflict of interest) introducing and waiving the first reading of **Ordinance No. 3703-C.S.** adding Chapter 13 “Rental Housing Safety Program” to Title 9, “Building Regulations” of the Modesto Municipal Code.

Recess at 8:10 p.m.
Reconvened at 8:20 p.m.

Published in the Modesto Bee on June 19, 2019; Continued from July 9, 2019 Council

Meeting; Continued to the November 12, 2019 Council Meeting

8. Hearing to consider an application for a conditional use permit and Operating Agreement by DSN Outdoor to allow a digital freeway billboard located on the east side of State Highway 99 and southeast of Briggsmore Avenue overpass at 2024 W. Orangeburg Avenue. (Funding Source: Application Fee)
    - Continued to the November 12, 2019 Council Meeting.

    Community & Economic Development; Paul Liu, 577-5267, pliu@modestogov.com

ACTION: Item continued to the November 12, 2019 Council Meeting

Published in the Modesto Bee on August 30, 2019

9. Hearing to consider approving a commercial cannabis microbusiness Type 12 business permit for Big Dipper Brands LLC, located at 901 E. Whitmore Avenue, with appropriate conditions. (Funding Source: Cannabis Business Permit Fees)
    - Resolution approving a commercial cannabis microbusiness Type 12 business permit for Big Dipper Brands LLC, located at 901 E. Whitmore Avenue, with appropriate conditions.

    Community & Economic Development; Brad Wall , 577-5267, bwall@modestogov.com

ACTION: Resolution 2019-402 (Grewal/Madrigal; 6/0; Ah You absent) approving a commercial cannabis microbusiness Type 12 business permit for Big Dipper Brands LLC, located at 901 E. Whitmore Avenue, with appropriate conditions.

Published in the Modesto Bee on August 30, 2019

10. Hearing to consider approving a commercial cannabis cultivation nursery Type 4 business permit for Legacy Nursery LLC, located at 901 E. Whitmore Avenue, with appropriate conditions. (Funding Source: Cannabis Business Permit Fees)
    - Resolution approving a commercial cannabis cultivation nursery Type 4 business permit for Legacy Nursery LLC, located at 901 E. Whitmore Avenue, with appropriate conditions.

    Community & Economic Development; Brad Wall, 577-5267, bwall@modestogov.com

ACTION: Resolution 2019-403 (Grewal/Madrigal; 6/0; Ah You absent) approving a commercial cannabis cultivation nursery Type 4 business permit for Legacy Nursery LLC, located at 901 E. Whitmore Avenue, with appropriate conditions.

Published in the Modesto Bee on August 16, 2019

11. Hearing to approve Amendment #1 to City of Modesto Program Year 2019-2020 Annual Action Plan, amend Fiscal Year 2019-2020 Operating, Capital and Multi-Year project budgets to re-allocate Community Development Block Grant funds as proposed, and award $2,500,000 of Community Development Block Grant funds (CDBG) to the Housing Authority of the County of Stanislaus (HACS), for the acquisition and rehabilitation of 722 Kansas Avenue. (Funding Source: Community Development Block Grant, Emergency Solutions Grant, Neighborhood Stabilization Program II, and HOME Investment Partnerships funds)
    - Resolution approving Amendment No. 1 to City of Modesto Program Year 2019-

2020 Annual Action Plan, and authorizing the City Manager, or his designee, to execute the Amendment.

- Resolution amending the Fiscal Year 2019-2020 Operating, Capital and Multi-Year project budgets to re-allocate Community Development Block Grant Community Development Block Grant funds as proposed in the program year 2019-2020 Annual Action Plan Amendment No. 1 and authorizing the City Manager, or his designee, to take the necessary steps to implement the provisions of this Resolution.
- Resolution awarding $2,500,000 of Community Development Block Grant funds (CDBG) to the Housing Authority of the County of Stanislaus (HACS), for the acquisition and rehabilitation of 722 Kansas Avenue, and authorizing the City Manager or his designee to execute the Agreements.

Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Resolution 2019-404 (Ridenour/Madrigal; 6/0; Ah You absent) approving Amendment No. 1 to City of Modesto Program Year 2019-2020 Annual Action Plan, and authorizing the City Manager, or his designee, to execute the Amendment.

ACTION: Resolution 2019-405 (Ridenour/Madrigal; 6/0; Ah You absent) amending the Fiscal Year 2019-2020 Operating, Capital and Multi-Year project budgets to re-allocate Community Development Block Grant Community Development Block Grant funds as proposed in the program year 2019-2020 Annual Action Plan Amendment No. 1 and authorizing the City Manager, or his designee, to take the necessary steps to implement the provisions of this Resolution.

ACTION: Resolution 2019-406 (Ridenour/Madrigal; 6/0; Ah You absent) awarding $2,500,000 of Community Development Block Grant funds (CDBG) to the Housing Authority of the County of Stanislaus (HACS), for the acquisition and rehabilitation of 722 Kansas Avenue, and authorizing the City Manager or his designee to execute the Agreements.

ACTION: Motion (Ridenour/Madrigal; 6/0; Ah You absent) directing staff to return to Council with an update within 6 months of the project opening.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 9:41 p.m.

CLOSED SESSION

All Closed Session Matters heard prior to meeting

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
One Cases (Pursuant to Section 54956.9(d)(1) of the Government Code)
Name of Case: Jesse Montelongo, et al., v. City of Modesto, et al.
United States District Court, Eastern District of California
Case No.: 1:15-CV-01605—BAM

Attest:_____
Stephanie Lopez, City Clerk

MINUTES

City of Modesto

SPECIAL FINANCE COMMITTE / COUNCIL WORKSHOP

Second Floor, Room 2005
Tenth Street Place, 1010 10th Street
Modesto, California

Monday, September 23, 2019, at 3:00 p.m.

Roll Call: Present: Councilmember Grewal, Kenoyer (alternate)
Absent: Councilmembers Ridenour, Zoslocki

CONSENT

An item may be removed from consent and discussed at the request of an audience member or Committee member.

Consent

1. Consider approving the recommended budget adjustments to Fiscal Year 2019-20 Annual Operating and Capital Improvement Project Budget and forwarding to Council for approval. (Funding Source: Various Funds)

   City Manager; Kaceey Culbertson, 577-5479, kculbertson@modestogov.com

ACTION: Motion (Kenoyer/Grewal; 2/0) approving the recommended budget adjustments to Fiscal Year 2019-20 Annual Operating and Capital Improvement Project Budget and forwarding to Council for approval.

Consent

2. Consider approving the Purchase Order for services based on time and materials with Applications Software Technology, LLC (AST) for the implementation of enhancements to the Inventory and Mobile Supply Chain Applications (MSCA) modules in the amount of $66,600 plus $6,660 for contingency (if needed), for a total amount of $73,260 and forwarding to Council for approval. (Funding Source: Central Stores Fund)

   Finance; DeAnna Christensen, 577-5387, dachristensen@modestogov.com

ACTION: Motion (Kenoyer/Grewal; 2/0) approving the Purchase Order for services based on time and materials with Applications Software Technology, LLC (AST) for the implementation of enhancements to the Inventory and Mobile Supply Chain Applications (MSCA) modules in the amount of $66,600 plus $6,660 for contingency (if needed), for a total amount of $73,260 and forwarding to Council for approval.

Consent

3. Consider approving an update to the returned check fee to encompass all returned items including electronic payments in the Finance Department starting at $25 for the first returned item and increasing to $35 for all subsequent returned items and forwarding to Council for approval. (Funding Source: Water, Wastewater, Storm Drain and General Funds)

   Finance; Jeni Martin, 571-5892, jmartin@modestogov.com

ACTION: Motion (Kenoyer/Grewal; 2/0) approving an update to the returned check fee to encompass all returned items including electronic payments in the Finance Department starting at $25 for the first returned item and increasing to $35 for all subsequent returned items and forwarding to Council for approval.

Consent

4. Consider approving the First Amendment increasing the Agreement amount with GovernmentJobs.com, Inc., El Segundo, CA, doing business as NEOGOV, to add a module for a performance management platform increasing the amount by $115,887 from $135,313 to a new total of $251,200 and forwarding to Council for approval. (Funding Source: Information Technology Fund)

   Human Resources; Christina Alger, 577-5490, calger@modestogov.com

ACTION: Motion (Kenoyer/Grewal; 2/0) approving the First Amendment increasing the Agreement amount with GovernmentJobs.com, Inc., El Segundo, CA, doing business as NEOGOV, to add a module for a performance management platform increasing the amount by $115,887 from $135,313 to a new total of $251,200 and forwarding to Council for approval.

Consent

5. Consider approving a sole source Agreement with Hyland Inc., for the OnBase Agenda Management and Electronic Content Management (ECM) Software for a term of three years for an estimated cost of $240,352 which includes all licensing, software, installation and configuration; and approving a sole source Agreement with DocuSign, for Electronic Signature Software for a term of two years for an estimated total cost of $40,649, and forwarding to Council for approval. (Funding Source: Various)

   Information Technology; Fabian Zacharia, 571-5508, fzacharia@modestogov.com

ACTION: Motion (Kenoyer/Grewal; 2/0) approving a sole source Agreement with Hyland Inc., for the OnBase Agenda Management and Electronic Content Management (ECM) Software

for a term of three years for an estimated cost of $240,352 which includes all licensing, software, installation and configuration; and approving a sole source Agreement with DocuSign, for Electronic Signature Software for a term of two years for an estimated total cost of $40,649, and forwarding to Council for approval.

Consent

6. Consider approving an Amendment increasing the Agreement amount with East Bay Municipal Utility District, Oakland, CA, for the disposal of gray water by $72,387 from $489,038 to a new total amount of $561,425, and forwarding to Council for approval. (Funding Source: Water Fund)

   Utilities; Jeff Daniels, 342-2217, jdaniels@modestogov.com

ACTION: Motion (Kenoyer/Grewal; 2/0) approving an Amendment increasing the Agreement amount with East Bay Municipal Utility District, Oakland, CA, for the disposal of gray water by $72,387 from $489,038 to a new total amount of $561,425, and forwarding to Council for approval.

Consent

7. Consider approving a grant application for State Revolving Fund Program on behalf of the Riverdale Park Tract Community Services District for water system improvements and forwarding to Council for approval. (Funding Source: Not Applicable)

   Utilities; Jim Alves, 571-5557, jalves@modestogov.com

ACTION: Motion (Kenoyer/Grewal; 2/0) approving a grant application for State Revolving Fund Program on behalf of the Riverdale Park Tract Community Services District for water system improvements and forwarding to Council for approval.

UNFINISHED BUSINESS

8. Consider accepting a report on the annual review of approved water rate increases for Fiscal Years 2019-20 through 2020-21 and forwarding to Council for approval. (Funding Source: Water Fund)

   Utilities; Jesse Franco, 571-5175, jfranco@modestogov.com

ACTION: Motion (Kenoyer/Grewal; 2/0) accepting a report on the annual review of approved water rate increases for Fiscal Years 2019-20 through 2020-21 and forwarding to Council for approval.

9. Consider accepting a report on the annual review of adopted sewer rate increases for Fiscal Year 2019-20 through 2020-21, and forwarding to Council for approval.

(Funding Source: Wastewater Fund)

Utilities; Jesse Franco, 571-5175, jfranco@modestogov.com

ACTION: Motion (Kenoyer/Grewal; 2/0) accepting a report on the annual review of adopted sewer rate increases for Fiscal Year 2019-20 through 2020-21, and forwarding to Council for approval.

NEW BUSINESS

10. Consider approving the update to the Records Retention Policy and forwarding to Council for approval. (Funding Source: Not Applicable)

    City Attorney; Adam Lindgren, 577-5284, alindgren@modestogov.com

ACTION: Motion (Kenoyer/Grewal; 2/0) approving the update to the Records Retention Policy and forwarding to Council for approval.

11. Consider approving a Citywide organization development and succession plan and Professional Services Agreement for an employee leadership development program with Modesto Junior College, Modesto, California for a two-year Agreement with two one-year extension options, for an annual cost not to exceed $48,750 in year one, and $45,250 for years 2 thru 4 and a total amount not to exceed $184,500 over four years and forwarding to Council for approval. (Funding Source: Various Funds)

    Human Resources; Wanda King, 571-5125, wking@modestogov.com

ACTION: Motion (Kenoyer/Grewal; 2/0) approving a Citywide organization development and succession plan and Professional Services Agreement for an employee leadership development program with Modesto Junior College, Modesto, California for a two-year Agreement with two one-year extension options, for an annual cost not to exceed $48,750 in year one, and $45,250 for years 2 thru 4 and a total amount not to exceed $184,500 over four years and forwarding to Council for approval.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 3:30 p.m.

Attest:_____
Joseph Lopez, City Manager

MINUTES

City of Modesto

CITY COUNCIL MEETING

Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday September 24, 2019, at 5:30 p.m.

Roll Call – Present: Councilmembers Ah You, Grewal, Kenoyer, Madrigal, Ridenour, Zoslocki, Mayor Brandvold
Absent: None

Pledge of Allegiance to the Flag

Invocation: Anthony Bargas, The Center Church

City Clerk's Announcements: Items 5 and 6 - Removed from Consent

Declaration of Conflicts of Interest: Grewal, Zoslocki – Item 4
Ridenour – Item 34

Reports from Closed Session: Deputy City Attorney Frank Splendorio reported on Closed Session matters

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation of the City of Modesto's Business Recycling Awards. (Funding Source: Not Applicable)
   Public Works; Vicki Rice, 577-5495, vrice@modestogov.com

ACTION: Vicki Rice, Recycling Program Coordinator, presented the City of Modesto's Business Recycling Awards.

2. Presentation of Proclamation declaring September 23-27, 2019 as Stormwater Awareness Week. (Funding Source: Not Applicable)
   Utilities; Tom Sinclair, 577-6240, tsinclair@modestogov.com

ACTION: Mayor Brandvold presented a Proclamation declaring September 23-27, 2019 as Stormwater Awareness Week.

PUBLIC COMMENT PERIOD

- Ray Pefferini spoke regarding trees in Modesto.

- Maggie Countryman spoke regarding building safety and two-story detached buildings.

- Susan Beasley invited everyone to International Heritage Festival Day on October 5, 2019 at Modesto Junior College.

- Emerson Drake spoke regarding the participation in the Charter Review Committee, Charter Section 1604, and he requested a lottery.

- Carvel Reece announced today is National Voter Registration Day and requested water for the Modesto Outdoor Emergency Shelter (MOES).

CONSENT ITEMS – ROLL CALL VOTE REQUIRED
ACTION CONSENT ITEMS: 3; 6-30: (Kenoyer/Madrigal; 7/0)
ACTION CONSENT ITEM 4: (Kenoyer/Ah You; 5/0; Grewal, Zoslocki absent due to conflict of interest

CONSENT ITEMS

An item may be removed from consent and discussed at the request of an audience member or Councilmember.

Consent

3. Consider approving the minutes from the September 10, 2019 Council Meeting. (Funding Source: Not Applicable)
   - Motion approving the minutes from the September 10, 2019 Council Meeting.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Madrigal; 7/0) approving the minutes from the September 10, 2019 Council Meeting.

Consent – *Councilmembers Grewal and Zoslocki absent due to conflict of interest*

4. Consider final adoption of **Ordinance No. 3703-C.S.** adding Chapter 13 "Rental Housing Safety Program" to Title 9, "Building Regulations" of the Modesto Municipal Code. (Funding Source: General Fund, Registration Fees)
   - Motion approving final adoption of **Ordinance No. 3703-C.S.** adding Chapter 13 "Rental Housing Safety Program" to Title 9, "Building Regulations" of the Modesto Municipal Code.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Ah You; 5/0; Grewal, Zoslocki absent due to conflict of interest) approving final adoption of **Ordinance No. 3703-C.S.** adding Chapter 13 "Rental Housing Safety Program" to Title 9, "Building Regulations" of the Modesto Municipal Code.

Removed from Consent

5. Consider approving a First Amendment extending the term of the Agreement with Slate Communications, for on-call graphic design services for one additional year with three one-year extension options, and increasing the Agreement amount by $200,000 from $50,000 to a not to exceed amount of $250,000. (Funding Source: Various Departmental Funds)
   - Resolution approving a First Amendment extending the term of the Agreement with Slate Communications, for on-call graphic design services for one additional year with three one-year extension options, and increasing the Agreement amount by $200,000 from $50,000 to a not to exceed amount of $250,000, and authorizing the City Manager, or his designee to execute the Agreement.

   City Manager; Thomas Reeves, 571-5101, treeves@modestogov.com

ACTION: Resolution 2019-407 (Ridenour/Grewal; 5/2; Ah You, Mayor Brandvold no) approving a First Amendment extending the term of the Agreement with Slate Communications, for on-call graphic design services for one additional year with three one-year extension options, and increasing the Agreement amount by $200,000 from $50,000 to a not to exceed amount of $250,000, and authorizing the City Manager, or his designee to execute the Agreement.

Removed from Consent

6. Consider approving a Memorandum of Understanding with the County of Stanislaus for shared security costs at the Modesto Outdoor Emergency Shelter (MOES) to be reimbursed by the County for a total of $168,560 for security services; approving a First Amendment to the Professional Services Agreement for security services with Rank Investigation & Protection (Rank Security), Inc. for a five-year Agreement with two one-year extension options, increasing the estimated cost of the first year to an amount not-to-exceed $641,498 and a total contract amount not-to-exceed $3,699,756 over seven years; amending the Fiscal Year 2019-20 Operating Budget to increase the expense budget for MOES (0100-02030) by $235,984 and the revenue budget by $168,560 for the revenue being received as reimbursement from Stanislaus County for shared security costs. (Funding Source: County Funds, General Fund, Transit Fund)
   - Resolution approving a Memorandum of Understanding with the County of Stanislaus for shared security costs at the Modesto Outdoor Emergency Shelter (MOES) to be reimbursed by the County for a total of $168,560 for security services; approving a First Amendment to the Professional Services Agreement for security services with Rank Investigation & Protection (Rank Security), Inc. for a five-year Agreement with two one-year extension options, increasing the estimated cost of the first year to an amount not-to-exceed $641,498 and a total contract amount not-to-exceed $3,699,756 over seven years; amending the Fiscal Year 2019-20 Operating Budget to increase the expense budget for MOES (0100-02030) by $235,984 and the revenue budget by $168,560 for the revenue being received as reimbursement from Stanislaus County for shared security costs, and authorizing the City Manager or his designee, to execute the Agreements.

   City Manager; Edgar Garcia, 571-5101, edgarcia@modestogov.com

ACTION: Resolution 2019-408 (Grewal/Ridenour; 7/0) approving a Memorandum of

Understanding with the County of Stanislaus for shared security costs at the Modesto Outdoor Emergency Shelter (MOES) to be reimbursed by the County for a total of $168,560 for security services; approving a First Amendment to the Professional Services Agreement for security services with Rank Investigation & Protection (Rank Security), Inc. for a five-year Agreement with two one-year extension options, increasing the estimated cost of the first year to an amount not-to-exceed $641,498 and a total contract amount not-to-exceed $3,699,756 over seven years; amending the Fiscal Year 2019-20 Operating Budget to increase the expense budget for MOES (0100-02030) by $235,984 and the revenue budget by $168,560 for the revenue being received as reimbursement from Stanislaus County for shared security costs, and authorizing the City Manager or his designee, to execute the Agreements.

Consent

7. Consider authorizing the payment of $60,000 to the Modesto Irrigation District (MID) for the completed work of constructing steel pole foundations and erecting steel utility poles on Carpenter Road as required for the State Route 132 West Freeway/Expressway Phase 1 Project. (Funding Source: Regional Measure L Funds)
   - Resolution authorizing the payment of $60,000 to the Modesto Irrigation District (MID) for the completed work of constructing steel pole foundations and erecting steel utility poles on Carpenter Road as required for the State Route 132 West Freeway/Expressway Phase 1 Project.

   Community & Economic Development; Vickey Dion, 571-5542, vdion@modestogov.com

ACTION: Resolution 2019-409 (Kenoyer/Madrigal; 7/0) authorizing the payment of $60,000 to the Modesto Irrigation District (MID) for the completed work of constructing steel pole foundations and erecting steel utility poles on Carpenter Road as required for the State Route 132 West Freeway/Expressway Phase 1 Project.

Consent

8. Consider approving the payment of $202,000 to the Modesto Irrigation District (MID) for the purpose of early relocation of electrical lines on Rosemore Avenue near Kansas Avenue for the SR132 West Freeway/Expressway Phase 1 Project. (Funding Source: Regional Measure L Funds)
   - Resolution approving the payment of $202,000 to the Modesto Irrigation District (MID) for the purpose of early relocation of electrical lines on Rosemore Avenue near Kansas Avenue as required for the State Route 132 West Freeway/Expressway Phase 1 Project.

   Community & Economic Development; Vickey Dion, 571-5542, vdion@modestogov.com

ACTION: Resolution 2019-410 (Kenoyer/Madrigal; 7/0) approving the payment of $202,000 to the Modesto Irrigation District (MID) for the purpose of early relocation of electrical lines on Rosemore Avenue near Kansas Avenue as required for the State Route 132 West Freeway/Expressway Phase 1 Project.

Consent

9. Consider approving the award of proposal and contracts for professional assistance

with plan review and inspection services to Interwest Consulting Group and 4-Leaf Inc. for a two year professional services Agreement with three one-year extension options at the sole discretion of the City, for an estimated annual cost of $53,000 and total not to exceed amount of $265,000 over five years for each contract. (Funding Source: Building Permit Fees/ General Fund)

- Resolution approving Agreements with Interwest Consulting Group and 4Leaf, Inc. for a two year professional services Agreement with three one-year extension options, for an estimated annual cost of $53,000 and total not to exceed the amount of $265,000 over five-years for each contract and authorizing the City Manager, or his designee, to execute any and all documents related to these Agreements.

Community & Economic Development; Oscar Diaz, 571-5885, odiaz@modestogov.com

ACTION: Resolution 2019-411 (Kenoyer/Madrigal; 7/0) approving Agreements with Interwest Consulting Group and 4Leaf, Inc. for a two year professional services Agreement with three one-year extension options, for an estimated annual cost of $53,000 and total not to exceed the amount of $265,000 over five-years for each contract and authorizing the City Manager, or his designee, to execute any and all documents related to these Agreements.

Consent

10. Consider approving the award of bid for the purchase of a 1- ton dual rear wheel (DRW) flatbed truck with specific configurations to Towne Ford, Redwood City, CA for a total amount not to exceed $54,218. (Funding Source: Fleet Replacement Fund)

    - Resolution approving the purchase of one 1 -ton DRW truck with flatbed truck with specific configurations to Towne Ford, Redwood City, CA for a total amount not to exceed $54,218, and authorizing the Purchasing Manager, or her designee, to execute the Purchase Order.

    Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Resolution 2019-412 (Kenoyer/Madrigal; 7/0) approving the purchase of one 1-ton DRW truck with flatbed truck with specific configurations to Towne Ford, Redwood City, CA for a total amount not to exceed $54,218, and authorizing the Purchasing Manager, or her designee, to execute the Purchase Order.

Consent

11. Consider approving the award of bid for the purchase of nine Stake Side Dump Trucks with specific configurations to American Chevrolet, Modesto, CA for a total amount not to exceed $508,114. (Funding Source: Fleet Replacement Fund)

    - Resolution approving the purchase of nine stake side dump trucks with specific configurations to American Chevrolet, Modesto, CA for a total amount not to exceed $508,114 and authorizing the Purchasing Manager or her designee, to issue the Purchase Order.

    Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Resolution 2019-413 (Kenoyer/Madrigal; 7/0) approving the purchase of nine

stake side dump trucks with specific configurations to American Chevrolet, Modesto, CA for a total amount not to exceed $508,114 and authorizing the Purchasing Manager or her designee, to issue the Purchase Order.

Consent

12. Consider approving Purchasing Agreements for Electrical Parts and Supplies to Platt Electric, Modesto CA, Wille Electric, Modesto CA and Consolidated Electric Distributors, Modesto CA for one-year Agreements with four one-year extension options, for an estimated annual cost not to exceed $130,000, $95,000, and $30,000, respectively, authorizing the Director of Finance, or her designee to adjust the financial amounts between the three providers without exceeding the estimated combined annual cost of $255,000 and a total combined cost not to exceed $1,275,000 over five years for all vendors; and authorizing the Purchasing Manager, or her designee, to execute the Agreements. (Funding Source: Surface Transportation Fund, Water Fund, Wastewater Fund)
    - Resolution approving Purchasing Agreements for Electrical Parts and Supplies to Platt Electric, Modesto CA, Wille Electric, Modesto CA and Consolidated Electric Distributors, Modesto CA for one-year Agreements with four one-year extension options, for an estimated annual cost not to exceed $130,000, $95,000, and $30,000, respectively; authorizing the Director of Finance, or her designee to adjust the financial amounts between the three providers without exceeding the estimated combined annual cost of $255,000 and a total combined cost not to exceed $1,275,000 over five years for all vendors; and authorizing the Purchasing Manager, or her designee, to execute the Agreements.

    Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Resolution 2019-414 (Kenoyer/Madrigal; 7/0) approving Purchasing Agreements for Electrical Parts and Supplies to Platt Electric, Modesto CA, Wille Electric, Modesto CA and Consolidated Electric Distributors, Modesto CA for one-year Agreements with four one-year extension options, for an estimated annual cost not to exceed $130,000, $95,000, and $30,000, respectively; authorizing the Director of Finance, or her designee to adjust the financial amounts between the three providers without exceeding the estimated combined annual cost of $255,000 and a total combined cost not to exceed $1,275,000 over five years for all vendors; and authorizing the Purchasing Manager, or her designee, to execute the Agreements.

Consent

13. Consider approving Purchasing Agreements for equipment and vehicle parts to Motor Parts Distribution, Modesto CA, Napa Modesto Auto and Truck Parts, Modesto, CA, Interstate Truck Center, Turlock, CA and Fleet Pride Inc., Modesto, CA for a one year Agreement with four one-year extension options, for an estimated annual cost not to exceed $100,000, $60,000, $100,000 and $75,000, respectively, for a combined annual estimated cost of $335,000 and total combined cost not to exceed $1,675,000 over five years. (Funding Source: Fleet Fund)
    - Resolution approving Purchasing Agreements for equipment and vehicle parts to Motor Parts Distribution, Modesto CA, Napa Modesto Auto and Truck Parts,

Modesto, CA, Interstate Truck Center, Turlock, CA and Fleet Pride Inc., Modesto, CA for a one year Agreement with four one-year extension options, for an estimated annual cost not to exceed $100,000, $60,000, $100,000 and $75,000, respectively; and authorizing the Director of Finance, or her designee to adjust the amounts between the four providers without exceeding a combined annual estimated cost of $335,000 for a total combined authorization limit of $1,675,000 over five years; and authorizing the Purchasing Manager, or her designee, to execute the Purchasing Agreements.

Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Resolution 2019-415 (Kenoyer/Madrigal; 7/0) approving Purchasing Agreements for equipment and vehicle parts to Motor Parts Distribution, Modesto CA, Napa Modesto Auto and Truck Parts, Modesto, CA, Interstate Truck Center, Turlock, CA and Fleet Pride Inc., Modesto, CA for a one year Agreement with four one-year extension options, for an estimated annual cost not to exceed $100,000, $60,000, $100,000 and $75,000, respectively; and authorizing the Director of Finance, or her designee to adjust the amounts between the four providers without exceeding a combined annual estimated cost of $335,000 for a total combined authorization limit of $1,675,000 over five years; and authorizing the Purchasing Manager, or her designee, to execute the Purchasing Agreements.

Consent

14. Consider accepting the Monthly Investment Report for July 2019. (Funding Source: Various Funds)
    - Motion accepting the Monthly Investment Report for July, 2019.

    Finance; Calogero Maniscalco, 577-5379, cmaniscalco@modestogov.com

ACTION: Motion (Kenoyer/Madrigal; 7/0) accepting the Monthly Investment Report for July, 2019.

Consent

15. Consider approving requirements for annual training of certain City of Modesto employees and officials regarding municipal disclosure responsibilities. (Funding Source: Not Applicable)
    - Resolution approving requirements for annual training of certain City of Modesto employees and officials regarding municipal disclosure responsibilities.

    Finance; DeAnna Christensen, 577-5387, dachristensen@modestogov.com

ACTION: Resolution 2019-416 (Kenoyer/Madrigal; 7/0) approving requirements for annual training of certain City of Modesto employees and officials regarding municipal disclosure responsibilities.

Consent

16. Consider approving application to the Stanislaus Local Agency Formation Commission to confirm the City of Modesto's fire service contract with the City of Oakdale and Oakdale Fire Protection District. (Funding Source: General Fund)
    - Resolution approving application to the Stanislaus Local Agency Formation

Commission to confirm the City of Modesto's fire service contract with the City of Oakdale and Oakdale Fire Protection District and authorizing the City Manager, or his designee, to execute the application.

Fire; Alan Ernst, 572-9590, aernst@modestofire.com

ACTION: Resolution 2019-417 (Kenoyer/Madrigal; 7/0) approving application to the Stanislaus Local Agency Formation Commission to confirm the City of Modesto's fire service contract with the City of Oakdale and Oakdale Fire Protection District and authorizing the City Manager, or his designee, to execute the application.

Consent

17. Consider approving the award of proposal and Agreement for the purchase of Desktop Computers, Laptops, Tablets, Software and Services to Dell Technologies, of Round Rock, TX, for a three year Agreement, for an initial estimated cost not to exceed $1.35M and a total amount not to exceed $1.95M over three years; and approving the purchase of additional Microsoft Software and Licensing from the current Microsoft Enterprise Agreement (MSEA) with Insight Public Sector Inc., Tempe, AZ, for a total amount not to exceed $300,000. (Funding Source: Information Technology Fund and Various Department Funds)
    - Resolution approving the award of proposal and Agreement for the purchase of desktop computers, laptops, tablets, software and services to Dell Technologies, of Round Rock, TX, for a three year Agreement for an initial cost not to exceed $1.35M and a total amount not to exceed $1.95M over three years; and authorizing the City Manager, or his designee, to execute the Agreement.
    - Resolution approving the purchase of Microsoft software and licensing, from the current Microsoft Enterprise Agreement, with Insight Public Sector Inc., Tempe, AZ, for a total amount not to exceed $300,000; and authorizing the City Manager, or his designee to execute the Agreement.

    Information Technology; Kevin Harless, 571-5593, kharless@modestogov.com

ACTION: Resolution 2019-418 (Kenoyer/Madrigal; 7/0) approving the award of proposal and Agreement for the purchase of desktop computers, laptops, tablets, software and services to Dell Technologies, of Round Rock, TX, for a three year Agreement for an initial cost not to exceed $1.35M and a total amount not to exceed $1.95M over three years; and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: Resolution 2019-419 (Kenoyer/Madrigal; 7/0) approving the purchase of Microsoft software and licensing, from the current Microsoft Enterprise Agreement, with Insight Public Sector Inc., Tempe, AZ, for a total amount not to exceed $300,000; and authorizing the City Manager, or his designee to execute the Agreement.

Consent

18. Consider accepting the Office of Traffic Safety 2020 Selective Traffic Enforcement Program (STEP) Grant in the amount of $600,000 and amending the Fiscal Year 2019-20 Operating and Multi-Year budget. (Funding Source: Grants - Police)
    - Resolution accepting the 2020 Selective Traffic Enforcement Program Grant in the

amount of $600,000 from the Office of Traffic Safety to increase enforcement for speed, DUI, and other special traffic enforcement operations; and authorizing the City Manager, or his designee to execute the necessary documents.

- Resolution amending the Fiscal Year 2019-2020 Operating and Multi-Year Budget to appropriate revenue and expenses in the amount of $600,000 related to the Selective Traffic Enforcement Program Grant to increase enforcement for speed, DUI, and other special traffic enforcement operations.

Police; Galen Carroll, 572-9501, carrollg@modestopd.com

ACTION: Resolution 2019-420 (Kenoyer/Madrigal; 7/0) accepting the 2020 Selective Traffic Enforcement Program Grant in the amount of $600,000 from the Office of Traffic Safety to increase enforcement for speed, DUI, and other special traffic enforcement operations; and authorizing the City Manager, or his designee to execute the necessary documents.

ACTION: Resolution 2019-421 (Kenoyer/Madrigal; 7/0) amending the Fiscal Year 2019-2020 Operating and Multi-Year Budget to appropriate revenue and expenses in the amount of $600,000 related to the Selective Traffic Enforcement Program Grant to increase enforcement for speed, DUI, and other special traffic enforcement operations.

Consent

19. Consider approving a Resolution supporting the Reducing Crime and Keeping California Safe Act of 2020. (Funding Source: Not Applicable)

    - Resolution approving supporting the Reducing Crime and Keeping California Safe Act of 2020.

    Police; Galen Carroll, 572-9501, carrollg@modestopd.com

ACTION: Resolution 2019-422 (Kenoyer/Madrigal; 7/0) approving supporting the Reducing Crime and Keeping California Safe Act of 2020.

Consent

20. Consider approving a Memorandum of Agreement with Stanislaus County for a joint application for funding of License Plate Readers and POD (Portable Observation Device) Cameras in the amount of $174,853 through the Edward Byrne Justice Assistance Grant (JAG) Formula Program. (Funding Source: Grants - Police)

    - Resolution approving a Memorandum of Agreement with Stanislaus County for a joint application for funding of License Plate Readers and POD (Portable Observation Device) Cameras in the amount $174,853 through the Edward Byrne Justice Assistance Grant (JAG) Formula Program; and authorizing the City Manager, or his designee, to execute the necessary documents.

    Police; Galen Carroll, 572-9501, carrollg@modestopd.com

ACTION: Resolution 2019-423 (Kenoyer/Madrigal; 7/0) approving a Memorandum of Agreement with Stanislaus County for a joint application for funding of License Plate Readers and POD (Portable Observation Device) Cameras in the amount $174,853 through the Edward Byrne Justice Assistance Grant (JAG) Formula Program; and authorizing the City Manager, or

his designee, to execute the necessary documents.

Consent

21. Consider approving an Agreement with AT&T FirstNet for cellular and data services for the Modesto Police Department for a two year Agreement with three one-year extension options, for an annual estimated cost not to exceed $280,048 in year one, increasing by $2,700 each year for additional line allotment, to an annual estimated cost not to exceed $290,848 in year five and a total not to exceed $1,459,287 including one-time expenses over five years. (Funding Source: General Fund)
    - Resolution approving an Agreement with AT&T FirstNet for cellular and data services for the Modesto Police Department for a two year Agreement with three one-year extension options, for an annual estimated cost not to exceed $280,048 in year one, increasing by $2,700 each year for additional line allotment, to an annual estimated cost not to exceed $290,848 in year five and a total not to exceed $1,459,287 including one-time expenses over five years and authorizing the City Manager to execute the Agreement in a form approved by the City Attorney.

    Police; Craig Gundlach, 572-9500, gundlachc@modestopd.com

ACTION: Resolution 2019-424 (Kenoyer/Madrigal; 7/0) approving an Agreement with AT&T FirstNet for cellular and data services for the Modesto Police Department for a two year Agreement with three one-year extension options, for an annual estimated cost not to exceed $280,048 in year one, increasing by $2,700 each year for additional line allotment, to an annual estimated cost not to exceed $290,848 in year five and a total not to exceed $1,459,287 including one-time expenses over five years and authorizing the City Manager to execute the Agreement in a form approved by the City Attorney.

Consent

22. Consider rejecting the bids for the on-call boring service for the High Voltage Upgrades Project, and authorizing staff to re-advertise the project for bid at a future date with an amended scope of work; and amending the Fiscal Year 2019-2020 Capital Improvement Program Budget to transfer $499,000 from Project #101167 (Upgrade High Voltage – Contractor) to Project 101166 (Upgrade High Voltage – City). (Funding Source: Surface Transportation Fund and Senate Bill 1)
    - Resolution approving rejecting the bids for the on-call boring service for the High Voltage Upgrades Project, and authorizing staff to re-advertise the project for bid at a future date with an amended scope of work.
    - Resolution amending the Fiscal Year 2019-2020 Capital Improvement Program Budget in an amount of $499,000 by way of transfer from project #101167 (Upgrade High Voltage – Contractor) to project #101166 (Upgrade High Voltage – City).

    Public Works; Scott Collins, 577-5431, scollins@modestogov.com

ACTION: Resolution 2019-425 (Kenoyer/Madrigal; 7/0) approving rejecting the bids for the on-call boring service for the High Voltage Upgrades Project, and authorizing staff to re-advertise the project for bid at a future date with an amended scope of work.

ACTION: Resolution 2019-426 (Kenoyer/Madrigal; 7/0) amending the Fiscal Year 2019-

2020 Capital Improvement Program Budget in an amount of $499,000 by way of transfer from project #101167 (Upgrade High Voltage – Contractor) to project #101166 (Upgrade High Voltage – City).

Consent

23. Consider approving the submission of a project list for Senate Bill 1 also known as the Road Repair and Accountability Act of 2017 for the Modesto Area Express bus system. (Funding Source: Transportation Development Act Funds)
    - Resolution approving the submission of a project list for Senate Bill 1(SB1) also known as the Road Repair and Accountability Act of 2017 for the Modesto Area Express (MAX) bus system, and authorizing the City Manager, or his designee, to execute and file all other necessary documents.

    Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Resolution 2019-427 (Kenoyer/Madrigal; 7/0) approving the submission of a project list for Senate Bill 1(SB1) also known as the Road Repair and Accountability Act of 2017 for the Modesto Area Express (MAX) bus system, and authorizing the City Manager, or his designee, to execute and file all other necessary documents.

Consent

24. Consider accepting the Modesto Junior College Bicycle Path Phase II – Active Transportation Program Local 5059(209) Project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $510,932 to McFadden Construction Inc., Stockton, CA. (Funding Source: Active Transportation Program Grant and Measure L)
    - Resolution accepting the Modesto Junior College Bicycle Path Phase II – Active Transportation Program Local 5059(209) Project, as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $510,932 to McFadden Construction Inc., Stockton, CA.

    Utilities; Jesse Franco, 571-5175, jfranco@modestogov.com

ACTION: Resolution 2019-428 (Kenoyer/Madrigal; 7/0) accepting the Modesto Junior College Bicycle Path Phase II – Active Transportation Program Local 5059(209) Project, as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $510,932 to McFadden Construction Inc., Stockton, CA.

Consent

25. Consider accepting the Industrial Tank No. 13 and Pump Station Project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $9,800,964 to Conco West, Inc., Manteca, CA. (Funding Source: Water Fund)
    - Resolution accepting the Industrial Tank No. 13 and Pump Station Project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $9,800,964 to Conco West, Inc., Manteca, CA.

    Utilities; Jesse Franco, 571-5175, jfranco@modestogov.com

ACTION: Resolution 2019-429 (Kenoyer/Madrigal; 7/0) accepting the Industrial Tank No. 13 and Pump Station Project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $9,800,964 to Conco West, Inc., Manteca, CA.

Consent

26. Consider accepting the Right Turn Lane at Prescott Road and Plaza Parkway Construction Project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $755,875 to Cazadoro Construction, Inc., of San Francisco, CA. (Funding Source: Congestion Mitigation and Air Quality, Regional Surface Transportation Program, and local Surface Transportation Fund)
    - Resolution accepting the Right Turn Lane at Prescott Road and Plaza Parkway Construction Project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $755,875 to Cazadoro Construction, Inc. of San Francisco, CA.

    Utilities; Jesse Franco, 571-5175, jfranco@modestogov.com

ACTION: Resolution 2019-430 (Kenoyer/Madrigal; 7/0) accepting the Right Turn Lane at Prescott Road and Plaza Parkway Construction Project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $755,875 to Cazadoro Construction, Inc. of San Francisco, CA.

Consent

27. Consider accepting the La Loma Phase 2B Strengthen and Replace Water Mains Project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $3,999,843 to D.A. Wood Construction, Inc., of Modesto, CA. (Funding Source: Water Fund)
    - Resolution accepting the La Loma Phase 2B Strengthen and Replace Water Mains Project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $3,999,843 to D.A. Wood Construction, Inc., of Modesto, CA.

    Utilities; Jesse Franco, 571-5175, jfranco@modestogov.com

ACTION: Resolution 2019-431 (Kenoyer/Madrigal; 7/0) accepting the La Loma Phase 2B Strengthen and Replace Water Mains Project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $3,999,843 to D.A. Wood Construction, Inc., of Modesto, CA.

Consent

28. Consider accepting the Tuolumne River Sheet Pile and Dam Debris Removal Project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $1,472,020 to Innovative Construction Solutions of Dublin, CA; and approving an Amendment to the Agreement with Consolidated Construction Management, Inc., of Oakland, CA, for construction

management and inspection services for the Tuolumne River Sheet Pile and Dam Debris Removal Project, in an amount not to exceed $62,994 for a total Agreement amount of $245,367, and authorizing the City Manager, or his designee, to execute the Amendment to the Agreement. (Funding Source: DWR Urban Streams Restoration Program, Natural Resources Agency Urban Rivers Grant Program, CA State Lands Commission Grant, CDFW Proposition 1 Grant Program and a Grant from the Long Foundation)

- Resolution accepting the Tuolumne River Sheet Pile and Dam Debris Removal Project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $1,472,020 to Innovative Construction Solutions of Dublin, CA.
- Resolution approving an Amendment to the Agreement with Consolidated Construction Management, Inc., of Oakland, CA, for construction management and inspection services for the Tuolumne River Sheet Pile and Dam Debris Removal Project, in an amount not to exceed $62,994 for a total Agreement amount of $245,367, and authorizing the City Manager, or his designee, to execute the Amendment to the Agreement.

Utilities and Parks, Recreation & Neighborhoods; Jesse Franco, 571-5775, jfranco@modestogov.com

ACTION: Resolution 2019-432 (Kenoyer/Madrigal; 7/0) accepting the Tuolumne River Sheet Pile and Dam Debris Removal Project as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $1,472,020 to Innovative Construction Solutions of Dublin, CA.

ACTION: Resolution 2019-433 (Kenoyer/Madrigal; 7/0) approving an Amendment to the Agreement with Consolidated Construction Management, Inc., of Oakland, CA, for construction management and inspection services for the Tuolumne River Sheet Pile and Dam Debris Removal Project, in an amount not to exceed $62,994 for a total Agreement amount of $245,367, and authorizing the City Manager, or his designee, to execute the Amendment to the Agreement.

Consent

29. Consider authorizing the submittal of a grant application to the State Water Resources Control Board, under the Proposition 1 Storm Water Grant Program, for the Round 2 Implementation Grant for the Modesto Area 2 Storm Water to Sanitary Sewer Cross Connection Removal Project Phase III JM Pike Park and Phase IV Catherine Everett Park. (Funding Source: Wastewater Fund)

    - Resolution authorizing the submittal of a grant application to the State Water Resources Control Board, under the Proposition 1 Storm Water Grant Program, for the Round 2 Implementation Grant for the Modesto Area 2 Storm Water to Sanitary Sewer Cross Connection Removal Project Phase III JM Pike Park and Phase IV Catherine Everett Park.

    Utilities; Miguel Alvarez, 577-5348, malvaerz@modestogov.com

ACTION: Resolution 2019-434 (Kenoyer/Madrigal; 7/0) authorizing the submittal of a

grant application to the State Water Resources Control Board, under the Proposition 1 Storm Water Grant Program, for the Round 2 Implementation Grant for the Modesto Area 2 Storm Water to Sanitary Sewer Cross Connection Removal Project Phase III JM Pike Park and Phase IV Catherine Everett Park.

Consent

30. Consider authorizing the submittal of a grant application on behalf of the Stanislaus and Tuolumne Rivers Groundwater Basin Association Groundwater Sustainability Agency to the Department of Water Resources for Round 3 Sustainable Groundwater Management Planning Grant Program Funding. (Funding Source: Water Fund)
    - Resolution authorizing the submittal of an application on behalf of the Stanislaus and Tuolumne Rivers Groundwater Basin Association Groundwater Sustainability Agency, to the California Department of Water Resources to obtain a grant under the 2019 Sustainable Groundwater Management (SGM) Grant Program Planning Grant Pursuant to the Water Quality, Supply, and Infrastructure Improvement Act of 2014 (Proposition 1) (Water Code 79700 et seq.) and/or the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018 (Proposition 68).

    Utilities; Miguel Alvarez, 577-5348, malvaerz@modestogov.com

ACTION: Resolution 2019-435 (Kenoyer/Madrigal; 7/0) authorizing the submittal of an application on behalf of the Stanislaus and Tuolumne Rivers Groundwater Basin Association Groundwater Sustainability Agency, to the California Department of Water Resources to obtain a grant under the 2019 Sustainable Groundwater Management (SGM) Grant Program Planning Grant Pursuant to the Water Quality, Supply, and Infrastructure Improvement Act of 2014 (Proposition 1) (Water Code 79700 et seq.) and/or the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018 (Proposition 68).

COUNCIL COMMENTS & REPORTS

Councilmember Ridenour attended: the opening of Connecting Waters Charter School on Briggsmore and the Modesto Courthouse Architecture and Design meeting.

Councilmember Kenoyer attended: the American Legion Boys and Girls State event, the Power of the Purse at the Gallo Center, Assyrian Festival in Turlock, the Ribbon Cutting for the Portuguese Fraternal Society of American Inaugural Ceremony of New PFSA Home Office, and the Greek Food Festival.

Councilmember Madrigal attended: City of Modesto Systemic Safety Transportation System event, the County-wide Census Complete Count Committee; kick-off for the Heart Bus in Modesto in the parking lot of Modesto Centre Plaza, League of Cities Central Valley Division meeting, a Tent Revival at Mellis Park, and the new Modesto Courthouse Architecture and Design meeting.

CITY MANAGER COMMENTS & REPORTS

None.

UNFINISHED BUSINESS

31. Consider approving a Measure L Cooperative Agreement with Stanislaus Council of Governments (StanCOG) for the Construction Phase of the State Route 132 West Freeway/Expressway - Phase 1 Project; and approving an Amendment to the Cooperative Agreement with StanCOG for the Plans, Specifications, and Estimate (PS&E) and Right of Way (ROW) Phases of the State Route 132 West Freeway/Expressway – Phase 1 Project; and amending the Fiscal Year 2019-2020 Capital Improvement Program (CIP) Budget in the amount of $85,611,834 for the Construction Phase and $6,613,800 for the PS&E and ROW Phases of the project. (Funding Source: Various)
    - Resolution approving a Measure L Cooperative Agreement with Stanislaus Council of Governments for the Construction Phase of the State Route 132 West Freeway/Expressway - Phase 1 Project and authorizing the City Manager, or his designee, to execute the Agreement.
    - Resolution approving an Amendment to the Measure L Cooperative Agreement with Stanislaus Council of Governments for the Plans, Specifications, and Estimate (PS&E) and Right of Way (ROW) Phases of the State Route 132 West Freeway/Expressway - Phase 1 Project and authorizing the City Manager, or his designee, to execute the Amendment.
    - Resolution amending the Fiscal Year 2019-2020 Capital Improvement Program (CIP) Budget in the amount of $85,611,834 for the Construction Phase of project #101119 and $6,613,800 for the PS&E and ROW Phases of the project #100614 for the State Route 132 West Freeway/Expressway – Phase 1 Project and authorizing the City Manager, or his designee, to implement the provisions of this resolution.

    Community & Economic Development; Vickey Dion, 571-5542, vdion@modestogov.com

ACTION: Resolution 2019-436 (Ah You/Zoslocki; 7/0) approving a Measure L Cooperative Agreement with Stanislaus Council of Governments for the Construction Phase of the State Route 132 West Freeway/Expressway - Phase 1 Project and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: Resolution 2019-437 (Ah You/Zoslocki; 7/0) approving an Amendment to the Measure L Cooperative Agreement with Stanislaus Council of Governments for the Plans, Specifications, and Estimate (PS&E) and Right of Way (ROW) Phases of the State Route 132 West Freeway/Expressway - Phase 1 Project and authorizing the City Manager, or his designee, to execute the Amendment.

ACTION: Resolution 2019-438 (Ah You/Zoslocki; 7/0) amending the Fiscal Year 2019-2020 Capital Improvement Program (CIP) Budget in the amount of $85,611,834 for the Construction Phase of project #101119 and $6,613,800 for the PS&E and ROW Phases of the project #100614 for the State Route 132 West Freeway/Expressway – Phase 1 Project and authorizing the City Manager, or his designee, to implement the provisions of this resolution.

32. Consider approving the plans and specifications for the State Route 132 West

Freeway/Expressway - Phase 1 Project, accepting the bid, and awarding a contract to Bay Cities Paving & Grading, Inc., of Concord, California, in the amount of $92,054,078; and authorizing an increase in authority to approve change orders for the Project up to the budgeted 10% contingency amount of the original contract and approving individual contract change order authority within the requested amounts. (Funding Source: Various)

- Resolution approving the plans and specifications for the State Route 132 West Freeway/Expressway Phase 1 Project, accepting the bid, and awarding a contract to Bay Cities Paving & Grading, Inc., of Concord, California, in the amount of $92,054,078, and authorizing the City Manager, or his designee to execute the Agreement.
- Resolution authorizing the increase in authority to approve change orders for the construction of the State Route132 West Freeway/Expressway Phase 1 Project to $9,205,408 (10% of the original contract amount) and to authorize staff to approve individual change orders for the Project within the requested amounts.

Community & Economic Development; Vickey Dion, 571-5542, vdion@modestogov.com

ACTION: Resolution 2019-439 (Zoslocki/Ah You; 7/0) approving the plans and specifications for the State Route 132 West Freeway/Expressway Phase 1 Project, accepting the bid, and awarding a contract to Bay Cities Paving & Grading, Inc., of Concord, California, in the amount of $92,054,078, and authorizing the City Manager, or his designee to execute the Agreement.

ACTION: Resolution 2019-440 (Zoslocki/Ah You; 7/0) authorizing the increase in authority to approve change orders for the construction of the State Route132 West Freeway/Expressway Phase 1 Project to $9,205,408 (10% of the original contract amount) and to authorize staff to approve individual change orders for the Project within the requested amounts.

33. Consider approving a Third Amendment to the professional design services Agreement for the State Route 132 West Freeway/Expressway - Phase 1 Project with Dokken Engineering, increasing the Agreement amount by $1,363,210 from $7,488,518 to a total not to exceed amount of $8,851,728. (Funding Source: Regional Measure L)

- Resolution approving a Third Amendment increasing the Agreement amount with Dokken Engineering, for professional design services for the State Route 132 West Freeway/Expressway - Phase 1 Project by $1,363,210 from $7,488,518 to a total not to exceed amount of $8,851,728, and authorizing the City Manager, or his designee, to execute the Third Amendment.

Community & Economic Development; Vickey Dion, 571-5542, vdion@modestogov.com

ACTION: Resolution 2019-441 (Zoslocki/Madrigal; 7/0) approving a Third Amendment increasing the Agreement amount with Dokken Engineering, for professional design services for the State Route 132 West Freeway/Expressway - Phase 1 Project by $1,363,210 from $7,488,518 to a total not to exceed amount of $8,851,728, and authorizing the City Manager, or his designee, to execute the Third Amendment.

HEARINGS

Published in the Modesto Bee and Vida en el Valle on September 4, 2019 – Councilmember Ridenour absent due to conflict of interest

34. Hearing to consider approving the Program Year 2018-2019 Consolidated Annual Performance Evaluation Report (CAPER). (Funding Source: Community Development Block Grant, Emergency Solutions Grant and HOME Investment Partnerships Funds)
    - Resolution approving the City of Modesto's Consolidated Annual Performance Evaluation Report for Program Year 2018-2019; and authorizing the City Manager, or his designee, to sign the required documents for submittal to the U.S. Department of Housing and Urban Development.

    Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Resolution 2019-442 (Madrigal/Zoslocki; 6/0; Ridenour absent due to conflict of interest) approving the City of Modesto's Consolidated Annual Performance Evaluation Report for Program Year 2018-2019; and authorizing the City Manager, or his designee, to sign the required documents for submittal to the U.S. Department of Housing and Urban Development.

Published in the Modesto Bee on September 13, 2019

35. Hearing to consider denying the appeal of Kenneth Thornberry on behalf of K&D Enterprises to a Request for Bid (RFB 1718-50RB) decision awarding a spoils screening and rock crushing contract to Rock Crushing Solutions and DJ Rocha. (Funding Source: Water, Wastewater and Surface Transportation Funds)
    - Resolution denying the appeal of K&D Enterprises to a Request for Bid (RFB 1718-50RB) decision awarding a spoils screening and rock crushing contract to Rock Crushing Solutions and DJ Rocha Inc..

    Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Resolution 2019-443 (Ah You/Zoslocki; 7/0) denying the appeal of K&D Enterprises to a Request for Bid (RFB 1718-50RB) decision awarding a spoils screening and rock crushing contract to Rock Crushing Solutions and DJ Rocha Inc..

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 9:25 p.m.

CLOSED SESSION

All Closed Session Matters heard prior to meeting

CONSENT ITEMS

1. Consider appointing Real Property Negotiators Ryan Daugherty, City of Modesto Property Agent and Adam U. Lindgren, City Attorney for Properties: APN: 037-023-002.

• Motion appointing Real Property Negotiators Ryan Daugherty, City of Modesto Property Agent and Adam U. Lindgren, City Attorney for Properties: APN: 037-023-002.

City Attorney, Adam Lindgren, 577-5284, alindgren@modestogov.com

ACTION: Motion (Kenoyer/Ah You; 6/0; Zoslocki absent) appointing Real Property Negotiators Ryan Daugherty, City of Modesto Property Agent and Adam U. Lindgren, City Attorney for Properties: APN: 037-023-002.

CLOSED SESSION

CONFERENCE WITH REAL PROPERTY NEGOTIATORS:
(Pursuant to Section 54956.8 of the Government Code)
Property: 1500 Robertson Road, Modesto, CA APN: 037-023-002
Property Owners: City of Modesto, et al; Tuolumne River Regional Park (TRRP)-owned: City of Modesto, City of Ceres, and Stanislaus County

Negotiating Parties:
For City: Ryan Daugherty, City of Modesto Property Agent
Adam U. Lindgren, City Attorney for City of Modesto
For Property Owner: Unknown at this time
Under Negotiation: Price and Terms

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
1 Case (Pursuant to Section 54956.9(d)(1) of the Government Code)
Name of Case: City of Modesto, et al. v. The Dow Chemical Company, et al. (PCE)
Court of Appeals of the State of California
Appeal Case No: A134419

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
One Case (Pursuant to Section 54956.9(d)(2) of the Government Code)

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
One Case (Pursuant to Section 54956.9(d)(4) of the Government Code)

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCEA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Employees Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCMA
Negotiator: Norma Santoyo

Employee Organization: Modesto Confidential & Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPOA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Officers' Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPNSA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Non-Sworn Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) –MPMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCFFA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Firefighters Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – Unrepresented
Negotiator: Norma Santoyo
Employee Organization: Unrepresented Management and Confidential Employees

Attest:_____
Stephanie Lopez, City Clerk

MINUTES

City of Modesto

SPECIAL APPOINTMENTS COMMITTEE / COUNCIL WORKSHOP

Second Floor, Room 2008
Tenth Street Place, 1010 10th Street
Modesto, California

Wednesday, September 25, 2019, at 2:00 p.m.

Roll Call: Present: Councilmembers Madrigal, Mayor Brandvold and Councilmember Kenoyer (alternate) (arrived at 2:20 p.m.)
Absent: Councilmember Grewal

PUBLIC COMMENTS

None.

CONSENT ITEMS

None.

NEW BUSINESS

1. Consider and review Citizens' Transportation Sales Tax Commission applications to recommend to the City Council prospective candidates to fill three (3) vacancies on the Citizens' Transportation Sales Tax Commission. (Funding Source: Not Applicable)
City Council; Mayor Ted Brandvold, 571-5597, tbrandvold@modestogov.com

ACTION: Motion (Mayor Brandvold/Madrigal; 2/0; Grewal absent) recommending Richard Rodman (former Grand Jury member), Mike Moradian (Neighborhood Association), and Pat Gillum (Small Business) to the Citizens' Transportation Sales Tax Commission and forwarding to Council for approval.

2. Consider recommending appointments for two vacancies to the Board of Building Appeals and forwarding to Council for approval. (Funding Source: Not Applicable)
Community & Economic Development; Oscar Diaz, 571-5885, odiaz@modestogov.com

ACTION: Motion (Mayor Brandvold/Madrigal; 2/0; Grewal absent) recommending Adis Bey and Sebastian Jones to the Board of Building Appeals and forwarding to Council for approval.

3. Consider recommending an appointment to fill one vacancy on the Modesto

Convention and Visitors Bureau Board of Directors and forwarding to Council for approval. (Funding Source: Not Applicable)
Parks, Recreation and Neighborhoods; Laurie Smith, (209) 577-5437 , lsmith@modestogov.com

ACTION: Motion (Mayor Brandvold/Kenoyer; 3/0) recommending Tim Fisher to fill one vacancy on the Modesto Convention and Visitors Bureau Board of Directors and forwarding to Council for approval.

4. Consider approving Anthony Winstead for appointment as the Small Aircraft Owner/General Aviation representative for the vacant position on the Airport Advisory Committee, and forwarding to Council for approval. (Funding Source: Not Applicable)
Public Works; Steve Fischio, 342-2222, sfischio@modestogov.com

ACTION: Motion (Mayor Brandvold/Kenoyer; 3/0) recommending Anthony Winstead for appointment as the Small Aircraft Owner/General Aviation representative for the vacant position on the Airport Advisory Committee, and forwarding to Council for approval.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 2:28 p.m.

Attest:_____
Stephanie Lopez, City Clerk

MINUTES

City of Modesto

CITY COUNCIL MEETING

Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday October 01, 2019, at 5:30 p.m.

Roll Call – Present: Councilmembers Ah You, Grewal, Kenoyer, Madrigal, Ridenour, Zoslocki, Mayor Brandvold
Absent: None

Pledge of Allegiance to the Flag

Invocation: Cindy Marks, Pray Modesto

City Clerk's Announcements: None

Declaration of Conflicts of Interest: None

Reports from Closed Session: City Attorney Lindgren reported on Closed Session matters

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Poem of the Month presented by Gillian Wegener. (Funding Source: Not Applicable)
   City Council; Kathy Espinoza, 571-5597, kespinoza1@modestogov.com

ACTION: Poem of the Month presented by Ed Bearden.

2. Presentation by StanCOG Executive Director Rosa Park with an update on Measure L revenue, expenditures and audit. (Funding Source: Not Applicable)
   City Council; Kathy Espinoza, 571-5597, kespinoza1@modestogov.com

ACTION: StanCOG Executive Director Rosa Park and Manager Karen Kincy presented an update on Measure L revenue, expenditures and audit.

PUBLIC COMMENT PERIOD

- John Sanchez spoke regarding the Mary Grogan Soccer Complex and requested a United States flag be flown at the field.

- Jacob Felder spoke on behalf of Assembly Member Heath Flora and gave updates on recent legislation.

Councilmember Ridenour left meeting at 5:50 p.m.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED
ACTION CONSENT ITEMS3-12: (Kenoyer/Grewal; Ridenour absent)

CONSENT ITEMS

An item may be removed from consent and discussed at the request of an audience member or Councilmember.

Consent
3. Consider approving the minutes from the September 24, 2019 Council Meeting. (Funding Source: Not Applicable)
   - Motion approving the minutes from the September 24, 2019 Council Meeting.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Grewal; 6/0; Ridenour absent) approving the minutes from the September 24, 2019 Council Meeting.

Consent
4. Consider approving the payment of $406,196 to the American Telephone and Telegraph Company (AT&T) for the purpose of relocation of existing utility infrastructure that is in conflict with highway construction for the SR132 West Freeway/Expressway Project. (Funding Source: Regional Measure L Funds)
   - Resolution approving the payment of $406,196 to the American Telephone and Telegraph Company (AT&T) for the purpose of relocation of existing utility infrastructure that is in conflict with highway construction for the SR132 West Freeway/Expressway - Phase 1 Project.

   Community & Economic Development; Vickey Dion, 571-5542, vdion@modestogov.com

ACTION: Resolution 2019-444 (Kenoyer/Grewal; 6/0; Ridenour absent) approving the payment of $406,196 to the American Telephone and Telegraph Company (AT&T) for the purpose of relocation of existing utility infrastructure that is in conflict with highway construction for the SR132 West Freeway/Expressway - Phase 1 Project.

Consent
5. Consider approving the award of bid and Agreement for the purchase of rock, sand and gravel to West Coast Sand & Gravel, Modesto, CA, as primary supplier, and California Landscape Supply, Ceres, CA as the secondary supplier for a two-year Agreement with three one-year extension options and authorizing the Director of Finance, or designee, to adjust the financial amounts between both providers without exceeding the estimated annual cost not to exceed $606,000, and a total cost not to exceed $3,030,000 over five years. (Funding Source: Wastewater, Water, Compost, Surface Transportation Fund,

and General Fund)

- Resolution approving the award of bid and Agreement for the purchase of rock, sand and gravel to West Coast Sand & Gravel, Modesto, CA, as primary supplier, and California Landscape Supply, Ceres, CA as the secondary supplier for a two-year Agreement with three one-year extension options and authorizing the Director of Finance, or designee, to adjust the financial amounts between both providers without exceeding the estimated annual cost not to exceed $606,000, and a total cost not to exceed $3,030,000 over five years and authorizing the Purchasing Manager or her designee, to execute the Purchase Agreements.

Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Resolution 2019-445 (Kenoyer/Grewal; 6/0; Ridenour absent) approving the award of bid and Agreement for the purchase of rock, sand and gravel to West Coast Sand & Gravel, Modesto, CA, as primary supplier, and California Landscape Supply, Ceres, CA as the secondary supplier for a two-year Agreement with three one-year extension options and authorizing the Director of Finance, or designee, to adjust the financial amounts between both providers without exceeding the estimated annual cost not to exceed $606,000, and a total cost not to exceed $3,030,000 over five years and authorizing the Purchasing Manager or her designee, to execute the Purchase Agreements.

Consent

6. Consider accepting the Fiscal Year 2018-19 Write-off and Adjustments reports through fiscal year-end June 30, 2019 in the total amount of $1,101,988. (Funding Source: Abatement and Public Nuisance Fund, General Fund, Solid Waste Fund, Water Fund, Storm Drain Fund, and Wastewater Fund)

   - Resolution approving the 2018-2019 Write-off and Adjustments reports through fiscal year-end June 30, 2019 in the total amount of $1,101,099 and directing a report of disposition to be filed with the City Clerk.

   Finance; DeAnna Christensen, 577-5387, dachristensen@modestogov.com

ACTION: Resolution 2019-446 (Kenoyer/Grewal; 6/0; Ridenour absent) approving the 2018-2019 Write-off and Adjustments reports through fiscal year-end June 30, 2019 in the total amount of $1,101,099 and directing a report of disposition to be filed with the City Clerk.

Consent

7. Consider approving a report detailing City personal property sold, donated, or disposed of during Fiscal Year 2018-19. (Funding Source: Airport Operating, Community Center Operations, Solid Waste, Storm Drain, Sewer Operations, Bus Fixed Route, Bus Fixed Route Max Operations, Water, General)

   - Motion approving a report detailing all personal property sold, donated, or disposed of during Fiscal Year 2018-19.

   Finance; DeAnna Christensen, 577-5387, dachristensen@modestogov.com

ACTION: Motion (Kenoyer/Grewal; 6/0; Ridenour absent) approving a report detailing all personal property sold, donated, or disposed of during Fiscal Year 2018-19.

Consent

8. Consider claiming Fiscal Year 2018-2019 unclaimed funds of $28,037 held in the City's trust for more than three years and authorizing the transfer to the General Fund. (Funding Source: General Fund)
   - Resolution claiming Fiscal Year 2018-2019 unclaimed funds of $28,037 held in the City's Trust Fund for more than three years and authorizing the transfer to the General Fund.

   Finance; DeAnna Christensen, 577-5387, dachristensen@modestogov.com

ACTION: Resolution 2019-447 (Kenoyer/Grewal; 6/0; Ridenour absent) claiming Fiscal Year 2018-2019 unclaimed funds of $28,037 held in the City's Trust Fund for more than three years and authorizing the transfer to the General Fund.

Consent

9. Consider approving a Memorandum of Understanding with the La Loma Neighborhood Association and Modesto Neighborhoods, Inc. regarding the design and construction of the East La Loma Park Playground Project. (Funding Source: Community Donations and Parks Fund)
   - Resolution approving a Memorandum of Understanding with the La Loma Neighborhood Association and Modesto Neighborhoods, Inc. regarding the design and construction of the East La Loma Park Playground Project and authorizing the City Manager, or his designee, to execute the MOU in a form approved by the City Attorney.

   Parks, Recreation & Neighborhoods; Nathan Houx, 571-5526, nhoux@modestogov.com

ACTION: Resolution 2019-448 (Kenoyer/Grewal; 6/0; Ridenour absent) approving a Memorandum of Understanding with the La Loma Neighborhood Association and Modesto Neighborhoods, Inc. regarding the design and construction of the East La Loma Park Playground Project and authorizing the City Manager, or his designee, to execute the MOU in a form approved by the City Attorney.

Consent

10. Consider approving the Modesto Tourism Marketing District Owners' Association Agreement. (Funding Source: Modesto Tourism Marketing District Assessments)
    - Resolution approving the Modesto Tourism Marketing District Owners' Association Agreement and authorizing the City Manager, or his designee, to execute the Agreement.

    Parks, Recreation & Neighborhoods; Laurie Smith, 577-5347, lsmith@modestogov.com

ACTION: Resolution 2019-449 (Kenoyer/Grewal; 6/0; Ridenour absent) approving the Modesto Tourism Marketing District Owners' Association Agreement and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

11. Consider approving an increase in the authority that may be spent under the Agreement with Fong & Fong Printers and Lithographers, for the printing of the Modesto Area Express ride guide by $42,000 from $121,725 to a new total not to exceed amount of $163,725 through the remainder of the five year contract ending on August 31, 2020. (Funding Source: Transit Funds)
    - Resolution approving an increase in the authority that may be spent under the Agreement with Fong & Fong Printers and Lithographers, for the printing of the Modesto Area Express ride guide by $42,000 from $121,725 to a new total not to exceed amount of $163,725 through the remainder of the five year contract ending on August 31, 2020.

    Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Resolution 2019-450 (Kenoyer/Grewal; 6/0; Ridenour absent) approving an increase in the authority that may be spent under the Agreement with Fong & Fong Printers and Lithographers, for the printing of the Modesto Area Express ride guide by $42,000 from $121,725 to a new total not to exceed amount of $163,725 through the remainder of the five year contract ending on August 31, 2020.

Consent

12. Consider approving the Second Amendment increasing the Agreement amount with Avail Technologies, Inc., State College, PA, for spare cellular modems and mobile data terminals utilized in the Modesto Area Express fleet, by $7,897 from $342,794 to a new total amount of $350,691. (Funding Source: Transit Funds)
    - Resolution approving the Second Amendment increasing the Agreement amount with Avail Technologies, Inc., State College, PA, for spare cellular modems and mobile data terminals utilized in the Modesto Area Express fleet, by $7,897 from $342,794 to a new total amount of $350,691, and authorizing the City Manager, or his designee, to execute the Amendment.

    Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Resolution 2019-451 (Kenoyer/Grewal; 6/0; Ridenour absent) approving the Second Amendment increasing the Agreement amount with Avail Technologies, Inc., State College, PA, for spare cellular modems and mobile data terminals utilized in the Modesto Area Express fleet, by $7,897 from $342,794 to a new total amount of $350,691, and authorizing the City Manager, or his designee, to execute the Amendment.

COUNCIL COMMENTS & REPORTS

Councilmember Kenoyer attended: the opening of Veterans Housing sponsored by the Stanislaus County Housing Authority, a Ribbon Cutting for Mobaak Aromatherapy Shoppe at Roseburg Shopping Center, the Sierra Vista Heart of the Children fundraiser, and the Downtown Master Plan meeting.

Councilmember Madrigal attended: the Grand Opening of a new shade structure at Mellis Park, the opening of Veterans Housing sponsored by the Stanislaus County Housing Authority, a community meeting with Manos Unidos regarding clean-up in the West Side of

Modesto, and downtown design workshops being held this week.

CITY MANAGER COMMENTS & REPORTS

None.

HEARINGS

Published in the Modesto Bee on July 25, 2019; Continued from August 7, 2019 Council Meeting

13. Hearing to consider approving an Ordinance amending the Modesto Municipal Code to amend Sections 10-2.102, 10-2.109, 10-2.191, 10-3.101, 10-3.201, 10-3.217, 10-4.102, 10-4.107, 10-4.108, 10-4.110 and add Sections 10-4.114 and 10-4.115 regarding accessory dwelling units, accessory buildings, and second story units. (Funding Source: General Fund)
    - Motion introducing and waiving the first reading of an Ordinance amending the Modesto Municipal Code to amend Sections 10-2.102, 10-2.109, 10-2.191, 10-3.101, 10-3.201, 10-3.217, 10-4.102, 10-4.107, 10-4.108, 10-4.110 and add Sections 10-4.114 and 10-4.115 regarding accessory dwelling units, accessory buildings, and second story units.

    Community & Economic Development; Paul Liu, 577-5267, pliu@modestogov.com

ACTION: Motion (Madrigal/Ah You; 6/0; Ridenour absent) introducing and waiving the first reading of **Ordinance No. 3704-C.S.** amending the Modesto Municipal Code to amend Sections 10-2.102, 10-2.109, 10-2.191, 10-3.101, 10-3.201, 10-3.217, 10-4.102, 10-4.107, 10-4.108, 10-4.110 and add Sections 10-4.114 and 10-4.115 regarding accessory dwelling units, accessory buildings, and second story units.

Published in the Modesto Bee on September 10, 2019

14. Hearing to consider rezoning 2.25 acres of property located at 1432 and 1442 Scenic Drive from Low Density Residential (R-1) Zone to Planned Development P-D(601) Zone. (Funding Source: Application Fees)
    - Motion introducing and waiving the first reading of an Ordinance amending Section 27-3-9 of the Zoning Map of the City of Modesto to rezone from Low Density Residential Zone, R-1, to Planned Development Zone P-D(601), properties located at 1432 and 1442 Scenic Drive.
    - Resolution approving a development plan for Planned Development Zone, P-D(601).
    - Resolution finding that the following subsequent project is within the scope of the project covered by the Modesto Urban Area General Plan Master Environmental Impact Report (SCH No. 2014042081): amendment to Section 27-3-9 of the zoning map to rezone from Low Density Residential (R-1) to Planned Development Zone P-D(601) properties located at 1432 and 1442 Scenic Drive.

    Community & Economic Development; Jonnie Lan, 577-5267, jlan@modestogov.com

ACTION: Motion (Ah You/Zoslocki; 6/0; Ridenour absent) introducing and waiving the

first reading of **Ordinance No. 3705-C.S.** amending Section 27-3-9 of the Zoning Map of the City of Modesto to rezone from Low Density Residential Zone, R-1, to Planned Development Zone P-D(601), properties located at 1432 and 1442 Scenic Drive.

ACTION: Resolution 2019-452 (Ah You/Zoslocki; 6/0; Ridenour absent) approving a development plan for Planned Development Zone, P-D(601).

ACTION: Resolution 2019-453 (Ah You/Zoslocki; 6/0; Ridenour absent) finding that the following subsequent project is within the scope of the project covered by the Modesto Urban Area General Plan Master Environmental Impact Report (SCH No. 2014042081): amendment to Section 27-3-9 of the zoning map to rezone from Low Density Residential (R-1) to Planned Development Zone P-D(601) properties located at 1432 and 1442 Scenic Drive.

Published in the Modesto Bee on September 20, 2019

15. Hearing to consider accepting the 2019 Public Health Goals Report, in compliance with Title 22 of the California Health and Safety Code. (Funding Source: Not Applicable)
    - Resolution accepting the 2019 Public Health Goals Report in compliance with Title 22 of the California Health and Safety Code.

    Utilities; Jeff Daniels, 342-4585, jdaniels@modestgov.com

ACTION: Resolution 2019-454 (Grewal/Ah You; 5/0; Madrigal, Ridenour absent) accepting the 2019 Public Health Goals Report in compliance with Title 22 of the California Health and Safety Code.

NEW BUSINESS

16. Consider approving a State of California Senate Bill 2 planning grant application in the amount of $625,000 for the purpose of funding various housing-related projects. (Funding Source: Senate Bill 2 Planning Grants Program)
    - Resolution approving a State of California Senate Bill 2 planning grant application in the amount of $625,000 for the purpose of funding various housing-related projects, and authorizing the City Manager, or his designee, to file the grant application.

    Community & Economic Development; Brad Wall , 577-5267, bwall@modestogov.com

ACTION: Resolution 2019-455 (Madrigal/Grewal; 6/0; Ridenour absent) approving a State of California Senate Bill 2 planning grant application in the amount of $625,000 for the purpose of funding various housing-related projects, and authorizing the City Manager, or his designee, to file the grant application.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 6:51 p.m.

CLOSED SESSION

All Closed Session Matters heard prior to meeting

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
One Case (Pursuant to Section 54956.9(d)(2) of the Government Code)

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCEA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Employees Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Confidential & Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPOA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Officers' Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPNSA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Non-Sworn Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) –MPMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCFFA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Firefighters Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – Unrepresented
Negotiator: Norma Santoyo
Employee Organization: Unrepresented Management and Confidential Employees

Attest:_____
Stephanie Lopez, City Clerk

MINUTES

City of Modesto

ECONOMIC DEVELOPMENT COMMITTEE / COUNCIL WORKSHOP

Second Floor, Room 2005
Tenth Street Place, 1010 10th Street
Modesto, California

Wednesday, October 2, 2019, at 2:00 p.m.

Roll Call: Present: Councilmembers Zoslocki, Ridenour, and Madrigal (arrived at 2:07 p.m.)
Absent: None

PUBLIC COMMENTS

None.

CONSENT

1. Consider authorizing submittal of grant applications to seek grant funding for Congestion Mitigation and Air Quality Grants, and forwarding to Council for approval. (Funding Source: Various Transportation Funds)
   Public Works; Scott Collins, 577-5431, scollins@modestogov.com

ACTION: Motion (Ridenour/Zoslocki; 2/0; Madrigal absent) authorizing submittal of grant applications to seek grant funding for Congestion Mitigation and Air Quality Grants, and forwarding to Council for approval.

Consent

2. Consider approving bi-annual Compost "Give Back to the Community Days" each October and April to become effective October 2019, and forwarding to Council for approval. (Funding Source: Compost Fund)
   Public Works; Karin Neep, 577-5453, kneep@modestogov.com

ACTION: Motion (Ridenour/Zoslocki; 2/0; Madrigal absent) approving bi-annual Compost "Give Back to the Community Days" each October and April to become effective October 2019, and forwarding to Council for approval.

Removed from Consent

3. Consider approving the purchase of a John Deere 644K loader with specific configurations from Pape Machinery, French Camp, CA, for a total amount of $254,268, and forwarding to Council for approval. (Funding Source: Fleet Replacement Funds)
   Public Works; Steve Fischio, 342-2222, sfischio@modestogov.com

ACTION: Motion (Ridenour/Madrigal; 3/0) approving the purchase of a John Deere 644K loader with specific configurations from Pape Machinery, French Camp, CA, for a total amount of $254,268, and forwarding to Council for approval.

NEW BUSINESS

4. Consider accepting an informational report on the Measure L 5-year plan and forwarding to Council for approval. (Funding Source: Not Applicable)
Community & Economic Development; Tamorah Bryant, 577-5328, tbryant@modestogov.com

ACTION: Motion (Madrigal/Ridenour; 3/0) accepting an informational report on the Measure L 5-year plan and forwarding to Council for approval.

5. Consider accepting an informational report on the 5-year Transportation Plan and forwarding to Council for approval. (Funding Source: Not Applicable)
Community & Economic Development; Tamorah Bryant, 577-5328, tbryant@modestogov.com

ACTION: Motion (Madrigal/Ridenour; 3/0) accepting an informational report on the 5-year Transportation Plan and forwarding to Council for approval.

6. Consider approving a Catering and Concessionaire Agreement with Modesto Hospitality, LLC, to provide catering and concessionaire services to the Modesto Centre Plaza and forwarding to Council for approval. (Funding Source: Fund 4700 – Cultural Services Administration)
Parks, Recreation & Neighborhoods; Laurie Smith, 577-5347, lsmith@modestogov.com

ACTION: Motion (Madrigal/Ridenour; 3/0) approving a Catering and Concessionaire Agreement with Modesto Hospitality, LLC, to provide catering and concessionaire services to the Modesto Centre Plaza and forwarding to Council for approval.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 2:53 p.m.

Attest:_____
Joseph Lopez, City Manager

MINUTES

City of Modesto

CITY COUNCIL MEETING

Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday, October 08, 2019, at 5:30 p.m.

Roll Call – Present: Councilmembers Ah You, Grewal, Kenoyer, Madrigal, Ridenour, Zoslocki, Mayor Brandvold
Absent: None

Pledge of Allegiance to the Flag

Invocation: Dallas Jackson, Renew Church

City Clerk's Announcements: Item 5 - Removed from Consent

Declaration of Conflicts of Interest: Grewal - Item 13

Reports from Closed Session: City Attorney Lindgren reported on Closed Session matters

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation of "Imagine a Day without Water - October 23, 2019." (Funding Source: Not Applicable)
Utilities; Will Wong, 571-5801, wwong@modestogov.com

ACTION: Utilities Director Will Wong and staff presented "Imagine a Day without Water - October 23, 2019."

PUBLIC COMMENT PERIOD

- Emerson Drake spoke regarding the City of Modesto Charter and Charter Review Committee; he spoke regarding prohibition of use of electronic communications by Councilmembers during Council meetings.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED
ACTION CONSENT ITEMS 2-4; 6-11: (Kenoyer/Madrigal; 7/0)

CONSENT ITEMS

An item may be removed from consent and discussed at the request of an audience member or Councilmember.

Consent

2. Consider approving the minutes from the October 1, 2019 Council Meeting. (Funding Source: Not Applicable)
   - Motion approving the minutes from the October 1, 2019 Council Meeting.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Madrigal; 7/0) approving the minutes from the October 1, 2019 Council Meeting.

Consent

3. Consider approving final adoption of **Ordinance No. 3704-C.S.** amending the Modesto Municipal Code to amend Sections 10-2.102, 10-2.109, 10-2.191, 10-3.101, 10-3.201, 10-3.217, 10-4.102, 10-4.107, 10-4.108, 10-4.110 and add Sections 10-4.114 and 10-4.115 regarding accessory dwelling units, accessory buildings, and second story units. (Funding Source: General Fund)
   - Motion approving final adoption of **Ordinance No. 3704-C.S.** amending the Modesto Municipal Code to amend Sections 10-2.102, 10-2.109, 10-2.191, 10-3.101, 10-3.201, 10-3.217, 10-4.102, 10-4.107, 10-4.108, 10-4.110 and add Sections 10-4.114 and 10-4.115 regarding accessory dwelling units, accessory buildings, and second story units.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Madrigal; 7/0) approving final adoption of **Ordinance No. 3704-C.S.** amending the Modesto Municipal Code to amend Sections 10-2.102, 10-2.109, 10-2.191, 10-3.101, 10-3.201, 10-3.217, 10-4.102, 10-4.107, 10-4.108, 10-4.110 and add Sections 10-4.114 and 10-4.115 regarding accessory dwelling units, accessory buildings, and second story units.

Consent

4. Consider approving final adoption of **Ordinance No. 3705-C.S.** amending Section 27-3-9 of the Zoning Map of the City of Modesto to rezone from Low Density Residential Zone, R-1, to Planned Development Zone P-D(601), properties located at 1432 and 1442 Scenic Drive. (Funding Source: Application Fees)
   - Motion approving final adoption of **Ordinance No. 3705-C.S.** amending Section 27-3-9 of the Zoning Map of the City of Modesto to rezone from Low Density Residential Zone, R-1, to Planned Development Zone P-D(601), properties located at 1432 and 1442 Scenic Drive.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Madrigal; 7/0) approving final adoption of **Ordinance No. 3705-C.S.** amending Section 27-3-9 of the Zoning Map of the City of Modesto to rezone from Low Density Residential Zone, R-1, to Planned Development Zone P-D(601), properties located at 1432 and 1442 Scenic Drive.

Removed from Consent

5. Consider approving the recommended budget adjustments to Fiscal Year 2019-20 Annual Operating and Capital Improvement Program Budgets. (Funding Source: Various Funds)
   - Resolution amending Fiscal Year 2019-20 Annual Operating and Capital Improvement Program Budgets.

   City Manager; Kaceey Culbertson, 577-5479, kculbertson@modestogov.com

ACTION: Resolution 2019-456 (Ah You/Grewal; 7/0) amending Fiscal Year 2019-20 Annual Operating and Capital Improvement Program Budgets.

Consent

6. Consider accepting an informational report for the August 2019 Accounts Payable Payment Register and Void report. (Funding Source: Not Applicable)
   - Motion accepting an informational report for the August 2019 Accounts Payable Payment Register and Void report.

   Finance; Stacey Pratt, 341-2918, spratt@modestogov.com

ACTION: Motion (Kenoyer/Madrigal; 7/0) accepting an informational report for the August 2019 Accounts Payable Payment Register and Void report.

Consent

7. Consider approving a Purchase Order for services based on time and materials with Applications Software Technology, LLC (AST) for the implementation of enhancements to the Inventory and Mobile Supply Chain Applications (MSCA) modules in the amount of $66,600 plus $6,660 for contingency (if needed), for a total amount of $73,260. (Funding Source: Central Stores Fund)
   - Resolution approving a Purchase Order for services based on time and materials with Applications Software Technology, LLC (AST) for the implementation of enhancements to the Inventory and Mobile Supply Chain Applications (MSCA) modules in the amount of $66,600 plus $6,660 for contingency (if needed), for a total amount of $73,260 and authorizing the Purchasing Manager or her designee, to execute the Purchase Order.

   Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Resolution 2019-457 (Kenoyer/Madrigal; 7/0) approving a Purchase Order for services based on time and materials with Applications Software Technology, LLC (AST) for the implementation of enhancements to the Inventory and Mobile Supply Chain Applications (MSCA) modules in the amount of $66,600 plus $6,660 for contingency (if needed), for a total amount of $73,260 and authorizing the Purchasing Manager or her designee, to execute the Purchase Order.

Consent

8. Consider approving the award of bid and service Agreement for the painting of water well and tank sites to HB Restoration of Rio Linda, CA, for a two-year Agreement with

three one-year extension options, for an estimated annual cost not to exceed $79,500 over the first two years, and a total amount accounting for potential CPI increases, not to exceed $423,500 over five years. (Funding Source: Water Fund)

- Resolution approving the award of bid and service Agreement for the painting of water well and tank sites to HB Restoration of Rio Linda, CA, for a two-year Agreement with three one-year extension options, for an estimated annual cost not to exceed $79,500 over the first two years, and a total amount accounting for potential CPI increases, not to exceed $423,500 over five years; and authorizing the City Manager, or his designee, to execute the Agreement.

Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Resolution 2019-458 (Kenoyer/Madrigal; 7/0) approving the award of bid and service Agreement for the painting of water well and tank sites to HB Restoration of Rio Linda, CA, for a two-year Agreement with three one-year extension options, for an estimated annual cost not to exceed $79,500 over the first two years, and a total amount accounting for potential CPI increases, not to exceed $423,500 over five years; and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

9. Consider approving an Amendment increasing the Agreement amount with East Bay Municipal Utility District, Oakland, CA, for the disposal of gray water by $72,387 from $489,038 to a new total amount of $561,425. (Funding Source: Water Fund)

   - Resolution approving an Amendment increasing the Agreement amount with East Bay Municipal Utility District, Oakland, CA, for the disposal of gray water by $72,387 from $489,038 to a new total amount of $561,425, and authorizing the City Manager, or his designee, to execute the Agreement.

   Utilities; Jeff Daniels, 342-2217, jdaniels@modestogov.com

ACTION: Resolution 2019-459 (Kenoyer/Madrigal; 7/0) approving an Amendment increasing the Agreement amount with East Bay Municipal Utility District, Oakland, CA, for the disposal of gray water by $72,387 from $489,038 to a new total amount of $561,425, and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

10. Consider authorizing submittal of a grant application for State Revolving Fund Program on behalf of the Riverdale Park Tract Community Services District for water system improvements. (Funding Source: Water Fund)

    - Resolution authorizing submittal of a grant application for State Revolving Fund Program on behalf of the Riverdale Park Tract Community Services District for water system improvements.

    Utilities; Jim Alves , 571-5557, jalves@modestogov.com

ACTION: Resolution 2019-460 (Kenoyer/Madrigal; 7/0) authorizing submittal of a grant application for State Revolving Fund Program on behalf of the Riverdale Park Tract Community Services District for water system improvements.

Consent

11. Consider approving a cost sharing Agreement with the City of Turlock in an amount not to exceed $357,450 to defray expenses associated with the road section improvements on Jennings Road from West Main Street to West Monte Vista Avenue as part of the Turlock North Valley Regional Recycled Water Program; and amending the Fiscal Year 2019-20 Capital Improvement Program Budget. (Funding Source: Wastewater Fund)
    - Resolution approving a cost sharing Agreement with the City of Turlock in an amount not to exceed $357,450 to fund expenses associated with the road section improvements on Jennings Road from West Main Street to West Monte Vista Avenue as part of the Turlock North Valley Regional Recycled Water Program; and authorizing the City Manager, or his designee, to execute the Agreement.
    - Resolution amending the Fiscal Year 2019-20 Capital Improvement Program Budget in the amount of $357,450 to be transferred into the project from Wastewater Reserves to fully fund the construction, contingency, construction administration, and design support during construction for the road section improvements on Jennings Road from West Main Street to West Monte Vista Avenue as part of the Turlock North Valley Regional Recycled Water Program.

    Utilities; Jesse Franco, 571-5175, jfranco@modestogov.com

ACTION: Resolution 2019-461 (Kenoyer/Madrigal; 7/0) approving a cost sharing Agreement with the City of Turlock in an amount not to exceed $357,450 to fund expenses associated with the road section improvements on Jennings Road from West Main Street to West Monte Vista Avenue as part of the Turlock North Valley Regional Recycled Water Program; and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: Resolution 2019-462 (Kenoyer/Madrigal; 7/0) amending the Fiscal Year 2019-20 Capital Improvement Program Budget in the amount of $357,450 to be transferred into the project from Wastewater Reserves to fully fund the construction, contingency, construction administration, and design support during construction for the road section improvements on Jennings Road from West Main Street to West Monte Vista Avenue as part of the Turlock North Valley Regional Recycled Water Program.

COUNCIL COMMENTS & REPORTS

Councilmember Kenoyer congratulated Councilmember Ridenour for his appointment to the League of California Cities; she also spoke regarding electric vehicles at Frito Lay in Modesto; she attended Stanislaus Homeless Alliance Retreat.

Councilmember Ridenour attended: the electric vehicle demonstration at Frito Lay and Fire Prevention Clown program.

Councilmember Madrigal announced the 4th Annual Trunk or Treat and Car Show on October 25, 2019 at Tenth Street Plaza; he attended: the Stanislaus County Census Complete Committee meeting and the Downtown Design workshops last week, the Modesto City

Schools Citizen Bond Oversight Committee, and the Murals in Modesto event last Friday.

Councilmember Zoslocki attended: a San Joaquin Valley event sponsored by Governor Newsom regarding the economy and water challenges; he also spoke regarding California requirements for bus fare riders and transportation.

Councilmember Ah You spoke regarding Jennifer Mullens, City events and the car club community.

CITY MANAGER COMMENTS & REPORTS

City Manager Lopez announced the departure of Budget Manager Stephen Christensen and Assistant Police Chief Rick Armendariz.

UNFINISHED BUSINESS

12. Consider accepting a report from CSU Stanislaus faculty and students on the Citywide community survey results and analysis; and adopting the Citywide 5-Year Strategic Plan for the City of Modesto. (Funding Source: Various Funds)
    - Motion accepting a report from CSU Stanislaus faculty and students on the Citywide survey results and analysis.
    - Resolution adopting the Citywide 5-year Strategic Plan, and authorizing the City Manager, or his designee, to carry out the necessary steps to achieve the priorities identified in the Strategic Plan.

    City Manager; Joe Lopez, 577-5224, joelopez@modestogov.com

ACTION: Motion (Ridenour/Grewal; 7/0) accepting a report from CSU Stanislaus faculty and students on the Citywide survey results and analysis.

ACTION: Resolution 2019-463 (Ridenour/Grewal; 7/0) adopting the Citywide 5-year Strategic Plan, and authorizing the City Manager, or his designee, to carry out the necessary steps to achieve the priorities identified in the Strategic Plan.

Councilmember Grewal left meeting at 7:15 p.m.

HEARINGS

Published in the Modesto Bee on September 28 and October 2, 2019; Councilmember Grewal absent due to conflict of interest

13. Hearing to consider the Comprehensive Fees Task Force recommendations to adopt updated planning fees, land development engineering fees, capital facilities fees, and modified capital facilities fees policies and procedures, and amending Resolution 2013-177. (Funding Source: General Fund and Developer Fees)
    - Resolution adopting updated Planning fees, Land Development Engineering fees, the Capital Facility fees, and adopting modified Capital Facilities Fees Policies and Procedures, and amending Resolution 2013-177.

    Community & Economic Development; Jessica Narayan, 577-5211,

jnarayan@modestogov.com

ACTION: Resolution 2019-464 (Kenoyer/Ah You; 6/0; Grewal absent due to conflict of interest) adopting updated Planning fees, Land Development Engineering fees, the Capital Facility fees, and adopting modified Capital Facilities Fees Policies and Procedures, and amending Resolution 2013-177.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 7:25 p.m.

CLOSED SESSION

All Closed Session Matters heard prior to meeting

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
One Case (Pursuant to Section 54956.9(d)(2) of the Government Code)

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
2 Cases (Pursuant to Section 54956.9(d)(1) of the Government Code)
Name of Case: City of Modesto v. Foy & Associates
Superior Court of California, County of Stanislaus
Stanislaus County Case No.: CV 19-003083

Name of Case: R. Alexander Acosta v. Riverstone Capital, LLC
United States District Court, Central District of California
Case No.: 19-CV-778-MWF

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCEA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Employees Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Confidential & Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPOA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Officers' Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPNSA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Non-Sworn Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) –MPMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCFFA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Firefighters Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – Unrepresented
Negotiator: Norma Santoyo

Employee Organization: Unrepresented Management and Confidential Employees

Attest:_____
Stephanie Lopez, City Clerk

MINUTES

City of Modesto

SPECIAL CITY COUNCIL WORKSHOP

DoubleTree Hotel
Modesto Boardroom
1150 9th Street
Modesto, California
Friday, October 11, 2019, at 9:00 a.m.

Roll Call – Present: Councilmembers Ah You, Grewal, Kenoyer, Ridenour, Mayor Brandvold
Absent: Councilmembers Madrigal and Zoslocki

PUBLIC COMMENT PERIOD

None.

NEW BUSINESS

1. City Council Team Building and Communications Session. (Funding Source: Not Applicable)
   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: No reportable action.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 1:00 p.m.

Attest:_____
Stephanie Lopez, City Clerk

MINUTES
City of Modesto
SPECIAL AUDIT COMMITTEE / COUNCIL WORKSHOP
Second Floor, Room 2005
Tenth Street Place, 1010 10th Street
Modesto, California
Wednesday, October 14, 2019, at 2:00 p.m.

Roll Call Present: Mayor Brandvold, Councilmembers Ah You and Grewal
Absent: None
Also Present: Councilmembers Ridenour, Zoslocki, Kenoyer

PUBLIC COMMENTS

- Councilmember Zoslocki requested Item Nos. 3, 4 and 5 be moved up on the Agenda as he had to leave early; he also had questions regarding the Charter Review Committee.

- Tim Ragsdale had questions regarding additional members to the Audit Committee.

CONSENT

None.

UNFINISHED BUSINESS

1. Consider accepting a report on a new City of Modesto Food Purchases and Employee Recognition Policy and its changes which will provide City departments with guidance on food and employee recognition purchases. (Funding Source: Not Applicable)
Finance; DeAnna Christensen, 577-5387, dachristensen@modestogov.com

ACTION: Motion (Grewal/Ah You; 3/0) accepting a report on a new City of Modesto Food Purchases and Employee Recognition Policy and its changes which will provide City departments with guidance on food and employee recognition purchases.

NEW BUSINESS

2. Consider accepting an informational report on the historical Citywide legal services expenses and forwarding to Council for approval. (Funding Source: Various Funds)
Finance; Kaceey Culbertson, 577-5479, kculbertson@modestogov.com

ACTION: Motion (Ah You/Grewal; 3/0) accepting an informational report on the historical Citywide legal services expenses and forwarding to Council for approval.

3. Consider approving the expansion of the Audit Committee to include two (2) private sector professionals (financial/management experts from the community pursuant to the Association of Local Government Auditors (ALGA) Audit Committee Guidance) and forwarding to Council for approval. (Funding Source: Not Applicable)
City Council; Ted Brandvold, 571-5597, tbrandvold@modestogov.com

ACTION: Motion (Ah You/Mayor Brandvold; 2/1; Grewal no) approving the expansion of the Audit Committee to include two (2) private sector professionals (financial/management experts from the community pursuant to the Association of Local Government Auditors (ALGA) Audit Committee Guidance) and forwarding to Council for approval.

4. Discuss potential recommendation by the Audit Committee for full Council to request Charter Review Committee compare current City Charter language on City Auditor with the Association of Local Government Auditors (ALGA) model legislation, make recommendations, and forwarding to Council for approval. (Funding Source: Not Applicable)
City Council; Ted Brandvold, 571-5597, tbrandvold@modestogov.com

ACTION: Motion (Grewal/Ah You; 3/0) recommending changes to the City Charter language on City Auditor with the Association of Local Government Auditors (ALGA) model legislation and forwarding to Council for approval.

5. Update on the recruitment process for the next City Auditor and forwarding to Council for approval. (Funding Source: Not Applicable)
City Council; Ted Brandvold, 571-5597, tbrandvold@modestogov.com

ACTION: No reportable action.

ADJOURNMENT

This meeting adjourned at 4:10 p.m.

Attest: _____
Stephanie Lopez, City Clerk

MINUTES

City of Modesto

SAFETY AND COMMUNITIES COMMITTEE / COUNCIL WORKSHOP

Second Floor, Room 2005
Tenth Street Place, 1010 10th Street
Modesto, California

Monday, October 14, 2019, at 5:00 p.m.

Roll Call – Present: Councilmembers Ah You, Kenoyer and Ridenour
Absent: None

PUBLIC COMMENTS

None.

CONSENT

Consent

1. Consider approving the revised Master Plans for Mancini Park, César E. Chavez Park, and Mellis Park and finding that the proposed renovation of César E. Chavez Park is within the scope of the Modesto Urban Area General Plan Master EIR (SCH# 2014042081) and forwarding to Council for approval. (Funding Source: Statewide Park Development and Community Revitalization Program - Proposition 68)
Parks, Recreation & Neighborhoods; Nathan Houx, 571-5526, nhoux@modestogov.com

ACTION: Motion (Ridenour/Kenoyer; 3/0) approving the revised Master Plans for Mancini Park, César E. Chavez Park, and Mellis Park and finding that the proposed renovation of César E. Chavez Park is within the scope of the Modesto Urban Area General Plan Master EIR (SCH# 2014042081) and forwarding to Council for approval.

UNFINISHED BUSINESS

2. Consider accepting an informational update on the Oakdale Fire Contract. (Funding Source: Not Applicable)
Fire; Alan Ernst, 342-4543, aernst@modestofire.com

ACTION: No reportable action.

3. Consider accepting an informational update regarding Ordinance No. 3702-C.S. amending Title 4, "Public Welfare, Safety and Health" of the Modesto Municipal Code by adding Chapter 23 to Impose Certain Time, Place And Manner Regulations as to Public Assemblies". (Funding Source: Not Applicable)
Police; Galen Carroll, 572-9502, carrollg@modestopd.com

ACTION: No reportable action.

NEW BUSINESS

4. Consider approving the 2020-2025 Blight Abatement Strategy, and forwarding to Council for adoption. (Funding Source: Not Applicable)
City Manager; Scotty Douglass, 577-9149, sdouglass@modestogov.com

ACTION: Motion (Ridenour/Kenoyer; 3/0) approving: (i) the Blight Abatement Strategy and (ii) a $0.15 increase in the residential illegal dumping fee and $0.59 increase to the commercial litter abatement fee to expand and enhance programs aimed at abating illegal dumping and litter and forwarding to Council for approval.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 5:48 pm

Attest:_____
Joseph Lopez, City Manager

MINUTES

City of Modesto

CITY COUNCIL MEETING

Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday, October 22, 2019, at 5:30 p.m.

Roll Call – Present: Councilmembers Ah You, Grewal, Madrigal, Ridenour, Mayor Brandvold
Absent: Councilmembers Kenoyer, Zoslocki

Pledge of Allegiance to the Flag

Invocation: Mark Krieger, Modesto Covenant Church

City Clerk's Announcements: Item 12 - Removed from Consent

Declaration of Conflicts of Interest: Grewal - Items 5 and 18

Reports from Closed Session: Mayor Brandvold reported Closed Session was cancelled

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation of the Stanislaus Animal Services Agency 2018-2019 Annual Report – Annette Patton, Executive Director. (Funding Source: Not Applicable)
City Manager; Scotty Douglass, 577-9149, sdouglass@modestogov.com

ACTION: Annette Patton, Executive Director, presented the Stanislaus Animal Services Agency 2018-2019 Annual Report.

MISCELLANEOUS

Legislation
Appointments
Other

2. Consider appointing Michael Moradian, Patricia Gillum and Richard Rodman to the City of Modesto Measure L Citizens' Transportation Sales Tax Commission. (Funding Source: Not Applicable)
   - Resolution appointing Michael Moradian, Patricia Gillum and Richard Rodman to the City of Modesto Measure L Citizens' Transportation Sales Tax Commission.

   City Council; Mayor Ted Brandvold, 571-5597, tbrandvold@modestogov.com

ACTION: Resolution 2019-465 (Ridenour/Madrigal; 5/0; Kenoyer, Zoslocki absent)

appointing Michael Moradian, Patricia Gillum and Richard Rodman to the City of Modesto Measure L Citizens' Transportation Sales Tax Commission.

3. Consider approving the removal of Francisco (Javier) Jauregui, as a registered County voter residing in Modesto, from the City of Modesto Culture Commission. (Funding Source: Not Applicable)
   - Resolution approving the removal of Francisco (Javier) Jauregui, as a registered County voter residing in the City of Modesto, from the City of Modesto Culture Commission.

   Parks, Recreation & Neighborhoods; Marco Sepulveda, 577-5275, msepulveda@modestogov.com

ACTION: Resolution 2019-466 (Grewal/Ah You; 5/0; Kenoyer, Zoslocki absent) approving the removal of Francisco (Javier) Jauregui, as a registered County voter residing in the City of Modesto, from the City of Modesto Culture Commission.

4. Consider accepting the resignation of Karina Jauregui, as a registered County voter residing in Modesto, from the City of Modesto Culture Commission. (Funding Source: Not Applicable)
   - Resolution accepting the resignation of Karina Jauregui, as a registered County voter residing in Modesto, from the City of Modesto Culture Commission.

   Parks, Recreation & Neighborhoods; Marco Sepulveda, 577-5275, msepulveda@modestogov.com

ACTION: Resolution 2019-467 (Grewal/Ah You; 5/0; Kenoyer, Zoslocki absent) accepting the resignation of Karina Jauregui, as a registered County voter residing in Modesto, from the City of Modesto Culture Commission.

Councilmember Grewal absent due to conflict of interest

5. Consider accepting the resignation of Athinodoros Chronis from the Modesto Convention and Visitors Bureau Board of Directors and appointing Tim Fisher to fill the vacancy with a term expiration of December 31, 2021. (Funding Source: Not Applicable)
   - Resolution accepting the resignation of Athinodoros Chronis from the Modesto Convention and Visitors Bureau Board of Directors and appointing Tim Fisher to fill the vacancy with a term expiration of December 31, 2021.

   Parks, Recreation & Neighborhoods; Laurie Smith, 577-5347, lsmith@modestogov.com

ACTION: Resolution 2019-468 (Madrigal/Ah You; 4/0; Kenoyer, Zoslocki absent; Grewal absent due to conflict of interest) accepting the resignation of Athinodoros Chronis from the Modesto Convention and Visitors Bureau Board of Directors and appointing Tim Fisher to fill the vacancy with a term expiration of December 31, 2021.

6. Consider approving the reappointment of Laurie Salvi, representing the Sons In Retirement (SIRs) Golf Club, to the Golf Courses Advisory Committee with a term

expiration of December 31, 2022. (Funding Source: Not Applicable)

- Resolution approving the reappointment of Laurie Salvi, representing the Sons in Retirement (SIRS) Golf Club, to the Golf Courses Advisory Committee with a term expiration of December 31, 2022.

Parks, Recreation & Neighborhoods; Laurie Smith, 577-5347, lsmith@modestogov.com

ACTION: Resolution 2019-469 (Ah You/Grewal; 5/0; Kenoyer, Zoslocki absent) approving the reappointment of Laurie Salvi, representing the Sons in Retirement (SIRS) Golf Club, to the Golf Courses Advisory Committee with a term expiration of December 31, 2022.

7. Consider approving the appointment of Anthony Winstead for the vacant position as Small Aircraft Owner/General Aviation for the Airport Advisory Committee, with a term expiration of October 22, 2021. (Funding Source: Not Applicable)

   - Resolution approving the appointment of Anthony Winstead to the Modesto City-County Airport Advisory Committee (AAC) for a two year term, with a term expiration of October 22, 2021.

   Public Works; Steve Fischio, 342-2222, sfischio@modestogov.com

ACTION: Resolution 2019-470 (Ridenour/Grewal; 5/0; Kenoyer, Zoslocki absent) approving the appointment of Anthony Winstead to the Modesto City-County Airport Advisory Committee (AAC) for a two year term, with a term expiration of October 22, 2021.

PUBLIC COMMENT PERIOD

- Edgar Garibay, Tuolumne River Regional Trust, invited everyone to Dos Rios Restoration Day at the Tuolumne River on Saturday, October 25, 2019.

- Dave Pratt spoke regarding a Veterans event at Graceada Park on October 31, 2019; he also announced a Job Fair at Modesto Junior College on November 8, 2019.

- Emerson Drake spoke regarding the Charter Review Committee and City of Modesto email retention policy; he also spoke regarding development in the Beckwith Dakota area.

- Sebastian Jones spoke regarding Stanislaus County Animal Services.

- Lorettta Carhart spoke regarding work done on her home.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED
ACTION CONSENT ITEMS 8-11; 13-18: (Grewal/Ah You; 5/0; Kenoyer, Zoslocki absent)

CONSENT ITEMS

An item may be removed from consent and discussed at the request of an audience member or

Councilmember.

Consent

8. Consider approving the minutes from the October 8, 2019 Council Meeting. (Funding Source: Not Applicable)
   - Motion approving the minutes from the October 8, 2019 Council Meeting.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Grewal/Ah You; 5/0; Kenoyer, Zoslocki absent) approving the minutes from the October 8, 2019 Council Meeting.

Consent

9. Consider approving the 2020 Calendar of regularly scheduled City Council and Council Standing Committee meetings. (Funding Source: Not Applicable)
   - Resolution approving the 2020 City Calendar of regularly scheduled City Council and Council Standing Committee meetings.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Resolution 2019-471 (Grewal/Ah You; 5/0; Kenoyer, Zoslocki absent) approving the 2020 City Calendar of regularly scheduled City Council and Council Standing Committee meetings.

Consent

10. Consider approving an update to the returned check fee to encompass all returned items including electronic payments in the Finance Department starting at $25.00 for the first returned item and increasing to $35.00 for all subsequent returned items. (Funding Source: Water, Wastewater, Storm Drain and General Fund)
    - Resolution approving an update to the returned check fee to encompass all returned items including electronic payments in the Finance Department starting at $25 for the first returned item and increasing to $35 for all subsequent returned items.

    Finance; Jeni Martin, 571-5892, jmartin@modestogov.com

ACTION: Resolution 2019-472 (Grewal/Ah You; 5/0; Kenoyer, Zoslocki absent) approving an update to the returned check fee to encompass all returned items including electronic payments in the Finance Department starting at $25 for the first returned item and increasing to $35 for all subsequent returned items.

Consent

11. Consider accepting the Monthly Investment Report for August 2019. (Funding Source: Various Funds)
    - Motion accepting the Monthly Investment Report for August, 2019.

    Finance; Calogero Maniscalco, 577-5379, cmaniscalco@modestogov.com

ACTION: Motion (Grewal/Ah You; 5/0; Kenoyer, Zoslocki absent) accepting the Monthly Investment Report for August, 2019.

Removed from Consent

12. Consider approving a proposed Agreement including language changes for a successor Memorandum of Understanding (MOU) between the City of Modesto and Modesto Police and Fire Non-Sworn Association (MPNSA) for a term of July 1, 2019 through June 30, 2023. (Funding Source: General Fund)
    - Resolution approving a proposed Agreement including language changes for a successor Memorandum of Understanding (MOU) between the City of Modesto and the Modesto Police and Fire Non-Sworn Association (MPNSA) for a term of July 1, 2019 through June 30, 2023; and authorizing the City Manager or designee to take the necessary administrative action to implement the Agreement.

    Human Resources; Norma Santoyo, 571-5126, nsantoyo@modestogov.com

ACTION: Resolution 2019-473 (Madrigal/Ah You; 5/0; Kenoyer, Zoslocki absent) approving a proposed Agreement including language changes for a successor Memorandum of Understanding (MOU) between the City of Modesto and the Modesto Police and Fire Non-Sworn Association (MPNSA) for a term of July 1, 2019 through June 30, 2023; and authorizing the City Manager or designee to take the necessary administrative action to implement the Agreement.

Consent

13. Consider approving a sole source Agreement with Hyland Inc., for the OnBase Agenda Management and Electronic Content Management (ECM) Software for a term of three-years for an estimated cost of $240,352 which includes all licensing, software, installation and configuration; and approving a sole source Agreement with DocuSign, for Electronic Signature Software for a term of two years for an estimated total cost of $40,649. (Funding Source: Various Funds)
    - Resolution approving a sole source Agreement with Hyland Inc., of Westlake, OH, for the OnBase agenda management and electronic content management (ECM) software for a term of three years for an estimated cost of $240,352 which includes all licensing, software, installation and configuration; and authorizing the City Manager, or his designee, to execute the Agreement.
    - Resolution approving a sole source Agreement with DocuSign, of San Francisco, CA, for electronic signature software for a term of two-years for an estimated total cost of $40,649; and authorizing the City Manager, or his designee, to execute the Agreement.
    - Resolution amending the Fiscal Year 2019-2020 Operating and Multi-year Project budget to establish a non-capital project expenditure appropriations as well as transfers from the departments into the project in the amount of $197,197 and authorizing the City Manager or his designee to make the appropriate adjustments.

    Information Technology; Fabian Zacharia, 571-5508, fzacharia@modestogov.com

ACTION: Resolution 2019-474 (Grewal/Ah You; 5/0; Kenoyer, Zoslocki absent) approving a sole source Agreement with Hyland Inc., of Westlake, OH, for the OnBase agenda management and electronic content management (ECM) software for a term of three years for an estimated cost of $240,352 which includes all licensing, software, installation and configuration; and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: Resolution 2019-475 (Grewal/Ah You; 5/0; Kenoyer, Zoslocki absent)
approving a sole source Agreement with DocuSign, of San Francisco, CA, for electronic signature software for a term of two-years for an estimated total cost of $40,649; and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: Resolution 2019-476 (Grewal/Ah You; 5/0; Kenoyer, Zoslocki absent)
amending the Fiscal Year 2019-2020 Operating and Multi-year Project budget to establish a non-capital project expenditure appropriations as well as transfers from the departments into the project in the amount of $197,197 and authorizing the City Manager or his designee to make the appropriate adjustments.

Consent

14. Consider approving bi-annual Compost "Give Back to the Community Days" each October and April to become effective October 2019. (Funding Source: Compost Fund)
    - Resolution approving bi-annual Compost "Give Back to the Community Days" each October and April to become effective October 2019.

    Public Works; Karin Neep, 577-5453, kneep@modestogov.com

ACTION: Resolution 2019-477 (Grewal/Ah You; 5/0; Kenoyer, Zoslocki absent)
approving bi-annual Compost "Give Back to the Community Days" each October and April to become effective October 2019.

Consent

15. Consider authorizing submittal of a grant application to seek grant funding for the California Department of Resources Recycling and Recovery's Organics Grant Program. (Funding Source: Compost Fund)
    - Resolution authorizing submittal of a grant application to seek grant funding for the California Department of Resources Recycling and Recovery's (CalRecycle) Organics Grant Program, and authorizing the City Manager, or his designee, to sign the grant application.

    Public Works; Karin Neep, 577-5453, kneep@modestogov.com

ACTION: Resolution 2019-478 (Grewal/Ah You; 5/0; Kenoyer, Zoslocki absent)
authorizing submittal of a grant application to seek grant funding for the California Department of Resources Recycling and Recovery's (CalRecycle) Organics Grant Program, and authorizing the City Manager, or his designee, to sign the grant application.

Consent

16. Consider authorizing submittal of grant applications to seek grant funding for Congestion Mitigation and Air Quality Grants. (Funding Source: Various Transportation Funds)
    - Resolution approving submittal of grant applications to seek grant funding for Congestion Mitigation and Air Quality Grants.

    Public Works; Scott Collins, 577-5431, scollins@modestogov.com

ACTION: Resolution 2019-479 (Grewal/Ah You; 5/0; Kenoyer, Zoslocki absent) approving submittal of grant applications to seek grant funding for Congestion Mitigation and Air Quality Grants.

Consent

17. Consider authorizing the submittal of a grant application on behalf of the Stanislaus and Tuolumne Rivers Groundwater Basin Association Groundwater Sustainability Agency to the Department of Water Resources for Round 3 Sustainable Groundwater Management Planning Grant Program Funding. (Funding Source: Water Fund)
    - Resolution authorizing the submittal of an application on behalf of the Stanislaus and Tuolumne Rivers Groundwater Basin Association Groundwater Sustainability Agency, to the California Department of Water Resources to obtain a grant under the 2019 Sustainable Groundwater Management (SGM) Grant Program Planning Grant Pursuant to the Water Quality, Supply, and Infrastructure Improvement Act of 2014 (Proposition 1) (Water Code 79700 et seq.) and/or the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018 (Proposition 68), and to enter into an agreement to receive a grant for the: STRGBA GSA Groundwater Monitoring Wells Project, and authorize the City Manager of the City of Modesto, or designee to execute all grant-related documents, prepare the necessary data, conduct investigations, file such application, and execute a grant agreement with California Department of Water Resources to receive grant funds, if awarded, and authorizing the City Manager, or his designee, to be the signatory of grant invoice forms during requests for reimbursements, and rescinding Resolution No. 2019-435.

    Utilities; Miguel Alvarez, 577-5348, malvarez@modestogov.com

ACTION: Resolution 2019-480 (Grewal/Ah You; 5/0; Kenoyer, Zoslocki absent) authorizing the submittal of an application on behalf of the Stanislaus and Tuolumne Rivers Groundwater Basin Association Groundwater Sustainability Agency, to the California Department of Water Resources to obtain a grant under the 2019 Sustainable Groundwater Management (SGM) Grant Program Planning Grant Pursuant to the Water Quality, Supply, and Infrastructure Improvement Act of 2014 (Proposition 1) (Water Code 79700 et seq.) and/or the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018 (Proposition 68), and to enter into an agreement to receive a grant for the: STRGBA GSA Groundwater Monitoring Wells Project, and authorize the City Manager of the City of Modesto, or designee to execute all grant-related documents, prepare the necessary data, conduct investigations, file such application, and execute a grant agreement with California Department of Water Resources to receive grant funds, if awarded, and authorizing the City Manager, or his designee, to be the signatory of grant invoice forms during requests for reimbursements, and rescinding Resolution No. 2019-435.

COUNCIL COMMENTS & REPORTS

Councilmember Ridenour attended the Dia de Los Muertos Celebration in Downtown

Modesto, International Paper's 50th Anniversary event, and an Enslen Park event.

Councilmember Madrigal attended: California Transportation Commission meeting, the US Census Complete Count Committee meeting, the League of California Cities Conference last week, the groundbreaking ceremony for Highway 132 project, Manos Unidos 5th Annual Gala Dinner, and the Dia de Los Muertos Celebration on Saturday; he announced the 4th Annual Trunk or Treat event on Friday at 10th Street Place.

CITY MANAGER COMMENTS & REPORTS

None.

UNFINISHED BUSINESS

Councilmember Grewal absent due to conflict of interest

18. Consider approving the estimated timeline and budget to explore the potential development of a hotel located in downtown Modesto and authorizing staff to proceed with selected next steps of the Downtown Modesto Hotel Project; approving an Agreement with Management Advisory Services, a California Corporation, to provide professional services for the Downtown Modesto Hotel Project in the amount not to exceed $116,900; and amending the Fiscal Year 2019-2020 Operating Budget in the amount of $150,880 to fund specialty consulting and site parameters and valuation services for the Downtown Modesto Hotel Project. (Funding Source: Redevelopment Successor Agency Fund, Parking Fund, and General Fund)
    - Resolution approving the estimated timeline and budget to explore the potential development of a hotel located in downtown Modesto and authorizing staff to proceed with selected next steps of the Downtown Modesto Hotel Project.
    - Resolution approving an Agreement with Management Advisory Services, a California Corporation, to provide professional services for the Downtown Modesto Hotel Project in an amount not to exceed $116,900, and authorizing the City Manager, or designee, to execute the Agreement.
    - Resolution amending the Fiscal Year 2019-2020 Operating Budget in the amount of $150,880 to fund the Agreement with Management Advisory Services and other required site parameter and valuation services as part of the selected next steps for the Downtown Modesto Hotel Project.

    Parks, Recreation & Neighborhoods; Laurie Smith, 577-5347, lsmith@modestogov.com

ACTION: Motion (Madrigal/Ridenour; 3/1; Ah You no; Kenoyer, Zoslocki absent; Grewal absent due to conflict of interest) approving the estimated timeline and budget to explore the potential development of a hotel located in downtown Modesto and authorizing staff to proceed with selected next steps of the Downtown Modesto Hotel Project. **(MOTION FAILED)**

ACTION: Motion (Madrigal/Ridenour; 3/1; Ah You no; Kenoyer, Zoslocki absent; Grewal absent due to conflict of interest) approving an Agreement with Management Advisory Services, a California Corporation, to provide professional services for the

Downtown Modesto Hotel Project in an amount not to exceed $116,900, and authorizing the City Manager, or designee, to execute the Agreement. **(MOTION FAILED)**

ACTION: Motion (Madrigal/Ridenour; 3/1; Ah You no; Kenoyer, Zoslocki absent; Grewal absent due to conflict of interest) amending the Fiscal Year 2019-2020 Operating Budget in the amount of $150,880 to fund the Agreement with Management Advisory Services and other required site parameter and valuation services as part of the selected next steps for the Downtown Modesto Hotel Project. **(MOTION FAILED)**

ACTION: Motion (Madrigal/Ah You; 4/0; Kenoyer, Zoslocki absent; Grewal absent due to conflict of interest) to reconsider item.

ACTION: Motion (Madrigal/Ah You; 4/0; Kenoyer, Zoslocki absent; Grewal absent due to conflict of interest) directing staff to return item to future Council meeting with full Council for consideration.

19. Consider approving the annual sewer rate review and maintaining the previously adopted 6% sewer rate increases to be effective January 1, 2020 for Fiscal Year 2019-20. (Funding Source: Wastewater Fund)
    - Resolution approving the annual sewer rate review and maintaining the previously adopted 6% sewer rate increases to be effective January 1, 2020 for Fiscal Year 2019-20.

    Utilities; Jesse Franco, 571-5175, jfranco@modestogov.com

ACTION: Resolution 2019-481 (Ridenour/Grewal; 5/0; Kenoyer, Zoslocki absent) approving the annual sewer rate review and maintaining the previously adopted 6% sewer rate increases to be effective January 1, 2020 for Fiscal Year 2019-20.

20. Consider approving the annual rate review and adopting water rate increases, reduced from the previously adopted rate increase of 9% to 6%, to be effective April 1, 2020 for Fiscal Year 2019-20. (Funding Source: Water Fund)
    - Resolution approving the annual rate review and adopting water rate increases, reduced from the previously adopted rate increase of 9% to 6%, to be effective April 1, 2020 for Fiscal Year 2019-20.

    Utilities; Jesse Franco, 571-5175, jfranco@modestogov.com

ACTION: Resolution 2019-482 (Ridenour/Ah You; 5/0; Kenoyer, Zoslocki absent) approving the annual rate review and adopting water rate increases, reduced from the previously adopted rate increase of 9% to 6%, to be effective April 1, 2020 for Fiscal Year 2019-20.

21. Consider approving the plans and specifications for the North Trunk Sewer Project and awarding a construction contract with Rolfe Construction Company, Atwater, CA, in the amount of $1,797,053 plus $179,705 for contingency (if needed), for a total amount of $1,976,758; and amending the Fiscal Year 2019-2020 Capital Improvement Project Program Budget in the amount of $123,081. (Funding Source: Wastewater Fund)

- Resolution approving plans and specifications for the North Trunk Sewer Project, accepting the bid, and approving a construction contract with Rolfe Construction Company, Atwater, CA, in the amount of $1,797,053 plus $179,705 for contingency (if needed) for a total amount of $1,976,758 and authorizing the City Manager, or his designee, to execute the Agreement.
- Resolution authorizing an increase in the Director's authority to issue change orders for the North Trunk Sewer Project from 8% ($143,764) to 10% ($179,705) of the construction contract price of $1,797,053 with Rolfe Construction, Atwater, CA.
- Resolution amending the Fiscal Year 2019-20 Capital Improvement Program Budget in the amount of $123,081 to be transferred into the project from Wastewater Reserves to fully fund the construction, contingency, construction administration and design support during construction for the North Trunk Sewer Project.

Utilities; Jesse Franco, 571-5175, jfranco@modestogov.com

ACTION: Resolution 2019-483 (Grewal/Ah You; 5/0; Kenoyer, Zoslocki absent) approving plans and specifications for the North Trunk Sewer Project, accepting the bid, and approving a construction contract with Rolfe Construction Company, Atwater, CA, in the amount of $1,797,053 plus $179,705 for contingency (if needed) for a total amount of $1,976,758 and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: Resolution 2019-484 (Grewal/Ah You; 5/0; Kenoyer, Zoslocki absent) authorizing an increase in the Director's authority to issue change orders for the North Trunk Sewer Project from 8% ($143,764) to 10% ($179,705) of the construction contract price of $1,797,053 with Rolfe Construction, Atwater, CA.

ACTION: Resolution 2019-485 (Grewal/Ah You; 5/0; Kenoyer, Zoslocki absent) amending the Fiscal Year 2019-20 Capital Improvement Program Budget in the amount of $123,081 to be transferred into the project from Wastewater Reserves to fully fund the construction, contingency, construction administration and design support during construction for the North Trunk Sewer Project.

HEARINGS

Published in the Modesto Bee on October 14, 2019

22. Consider approving the issuance of Bonds by the California Municipal Finance Authority (CMFA) for the benefit of Golden Valley Health Centers (the "Borrower"), a California nonprofit corporation and an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, to provide for the financing of the Project, for the purposes of satisfying the requirements of the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA), the Internal Revenue Code and California Government Code Section 6500, et seq. (Funding Source: Not Applicable)
    - Resolution of the City Council of the City of Modesto approving the issuance of the Revenue Bonds by the California Municipal Finance Authority in an aggregate

principal amount not to exceed $17,000,000 for the purpose of financing the acquisition, construction, improvement and equipping of facilities for Golden Valley Health Centers and central other matters relating thereto.

Finance; DeAnna Christensen, 577-5387, dachristensen@modestogov.com

ACTION: Resolution 2019-486 (Madrigal/Grewal; 5/0; Kenoyer, Zoslocki absent) of the City Council of the City of Modesto approving the issuance of the Revenue Bonds by the California Municipal Finance Authority in an aggregate principal amount not to exceed $17,000,000 for the purpose of financing the acquisition, construction, improvement and equipping of facilities for Golden Valley Health Centers and central other matters relating thereto.

NEW BUSINESS

23. Consider appointing the Councilmembers' nominations to the Charter Review Committee. (Funding Source: Not Applicable)
    - Resolution appointing the seven individuals recommended by the City Council to serve as members of the Charter Review Committee with the Mayor's Appointee serving as the Chair and the Vice-Mayor's Appointee serving as the Vice Chair of the Charter Review Committee, authorizing the seven Committee Members to appoint four additional Committee members from the Community, appointing Councilmember Ah You as the City Council ad hoc representative, and appointing two regional representatives.

    City Council; Mayor Ted Brandvold, 571-5597, tbrandvold@modestogov.com

ACTION: Resolution 2019-487 (Grewal/Ah You; 5/0; Kenoyer, Zoslocki absent) appointing the seven individuals recommended by the City Council to serve as members of the Charter Review Committee with the Mayor's Appointee serving as the Chair and the Vice-Mayor's Appointee serving as the Vice Chair of the Charter Review Committee, authorizing the seven Committee Members to appoint four additional Committee members from the Community, appointing Councilmember Ah You as the City Council ad hoc representative, and appointing two regional representatives.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 7:25 p.m.

CLOSED SESSION

CLOSED SESSION CANCELLED

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
One Case (Pursuant to Section 54956.9(d)(2) of the Government Code)

Attest:_____
Stephanie Lopez, City Clerk

MINUTES

City of Modesto

SPECIAL FINANCE COMMITTE / COUNCIL WORKSHOP

Second Floor, Room 2005
Tenth Street Place, 1010 10th Street
Modesto, California

Monday, October 28, 2019, at 3:00 p.m.

Roll Call: Present: Councilmembers Grewal, Ridenour, Mayor Brandvold (alternate)
Absent: Councilmember Zoslocki
Also Present: Councilmember Kenoyer (alternate)

PUBLIC COMMENT

None.

CONSENT

Consent

1. Consider approving the recommended budget adjustments to Fiscal Year 2019-20 Annual Operating and Capital Improvement Program Budgets and forwarding to Council for approval. (Funding Source: Various Funds)
   City Manager; Kaceey Culbertson, 577-5479, kculbertson@modestogov.com

ACTION: Motion (Ridenour/Mayor Brandvold; 3/0) approving the recommended budget adjustments to Fiscal Year 2019-20 Annual Operating and Capital Improvement Program Budgets and forwarding to Council for approval.

Consent

2. Consider accepting an informational report on the July and August 2019 grant applications and awards and forwarding to Council for approval. (Funding Source: Not Applicable)
   Finance; DeAnna Christensen, 577-5387, dachristensen@modestogov.com

ACTION: Motion (Ridenour/Mayor Brandvold; 3/0) accepting an informational report on the July and August 2019 grant applications and awards and forwarding to Council for approval.

Consent

3. Consider approving a Second Amendment to the Agreement with T2 Systems, Inc., Indianapolis, IN, for software maintenance and support of the T2 Parking Citation Management System, to include a test environment module and increasing the Agreement amount by $13,714 from $103,038 to a new total amount of $116,752 and forwarding to Council for approval. (Funding Source: General Fund)
   Finance; Jeni Martin, 571-5892, jmartin@modestogov.com

ACTION: Motion (Ridenour/Mayor Brandvold; 3/0) approving a Second Amendment to the Agreement with T2 Systems, Inc., Indianapolis, IN, for software maintenance and support of the

T2 Parking Citation Management System, to include a test environment module and increasing the Agreement amount by $13,714 from $103,038 to a new total amount of $116,752 and forwarding to Council for approval.

Consent

4. Consider approving the award of bid for the purchase of a telescoping material handler with specific configurations to Bobcat Central Inc., Stockton, CA for a total amount not to exceed $112,209 and forwarding to Council for approval. (Funding Source: Fleet Replacement Fund)
   Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Motion (Ridenour/Mayor Brandvold; 3/0) approving the award of bid for the purchase of a telescoping material handler with specific configurations to Bobcat Central Inc., Stockton, CA for a total amount not to exceed $112,209 and forwarding to Council for approval.

Consent

5. Consider approving the award of bid for the purchase of four gas powered utility vehicles with specific configurations to Belkorp Ag, LLC, Stockton, CA, for a total amount not to exceed $75,817 and forwarding to Council for approval. (Funding Source: Fleet Replacement Fund)
   Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Motion (Ridenour/Mayor Brandvold; 3/0) approving the award of bid for the purchase of four gas powered utility vehicles with specific configurations to Belkorp Ag, LLC, Stockton, CA, for a total amount not to exceed $75,817 and forwarding to Council for approval.

Consent

6. Consider approving the award of bid for the purchase of a 33,000-pound GVWR (Gross Vehicle Weight Rating) Truck with Chlorine Tank with specific configurations to Delta Truck Center, French Camp, CA, for a total amount not to exceed $177,352 and forwarding to Council for approval. (Funding Source: Water Fund)
   Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Motion (Ridenour/Mayor Brandvold; 3/0) approving the award of bid for the purchase of a 33,000-pound GVWR (Gross Vehicle Weight Rating) Truck with Chlorine Tank with specific configurations to Delta Truck Center, French Camp, CA, for a total amount not to exceed $177,352 and forwarding to Council for approval.

UNFINISHED BUSINESS

7. Consider accepting the Modesto Municipal Golf System Operation Review and an Amendment to the Modesto Municipal Golf System Operation Review by Pro Forma Advisors, LLC, receiving golf updates, providing direction to staff, and forwarding to Council for approval. (Funding Source: Golf Fund & General Fund)
   Parks, Recreation & Neighborhoods; Laurie Smith, 577-5347, lsmith@modestogov.com

ACTION: Motion (Ridenour/Mayor Brandvold; 3/0) forwarding to Council to consider the opinion of the rest of the Council.

8. Consider approving the award of bid for the purchase of 17 Modesto Area Dial-A-Ride paratransit vans to Creative Bus Sales, Inc., Chino, CA, for a total amount of $1,517,551, and amending Fiscal Year Capital Improvement Program budget in the amount of $317,551 to fully fund the purchase of the vans, and forwarding to Council for approval. (Funding Source: Transit Funds)
Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Motion Ridenour/Mayor Brandvold; 3/0) approving the award of bid for the purchase of 17 Modesto Area Dial-A-Ride paratransit vans to Creative Bus Sales, Inc., Chino, CA, for a total amount of $1,517,551, and amending Fiscal Year Capital Improvement Program budget in the amount of $317,551 to fully fund the purchase of the vans, and forwarding to Council for approval.

Councilmember Grewal left meeting at 3:53 p.m.

NEW BUSINESS

9. Consider accepting an actuarial valuation report of other post-employment benefits (OPEB) as of the measurement date June 30, 2018 pursuant to updated financial reporting and accounting requirements from the Governmental Accounting Standards Board (GASB) Statements 74 and 75 and forwarding to Council for approval. (Funding Source: Not Applicable)
Finance; DeAnna Christensen, 577-5387, dachristensen@modestogov.com

ACTION: Motion (Kenoyer/Mayor Brandvold; 3/0) accepting an actuarial valuation report of other post-employment benefits (OPEB) as of the measurement date June 30, 2018 pursuant to updated financial reporting and accounting requirements from the Governmental Accounting Standards Board (GASB) Statements 74 and 75 and forwarding to Council for approval.

10. Consider approving a consolidation of the Utility Billing Water Rate Assistance (WRA) program and the Senior/Disabled Low Income (SDLI) program into a single Utility Billing Low Income Assistance program available for all eligible customers and forwarding to Council for approval. (Funding Source: Not Applicable)
Finance; Jeni Martin, 571-5892, jmartin@modestogov.com

ACTION: Motion (Kenoyer/Mayor Brandvold; 3/0) approving a consolidation of the Utility Billing Water Rate Assistance (WRA) program and the Senior/Disabled Low Income (SDLI) program into a single Utility Billing Low Income Assistance program available for all eligible customers and forwarding to Council for approval.

11. Consider approving a Purchasing Agreement with Amazon Business through the OMNIA Partners Public Sector cooperative purchasing organization (formerly known as US Communities and National IPA) for an online marketplace for products, for a two-year Agreement with three two-year extension options, for an annual estimated cost not to exceed $75,000, and a total amount not to exceed $600,000 over eight years and forwarding to Council for approval. (Funding Source: Various Funds)

Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Motion (Mayor Brandvold/Kenoyer; 3/0) approving a Purchasing Agreement with Amazon Business through the OMNIA Partners Public Sector cooperative purchasing organization (formerly known as US Communities and National IPA) for an online marketplace for products, for a two-year Agreement with three two-year extension options, for an annual estimated cost not to exceed $75,000, and a total amount not to exceed $600,000 over eight years and forwarding to Council for approval.

12. Consider recommending one of three options to Agreements for golf course management and maintenance services for an additional one-year term to December 31, 2020; and forwarding to Council for approval. (Funding Source: Golf Fund and General Fund)
Parks, Recreation & Neighborhoods; Laurie Smith, 577-5347, lsmith@modestogov.com

ACTION: Motion (Kenoyer/Mayor Brandvold; 3/0) recommending Option 1 and forwarding to Council for approval.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 4:47 p.m.

Attest:_____
Joseph Lopez, City Manager

MINUTES

City of Modesto

SAFETY AND COMMUNITIES COMMITTEE / COUNCIL WORKSHOP

Second Floor, Room 2005
Tenth Street Place, 1010 10th Street
Modesto, California

Monday, November 4, 2019, at 5:00 p.m.

Roll Call – Present: Councilmembers Ah You, Kenoyer and Ridenour
Absent: None

PUBLIC COMMENTS

None.

CONSENT

Consent

1. Consider approving the designation of the Public Health Officer for Stanislaus County to also serve as the Public Health Officer (PHO) for the City of Modesto and forwarding to Council for approval. (Funding Source: Not Applicable)
City Manager; Edgar Garcia, 571-5101, edgarcia@modestogov.com

ACTION: Motion (Ridenour/Kenoyer; 3/0) approving the designation of the Public Health Officer for Stanislaus County to also serve as the Public Health Officer (PHO) for the City of Modesto and forwarding to Council for approval.

Consent

2. Consider approving the award of bid and Agreement for On-Call Roll-Up Commercial Door Maintenance and Repair Services to West Coast Door and Gate, Ceres, CA, for a two year Agreement with three one-year extension options, for an annual estimated cost of $34,000 and a total amount not to exceed $170,000 over five years and forwarding to Council for approval. (Funding Source: Various Funds)
Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Motion (Ridenour/Kenoyer; 3/0) approving the award of bid and Agreement for On-Call Roll-Up Commercial Door Maintenance and Repair Services to West Coast Door and Gate, Ceres, CA, for a two year Agreement with three one-year extension options, for an annual estimated cost of $34,000 and a total amount not to exceed $170,000 over five years and forwarding to Council for approval.

3. Consider adoption of an Ordinance repealing and replacing Chapter 1 of Title 3 of the Modesto Municipal Code, and adopting and amending the City's Fire Code Ordinance to align with the 2019 California Fire Code, and forwarding to Council for approval. (Funding Source: Not Applicable)
   Fire; Mike Payton, 577-9139, mpayton@modestofire.com

ACTION: (Motion Ridenour/Kenoyer; 3/0) approving an Ordinance repealing and replacing Chapter 1 of Title 3 of the Modesto Municipal Code, and adopting and amending the City's Fire Code Ordinance to align with the 2019 California Fire Code, and forwarding to Council for approval.

Consent

4. Consider approving an Agreement with FlowWest, LLC., of Oakland, CA for the preparation of Construction Documentation (Design) for the TRRP Gateway River Overlook in the amount of $123,460, plus $12,346 for contingency, if needed, for a total not to exceed $135,806; and amending the Fiscal Year 2019-2020 Capital Improvement Program Budget as outlined in Exhibit A and forwarding to Council for approval. (Funding Source: Federal High Priority Demolition Funds and California River Parkways Grant Program)
   Parks, Recreation & Neighborhoods; Nathan Houx, 571-5526, nhoux@modestogov.com

ACTION: Motion (Ridenour/Kenoyer; 3/0) approving an Agreement with FlowWest, LLC., of Oakland, CA for the preparation of Construction Documentation (Design) for the TRRP Gateway River Overlook in the amount of $123,460, plus $12,346 for contingency, if needed, for a total not to exceed $135,806; and amending the Fiscal Year 2019-2020 Capital Improvement Program Budget as outlined in Exhibit A and forwarding to Council for approval.

Consent

5. Consider the purchase and installation of eight Automated License Plate Readers from Strommel Inc., DBA Lehr Auto Electric of Sacramento, CA to expand the Modesto Police Department's Automated License Plate Reader program for a total amount not to exceed $87,900 and forwarding to Council for approval. (Funding Source: 2017-2018 State Law Enforcement Supplemental Fund)
   Police; Brandon Gillespie, 572-9821, gillespieb@modestopd.com

ACTION: Motion (Ridenour/Kenoyer; 3/0) approving the purchase and installation of eight Automated License Plate Readers from Strommel Inc., DBA Lehr Auto Electric of Sacramento, CA to expand the Modesto Police Department's Automated License Plate Reader program for a total amount not to exceed $87,900 and forwarding to Council for approval.

Consent

6. Consider a payment to the Stanislaus Animal Services Agency in the amount of $256,720 for the Fiscal Year 2018-2019 partner allocation true-up, and forwarding to

Council for approval. (Funding Source: General Fund)
Police; Craig Gundlach, 572-9500, gundlachc@modestopd.com

ACTION: Motion (Ridenour/Kenoyer; 3/0) approving a payment to the Stanislaus Animal Services Agency in the amount of $256,720 for the Fiscal Year 2018-2019 partner allocation true-up, and forwarding to Council for approval.

NEW BUSINESS

7. Consider approving the Delegated Maintenance Agreement with the California Department of Transportation, District 10 for litter abatement services, and forwarding to Council for approval. (Funding Source: State Funds, Litter Abatement Fund)
City Manager; Edgar Garcia, 571-5101, edgarcia@modestogov.com

ACTION: Motion (Kenoyer/Ridenour; 3/0) approving the Delegated Maintenance Agreement with the California Department of Transportation, District 10 for litter abatement services, and forwarding to Council for approval.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 5:11 pm

Attest:_____
Joseph Lopez, City Manager

MINUTES

City of Modesto

CITY COUNCIL MEETING

Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday November 05, 2019, at 5:30 p.m.

Roll Call – Present: Councilmembers Ah You, Grewal, Kenoyer, Madrigal, Ridenour, Zoslocki, Mayor Brandvold
Absent: None

Pledge of Allegiance to the Flag

Invocation: Scott Nelson, Covenant Grove Church

City Clerk's Announcements: Item 4 - continued to January 14, 2020 meeting; Item 5 - Removed from Consent

Declaration of Conflicts of Interest: None

Reports from Closed Session: City Attorney Lindgren reported on Closed Session matters

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Poem of the Month. (Funding Source: Not Applicable)
City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Gillian Wegener presented a Poem of the Month.

2. Presentation of the City of Modesto and Stanislaus County's 2nd Chance Week Eye Glass Collection on Tuesday, November 5, 2019. (Funding Source: Not Applicable)
Public Works; Vicki Rice, 577-5495, vrice@modestogov.com

ACTION: Recycling Program Coordinator Vicki Rice gave a Presentation on the City of Modesto and Stanislaus County's 2nd Chance Week Eyeglass Collection.

PUBLIC COMMENT PERIOD

- Maggie Countryman spoke regarding Closed Session matters and the Board of Zoning Adjustment.

- Herk Usery spoke regarding homeless at his business in Modesto.

- John Carvalho also spoke regarding homeless at his business in Modesto.

- Mark from the People's Remedy, spoke in support of the hotel project in Downtown Modesto.

- Sebastian Jones spoke regarding grant money for small businesses dealing with homeless; he also spoke regarding changing the name of Mellis Park to Martin Luther King, Jr. Park.

- Dave Pratt spoke regarding Stanislaus County Veterans "Stand Down Event" last Saturday.

- Eleanor Chase spoke regarding the proposed Downtown Hotel Project.

- Ron DeLoach spoke regarding people riding their bicycles at night.

- Emerson Drake spoke regarding Public Record Act requests and responses from the City Attorney; he also spoke regarding water provided on Pirrone Road.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED
ACTION CONSENT ITEMS 3, 6-11: (Kenoyer/Grewal; 7/0)

CONSENT ITEMS

An item may be removed from consent and discussed at the request of an audience member or Councilmember.

Consent

3. Consider approving the minutes from the October 22, 2019 Council Meeting. (Funding Source: Not Applicable)
   - Motion approving the minutes from the October 22, 2019 Council Meeting.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Grewal; 7/0) approving the minutes from the October 22, 2019 Council Meeting.

Continued to January 14, 2020 Council meeting

4. Consider approving a Will Serve Letter and Outside Service Agreement for water service for the property located at 0 Pirrone Road in Modesto (APN: 003-014-007). (Funding Source: Water Fund, General Fund)
   - Resolution approving a Will Serve Letter and Outside Service Agreement between the City of Modesto and Grover Family Properties, L.P., a California Limited Partnership to connect to the City of Modesto's existing water system for the property located at 0 Pirrone Road in Modesto (APN: 003-014-007), and

authorizing the City Manager, or his designee, to approve the Will Serve Letter and execute the Outside Service Agreement.

Community & Economic Development; Vickey Dion, 571-5542, vdion@modestogov.com

ACTION: Continued to January 14, 2020 Council meeting.

Removed from Consent

5. Consider approving a Catering and Concessionaire Agreement between the City of Modesto and Modesto Hospitality, LLC, to provide catering and concessionaire services to the Modesto Centre Plaza. (Funding Source: Fund 4700 – Cultural Services Administration)
   - Resolution approving a Catering and Concessionaire Agreement between the City of Modesto and Modesto Hospitality, LLC, to provide catering and concessionaire services to the Modesto Centre Plaza, and authorizing the City Manager, or designee, to execute the Agreement.

   Parks, Recreation & Neighborhoods; Laurie Smith, 577-5347, lsmith@modestogov.com

ACTION: Resolution 2019-488 (Grewal/Ridenour; 7/0) approving a Catering and Concessionaire Agreement between the City of Modesto and Modesto Hospitality, LLC, to provide catering and concessionaire services to the Modesto Centre Plaza, and authorizing the City Manager, or designee, to execute the Agreement.

Consent

6. Consider rescinding and replacing Resolution 2019-400 for the acceptance of the relinquishment of those portions of State right-of-way along Highway 99 between 0.7 miles south of the Pelandale Avenue Overcrossing, and 0.4 miles north of the Pelandale Overcrossing from the State of California to the City of Modesto. (Funding Source: CIP 100786-CED.Land Development Engineering – State Route 99 Proposition 1B Bond Savings)
   - Resolution authorizing the acceptance of the relinquishment in its current environmental condition and setting, as referenced in the hazardous waste initial site assessment for the State Route 99 at Pelandale Avenue Interchange Reconstruction project, dated August 20, 2019 including, but not limited to, the presence of hazardous materials as described in the relinquishment of parcel along SR99 – p.m. 21.0 - 22.4 (CT Parcel 17140-4 & 17140-5) and waiving the 90-day notice of "Intention to Relinquish" requirement, and rescinding and replacing Resolution 2019-400.

   Public Works; Scott Collins, 577-5431, scollins@modestogov.com

ACTION: Resolution 2019-489 (Kenoyer/Grewal; 7/0) authorizing the acceptance of the relinquishment in its current environmental condition and setting, as referenced in the hazardous waste initial site assessment for the State Route 99 at Pelandale Avenue Interchange Reconstruction project, dated August 20, 2019 including, but not limited to, the presence of

hazardous materials as described in the relinquishment of parcel along SR99 – p.m. 21.0 - 22.4 (CT Parcel 17140-4 & 17140-5) and waiving the 90-day notice of "Intention to Relinquish" requirement, and rescinding and replacing Resolution 2019-400.

Consent

7. Consider approving the award of bid for the purchase of 17 Modesto Area Dial-A-Ride paratransit vans to Creative Bus Sales, Inc., Chino, CA, for a total amount not to exceed $1,517,551, and amending Fiscal Year 2019-2020 Capital Improvement Program budget in the amount of $317,551 to fully fund the purchase of the vans. (Funding Source: Transit Funds)
   - Resolution approving the award of bid for the purchase of 17 Modesto Area Dial-A-Ride paratransit vans to Creative Bus Sales, Inc., Chino, CA, for a total amount not to exceed $1,517,551; and authorizing the Purchasing Manager, or her designee to issue the Purchase Order.
   - Resolution amending Fiscal Year 2019-2020 Capital Improvement Program budget in fund 4560 in the amount of $317,551 to fully fund the purchase of 17 Modesto Area Dial-A-Ride vans.

   Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Resolution 2019-490 (Kenoyer/Grewal; 7/0) approving the award of bid for the purchase of 17 Modesto Area Dial-A-Ride paratransit vans to Creative Bus Sales, Inc., Chino, CA, for a total amount not to exceed $1,517,551; and authorizing the Purchasing Manager, or her designee to issue the Purchase Order.

ACTION: Resolution 2019-491 (Kenoyer/Grewal; 7/0) amending Fiscal Year 2019-2020 Capital Improvement Program budget in fund 4560 in the amount of $317,551 to fully fund the purchase of 17 Modesto Area Dial-A-Ride vans.

Consent

8. Consider approving the purchase of a John Deere replacement loader from Pape Machinery, French Camp, CA, for a total amount of $254,268, and amending the Fiscal Year 2019-2020 Solid Waste Fleet Replacement Fund operating budget in the amount of $254,268. (Funding Source: Solid Waste Replacement Fund)
   - Resolution approving the purchase a John Deere 644K loader with specific configurations from Pape Machinery, French Camp, CA, for a total amount not to exceed $254,268 and authorizing the Purchasing Manager or her designee, to issue the Purchase Order.
   - Resolution amending the Fiscal Year 2019-2020 Solid Waste Fleet Replacement Fund (4899) Operating Budget in the amount of $254,268 for the purchase of a John Deere 644K Loader with specific configurations from Pape Machinery.

   Public Works; Steve Fischio, 342-2222, sfischio@modestogov.com

ACTION: Resolution 2019-492 (Kenoyer/Grewal; 7/0) amending the Fiscal Year 2019-2020 Solid Waste Fleet Replacement Fund (4899) Operating Budget in the amount of $254,268 for the purchase of a John Deere 644K Loader with specific configurations from Pape Machinery.

ACTION: Resolution 2019-493 (Kenoyer/Grewal; 7/0) approving the purchase a John Deere 644K loader with specific configurations from Pape Machinery, French Camp, CA, for a total amount not to exceed $254,268 and authorizing the Purchasing Manager or her designee, to issue the Purchase Order.

Consent

9. Consider accepting the Modesto Police Department's Heating, Venting and Air Conditioning Renovation Project for the Department's Operations Building as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $822,133 to American Chiller Service, Inc., of Rancho Cordova, CA. (Funding Source: MPD Building Services General Fund)
    - Resolution accepting the Modesto Police Department's Heating, Venting and Air Conditioning Renovation Project for the Department's Operations Building as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $822,133 to American Chiller Service, Inc., of Rancho Cordova, CA.

    Utilities; Jesse Franco, 571-5175, jfranco@modestogov.com

ACTION: Resolution 2019-494 (Kenoyer/Grewal; 7/0) accepting the Modesto Police Department's Heating, Venting and Air Conditioning Renovation Project for the Department's Operations Building as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $822,133 to American Chiller Service, Inc., of Rancho Cordova, CA.

Consent

10. Consider accepting the Modesto Police Department's Heating, Venting and Air Conditioning Renovation Project for the Department's Administration Building as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $848,226 to American Chiller Service, Inc., of Rancho Cordova, CA. (Funding Source: MPD Building Services General Fund)
    - Resolution accepting the Modesto Police Department's Heating, Venting and Air Conditioning Renovation Project for the Department's Administration Building as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $848,226 to American Chiller Service, Inc., of Rancho Cordova, CA.

    Utilities; Jesse Franco, 571-5175, jfranco@modestogov.com

ACTION: Resolution 2019-495 (Kenoyer/Grewal; 7/0) accepting the Modesto Police Department's Heating, Venting and Air Conditioning Renovation Project for the Department's Administration Building as complete, authorizing all necessary steps to file with the County Recorder, releasing securities, and releasing payments totaling $848,226 to American Chiller Service, Inc., of Rancho Cordova, CA.

Consent

11. Consider approving the plans and specifications for the 2017-2018 Sanitary Sewer Collection System Replacement Project and awarding a construction contract with

Rolfe Construction Company, Atwater, CA, in the amount of $691,296 plus $103,694 for contingency (if needed), for a total amount of $794,990. (Funding Source: Wastewater Fund)

- Resolution approving plans and specifications for the 2017-2018 Sanitary Sewer Collection System Replacement Project, accepting the bid, and approving a construction contract with Rolfe Construction Company, Atwater, CA, in the amount of $691,296 plus $103,694 for contingency (if needed) for a total amount of $794,990 and authorizing the City Manager, or his designee, to execute the Agreement.
- Resolution authorizing an increase in the Director's authority to issue change orders for the 2017-2018 Sanitary Sewer Collection System Replacement Project from 10% ($69,130) to 15% ($103,694) of the construction contract price of $691,296 with Rolfe Construction, Atwater, CA.

Utilities; Cristian Ciotau, 577-5260, cciotau@modestogov.com

ACTION: Resolution 2019-496 (Kenoyer/Grewal; 7/0) approving plans and specifications for the 2017-2018 Sanitary Sewer Collection System Replacement Project, accepting the bid, and approving a construction contract with Rolfe Construction Company, Atwater, CA, in the amount of $691,296 plus $103,694 for contingency (if needed) for a total amount of $794,990 and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: Resolution 2019-497 (Kenoyer/Grewal; 7/0) authorizing an increase in the Director's authority to issue change orders for the 2017-2018 Sanitary Sewer Collection System Replacement Project from 10% ($69,130) to 15% ($103,694) of the construction contract price of $691,296 with Rolfe Construction, Atwater, CA.

COUNCIL COMMENTS & REPORTS

Councilmember Madrigal attended: the weekly clean-up of the Helen White Trail and the graffiti abatement team, the Trunk or Treat event on October 25, 2019 with 4,000 attendees; the Community Input Forum meetings held in each District in the City; he announced the King-Kennedy Memorial Center meeting with Veterans Day luncheon on November 11, 2019.

Councilmember Ridenour attended: Integra Industries event in Modesto yesterday; Access Center Groundbreaking at the Salvation Army Center; he requested more information regarding the proposed Downtown Hotel.

Councilmember Kenoyer gave an update on her health.

CITY MANAGER COMMENTS & REPORTS

None.

UNFINISHED BUSINESS

12. Consider an informational report regarding homelessness at the Tuolumne River Regional Park Gateway under the Ninth Street Bridge, also known as the Modesto Outdoor Emergency Shelter. (Funding Source: Not Applicable)
City Manager; Edgar Garcia, 571-5101, edgarcia@modestogov.com

ACTION: No reportable action.

HEARINGS

Published in the Modesto Bee on October 15, 2019

13. Hearing to consider approving the revised Master Plans for Mancini Park, César E. Chavez Park, and Mellis Park and finding that the proposed renovation of César E. Chavez Park is within the scope of the Modesto Urban Area General Plan Master EIR (SCH# 2014042081). (Funding Source: Statewide Park Development and Community Revitalization Program - Proposition 68)
    - Resolution approving the revised Master Plan for Mancini Park.
    - Resolution approving the revised Master Plan for Mellis Park.
    - Resolution approving the revised Master Plan for César E. Chavez Park.
    - Resolution finding that the following subsequent project is within the scope of the project covered by the Modesto Urban Area General Plan Master Environmental Impact Report (SCH No. 2014042081): César E. Chavez Park Improvements.

    Parks, Recreation & Neighborhoods; Nathan Houx, 571-5526, nhoux@modestogov.com

ACTION: Resolution 2019-498 (Madrigal/Ah You; 7/0) approving the revised Master Plan for Mancini Park.

ACTION: Resolution 2019-499 (Madrigal/Ah You; 7/0) approving the revised Master Plan for Mellis Park.

ACTION: Resolution 2019-500 (Madrigal/Ah You; 7/0) approving the revised Master Plan for César E. Chavez Park.

ACTION: Resolution 2019-501 (Madrigal/Ah You; 7/0) finding that the following subsequent project is within the scope of the project covered by the Modesto Urban Area General Plan Master Environmental Impact Report (SCH No. 2014042081): César E. Chavez Park Improvements.

NEW BUSINESS

14. Consider approving the expansion of the Audit Committee to include two (2) private sector professionals that are financial and/or management experts pursuant to the Association of Local Government Auditors (ALGA) Committee Guidance for Audit Committees and authorizing the City Manager, or his designee, to amend Modesto Municipal Code Section 2-1.18 (Standing Committees) to reflect this expansion to be considered at a future City Council meeting. (Funding Source: Not Applicable)
    - Resolution authorizing the City Manager, or his designee, to amend Municipal

Code Section 2-1.18 (Standing Committees) to modify the composition of the Audit Committee to include two (2) additional voting members who are private sector professionals that are financial and/or management experts to be considered at a future City Council meeting.

City Council; Mayor Ted Brandvold, 571-5597, tbrandvold@modestogov.com

ACTION: Motion (Ah You/Madrigal; 3/4; Grewal, Kenoyer, Ridenour, Zoslocki no) authorizing the City Manager, or his designee, to amend Municipal Code Section 2-1.18 (Standing Committees) to modify the composition of the Audit Committee to include two (2) additional voting members who are private sector professionals that are financial and/or management experts to be considered at a future City Council meeting. **(MOTION FAILED)**

15. Consider accepting a Transportation Plan for Fiscal Years 2019-20 through 2023-24 and consider accepting a 5-Year Measure L Plan. (Funding Source: Multiple transportation-related funding sources)
    - Resolution accepting a Transportation Plan for Fiscal Years 2019-20 through 2023-24.
    - Resolution accepting a 5-Year Measure L Plan for Fiscal Year 2019-20 to Fiscal Year 2023-24.

    Community & Economic Development; Tamorah Bryant, 577-5328, tbryant@modestogov.com

ACTION: Resolution 209-502 (Ah You/Grewal; 7/0) accepting a Transportation Plan for Fiscal Years 2019-20 through 2023-24.

ACTION: Resolution 2019-503 (Ah You/Grewal; 7/0) accepting a 5-Year Measure L Plan for Fiscal Year 2019-20 to Fiscal Year 2023-24.

16. Consider approving an agreement including language changes for a successor Memorandum of Understanding (MOU) between the City of Modesto and Modesto City Employees Association (MCEA) for a term of March 9, 2019 through June 30, 2023. (Funding Source: All Funds)
    - Resolution approving an Agreement including language changes for a successor Memorandum of Understanding between the City of Modesto and the Modesto City Employees Association (MCEA) for a term of March 9, 2019 to June 30, 2023; and authorizing the City Manager or designee to take the necessary administrative action to implement the Agreement.

    Human Resources; Norma Santoyo, 571-5126, nsantoyo@modestogov.com

ACTION: Resolution 2019-504 (Madrigal/Grewal; 7/0) approving an Agreement including language changes for a successor Memorandum of Understanding between the City of Modesto and the Modesto City Employees Association (MCEA) for a term of March 9, 2019 to June 30, 2023; and authorizing the City Manager or designee to take the necessary administrative action to implement the Agreement.

17. Consider awarding an exclusive five year Bus Stop Bench Franchise to Creative

Outdoor Advertising of America, Tampa, FL to maintain and advertise on Modesto Area Express bus stop benches. (Funding Source: Transit Funds)

- Motion introducing and waiving the first reading of an Ordinance granting an exclusive five-year Bus Stop Bench Franchise to Creative Outdoor Advertising of America for the right, privilege and permission to place and operate benches bearing printed matter or signs thereon at designated locations along the streets in the City of Modesto.

Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Motion (Zoslocki/Ah You; 7/0) introducing and waiving the first reading of **Ordinance No. 3706-C.S.** granting an exclusive five-year Bus Stop Bench Franchise to Creative Outdoor Advertising of America for the right, privilege and permission to place and operate benches bearing printed matter or signs thereon at designated locations along the streets in the City of Modesto.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 9:36 p.m.

CLOSED SESSION

All Closed Session Matters heard prior to meeting

CONSENT

1. Consider appointing Real Property Negotiators Ryan Daugherty, City of Modesto Property Agent and Adam U. Lindgren, City Attorney for Properties: APN: 035-024-016-000.
    - Motion appointing Real Property Negotiators Ryan Daugherty, City of Modesto Property Agent and Adam U. Lindgren, City Attorney for Properties: APN: 035-024-016-000.

CLOSED SESSION

CONFERENCE WITH REAL PROPERTY NEGOTIATORS:
(Pursuant to Section 54956.8 of the Government Code)
Property: 913 South Santa Cruz Avenue Modesto, CA. APN: 035-024-016-000.
Property Owners: Rafael Soto

Negotiating Parties:
For City: Ryan Daugherty, City of Modesto Property Agent
Adam U. Lindgren, City Attorney for City of Modesto
For Property Owner: Rafael Soto
Under Negotiation: Price and Terms

CONFERENCE WITH LEGAL COUNSEL — ANTICIPATED LITIGATION
Two Cases (Pursuant to Section 54956.9(d)(2) of the Government Code)

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCEA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Employees Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Confidential & Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPOA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Officers' Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPNSA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Non-Sworn Association

CONFERENCE WITH LABOR NEGOTIATOR:

(Pursuant to Section 54957.6 of the Government Code) –MPMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCFFA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Firefighters Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – Unrepresented
Negotiator: Norma Santoyo
Employee Organization: Unrepresented Management and Confidential Employees

Attest:_____
Stephanie Lopez, City Clerk

MINUTES

City of Modesto

ECONOMIC DEVELOPMENT COMMITTEE / COUNCIL WORKSHOP

Second Floor, Room 2005
Tenth Street Place, 1010 10th Street
Modesto, California

Wednesday, November 6, 2019, at 2:00 p.m.

Roll Call: Present: Councilmembers Ridenour, Madrigal, and Kenoyer (alternate)
Absent: Councilmember Zoslocki
Also Present: Mayor Brandvold (arrived at 2:06 p.m.)

PUBLIC COMMENTS

None.

CONSENT

Removed from Consent

1. Consider approving an Agreement for small cell towers with Sacramento-Valley Limited Partnership, DBA Verizon Wireless and forwarding to Council for approval. (Funding Source: Yearly payment from Verizon into the General Fund)
Community & Economic Development; Daniel England, 571-5589, dengland@modestogov.com

ACTION: Motion (Kenoyer/Mayor Brandvold; 3/0) approving an Agreement for small cell towers with Sacramento-Valley Limited Partnership, DBA Verizon Wireless and forwarding to Council for approval.

Consent

2. Consider approving an extension, for one additional year, for the discount for National Express Transit Corporation employees who purchase a Transportation Center parking lot monthly pass, and forwarding to Council for approval. (Funding Source: Parking Services Enterprise Fund)
Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Motion (Kenoyer/Ridenour; 3/0) approving an extension, for one additional year, for the discount for National Express Transit Corporation employees who purchase a Transportation Center parking lot monthly pass, and forwarding to Council for approval.

Consent

3. Consider approving the award of proposal and Agreement for the purchase of a Computer-aided Dispatch/Automated Vehicle Location system to Ecolane, USA, Inc, Wayne PA, for an annual estimated cost not to exceed $213,946, and a total amount not to exceed $447,006 over five years, and forwarding to Council for approval. (Funding Source: Transit Funds)
Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Motion (Kenoyer/Ridenour; 3/0) Consider approving the award of proposal and Agreement for the purchase of a Computer-aided Dispatch/Automated Vehicle Location system to Ecolane, USA, Inc, Wayne PA, for an annual estimated cost not to exceed $213,946, and a total amount not to exceed $447,006 over five years, and forwarding to Council for approval.

NEW BUSINESS

4. Consider approving the award of proposal and Agreement for operation of Modesto Area Dial-A-Ride to Transdev Services, Inc., Lombard, IL, for a five year Agreement with two two-year extension options, for an annual estimated cost not to exceed $3,067,622 and a total amount not to exceed $27,608,602 over nine years, and forwarding to Council for approval. (Funding Source: Transit Funds)
Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Motion (Kenoyer/Mayor Brandvold; 3/0) approving the award of proposal and Agreement for operation of Modesto Area Dial-A-Ride to Transdev Services, Inc., Lombard, IL, for a five year Agreement with two two-year extension options, for an annual estimated cost not to exceed $3,067,622 and a total amount not to exceed $27,608,602 over nine years, and forwarding to Council for approval.

5. Consider accepting a report on upcoming Capital Improvement construction projects and forwarding to Council for approval. (Funding Source: Various CIPs)
Utilities; Jesse Franco, 571-5175, jfranco@modestogov.com

ACTION: Motion (Kenoyer/Mayor Brandvold; 3/0) accepting a report on upcoming Capital Improvement construction projects (except the Tully Capital Improvement construction project) and forwarding to Council for approval.

ACTION: Motion (Kenoyer/Ridenour; 2/0; Mayor Brandvold absent due to conflict of interest) accepting a report on the upcoming Tully Capital Improvement construction project and forwarding to Council for approval.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 2:36 p.m.

Attest:_____
Joseph Lopez, City Manager

MINUTES

City of Modesto

CITY COUNCIL MEETING

Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday November 12, 2019, at 5:30 p.m.

Roll Call – Present: Councilmembers Ah You, Grewal, Kenoyer, Madrigal, Ridenour, Zoslocki, Mayor Brandvold
Absent: None

Pledge of Allegiance to the Flag

Invocation: Rabbi Shalom Bochner, Congregation Beth Shalom

City Clerk's Announcements: Item Nos. 3, 5 and 8 - Removed from Consent

Declaration of Conflicts of Interest: Grewal - Item 10

Reports from Closed Session: City Attorney Lindgren reported on Closed Session matters

PUBLIC COMMENT PERIOD

- Joel Campos spoke regarding housing and development; he does not agree developing on prime farmland specifically in Wood Colony; he also spoke regarding the Sphere of Influence.

- Emerson Drake spoke regarding Public Record Act requests and emails regarding former City Auditor Monica Houston; he also spoke regarding conflicts of interest.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED
ACTION CONSENT ITEMS: 1-2; 4; 6-7; 9: (Kenoyer/Madrigal; 7/0)

CONSENT ITEMS

An item may be removed from consent and discussed at the request of an audience member or Councilmember.

Consent

1. Consider approving the minutes from the November 5, 2019 Council Meeting. (Funding Source: Not Applicable)

- Motion approving the minutes from the November 5, 2019 Council Meeting.

City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Madrigal; 7/0) approving the minutes from the November 5, 2019 Council Meeting.

Consent

2. Consider approving the recommended budget adjustments to Fiscal Year 2019-20 Annual Operating and Capital Improvement Program Budgets. (Funding Source: Various Funds)
   - Resolution amending Fiscal Year 2019-20 Annual Operating and Capital Improvement Program Fund Budgets.

   City Manager; Wilson Chalabi, 571-5855, wchalabi@modestogov.com

ACTION: Resolution 2019-505 (Kenoyer/Madrigal; 7/0) amending Fiscal Year 2019-20 Annual Operating and Capital Improvement Program Fund Budgets.

Removed from Consent

3. Consider approving a Will Serve Letter and Outside Service Agreement for water service for the property located at 1401 S. 7th St. (APN: 038-025-016). (Funding Source: Water Fund, General Fund)
   - Resolution approving a Will Serve Letter and Outside Service Agreement between the City of Modesto and Cold Storage Group, Inc. to connect to the City of Modesto's existing water system for the property located at 1401 S. 7th St. (APN: 038-025-016), and authorizing the City Manager, or his designee, to approve the Will Serve Letter and execute the Outside Service Agreement.

   Community & Economic Development; Vickey Dion, 571-5542, vdion@modestogov.com

ACTION: Motion (Ah You/Madrigal; 7/0) continuing item to November 26, 2019 Council meeting.

Consent

4. Consider accepting an informational report for the September 2019 Accounts Payable Payment Register and Void report. (Funding Source: Not Applicable)
   - Motion accepting an informational report for the September 2019 Accounts Payable Payment Register and Void report.

   Finance; Calogero Maniscalco, 577-5379, cmaniscalco@modestogov.com

ACTION: Motion (Kenoyer/Madrigal; 7/0) accepting an informational report for the September 2019 Accounts Payable Payment Register and Void report.

Removed from Consent

5. Consider rejecting all bids received for Request for Bid No. 1718-50RB for Spoils Screening and Rock Crushing. (Funding Source: Water and Public Works Funds)
   - Resolution rejecting all bids received for RFB No. 1718-50RB for Spoils Screening and Rock Crushing Services, and authorizing the City Manager, or his designee, to

reissue a RFB at a future date.
Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Resolution 2019-506 (Ridenour/Grewal; 7/0) rejecting all bids received for RFB No. 1718-50RB for Spoils Screening and Rock Crushing Services, and authorizing the City Manager, or his designee, to reissue a RFB at a future date.

Consent

6. Consider approving the First Amendment increasing the Agreement amount with GovernmentJobs.com, Inc., El Segundo, CA, doing business as NEOGOV, to add a module for a performance management platform increasing the amount by $103,794 from $135,313 to a new total of $239,107 over the life of the Agreement. (Funding Source: Various Funds)
   - Resolution approving the First Amendment increasing the Agreement amount with GovernmentJobs.com, Inc., El Segundo, CA, doing business as NEOGOV, to add a module for a performance management platform increasing the amount by $103,794 from $135,313 to a new total of $239,107, and authorizing the City Manager, or his designee, to execute the Amendment.

   Human Resources; Christina Alger, 577-5490, calger@modestogov.com

ACTION: Resolution 2019-507 (Kenoyer/Madrigal; 7/0) approving the First Amendment increasing the Agreement amount with GovernmentJobs.com, Inc., El Segundo, CA, doing business as NEOGOV, to add a module for a performance management platform increasing the amount by $103,794 from $135,313 to a new total of $239,107, and authorizing the City Manager, or his designee, to execute the Amendment.

Consent

7. Consider approving the purchase and installation of eight Automated License Plate Readers from Strommel Inc., DBA Lehr Auto Electric of Sacramento, CA to expand the Modesto Police Department's Automated License Plate Reader program for a total amount not to exceed $87,900. (Funding Source: 2017-2018 State Law Enforcement Supplemental Fund)
   - Resolution approving the purchase and installation of eight Automated License Plate Readers from Strommel Inc., DBA Lehr Auto Electric of Sacramento, CA to expand the Modesto Police Department's Automated License Plate Reader program for a total amount not to exceed $87,900, and authorizing the Purchasing Manager, or her designee, to execute the Purchase Order.

   Police; Brandon Gillespie, 572-9821, gillespieb@modestopd.com

ACTION: Resolution 2019-508 (Kenoyer/Madrigal; 7/0) approving the purchase and installation of eight Automated License Plate Readers from Strommel Inc., DBA Lehr Auto Electric of Sacramento, CA to expand the Modesto Police Department's Automated License Plate Reader program for a total amount not to exceed $87,900, and authorizing the Purchasing Manager, or her designee, to execute the Purchase Order.

Removed from Consent

8. Consider rejecting all bids for Request for Bid No. 1718-57 for Wireless Network Equipment and Installation Services. (Funding Source: Wastewater Fund)
   - Resolution rejecting all bids for Request for Bid No. 1718-57 for Wireless Network Equipment and Installation Services.

   Utilities; Ben Koehler, 342-4502, bkoehler@modestogov.com

ACTION: Resolution 2019-509 (Ridenour/Grewal; 7/0) rejecting all bids for Request for Bid No. 1718-57 for Wireless Network Equipment and Installation Services.

Consent

9. Consider approving the grant of a Temporary Construction Easement and a Permanent Access and Utility Easement from the Empire Preservation Trust within a portion of APN: 009-019-023 for the Empire Sanitary Sewer Trunk Project, and consenting to the recordation thereof. (Funding Source: Wastewater Fund)
   - Resolution approving the grant of a Temporary Construction Easement and a Permanent Access and Utility Easement from the Empire Preservation Trust within a portion of APN: 009-019-023 for the Empire Sanitary Sewer Trunk Project, consenting to the recordation thereof, and authorizing the City Manager or his designee to execute the Certificates of Acceptance.

   Utilities; Ryan Daugherty, 577-5399, rdaugherty@modestogov.com

ACTION: Resolution 2019-510 (Kenoyer/Madrigal; 7/0) approving the grant of a Temporary Construction Easement and a Permanent Access and Utility Easement from the Empire Preservation Trust within a portion of APN: 009-019-023 for the Empire Sanitary Sewer Trunk Project, consenting to the recordation thereof, and authorizing the City Manager or his designee to execute the Certificates of Acceptance.

Councilmember Grewal left meeting at 6:16 p.m.

COUNCIL COMMENTS & REPORTS

Councilmember Kenoyer attended: a Community Input Meeting for the 5 year Consolidated Plan at the King-Kennedy Center; the South Modesto Business United Community Gala dinner, the "Take back our Park" meeting near Standiford Park, and the Veteran's Day Parade yesterday.

Councilmember Madrigal attended: a Community Input Meeting for the 5 year Consolidated Plan in District 4 last Wednesday, a Community Input Meeting for the 5 year Consolidated Plan in District 2, a planning meeting for South Modesto community clean-up, and the South Modesto Business United Community dinner; he announced the Complete Count Census Committee tomorrow.

Councilmember Ridenour announced the last Community Input Meeting in District 6 tomorrow night.

CITY MANAGER COMMENTS & REPORTS

None.

HEARINGS

Published in the Modesto Bee on October 22, 2019; Councilmember Grewal absent due to conflict of interest

10. Hearing to introduce, waive the first reading by title only, and consider Ordinances adopting by reference the Building, Residential, Plumbing, Electrical, Mechanical and Existing Building Codes contained within the 2019 California Building Standards Code and consider amending various sections of Chapters 1, 2, 3, 7, and 11 of Title 9 of the Modesto Municipal Code. (Funding Source: General Fund/Building Permit Fees)
    - Motion introducing and waiving the first reading of an Ordinance adopting by reference the Building Code and the Residential Building Code contained within the 2019 California Building Standards Code and amending Articles 1, 2, 5, 6, 8, and 16 of Chapter 1 of Title 9 of the Modesto Municipal Code.
    - Motion introducing and waiving the first reading of an Ordinance adopting by reference the Electrical Code contained within the 2019 California Building Standards Code and amending Articles 1 and 2 of Chapter 3 of Title 9 of the Modesto Municipal Code.
    - Motion introducing and waiving the first reading of an Ordinance adopting by reference the Mechanical Code contained within the 2019 California Building Standards Code and amending Articles 1 and 2 of Chapter 7 of Title 9 of the Modesto Municipal Code.
    - Motion introducing and waiving the first reading of an Ordinance adopting by reference the Plumbing Code contained within the 2019 California Building Standards Code and amending Articles 1 and 2 of Chapter 2 of Title 9 of the Modesto Municipal Code.
    - Motion introducing and waiving the first reading of an Ordinance adopting by reference the Existing Building Code contained within the 2019 California Building Standards Code and amending Articles 1 and 2 of Chapter 11 of Title 9 of the Modesto Municipal Code.

    Community & Economic Development; Oscar Diaz, 571-5885, odiaz@modestogov.com

ACTION: Motion (Ah You/Madrigal; 6/0; Grewal absent due to conflict of interest) introducing and waiving the first reading of Ordinance No. 3707-C.S. adopting by reference the Building Code and the Residential Building Code contained within the 2019 California Building Standards Code and amending Articles 1, 2, 5, 6, 8, and 16 of Chapter 1 of Title 9 of the Modesto Municipal Code.

ACTION: Motion (Ah You/Madrigal; 6/0; Grewal absent due to conflict of interest) introducing and waiving the first reading of Ordinance No. 3708-C.S. adopting by reference the Electrical Code contained within the 2019 California Building Standards Code and amending Articles 1 and 2 of Chapter 3 of Title 9 of the Modesto Municipal Code.

ACTION: Motion (Ah You/Madrigal; 6/0; Grewal absent due to conflict of interest) introducing and waiving the first reading of Ordinance No. 3709-C.S. adopting by reference

the Mechanical Code contained within the 2019 California Building Standards Code and amending Articles 1 and 2 of Chapter 7 of Title 9 of the Modesto Municipal Code.

ACTION: Motion (Ah You/Madrigal; 6/0; Grewal absent due to conflict of interest) introducing and waiving the first reading of Ordinance No. 3710-C.S. adopting by reference the Plumbing Code contained within the 2019 California Building Standards Code and amending Articles 1 and 2 of Chapter 2 of Title 9 of the Modesto Municipal Code.

ACTION: Motion (Ah You/Madrigal; 6/0; Grewal absent due to conflict of interest) introducing and waiving the first reading of Ordinance No. 3711-C.S. adopting by reference the Existing Building Code contained within the 2019 California Building Standards Code and amending Articles 1 and 2 of Chapter 11 of Title 9 of the Modesto Municipal Code.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 6:40 p.m.

CLOSED SESSION

All Closed Session Matters heard prior to meeting

CONFERENCE WITH LEGAL COUNSEL — ANTICIPATED LITIGATION
One Case (Pursuant to Section 54956.9(d)(2) of the Government Code)

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
One Case (Pursuant to Section 54956.9(a) of the Government Code)
Name of Case: Allen Garan v. City of Modesto, et al.
California Workers Compensation Appeals Board
Case No.: ADJ11585607

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCEA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Employees Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Confidential & Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPOA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Officers' Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPNSA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Non-Sworn Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) –MPMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCFFA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Firefighters Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – Unrepresented
Negotiator: Norma Santoyo
Employee Organization: Unrepresented Management and Confidential Employees

Attest:_____
Stephanie Lopez, City Clerk

MINUTES

City of Modesto

SPECIAL FINANCE COMMITTE / COUNCIL WORKSHOP

Second Floor, Room 2005
Tenth Street Place, 1010 10th Street
Modesto, California

Monday, November 25, 2019, at 3:00 p.m.

Roll Call: Present: Councilmembers Grewal, Zoslocki, Kenoyer (alternate)
Absent: Councilmember Ridenour

PUBLIC COMMENT

None.

NEW BUSINESS

1. Consider approving an Agreement with ACRO Service Corporation (ACRO) through the OMNIA Partners Public Sector cooperative purchasing organization (formerly known as US Communities and National IPA) under the Intergovernmental Cooperative Purchasing Agreement (MICPA) and Maricopa County's Master Agreement for the furnishing of temporary personnel services, for a two-year Agreement with four one-year extension options, for an estimated annual cost of $490,000, and a total amount not to exceed $3,172,000 over six years; extending the current Agreements with Pridestaff, Exact Staff and Nelson Family of Companies 90 days, if needed, through March 31, 2020 to allow adequate time to transition; authorizing the Director of Finance or her designee to negotiate any cost increases, extra services or service changes; and forwarding to Council for approval. (Funding Source: Various Funds)

Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Motion (Kenoyer/Zoslocki; 3/0) approving an Agreement with ACRO Service Corporation (ACRO) through the OMNIA Partners Public Sector cooperative purchasing organization (formerly known as US Communities and National IPA) under the Intergovernmental Cooperative Purchasing Agreement (MICPA) and Maricopa County's Master Agreement for the furnishing of temporary personnel services, for a two-year Agreement with four one-year extension options, for an estimated annual cost of $490,000, and a total amount not to exceed $3,172,000 over six years; extending the current Agreements with Pridestaff, Exact Staff and Nelson Family of Companies 90 days, if needed, through March 31, 2020 to allow adequate time to transition; authorizing the Director of Finance or her designee to negotiate any cost increases, extra services or service changes; and forwarding to Council for approval.

2. Consider approving the Second Amendment increasing the Agreement amount with Varsity Facility Services, a KBS Company, for custodial services by $595,000 from $2,559,267 to a new total amount of $3,154,267, and extending the Agreement from January 7, 2020 to December 31, 2020, and forwarding to Council for approval. (Funding Source: Building Services Fund, Community Center Operations Fund)
Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Motion (Zoslocki/Kenoyer; 3/0) approving the Second Amendment increasing the Agreement amount with Varsity Facility Services, a KBS Company, for custodial services by $595,000 from $2,559,267 to a new total amount of $3,154,267, and extending the Agreement from January 7, 2020 to December 31, 2020, and forwarding to Council for approval.

3. Consider approving an Agreement with Gilton Solid Waste Management, Inc. and Bertolotti Modesto Disposal, Inc. to perform billing and collection services for certain solid waste removal provided to single-family residential customers within the City limits of Modesto for two years with three one-year extension options and forwarding to Council for approval. (Funding Source: Not Applicable)
Finance; Jeni Martin, 571-5892, jmartin@modestogov.com

ACTION: Motion (Kenoyer/Zoslocki; 3/0) approving an Agreement with Gilton Solid Waste Management, Inc. and Bertolotti Modesto Disposal, Inc. to perform billing and collection services for certain solid waste removal provided to single-family residential customers within the City limits of Modesto for two years with three one-year extension options and forwarding to Council for approval.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 3:13 p.m.

Attest:_____
Joseph Lopez, City Manager

* Via Conference Call:
Elmore Building
550 West Main Street
Brawley, CA 92227

MINUTES

City of Modesto
CITY COUNCIL MEETING
Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday November 26, 2019, at 5:30 p.m.

Roll Call – Present: Councilmembers Ah You, Grewal, Kenoyer, Madrigal, Ridenour*, Zoslocki, Mayor Brandvold
Absent: None

Pledge of Allegiance to the Flag

Invocation: Jim Applegate, Redeemer Church

City Clerk's Announcements: Item 3 - continued to future Council meeting date

Declaration of Conflicts of Interest: Grewal – Items 6, 21 and 26; Ridenour – Item 24

Reports from Closed Session: City Attorney Lindgren reported on Closed Session matters

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation of Proclamation to the Modesto Chamber of Commerce proclaiming November 30, 2019 as Small Business Saturday. (Funding Source: Not Applicable)
City Council; Kathy Espinoza, 571-5597, kespinoza1@modestogov.com

ACTION: Mayor Ted Brandvold and Councilmembers presented a Proclamation to the Modesto Chamber of Commerce proclaiming November 30, 2019 as Small Business Saturday.

2. Presentation of Proclamation declaring November 2019 as Sikh Awareness Month. (Funding Source: Not Applicable)
City Council; Kathy Espinoza, 571-5597, kespinoza1@modestogov.com

ACTION: Mayor Ted Brandvold and Councilmembers presented a Proclamation declaring November 2019 as Sikh Awareness Month.

MISCELLANEOUS
Legislation
Appointments
Other

3. Consider approving the appointment of Sebastian Jones and Adis Bey to the Board of Building Appeals with a term expiration of January 1, 2024. (Funding Source: Not Applicable)
   - Resolution approving the appointment of Sebastian Jones and Adis Bey to the Board of Building Appeals with a term expiration of January 1, 2024.

   Community & Economic Development; Oscar Diaz, 571-5885, odiaz@modestogov.com

ACTION: Item continued to future Council meeting date.

PUBLIC COMMENT PERIOD

- Veronica Alcantar spoke regarding accessible pedestrian traffic signals at locations in Modesto.
- James Costello spoke in opposition to the closure of the Modesto Outdoor Emergency Shelter (MOES) next week.
- Clinton Brockway spoke in opposition to the closure of the Modesto Outdoor Emergency Shelter (MOES) next week.
- Matthew Foster spoke in opposition to the closure of the Modesto Outdoor Emergency Shelter (MOES) next week.
- Haley Shadrick spoke in opposition to closure of the Modesto Outdoor Emergency Shelter (MOES) next week.
- Demetrius Hall spoke in opposition to the closure of the Modesto Outdoor Emergency Shelter (MOES) next week.
- Pat Wilhelm spoke regarding a sound wall for the SR132 Project.
- Terhesa Gamboa spoke regarding a sound wall for the SR 132 Project.
- Vicki Morales spoke regarding a sound wall for the SR132 Project.
- Melinda Miller spoke regarding a sound wall for the SR132 Project.
- Virginia Hammond spoke regarding a sound wall for the SR132 Project.
- Kevin McClarty requested the City prepare a Proclamation in opposition to President

Trump's position regarding the Clean Water Act.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED
ACTION CONSENT ITEMS 4-5; 7-20; 22-23: (Kenoyer/Ah You; 7/0)
ACTION CONSENT ITEMS 6, 21: (Kenoyer/Zoslocki; 6/0; Councilmember Grewal absent due to conflict of interest)

CONSENT ITEMS

An item may be removed from consent and discussed at the request of an audience member or Councilmember.

Consent

4. Consider approving the minutes from the November 12, 2019 Council Meeting. (Funding Source: Not Applicable)
   - Motion approving the minutes from the November 12, 2019 Council Meeting.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Ah You; 7/0) approving the minutes from the November 12, 2019 Council Meeting.

Consent

5. Consider final adoption of **Ordinance No. 3706-C.S.** awarding an exclusive five year Bus Stop Bench Franchise to Creative Outdoor Advertising of America, Tampa, FL to maintain and advertise on Modesto Area Express bus stop benches. (Funding Source: Transit Funds)
   - Motion approving final adoption of **Ordinance No. 3706-C.S.** granting an exclusive five-year Bus Stop Bench Franchise to Creative Outdoor Advertising of America for the right, privilege and permission to place and operate benches bearing printed matter or signs thereon at designated locations along the streets in the City of Modesto.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Ah You; 7/0) approving final adoption of **Ordinance No. 3706-C.S.** granting an exclusive five-year Bus Stop Bench Franchise to Creative Outdoor Advertising of America for the right, privilege and permission to place and operate benches bearing printed matter or signs thereon at designated locations along the streets in the City of Modesto.

Consent – *Councilmember Grewal absent due to conflict of interest*

6. Consider final adoption of **Ordinance Numbers 3707-C.S., 3708-C.S., 3709-C.S., 3710-C.S., and 3711-C.S.** adopting by reference the Building, Residential, Plumbing, Electrical, Mechanical and Existing Building Codes contained within the 2019 California Building Standards Code and consider amending various sections of Chapters 1, 2, 3, 7, and 11 of Title 9 of the Modesto Municipal Code. (Funding Source:

General Fund/Building Permit Fees)

- Motion approving final adoption of **Ordinance No. 3707-C.S.** adopting by reference the Building Code and the Residential Building Code contained within the 2019 California Building Standards Code and amending Articles 1, 2, 5, 6, 8, and 16 of Chapter 1 of Title 9 of the Modesto Municipal Code.
- Motion approving final adoption of **Ordinance No. 3708-C.S.** adopting by reference the Electrical Code contained within the 2019 California Building Standards Code and amending Articles 1 and 2 of Chapter 3 of Title 9 of the Modesto Municipal Code.
- Motion approving final adoption of **Ordinance No. 3709-C.S.** adopting by reference the Mechanical Code contained within the 2019 California Building Standards Code and amending Articles 1 and 2 of Chapter 7 of Title 9 of the Modesto Municipal Code.
- Motion approving final adoption of **Ordinance No. 3710-C.S.** adopting by reference the Plumbing Code contained within the 2019 California Building Standards Code and amending Articles 1 and 2 of Chapter 2 of Title 9 of the Modesto Municipal Code.
- Motion approving final adoption of **Ordinance No. 3711-C.S.** adopting by reference the Existing Building Code contained within the 2019 California Building Standards Code and amending Articles 1 and 2 of Chapter 11 of Title 9 of the Modesto Municipal Code.

City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Zoslocki; 6/0; Grewal absent due to conflict of interest) approving final adoption of **Ordinance No. 3707-C.S.** adopting by reference the Building Code and the Residential Building Code contained within the 2019 California Building Standards Code and amending Articles 1, 2, 5, 6, 8, and 16 of Chapter 1 of Title 9 of the Modesto Municipal Code.

ACTION: Motion (Kenoyer/Zoslocki; 6/0; Grewal absent due to conflict of interest) approving final adoption of **Ordinance No. 3708-C.S.** adopting by reference the Electrical Code contained within the 2019 California Building Standards Code and amending Articles 1 and 2 of Chapter 3 of Title 9 of the Modesto Municipal Code.

ACTION: Motion (Kenoyer/Zoslocki; 6/0; Grewal absent due to conflict of interest) approving final adoption of **Ordinance No. 3709-C.S.** adopting by reference the Mechanical Code contained within the 2019 California Building Standards Code and amending Articles 1 and 2 of Chapter 7 of Title 9 of the Modesto Municipal Code.

ACTION: Motion (/Zoslocki; 6/0; Grewal absent due to conflict of interest) approving final adoption of **Ordinance No. 3710-C.S.** adopting by reference the Plumbing Code contained within the 2019 California Building Standards Code and amending Articles 1 and 2 of Chapter 2 of Title 9 of the Modesto Municipal Code.

ACTION: Motion (Kenoyer/Zoslocki; 6/0; Grewal absent due to conflict of interest) approving final adoption of **Ordinance No. 3711-C.S.** adopting by reference the Existing

Building Code contained within the 2019 California Building Standards Code and amending Articles 1 and 2 of Chapter 11 of Title 9 of the Modesto Municipal Code.

Consent

7. Consider approving the designation of the Public Health Officer for the County of Stanislaus to also serve as the Public Health Officer (Health Officer) for the City of Modesto. (Funding Source: Not Applicable)
   - Resolution approving the designation of the Public Health Officer (Health Officer) for the County of Stanislaus to also serve as the Public Health Officer for the City of Modesto.

   City Manager; Edgar Garcia, 571-5101, edgarcia@modestogov.com

ACTION: Resolution 2019-511 (Kenoyer/Ah You; 7/0) approving the designation of the Public Health Officer (Health Officer) for the County of Stanislaus to also serve as the Public Health Officer for the City of Modesto.

Consent

8. Consider approving the Delegated Maintenance Agreement with the California Department of Transportation, District 10 for litter abatement services. (Funding Source: State Funds & Solid Waste Fund)
   - Resolution approving the Delegated Maintenance Agreement with the California Department of Transportation, District 10 (Caltrans) for litter abatement services, and authorizing the City Manager, or his designee, to execute the Agreement.

   City Manager; Edgar Garcia, 571-5101, edgarcia@modestogov.com

ACTION: Resolution 2019-512 (Kenoyer/Ah You; 7/0) approving the Delegated Maintenance Agreement with the California Department of Transportation, District 10 (Caltrans) for litter abatement services, and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

9. Consider amending Section 6 of the Housing and Urban Development Policies & Procedures Manual. (Funding Source: Community Development Block Grant)
   - Resolution amending Section 6 of the Housing and Urban Development Policies & Procedures Manual.

   Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Resolution 2019-513 (Kenoyer/Ah You; 7/0) amending Section 6 of the Housing and Urban Development Policies & Procedures Manual.

Consent

10. Consider accepting an informational report on the July and August 2019 grant applications and awards. (Funding Source: Not Applicable)
    - Motion accepting an informational report for the July and August 2019 grant applications and awards.

    Finance; DeAnna Christensen, 577-5387, dachristensen@modestogov.com

ACTION: Motion (Kenoyer/Ah You; 7/0) accepting an informational report for the July and August 2019 grant applications and awards.

Consent

11. Consider accepting an actuarial valuation report of other post-employment benefits (OPEB) as of the measurement date June 30, 2018 pursuant to updated financial reporting and accounting requirements from the Governmental Accounting Standards Board (GASB) Statements 74 and 75. (Funding Source: Not Applicable)
    - Resolution accepting an actuarial valuation report of other post-employment benefits (OPEB) as of June 30, 2018 pursuant to updated financial reporting and accounting requirements from the Governmental Accounting Standards Board (GASB) Statements 74 and 75.

    Finance; DeAnna Christensen, 577-5387, dachristensen@modestogov.com

ACTION: Resolution 2019-514 (Kenoyer/Ah You; 7/0) accepting an actuarial valuation report of other post-employment benefits (OPEB) as of June 30, 2018 pursuant to updated financial reporting and accounting requirements from the Governmental Accounting Standards Board (GASB) Statements 74 and 75.

Consent

12. Consider approving the award of bid for the purchase of a Telescoping Material Handler with specific configurations for the Utilities Division to Bobcat Central Inc., Stockton, CA for a total amount not to exceed $112,209. (Funding Source: Fleet Replacement Fund)
    - Resolution approving the purchase of a Telescoping Material Handler with specific configurations to Bobcat Central, Inc., Stockton, CA, for a total amount not to exceed $112,209 and authorizing the Purchasing Manager or her designee, to issue the purchase order.

    Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Resolution 2019-515 (Kenoyer/Ah You; 7/0) approving the purchase of a Telescoping Material Handler with specific configurations to Bobcat Central, Inc., Stockton, CA, for a total amount not to exceed $112,209 and authorizing the Purchasing Manager or her designee, to issue the purchase order.

Consent

13. Consider approving the award of bid for the purchase of four gas powered utility vehicles with specific configurations for the Utilities Division to Belkorp Ag, LLC, Stockton, CA, for a total amount not to exceed $75,817. (Funding Source: Fleet Replacement Fund)
    - Resolution approving the purchase of four gas powered utility vehicles with specific configurations to Belkorp Ag, LLC, Stockton, CA, for a total amount not to exceed $75,817 and authorizing the Purchasing Manager or her designee to issue the purchase order.

    Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Resolution 2019-516 (Kenoyer/Ah You; 7/0) approving the purchase of four gas powered utility vehicles with specific configurations to Belkorp Ag, LLC, Stockton, CA, for a total amount not to exceed $75,817 and authorizing the Purchasing Manager or her designee to issue the purchase order.

Consent

14. Consider approving the award of bid for the purchase of a 33,000-pound GVWR (Gross Vehicle Weight Rating) Truck with Chlorine Tank with specific configurations for the Utilities Division to Delta Truck Center, French Camp, CA, for a total amount not to exceed $177,352. (Funding Source: Water Fund)
    - Resolution approving the purchase of a 33,000-pound GVWR Truck with Chlorine Tank with specific configurations to Delta Truck Center, French Camp, CA, for a total amount not to exceed $177,352 and authorizing the Purchasing Manager or her designee to issue the purchase order.

    Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Resolution 2019-517 (Kenoyer/Ah You; 7/0) approving the purchase of a 33,000-pound GVWR Truck with Chlorine Tank with specific configurations to Delta Truck Center, French Camp, CA, for a total amount not to exceed $177,352 and authorizing the Purchasing Manager or her designee to issue the purchase order.

Consent

15. Consider approving a Purchasing Agreement with Amazon Business through the OMNIA Partners Public Sector cooperative purchasing organization (formerly known as US Communities and National IPA) for an online marketplace for products, for a two-year Agreement with three two-year extension options, for an annual estimated initial cost not to exceed $75,000, and a total amount not to exceed $600,000 over eight years. (Funding Source: Various Funds)
    - Resolution approving a Purchasing Agreement with Amazon Business through the OMNIA Partners Public Sector cooperative purchasing organization (formerly known as U.S. Communities and National IPA) for an online marketplace for products, for a two-year Agreement with three two-year extension options, for an annual estimated cost not to exceed $75,000, and a total amount not to exceed $600,000 over eight years and authorizing the Purchasing Manager or her designee to issue the Purchase Agreement.

    Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Resolution 2019-518 (Kenoyer/Ah You; 7/0) approving a Purchasing Agreement with Amazon Business through the OMNIA Partners Public Sector cooperative purchasing organization (formerly known as U.S. Communities and National IPA) for an online marketplace for products, for a two-year Agreement with three two-year extension options, for an annual estimated cost not to exceed $75,000, and a total amount not to exceed $600,000 over eight years and authorizing the Purchasing Manager or her designee to issue the Purchase Agreement.

Consent

16. Consider approving a consolidation of the Utility Billing Water Rate Assistance program (WRA) and the Senior/Disabled Low Income program (SDLI) into a single Utility Billing Assistance program available for all eligible customers. (Funding Source: Water, Wastewater and Storm Drain)
    - Resolution approving a consolidation of the Utility Billing Water Rate Assistance program (WRA) and the Senior/Disabled Low Income program (SDLI) into a single Utility Billing Assistance program available for all eligible customers.

    Finance; Jeni Martin, 571-5892, jmartin@modestogov.com

ACTION: Resolution 2019-519 (Kenoyer/Ah You; 7/0) approving a consolidation of the Utility Billing Water Rate Assistance program (WRA) and the Senior/Disabled Low Income program (SDLI) into a single Utility Billing Assistance program available for all eligible customers.

Consent

17. Consider approving a Second Amendment to the Agreement with T2 Systems, Inc., Indianapolis, IN, for software maintenance and support of the T2 Parking Citation Management System, to include a test environment module and increasing the Agreement amount by $13,714 from $103,038 to a new total not to exceed amount of $116,752. (Funding Source: General Fund)
    - Resolution approving a Second Amendment to the Agreement with T2 Systems, Inc., Indianapolis, IN, for software maintenance and support of the T2 Parking Citation Management System, to include a test environment module and increasing the Agreement amount by $13,714 from $103,038 to a new total not to exceed amount of $116,752 and authorizing the City Manager, or his designee, to execute the Agreement.

    Finance; Jeni Martin, 571-5892, jmartin@modestogov.com

ACTION: Resolution 2019-520 (Kenoyer/Ah You; 7/0) approving a Second Amendment to the Agreement with T2 Systems, Inc., Indianapolis, IN, for software maintenance and support of the T2 Parking Citation Management System, to include a test environment module and increasing the Agreement amount by $13,714 from $103,038 to a new total not to exceed amount of $116,752 and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

18. Consider introducing and waiving the first reading of an Ordinance repealing and replacing Chapter 1 of Title 3 of the Modesto Municipal Code, adopting and amending the City's Fire Code ordinance to align with the 2019 California Fire Code, and approving the 2019 California Fire Code Adoption Matrix. (Funding Source: Not Applicable)
    - Motion introducing and waiving the first reading of an Ordinance repealing and replacing Chapter 1 of Title 3 of the Modesto Municipal Code and Adopting by Reference and Amending the California Fire Code, 2019 Edition, Regulating and Governing the Safeguarding of Life and Property from Fire and Explosive Hazards

Arising From the Storage, Handling, and Use of Hazardous Substances, Materials and Devices and From Conditions Hazardous to Life or Property in the Occupancy of Buildings and Premises in the City of Modesto; Providing for the Issuance of Permits and Collection of Fees, Providing Penalties for the Violation, and repealing all Ordinances and parts of the Ordinances in conflict therewith.

- Resolution approving the 2019 California Fire Code Adoption Matrix.

Fire; Mike Payton, 577-9139, mpayton@modestofire.com

ACTION: Motion (Kenoyer/Ah You; 7/0) introducing and waiving the first reading of **Ordinance No. 3712-C.S.** repealing and replacing Chapter 1 of Title 3 of the Modesto Municipal Code and Adopting by Reference and Amending the California Fire Code, 2019 Edition, Regulating and Governing the Safeguarding of Life and Property from Fire and Explosive Hazards Arising From the Storage, Handling, and Use of Hazardous Substances, Materials and Devices and From Conditions Hazardous to Life or Property in the Occupancy of Buildings and Premises in the City of Modesto; Providing for the Issuance of Permits and Collection of Fees, Providing Penalties for the Violation, and repealing all Ordinances and parts of the Ordinances in conflict therewith.

ACTION: Resolution 2019-521 (Kenoyer/Ah You; 7/0) approving the 2019 California Fire Code Adoption Matrix.

Consent

19. Consider approving a Cost Sharing Agreement between the City of Modesto and Stanislaus County for management and services of the Education and Government (EG) Channel for a 57 month Agreement, with two one-year extension options, for an annual cost not to exceed $145,000 and a total amount not to exceed $960,000 over seven years. (Funding Source: Information Technology Fund)

    - Resolution approving a Cost Sharing Agreement between the City of Modesto and Stanislaus County for management and services of the Education and Government (EG) Channel for a 57 month Agreement, with two one-year extension options, for an annual cost not to exceed $145,000 and a total amount not to exceed $960,000 over seven years; and authorizing the City Manager, or his designee, to execute the Agreement.

    Information Technology; Kevin Harless, 571-5593, kharless@modestogov.com

ACTION: Resolution 2019-522 (Kenoyer/Ah You; 7/0) approving a Cost Sharing Agreement between the City of Modesto and Stanislaus County for management and services of the Education and Government (EG) Channel for a 57 month Agreement, with two one-year extension options, for an annual cost not to exceed $145,000 and a total amount not to exceed $960,000 over seven years; and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

20. Consider approving the Third Amendment to an Agreement with BrightView Golf Course Maintenance, in partnership with KemperSports Management, for golf course management and maintenance services; to extend the Agreement term for one year to December 31, 2020; to increase compensation by $54,000, in an amount not to exceed

$2,662,304 for the current term ending December 31, 2019; to increase compensation by $65,877 in an amount not to exceed $2,728,181 for the one year extension; and not to exceed $12,723,338 for the five year term of this Agreement; and amending the Fiscal Year 2019-2020 Operating Budget in the amount of $50,430 to fund the Third Amendment to Agreement. (Funding Source: Golf Fund and General Fund)

- Resolution approving a Third Amendment to an Agreement with BrightView Golf Course Maintenance Inc., in partnership with KemperSports Management, for golf course management and maintenance services; to extend the Agreement term for one year to December 31, 2020; to increase compensation by $54,000, in an amount not to exceed $2,662,304 for the current term ending December 31, 2019; to increase compensation by $65,877 in an amount not to exceed $2,728,181 for the one year extension; and not to exceed $12,723,338 for the five year term of this Agreement; and to authorize the City Manager, or his designee, to execute the Third Amendment.
- Resolution amending the Fiscal Year 2019-2020 Operating Budget in an amount of $50,430 to fund the Third Amendment to Agreement with BrightView Golf Course Maintenance Inc., in partnership with KemperSports Management for golf course management and maintenance services, and authorizing the City Manager, or his designee, to implement the provisions of this Resolution.

Parks, Recreation & Neighborhoods; Laurie Smith, 577-5347, lsmith@modestogov.com

ACTION: Resolution 2019-523 (Kenoyer/Ah You; 7/0) approving a Third Amendment to an Agreement with BrightView Golf Course Maintenance Inc., in partnership with KemperSports Management, for golf course management and maintenance services; to extend the Agreement term for one year to December 31, 2020; to increase compensation by $54,000, in an amount not to exceed $2,662,304 for the current term ending December 31, 2019; to increase compensation by $65,877 in an amount not to exceed $2,728,181 for the one year extension; and not to exceed $12,723,338 for the five year term of this Agreement; and to authorize the City Manager, or his designee, to execute the Third Amendment.

ACTION: Resolution 2019-524 (Kenoyer/Ah You; 7/0) amending the Fiscal Year 2019-2020 Operating Budget in an amount of $50,430 to fund the Third Amendment to Agreement with BrightView Golf Course Maintenance Inc., in partnership with KemperSports Management for golf course management and maintenance services, and authorizing the City Manager, or his designee, to implement the provisions of this Resolution.

Councilmember Grewal absent due to conflict of interest

Consent

21. Consider approving a Third Amendment to the Agreement with Del Rio CC Foundation (The First Tee), Modesto, CA, in an amount not to exceed $88,000, for continued management of the Municipal golf course and to extend the Agreement for an additional one-year term to December 31, 2020, for a total Agreement amount not to exceed $188,000 for the five year term of this Agreement; and amending the Fiscal Year 2019-2020 Operating Budget in the amount of $19,000 to fund the Third

Amendment to Agreement. (Funding Source: Golf Fund and General Fund)

- Resolution approving a Third Amendment to the Agreement with Del Rio CC Foundation, Modesto, CA (The First Tee), in an amount not to exceed $88,000, for continued management of the Municipal golf course and to extend the Agreement for an additional one-year term to December 31, 2020, for a total Agreement amount not to exceed $188,000 for the five year term, and authorizing the City Manager, or his designee, to execute the Agreement.
- Resolution amending the Fiscal Year 2019-2020 Operating Budget in the amount of $19,000 to fund the Third Amendment to Agreement with Del Rio CC Foundation, Modesto, CA (The First Tee) for management of the Municipal golf course.

Parks, Recreation & Neighborhoods; Laurie Smith, 577-5347, lsmith@modestogov.com

ACTION: Resolution 2019-525 (Kenoyer/Zoslocki; 6/0; Grewal absent due to conflict of interest) approving a Third Amendment to the Agreement with Del Rio CC Foundation, Modesto, CA (The First Tee), in an amount not to exceed $88,000, for continued management of the Municipal golf course and to extend the Agreement for an additional one-year term to December 31, 2020, for a total Agreement amount not to exceed $188,000 for the five year term, and authorizing the City Manager, or his designee, to execute the Agreement.

ACTION: Resolution 2019-526 (Kenoyer/Zoslocki; 6/0; Grewal absent due to conflict of interest) amending the Fiscal Year 2019-2020 Operating Budget in the amount of $19,000 to fund the Third Amendment to Agreement with Del Rio CC Foundation, Modesto, CA (The First Tee) for management of the Municipal golf course.

Consent

22. Consider approving an Agreement with Vali Cooper Associates, Inc., of Sacramento, CA, for construction management, testing and inspection services for the Area 2 Storm Water to Sanitary Sewer Cross Connection Removal – Phase 2 Roosevelt Park project in an amount not to exceed $99,612, plus $9,961 for additional services (if needed), for a total amount not to exceed $109,573. (Funding Source: Wastewater Fund)

    - Resolution approving an Agreement with Vali Cooper Associates, Inc., of Sacramento, CA, for construction management, testing and inspection services for the Area 2 Storm Water to Sanitary Sewer Cross Connection Removal – Phase 2 Roosevelt Park project in an amount not to exceed $99,612, plus $9,961 for additional services (if needed), for a total amount not to exceed $109,573, and authorizing the City Manager, or his designee, to execute the Agreement and additional services up to a cumulative amount of 10% or $9,961.

    Utilities; Jesse Franco, 571-5175, jfranco@modestogov.com

ACTION: Resolution 2019-527 (Kenoyer/Ah You; 7/0) approving an Agreement with Vali Cooper Associates, Inc., of Sacramento, CA, for construction management, testing and inspection services for the Area 2 Storm Water to Sanitary Sewer Cross Connection Removal – Phase 2 Roosevelt Park project in an amount not to exceed $99,612, plus $9,961 for additional services (if needed), for a total amount not to exceed $109,573, and authorizing the

City Manager, or his designee, to execute the Agreement and additional services up to a cumulative amount of 10% or $9,961.

Consent

23. Consider approving a grant of Permanent easement and right-of-way to Modesto Irrigation District (MID) to cover the existing Cavil Drain within a portion of APN 084-003-005 and consenting to the recordation thereof. (Funding Source: Water Fund)
    - Resolution approving a grant of Permanent easement and right-of-way to Modesto Irrigation District (MID) to cover the existing Cavil Drain within a portion of APN 084-003-005 and consenting to the recordation thereof, and authorizing the City Manager or his designee to sign the grant of permanent easement document.

    Utilities; Ryan Daugherty, 577-5399, raugherty@modestogov.com

ACTION: Resolution 2019-528 (Kenoyer/Ah You; 7/0) approving a grant of Permanent easement and right-of-way to Modesto Irrigation District (MID) to cover the existing Cavil Drain within a portion of APN 084-003-005 and consenting to the recordation thereof, and authorizing the City Manager or his designee to sign the grant of permanent easement document.

COUNCIL COMMENTS & REPORTS

Councilmember Kenoyer attended: a meeting regarding the homeless, Red, White and Blue Training for Veterans at Modesto Junior College, Better Together Concert; a Catholic Charities event regarding homeless; and the opening of the ice skating rink in Modesto; she toured the Salvation Army Berberian Center for homeless and the Hutton House for homeless teenagers.

Councilmember Madrigal attended: Stanislaus County US Census Complete Committee, the King-Kennedy Board of Directors meeting, the ICE Forum with Stanislaus County, a StanCOG meeting, and a South Modesto Businesses United meeting.

CITY MANAGER COMMENTS & REPORTS

None.

UNFINISHED BUSINESS

Councilmember Ridenour absent due to conflict of interest

24. Consider approving a Will Serve Letter and Outside Service Agreement for water service for the property located at 1401 S. 7th St. (APN: 038-025-016). (Funding Source: Water Fund, General Fund)
    - Resolution approving a Will Serve Letter and Outside Service Agreement between the City of Modesto and Cold Storage Group, Inc. to connect to the City of Modesto's existing water system for the property located at 1401 S. 7th St. (APN: 038-025-016), and authorizing the City Manager, or his designee, to approve the Will Serve Letter and execute the Outside Service Agreement.

    Community & Economic Development; Vickey Dion, 571-5542,

vdion@modestogov.com

ACTION: Resolution 2019-529 (Grewal/Zoslocki; 6/0; Ridenour absent due to conflict of interest) approving a Will Serve Letter and Outside Service Agreement between the City of Modesto and Cold Storage Group, Inc. to connect to the City of Modesto's existing water system for the property located at 1401 S. 7th St. (APN: 038-025-016), and authorizing the City Manager, or his designee, to approve the Will Serve Letter and execute the Outside Service Agreement.

NEW BUSINESS

25. Consider approving an agreement including language changes for a successor Memorandum of Understanding (MOU) between the City of Modesto and Modesto Confidential and Management Association (MCMA) for a term of July 1, 2019 through June 30, 2023; (ii) a number of salary and benefit changes for some Unrepresented Sworn Police Employees and Unrepresented Non-Sworn Employees including Charter Officers and Department Directors for Fiscal Year 2019-2020 through Fiscal Year 2022-2023. (Funding Source: All Funds)
    - Resolution approving an agreement including language changes for a successor Memorandum of Understanding between the City of Modesto and the Modesto Confidential and Management Association (MCMA) for a term of July 1, 2019 to June 30, 2023; and authorizing the City Manager or designee to take the necessary administrative action to implement the agreement.
    - Resolution granting salary changes to non-sworn unrepresented management and confidential employees including charter officers and executives, effective November 26, 2019 and rescinding Resolution No. 2019-372 and authorizing the City Manager or designee to take the necessary administrative action to implement the changes.
    - Resolution approving changes to benefit offerings for some unrepresented sworn police employees and unrepresented non-sworn management and confidential employees consistent with those in represented units and rescinding Resolution No. 2019-315 and authorizing the City Manager or designee to take the necessary administrative action to implement the changes.

    Human Resources; Christina Alger, 577-5490, calger@modestogov.com

ACTION: Resolution 2019-530 (Madrigal/Ah You; 7/0) approving an agreement including language changes for a successor Memorandum of Understanding between the City of Modesto and the Modesto Confidential and Management Association (MCMA) for a term of July 1, 2019 to June 30, 2023; and authorizing the City Manager or designee to take the necessary administrative action to implement the agreement.

ACTION: Resolution 2019-531 (Madrigal/Ah You; 7/0) granting salary changes to non-sworn unrepresented management and confidential employees including charter officers and executives, effective November 26, 2019 and rescinding Resolution No. 2019-372 and authorizing the City Manager or designee to take the necessary administrative action to implement the changes.

ACTION: Resolution 2019-532 (Madrigal/Ah You; 7/0) approving changes to benefit offerings for some unrepresented sworn police employees and unrepresented non-sworn management and confidential employees consistent with those in represented units and rescinding Resolution No. 2019-315 and authorizing the City Manager or designee to take the necessary administrative action to implement the changes.

Councilmember Grewal left meeting at 6:55 p.m.

Councilmember Grewal absent due to conflict of interest

26. Consider directing staff to create and implement a public outreach program soliciting input from interested parties and to begin to prepare the materials necessary for the City Council to potentially place on the November 2020 General Election a ballot measure that would create an urban limit line for the City of Modesto. (Funding Source: Not Applicable)
    - Motion directing staff to begin to develop the text for a possible November 2020 ballot measure that would create an urban limit line for Modesto that balances the interests of preserving agricultural lands and family farms that grow food, providing opportunities for economic development and housing, and respecting the unincorporated communities and cities near Modesto, and also takes into account the approach utilized in Measure I that appeared on the November 2015 City election ballot that included encouraging long-term urban development to lower quality soils to the east of Modesto.
    - Motion directing staff to develop and implement a public outreach program, including multiple public meetings to solicit input on potential compromise boundaries and related issues of mutual concern from interested parties (including those in Wood Colony, Salida and Riverbank) and stakeholders such as building, business, farming, good government and labor groups, the County of Stanislaus and the unincorporated communities, MACs and cities near Modesto. In addition, direct staff to determine whether landowners outside of Modesto's current sphere of influence support or do not support being within the boundaries of an urban limit line. Staff may also use this opportunity to begin initial communications and outreach with these agencies and groups about the City's broader General Plan update.
    - Motion directing staff to begin efforts to comply with all laws necessary to allow an urban limit line measure to be placed on the November 2020 ballot by the City Council.
    - Motion directing staff to include in the staff report, or other appropriate document, the potential effect of the ballot measure: (a) on economic development; (b) on the provision of adequate housing; (c) on the preservation of agricultural lands; (d) on water aquifer recharge; (e) on areas of mutual concern and cooperation between the City and unincorporated communities such as Empire, Salida, Wood Colony and County islands, and between the City and County; (f) on areas of mutual concern and cooperation between the City and other nearby cities; (g) on the comprehensive General Plan Update process that the City Council has previously authorized staff to undertake, and (h) on existing urban development allowed by the County in

County islands and around Modesto, both outside the City limits.

- Motion directing staff to return to the City Council in the Spring of 2020 presenting items (1) to (4) listed above to the Council for final action by the Council on a November 2020 urban limit line ballot measure.

Community & Economic Development; Jaylen French, 571-2938, jfrench@modestogov.com

ACTION: Motion (Madrigal/Kenoyer; 6/0; Grewal absent due to conflict of interest) directing staff to begin to develop the text for a possible November 2020 ballot measure that would create an urban limit line for Modesto that balances the interests of preserving agricultural lands and family farms that grow food, providing opportunities for economic development and housing, and respecting the unincorporated communities and cities near Modesto, and also takes into account the approach utilized in Measure I that appeared on the November 2015 City election ballot that included encouraging long-term urban development to lower quality soils to the east of Modesto.

ACTION: Motion (Madrigal/Kenoyer; 6/0; Grewal absent due to conflict of interest) directing staff to develop and implement a public outreach program, including multiple public meetings to solicit input on potential compromise boundaries and related issues of mutual concern from interested parties (including those in Wood Colony, Salida and Riverbank) and stakeholders such as building, business, farming, good government and labor groups, the County of Stanislaus and the unincorporated communities, MACs and cities near Modesto. In addition, direct staff to determine whether landowners outside of Modesto's current sphere of influence support or do not support being within the boundaries of an urban limit line. Staff may also use this opportunity to begin initial communications and outreach with these agencies and groups about the City's broader General Plan update.

ACTION: Motion (Madrigal/Kenoyer; 6/0; Grewal absent due to conflict of interest) directing staff to begin efforts to comply with all laws necessary to allow an urban limit line measure to be placed on the November 2020 ballot by the City Council.

ACTION: Motion (Madrigal/Kenoyer; 6/0; Grewal absent due to conflict of interest) directing staff to include in the staff report, or other appropriate document, the potential effect of the ballot measure: (a) on economic development; (b) on the provision of adequate housing; (c) on the preservation of agricultural lands; (d) on water aquifer recharge; (e) on areas of mutual concern and cooperation between the City and unincorporated communities such as Empire, Salida, Wood Colony and County islands, and between the City and County; (f) on areas of mutual concern and cooperation between the City and other nearby cities; (g) on the comprehensive General Plan Update process that the City Council has previously authorized staff to undertake, and (h) on existing urban development allowed by the County in County islands and around Modesto, both outside the City limits.

ACTION: Motion (Madrigal/Kenoyer; 6/0; Grewal absent due to conflict of interest) directing staff to return to the City Council in the Spring of 2020 presenting items (1) to (4) listed above to the Council for final action by the Council on a November 2020 urban limit line ballot measure.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 8:40 p.m.

CLOSED SESSION

All Closed Session Matters heard prior to meeting

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
One Case (Pursuant to Section 54956.9(d)(1) of the Government Code)
Name of case: Del Rio Property Owners Association v. City of Modesto
Case No. 9000419

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
One Case (Pursuant to Section 54956.9(d)(2) of the Government Code)

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCEA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Employees Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Confidential & Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPOA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Officers' Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MPNSA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Non-Sworn Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) –MPMA
Negotiator: Norma Santoyo
Employee Organization: Modesto Police Management Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – MCFFA
Negotiator: Norma Santoyo
Employee Organization: Modesto City Firefighters Association

CONFERENCE WITH LABOR NEGOTIATOR:
(Pursuant to Section 54957.6 of the Government Code) – Unrepresented
Negotiator: Norma Santoyo
Employee Organization: Unrepresented Management and Confidential Employees

Attest:_____
Stephanie Lopez, City Clerk

MINUTES

City of Modesto

CITY COUNCIL MEETING

Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday December 03, 2019, at 5:30 p.m.

Roll Call – Present: Councilmembers Grewal, Kenoyer, Madrigal, Ridenour, Zoslocki, Mayor Brandvold
Absent: Councilmembers Ah You

Pledge of Allegiance to the Flag

Invocation: David White, The Church of Jesus Christ of Latter Day Saints

City Clerk's Announcements: None

Declaration of Conflicts of Interest: None

Reports from Closed Session: City Attorney Lindgren reported on Closed Session matters

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Poem of the Month (Funding Source: Not Applicable)
   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: A poem of the month was presented by Lynn Hansen.

2. Certificate of Recognition to Alex Farias and Rodolfo Galarza for stopping a violent attack in Downtown Modesto. (Funding Source: Not Applicable)
   City Council; Ted Brandvold, 571-5597, tbrandvold@modestogov.com

ACTION: Mayor Brandvold and Councilmembers presented a Certificate of Recognition to Alex Farias and Rodolfo Galarza for stopping a violent attack in Downtown Modesto.

PUBLIC COMMENT PERIOD

- Terhesa Gamboa, Woodland West Community Neighborhood, requested a sound wall and landscaping for the SR132 Project.

- Richard Anderson spoke regarding concerns about flashing traffic signals near Modesto Junior College.

- Sebastian Jones requested an alternative site to the Salvation Army Berberian Shelter for homeless in Modesto.

- Virginia Hammond spoke in support of a sound wall at the SR132 Project.

- Carla Gorman spoke regarding the transition from the Modesto Outdoor Emergency Shelter (MOES) to the Salvation Army Berberian Shelter.

- Holly Ercolini spoke regarding cameras and stop signs at pedestrian crosswalks.

- Emerson Drake spoke regarding his Public Records Act requests, the Brown Act and the City Attorney; he also spoke regarding the urban limit item from the November 26, 2019 Council meeting.

- Steve Camillo spoke regarding being homeless in Modesto and the Salvation Army.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED
ACTION CONSENT ITEMS 3-7: (Kenoyer/Grewal; 6/0; Ah You absent)

CONSENT ITEMS

An item may be removed from consent and discussed at the request of an audience member or Councilmember.

Consent
3. Consider approving the minutes from the November 26, 2019 Council Meeting. (Funding Source: Not Applicable)
   - Motion approving the minutes from the November 26, 2019 Council Meeting.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Grewal; 6/0; Ah You absent) approving the minutes from the November 26, 2019 Council Meeting.

Consent
4. Consider final adoption of Ordinance No. 3712-C.S. repealing and replacing Chapter 1 of Title 3 of the Modesto Municipal Code, adopting and amending the City's Fire Code ordinance to align with the 2019 California Fire Code, and approving the 2019 California Fire Code Adoption Matrix. (Funding Source: Not Applicable)
   - Motion approving final adoption of Ordinance No. 3712-C.S. repealing and replacing Chapter 1 of Title 3 of the Modesto Municipal Code and Adopting by Reference and Amending the California Fire Code, 2019 Edition, Regulating and Governing the Safeguarding of Life and Property from Fire and Explosive Hazards Arising From the Storage, Handling, and Use of Hazardous Substances, Materials and Devices and From Conditions Hazardous to Life or Property in the Occupancy of Buildings and Premises in the City of Modesto; Providing for the Issuance of Permits and Collection of Fees, Providing Penalties for the Violation, and repealing

all Ordinances and parts of the Ordinances in conflict therewith.
City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Grewal; 6/0; Ah You absent) approving final adoption of **Ordinance No. 3712-C.S.** repealing and replacing Chapter 1 of Title 3 of the Modesto Municipal Code and Adopting by Reference and Amending the California Fire Code, 2019 Edition, Regulating and Governing the Safeguarding of Life and Property from Fire and Explosive Hazards Arising From the Storage, Handling, and Use of Hazardous Substances, Materials and Devices and From Conditions Hazardous to Life or Property in the Occupancy of Buildings and Premises in the City of Modesto; Providing for the Issuance of Permits and Collection of Fees, Providing Penalties for the Violation, and repealing all Ordinances and parts of the Ordinances in conflict therewith.

Consent

5. Consider approving a Facility Agreement with Sacramento-Valley Limited Partnership, DBA Verizon Wireless for deployment of small cell technology on City facilities. (Funding Source: Yearly payment from Verizon into the General Fund)
   - Resolution approving a Facility Agreement with Sacramento-Valley Limited Partnership, DBA Verizon Wireless for deployment of small cell technology on City facilities, and authorizing the City Manager, or his designee, to execute all documents relating to the Agreement.

   Community & Economic Development; Daniel England, 571-5589, dengland@modestogov.com

ACTION: Resolution 2019-533 (Kenoyer/Grewal; 6/0; Ah You absent) approving a Facility Agreement with Sacramento-Valley Limited Partnership, DBA Verizon Wireless for deployment of small cell technology on City facilities, and authorizing the City Manager, or his designee, to execute all documents relating to the Agreement.

Consent

6. Consider approving a Subordination Agreement for various Habitat for Humanity Stanislaus properties. (Funding Source: Community Development Block Grant Revolving Loan Funds and Redevelopment Successor Agency)
   - Resolution approving a Subordination Agreement for ten Habitat for Humanity, Stanislaus properties and authorizing the City Manager or his designee to execute the Agreement.

   Community & Economic Development; Jessica Narayan, 577-5321, jnarayan@modestogov.com

ACTION: Resolution 2019-534 (Kenoyer/Grewal; 6/0; Ah You absent) approving a Subordination Agreement for ten Habitat for Humanity, Stanislaus properties and authorizing the City Manager or his designee to execute the Agreement.

Consent

7. Consider approving the award of bid and Agreement for On-Call Commercial Roll-Up Door Maintenance and repair services to West Coast Door and Gate, Ceres, CA, for a

two year Agreement with three one-year extension options for an annual estimated cost of $34,000 and total amount not to exceed $170,000 over five years. (Funding Source: Various Funds)

- Resolution approving the award of bid and Agreement for On-Call Commercial Roll-Up Door Maintenance and repair services to West Coast Door and Gate, Ceres, CA, for a two year Agreement with three one-year extension options, for an annual estimated cost of $34,000 and a total amount not to exceed $170,000 over five years, and authorizing the Purchasing Manager, or her designee, to execute the Agreement.

Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Resolution 2019-535 (Kenoyer/Grewal; 6/0; Ah You absent) approving the award of bid and Agreement for On-Call Commercial Roll-Up Door Maintenance and repair services to West Coast Door and Gate, Ceres, CA, for a two year Agreement with three one-year extension options, for an annual estimated cost of $34,000 and a total amount not to exceed $170,000 over five years, and authorizing the Purchasing Manager, or her designee, to execute the Agreement.

COUNCIL COMMENTS & REPORTS

- Mayor Brandvold asked for a moment of silence for City employee Johnny Garcia, Jr. who was killed yesterday.

- Councilmember Kenoyer announced that she helped serve Thanksgiving dinners at the Modesto Gospel Mission with Mayor Brandvold.

- Councilmember Madrigal attended the 10th Annual South Modesto Christmas Tree Lighting; he also announced a clean-up in South Modesto possibly in January 2020.

CITY MANAGER COMMENTS & REPORTS

City Manager Lopez extended his condolences to the family of Johnny Garcia, Jr.

HEARINGS

Published in the Modesto Bee on November 13, 2019

8. Hearing to consider a proposed rezone PDZ-19-001 for property located at 722 Kansas Avenue from General Commercial Zone, C-2, to Planned Development Zone P-D(607) to facilitate the conversion of an existing motel into permanent supportive housing units. (Funding Source: Not Applicable)
    - Motion introducing and waiving the first reading of an Ordinance amending Section 30-3-9 of the Zoning Map to rezone 2.66 acres from General Commercial Zone, C-2, to Planned Development Zone P-D(607), property located at 722 Kansas Avenue.
    - Resolution approving a Development Plan for Planned Development Zone P-

D(607), for the conversion of an existing hotel to supportive housing units, property located at 722 Kansas Avenue.
- Resolution finding that the following subsequent project is within the scope of the project covered by the Modesto Urban Area General Plan Master Environmental Impact Report (SCH No. 2014042081): Rezone of 722 Kansas Avenue from General Commercial (C-2) Zone to Planned Development Zone P-D(607).

Community & Economic Development; Katharine Martin, 577-5267, kamartin@modestogov.com

ACTION: Motion (Zoslocki/Grewal; 6/0; Ah You absent) introducing and waiving the first reading of **Ordinance No. 3713-C.S.** amending Section 30-3-9 of the Zoning Map to rezone 2.66 acres from General Commercial Zone, C-2, to Planned Development Zone P-D(607), property located at 722 Kansas Avenue.

ACTION: Resolution 2019-536 (Zoslocki/Grewal; 6/0; Ah You absent) approving a Development Plan for Planned Development Zone P-D(607), for the conversion of an existing hotel to supportive housing units, property located at 722 Kansas Avenue.

ACTION: Resolution 2019-537 (Zoslocki/Grewal; 6/0; Ah You absent) finding that the following subsequent project is within the scope of the project covered by the Modesto Urban Area General Plan Master Environmental Impact Report (SCH No. 2014042081): Rezone of 722 Kansas Avenue from General Commercial (C-2) Zone to Planned Development Zone P-D(607).

Published in the Modesto Bee on November 13, 2019

9. Hearing to consider PDA-19-003, amendment to Planned Development Zone P-D(602), 1.1-acre property located at 1192 Norwegian Avenue, to allow for a 24-unit two-story apartment complex. (Funding Source: Developer Funded)
   - Motion introducing and waiving the first reading of an Ordinance amending Section 2 of Ordinance No. 3677-C.S. entitled "An Ordinance Amending Section 16-3-9 of the Zoning Map to Rezone from Planned Development Zone, P-D(237) to Planned Development Zone P-D(602), Property Located at 1192 Norwegian Avenue".
   - Resolution approving a Development Plan for Planned Development Zone P-D(602), 1192 Norwegian Avenue.
   - Resolution finding that the following subsequent project is within the scope of the project covered by the Modesto Urban Area General Plan Master Environmental Impact Report (SCH No. 2014042081): Amendment to Planned Development Zone P-D(602) to allow for a new 24-unit two-story apartment complex.

   Community & Economic Development; Katharine Martin, 577-5267, kamartin@modestogov.com

ACTION: Motion (Ridenour/Grewal; 6/0; Ah You absent) introducing and waiving the first reading of **Ordinance No. 3714-C.S.** amending Section 2 of Ordinance No. 3677-C.S. entitled "An Ordinance Amending Section 16-3-9 of the Zoning Map to Rezone from Planned Development Zone, P-D(237) to Planned Development Zone P-D(602), Property Located at

1192 Norwegian Avenue".

ACTION: Resolution 2019-538 (Ridenour/Grewal; 6/0; Ah You absent) approving a Development Plan for Planned Development Zone P-D(602), 1192 Norwegian Avenue.

ACTION: Resolution 2019-539 (Ridenour/Grewal; 6/0; Ah You absent) finding that the following subsequent project is within the scope of the project covered by the Modesto Urban Area General Plan Master Environmental Impact Report (SCH No. 2014042081): Amendment to Planned Development Zone P-D(602) to allow for a new 24-unit two-story apartment complex.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 7:10 p.m.

CLOSED SESSION

All Closed Session Matters heard prior to meeting

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
One Case (Pursuant to Section 54956.9(a) of the Government Code)
Name of case(s): David Gray v. City of Modesto
California Workers Compensation Appeals Board
Nos. ADJ12080940, ADJ10621065, ADJ10139099, ADJ9599747, ADJ11250715, ADJ11763328

Attest:_____
Stephanie Lopez, City Clerk

MINUTES

City of Modesto

ECONOMIC DEVELOPMENT COMMITTEE / COUNCIL WORKSHOP

Second Floor, Room 2005
Tenth Street Place, 1010 10th Street
Modesto, California

Wednesday, December 4, 2019, at 2:00 p.m.

Roll Call: Present: Councilmembers Grewal (alternate), Kenoyer (alternate)
Absent: Councilmembers Zoslocki, Ridenour, Madrigal

PUBLIC COMMENTS

None.

CONSENT

Consent

1. Consider approving Agreement No. 19R465000 with the State of California, Department of Highway Patrol for the State Route 132 West Freeway/Expressway Phase 1 Project in an amount not to exceed $331,486, for traffic control related services during the construction phase of the project, and forwarding to Council for approval. (Funding Source: Regional Measure L)
Community & Economic Development; John Rawles, 577-5253, jrawles@modestogov.com

ACTION: Motion (Kenoyer/Grewal; 2/0) approving Agreement No. 19R465000 with the State of California, Department of Highway Patrol for the State Route 132 West Freeway/Expressway Phase 1 Project in an amount not to exceed $331,486, for traffic control related services during the construction phase of the project, and forwarding to Council for approval.

Removed from Agenda

2. Consider approving Annexation Map #2 to City of Modesto Community Facilities District No. 2016-1 (Kiernan Business Park East #2) and authorizing the levy of the special tax on the property located within the annexation map and forwarding a recommendation to Council for approval. (Funding Source: City of Modesto Community Facilities District No. 2016-1 (Kiernan Business Park East #2))
Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Item removed from Agenda.

Consent

3. Consider approving a Purchasing Agreement for fire extinguisher inspection and maintenance service to NorCal Fire, Ripon, CA, for a two year Agreement with three one-year extension options, for an estimated annual cost of $17,500, and a total combined five year cost not to exceed $87,500 and forwarding to Council for approval. (Funding Source: Various Funds)
   Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Motion (Kenoyer/Grewal; 2/0) approving a Purchasing Agreement for fire extinguisher inspection and maintenance service to NorCal Fire, Ripon, CA, for a two year Agreement with three one-year extension options, for an estimated annual cost of $17,500, and a total combined five year cost not to exceed $87,500 and forwarding to Council for approval.

Consent

4. Consider approving the submission of the City's Local Transportation Funds Fiscal Year 2019-2020 Claim for Non-motorized Purposes (bike lanes and pedestrian pathways) in the amount of $184,975 to the Stanislaus Council of Governments and amending the Fiscal Year 2019-2020 Capital Improvement Program Budget in an amount not to exceed $184,975 and forwarding to Council for approval. (Funding Source: Local Transportation Funds)
   Parks, Recreation & Neighborhoods; Nathan Houx, 571-5526, nhoux@modestogov.com

ACTION: Motion (Kenoyer/Grewal; 2/0) approving the submission of the City's Local Transportation Funds Fiscal Year 2019-2020 Claim for Non-motorized Purposes (bike lanes and pedestrian pathways) in the amount of $184,975 to the Stanislaus Council of Governments and amending the Fiscal Year 2019-2020 Capital Improvement Program Budget in an amount not to exceed $184,975 and forwarding to Council for approval.

Consent

5. Consider approving the purchase of three buses, by utilizing 'piggybacking' under the competitive bid process with the Commonwealth of Virginia, with Gillig LLC, Livermore, CA, for an estimated cost not to exceed $1,585,251, and forwarding to Council for approval. (Funding Source: Transit Funds)
   Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Motion (Kenoyer/Grewal; 2/0) approving the purchase of three buses, by utilizing 'piggybacking' under the competitive bid process with the Commonwealth of Virginia, with Gillig LLC, Livermore, CA, for an estimated cost not to exceed $1,585,251, and forwarding to Council for approval.

Consent

6. Consider approving the First Amendment with Iteris, Santa Ana, CA, to extend the contract completion date for the Traffic Signal Synchronization Outside the Downtown

project, and forwarding to Council for approval. (Funding Source: Congestion Mitigation and Air Quality)
Public Works; Scott Collins, 577-5431, scollins@modestogov.com

ACTION: Motion (Kenoyer/Grewal; 2/0) approving the First Amendment with Iteris, Santa Ana, CA, to extend the contract completion date for the Traffic Signal Synchronization Outside the Downtown project, and forwarding to Council for approval.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 2:15 p.m.

Attest:_____
Joseph Lopez, City Manager

MINUTES

City of Modesto

SAFETY AND COMMUNITIES COMMITTEE / COUNCIL WORKSHOP

Second Floor, Room 2005
Tenth Street Place, 1010 10th Street
Modesto, California

Monday, December 9, 2019, at 5:00 p.m.

Roll Call – Present: Councilmembers Ah You, Kenoyer and Ridenour
Absent: None

PUBLIC COMMENTS

None.

CONSENT

Consent

1. Consider approving a Purchase Order for Miracle Play Systems of Alamo, CA, by utilizing the competitive bid process with SourceWell, for Recreation and Playground Equipment Accessories and Supplies at E. La Loma Park, for an amount not to exceed $80,897 and forwarding to Council for approval. (Funding Source: Various Park Partners Project CIP #100911)
   Parks, Recreation & Neighborhoods; Nathan Houx, 571-5526, nhoux@modestogov.com

ACTION: Motion (Ridenour/Kenoyer; 3/0) approving a Purchase Order for Miracle Play Systems of Alamo, CA, by utilizing the competitive bid process with SourceWell, for Recreation and Playground Equipment Accessories and Supplies at E. La Loma Park, for an amount not to exceed $80,897 and forwarding to Council for approval.

NEW BUSINESS

2. Consider approving a Memorandum of Understanding with the West Modesto Community Collaborative and Stanislaus County for the maintenance of the Helen White Memorial Trail and forwarding to Council for approval. (Funding Source: General Fund)
   Parks, Recreation & Neighborhoods; Laurie Smith, 577-5347, lsmith@modestogov.com

ACTION: Motion (Ridenour/Kenoyer; 3/0) approving a Memorandum of Understanding with the West Modesto Community Collaborative and Stanislaus County for the maintenance of the Helen White Memorial Trail and forwarding to Council for approval.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 5:05 pm

Attest:_____
Joseph Lopez, City Manager

MINUTES

City of Modesto

CITY COUNCIL MEETING

Chambers, Basement Level
Tenth Street Place, 1010 10th Street
Modesto, California
Tuesday December 10, 2019, at 5:30 p.m.

Roll Call – Present: Councilmembers Ah You, Grewal, Kenoyer, Madrigal, Ridenour, Zoslocki, Mayor Brandvold
Absent: None

Pledge of Allegiance to the Flag

Invocation: Anthony Bargas, The Center Church

City Clerk's Announcements

ACTION: Items 6 and 7 - Removed from Consent
Item 15 - continued to January 14, 2020 Council meeting
Item 16 - Removed from Consent
Item 18 - removed from Consent

Declaration of Conflicts of Interest: Ridenour – Item 20

Reports from Closed Session: City Attorney Lindgren reported on Closed Session matters

MISCELLANEOUS
Legislation
Appointments
Other

1. Consider approving the appointment of Sebastian Jones and Adis Bey to the Board of Building Appeals with a term expiration of January 1, 2024. (Funding Source: Not Applicable)
   - Resolution approving the appointment of Sebastian Jones and Adis Bey to the Board of Building Appeals with a term expiration of January 1, 2024.

   Community & Economic Development; Oscar Diaz, 571-5885, odiaz@modestogov.com

ACTION: Motion (Madrigal/Ah You; 3/4; Grewal, Kenoyer, Ridenour, Zoslocki no) approving the appointment of Sebastian Jones to the Board of Building Appeals with a term expiration of January 1, 2024. **(MOTION FAILED)**

ACTION: Motion (Grewal/Kenoyer; 6/1; Brandvold no) to continue the current item for discussion at a future Council meeting, including continue to discuss the action that's been taken with respect to Mr. Jones, and to subsequently take action with respect to Adis Bey.

2. Consider accepting the resignation of Miguel Jimenez, as a registered County voter residing outside of Modesto, from the City of Modesto Culture Commission. (Funding Source: Not Applicable)
   - Resolution accepting the resignation of Miguel Jimenez, as a registered County voter residing outside of Modesto, from the City of Modesto Culture Commission.

   Parks, Recreation & Neighborhoods; Marco Sepulveda, 577-5275, msepulveda@modestogov.com

ACTION: Resolution 2019-541 (Kenoyer/Ridenour; 7/0) accepting the resignation of Miguel Jimenez, as a registered County voter residing outside of Modesto, from the City of Modesto Culture Commission.

PUBLIC COMMENT PERIOD

- Ibrahima Toure, Transdev, spoke regarding selection to operate service in Modesto.

- Emerson Drake spoke regarding article in newspaper regarding bidding procedures and RFP process in Modesto.

CONSENT ITEMS – ROLL CALL VOTE REQUIRED
ACTION CONSENT ITEMS 3-5; 8-15; 17: (Kenoyer/Madrigal; 7/0)

CONSENT ITEMS

An item may be removed from consent and discussed at the request of an audience member or Councilmember.

Consent

3. Consider approving the minutes from the December 3, 2019 Council Meeting. (Funding Source: Not Applicable)
   - Motion approving the minutes from the December 3, 2019 Council Meeting.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Madrigal; 7/0) approving the minutes from the December 3, 2019 Council Meeting.

Consent

4. Consider approving final adoption of **Ordinance No. 3713-C.S.** for a proposed rezone PDZ-19-001 for property located at 722 Kansas Avenue from General Commercial Zone, C-2, to Planned Development Zone P-D(607) to facilitate the conversion of an existing motel into permanent supportive housing units. (Funding Source: Not Applicable)
   - Motion approving final adoption of **Ordinance No. 3713-C.S.** amending Section 30-3-9 of the Zoning Map to rezone 2.66 acres from General Commercial Zone, C-2, to Planned Development Zone P-D(607), property located at 722 Kansas Avenue.

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Madrigal; 7/0) approving final adoption of **Ordinance No. 3713-C.S.** amending Section 30-3-9 of the Zoning Map to rezone 2.66 acres from General Commercial Zone, C-2, to Planned Development Zone P-D(607), property located at 722 Kansas Avenue.

Consent

5. Consider approving final adoption of **Ordinance No. 3714-C.S.**, PDA-19-003, amendment to Planned Development Zone P-D(602), 1.1-acre property located at 1192 Norwegian Avenue, to allow for a 24-unit two-story apartment complex. (Funding Source: Developer Funded)
   - Motion approving final adoption of **Ordinance No. 3714-C.S.** amending Section 2 of Ordinance No. 3677-C.S. entitled "An Ordinance Amending Section 16-3-9 of the Zoning Map to Rezone from Planned Development Zone, P-D(237) to Planned Development Zone P-D(602), Property Located at 1192 Norwegian Avenue".

   City Clerk; Stephanie Lopez, 577-5396, slopez@modestogov.com

ACTION: Motion (Kenoyer/Madrigal; 7/0) approving final adoption of **Ordinance No. 3714-C.S.** amending Section 2 of Ordinance No. 3677-C.S. entitled "An Ordinance Amending Section 16-3-9 of the Zoning Map to Rezone from Planned Development Zone, P-D(237) to Planned Development Zone P-D(602), Property Located at 1192 Norwegian Avenue".

Removed from Consent

6. Consider approving Agreement No. 19R465000-0 with the State of California, Department of Highway Patrol for the State Route 132 West Freeway/Expressway Phase 1 Project in an amount not to exceed $331,486, for traffic control related services during the construction phase of the project. (Funding Source: Regional Measure L)
   - Resolution approving Agreement No. 19R465000-0 with the State of California, Department of Highway Patrol for the State Route 132 West Freeway/Expressway Phase 1 Project in an amount not to exceed $331,486 for traffic control related services during the construction phase of the project, and authorizing the City Manager, or his designee, to execute the Agreement.

   Community & Economic Development; Vickey Dion, 571-5542, vdion@modestogov.com

ACTION: Resolution 2019-542 (Kenoyer/Zoslocki; 7/0) approving Agreement No. 19R465000-0 with the State of California, Department of Highway Patrol for the State Route 132 West Freeway/Expressway Phase 1 Project in an amount not to exceed $331,486 for traffic control related services during the construction phase of the project, and authorizing the City Manager, or his designee, to execute the Agreement.

Removed from Consent

7. Consider approving a Project Oversight Agreement between Federal Highway Administration, the California Department of Transportation and the City of Modesto for the State Route 132 West Freeway/Expressway Phase 1. (Funding Source: Not Applicable)
    - Resolution approving a Project Oversight Agreement between Federal Highway Administration, the California Department of Transportation and the City of Modesto for the State Route 132 West Freeway/Expressway Phase 1, and authorizing the City Manager, or his designee, to execute the Agreement.

    Community & Economic Development; Vickey Dion, 571-5542, vdion@modestogov.com

ACTION: Resolution 2019-543 (Ridenour/Grewal; 7/0) approving a Project Oversight Agreement between Federal Highway Administration, the California Department of Transportation and the City of Modesto for the State Route 132 West Freeway/Expressway Phase 1, and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

8. Consider accepting an informational report for the October 2019 Accounts Payable Payment Register and Void report. (Funding Source: Not Applicable)
    - Motion accepting an informational report for the October 2019 Accounts Payable Payment Register and Void report.

    Finance; Calogero Maniscalco, 577-5379, cmaniscalco@modestogov.com

ACTION: Motion (Kenoyer/Madrigal; 7/0) accepting an informational report for the October 2019 Accounts Payable Payment Register and Void report.

Consent

9. Consider accepting the Monthly Investment Report for September 2019. (Funding Source: Various Funds)
    - Motion accepting the Monthly Investment Report for September 2019.

    Finance; Calogero Maniscalco, 577-5379, cmaniscalco@modestogov.com

ACTION: Motion (Kenoyer/Madrigal; 7/0) accepting the Monthly Investment Report for September 2019.

Consent

10. Consider approving an Agreement with ACRO Service Corporation (ACRO) through the OMNIA Partners Public Sector cooperative purchasing organization (formerly

known as US Communities and National IPA) under the Intergovernmental Cooperative Purchasing Agreement (MICPA) and Maricopa County's Master Agreement for the furnishing of temporary personnel services, for a two-year Agreement with four one-year extension options, for an estimated annual cost of $490,000, and a total amount not to exceed $3,172,000 over six years; and extending the current Agreements with Pridestaff, Exact Staff and Nelson Family of Companies for 90 days, if needed, through March 31, 2020 to allow adequate time to transition, and authorizing the Director of Finance or her designee to negotiate any cost increases, extra services or service changes. (Funding Source: Various Funds)

- Resolution approving an Agreement with ACRO Service Corporation (ACRO) for the furnishing of temporary personnel services, for a two-year Agreement with four one-year extension options, for an estimated annual cost of $490,000, and a total amount not to exceed $3,172,000 over six years; and extending the current Agreements with Pridestaff, Exact Staff and Nelson Family of Companies for 90 days, if needed, through March 31, 2020, authorizing the Director of Finance or her designee to negotiate any cost increases, extra services or service changes and authorizing the City Manager, or his designee, to execute the Agreement.

Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Resolution 2019-544 (Kenoyer/Madrigal; 7/0) approving an Agreement with ACRO Service Corporation (ACRO) for the furnishing of temporary personnel services, for a two-year Agreement with four one-year extension options, for an estimated annual cost of $490,000, and a total amount not to exceed $3,172,000 over six years; and extending the current Agreements with Pridestaff, Exact Staff and Nelson Family of Companies for 90 days, if needed, through March 31, 2020, authorizing the Director of Finance or her designee to negotiate any cost increases, extra services or service changes and authorizing the City Manager, or his designee, to execute the Agreement.

Consent

11. Consider approving the Second Amendment increasing the Agreement amount with Varsity Facility Services, a KBS Company, Rancho Cordova, CA, for custodial services by $595,000 from $2,559,267 to a revised total amount of $3,154,267, and extending the Agreement from January 7, 2020 to December 31, 2020. (Funding Source: Building Services Fund, Community Center Operations Fund)

    - Resolution approving the Second Amendment increasing the Agreement amount with Varsity Facility Services, a KBS Company, Rancho Cordova, CA, for custodial services by $595,000 from $2,559,267 to a revised total amount of $3,154,267, and extending the Agreement from January 7, 2020 to December 31, 2020, and authorizing the City Manager, or his designee, to execute the Amendment.

    Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Resolution 2019-545 (Kenoyer/Madrigal; 7/0) approving the Second Amendment increasing the Agreement amount with Varsity Facility Services, a KBS Company, Rancho Cordova, CA, for custodial services by $595,000 from $2,559,267 to a revised total amount of $3,154,267, and extending the Agreement from January 7, 2020 to

December 31, 2020, and authorizing the City Manager, or his designee, to execute the Amendment.

Consent

12. Consider approving Agreements with Gilton Solid Waste Management, Inc. and Bertolotti Modesto Disposal, Inc. to perform billing and collection services on behalf of the garbage companies for certain solid waste removal provided to single-family residential customers within the City limits of Modesto for two years with three one-year extension options. (Funding Source: Not Applicable)
    - Resolution approving Agreements with Gilton Solid Waste Management, Inc. and Bertolotti Modesto Disposal, Inc. to perform billing and collection services on behalf of the two garbage companies for certain solid waste removal provided to single-family residential customers within the City limits of Modesto for two years with three one-year extension options and authorizing the City Manager, or his designee to execute the Agreements.

    Finance; Jeni Martin, 571-5892, jmartin@modestogov.com

ACTION: Resolution 2019-546 (Kenoyer/Madrigal; 7/0) approving Agreements with Gilton Solid Waste Management, Inc. and Bertolotti Modesto Disposal, Inc. to perform billing and collection services on behalf of the two garbage companies for certain solid waste removal provided to single-family residential customers within the City limits of Modesto for two years with three one-year extension options and authorizing the City Manager, or his designee to execute the Agreements.

Consent

13. Consider approving a payment to the Stanislaus Animal Services Agency in the amount of $256,720 for the Fiscal Year 2018-2019 partner allocation true-up. (Funding Source: General Fund)
    - Resolution approving a payment to the Stanislaus Animal Services Agency in the amount of $256,720 for the Fiscal Year 2018-2019 Partner Allocation True-up.

    Police; Craig Gundlach, 572-9500, gundlachc@modestopd.com

ACTION: Resolution 2019-547 (Kenoyer/Madrigal; 7/0) approving a payment to the Stanislaus Animal Services Agency in the amount of $256,720 for the Fiscal Year 2018-2019 Partner Allocation True-up.

Consent

14. Consider approving an extension for the discount for National Express Transit Corporation employees who purchase a Transportation Center parking lot monthly pass. (Funding Source: Parking Services Enterprise Fund)
    - Resolution approving an extension for the discount for National Express Transit Corporation employees who purchase a Transportation Center parking lot monthly pass.

    Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Resolution 2019-548 (Kenoyer/Madrigal; 7/0) approving an extension for the

discount for National Express Transit Corporation employees who purchase a Transportation Center parking lot monthly pass.

Consent

15. Consider approving the award of proposal and Agreement for operation of Modesto Area Dial-A-Ride to Transdev Services, Inc., Lombard, IL, for a five year Agreement with two two-year extension options, for an annual estimated cost not to exceed $3,067,622 and a total amount not to exceed $27,608,602 over nine years. (Funding Source: Transit Funds)
    - Resolution approving the award of proposal and Agreement for operation of Modesto Area Dial-A-Ride to Transdev Services, Inc., Lombard, IL, for a five year Agreement with two two-year extension options, for an annual estimated cost not to exceed $3,067,622 and a total amount not to exceed $27,608,602 over nine years, and authorizing the City Manager, or his designee, to execute the Agreement.

    Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Continued to January 14, 2020 Council meeting.

Removed from Consent

16. Consider approving the award of proposal and Agreement for the purchase of a Computer-aided Dispatch/Automated Vehicle Location system to Ecolane, USA, Inc., Wayne PA, for an annual estimated cost not to exceed $213,946, and a total amount not to exceed $447,006 over five years. (Funding Source: Transit Funds)
    - Resolution approving the award of proposal and Agreement for the purchase of a Computer-aided Dispatch/Automated Vehicle Location system to Ecolane, USA, Inc., Wayne PA, for an annual estimated cost not to exceed $213,946, and a total amount not to exceed $447,006 over five years, and authorizing the City Manager, or his designee to execute the Agreement.

    Public Works; Adam Barth, 577-5298, abarth@modestogov.com

ACTION: Resolution 2019-549 (Madrigal/Grewal; 7/0) approving the award of proposal and Agreement for the purchase of a Computer-aided Dispatch/Automated Vehicle Location system to Ecolane, USA, Inc., Wayne PA, for an annual estimated cost not to exceed $213,946, and a total amount not to exceed $447,006 over five years, and authorizing the City Manager, or his designee to execute the Agreement.

Consent

17. Consider approving the plans and specifications for the South Martin Luther King Drive Strengthen & Replace Water Mains Project; accepting the bid and awarding a construction contract to D.A. Wood Construction Inc. of Oakdale, CA, in the amount of $865,504; and amending the Fiscal Year 2019-2020 Capital Improvement Project Program Budget in the amount of $129,224. (Funding Source: Water Fund & Community Development Block Grant)
    - Resolution approving plans and specifications for the South Martin Luther King Drive Strengthen & Replace Water Mains Project, accepting the bid, and awarding a construction contract to D.A. Wood Construction of Oakdale, CA, in the amount

of $865,504 and authorizing the City Manager, or his designee, to execute the contract.

- Resolution amending the Fiscal Year 2019-20 Capital Improvement Program Budget in the amount of $129,224 to be transferred into the project from Water Fund Reserves in order to fully fund the construction, contingency, construction administration, City construction forces, and design support during construction for the South Martin Luther King Drive Strengthen & Replace Water Mains Project, and authorizing the City Manager, or his designee, to implement the provisions of this Resolution.

Utilities; Robert Davalos, 571-5869, rdavalos@modestogov.com

ACTION: Resolution 2019-550 (Kenoyer/Madrigal; 7/0) approving plans and specifications for the South Martin Luther King Drive Strengthen & Replace Water Mains Project, accepting the bid, and awarding a construction contract to D.A. Wood Construction of Oakdale, CA, in the amount of $865,504 and authorizing the City Manager, or his designee, to execute the contract.

ACTION: Resolution 2019-551 (Kenoyer/Madrigal; 7/0) amending the Fiscal Year 2019-20 Capital Improvement Program Budget in the amount of $129,224 to be transferred into the project from Water Fund Reserves in order to fully fund the construction, contingency, construction administration, City construction forces, and design support during construction for the South Martin Luther King Drive Strengthen & Replace Water Mains Project, and authorizing the City Manager, or his designee, to implement the provisions of this Resolution.

Removed from Consent

18. Consider authorizing an administrative action to amend the Director of Utilities authority to issue change orders on the Water Corporation Yard Project from 6% ($846,000) to 8% ($1,128,000) of the original construction contract price of $14,100,000 with Diede Construction Inc., of Lodi, CA. (Funding Source: Various Funds)

    - Resolution authorizing an administrative action to adjust the Director of Utilities authority to issue change orders on the Water Corporation Yard Project from 6 % ($846,000) to 8 % ($1,128,000) of the original construction contract price of $14,100,000 with Diede Construction Inc., of Lodi, CA.

    Utilities; Robert Davalos, 571-5869, rdavalos@modestogov.com

ACTION: Resolution 2019-552 (Grewal/Ridenour; 7/0) authorizing an administrative action to adjust the Director of Utilities authority to issue change orders on the Water Corporation Yard Project from 6 % ($846,000) to 8 % ($1,128,000) of the original construction contract price of $14,100,000 with Diede Construction Inc., of Lodi, CA.

COUNCIL COMMENTS & REPORTS

Councilmember Kenoyer attended the City of Modesto Parade of Lights on Saturday and thanked staff.

Councilmember Madrigal spoke regarding the community clean-up in South Modesto on

Saturday from 9:00 a.m. to 12:00 p.m.; he attended the memorial service for Manuel Mejia; he requested tonight's meeting be adjourned in Mr. Mejia's memory; he also spoke regarding a recent article in the Modesto Bee regarding City contracts with Rank Security and requested a change to the Fiscal Impact section to include total amounts the vendor has received over the past 5 Fiscal Years

CITY MANAGER COMMENTS & REPORTS

City Manager Lopez spoke regarding public outreach for meetings requested by Councilmember Madrigal; he will bring back an item at the January 14, 2020 Council meeting.

UNFINISHED BUSINESS

19. Informational Update on Requested sound wall as part of the SR-132 Project. (Funding Source: Not Applicable)
Community & Economic Development; Jaylen French, 341-2983, jfrench@modestogov.com

ACTION: Community & Economic Development Director Jaylen French gave an informational update on requested sound wall as part of the SR-132 Project.

Recess at 8:00 p.m.
Reconvened at 8:10 p.m.

HEARINGS

Published in the Modesto Bee on November 29, 2019; Councilmember Ridenour absent due to conflict of interest

20. Hearing to consider amending Ordinance 3345-C.S. to reduce one-time tax in CFD 2004-1 (Village One #2). (Funding Source: CFD No. 2004-1 (Village One #2))
    - Motion introducing and waiving the first reading of an ordinance amending Ordinance No. 3345-C.S Entitled "An Ordinance of the City Council of the City of Modesto authorizing the levy of special taxes within City of Modesto Community Facilities District No. 2004-1 (Village One #2)" as amended by Ordinance No. 3392-C.S

    Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Motion (Grewal/Ah You; 6/0; Ridenour absent due to conflict of interest) introducing and waiving the first reading of Ordinance **No. 3715-C.S.** amending Ordinance No. 3345-C.S Entitled "An Ordinance of the City Council of the City of Modesto authorizing the levy of special taxes within City of Modesto Community Facilities District No. 2004-1 (Village One #2)" as amended by Ordinance No. 3392-C.S

Published in the Modesto Bee on November 29, 2019

21. Hearing to consider accepting the Fiscal Year 2018-19 Annual Report of Funds Held

for Future Improvements and making findings related to each security on file. (Funding Source: Developer Deposits)

- Resolution accepting the Fiscal Year 2018-19 Annual Report of Funds Held for Future Improvements, and making findings related to each security on file.

Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Resolution 2019-553 (Grewal/Ah You; 7/0) accepting the Fiscal Year 2018-19 Annual Report of Funds Held for Future Improvements, and making findings related to each security on file.

Published in the Modesto Bee on November 29, 2019

22. Hearing to consider accepting the Capital Facilities Fees Annual Report for Fiscal Year 2018-19 and making findings related to each of the fee categories. (Funding Source: Capital Facilities Fees)

    - Resolution accepting the Capital Facilities Fees Annual Report for Fiscal Year 2018-2019 and making findings related to each of the fee categories.

    Community & Economic Development; Jessica Narayan, 577-5211, jnarayan@modestogov.com

ACTION: Resolution 2019-554 (Ah You/Grewal; 7/0) accepting the Capital Facilities Fees Annual Report for Fiscal Year 2018-2019 and making findings related to each of the fee categories.

NEW BUSINESS

23. Consider adopting the 2020-2025 Blight Abatement Strategy, and authorizing the City Manager, or his designee, to initiate the process to establish a Blight Abatement Fee in support of the 2020-2025 Blight Abatement Strategy. (Funding Source: Solid Waste Fund)

    - Resolution adopting the 2020-2025 Blight Abatement Strategy and authorizing the City Manager, or his designee, to initiate the process to establish a Blight Abatement Fee in support of the 2020-2025 Blight Abatement Strategy.

    City Manager; Scotty Douglass, 577-9149, sdouglass@modestogov.com

ACTION: Resolution 2019-555 (Madrigal/Ah You; 7/0) adopting the 2020-2025 Blight Abatement Strategy and authorizing the City Manager, or his designee, to initiate the process to establish a Blight Abatement Fee in support of the 2020-2025 Blight Abatement Strategy. **(AS AMENDED)**

24. Consider approving a First Amendment to the Agreement with Management Partners, Inc. (Management Partners) increasing the total amount by $110,000 for a total Agreement amount not to exceed $152,900 to add services for support with the Budget Division to support the development of the Fiscal Year 2020/21 budget, a ten-year forecast, and additional financial analysis and support as necessary. (Funding Source:

Various Funds)

- Resolution approving a First Amendment to the Agreement with Management Partners, Inc. (Management Partners) increasing the total amount by $110,000 for a total Agreement amount not to exceed $152,900 to add services for support with the Budget Division to support the development of the Fiscal Year 2020/2021 budget, a ten-year forecast, and additional financial analysis and support as necessary, and authorizing the City Manager to execute the Amendment.

City Manager; Edgar Garcia, 571-5101, edgarcia@modestogov.com

ACTION: Resolution 2019-556 (Ridenour/Grewal; 6/1; Ah You no) approving a First Amendment to the Agreement with Management Partners, Inc. (Management Partners) increasing the total amount by $110,000 for a total Agreement amount not to exceed $152,900 to add services for support with the Budget Division to support the development of the Fiscal Year 2020/2021 budget, a ten-year forecast, and additional financial analysis and support as necessary, and authorizing the City Manager to execute the Amendment.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned in memory of Manuel Mejia at 10:00 p.m.

CLOSED SESSION

All Closed Session Matters heard prior to meeting

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
One Case (Pursuant to Section 54956.9(d)(2) of the Government Code)

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
Three Cases (Pursuant to Section 54956.9(a) of the Government Code)

Name of case(s): Craig Davis v. City of Modesto
California Workers Compensation Appeals Board
Nos. ADJ10597087

Robert Hart v. City of Modesto
California Workers Compensation Appeals Board
Nos. ADJ9052626, ADJ9751181, ADJ Unassigned

Randy Hutshell v. City of Modesto
California Workers Compensation Appeals Board
Nos. ADJ10844376

Attest:_____
Stephanie Lopez, City Clerk

MINUTES

City of Modesto

SPECIAL FINANCE COMMITTE / COUNCIL WORKSHOP

Second Floor, Room 2005
Tenth Street Place, 1010 10th Street
Modesto, California

Monday, December 16, 2019, at 3:00 p.m.

Roll Call: Present: Councilmembers Grewal, Zoslocki, Ridenour
Absent: None
Also Present: Councilmember Kenoyer

PUBLIC COMMENT

None.

CONSENT

Consent
1. Consider approving the recommended budget adjustments to Fiscal Year 2019-20 Annual Operating and Capital Improvement Program Budgets and forwarding to Council for approval. (Funding Source: Various Funds)
Finance and City Manager; Wilson Chalabi, 571-5855, wchalabi@modestogov.com

ACTION: Motion (Ridenour/Zoslocki; 3/0) approving the recommended budget adjustments to Fiscal Year 2019-20 Annual Operating and Capital Improvement Program Budgets and forwarding to Council for approval.

Consent
2. Consider accepting an informational report on the September and October 2019 grant applications and awards and forwarding to Council for approval. (Funding Source: Not Applicable)
Finance; DeAnna Christensen, 577-5387, dachristensen@modestogov.com

ACTION: Motion (Ridenour/Zoslocki; 3/0) accepting an informational report on the September and October 2019 grant applications and awards and forwarding to Council for approval.

Consent
3. Consider approving an Agreement with Avenu Insights and Analytics, LLC/MuniServices for tax audits, analysis and reporting services for a two-year Agreement with three one-year extension options, for an annual estimated cost not to exceed $120,000, and a total amount not to exceed $600,000 over five years and forwarding to Council for approval. (Funding Source: General Fund)
Finance; Cynthia Kline, 577-5412, ckline@modestogov.com

ACTION: Motion (Ridenour/Zoslocki; 3/0) approving an Agreement with Avenu Insights and Analytics, LLC/MuniServices for tax audits, analysis and reporting services for a two-year Agreement with three one-year extension options, for an annual estimated cost not to exceed $120,000, and a total amount not to exceed $600,000 over five years and forwarding to Council for approval.

Removed from Consent

4. Consider amending the Position Allocation Plan in several departments: Fire Department - to reclassify one Fire Inspector to one Senior Fire Inspector, create one Administrative Office Assistant III and move nine Firefighter allocations from the Safer Grant cost center to the Fire Suppression cost center in the Modesto Fire Department; Public Works Department - to reallocate one Assistant Engineer to one Associate Civil/Traffic Engineer ; Information Technology Department to reclassify one Software Analyst I to one Software Analyst II ; and in the Community & Economic Development Department to reclassify one Business Manager to one Economic Development Manager and forwarding to Council for approval. (Funding Source: Various Sources)
   Human Resources; Christina Alger, 577-5490, calger@modestogov.com

ACTION: Motion (Ridenour/Zoslocki; 3/0) approving Item 4 and acknowledging the City Manager will be meeting with Councilmember Kenoyer to discuss the item.

Consent

5. Consider approving grant applications, accepting grant awards and amending the annual budgets for: All the Beverage Container Recycling City/County Payment Programs to California Department of Resources Recycling and Recovery; and forwarding to Council for approval. (Funding Source: Not Applicable)
   Public Works; Vicki Rice, 577-5495, vrice@modestogov.com

ACTION: Motion (Ridenour/Zoslocki; 3/0) approving grant applications, accepting grant awards and amending the annual budgets for: All the Beverage Container Recycling City/County Payment Programs to California Department of Resources Recycling and Recovery; and forwarding to Council for approval.

Consent

6. Consider approving grant applications, accepting grant awards and amending the annual budgets for all Waste Tire Amnesty Grants to California Department of Resources Recycling and Recovery; and forwarding to Council for approval. (Funding Source: Not Applicable)
   Public Works; Vicki Rice, 577-5495, vrice@modestogov.com

ACTION: Motion (Ridenour/Zoslocki; 3/0) approving grant applications, accepting grant awards and amending the annual budgets for all Waste Tire Amnesty Grants to California Department of Resources Recycling and Recovery; and forwarding to Council for approval.

Consent

7. Consider approving grant applications, accepting grant awards and amending the annual budgets for: All Waste Tire Cleanup Grants to California Department of Resources Recycling and Recovery; and forwarding to Council for approval. (Funding Source: Not Applicable)
Public Works; Vicki Rice, 577-5495, vrice@modestogov.com

ACTION: Motion (Ridenour/Zoslocki; 3/0) approving grant applications, accepting grant awards and amending the annual budgets for: All Waste Tire Cleanup Grants to California Department of Resources Recycling and Recovery; and forwarding to Council for approval.

Consent

8. Consider approving the First Amendment increasing the Agreement amount with Machado & Sons Construction, Turlock, CA, for "as-needed" concrete services at multiple locations throughout the City by $150,000 from $525,659 to a new total amount of $675,659, and forwarding to Council for approval. (Funding Source: Transit and Traffic Funds)
Public Works; Scott Collins, 577-5431, scollins@modestogov.com

ACTION: Motion (Ridenour/Zoslocki; 3/0) approving the First Amendment increasing the Agreement amount with Machado & Sons Construction, Turlock, CA, for "as-needed" concrete services at multiple locations throughout the City by $150,000 from $525,659 to a new total amount of $675,659, and forwarding to Council for approval.

NEW BUSINESS

9. Consider authorizing the transition of parking enforcement responsibilities from the Police Department to the Public Works Department, Parking Services Division; and approving one full-time Parking Enforcement Officer for an estimated annual cost of $54,132 and forwarding to Council for approval. (Funding Source: Parking Fund & General Fund)
City Manager; Scotty Douglass, 577-9149, sdouglass@modestogov.com

ACTION: Motion (Zoslocki/Ridenour; 3/0) authorizing the transition of parking enforcement responsibilities from the Police Department to the Public Works Department, Parking Services Division; and approving one full-time Parking Enforcement Officer for an estimated annual cost of $54,132 and forwarding to Council for approval.

10. Consider approving an informational update on a policy for Discontinuation of Residential Water Service for Nonpayment and updating the utility billing delinquency timeline increasing the amnesty period from 45 days to 60 days for delinquent residential customers before services are disconnected for nonpayment in compliance with State Bill No. 998 effective February 1, 2020 and forwarding to Council for approval. (Funding Source: Not Applicable)
Finance; DeAnna Christensen , 577-5387, dachristensen@modestogov.com

ACTION: Motion (Ridenour/Zoslocki; 3/0) approving an informational update on a policy for Discontinuation of Residential Water Service for Nonpayment and updating the utility billing delinquency timeline increasing the amnesty period from 45 days to 60 days for delinquent

residential customers before services are disconnected for nonpayment in compliance with State Bill No. 998 effective February 1, 2020 and forwarding to Council for approval.

11. Consider approving an increase to all municipal parking violation fines and updating the parking violation fine schedule, and forwarding to Council for approval. (Funding Source: Parking Fund; General Fund)
Finance; DeAnna Christensen, 577-5387, dachristensen@modestogov.com

ACTION: Motion (Zoslocki/Ridenour; 3/0) approving an increase to all municipal parking violation fines and updating the parking violation fine schedule, and forwarding to Council for approval.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 3:57 p.m.

Attest:_____
Joseph Lopez, City Manager

MINUTES

City of Modesto

SPECIAL CITY COUNCIL WORKSHOP

Tenth Street Place, 1010 10th Street
Second Floor, Room 2001
Modesto, California
Tuesday, December 17, 2019, at 5:30 p.m.

Roll Call – Present: Councilmembers Ah You, Kenoyer, Madrigal, Ridenour, Mayor Brandvold
Absent: Councilmembers Grewal (due to conflict of interest) and Zoslocki

Pledge of Allegiance to the Flag

Moment of Silence in honor of former City Councilmember Dave Lopez who died in a car accident on December 16, 2019.

PUBLIC COMMENT

None.

UNFINISHED BUSINESS

1. Downtown Master Plan Progress / Status Update. (Funding Source: Not Applicable)
   Community & Economic Development; Jaylen French, 341-2938, jfrench@modestogov.com

ACTION: No reportable action.

MATTERS TOO LATE FOR THE AGENDA

None.

ADJOURNMENT

This meeting adjourned at 6:57 p.m.

Attest:_____

Cathi Erbe, Assistant City Clerk